

TOWN BOARD MINUTES  
TOWN OF POESTENKILL  
TOWN BOARD MEETING  
JUNE 16, 2016  
(Not approved at time of distribution)

ROLL CALL AS FOLLOWS

Councilman Hass	Present
Councilwoman Butler	Present
Councilman Van Slyke	Present
Councilman Wohlleber	Present
Supervisor Jacangelo	Present

NON VOTING MEMBERS

Susan Horton, Town Clerk  
Patrick Tomaselli, Attorney

Motion by Hass, seconded by Butler and carried that the monthly bills had been audited for payment.

Supervisor Jacangelo opened the meeting with the Pledge of Allegiance and opened the floor for comments. T. Jacangelo wanted to reserve time to speak. Mr. and Mrs. Hebert, residents from Abbott Dr., wanted to speak in regards to their spruce trees that had been trimmed by the highway department without their knowledge and now feel that their property value has suffered. These were mature trees and were used for privacy and they now want the town to do something about it. Supervisor Jacangelo stated that he was aware of the situation and did drive by the property. He stated that unfortunately these individuals employed by the highway department, didn't use the proper judgement. However, the spruce trees are in the town's right-of-way and they do have the right to trim the trees. He further stated that the motivation of this action was still being investigated and that the highway superintendent has spoken with the two employees involved. Supervisor Jacangelo apologized to the Hebert's but stated that he was comfortable with the trees being trimmed for snow plowing and for safety issues. Councilman Hass stated that this was the first he had heard of this issue however, he feels that the Town roads are maintained beautifully in the area due to the supervision of the Highway Superintendent. He further stated that the comments tonight being made are very insulting to our Highway Superintendent. Board member Butler stated that the union has now been brought into the fold.

L. Basle, Town resident questioned Supervisor Jacangelo about the noise ordinance. Supervisor Jacangelo stated the noise ordinance runs between 7 am – 10 pm. There being no other comments, the public comment period was closed.

Motion by Hass, seconded by VanSlyke and an oral vote of 5 ayes to accept the Town Clerk's minutes of the May 19, 2016 Town Board meeting with one addition. Supervisor Jacangelo wanted his comment added, that being "Our ambulance was not taken out of service because of cost but rather lack of qualified volunteers, (EMT's)".

Presentation – Ambulance Committee

Town Board members had copies of the Ambulance Advisory Preliminary Report which is also available on the Town's website. Councilman Wohlleber wanted to thank everyone on the committee for their hard work. Our mission is not to improve (BLS) because that is working out very well, but rather to start a dialogue with surrounding towns in hopes of creating a mutual agreement for ALS. The Advisory Committee has put forward four options for the consideration of the public and town officials. Supervisor Jacangelo stated he has no problem with the Advisory

Committee approaching North Greenbush and Sand Lake in gathering information to bring back to the Town Board.

Liaison Reports:

Planning Board –Town Board members had copies of the Planning Board’s meeting of May 3rd in their packets. B. Daniels elaborated.

Zoning Board – Town Board members had copies of the ZBA’s meeting of May 10<sup>th</sup> in their packets. F. Burzesi elaborated. Motion by Wohlleber, seconded by Butler and carried to appoint Tim Hoffay as the Alternate Candidate to the ZBA with a term to expire 12/31/2016.

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

Library – K. Jones reported on the upcoming events of the Library.

Youth Advisory Board-Councilman Wohlleber reported on the upcoming Summer Camp activities and the hiring of the summer camp employees. Motion by Wohlleber, seconded by VanSlyke and carried to hire the 2016 Summer Camp employees as presented by Youth Director, K. Anthony

CAC- Supervisor Jacangelo reported on the meeting of June 15<sup>th</sup>. Several positions are still available on this committee.

Correspondence:

Memo dated June 1<sup>st</sup> from Charter Communications previously Time Warner Cable stating that certain services/stations might be discontinued in the near future. Charter Communications, Inc. combined with Time Warner Cable and Bright House into a single Co. The Town’s cable franchise is now an indirect wholly owned subsidiary of New Charter. Charter markets its products and service under the brand name Spectrum.

Endorsement Letter – Wagner Farm

Town Supervisor Jacangelo sent a letter to the Division of Land and Water Resources stating that the town fully supports the Agricultural Stewardship Association’s Farmland Protection Implementation Grant proposal. The town is delighted to partner with ASA and the Town of Brunswick showing our support of the Wagner Farm.

Safeguarding the Public Water Supply – email dated May 24<sup>th</sup> that the Association of Town’s will present a free seminar in Albany on the topic of Public Water Contamination. The seminar will be held on June 10<sup>th</sup>.

Discussion Items – Fee Schedule Re: 4/21/2016 Planning Board Memo

Town Board members discussed this memo from the Planning Board pertaining to the collecting of the reimbursable expenses for Planning Board applications. At this point, it was decided that further discussion among Board members was needed and it will be discussed and formally voted on at the July Town Board meeting.

National Grid – Councilman Hass updated Town Board members and the audience on the natural gas project. The project is short between \$200,000-\$250,000 and the project can’t forward without these funds and if the town cannot come up with these finances the project can’t move forward. A representative from National Grid was present to explain the project and stated that they are 50 (+-) short and this is the reason for the project being short in funds. Mr. Tomaselli

stated he would have to check with the State Comptroller's office to see if the Town can legally finance the project and then get reimbursed from National Grid as the prospective people hook up to the gas line. Supervisor Jacangelo said the Town is lacking in infrastructure and this would help with development. The cost for this project would be between \$4 – 7 million dollars. T. Jacangelo wanted to know if the Town put the money up front initially for this project, would monies be taken away from the Library or the Fire Co. Supervisor Jacangelo said this would not affect them at all.

#### Action Items:

Warren Fane – Proposed Local Law – Mr. Tomaselli gave some background information on this rezoning project. He stated that at the May 19, 2016 Town Board meeting, the Town Board verbally voted to declare a Negative Declaration on the project. So now, Mr. Tomaselli is preparing the formal written Resolution for this Neg/Dec. Part II of the SEQRA was done at the May 19<sup>th</sup> Town Board meeting and he himself put together Part III of the SEQRA. He has drafted proposed Local Law#3-2016 and has also written the Notice of Publication for the Public Hearing to be held on July 21<sup>st</sup> at 7pm. He read the proposed law into the record regarding the rezoning. However, Supervisor Jacangelo had some additional provisions that he wanted to go into the draft proposed local law. (1) Wants the mining to sunset within 3 years of the SUP or DEC permit whichever is later and then the land reverts back to the original zone "Residential". (2) He wants the final elevation not to be below 425 ft. (3) proximity of the digging to the closest residence. (4) With the possibility of losing water during the mining operation, (without regard to fault) Supervisor Jacangelo would like the applicant to hook the residents (within the 500 ft. of the rezoning) up to public water. In answer to #4 regarding the loss of the wells, A. Schultz representing Fane Trucking, Inc. stated that prior to authorizing this provision wells in the proximity of the mining would have to be up to standards before the mining started. There was discussion between R. Brunet, Water Manager and Supervisor Jacangelo regarding the cost of hooking up to the public water supply. Attorney Schultz asked Mr. Brunet if he would gather the information on the affected proximity wells and get back to him with the information. Motion by VanSlyke, seconded by Wohlleber and an oral vote of 3 ayes and 2 nays (Hass, Butler) to direct Mr. Tomaselli to draft the proposed Local Law#3-2016 to include the four provisions that Supervisor Jacangelo stated in said law and to set the public hearing on the rezoning application of Warren Fane Trucking for July 21<sup>st</sup> at 7 pm.

#### Reports:

Supervisor's Report- Supervisor Jacangelo reported that he and Councilwoman Butler had a conference call with TWC now Spectrum regarding the cable franchise in the town, will meet with solar company, checking on LED street lights, etc.

Town Attorney's Report – Mr. Tomaselli reported that he drafted Local Law #3-2016, has been working on compiling the SEQRA information on the rezoning application and has met several times with town officials, etc.

Town Clerk's Report – Motion by Wohlleber seconded by Butler and an oral vote of 5 ayes to accept the Town Clerk's report of May 2016. The total amount received in the Clerk's office was \$6,745.05 and of that amount \$6,454.91 was remitted to the Supervisor. Town Board members had copies of the Building Inspector/Code Enforcement Officer's written report. R. Brunet reiterated to the Board the importance of the "New Code". There were also reports from the Assessor, DCO, and the Highway Dept.

Budget Transfers – RESOLUTION #13-2016 – 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 \$26,475.96 be transferred from Highway Budget line item 2513.04 (Machinery-Contractual) to Highway Budget fund line item 2513.02 (Machinery-Equipment).

MOVED BY: Councilman Hass

SECONDED BY: Councilwoman Butler

VOTED UPON AS FOLLOWS:

Councilwoman Butler:	YES
Councilman Hass:	YES
Councilman Van Slyke:	YES
Councilman Wohlleber:	YES
Supervisor Jacangelo:	YES

RESOLUTION#14-2016 – 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 \$2,317.65 be transferred from General Budget fund line item 1199.04 (Contingency) to General Budget fund line item 1191.04 (Insurance).

MOVED BY: Councilman Wohlleber

SECONDED BY: Councilman Hass

VOTED UPON AS FOLLOWS:

Councilwoman Butler:	YES
Councilman Hass:	YES
Councilman Van Slyke:	YES
Councilman Wohlleber:	YES
Supervisor Jacangelo:	YES

RESOLUTION #15-2016 – 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 \$8.77 be transferred from General Budget fund line item 1199.04 (Contingency) to General Budget fund line item 1905.58 (Disability).

MOVED BY: Councilman Wohlleber

SECONDED BY: Councilman Hass

VOTED UPON AS FOLLOWS:

Councilwoman Butler:	YES
Councilman Hass:	YES
Councilman Van Slyke:	YES
Councilman Wohlleber:	YES
Supervisor Jacangelo:	YES

RESOLUTION #16-2016 – IN THE MATTER OF THE TRANSFER OF CERTAIN WATER DISTRICT BUDGET FUNDS, Resolved, that it is hereby authorized and directed as follows:

That the sum of \$998.25 be transferred from Water District Budget fund line item 8310.4 (Contractual) to Water District Budget fund line item 9040.8 (Workers Compensation).

MOVED BY: Councilman Hass

SECONDED BY: Councilman Van Slyke

VOTED UPON AS FOLLOWS:

Councilwoman Butler:	YES
Councilman Hass:	YES

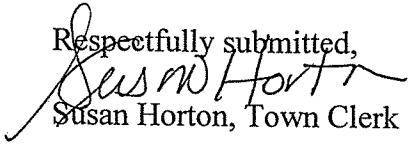
Councilman Van Slyke: YES  
Councilman Wohlleber: YES  
Supervisor Jacangelo: YES

Payment of Bills:

Motion by Hass, seconded by Van Slyke and an oral vote of 5 ayes to pay Warrant #11-2016 in the amount of \$84,048.94. Motion by Hass, seconded by Wohlleber and an oral vote of 5 ayes to pay Warrant #12-2016 in the amount of \$119,827.22.

Motion by Van Slyke, seconded by Wohlleber and carried to adjourn this meeting at 10 p.m.

Respectfully submitted,

  
Susan Horton, Town Clerk