

TOWN BOARD MINUTES  
TOWN OF POESTENKILL  
TOWN BOARD MEETING  
April 16, 2015  
(Not approved at time of distribution)

ROLL CALL AS FOLLOWS

Councilwoman Bentley	Present
Councilman Hass	Present
Councilwoman Ross	Present
Councilwoman Wait	Present
Supervisor Jacangelo	Present

NON VOTING MEMBERS

Susan Horton, Town Clerk  
Patrick Tomaselli, Attorney

Supervisor Jacangelo opened the meeting with the Pledge of Allegiance and opened the floor for public comment. S. Valente requested time to speak when the Road Preservation Law was discussed. Vosburgh Rd. residents wanted to know the status of the turnaround. Supervisor Jacangelo stated that he has to get the value of the property and will do further investigation on how the process works and will relay that information to the town attorney. K. Hammond wanted to discuss his setback information pertaining to his property site. Code Enforcer, R. Brunet explained that in local law #3-2014 the District Schedule of Area and Bulk regulations was amended. Basically, the process is still the same if you don't meet the setback requirements per the subdivision regulations according to the town code you can still go to the ZBA for a variance. Supervisor Jacangelo stated that the Zoning Boards interpretation stands. Councilmember Hass wanted to reserve time to speak regarding the Ambulance service and the Town's Water Law.

Motion by Bentley, seconded by Ross and an oral vote of 5 ayes to accept the Town Clerk's minutes of the March 19, 2015 meeting as written.

Liaison Reports:

Planning Board – Town Board members had copies of the Planning Board's meeting of April 7<sup>th</sup> in their packets and Planning Board member D. Loucks elaborated on this meeting.

Zoning Board – Town Board members had copies of the ZBA of March 10<sup>th</sup> and March 26<sup>th</sup> in their packets and H. VanSlyke ZBA Chairman elaborated on the meetings.

Fire Company – Town Board members had copies of the Fire Co. March report. As well as a summary for the months of January through March 2015.

Library –Market Day will be held on May 2<sup>nd</sup>.

Youth Advisory Board –Councilwoman Bentley reported that the Easter party for the kids was held in the snow and everyone present had a good time.

Correspondence:

Time Warner- Memo from Time Warner cable dated April 1<sup>st</sup> advising of program changes. D. Hass reported that NYS has designated \$550,000 to broadband coverage.

Twin Town Little League-Opening Day ceremony will be held on April 18<sup>th</sup> at the Williams Road Complex.

#### Discussion Items:

Town of Poestenkill Road Preservation Law-Redraft- Supervisor Jacangelo stated that this draft has been discussed over the last several meetings. Mr. Tomaselli redrafted to eliminate a lot of issues and has deleted parts per the Town Board's request. There was a lengthy discussion once again on this draft. Mr. Tomaselli will redraft once again based on the input from the Town Board. A public hearing date has been set for the proposed local law for May 21<sup>st</sup> at 7:00 p.m. Mr. Tomaselli will prepare the legal notice for the Record.

Property Maintenance proposed Local Law- Supervisor Jacangelo stated that Town Board members have a draft on the proposed property maintenance law which has been discussed at the past few Town Board meetings. The proposed law has been drafted by Mr. Tomaselli and he reported on this matter. Councilwoman Ross felt, as presented the proposed law is way too strict. As the discussion continued, Supervisor Jacangelo stated the code enforcement officer cannot enter a premise. This law provides for an enforcement procedure for the code enforcer. D. Hass wants to know why this law is necessary and he feels it is way too restrictive and Mr. Tomaselli conceded that this proposed law can be abbreviated quite a bit. Mr. Brunet wants the town board to acknowledge and support the state code and future revisions pertaining to property maintenance. And with this proposed local law, there is procedures that have to be followed in order for the law to be effective. R. Brunet read from some of the sections of the NYS Code. This will be discussed further at the next town board meeting. Mr. Tomaselli will redraft for the Board to review prior to the next town board meeting.

#### Unsafe Building-116 Plank Road-

The Town Board accepted and acknowledged the report and recommendation of the Code Enforcement officer. Supervisor Jacangelo made a motion to accept the report, and concur in the recommendation to demolish and called for a public hearing on the matter for May 21, 2015 at 7:15 PM.

MOVED BY: Supervisor Jacangelo  
 SECONDED BY: Councilwoman Bentley  
 VOTED UPON AS FOLLOWS:  
 Councilwoman Bentley: YES  
 Councilman Hass: YES  
 Councilwoman Ross: YES  
 Councilwoman Wait: YES  
 Supervisor Jacangelo: YES

Johnson Road residents were present to find out the status of the Route 66 property that has been discussed for the last several meetings. Supervisor Jacangelo stated that the attorney that was hired for this matter is going to State Supreme Court because there has been no response from the homeowner.

#### Water District

A motion was made by David Hass to repeal section 220-5 of the Municipal Water District Law. No second was made. Supervisor Jacangelo made a motion to amend section 220-5 A to make clear that any person with property adjoining a street with water district piping may hook up to such water district if the supply is available and further amended Part B to remove minor subdivision from requirements. This motion was seconded by Councilman Hass and long roll call followed. K. Hammond wanted to speak when this action was taking place.

MOVED BY: Supervisor Jacangelo

SECONDED BY: Councilman Hass

VOTED UPON AS FOLLOWS:

Councilwoman Bentley: YES

Councilman Hass: YES

Councilwoman Ross: YES

Councilwoman Wait: YES

Supervisor Jacangelo: YES

Mr. Tomaselli will draft and distribute to board members. A public hearing has been set for May 21, 2015 at 7:30 PM on the proposed local law. Mr. Hammond was happy with this outcome.

Councilman Hass compiled a summary sheet regarding ambulance calls Supervisor Jacangelo received from the County 911 System and reported his findings to the board.

Action Items –

Water Benefit Review Board Decision- The Benefit Water Review Board had a recent request from the Averill Board Central School District to reduce the number of benefit units that are currently being assigned to them. It was decided by the Benefit Review Board by a motion by Keith Davis to deny the request. This motion was seconded by Tim Anastasio and carried by three ayes.

Youth Advisory Members- Motion by Wait, seconded by Hass and carried to approve two new members to the Youth Advisory Board; Jenna Malenkiewicz and Yvonne Weiss.

Eagle Scout Resolutions- Resolution #4-5-2015- IN THE MATTER OF THE TOWN BOARD OF THE TOWN OF POESTENKILL FORMALLY RECOGNIZING THE ACHIEVEMENTS OF RESIDENTS AND EAGLE SCOUTS SCOTT GUNDRUM, JR. AND ERIC SNYDER.

MOVED BY: Councilwoman Bentley

SECONDED BY: Councilwoman Wait

VOTED UPON AS FOLLOWS:

Councilwoman Bentley: YES

Councilman Hass: YES

Councilwoman Ross: YES

Councilwoman Wait: YES

Supervisor Jacangelo: YES

Resolution-116 Plank Road- The actual vote on this matter was already taken by town board members and Mr. Tomaselli will draft the actual resolution. (the resolution will be #10-2105)

Resolution-Greenway Grant- RESOLUTION #6-2015 – IN THE MATTER OF THE APPROVAL AND ENDORSEMENT BY THE TOWN OF POESTENKILL OF AN APPLICATION FOR A GRANT UNDER THE GREENWAY COMMUNITIES GRANT PROGRAM. Resolved, that the Poestenkill Town Board as the governing body of the Town of Poestenkill does hereby approve and endorse the application for a grant under the Greenway Communities Grant program for the Project known as and entitled “The Rensselaer Plateau-Communities Signage project” (the Project) located within the Town of Poestenkill.

MOVED BY: Councilman Hass

SECONDED BY: Councilwoman Wait

## VOTED UPON AS FOLLOWS:

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

RESOLUTION #7-2015 – IN THE MATTER OF THE TRANSFER OF CERTAIN GENERAL BUDGET FUNDS. Resolved, that it is hereby authorized and directed as follows:

The sum of \$1,089.31 be transferred from General budget fund item 1199.04 (Contingency) to General budget fund line item 1904.08 (Workers Comp)

MOVED BY: Councilwoman Bentley

SECONDED BY: Councilwoman Wait

## VOTED UPON AS FOLLOWS:

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

RESOLUTION#8-2015 – IN THE MATTER OF THE TRANSFER OF CERTAIN HIGHWAY BUDGET FUNDS. Resolved, that it is hereby authorized and directed as follows:

The sum of \$252.75 be transferred from Highway budget fund item 2512.04 (Bridges) to Highway budget fund line item 2904.08 (Workers Comp).

MOVED BY: Councilwoman Wait

SECONDED BY: Councilman Hass

## VOTED UPON AS FOLLOWS:

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

RESOLUTION #9-2015- 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 \$156.19 be transferred from Water budget fund item 8340.4 (Unmetered Water Flushing) to Water budget fund line item 9040.8 (Workers Comp).

MOVED BY: Councilman Hass

SECONDED BY: Councilwoman Bentley

## VOTED UPON AS FOLLOWS:

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

## Reports:

Supervisor's Report- Supervisor Jacangelo reported that he was omitting his report tonight.

Town Attorney's Report – Board members had copies of Mr. Tomaselli's report and it is on file at the Town Clerk's office.

Town Clerk's Report – Motion by Bentley, seconded by Hass and an oral vote of 5 ayes to accept the Town Clerk's report of March 2015. The total amount received in the Clerk's office was \$2,007.29 and of that amount \$1,853.77 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, Creekside Kennel and the Highway report.

Budget Transfers- Resolutions 7, 8 and 9 were budget transfers.

Councilwoman Ross reported that the Highway Superintendent, Councilwoman Bentley and herself took inventory of street lights in the town and found that out of the 227 street lights, 12 were out of order and this was reported to National Grid. Supervisor Jacangelo and Councilwoman Bentley went to a cost savings meeting at the county. Supervisor Jacangelo stated that street lighting is the biggest expense for this town. His hopes is to hold a public hearing to see what street lights can be eliminated in the town.

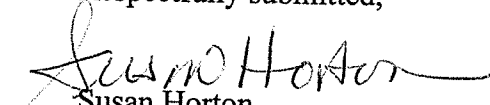
Motion by Councilwoman Bentley, seconded by Councilwoman Ross and carried to authorize the Supervisor to sign the certification for the Municipal Statewide Efficiency Plan.

Payment of Bills:

Motion by Bentley, seconded by Wait and an oral vote of 5 ayes to pay Warrant #5-2015 in the amount of \$51,539.77. Motion by Bentley, seconded by Hass and an oral vote of 5 ayes to pay Warrant # 6-2015 in the amount of \$606.47.

Motion by Supervisor Jacangelo and seconded by Councilwoman Bentley and an oral vote of 5 ayes to enter into Executive Session at 9:40 pm to discuss a possible property acquisition with no votes being taken. Motion by Hass, seconded by Bentley and an oral vote of 5 ayes to exit from Executive Session and immediately adjourn this meeting at 9:45 p.m.

Respectfully submitted,

  
Susan Horton  
Town Clerk