

TOWN BOARD MINUTES  
TOWN OF POESTENKILL  
TOWN BOARD MEETING  
APRIL 17, 2014  
(Not approved at time of distribution)

ROLL CALL AS FOLLOWS

Councilwoman Bentley	Present
Councilman Hass	Present
Councilwoman Ross	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 opened the meeting with the Pledge of Allegiance. He then opened the Public Hearing at 7:15 p.m. on Proposed Local Law #1-2014 entitled Town of Poestenkill Best Value Contract Award Law. The enactment of this legislation provides additional procurement options in ways that may expedite the procurement process and result in cost savings. Supervisor Jacangelo asked if there were any comments from the audience and there were none. He reported he and Attorney Tomaselli attended a seminar at the NYC Annual Association of Towns meeting discussing this issue. Former town board member Robin Bayly, now County Legislator stated that at the county level this practice is also being done. The hearing was closed at 7:20 p.m.

Supervisor Jacangelo opened the floor for public comment and R. Bayly reported that he had previously given the town clerk a list of the Counties 2014 capital projects pertaining to roads and the town clerk will be giving a copy of this to our highway superintendent. He also stated that he had been discussing with the town clerk the possibility of having a county wide hazardous waste day as many residents have been contacting her regarding this issue. He will be speaking with county representatives to see if this is a possibility and he will report back to the town clerk if and when there is any progress.

Motion by Hass, seconded by Ross and an oral vote of 5 ayes to accept the Town Clerk's minutes of the March 20, 2014 meeting as written.

Liaison Reports:

Planning Board – D. Loucks, Planning Board Chairman and Liaison this evening reported on the current meeting. Town Board members had copies of the Planning Board meeting of April 1<sup>st</sup> in their packets. Councilwoman Ross stated that it had been brought to her attention that perhaps the town's SEQR process should be revisited. Mr. Tomaselli and Planning Board attorney R. Ryan, discussed the steps of the current SEQR practice.

Zoning Board – H. VanSlyke, Chairman of the ZBA and Liaison for tonight’s meeting reviewed the current meeting. Town Board members had copies of the ZBA meeting of April 8<sup>th</sup> in their packets.

CAC-No meeting.

Fire Company – B. Teal, Fire Chief reported that the Fire Dept. has been assisting the town’s water department in flushing out the water hydrants. Mr. Teal spoke on the many meetings that have been held regarding our ambulance services. He said right now our ambulance will be suspended by July 15<sup>th</sup> and possibly as early as May 16<sup>th</sup>. Another ambulance agency has to be in place before removing Poestenkill’s ambulance services. Supervisor Jacangelo will have a resolution drafted for the May Town Board meeting for potential adoption.

Library – No report.

Youth Advisory Board – Councilwoman Bentley stated that the youth director’s position has been advertised and two resumes have been received.

Correspondence:

Memo from Time Warner dated April 2<sup>nd</sup> explaining that some agreements are due to expire soon and that they might be required to stop carrying one or more of these services/stations in the near future.

Town of North Greenbush-Water line on Greenwood Road Letter dated April 1<sup>st</sup> from the supervisor of the North Greenbush wanting to know if any Poestenkill residents living along Greenwood Road would like to connect to North Greenbush’s water system.

Discussion Items –

Interpretation between Zoning and Planning in regards to minimum lot width- Supervisor Jacangelo reported that at the last town board meeting the issue regarding minimum lot width requirements were discussed. The Planning Board and the Zoning Board have different interpretations of the code pertaining to this issue. The Planning Board interpreted the code as requiring the applicable minimum lot width must exist at the minimum front set back distance. The Zoning Board however, interprets the requisite minimum lot width can be attained at any distance from the front lot line which equals or exceeds the specified minimum front set back distance. A lengthy discussion followed among town board members, planning board members present, zoning board members present and the two attorneys. Motion by Supervisor Jacangelo, seconded by Councilwoman Ross and carried that the Town Attorney along with the Planning Board Attorney will draft a local law to address the issue of minimum lot width so that a lot that does not meet width at the minimum set back must be referred to the Zoning Board and also, that the two attorney’s review the North Greenbush and East Greenbush local laws to prepare a draft defining key hole lots and providing criteria and where they may/may not go in relation to zoning, etc. When this is completed the drafts will be referred back to the town board.

Annual Drinking Water Quality Report for 2013- Town Board members had copies of the 2013 Annual Water Quality Report. This is a requirement of the New York State Health Department. It is also on the town’s web site.

National Grid Natural Gas Survey- Supervisor Jacangelo thanked Councilman Hass for his outstanding work in collecting the gas survey paperwork. There has been 155 positive responses and the magic number is 165. Surveys are still being collected.

Representative for the Eagle Scout Presentation- No representative present. Supervisor Jacangelo stated that two town residents have made it to the rank of Eagle Scout and the ceremony will be held on May 18<sup>th</sup> and Councilman Slavin will be presenting the Resolution.

Action Items –

Resolution Honoring Eagle Scout John-Marcel Hickey -\*RESOLUTION #8-2014-IN THE MATTER OF THE TOWN BOARD RECOGNIZING AND HONORING JOHN-MARCEL HICKEY UPON HIS RECEIPT OF THE RANK OF EAGLE SCOUT. This resolution was moved by Councilman Slavin, seconded by Councilwoman Bentley and carried. \*This resolution is out of order.

Resolution Honoring Eagle Scout Eric Scott - \*RESOLUTION #9-2014 – IN THE MATTER OF THE TOWN BOARD RECOGNIZING AND HONORING ERIC SCOTT UPON HIS RECEIPT OF THE RANK OF EAGLE SCOUT. This resolution was moved by Councilwoman Ross and seconded by Councilman Slavin and carried. \*This resolution is out of order.

Resolution proclaiming April as Parkinson’s Disease Awareness Month- RESOLUTION #3 - 2014-IN THE MATTER OF PROCLAIMING THE MONTH OF APRIL AS PARKINSON’S DISEASE AWARENESS MONTH IN THE TOWN OF POESTENKILL

MOVED BY: Slavin  
 SECONDED BY: Hass

VOTED UPON AS FOLLOWS:

Councilwoman Bentley	YES
Councilman Hass	YES
Councilwoman Ross	YES
Councilman Slavin	YES
Supervisor Jacangelo	YES

Mohawk Ambulance- Supervisor Jacangelo stated that our Fire Co. no longer has the resources or capacity to respond to emergency calls other than a first responder and it appears that our ambulance will go out of operation. It seems that the Mohawk Ambulance should be designated as the primary provider of emergency medical care services within our town. Mr. Tomaselli will draft a resolution regarding this matter for the next board meeting for formal adoption.

Resolution #4-2014 – IN THE MATTER OF THE ADOPTION OF LOCAL LAW #1-2014 OF THE TOWN OF POESTENKILL ENTITLED “TOWN OF POESTENKILL BEST VALUE CONTRACT AWARD LAW”

MOVED BY: Bentley  
 SECONDED BY: Slavin

## VOTED UPON AS FOLLOWS:

Councilwoman Bentley	YES
Councilman Hass	YES
Councilwoman Ross	YES
Councilman Slavin	YES
Supervisor Jacangelo	YES

## Reports:

Supervisor's Report-Supervisor Jacangelo reported that at last months meeting there was a discussion about having the Town Attorney draft a resolution on banning smoking in town vehicles. However, Mr. Tomaselli did research on this issue and New York State law already prohibits smoking in places of employment. Supervisor Jacangelo will send a memo to all town employees reminding them of this matter.

Town Attorney's Report – Mr. Tomaselli gave his monthly updates which included working on legal research of the accessibility to recordings of meetings, counsel to ZBA on other matters, revisions to agreement with Twin Town Little League, finalization of proposed local law #1-2014 and other incidental counseling, etc. The full report is on file in the town clerk's office.

Town Clerk's Report – Motion by Slavin, seconded by Ross and an oral vote of 5 ayes to accept the Town Clerk's report of March 2014. The total amount received in the Clerk's office was \$8,169.41 and of that amount \$7,928.59 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 Assessors monthly report, DCO report and the Highway report. There was no Creekside Kennel report.

## Budget Transfers:

RESOLUTION #5-2104 – IN THE MATTER OF THE TRANSFER OF CERTAIN WATER BUDGET FUNDS - Resolved, that it is hereby authorized and directed as follows:

That the sum of \$367.96 be transferred from Water Fund budget line item 8310.2 (billing equipment) to Water Fund budget line item 9040.8 (workers comp).

MOVED BY: Slavin

SECONDED BY: Bentley

## VOTED UPON AS FOLLOWS:

Councilwoman Bentley:	YES
Councilman Hass:	YES
Councilwoman Ross:	YES
Councilman Slavin:	YES
Supervisor Jacangelo:	YES

RESOLUTION #6-2014 –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 \$10,503.72 be transferred from Highway Fund budget line item 2512.04 (bridges) to the following Highway Fund budget line items in the indicated amounts:

The sum of \$2,316.72 to Highway Fund budget line item 2904.08 (workers comp); and the sum of \$8,187.00 to Highway Fund budget line item 251302 (machinery .2).

MOVED BY: Ross

SECONDED BY: Slavin

## VOTED UPON AS FOLLOWS:

Councilwoman Bentley: YES  
 Councilman Hass: YES  
 Councilwoman Ross: YES  
 Councilman Slavin: YES  
 Supervisor Jacangelo: YES

## RESOLUTION #7-2014 – 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 \$70.45 be transferred from General Fund budget line item 119904 (contingency) to the following General Fund budget line items in the indicated amounts:

The sum of \$51.00 to General Fund budget line item 174104 (Library); and

The sum of \$19.45 to General Fund budget line item 190558 (Disability).

MOVED BY: Bentley

SECONDED BY: Hass

## VOTED UPON AS FOLLOWS:

Councilwoman Bentley: YES  
 Councilman Hass: YES  
 Councilwoman Ross: YES  
 Councilman Slavin: YES  
 Supervisor Jacangelo: YES

## Payment of Bills:

Motion by Slavin, seconded by Ross and an oral vote of 5 ayes to pay Warrant #7-2014 in the amount of \$290,211.44. Motion by Slavin seconded by Bentley and an oral vote of 5 ayes to pay Warrant #8-2014 in the amount of \$1,682.81.

Motion by Supervisor Jacangelo, seconded by Slavin and carried to enter into Executive Session at 9:10 p.m. to discuss the potential acquisition of property, personnel matter and potential liability matter. No formal vote was taken in Executive Session. Motion by Slavin, seconded by Hass and carried to exit Executive Session at 9:45 p.m. Motion by Hass, seconded by Ross and carried to adjourn this meeting at 9:45 p.m.

Respectfully submitted,



Susan Horton  
 Town Clerk