

TOWN BOARD MINUTES
TOWN OF POESTENKILL
TOWN BOARD MEETING

August 16, 2012

(Not approved at time of distribution)

ROLL CALL AS FOLLOWS

Councilman Bayly	Present
Councilwoman Bentley	Present
Councilwoman Cropsey	Present
Councilman Slavin	Present
Supervisor Jacangelo	Present

NON VOTING MEMBERS

Susan Horton, Town Clerk
Patrick Tomaselli, Town Attorney

The Town Board members met at 7:00 p.m. to review and audit the monthly bills. On a motion by Councilman Slavin, seconded by Bayly and carried (with the exception of the \$15,000 Blair voucher that was lacking documentation) to authorize the payment of the audited bills.

Public Hearing on proposed Local Law #2-2012 entitled "PROVIDING FOR THE SEASONAL PROHIBITION OF PARKING OF VEHICLES IN THE VICINITY OF BARBERSVILLE FALLS" was opened at 7:15 p.m. This local law came about due to the continuing trespass upon the lands surrounding the Barbersville Falls particularly in the summer months. Therefore, commencing on the 25th day May of each year and continuing through the 8th day of September no person shall park a motor vehicle on either side of Blue Factory Road from its intersection with Plank Road (a distance of 600 ft.), Banner Hill Lane from its intersection with Blue Factory and proceeding South (200 ft.) and Plank Road starting at a point (600 ft.) West of its intersection with Blue Factory Road and running North and West a distance of 2300 ft. There were no public comments and the hearing was closed at 7:20 pm. This proposed local law will be voted on during the meeting portion of the agenda.

Public Comment Period - Town Resident, T. Anastasio of 42 Snyder's Corner Rd. is concerned over the multiple accidents that have occurred on this stretch of road. Supervisor Jacangelo reported that this was a county road and not a town road but if Mr. Anastasio wrote a letter to the County he would be glad to follow up with his concerns. Mr. Anastasio who is a member of the town's Water Committee wanted to know if there was any kind of special funding for low income families pertaining to water district hookups. Supervisor Jacangelo stated that there was help for this issue but said families would have to investigate this on their own. Mr. Anastasio speaking on behalf of a neighbor (D. Barcher) questioned several issues regarding "Williams/Dorr" Street. The one particular item was in regards to liability. It seems that a portion of the road in question is located on a section of Mr. Barcher's property. Supervisor Jacangelo stated that if Mr. Barcher was concerned over the liability issue, that with a letter to the town he could donate that section to the town of Poestenkill and therefore, relieve him of any possible liability. T. Jacangelo commended the Supervisor on the excellent job that he is doing.

Motion by Bayly, seconded by Cropsey and an oral vote of 5 ayes to accept the town clerk's minutes of July 19th as written

Liaison Reports

Planning Board – J. Ross, Planning Board liaison reported on the Planning board meeting of July 3rd and Town Board members had copies of these minutes in their packets.

Zoning Board – ZBA meeting of August 14th was cancelled due to lack of agenda items.

Records Advisory - Nothing to report.

Fire Company – Reports for July were in town board members packets and the Summary Report was also included from April – June.

Library – Supervisor Jacangelo reported that the Library’s porch is in need of repair and he also reported that pressure washing was done at both the Library and the town hall.

CAC – Did not meet.

Youth Board – Councilwoman Bentley reported that the summer camp was a success.

Water Board- Did not meet.

Correspondence

Equalization Rate for the 2012 Assessment Roll – Letter from the NYS Dept. of Taxation and Finance stating that the final State Equalization Rate for the town for the 2012 Assessment Roll is 25.40.

Patrick Tomaselli – Williams Street - Board members had copies of Mr. Tomaselli’s letter dated August 10th pertaining to the highway status of Williams Street. It stated that he was of the opinion that there was sufficient public use and sufficient control exercised by the town so as to establish at least a portion of the roadway as a highway “by use”. Said road would appear to be a user highway for a distance of 150 ft. from its intersection with Williams Street.

Discussion Items

Safe Routes to School – Grant

Supervisor Jacangelo spoke on the Safe Routes to School Program. This program is a Federal Aid Transportation Reimbursement Program. It is administered by the Federal Highway Administration Office of Safety. The program is 100% federally funded with no local contribution or match required for eligible projects and activities. Supervisor Jacangelo spoke on the possibility of extending sidewalks throughout the hamlet including School Rd. The Town can apply for up to a \$500,000 grant. On a motion by Slavin, seconded by Cropsey and carried to authorize the Supervisor to apply for this grant. It was noted that in order for this grant to move forward the School has to be a participant.

RESOLUTION NO. 14-2012

IN THE MATTER OF THE ADOPTION OF PROPOSED LOCAL LAW NO. 2 OF THE YEAR 2012 OF THE TOWN OF POESTENKILL ENACTING BARBERSVILLE FALLS AREA PARKING RESTRICTIONS

MOVED BY: Slavin

SECONDED BY; Bentley

VOTED UPON AS FOLLOWS:

Councilman Bayly	YES
Councilwoman Bentley	YES
Councilwoman Cropsey	YES
Councilman Slavin	YES
Supervisor Jacangelo	YES

Reports

Supervisor’s Report – Supervisor Jacangelo reported that over the course of several months there had been many discussions regarding ambulance service in the town; there is no easy answer. He stated he has meet with many people/state agencies regarding this issue. In looking at all the various scenarios, it seemed like there was only one thing that made sense and that was to send a letter to the Director of Public Safety to have a dual response from Poestenkill Ambulance and Mohawk Ambulance. He feels that there is no reasonable alternative affordable by the town and its residents. This in no way should be interpreted as a slight against the Poestenkill Ambulance crews because they have done a remarkable job with limited personnel. It is within his powers as Supervisor to request this service. If at some point in time, conditions improve to allow for

predictable responses, this formal request will be amended/modified as current circumstances warrant. H. VanSlyke, thanked Supervisor Jacangelo for taking this approach and he does not feel that this response “is a slap in the face” to the hometown crews.

Town Attorney’s Report – Mr. Tomaselli read his monthly report which included his activities since the last town board meeting. These activities included working with the town bookkeeper on the USDA RA form E. Review of the Williams Street issue, drafting local law #2, drafting budget transfers for tonight’s meeting and updating the 2012-13 Snow-Ice Agreement.

RESOLUTION #15-2012 – IN THE MATTER OF AUTHORIZING THE TOWN SUPERVISOR TO EXECUTE THE 2012-2013 SNOW AND ICE AGREEMENT BETWEEN THE TOWN OF POESTENKILL AND COUNTY OF RENSSELAER

MOVED BY: Bentley

SECONDED BY: Slavin

VOTED UPON AS FOLLOWS:

Councilman Bayly: YES

Councilwoman Bentley: YES

Councilwoman Cropsey: YES

Councilman Slavin: YES

Supervisor Jacangelo: YES

Town Clerk’s Report – Motion by Bayly, seconded by Cropsey and carried to accept the Town Clerk’s report for July, 2012. The amount collected in the clerk’s office was \$9,748.57 and of that amount \$9,330.02 was remitted to the Supervisor. Town Board members had copies of the Building Inspector/Code Enforcement/Water Manager’s report, as well as the dog control report, the assessor’s report, and the highway report. R. Brunet elaborated on the THM issue.

The highway superintendent would like to purchase 2 new pick up’s off of the State Contract. He does have the money in his budget line. He will be trading in 2 of his current pick ups and the Town Board would like to have comparatives of the ones being traded. This will be finalized at the September meeting when Toby brings in his paperwork. Councilman Bayly also brought to the highway superintendent’s attention to the fact that 2 quotes are needed for the repair work that was done to the hydrants. This is needed for FEMA paperwork.

Councilman Slavin asked Toby about the culvert at Quail Meadows and if the highway had put it in. Mr. Chadwick stated that he did indeed install the culvert and Mr. Kronau will be billed. The discussion than turned to the main water line in this area and the discussion became very hectic. R. Brunet wanted it noted that he was against anybody moving the 8 inch main water line. However, Councilman Bayly and Supervisor Jacangelo both made it clear that they were not discussing the issue of moving the main line at this site. It was decided that Mr. Brunet will speak with Mr. Kronau on the issues that were discussed this evening. It was briefly discussed about possibly having Cathlie Drive becoming a one- way street.

Budget Transfers –

RESOLUTION #16-2012- IN THE MATTER OF THE TRANSFER OF CERTAIN HIGHWAY BUDGET FUNDS

RESOLVED, that it is hereby authorized and directed that the sum of \$26,000.00 be transferred as follows:

From Highway Fund budget line item 251204 (Bridges)

To Highway budget line item 251304 (Machinery)

MOVED BY: Bentley

SECONDED BY: Bayly

VOTED UPON AS FOLLOWS:

Councilman Bayly: YES
 Councilwoman Bentley: YES
 Councilwoman Cropsey: YES
 Councilman Slavin: YES
 Supervisor Jacangelo: YES

RESOLUTION #17-2012- IN THE MATTER OF THE TRANSFER OF CERTAIN WATER CAPITAL BUDGET FUNDS

RESOLVED, that it is hereby authorized and directed that the budget line items as indicated on the Rural Development (RD) Project Budget/Cost Certification Form E be modified by transferring funds totaling \$22,442.44 as indicated in the following allocations:

From Form E budget line items

A. Administrative, 2. Bonding	650.21
C. Construction, 2. Direct Expenditures, a. Replacement Parts	21,792.23

To Form E budget line items

A. Administrative, 1. Legal (Town Attorney)	11,396.09
C. Administrative, 3. Legal Town Attorney Fringe Benefits	11,046.35

RESOLVED, that the Rural Development (RD) Project Budget/Cost Certification Form E as hereby modified (a copy of which is annexed hereto) is hereby adopted by the Town Board.

MOVED BY: Slavin

SECONDED BY: Bentley

VOTED UPON AS FOLLOWS:

Councilman Bayly: YES
 Councilwoman Bentley: YES
 Councilwoman Cropsey: YES
 Councilman Slavin: YES
 Supervisor Jacangelo: YES

Motion by Slavin and seconded by Cropsey and an oral vote of 5 ayes to accept Warrant #15-2012 in the amount of \$47,675.24. The original warrant was for \$62,675.24 and the board did not authorize the \$15,000 amount for Blair. Motion by Slavin, seconded by Bentley and an oral vote of 5 ayes to pay Warrant #16-2012 in the amount of \$65,337.97.

Motion by Slavin, seconded by Cropsey and carried to enter into Executive Session at 8:45 pm to discuss possible litigation. No action was taken in Executive Session. Motion by Bentley and seconded by Cropsey and carried to exit Executive Session at 9:15 pm and immediately adjourned.

Respectfully submitted,

Susan Horton, Town Clerk