

TOWN BOARD MINUTES  
TOWN OF POESTENKILL  
TOWN BOARD MEETING

August 20, 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

Motion by Bentley, seconded by Wait and carried that the bills had been audited by the audit committee.

Supervisor Jacangelo opened the meeting with the Pledge of Allegiance and opened the floor for public comment. A representative from Provincial Contractor Services who bid on the demolition project of 116 Plank Rd. questioned the supervisor as to whether the low bidder (Blair Construction) held a NYS asbestos license. Supervisor Jacangelo stated that there is a resolution later on in the meeting that will address this comment and that the resolution is to reject all bids. Supervisor Jacangelo also noted that people will have the opportunity to speak after the Callanan Rezoning Application had been presented.

The first item to be discussed is the rezoning application for a ten acre parcel owned by Perry Bros. Sand and Gravel, Inc. located on Snyders Corner Rd.; to be rezoned from Residential to Natural Products. Representing Callanan was A. Schultz, B. Doyle representing Perry Bros. and Fane and J. Lang Field Operations Manager was also present. Mr. Doyle stated that they are basically attempting to explain what the application is about and this application is on the northerly side of Snyders Corner Rd. and the southerly part of the existing Callanan gravel operation. The major part of this operation is in the town of North Greenbush; however this portion is in the town of Poestenkill. Mr. Doyle continued by saying that the proposed material will be removed through the existing Callanan pit by Fane who is the operator of the gravel mine. Mr. Doyle emphasized that if this rezoning proposal is approved no truck traffic will enter or exit on Snyders Corner Rd. Because of the buffers that will be in place, the proposed operation is not visible from the road. A. Schultz explained all Fane is doing is increasing inventory. There will be no difference in the operation and it will be mined "inside-out". The town has a copy of Callanan's DEC application in the rezoning application packet and would like the town to move forward with the rezoning process. Councilwoman Bentley stated for the record that she has been told for years that Fane has an excellent reputation. She personally would like to dismiss all of this negativity here tonight in regards to Callanan because in her opinion it is past history.

Most of the people in attendance were against this proposal however, several people spoke in favor of the operation because of the necessity of the material. After a long question and answer period with questions being answered as to LEAD agency, controls as to dust and noise, length of the mining operation it was decided that this issue would be tabled until the September 17<sup>th</sup> town board meeting so some of the town board members could have a chance to speak to

residents about the matter. Supervisor Jacangelo thanked the representatives for their presentation.

This resolution was introduced - IN THE MATTER OF NOT ENTERTAINING THE APPLICATION BY CALLANAN INDUSTRIES TO REZONE RESIDENTIAL (R) to NATURAL PRODUCTS (NP) CERTAIN LANDS OWNED BY PERRY BROTHERS SAND AND GRAVEL

MOVED BY: Supervisor Jacangelo

SECONDED BY: Councilwoman Wait

However Councilman Hass wanted to set aside the application so that he could obtain more information from residents and it was seconded by Councilwoman Bentley and voted upon as follows to set aside the application until the September meeting

MOVED BY Councilman Hass

SECONDED BY: Councilwoman Bentley

VOTED UPON AS FOLLOWS:

Councilwoman Bentley Yes

Councilman Hass Yes

Councilwoman Ross Yes

Councilwoman Wait No

Supervisor Jacangelo No

The application will be set aside until the September meeting.

Motion by Bentley, seconded by Ross and an oral vote of 5 ayes to accept the Town Clerk's minutes of the July 16, 2015 meeting as written.

Liaison Reports:

Planning Board – Town Board members had copies of the Planning Board's meeting of August 4th in their packets. Chairperson J. Grattan spoke on the latest PB meeting. Motion by Hass, seconded by Ross and carried to accept the Planning Boards recommendation of Donald Heckleman as the new Planning Board alternate with a term expiring 12/31/2015.

Zoning Board – No meeting.

Fire Company – Town Board members had copies of the Fire Co. July report.

Library – L. Lundgren reported on the recent activities of the Library; Fall Market Day will be held on September 19<sup>th</sup>.

Youth Advisory Board – K. Anthony reported on the summer camp being successful for the five week period and she thanked the fire house for allowing them to hold the camp at their facility. Motion by Bentley, seconded by Wait and carried to appoint K. Mai to the Youth Advisory board.

Correspondence:

Time Warner – Memo from Time Warner Cable dated August 5<sup>th</sup> stating they would be making technical changes to the system and it may disrupt some coverage.

Capital District Data – Memo dated May/June detailing the building permit summaries for the different counties.

## Discussion Items:

Building Demolition Bids - Supervisor Jacangelo that three bids were received for the 116 Plank Rd. demolition ranging from just under \$20,000 to \$34,000. Supervisor Jacangelo stated that he is going to recommend that all bids be rejected and this will be voted on later in the meeting.

Town Hall elevator lift - Supervisor Jacangelo stated that a repair was needed to the elevator lift and that B. Brunet would be doing some minor stabilization to the elevator and he feels that it should be good for one year. To replace the elevator it could cost upwards of \$30,000. T. Houser, Court Clerk will be applying for a grant to the OCA for this work to be done.

Application from Callanan to Rezone 10 acres of land from Residential to Natural Products – Supervisor Jacangelo stated that he is disappointed in the current landowner of this site and he is not comfortable in entertaining this application for zoning for several reasons. Several years ago an episode occurred regarding this gravel operation whereby the operator at the time, came right up to Nel Dore Drive which was clearly within 100 ft. of the road and it jeopardized the town residents in the area and also the integrity of the town road. He never received an apology from anyone in regards to this matter. It was also stated that the entire property of 17 acres +- was being put in Life of Mine but they are only requesting 10 acres to be rezoned to NP.

Barberville Falls – Motion by Supervisor Jacangelo seconded by Councilwoman Wait to create a Barberville Falls Advisory Committee to develop a draft plan before a public hearing is held, develop a list of essential building blocks, develop a list of local laws to manage the property, recommend sanctions for violators and consider such other elements as the committee shall agree to.

MOVED BY: Supervisor Jacangelo  
SECONDED BY: Councilwoman Wait

## VOTED UPON AS FOLLOWS:

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

Town Road Designation-Set aside for a future date.

## Action Items –

Demolition Bids- RESOLUTION #16-2015 – IN THE MATTER OF THE TOWN BOARD OF THE TOWN OF POESTENKILL REJECTING SOLICITED BIDS FOR THE DEMOLITION AND REMOVAL OF AN UNSAFE STRUCTURE AT 116 PLANK ROAD. Resolved, that the bid deposits if any of all such bidders be promptly returned to them together with a copy of this Resolution advising of the Town's rejection of all bid submittals.

MOVED BY: Councilman Hass  
SECONDED BY: Councilwoman Ross

## VOTED UPON AS FOLLOWS:

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

Proposal by highway department for demolition-Motion by Ross, seconded by Wait to accept the proposal submitted by Highway Superintendent Chadwick to demolish 116 Plank Rd. in the amount of \$8,732. This estimate presumes there is no asbestos remediation needed and that the stable debris such as brick and stone can be buried in the foundation along with the foundation walls. Mr. Chadwick will be working with the Building Inspector.

MOVED BY: Councilwoman Ross

SECONDED BY: Councilwoman Wait

## VOTED UPON AS FOLLOW:

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

Appointment of Planning Board Alternate-Already voted on prior.

Appoint a Barberville Falls Committee-Already voted on prior.

Resolution Town Road Designation- Postponing until next month's meeting.

## Reports:

Supervisor's Report- Supervisor Jacangelo reported that he and Councilman Hass met with Mohawk Ambulance representatives, budget requests have gone out to all Department Heads and met with SL representatives regarding the Rensselaer Plateau signage. Supervisor Jacangelo distributed the 2016 budget schedule to the town board members and reviewed it with them.

Motion by Bentley, seconded by Ross and an oral vote of 5 ayes authorizing the Supervisor to sign the Rensselaer County Snow and Ice agreement for the 2015-2016 year.

Town Attorney's Report – No report

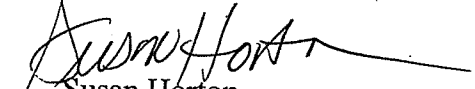
Town Clerk's Report – Motion by Bentley, seconded by Hass and an oral vote of 5 ayes to accept the Town Clerk's report of July 2015. The total amount received in the Clerk's office was \$16,580.50 and of that amount \$16,173.66 was remitted to the Supervisor. Town Board members had copies of the Building Inspector/Code Enforcement Officer's written report. Mr. Brunet reported that the MS4 audit received the highest rating and the highway garage also did a good job on the MS4 audit. They also had copies of the Assessor's monthly report, DCO report, and the Highway report.

Town resident, T. Lemner was concerned about a drainage problem on his property on Snyders Corner Rd near School Street. Highway Superintendent, Toby Chadwick and Rensselaer County Deputy of Highway Operations Scott Gallerie will address the problem.

Payment of Bills:

Motion by Bentley, seconded by Wait and an oral vote of 5 ayes to pay Warrant #13-2015 in the amount of \$68,033.96 Motion by Hass, seconded by Bentley and an oral vote of 5 ayes to pay Warrant # 14-2015 in the amount of \$36,448.89

Respectfully submitted,



Susan Horton  
Town Clerk

TO: TOWN BOARD MEMBERS  
FROM: TOWN CLERK  
DATE: AUGUST 21, 2015  
SUBJECT: AUGUST 20, 2015 TOWN BOARD MINUTES

After reviewing my minutes of the August 20<sup>th</sup> Town Board Meeting I noticed that I did not include the adjournment vote. It was moved by Councilwoman Bentley, seconded by Councilwoman Ross and carried to adjourn the meeting at 9:10 p.m. I apologize to Board members.