

TOWN BOARD MINUTES  
TOWN OF POESTENKILL  
TOWN BOARD MEETING  
DECEMBER 19, 2013  
(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. Motion by Slavin, seconded by Bentley and an oral vote of 5 ayes that the bills have been audited for payment this evening. Supervisor Jacangelo reported on the upcoming meetings. The year-end meeting has been scheduled for December 30<sup>th</sup> at 7 p.m. The swearing in ceremony is being held at the town hall on January 1<sup>st</sup> at 1 p.m. The 2014 Organizational Meeting is being held on January 6<sup>th</sup> at 7 p.m. and the regular Town Board meeting for January will be held on January 16<sup>th</sup> at 7 p.m. Supervisor Jacangelo opened the meeting with the Pledge of Allegiance and invited the public to make any brief comments and/or request information regarding matters of concern to the town and its' residents. L. Basle wanted to reserve time when the Fire Co. is discussed. He had another personal matter involving the Kronau business on Abbott Dr. Mr. Basle gave a little background regarding the business and he feels that it has become an eye sore in their Residential neighborhood. He said that it looks like an Industrial Park. He further stated that if this property was subdivided at some point in time that as a neighbor he was never notified of this action. Supervisor Jacangelo suggested that he make a formal complaint to the Code Enforcement Officer so that he could review the background of the business with respect to the uses, SUP's issued, etc. He further stated that after this was done if he didn't agree with the Code Enforcement Officer's decision that Mr. Basle could appeal to the Zoning Board. T. Jacangelo asked to reserve time.

Motion by Bayly, seconded by Cropsey and an oral vote of 5 ayes to accept the Town Clerk's minutes of the November 21, 2013 meeting as written.

Liaison Reports:

Planning Board – Town Board members had copies of the Planning Board minutes of December 3<sup>rd</sup> in their packets and liaison Ross elaborated on the meeting.

Zoning Board – Town Board members had copies of the ZBA minutes of December 10<sup>th</sup> in their packets and there was no ZBA liaison present.

CAC-No meeting.

Fire Company – Town Board members had copies of the Fire Co. November report. L. Basle asked Supervisor Jacangelo to please put a note on the town's website telling residents to please keep their fire hydrants cleared/shoveled.

Library –K. Jones reported on the current activities at the Library including the holiday light project.

Youth Advisory Board – Councilwoman Bentley reported there was no meeting, however the Ski Club is up and running.

Correspondence:

Time Warner letters - In a letter dated December 4<sup>th</sup> Time Warner has notified the town that certain changes in services will be taking place.

NYMIR - A letter to the Supervisor dated December 2<sup>nd</sup> regarding rate changes from NYMIR.

Association of Towns – annual meeting – Board members had information on the annual Training School in NYC in February for officials. No official act was taken.

Protection One – Fraudulent activity – Fax dated November 21<sup>st</sup> notifying clients about potentially fraudulent solicitors in are area.

Discussion Items –

Gold Star Parent Memo – Supervisor Jacangelo referred to the memo from Assessor Jackson regarding the exemption for a Gold Star parent to be eligible for the Veterans Alternative Exemption. Councilwoman Bentley feels that this law should be drafted and Supervisor Jacangelo stated that this will be discussed in the New Year.

Highway Yard Security Cameras- Supervisor Jacangelo reported that some time ago he had gotten 3 quotes for security for the highway department yard. He felt Protection I was reasonable including the service agreement and was slightly over \$3,000. The only thing he is not sure of is the prevailing wage in the Protection I proposal. Protection I is the service provider now for the town buildings. Motion by Slavin, seconded by Cropsey and carried authorizing the Supervisor to move forward with the Protection One proposal if the quote at this time is the same figure that the Town Board has in front of them tonight. Supervisor Jacangelo will bring his findings back to the town board.

Planning Board Vacancy – Memo - Town Board members had copies of the Planning Board's memo dated December 17<sup>th</sup> advising the town board of their recommendations for the upcoming vacancies on the Planning Board. These candidates will be discussed and voted on at the January 6<sup>th</sup> Organizational Meeting.

Fire Protection Services Agreement – Town Board members had copies of the draft Fire Protection Service Agreement for 2014-2015 that Mr. Tomaselli had drawn up which includes new provisions. Supervisor Jacangelo stated that all discussions regarding this new proposed Fire Protection Agreement will be done in an open forum before any formal action will be taken. A public hearing is scheduled for January 16<sup>th</sup> at 7:15 p.m. Mr. Tomaselli will prepare the legal notice.

Code Enforcement/Water District Vehicle - Supervisor Jacangelo stated that the Town Board has been aware of the need for a Water District Vehicle. Councilman Bayly asked how long Mr. Brunet was going to be working for the town and Mr. Brunet's response was as long as the town board wanted him in these positions.

Councilman Bayly wanted to know when Mr. Brunet retires what happens if the town doesn't hire a person for both jobs then what does the town do vehicle wise? Supervisor Jacangelo stated, if at all possible, both jobs would be filled by the same person. However, if not a personal vehicle could be used with the town reimbursing for mileage. The lengthy discussion continued.

ACTION ITEMS -

RESOLUTION #47-2013\* IN THE MATTER OF THE TOWN BOARD AUTHORIZING THE TOWN ATTORNEY TO PREPARE A BID/SPEC PACKAGE FOR A 2013 OR NEWER MODEL YEAR PANEL TRUCK FOR USE BY THE WATER OPERATOR AND THE CODE ENFORCEMENT OFFICER.\*This resolution # is out of order.

MOVED BY: Councilman Slavin  
SECONDED BY: Councilwoman Cropsey

VOTED UPON AS FOLLOWS:

Councilman Bayly: NO  
Councilwoman Bentley: YES  
Councilwoman Cropsey: YES  
Councilman Slavin: YES  
Supervisor Jacangelo: YES

RESOLUTION #41-2013 – IN THE MATTER OF THE ESTABLISHMENT OF A CAPITAL RESERVE FUND TO FINANCE A TYPE OF CAPITAL IMPROVEMENT OR EQUIPMENT – REAL PROPERTY RESERVE FUND. Resolved, that, except as otherwise provided by law, expenditures from this Real Property Reserve Fund shall be made only for the purpose for which the Real Property Reserve Fund is established, and no expenditures shall be made from this Real Property Reserve Fund without the approval of the Town Board and such additional actions or proceedings as may be required by Section 6-c of the General Municipal Law or any other law, including a permissive referendum if required by subdivision 4 of Section 6-c of the General Municipal Law.

MOVED BY: Councilwoman Bentley  
SECONDED BY: Councilman Bayly

VOTED UPON AS FOLLOWS:

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

RESOLUTION #42-2013 – IN THE MATTER OF THE ESTABLISHMENT OF A CAPITAL RESERVE FUND TO FINANCE A TYPE OF CAPITAL IMPROVEMENT OR EQUIPMENT – HIGHWAY EQUIPMENT ACQUISITION RESERVE FUND. Resolved, that, to the extent moneys in the Highway Equipment Acquisition Reserve Fund hereby established consist of Town highway moneys, such establishment is subject to the consent of the Town superintendent of highways and the approval of the Rensselaer County superintendent of highways and expenditures shall only be made upon order of the Town superintendent of highways and with the consent of the Town Board.

MOVED BY: Councilman Slavin  
 SECONDED BY: Councilman Bayly

VOTED UPON AS FOLLOWS:

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

RESOLUTION #43-2013 – IN THE MATTER OF AUTHORIZING DELIVERY AND ACCEPTANCE OF AN UNCONDITIONAL IRREVOCABLE LETTER OF CREDIT IN LIEU OF PERFORMANCE AND ROAD MAINTENANCE BONDS FOR LOCHVUE SUBDIVISION. Resolved, that a certified copy of this Resolution be provided to the developer who shall thereupon secure from Pioneer Savings Bank an original executed Unconditional Irrevocable Letter of Credit and deliver same to the Town, with such delivery to be effected before any construction shall be allowed to proceed.

MOVED BY: Councilman Bayly  
 SECONDED BY: Councilwoman Bentley

VOTED UPON AS FOLLOWS:

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

RESOLUTION #44-2013 – IN THE MATTER OF THE ESTABLISHMENT OF AN EMPLOYEE INCENTIVE PROGRAM FOR THE SECURING OF HEALTH INSURANCE THROUGH SOURCES OTHER THAN THE TOWN OF POESTENKILL. Resolved, that this incentive policy shall be effective commencing January 1, 2014 and that notice of same, including but not limited to a copy of this Resolution, shall be given to all potentially impacted employees/officials; and it is further Resolved, that the incentive amounts herein specified shall be reviewed annually by the Town Board at its November meeting and at such time said amounts may be adjusted by the Town Board as and to the extent it deems such adjustment to be warranted.

MOVED BY: Councilman Slavin  
 SECONDED BY: Councilman Bayly

VOTED UPON AS FOLLOWS:

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

RESOLUTION #45-2013 – IN THE MATTER OF THE TRANSFER OF CERTAIN GENERAL BUDGET FUNDS. Resolved, that it is hereby authorized and directed as follows:

That the sum of \$2,000 be transferred from General Fund budget line item 114202 (Attorney Equip.) to the following General Fund budget line items in the indicated amounts: The sum of \$1,000 to General Fund budget line item 113154 (Accounting Contractual); and the sum of \$500 to General Fund budget line item 136204 (Code Enforcement Contractual); and The sum of \$500 to General Fund budget line item 151324 (Code Enforcement Contractual).

MOVED BY: Councilman Slavin  
 SECONDED BY: Councilwoman Bentley

VOTED UPON AS FOLLOWS:

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

RESOLUTION #46-2013 – IN THE MATTER OF THE TRANSFER OF CERTAIN HIGHWAY BUDGET FUNDS. Resolved, that it is hereby authorized and directed as follows: That the sum of \$8,694.00 be transferred from Highway Fund budget line item 251204 (Bridges) to Highway Fund budget line item 251302 (Machinery).

MOVED BY: Councilman Slavin  
 SECONDED BY: Councilman Bayly

VOTED UPON AS FOLLOWS:

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

Councilman Bayly is concerned over R. Brunet inspecting the new water pipes in our subdivisions. He feels an engineering firm should be doing this job. A lengthy discussion ensued between Councilman Bayly and Supervisor Jacangelo with both of them making their feelings about the inspections clear. Supervisor Jacangelo stated that he has every confidence in R. Brunet doing these inspections.

Reports:

Supervisor's Report-Supervisor Jacangelo reported on his recent activities which included going to a seminar at HVCC pertaining to EAF's and SEQRA documents, spent a lot of time finishing the application for grants for a generator for town hall and filing them, and working on the report to the Dept. of Justice, etc. Supervisor Jacangelo thanked the highway superintendent for raising the handicap parking signs. A high school volunteer has been coming to town hall to do some community service.

Town Attorney's Report – Mr. Tomaselli gave his monthly updates which included working on the drafting of the proposed letter of credit, working with the ZBA on various matters and drafting the resolutions for tonight's meeting, etc. The full report is on file at the town hall.

Town Clerk's Report – Motion by Bentley, seconded by Cropsey and an oral vote of 5 ayes to accept the Town Clerk's report of November 2013. The total amount received in the Clerk's office was \$6,710.83 and of that amount \$4,949.19 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, DCO report, Creekside Kennel report and the highway report. The town historian submitted her year-end report. R. Brunet stated that when there is a problem at the pump station there is a automatic call. This past weekend there was a call and it was verified that there was a low suction alarm. He further stated Town Board members had copies of a newsletter from New York Rural Water Association stating that a new bill was introduced to provide relief from the January 4<sup>th</sup> compliance date of the reduction of lead in drinking water act. This bill allows communities to use up their existing inventories of brass fixtures.

Supervisor Jacangelo stated as Board members had known for a while that our current Assessor J. Jackson was going to be leaving his position as Assessor. However, he is now requesting a one year leave of absence beginning January 1, 2014. Motion by Slavin, seconded by Bayly to grant the one year leave of absence for Mr. Jackson. Supervisor Jacangelo also stated that Councilwoman Bentley and himself would be interviewing a perspective candidate for the position and he would report back to the board at the January 6<sup>th</sup> Organizational meeting.

Budget Transfers – already done.

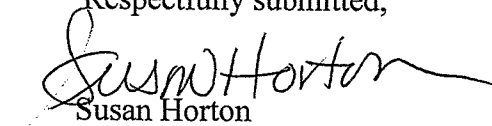
Payment of Bills:

Motion by Slavin, seconded by Bayly and an oral vote of 5 ayes to pay Warrant #25 -2013 in the amount of \$60,162.76 . Motion by Slavin, seconded by Cropsey and an oral vote of 5 ayes to pay Warrant #26 -2013 in the amount of \$1,974.05.

Councilman Bayly stated that this would be his last regular scheduled meeting as a Town Board Member. He serviced eight years on the town board and ten years prior on the Planning Board as a member and as a chairman. He looks forward to his new venture as County Legislature representing District 2 including the town of Poestenkill. Supervisor Jacangelo stated that he always appreciated Councilman Bayly's opinions. Supervisor Jacangelo reported that this would be Councilwoman Cropsey's last regular scheduled meeting. She had good ideas and she was a good liaison and her efforts were greatly appreciated.

Motion by Bentley, seconded by Cropsey carried to adjourn this meeting at 9:10 p.m.

Respectfully submitted,

  
Susan Horton  
Town Clerk