

TOWN BOARD MINUTES
TOWN OF POESTENKILL
TOWN BOARD MEETING
February 21, 2013
(Not approved at time of distribution)

ROLL CALL AS FOLLOWS

Councilman Bayly	Absent
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. Supervisor Jacangelo opened the meeting with the Pledge of Allegiance followed by the Public Hearing on the Proposed Local Law #2-2013 entitled "TOWN OF POESTENKILL LOT LINE ADJUSTMENT LAW." The affidavit of Publication was available for review. Supervisor Jacangelo gave some background information as to why this issue was being addressed at this time. The actual definition that is presently in the code needs to be broadened. Former Planning Board member and resident, Kevin McGrath spoke on his concern regarding the acre restriction in the proposed law. He feels the most important requirement with a lot line adjustment is that no new lots are being created. The lands in question are just being removed from one tax parcel and merged with an adjacent parcel. Mr. McGrath elaborated by saying that if this proposed law is enacted, adjoining lands owners would have to apply to the Zoning Board for a area various to remedy the one acre requirement. He believes that the Planning Board should have the power to review lot line adjustment applications and make sure that the revised parcels do not become non-conforming and that there are no building set back violations because of the adjustment. D. Haas, current Planning Board member speaking on behalf of H. VanSlyke, current Zoning Board member, feels that the one acre requirement is going to require unnecessary expenses and that specific acreage is not necessary. He further stated that he feels the definition of a lot line adjustment is a good idea and it protects the town from future lawsuits. F. Burzesi, current Zoning Board Chairman agrees with Mr. Haas 100%. S. Valente, PBA President feels that the real issue is that there is no clear definition of a lot line adjustment. R. Brunet, Code Enforcement Officer is in favor of proposed Local Law #2. Town Attorney, P. T Tomaselli stated that actually the request for this proposed local law came from the Planning Board's attorney. When everyone was given the opportunity to speak, Supervisor Jacangelo closed the Public Hearing at 8:05 p.m.

Supervisor Jacangelo opened the Public Comment Period – D. Haas, questioned Supervisor Jacangelo if Natural Gas would be coming to our town in the near future. Supervisor Jacangelo stated that he was still exploring the facts of this issue.

Motion by Bentley, seconded by Slavin and an oral vote of 4 ayes to accept the town clerk's minutes of January 17th as written.

Liaison Reports

Planning Board – D. Hass, Planning Board liaison reported on the Planning board meeting of February 5th and Town Board members had copies of these minutes in their packets.

Zoning Board – F. Burzesi reported that the ZBA meeting of February 12th had no agenda items.

Records Advisory - Nothing to report.

Fire Company – Reports for January 2013 were in town board members packets and D. Basle, Fire Chief inquired as to whether the town was going to purchase more Stuart connections (dealing with water hydrants). R. Brunet, Water Manager stated that at this time there is no money in the budget for this item. Supervisor Jacangelo spoke to the fact that perhaps down the road monies may become available to purchase these items. Motion by Bentley, seconded by Slavin and carried to reappoint Lou Basle to the Rensselaer County Fire Advisory Board.

Library – E. Gresens, reported on recent activities of the Library.

Youth Board – T. Houser reported on the recent activities of the Youth Group and Board members had copies of her report.

Correspondence

Supervisor Jacangelo stated a letter was received from Time Warner agreeing on the Franchise Fee settlement of \$5,600. Supervisor Jacangelo also stated the NYSERDA Funds have been received for the two new copiers in the amount of \$5,214.00 and the official closing date for Rural Development has been set for March 1st.

Discussion Items – None

Action Items – Proposed Local Law #2-2013 – It was the consensus of the Town Board to keep the public hearing open because of all the comments on the acreage requirement that is in the current proposed draft legislation. On a Motion by Slavin, seconded by Bentley and carried it was decided to reopen the Lot Line Adjustment Hearing at the next Town Board Meeting of March 21st at 7:15 pm.

RESOLUTION NO. 4-2013

IN THE MATTER OF AUTHORIZING THE SUPERVISOR OF THE TOWN OF POESTENKILL TO SUBMIT A LETTER OF INTENT TO PARTICIPATE IN A 2013-14 SHARED SERVICES GRANT AND TO COMPLETE A SHARED SERVICE AGREEMENT FORM RELATING TO THE USE AND STORAGE OF DIGITIZED RECORDS

MOVED BY: Slavin

SECONDED BY; Cropsey

VOTED UPON AS FOLLOWS:

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

RESOLUTION #5-6-7-2013 – IN THE MATTER OF RECOGNIZING ANDREW GLANTON, JUSTIN ARSENAULT, JOSHUA GLASSER, upon their receipt of the rank of Eagle Scout. This recognition was moved by Councilman Slavin, and seconded by Councilwoman Bentley and carried.

Reports

Supervisor's Report – Supervisor Jacangelo reported that it has been a busy time for him since the last board meeting with communications with USDA RD and others regarding the closing on the RD loan and other water issues including an incident that occurred within the water district, where a curb stop was damaged. The town is seeking to recover from the responsible party. Casale Excavating did all of the repairs in a timely fashion. Supervisor Jacangelo will meet with the Town Clerk to review any records that need to be scanned/digitized. Supervisor Jacangelo also stated that he has been working with the Code Enforcer and the Town Attorney to have the town hall in compliance with the ADA pertaining to the entrance where the elevator is located.

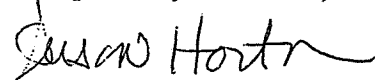
Town Attorney's Report – Mr. Tomaselli read his monthly report which included his activities since the last town board meeting. These activities drafting proposed local law #2, drafting a public hearing notice for tonight's meeting and confirmed the attendance at the closing meeting set for February 25th on the RD loan. His full monthly report is on record at the town clerk's office.

Town Clerk's Report – Motion by Bentley, seconded by Cropsey and carried to accept the Town Clerk's report for January 2013. The amount collected in the clerk's office was \$9,996.00 and of that amount \$9,751.06 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 and assessor's report. There is no Highway Report or Creek Side Kennel Report. R. Brunet, reported that New MS4 standards will be implemented over a five year period and he is under the impression that these standards involve Municipal Highway garages.

Motion by Slavin and seconded by Bentley and an oral vote of 4 ayes to accept Warrant #5-2013 in the amount of \$257,452.41. Motion by Slavin, seconded by Cropsey and an oral vote of 4 ayes to pay Warrant #6-2013 in the amount of \$11,964.74.

Motion by Bentley, seconded by Slavin and carried to adjourn at 8:45 a.m.

Respectfully submitted,


Susan Horton, Town Clerk