

TOWN BOARD MINUTES  
TOWN OF POESTENKILL  
TOWN BOARD MEETING  
MAY 16, 2013  
(Not approved at time of distribution)

ROLL CALL AS FOLLOWS

|                      |                          |
|----------------------|--------------------------|
| Councilman Bayly     | Present                  |
| Councilwoman Bentley | Present                  |
| Councilwoman Cropsey | Present                  |
| Councilman Slavin    | Absent (Death in Family) |
| Supervisor Jacangelo | Present                  |

NON VOTING MEMBERS

Susan Horton, Town Clerk

The Town Board members met at 7:00 p.m. to review and audit the monthly bills. Motion by Bayly, seconded by Bentley 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 with the continuation of the public hearing from the May 2<sup>nd</sup> special meeting regarding the CODIFICATION OF THE TOWN CODE including local laws, ordinances and certain resolutions of the town. He asked Town Board members if they had any comments or if the public in attendance had any questions or comments on the proposed law. H. VanSlyke, ZBA member is concerned over the section 150.74 in the Land Use section involving the 100 yards of gravel clause. He feels this is too restrictive. He also has concerns over 132-8 and also 150-82 regarding penalties for offences and he feels this is too harsh. H. VanSlyke doesn't feel any Code Enforcer should be allowed to enter a premise without the homeowner's permission. The discussion continued at length and it ended with R. Brunet, Code Enforcer stating he would draft a Standard Operating Procedure document that he would distribute to Board Members to review/approve. H. VanSlyke also has concerns over the Nonconforming uses and Councilwoman Bentley stated that the Town Attorney is looking into this matter. Councilman Bayly stated that if each issue was critiqued, this process would take as long as the Comprehensive Plan; and that was approximately five years. When everyone was given the opportunity to speak, Supervisor Jacangelo closed the Public Hearing at 8:00 p.m. Supervisor Jacangelo stated that the Public Hearing will continue at the June 20<sup>th</sup> Town Board Meeting and comments can still be submitted in writing.

Public Comment Period – Supervisor Jacangelo opened the Public Comment period  
P. Redington, Hicks Pond Rd. resident has issues with one of the land owners living on Swankey Rd. He continues to cause problems with neighbors so much so that the town has stopped plowing that small section. Supervisor Jacangelo and the Highway Superintendent will investigate.

Because of a missing page of the April 17<sup>th</sup> minutes, it was the consensus of the board to wait and take action at the June 20<sup>th</sup> Town Board meeting. Motion by Bayly, seconded by Bentley and an oral vote of 4 ayes to accept the minutes of the Special Meeting of May 2<sup>nd</sup>.

#### Liaison Reports:

Planning Board – Town Board members had copies of the Planning Board minutes of May 7<sup>th</sup> in their packets and J. Ross, Liaison elaborated on the meeting.

Zoning Board – Town Board members had copies of the May 14<sup>th</sup> ZBA meeting and H. VanSlyke, Liaison spoke on the meeting.

Fire Company – Town Board members were given copies of the Fire Company's monthly report. D. Basle, Fire Chief is concerned over the clearance at the Twin Town Little League field. Fire trucks are unable to get through on the one side. Supervisor Jacangelo stated that the town has not taken official ownership as of yet and when it does the town will come with a parking lot plan for the field.

Records Advisory- No report.

Library -, D. Reis reported on the recent activities of the Library which include the upcoming Market Day.

Youth Advisory Board – There was no meeting but Councilwoman Bentley reported that the interviews are beginning for the summer camp.

#### Correspondence:

Supervisor Jacangelo reported that the signs on the front lawn regarding the water district have come done and the long term financing closed on May 9<sup>th</sup>.

Bond Schoeneck & King- Town Board members had copies of the correspondence from Bond Schoeneck & King dated April 19<sup>th</sup> regarding the invoice for legal services pertaining to the Water District. This will be formally voted on during the Action Period of this meeting.

Capital District Data- Town Board members had copies of the Capital District Regional Planning Commission's report on the recently released annual property tax data for 2012.

#### Informational Items

None

#### Discussion Items:

New Windows for Town Hall- R. Brunet spoke on the new window project for Town Hall. Four bids were received and the low bid was from Window Depot for a total of \$11,623. The windows will be replaced fully upstairs and downstairs. Motion by Bentley, seconded by Bayly and an oral vote of 4 ayes to accept the low bid from Window Depot for the town hall windows.

EFC Closing May 9, 2013- Supervisor Jacangelo reported on the long term New York State Environmental Facilities Corporation (EFC) for the financing for the Town's water project closed on May 9, 2013.

## Action Items

Local Law Adoption- No formal action at this meeting

Award and pay Bond, Schoeneck & King- Motion by Bentley, seconded by Bayly and an oral vote of 4 ayes to pay Bond Schoeneck & King the amount of \$5,000 for their legal services to complete the long term EFC financing for the Water District.

New Windows- This was previously vote on.

Adoption of Formal Town Policy – RESOLUTION #13-2013- IN THE MATTER OF ADOPTION OF A FORMAL TOWN POLICY REGARDING PERSONS WITH DISABILITIES. Resolved, that the Town shall not discriminate on the basis of disability, the Town will generally upon request provide appropriate aids, the Town shall make reasonable modifications to existing policies and programs to follow the guidelines of the Americans with Disabilities Act of 1990 (ADA) and that the town wishes to formally memorialize said policy.

MOVED BY: Councilwoman Bentley

SECONDED BY: Councilman Bayly

### VOTED UPON AS FOLLOWS:

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

### Reports –

Supervisor’s Report – Supervisor Jacangelo stated that he had already covered most of his issues during the town board meeting. Supervisor Jacangelo reported that he called National Grid and officially asked for gas services for businesses in town as well as Town Hall. He learned that once you speak with someone from the Contracting Unit they have to act and give you some information back. The town is going to draft a petition to be signed by town residents.

Town Attorney’s Report – No report given.

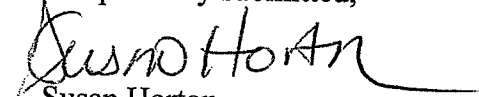
Town Clerk’s Report – Motion by Bayly, seconded by Cropsey and an oral vote of 4 ayes to accept the Town Clerk’s report of April 2013. The total amount received in the Clerk’s office was \$11,268.08 and of that amount \$10,928.56 was remitted to the Supervisor. Town Board members had copies of the Building Inspector/Code Enforcement Officer’s written report. R. Brunet wanted it noted that he had spoken to M. Barrie, the DEC representative for MS4 and she relayed to him that our Local Law #1-2013 entitled “Subdivision Drainage Law” is being used at a “Model” for other towns in the DEC Region 4 district. They also had copies of the Assessor’s monthly report, highway report and Creekside Kennel report.

Payment of Bills:

Motion by Bayly, seconded by Bentley and an oral vote of 4 ayes to pay Warrant #11-2013 in the amount of \$56,358.80. Motion by Bayly, seconded by Cropsey and an oral vote of 4 ayes to pay Warrant #12-2013 in the amount of \$10,139.12. \$5,000 of this total is for the payment to Bond Schoeneck & King for legal services.

Motion by Bentley seconded by Bayly and carried to adjourn this meeting at 8:50 p.m. in memory of Councilman Slavin's mother and wishing him and his family comfort.

Respectfully submitted,

A handwritten signature in cursive script that reads "Susan Horton". The signature is written in black ink and has a long, sweeping underline that extends to the right.

Susan Horton  
Town Clerk