

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

ROLL CALL AS FOLLOWS

Councilman Bayly	Present
Councilwoman Bentley	Absent (family illness)
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. Motion by Slavin, seconded by Bayly and an oral vote of 4 ayes that the bills have been audited for payment this evening.

Supervisor Jacangelo opened the meeting with the Pledge of Allegiance and reported that the Board would now re-open the public hearing which had been continued from the February 21<sup>st</sup> meeting to the present meeting on proposed local law #2-2013 entitled "Town of Poestenkill Lot Line Adjustment." The affidavit of publication was available. Supervisor Jacangelo stated that at the February 21<sup>st</sup> public hearing on the Lot Line Adjustment definition, there was a major discussion on the one acre issue that was included in that particular document. The new draft has removed the threshold amount of one acre and will leave the decision to the discretion of the Planning Board if a situation arises beyond a lot line adjustment. D. Hass, Planning Board member stated he himself has not reviewed it and it was the consensus of the Planning Board to review the draft again prior to the Town Board's formal vote. Mr. Tomaselli stated that he had received e-mails from both Planning Board Chairman and the Planning Board's Attorney regarding their opinions of the proposed legislation. Mr. Tomaselli read R. Ryan's, Planning Board Attorney response to the draft that he liked the wording much better. Supervisor Jacangelo reported that Planning Board member's had copies of the new draft and it was also on the town's web site and that the town had to move forward with this legislation so it could be incorporated into the new code and General Code Publishers has only given the town a window of time to get this included. When everyone was given the opportunity to speak, the public hearing was closed at 7:30 pm.

Supervisor Jacangelo opened the comment period at 7:30 and D. Hass reported that the Poestenkill Business Association will be sponsoring the Farmers Market which will be held during the Summer months at Algonquin Middle School and that Karen and Pete St. Germain will be in charge. D. Hass has stated that he had recently received a letter from Congressman Chris Gibson stating many Towns and Municipalities had passed legislation opposing the NY SAFE ACT pertaining to "gun control". He asked if the town board would enact such a legislation. It was the consensus of the town board to do a resolution opposing this SAFE ACT law. Mr. Tomaselli and Supervisor Jacangelo respectively will be working on this resolution. When everyone was given the opportunity to speak, the public comment period was closed at 7:40 pm.

Motion by Slavin, seconded by Bayly and an oral vote of 4 ayes to accept the Town Clerk's minutes of the Special Meeting of March 7, 2013 as written. Motion by Slavin, seconded by Cropsey with one abstention by Councilman Bayly and an oral vote of 3 ayes (Councilman Bayly absent from the February 21<sup>st</sup> meeting) to accept the Town Clerk's minutes of February 21, 2013, as written.

**Liaison Reports:**

Planning Board – J. Ross reported on the recent meeting and Town Board members had copies of the Planning Board minutes of March 5<sup>th</sup> in their packets. J. Ross reported Callanan's Special Use Permit was extended two months to allow time for the DEC permit to be issued. Councilman Bayly posed the question as to whether they should be operating without an SUP. Supervisor Jacangelo asked R. Burnet, Code Enforcement Officer to follow up with Nancy Baker, Regional Permit Administrator at DEC to get an update on the status of the Callanan DEC permit for the NY 66 and NY 355 location. The email response to this inquiry is attached to these minutes.

Zoning Board – The March 12<sup>th</sup> ZBA meeting was cancelled due to lack of Agenda items.

Fire Company – Town Board members were given copies of the Fire Company's current report for February.

Records Advisory- No report.

Library – K. Jones reported on the current activities at the Library. Supervisor Jacangelo said that Bob Brunet and himself were reviewing the ADA requirements for the Library pertaining to minor issues such as handrail, etc. There are no big issues that need to be addressed.

Youth Advisory Board – There was no written report from the Youth Director, however the Supervisor stated that the Easter Egg Hunt will be held on March 30<sup>th</sup> @ 2pm at the Sullivan Jones post.

**Correspondence:**

Time Warner – Supervisor Jacangelo stated that the town should be receiving the additional franchise monies from Time Warner shortly.

Capital District Data – Town Board members had copies of the survey data from the Capital District Regional Planning Commission of tables from the American Community Survey Data demographic profiles.

**Action Items:**

RESOLUTION #9-2013-IN THE MATTER OF THE ADOPTION OF LOCAL LAW NO. 2 OF THE YEAR 2013 OF THE TOWN OF POESTENKILL ENTITLED "TOWN OF POESTENKILL LOT LINE ADJUSTMENT LAW"

MOVED BY: Councilman Bayly

SECONDED BY: Councilman Slavin

**VOTED UPON AS FOLLOWS:**

Councilman Bayly	Yes
Councilwoman Bentley	Absent

Councilwoman Cropsey	Yes
Councilman Slavin	Yes
Supervisor Jacangelo	Yes

Local Law #2-2013 Entitled “Town of Poestenkill Lot Line Adjustment Law”

MOVED BY: Councilman Bayly  
 SECONDED BY: Councilman Slavin

VOTED UPON AS FOLLOWS:

Councilman Bayly	Yes
Councilwoman Bentley	Absent
Councilwoman Cropsey	Yes
Councilman Slavin	Yes
Supervisor Jacangelo	Yes

Zoning Board Alternate Member Recommendation -A motion by Supervisor Jacangelo, seconded by Councilman Bayly and an oral vote of 4 ayes to appoint Kevin McGrath to the position of ZBA Alternate to fill the unexpired term of Paul Jamison to expire December 31, 2013.

Reports –

Supervisor’s Report – Supervisor Jacangelo reported that he attended a presentation by NYMIR (town’s insurance company) regarding recreational facilities which will come in handy when the town completes the transaction of obtaining the Twin Town Little League field. He also stated that all of the required information has been provided to EFC pertaining to the water district in order to move the closing of the long term financing through EFC. The town has been recertified for hardship and will receive 0% financing for the water district. He also stated that Mr. Tomaselli, R. Brunet and himself had a phone conference with the Dept. of Justice regarding ADA issues that need to be addressed which include some new signage at town hall and the library for access reasons and the town needs to update their response plan, etc.

Town Attorney’s Report – Mr. Tomaselli gave his monthly updates which included working on Local Law #2-2013 and had a phone conversation with the Dept. of Justice in response to the ADA issues. Mr. Tomaselli also prepared Resolution #9-2013 for this meeting.

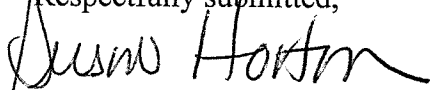
Town Clerk’s Report – Motion by Slavin, seconded by Cropsey and an oral vote of 4 ayes to accept the Town Clerk’s report of February 2013. The total amount received in the Clerk’s office was \$5,258.97 and of that amount \$5,202.47 was remitted to the Supervisor. Town Board members had copies of the Building Inspector/Code Enforcement Officer’s written report. They also had copies of the Assessor’s monthly report, Creekside Kennel report and two highway reports. R. Brunet wanted to bring to the Board’s attention to the new “Compliance Requirements” that the Federal Government has requested in order to monitor compliance with Federal laws. Applicants seeking to hook up to the water district are to be asked to fill out this required form at their discretion and it becomes part of the water permit process. Supervisor Jacangelo stated that the Rural Development is requesting this form to be filled out during the permit process if not by the applicant than by the person receiving the water permit application. R. Brunet is not happy with this mandate. Supervisor Jacangelo state that if the town does not comply with this mandate, it is possible that the town can lose their water funding. A copy of the application for the Water Service Connection and the new required form by the US Dept. of Agriculture is attached to these minutes.

Payment of Bills:

Motion by Slavin, seconded by Bayly and an oral vote of 4 ayes to pay Warrant #7-2013 in the amount of \$1,298.08 Motion by Slavin, seconded by Cropsey and an oral vote of 4 ayes to pay Warrant #8-2013 in the amount of \$95,830.78.

Motion by Bayly, seconded by Slavin carried to adjourn this meeting at 8:20 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Susan Horton". The signature is written in black ink and is positioned to the left of the printed name.

Susan Horton  
Town Clerk