

**NOTICE OF PUBLIC HEARING
TOWN OF POESTENKILL**

Notice is hereby given that the Town Board of the Town of Poestenkill will conduct a public hearing at the Poestenkill Town Hall in the Town of Poestenkill, County of Rensselaer, New York at 7:00 PM on July 21, 2016 to consider the adoption of proposed Local Law No. 3 of the Year 2016 of the Town of Poestenkill entitled "**ZONING AMENDMENT LAW NO. 1 OF THE YEAR 2016 OF THE TOWN OF POESTENKILL**" which would amend the Land Use Regulations of the Town of Poestenkill (Chapter 102 of the Code of the Town of Poestenkill) and the Land Use District Map of the Town of Poestenkill by changing from the previous zoning classification of R (Residential) to NP (Natural Products) that parcel of land approximately 9.985 acres in size owned by Perry Brothers Sand and Gravel, Inc. and located northwesterly of Snyders Corners Road in the Town of Poestenkill, with surface boundaries as more particularly described and set forth on the map dated April 26, 2016 entitled Rezoning Application Map by Griggs-Lane Consulting Geologists, Inc. submitted with the rezoning application for said parcel, and being further bounded, described and limited in the vertical dimension by a horizontal plane set at 5 feet above the mean high water table, below which elevation the proposed rezoning law does not apply and the NP zone thereby created does not exist, and accordingly below which elevation any excavation or other mining activity would remain prohibited by the land use legislation of the Town of Poestenkill.

Said rezoning would also be subject to the following conditions:

- (a) Any and all excavation and related mining operations shall cease within three (3) years of the issuance of a Special Use Permit (SUP) by the Poestenkill Town Planning Board or the issuance of a mining permit by the New York State Department of Environmental Conservation (DEC), whichever shall last occur, at the end of which three year period the subject parcel shall revert back to its zoning district classification of "Residential" (R);
- (b) In addition to the depth restriction for all rezoning as hereinabove set forth, the final elevation of any point after completed operations shall not be lower than 425 feet ASL;
- (c) There shall be no excavation within 500 feet of any existing residential structure; and
- (d) If any residential well within 500 feet of the boundary of the rezoned parcel shall fail or experience a diminution of water supply during the period of mining operations, then, without the necessity for the owner of the property to establish fault or causal connection between said mining operations and the loss or diminution of water supply, the rezoning applicant shall bear the cost of connecting said owner to the municipal water supply.

At the aforesaid time and place of hearing, all interested persons will be given the opportunity to be heard concerning the adoption of the proposed legislation.

Dated: July 12, 2016

By Order of the Town Board
Susan Horton, Town Clerk

Approved as to form by
Patrick J. Tomaselli, Esq., Town Attorney

Patrick J. Tomaselli
Attorney at Law
Tomaselli Law Offices
P.O. Box 97
Poestenkill, New York 12140-0097
Telephone and Facsimile (518) 689-2280

July 12, 2016

TRANSMITTED VIA EMAIL TO legals@troyrecord.com

The Record
Fifth and Broadway
Troy, New York 12180

RE: Notice of Public Hearing for the Town of Poestenkill
Proposed Local Law entitled
2016 ZONING AMENDMENT LAW OF THE TOWN OF POESTENKILL

To whom it may concern:

As Poestenkill Town Attorney, I am transmitting herewith a Notice of Public Hearing to be published in the legal notices section of The Record one (1) time on or before July 15, 2016.

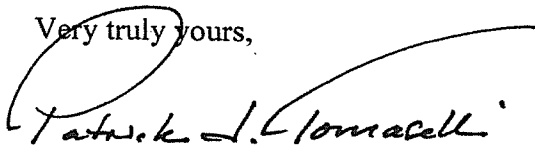
Please send the billing and the affidavit of publication for said legal notice to:

Susan Horton, Town Clerk
Poestenkill Town Hall
P.O. Box 210
Poestenkill, New York 12140

It is not necessary to send the billing and the affidavit of publication to me.

Thanking you for your attention to this matter, I am

Very truly yours,



PATRICK J. TOMASELLI, ESQ.
Poestenkill Town Attorney
Enclosure

cc: Poestenkill Town Board
Susan Horton, Town Clerk

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 10th 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 15th. Several positions are still available on this committee.

Correspondence:

Memo dated June 1st 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 24th 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 10th.

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 19th 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 21st 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 21st 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

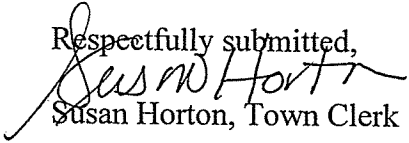
Councilman Van Slyke: YES
Councilman Wohlleber: YES
Supervisor Jacangelo: YES

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



June 15, 2016

Dear Municipal Official:

Time Warner Cable's agreements with programmers and broadcasters to carry their services and stations routinely expire from time to time. We are usually able to obtain renewals or extensions of such agreements, but in order to comply with applicable regulations, we must inform you when an agreement is about to expire. The following agreements are due to expire soon, and we may be required to cease carriage of one or more of these services/stations in the near future **where these services are offered:**

WFNY-CA, WRNN, Music Choice channels 1900-1950, POP SD&HD, TV One SD&HD, GMA Life TV, GMA Pinoy, Aspire, Fuse SD&HD, Gol TV SD&HD, Outdoor Channel SD&HD, Weather Channel SD&HD, RFD, YouToo

In addition, from time to time we make certain changes in the services that we offer in order to better serve our customers. The following changes are scheduled to take place:

Pop TV (fka TV Guide) scrolling guide service will cease on or about July 6, 2016

We will be providing you these notifications whenever there is a change in channel or programming service. You can also check our division website at WWW.TWC.COM if you would like more updated information.

From: Eckhardt, Susan M <Susan.Eckhardt@charter.com>
Sent: Sunday, July 03, 2016 12:48 PM
To: Eckhardt, Susan M
Cc: Kim, Alice
Subject: New Director covering your municipality

Importance: High



July 2, 2016

Dear Municipal Official:

As we previously notified you in our letter of May 26, 2016, Charter Communications and Time Warner Cable completed their merger, and your cable franchisee is now under the control of Charter Communications, Inc.

Additionally, we have made some internal assignment modifications in Government Affairs and your franchise contact may have changed. I will be your point of contact regarding the cable franchise in your municipality. Please feel free to contact me with any concerns, comments or questions. My contact information is below:

Alice J. Kim
Director, Government Affairs
CHARTER COMMUNICATIONS
6005 Fair Lakes Road
E. Syracuse, NY 13057
Telephone: 315-634-6170
alice.kim@charter.com

We look forward to our continued relationship with your municipality.

Regards,

A handwritten signature in cursive script that reads "Alice J. Kim".

Alice J. Kim
Director, Government Affairs
CHARTER COMMUNICATIONS

AJK/e

From: Eckhardt, Susan M <Susan.Eckhardt@charter.com>
Sent: Tuesday, July 05, 2016 9:37 PM
To: Eckhardt, Susan M
Subject: Thank You

Importance: High

For the past few years, you have received many emails from me on programming notifications and I have also worked with some of you on various municipal situations. In the beginning, my department was unfamiliar with you or your particular needs. Hopefully, we made progress for those of you we came in contact with.

I am retiring on this Thursday, and know you are in very capable hands going forward!

With warm regards,

Susan

Susan M. Eckhardt
Executive Assistant
Government Affairs, Franchising
NJ/NY/PA



120 Plaza Drive, Suite B
Vestal, NY 13850

Tel: 607-584-0627
Fax: 607-644-1534

Susan.eckhardt@charter.com



July 6, 2016

Dear Municipal Official:

Time Warner Cable's agreements with programmers and broadcasters to carry their services and stations routinely expire from time to time. We are usually able to obtain renewals or extensions of such agreements, but in order to comply with applicable regulations, we must inform you when an agreement is about to expire. The following agreements are due to expire soon, and we may be required to cease carriage of one or more of these services/stations in the near future where these services are offered:

WFNY-CA, WRNN, Music Choice channels 1900-1950, POP SD&HD, TV One SD&HD, GMA Life TV, GMA Pinoy, Aspire, Fuse SD&HD, Gol TV SD&HD, Outdoor Channel SD&HD, Weather Channel SD&HD, RFD, YouToo

In addition, from time to time we make certain changes in the services that we offer in order to better serve our customers. The following changes are scheduled to take place:

Pop TV (fka TV Guide) scrolling guide service will cease on or about August 12, 2016

We will be providing you these notifications whenever there is a change in channel or programming service. You can also check our division website at WWW.TWC.COM if you would like more updated information.

Michelle Asquith

From: Coscione, Susan D <Susan.Coscione@charter.com>
Sent: Monday, July 11, 2016 9:43 AM
Subject: REMINDER - New Director Covering Your Municipality



July 11, 2016

Dear Municipal Official:

As we previously notified you in our letter of May 26, 2016, Charter Communications and Time Warner Cable completed their merger, and your cable franchisee is now under the control of Charter Communications, Inc.

Additionally, we have made some internal assignment modifications in Government Affairs and your franchise contact may have changed. I will be your point of contact regarding the cable franchise in your municipality. Please feel free to contact me with any concerns, comments or questions. My contact information is below:

Alice J. Kim
Director, Government Affairs
CHARTER COMMUNICATIONS
6005 Fair Lakes Road
E. Syracuse, NY 13057
Telephone: 315-634-6170
alice.kim@charter.com

We look forward to our continued relationship with your municipality.

Regards,

A handwritten signature in cursive script that reads "Alice J. Kim".

Alice J. Kim
Director, Government Affairs
CHARTER COMMUNICATIONS



COUNTY OF DUTCHESS

MARCUS J. MOLINARO
COUNTY EXECUTIVE

July 8, 2016

Dear Supervisor,

Earlier this month, the City of Troy became the first municipality in New York State to adopt Dutchess County's "Think DIFFERENTLY" initiative, doing so unanimously. I respectfully ask your town to similarly consider our "Think DIFFERENTLY" initiative, which would be a great step forward for residents with special needs – one that can be replicated throughout our state.

Since its inception in 2015, our "Think DIFFERENTLY" initiative has been embraced throughout Dutchess County, and the message has resonated greatly in our community – from businesses and organizations learning how to better welcome their neighbors with special needs, to a greater sense of inclusiveness among residents of all abilities. Dutchess County has also partnered with local sponsors to offer free movie days and picnics for our children with special needs and their families, exemplifying our desire to have every resident, regardless of ability, feel welcome in their own community.

"Think DIFFERENTLY" is a call to action, a genuine challenge to determine if we have it within ourselves to look past our differences and treat others the way we would hope to be treated. Too often, too many with special needs are overlooked and their unique abilities ignored. Instead, we seek to lift each other up and embrace all residents of all abilities.

As the father of a daughter who lives on the autism spectrum, I sincerely ask you to answer our call and consider adopting "Think DIFFERENTLY" in your town. I envision other cities, towns and villages across the state following your lead; and together, we can make our state a model for the nation, letting citizens from Maine to Florida to California know that in New York, we "Think DIFFERENTLY."

Enclosed is a draft resolution for your review. I encourage you to call me at (845) 486-2000 or e-mail me at countyexec@dutchessny.gov should you need more information.

Best regards,

Marcus J. Molinaro
Dutchess County Executive

1 **Town/Village/City of _____**
2 **Town/Village/City of _____ Board**
3 **Resolution**

4 **Resolution Calling On Town/Village/City of _____, Residents And**
5 **Business Owners To Adopt The “Think Differently” Initiative To Assist Individuals**
6 **With Special Needs And Their Families**

7 **WHEREAS**, the “Think Differently” initiative is about promoting awareness and acceptance of
8 all people, and advocating for the inclusion of all individuals living on the Autism Spectrum and
9 with special needs; and

10 **WHEREAS**, our state and communities are stronger because of our diversity and differences;
11 and

12 **WHEREAS**, according to the Center for Disease Control (CDC) over 55 million people, or
13 approximately 19% of Americans, have a type of disability or special need; and

14 **WHEREAS**, for some people with special needs, the very things that make them unique can
15 also keep them on the sidelines, separate from those who might not understand their differences
16 or uniqueness; and

17 **WHEREAS**, it is important to promote and provide guidance to those with special needs on
18 how to access publically supported services available to them in the community; and

19 **WHEREAS**, it is important to encourage and educate the community and businesses on ways
20 they can make facilities and services more accessible and on how to train staff to welcome and
21 support special needs customers and co-workers; and

22 **WHEREAS**, the goal of this initiative is to provide a supportive and inclusive environment for
23 individuals of all abilities by supporting community events that expand family friendly
24 opportunities for people with special needs and their families; and

25 **WHEREAS**, adopting the “Think Differently” initiative is an important statement that our
26 Town/Village/City officials, business owners and residents can make to show their support for
27 the differently-abled children and adults with special needs, and their families.

28 **NOW, THEREFORE, BE IT RESOLVED**, that the Town/Village/City of _____,
29 residents and business owners to adopt the “Think Differently” initiative so that all are better
30 prepared to communicate with, provide for, and support those living on the Autism Spectrum
31 and with special needs.



Planning Board

TOWN OF POESTENKILL

38 Davis Drive / P.O. Box 210

Poestenkill, NY 12140

(518) 283-5100 Phone

(518) 283-7550 Fax

PLANNING BOARD

June 7, 2016 Minutes

(Distributed before approval)

MEMBERS PRESENT: William Daniel, Vice Chairman
Robert Dore
William Daniel
Harvey Teal
Jeffrey Briggs
Don Heckelman
Tom Russell
Robert Ryan, Attorney
Steve Valente, Alternate

MEMBERS ABSENT: Judy Grattan, Chairman

RECORDING SECRETARY: Monica Hardy

Vice Chairman Daniel called the meeting to order at 7:30 pm with the Pledge of Allegiance.

Public Hearing Continuation

Rensselaer Plateau Alliance
(Tax Map #127.-1-57)

Special Use Permit
239 Legenbauer Road

Jeffrey Briggs recused himself from the public hearing and Steve Valente, Alternate sat in for him. Jim Bonesteel spoke and gave a quick summary of the projected use of the Rensselaer Plateau Alliance. He spoke of all the support this project has. Their plan is to create off road parking.

There was a lengthy discussion between the board members and the public. The public had several concerns about storm water protection plan and a traffic impact statement, etc.. These issues were not within the jurisdiction of the Planning Board. Mike DeFillips raises concern about the overflow parking lot being only 50 feet from his property. He suggested they move the overflow parking lot down the road on the left hand side where there is a flat piece of level property. Jim Bonesteel agrees to look into the relocation of the overflow lot.

Howard Teal feels it is premature to issue a SUP. He feels there are more studies and more consideration needed. A motion was made by Harvey Teal and seconded by Tom Russell to adjourn the meeting till next month, July 5, 2016, to collect more information and work out details of operation of SUP. The vote was 6 ayes and 1 nay.

PUBLIC HEARING

Karen Bradley and Jesse Lundy
(Tax Map # 114.-2-15.1)

Minor Sub-Division Application
69 Dater Hill Road

Monica Hardy reads the legal notice for the record.

Karen Bradley discussed her application to subdivide a 2 acre parcel, to construct a single-family dwelling for her father Jesse Lundy. Karen Bradley states she spoke to her neighbor who has no objections to the construction. Vice Chairman Daniel read the questions from the SEQRA review. Based on the information obtained a motion was made by a motion was made by Harvey Teal and seconded by Tom Russell and unanimously carried that this be listed as Type II Action under SEQRA and will have no negative impact on the environment.

A motion was made by Howard Teal and seconded by Jeffrey Brigs and unanimously carried to APPROVE the application for a 2 Lot Minor Subdivision.

Bruce Moody
(Tax Map # 114.-2-7)

Minor-Sub Division Application
122 Garfield Road

Monica Hardy, Secretary reads the legal notice for the record.

Kevin McGrath discussed the application along with Bruce Moody to sub-divide 94 acres into to lots. Mr. Moody's lot will be 23.6 acres where his home, barns etc. will remain. The other 70.6 acres will be sold for agricultural purposes only. Vice Chairman Daniel read the questions from the SEQRA review. Based on the information obtained a motion was made by Steve Valente and seconded by Jeffrey Briggs and unanimously carried that this be listed as Type II Action under SEQRA and will have no negative impact on the environment.

A motion was made by Jeffrey Briggs and seconded by Harvey Teal and unanimously carried to APPROVE the application for a 2 Lot Minor Subdivision.

NEW BUSINESS

Fane Mining Rezoning – Advisory Opinion

A motion was made by Jeffrey Briggs and seconded by William Daniel and abstained by Tom Russell that there are no objections to the application for Warren Fane Rezoning.

Francis E. Wilkins
138.-1-37.1 and 138.-1-39-111

Minor Sub-division Application
Tymeson Road/Hicks Pond Road

Kevin McGrath explains the 3 lot sub-division. There is property on both Tymeson Road and Hicks Pond Road. They would like to merge property from Tymeson Road to Hicks Pond Road and subdivide into 3 parcels. One of which will be 5 acres, and the other Lots 1 and 2 would be all woodland and logging trails.

A motion was made by Steve Valente and seconded by Jeffrey Briggs and unanimously carried to classify this property as a 3 lot sub-division. The Wilkins will come before the Board for a Public Hearing next month July 5, 2016.

Scott Polaro
(Tax Map #125-7-28)

Review Special Use Permit
607 NYS Route 351

Don Heckelman recused himself from this application

Scott Polero addresses the Board to review the SUP. His concern is the wording that it is a new SUP instead of a renewed SUP. He is concerned about an Article 78 being brought before the Town Board. Bob Ryan suggest the wording to be, a SUP will be issued upon receiving a renewed DEC permit. This permit has been issued.

A motion is made by Harvey Teal, seconded by Tom Russell and unanimously carried to accept and change the wording to read: issue a SUP based on receiving a renewed DEC permit. Bob Ryan Esq. will write up the wording for the minutes.

Minutes

A motion was made by William Daniel and seconded by Robert Dore and unanimously carried that the April 3, 2016 minutes be **APPROVED** as amended. (Change the spelling of Robert Dore's name from Door to Dore, half way down on the second page.)

General Discussion

The Board continued a lengthy discussion about the Rensselaer Plateau Alliance.

New Business

There being no further business, a motion was made by Harvey Teal and seconded by Tom Russell and unanimously carried to adjourn the meeting at 10:10.

Respectfully submitted,

Monica Hardy
Secretary



TOWN OF POESTENKILL

38 Davis Drive / P.O. Box 210
Poestenkill, NY 12140
(518) 283-5100 Phone
(518) 283-7550 Fax

Planning Board

RESOLUTION ON APPLICATION FOR APPROVAL OF SUBDIVISION PLAT

WHEREAS, an application for Approval of a Minor 4 Lot Subdivision Plat has been filed with the Secretary to the Planning Board by Francis E. Wilkins, Tymeson Road, Averill Park, NY, on approximately May 2, 2016 and

WHEREAS, this subdivision plat is identified by:

TITLE: Subdivision of Lands of Francis E. Wilkins
OWNER: Francis E. Wilkins
LOCATION: 84 Tymeson Road, Averill Park, NY
PREPARED BY: McGrath Land Surveyors
DATED: April 14, 2016

WHEREAS, the application has been found to be in conformity with the Subdivision Regulations of the Board, and

WHEREAS, the Planning Board received and reviewed an Environmental Assessment Form and determined on July 5, 2016 that the intended action would not result in a significant environmental impact, and, consequently, issued a Negative Declaration requiring no further review under SEQRA,

WHEREAS, after due notice a public hearing was held by the Planning Board on July 5, 2016 at 7:30 p.m. in the Poestenkill Town Hall to consider this request, and

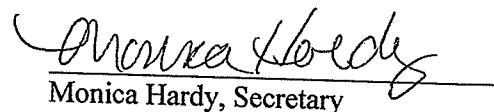
WHEREAS, at said hearing all those who desired to be heard were given the opportunity to be and their testimony recorded, and

NOW, THEREFORE, BE IT RESOLVED that this Board after due consideration of said Subdivision Plat and the requirements of the Subdivision Regulations, grants final approval of the Subdivision Plat herein above identified.

BE IT FURTHER RESOLVED, that the Chairman and the Secretary to the Planning Board be and are hereby authorized to sign this resolution.

On motion of Chairman Grattan, seconded by Board Member Teal, the resolution was adopted, there being seven (7) ayes and zero (0) nays.


Judy Grattan, Chairman


Monica Hardy, Secretary

Dated: July 5, 2016



Planning Board

TOWN OF POESTENKILL

38 Davis Drive / P.O. Box 210
Poestenkill, NY 12140
(518) 283-5100 Phone
(518) 283-7550 Fax

RESOLUTION ON APPLICATION FOR APPROVAL OF SUBDIVISION PLAT

WHEREAS, an application for Approval of a Minor Subdivision Plat has been filed with the Secretary to the Planning Board by Karen Bradley and Jesse Lundy, 69 Dater Hill Road, Troy, NY, on approximately June 14, 2016 and

WHEREAS, this subdivision plat is identified by:

TITLE: Minor Subdivision of Lands of Karen Bradly and Jesse Lundy
OWNER: Russell Bradley
LOCATION: 69 Dater Hill Road, Troy, NY 12180
PREPARED BY: William C. Darling, P.L.S.
DATED: April 22, 2016

WHEREAS, the application has been found to be in conformity with the Subdivision Regulations of the Board, and

WHEREAS, the Planning Board received and reviewed an Environmental Assessment Form and determined on June 7, 2016 that the intended action would not result in a significant environmental impact, and, consequently, issued a Negative Declaration requiring no further review under SEQRA,

WHEREAS, after due notice a public hearing was held by the Planning Board on June 7, 2016 at 7:30 p.m. in the Poestenkill Town Hall to consider this request, and

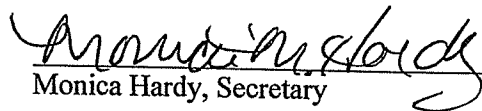
WHEREAS, at said hearing all those who desired to be heard were given the opportunity to be and their testimony recorded, and

NOW, THEREFORE, BE IT RESOLVED that this Board after due consideration of said Subdivision Plat and the requirements of the Subdivision Regulations, grants final approval of the Subdivision Plat herein above identified.

BE IT FURTHER RESOLVED, that the Chairman and the Secretary to the Planning Board be and are hereby authorized to sign this resolution.

On motion of Board Member Heckelman, seconded by Board Member Valente, the resolution was adopted, and unanimously carried.


Judy Grattan, Chairman


Monica Hardy, Secretary

Dated: June 14, 2016



TOWN OF POESTENKILL

38 Davis Drive / P.O. Box 210
Poestenkill, NY 12140
(518) 283-5100 Phone
(518) 283-7550 Fax

Planning Board

RESOLUTION ON APPLICATION FOR APPROVAL OF SUBDIVISION PLAT

WHEREAS, an application for Approval of a Minor Subdivision Plat has been filed with the Secretary to the Planning Board by Bruce Moody, 122 Garfield Road, Poestenkill, NY, on approximately June 14, 2016 and

WHEREAS, this subdivision plat is identified by:

TITLE: Minor Subdivision of Lands of Bruce Moody
OWNER: Bruce Moody
LOCATION: 122 Garfield Road, Poestenkill, NY 12140
PREPARED BY: Kevin J. McGrath
DATED: April 7, 2016

WHEREAS, the application has been found to be in conformity with the Subdivision Regulations of the Board, and

WHEREAS, the Planning Board received and reviewed an Environmental Assessment Form and determined on June 7, 2016 that the intended action would not result in a significant environmental impact, and, consequently, issued a Negative Declaration requiring no further review under SEQRA,

WHEREAS, after due notice a public hearing was held by the Planning Board on June 7, 2016 at 7:30 p.m. in the Poestenkill Town Hall to consider this request, and

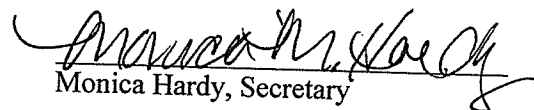
WHEREAS, at said hearing all those who desired to be heard were given the opportunity to be and their testimony recorded, and

NOW, THEREFORE, BE IT RESOLVED that this Board after due consideration of said Subdivision Plat and the requirements of the Subdivision Regulations, grants final approval of the Subdivision Plat herein above identified.

BE IT FURTHER RESOLVED, that the Chairman and the Secretary to the Planning Board be and are hereby authorized to sign this resolution.

On motion of Board Member Valente, seconded by Board Member Briggs, the resolution was adopted, and unanimously carried.


Judy Grattan, Chairman


Monica Hardy, Secretary

Dated: June 14, 2016



Planning Board

TOWN OF POESTENKILL

38 Davis Drive / P.O. Box 210
Poestenkill, NY 12140
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PLANNING BOARD AGENDA

July 5, 2016

7:30 Meeting Opens – Pledge of Allegiance

Public Hearings

<u>Rensselaer Plateau Alliance (Continuation)</u> (Tax Map # 127.-1-57)	<u>Special Use Permit</u> 239 Legenbauer Rd
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<u>Francis E. Wilkins</u> 138.-1-37.1 and 138.-1-39.111	<u>Minor Sub-Division Application</u> Tymeson Road/Hicks Pond Road
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Public Comment Period

Minutes of the June Meeting

New Business

<u>Andrea Gallerie</u> 126.-1-44	<u>Sign Placement</u> 80 Plank Road
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<u>Laura & Nathaniel Angell</u> 116.2-18.2 and 116.-2-29.2	<u>Minor Sub-Division Application</u> 376 North Road
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Minutes of the June Meeting

Discussion Item

Lot Line Adjustment definition



**TOWN OF POESTENKILL PLANNING BOARD
NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE that the Planning Board of the Town of Poestenkill will hold a public hearing pursuant to Section 276 of the Town Law and Land Use Ordinance.

The hearing is on the application of Francis E. Wilkins for approval of a 5 Lot Sub-division. Three lots from parcel 138-1-37.1 and two lots from the 2014 sub-division of parcel 138.-1-11 that resulted in new parcels 138.-1-111 and 138.-1-112. Said applicant is Francis E. Wilkins and is located at 84 Tymeson Road, Averill Park NY, Tax Map No. 137.-1-37.1 and 138.-1-39.111.

SAID HEARING will take place on Tuesday, July 5, 2016, at the Poestenkill Town Hall, starting at approximately 7:30 pm at which time all interested parties will be given an opportunity to be heard.

By Order of the Planning Board,

Monica M. Hardy
Secretary



TOWN OF POESTENKILL

38 Davis Drive / P.O. Box 210

Poestenkill, NY 12140

(518) 283-5100 Phone

(518) 283-7550 Fax

Planning Board

RESOLUTION

WHEREAS, an application has been filed with the Secretary to the Planning Board by Rensselaer Plateau Alliance, Inc., 239 Legenbauer Road, Poestenkill NY 12140, on approximately March 23, 2016, and

WHEREAS, Rensselaer Plateau Alliance Inc. requests a Special Use Permit for non profit recreational use which is located at 239 Legenbauer Road, Poestenkill NY.

WHEREAS, the Planning Board received and reviewed the Environmental Assessment Form and determined on July 5, 2016 that the intended action would not result in a significant environmental impact, and, consequently, issued a Negative Declaration requiring no further review under SEQRA,

WHEREAS, after due notice a public hearing was held by the Planning Board on July 5, 2016 at 7:30 p.m. in the Poestenkill Town Hall to consider this request, and

WHEREAS, at said hearing all those who desired to be heard were given the opportunity to be and their testimony recorded, and

NOW, THEREFORE, BE IT RESOLVED to grant approval of this Special Use Permit for a non-profit recreational use, under the provisions of Chapter 150 Attachment 2.2 of the Land Use Code of the Town of Poestenkill.

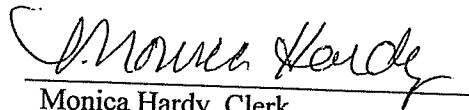
BE IT FURTHER RESOLVED, the following conditions are made apart of this Special Use Permit:

1. Hours – dawn until dusk, unless authorized by the Rensselaer Plateau Alliance, Inc.
2. Permanent markings on their boundaries. Markings must be put up within six months of them receiving the survey currently in process.
3. Off street parking is to be maintained.
4. Five year renewal to review SUP conditions.

BE IT FURTHER RESOLVED, that the Chairman and the Clerk to the Planning Board be and are hereby authorized to sign this resolution.

On motion of Board Member Daniel, seconded by Board Member Harvey, the resolution was adopted, there being five (5) ayes and two (2) nays, and one (1) abstention (Briggs).

Judy Grattan, Chairman



Monica Hardy, Clerk

Dated: July 5, 2016



TOWN OF POESTENKILL

38 Davis Drive / P.O. Box 210

Poestenkill, NY 12140

(518) 283-5100 Phone

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Planning Board

RESOLUTION
ON APPLICATION FOR APPROVAL OF LOT LINE ADJUSTMENT

WHEREAS, an application for Approval of Lot Line Adjustment has been filed with the Secretary to the Planning Board by Francis E. Wilkins, 84 Tymeson Road and Hicks Pond Road, Averill Park, NY, on approximately May 5, 2016 and,

WHEREAS, this lot line adjustment is identified by:

OWNER: Francis E. Wilkins

LOCATION: 84 Tymeson Road, Averill Park, NY

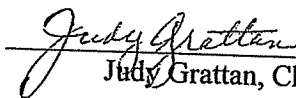
TAX MAP ID #: 138.-1-37.1 and 138.-1-39.111

WHEREAS, the application has been found to be in conformity with the Lot Line Adjustment Regulations of the Board, and

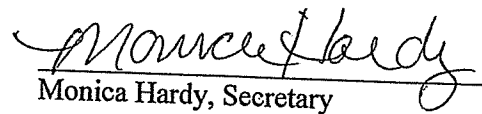
NOW, THEREFORE, BE IT RESOLVED that this Board after due consideration of said Lot Line Adjustment application and the requirements of the Lot Line Adjustment Regulations, grants final approval of the requested lot line adjustment.

BE IT FURTHER RESOLVED, that the Chairman and the Secretary to the Planning Board be and are hereby authorized to sign this resolution, provided the above conditions are met by the applicant.

On motion of Chairman Grattan, seconded by Board Member Heckelman, the resolution was adopted, there being seven (7) ayes and zero (0) nays.



Judy Grattan, Chairman



Monica Hardy, Secretary

Dated: July 5, 2016



TOWN OF POESTENKILL

38 Davis Drive / P.O. Box 210

Poestenkill, NY 12140

(518) 283-5100 Phone

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Planning Board

RESOLUTION ON APPLICATION FOR APPROVAL OF SUBDIVISION PLAT

WHEREAS, an application for Approval of a Minor 4 Lot Subdivision Plat has been filed with the Secretary to the Planning Board by Francis E. Wilkins, Tymeson Road, Averill Park, NY, on approximately May 2, 2016 and

WHEREAS, this subdivision plat is identified by:

TITLE: Subdivision of Lands of Francis E. Wilkins

OWNER: Francis E. Wilkins

LOCATION: 84 Tymeson Road, Averill Park, NY

PREPARED BY: McGrath Land Surveyors

DATED: April 14, 2016

WHEREAS, the application has been found to be in conformity with the Subdivision Regulations of the Board, and

WHEREAS, the Planning Board received and reviewed an Environmental Assessment Form and determined on July 5, 2016 that the intended action would not result in a significant environmental impact, and, consequently, issued a Negative Declaration requiring no further review under SEQRA,

WHEREAS, after due notice a public hearing was held by the Planning Board on July 5, 2016 at 7:30 p.m. in the Poestenkill Town Hall to consider this request, and

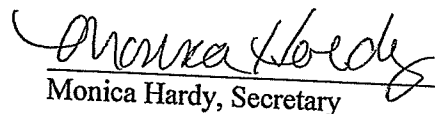
WHEREAS, at said hearing all those who desired to be heard were given the opportunity to be and their testimony recorded, and

NOW, THEREFORE, BE IT RESOLVED that this Board after due consideration of said Subdivision Plat and the requirements of the Subdivision Regulations, grants final approval of the Subdivision Plat herein above identified.

BE IT FURTHER RESOLVED, that the Chairman and the Secretary to the Planning Board be and are hereby authorized to sign this resolution.

On motion of Chairman Grattan, seconded by Board Member Teal, the resolution was adopted, there being seven (7) ayes and zero (0) nays.


Judy Grattan, Chairman


Monica Hardy, Secretary

Dated: July 5, 2016



Planning Board

TOWN OF POESTENKILL

38 Davis Drive / P.O. Box 210
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PLANNING BOARD July 5, 2016 Minutes (Distributed before approval)

MEMBERS PRESENT: Judy Grattan, Chairman
Robert Dore
William Daniel
Harvey Teal
Jeffrey Briggs
Don Heckelman
Tom Russell
Robert Ryan, Attorney
Steve Valente, Alternate

RECORDING SECRETARY: Monica Hardy

Chairman Grattan called the meeting to order at 7:30 pm with the Pledge of Allegiance.

Public Hearing Continuation

Rensselaer Plateau Alliance
(Tax Map #127.-1-57)

Special Use Permit
239 Legenbauer Road

Vice Chairman Bill Daniels continued the public hearing for Rensselaer Plateau Alliance. Jeffrey Briggs recused himself from the public hearing and Steve Valente, Alternate sat in for him. Jim Bonesteel was not present. Fred DeMay spoke on his behalf.

There was a lengthy discussion between the board members and the public. Fred DeMay explained that he and Walter Kirsch had a discussion with Toby Chadwick and Mike DeFilippis and both conversations were very positive, with the changes being agreed upon to have one parking lot, (Lot A) which will be located on the right side of Legenbauer Road. Mike DeFilippis is in favor of the project.

Mr. DeMay had a traffic study, trip generation and site distance evaluation completed by Don Adams, Project Manager. All studies returned with a low or no impact on the project. There was some positive and negative comments from the public.

After a lengthy discussion a motion was made by Chairman Grattan, and seconded by Bill Daniels to APPROVE the application for a Special Use Permit by 5 ayes and 2 nays under the following conditions:

1. Hours of operation – dawn until dusk, unless authorized by the RPA.
2. Permanent markings on their boundaries. Markings must be put up within six months of them receiving the survey which is currently in progress.
3. Off street parking is to be maintained.
4. Five year renewal to review SUP conditions.

Chairman Grattan makes a change to the agenda.

New Business

<u>Laura & Nathaniel Angell</u>	<u>Minor Sub-Division Application</u>
(Tax Map # 116.2-18.2 and 116.-2-29.2)	376 North Road

Laura Angell explains she would like to subdivide her property into two lots. Chairman Grattan asks the Board if they have any questions. With no questions being asked, Bill Daniel makes a motion, seconded by Harvey Teal to classify this application as a Minor 2-Lot Subdivision, by vote of 7 ayes and 0 nays.

Chairman Grattan makes a motion, seconded by Bill Daniel by a vote of 7 ayes 0 nays that this be an unlisted action under SEQRA and will have no significant adverse environmental impact resulting in a negative declaration.

Public Hearing

<u>Francis E. Wilkins</u>	<u>Minor Sub-Division Application</u>
(Tax Map # 138.-1-37.1 and 138.-1-39.111)	Tymeson Road/Hicks Pond Road

Monica Hardy, Secretary reads the Public Hearing for the record.

Francis Wilkins has been before the Board in the past for a Minor Sub-Division. This being said Chairman Grattan makes a motion, seconded by Don Heckelman to move that this is a Lot Line Adjustment by a vote of 7 ayes and 0 nays.

Chairman Grattan makes a motion, seconded by Harvey Teal by a vote of 7 ayes 0 nays that this be an unlisted action under SEQRA and will have no significant adverse environmental impact resulting in a negative declaration.

Bill Daniels makes a motion, seconded by Jeffrey Briggs by a vote of 7 ayes and 0 nays to APPROVE the application for a 3 Lot Minor Subdivision.

Advisory Opinion

<u>Andrea Gallerie</u>	<u>Sign Placement – Area Variance</u>
(Tax Map # 126.-1-44)	80 Plank Road

Andrea Gallerie approaches the Board. She would like to put up a 3' x 3' double sided sign on her property for her hair salon business. The Planning Board does not have any issues. Monica Hardy, Secretary will send an e-mail for the advisory opinion to the ZBA.

Minutes

A motion was made by Don Heckelman, seconded by Tom Russell, by a vote of 7 ayes and 0 nays to accept the minutes as revised.

New Business

The Board had a discussion on the definition of lot line adjustments. Bob Ryan will send a memo to the Town Board for a possible change to the code.

A motion is made by Judy Grattan, seconded by Bill Daniel, by a vote of 7 ayes and 0 nays, to adjourn the meeting at 9:50.

Respectfully submitted,

Monica Hardy
Secretary



Planning Board

TOWN OF POESTENKILL

38 Davis Drive / P.O. Box 210

Poestenkill, NY 12140

(518) 283-5100 Phone

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REVISED

PLANNING BOARD

July 5, 2016 Minutes

(Distributed before approval)

MEMBERS PRESENT: Judy Grattan, Chairman
Robert Dore
William Daniel
Harvey Teal
Jeffrey Briggs
Don Heckelman
Tom Russell
Robert Ryan, Attorney
Steve Valente, Alternate

RECORDING SECRETARY: Monica Hardy

Chairman Grattan called the meeting to order at 7:30 pm with the Pledge of Allegiance.

Public Hearing Continuation

Rensselaer Plateau Alliance

(Tax Map #127.-1-57)

Special Use Permit

239 Legenbauer Road

Vice Chairman Bill Daniels continued the public hearing for Rensselaer Plateau Alliance. Jeffrey Briggs recused himself from the public hearing and Steve Valente, Alternate sat in for him. Jim Bonesteel was not present. Fred DeMay spoke on his behalf.

There was a lengthy discussion between the board members and the public. Fred DeMay explained that he and Walter Kirsch had a discussion with Toby Chadwick and Mike DeFilipis and both conversations were very positive, with the changes being agreed upon to have one parking lot, (Lot A) which will be located on the right side of Legenbauer Road. Mike DeFilipis is in favor of the project.

Mr. DeMay had a traffic study, trip generation and site distance evaluation completed by Don Adams, Project Manager. All studies returned with a low or no impact on the project. There was some positive and negative comments from the public.

After a lengthy discussion with the public voicing their concerns and the Planning Board debating the issue a motion was made by Chairman Grattan, and seconded by Bill Daniels to APPROVE the application for a Special Use Permit by 5 ayes and 2 nays under the following conditions:

1. Hours of operation – dawn until dusk, unless authorized by the RPA.
2. Permanent markings on their boundaries. Markings must be put up within six months of them receiving the survey which is currently in progress.
3. Off street parking is to be maintained.
4. Five year renewal to review SUP conditions.

Chairman Grattan makes a change to the agenda.

New Business

<u>Laura & Nathaniel Angell</u>	<u>2 Lot Minor Sub-Division Application</u>
(Tax Map # 116.2-18.2 and 116.-2-29.2)	376 North Road

Laura Angell explains she would like to subdivide her property into two lots. Chairman Grattan asks the Board if they have any questions. With no questions being asked, Bill Daniel makes a motion, seconded by Harvey Teal to classify this application as a Minor 2-Lot Subdivision, by vote of 7 ayes and 0 nays.

Public Hearing

<u>Francis E. Wilkins</u>	<u>Minor Sub-Division Application</u>
(Tax Map # 138.-1-37.1 and 138.-1-39.111)	Tymeson Road/Hicks Pond Road

Monica Hardy, Secretary reads the Public Hearing for the record.

Francis Wilkins has had a minor subdivision in the past. Since that subdivision occurred in 2014, that 2 lot subdivision will be considered as part of the subdivision application as required by Town Code.

In subdividing the property a portion was split to be attached to tan abutting parcel as a lot line adjustment. This being said Chairman Grattan makes a motion, seconded by Don Heckelman to move that this is a Lot Line Adjustment by a vote of 7 ayes and 0 nays.

Chairman Grattan makes a motion, seconded by Harvey Teal by a vote of 7 ayes 0 nays that this be an unlisted action under SEQRA and will have no significant adverse environmental impact resulting in a negative declaration.

Bill Daniels makes a motion, seconded by Jeffrey Briggs by a vote of 7 ayes and 0 nays to APPROVE the application for a 4 Lot Minor Subdivision.

Advisory Opinion

<u>Andrea Gallerie</u>	<u>Advisory Opinion–Area Variance</u>
(Tax Map # 126.-1-44)	80 Plank Road

Andrea Gallerie approaches the Board. She would like to put up a 3' x 3' double sided sign on her property for her hair salon business. The Planning Board does not have any issues. Monica Hardy, Secretary will send an e-mail for the advisory opinion to the ZBA.

Minutes

The minutes of the Board meeting on June 7, 2016 were reviewed and the following amendments made to the minutes: the minutes read on Page 1, Paragraph 2... There was a lengthy discussion between the board members and the public. The public had several concerns about storm water protection plan and a traffic impact statement, etc. These issues were not within the jurisdiction of the Planning Board. Mike DeFillips raises concern about the overflow parking lot being only 50 feet from his property. He suggested they move the overflow parking lot down the road on the left hand side where there is a flat piece of level property. Jim Bonesteel agrees to look into the relocation of the overflow lot." It should read... There was a lengthy discussion between the board members and the public. The public had several concerns about storm water protection plan, traffic, trespassing, litter, and parking. Mike DeFilips raises concern about the overflow parking lot being only 50 feet from this property. He suggested they move the overflow parking lot down the road on the left hand side where there is a flat piece of level property. Jim Bonesteel agrees to look in the relocation of the overflow lot.

Also on Page 1, Paragraph 3, Line 1 the minutes read ...Howard...It should read...Harvey
Also on Page 1, Paragraph 3, Line 4 the minutes read...The vote was 6 ayes and 1 nay...It should read 5 ayes and 1 nay.

Also on Page 2, Paragraph 3, Line two the minutes read...A motion was made by Howard Teal and seconded by Jeffrey Brigs and unanimously carried to approve the application for a 2 Lot Minor Subdivision....It should read...A motion was made by Harvey Teal and seconded by Jeffrey Briggs and unanimously carried to Approve the application for a 2 Lot Minor Subdivision by 7 ayes and 0 nays.

Also on Page 2, Paragraph 5, Line 2 the minutes read...into to lots...It should read...into two lots. Also on Line 6, the minutes read...as Type II Action under SEQRA and will have no negative impact on the environment. It should read...an unlisted action under SEQRA and will have no significant adverse environmental impact resulting in a negative declaration.

Also on Page 2 Paragraph 6 the minutes read...A motion was made by Jeffrey Briggs and seconded by Harvey Teal and unanimously carried to APPROVE the application for a 2 Lot Minor Subdivision. It should read...A motion was made by Jeffrey Briggs and seconded by Harvey Teal and unanimously carried to APPROVE the application for a 2 Lot Minor Subdivision by 7 ayes and 0 nays.

Also on Page 2 Paragraph 7 the minutes read...A motion was made by Jeffrey Briggs and seconded by William Daniel and abstained by Tom Russell that here are no objections to the application for Warren Fane Rezoning. It should read...A motion was made by Jeffrey Briggs and seconded by William Daniel and abstained by Tom Russell that there are no objections to the application for Warren Fane Rezoning by 6 ayes, 0 nays, and one abstention.

Also on Page 2 Paragraph 8, Line 2 the minutes read...carried to classify this property as a 3 lot subdivision. It should read...carried to classify this property as a 3 Lot minor subdivision.

Also on Page 3 Paragraph 1, the minutes read...A motion was made by Steve Valente and seconded by Jeffrey Briggs and unanimously carried to classify this property as a 3 lot minor sub-division. The Wilkins will come before the Board for a Public Hearing next month on July 5, 2016. It should read...A motion was made by Steve Valente and seconded by Jeffrey Briggs and unanimously carried by 7 ayes and 0 nays to classify this property as a 3 lot minor subdivision. The Wilkins will come before the Board for a Public Hearing next month July 5, 2016.

Also on Page 3 Paragraph 3 the minutes read...Scott Polero addressed the Board to review the SUP. His concern is the wording that it is a new SUP instead of a renewed SUP. He is concerned about an Article 78 being brought before the Town Board. Bob Ryan suggest the wording to be, an SUP will be issued upon receiving a renewed DEC permit. This permit has been issued. It should read...Scott Polero addresses the Board to review the wording of the minutes for the approval of his SUP. He is concerned that the wording, that it is a new DEC permit, instead of a renewed DEC permit. He is concerned about potential litigation. Bob Ryan suggests the wording to be, A SUP will be issued upon receiving and renewed DEC permit. This permit has been issued.

Also on Page 3 Paragraph 4 the minutes read...A motion was made by Harvey Teal, seconded by Tom Russell and unanimously carried to accept and change the wording to read: issue a SUP based on receiving a renewed DEC permit. Bob Ryan edit the April 5, 2016 minutes accordingly...It should read...A motion is made by Harvey Teal, seconded by Tom Russell and unanimously carried by 6 ayes 0 nays and one abstention by Don Heckelman to accept and change the wording to read: issue a SUP based on receiving a renewed DEC permit. Bob Ryan will edit the April 5, 2016 minutes accordingly.

Also on Page 3 Paragraph 5 Line 2 the minutes read...minutes be APPROVED as amended. It should read...minutes be Approved by a vote of 7 ayes and 0 nays.

Also Page 3 Paragraph 67 the minutes read. A motion was made by Harvey Teal and seconded by Tom Russell and unanimously carried to adjourn the meeting at 10:10...It should read...a motion was made by Harvey Teal, and seconded by Tom Russell to adjourn the meeting at 10:10 by a vote of 7 ayes and 0 nays.

New Business

The Board had a discussion on the definition of lot line adjustments. Bob Ryan will prepare the language for a possible change to the code for the Planning Board members review.

A motion is made by Judy Grattan, seconded by Bill Daniel, by a vote of 7 ayes and 0 nays, to adjourn the meeting at 9:50.

Respectfully submitted,

Monica Hardy
Secretary



TOWN OF POESTENKILL

38 Davis Drive / P.O. Box 210

Poestenkill, NY 12140

(518) 283-5100 Phone

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Zoning Board of Appeals

MINUTES

June 12, 2016

(Distributed before approval)

CALL TO ORDER: Chairman Paul Jamison called the meeting to order at 7:30 pm.

MEMBERS PRESENT: Chairman Paul Jamison
Terry Lantry
Kevin McGrath
Frank Burzesi

ABSENT: Cheryl Sarjeant

RECORDING SECRETARY: Monica Hardy

PUBLIC HEARING – (CONTINUATION) – Front and Rear Setback – Lot Size

Allen and Penny Yetto

Tax Map # 125.5-4-13

20 Circle Drive

Poestenkill, NY 12140

Mr. and Mrs. Yetto stated that they checked with their attorney and researched the deed and title. There was nothing in the records about the sewer. There was nothing filed with the County. Dave Anderson, a neighbor would like to thank the Board for their physical appearance at the property. The Board has not received any additional information from Kathleen or Joanne Ryan. Mr. Yetto states he has the largest property in three of the nearby neighborhoods. He is willing to move the house in a different location. Mrs. Yetto provides pictures of their property and other properties in the neighborhood.

Frank Burzesi would like to see the property staked off. He would also like to see the exact dimensions between the property line and the center of the pavement. All Board Members agree. Dave Anderson would like to see the house built as far away from his property line as possible. Kevin McGrath suggest that the Yetto's revise the dimensions of their home.

A motion was made by Paul Jamison and seconded by Kevin McGrath and unanimously carried to leave the Public Hearing open until the next meeting July 12, 2016.

NEW APPLICANT

Andrea Gallerie

126.-1-44

Sign Placement

80 Plank Road

Andrea Gallerie approaches the Board asking for a 3'x3' double sided sign. The code allows 3'x1'. She has moved her hair salon from Wynantskill to her home on Plank Road. Application for a Home Occupation was approved two years ago. The Board makes a suggestion to show them a mock sign. They would like to see the exact dimensions and what the sign would look like.

A motion was made by Frank Burzesi and seconded by Terry Lantry and unanimously carried to set a Public Hearing for July 12, 2016.

NEW BUSINESS

Fee Schedule

The Board discusses a new fee schedule to include the hearing notice and mailing fees included in the application fee. This would avoid collecting the money after the application has been approved or disapproved. Frank Burzesi feels that raising the cost of the application fee to include these other fees is too high.

A motion was made by Paul Jamison and seconded by Kevin McGrath and unanimously carried to concur with the new fee schedule and send it to the Town Board for review.

Training

Paul Jamison reminds the Board about the mandatory 4 hours of training that is need each year.

MINUTES:

A motion was made by Kevin McGrath and seconded by Terry Lantry and unanimously carried to accept the May 2016 minutes as written.

ADJOURNMENT:

A motion was made by Terry Lantry and seconded by Frank Burzesi and unanimously carried to adjourn the meeting at 9:00.

Respectfully Submitted by,

Monica Hardy, ZBA Secretary

Poestenkill Fire Company Custom Summary Report January through June 2016

	Jan - Jun 16
Income	
Town Contract Money	288,179.98
Trans.to Loan Account	-345,000.00
Truck Loan Money	345,000.00
Total Income	288,179.98
Gross Profit	288,179.98
Expense	
Awards	2,616.90
Bank Service Charge	1.00
Building Fuel (heating)	
East Poestenkill (fuel oil)	272.55
East Poestenkill (propane)	1,613.50
Main Station (Propanel)	5,377.57
Total Building Fuel (heating)	7,263.62
Building Maintance	
Cleaning Supplies	555.11
East Poestenkill	410.10
Main Station	4,354.82
Refuse	669.64
Building Maintance - Other	444.50
Total Building Maintance	6,434.17
Code 100	122.45
Electric	
East Poestenkill	528.88
Main Station	1,101.05
Total Electric	1,629.93
Equipment	
New Equipment	30,335.30
Repair & Maintance	7,570.52
Total Equipment	37,905.82
Fire Tax & DMV FEE	30.77
Fire Trucks	
Fuel	1,858.87
Repair & Maintance	7,730.56
Total Fire Trucks	9,589.43
Funerals	135.00
Hospital Stay	49.95
Insurance	
Auto	3,067.00
Buildings	6,802.00
Workman's Compensation	12,804.70
Total Insurance	22,673.70
Internet Service	250.00
Management Grant Application	0.00
Medical Supplies	2,729.54
Memorial Day	75.00
Memorial Donation	315.00
NYS Chiefs Assoc.	95.00
Office Supplies	
Postage	116.50
Office Supplies - Other	371.74
Total Office Supplies	488.24
Professional Services	3,300.00
Reimbursement	-3,540.31
Security Alarm	390.00
Solar	1,710.41
Sponsorship	250.00

2:26 PM
07/10/16
Accrual Basis

Poestenkill Fire Company
Custom Summary Report
January through June 2016

	<u>Jan - Jun 16</u>
Telephone	
Cell Phones	647.19
East Poestenkill	337.26
Main Station	<u>1,106.11</u>
Total Telephone	2,090.56
Town Water	32.62
Training	454.36
TRAnsfer to Equipment Replaceme	15,000.00
Transfer to Memorial Fund	20,000.00
Transfer to Vechicle Replacemen	40,000.00
Uniforms	208.93
Water	112.45
Water Tax	<u>352.51</u>
Total Expense	<u>172,767.05</u>
Net Income	<u><u>115,412.93</u></u>

2:26 PM
07/10/16
Accrual Basis

Poestenkill Fire Company
Custom Summary Report
June 2016

	<u>Jun 16</u>
Income	
Town Contract Money	96,694.98
Total Income	<u>96,694.98</u>
Gross Profit	96,694.98
Expense	
Bank Service Charge	1.00
Building Fuel (heating)	
East Poestenkill (propane)	140.00
Main Station (Propanel)	340.00
Total Building Fuel (heating)	<u>480.00</u>
Building Maintance	
Main Station	170.18
Refuse	111.76
Total Building Maintance	<u>281.94</u>
Code 100	75.51
Electric	
East Poestenkill	68.35
Main Station	21.02
Total Electric	<u>89.37</u>
Equipment	
Repair & Maintance	68.85
Total Equipment	<u>68.85</u>
Fire Trucks	
Fuel	723.62
Repair & Maintance	1,130.72
Total Fire Trucks	<u>1,854.34</u>
Insurance	
Auto	493.00
Buildings	1,150.00
Total Insurance	<u>1,643.00</u>
Medical Supplies	1,559.49
Memorial Day	75.00
Security Alarm	65.00
Solar	434.15
Telephone	
Cell Phones	107.42
East Poestenkill	58.57
Main Station	184.38
Total Telephone	<u>350.37</u>
Training	299.04
Uniforms	208.93
Water	73.21
Total Expense	<u>7,559.20</u>
Net Income	<u><u>89,135.78</u></u>

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County
City of **POESTENKILL**
Town
Village

Local Law No **3** of the year **2016**

A local law **AMENDING THE LAND USE REGULATIONS AND LAND USE DISTRICT MAP OF THE TOWN OF POESTENKILL**
(Insert Title)

Be it enacted by the **Town Board** of the
(Name of Legislative Body)
County
City
Town of **POESTENKILL** as follows:
Village

Section 1. Title.

This chapter shall be cited and may be hereafter referred to as "Zoning Amendment Law No. 1 of the Year 2016 of the Town of Poestenkill."

Section 2. Legislative authority, intent and purpose.

Town Law §§ 264 and 265 provide for the adoption and amendment of municipal zoning regulations and the boundaries of municipal zoning districts and such statutory authority is reflected in the Code of the Town of Poestenkill. In particular, the requirements and procedures for rezoning to an NP (Natural Products) Zoning District are addressed and set forth in §102-66 of the Code and Article XIV thereof. An application for rezoning having been submitted to the Town on behalf of Warren W. Fane Trucking, P.C., it is the purpose and intent of this local law to amend the Land Use Regulations of the Town of Poestenkill (Chapter 102 of the Code of the Town of Poestenkill) and the Land Use District Map of the Town of Poestenkill by changing from the present zoning classification of R (Residential) to NP (Natural Products) that parcel of land approximately 9.985 acres in size owned by Perry Brothers Sand and Gravel, Inc. and located northwesterly of Snyders Corners Road in the Town of Poestenkill, with surface boundaries as more particularly described and set forth on the map dated April 26, 2016 entitled Rezoning Application Map by Griggs-Lane Consulting Geologists, Inc. submitted with the rezoning application for said parcel, and being further bounded, described and limited in the vertical dimension by a horizontal plane set at 5 feet above the mean high water table, below which elevation this rezoning law does not apply and the NP zone hereby created does not exist, and accordingly below which elevation any excavation or other mining activity remains prohibited by the land use legislation of the Town of Poestenkill.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

Section 3. Changing zoning classification from R (Residential) to NP (Natural Products).

By virtue of the authority set forth in Sections 264 and 265 of the Town Law of the State of New York, the Town of Poestenkill hereby amends the Land Use Regulations of the Town of Poestenkill (Chapter 102 of the Code of the Town of Poestenkill) and the Land Use District Map of the Town of Poestenkill by changing from the zoning classification of R (Residential) to the zoning classification of NP (Natural Products) that parcel of land approximately 9.985± acres in size owned by Perry Brothers Sand and Gravel, Inc. and located northwesterly of Snyders Corners Road in the Town of Poestenkill, with surface boundaries as more particularly described and set forth on the map dated April 26, 2016 entitled Rezoning Application Map by Griggs-Lane Consulting Geologists, Inc. submitted with the rezoning application for said parcel, and being further bounded, described and limited in the vertical dimension by a horizontal plane set at 5 feet above the mean high water table, below which elevation this rezoning law does not apply and the NP zone hereby created does not exist, and accordingly below which elevation any excavation or other mining activity remains prohibited by the land use legislation of the Town of Poestenkill. Said rezoning is also subject to the following conditions:

- (a) Any and all excavation and related mining operations shall cease within three (3) years of the issuance of a Special Use Permit (SUP) by the Poestenkill Town Planning Board or the issuance of a mining permit by the New York State Department of Environmental Conservation (DEC), whichever shall last occur, at the end of which three year period the subject parcel shall revert back to its zoning district classification of "Residential" (R);
- (b) In addition to the depth restriction for all rezoning as hereinabove set forth, the final elevation of any point after completed operations shall not be lower than 425 feet ASL;
- (c) There shall be no excavation within 500 feet of any existing residential structure; and
- (d) If any residential well within 500 feet of the boundary of the rezoned parcel shall fail or experience a diminution of water supply during the period of mining operations, then, without the necessity for the owner of the property to establish fault or causal connection between said mining operations and the loss or diminution of water supply, the rezoning applicant shall bear the cost of connecting said owner to the municipal water supply.

Section 4. Severability.

If any section or provision of this local law should hereafter be determined by a court of competent jurisdiction to be unconstitutional or otherwise invalid, such determination shall not affect the validity of this local law as a whole or of any part of this local law other than the section or provision so declared to be unconstitutional or invalid.

Section 5. Effective date and applicability.

This local law shall take effect immediately upon filing with the department of state of the State of New York.

At a duly convened meeting of the Town Board of the Town of Poestenkill conducted at the Poestenkill Town Hall at 7:00 PM on the 21st day of July, 2016.

RESOLUTION NO. _____ OF THE YEAR 2016

IN THE MATTER OF THE APPLICATION BY WARREN W. FANE TRUCKING, INC. TO AMEND THE LAND USE DISTRICT MAP OF THE TOWN OF POESTENKILL SO AS TO RE-ZONE FROM RESIDENTIAL ("R") TO NATURAL PRODUCTS ("NP") CERTAIN LANDS OWNED BY PERRY BROTHERS SAND AND GRAVEL, INC. LOCATED NORTHEAST OF SNYDER'S CORNERS ROAD – APPROVAL OF REZONING APPLICATION

WHEREAS, heretofore and on or about November 12, 2015, an application by Warren W. Fane Trucking, Inc. was filed with the Poestenkill Town Clerk requesting the Poestenkill Town Board to change the Land Use District Map of the Town of Poestenkill by re-zoning from R (Residential) to NP (Natural Products) a single parcel owned by Perry Brothers Sand and Gravel, Inc. and located to the northeast side of Snyders Corners Road in the Town of Poestenkill, New York, as more particularly described and defined on a map provided by the applicant as part of the application; and

WHEREAS, said application was transmitted to this Town Board which thereafter examined said application and questioned the applicant regarding various aspects of same and elicited from the applicant certain revisions to and clarifications of the application and the applicant in response thereto submitted an amended application on or about January 13, 2016, which amended application, among other things, clarified that the requested re-zoning is for only ten (10) acres of the previously identified 17.7 acre parcel, and said amended application was found to be sufficiently regular and proper on its face so as to allow this Town Board to entertain said application; and

WHEREAS, the Town Board by Resolution adopted January 21, 2016 proceeded to entertain the amended re-zoning application, subject to the conditions and restrictions set forth therein, by referring it to the Poestenkill Town Planning Board for its review and recommendation as to classification of the proposed action under the State Environmental Quality Review Act (SEQRA), and also referred same to the Rensselaer County Bureau of Economic Development and Planning (County Planning); and

WHEREAS, written Notification of Zoning Review Action was received from County Planning by the Town Clerk on February 1, 2016 indicating County Planning's determination that the proposed action does not have a major impact on County plans and that local consideration shall prevail; and

WHEREAS, the Town Planning Board thereafter and by Resolution adopted February 2, 2016 recommended that the proposed action be classified as a Type I SEQR action [as said term is defined in 6 NYCRR 617.4]; and

WHEREAS, in order for the Town Board as proposed lead agency to conduct a meaningful review of the application for SEQR purposes, it was necessary that the applicant, in accordance with 6 NYCRR 617.6(2), prepare and submit Part 1 of a Full Environmental Assessment Form (Full EAF) in the form set forth in 6 NYCRR 617.20, Appendix A for the Town Board's review and evaluation so that said Board might prepare Part 2 of the Full EAF and, as needed, Part 3 thereof, and ultimately determine whether and to what extent the proposed action would have a significant adverse environmental impact; and

WHEREAS, Part 1 of said Full EAF was in fact submitted by the applicant to the Town Board for its consideration; and

WHEREAS, the Poestenkill Town Board accepted the Planning Board's recommendation that the proposed action be classified as a Type I action for SEQR purposes; and

WHEREAS, the Town Board, by Resolution adopted February 25, 2016 and in accordance with 6 NYCRR 617.6(b), established itself as lead agency with respect to said proposed Type I action; and

WHEREAS, the Town Board, as lead agency, thereafter reviewed Part 1 of the provided Full EAF, advise the applicant as to certain information requiring correction, clarification, or more detailed exposition, all of which was thereafter provided in an amended Part 1, and the Town Board thereafter prepared and completed Parts 2 and Part 3 of the Full EAF, making such findings and determinations and adding such conditions or qualifications as it deemed necessary and desirable (all such findings, determinations, conditions and/or qualifications being ultimately set forth in a Negative Declaration); and

WHEREAS, the completed rezoning application, including the Full EAF and the aforesaid findings and determinations of this Town Board, was thereafter re-transmitted to the Poestenkill Planning Board for its consideration and report back to the Town Board pursuant to Town Code Section 102-81; and

WHEREAS, following receipt of the Planning Board report, a proposed local law adopting the necessary amendment to the Land Use Code was prepared and a notice of public hearing on said proposed local law was duly published and said hearing was duly scheduled for July 21, 2016; and

WHEREAS, said public hearing was conducted as scheduled and input was had from the public and the members of the Town Board, and the Town Board duly considered such input;

NOW, LET IT THEREFORE BE

RESOLVED, that the aforesaid proposed local law, including and subject to all conditions and restrictions set forth therein, be and hereby is adopted by the Town Board; and it is further

RESOLVED, that the Town Clerk be and hereby is directed to file said local law with the New York State Department of State and that a copy of same also be provided to the appropriate representative of the New York State Department of Environmental Conservation (DEC) for DEC's information and use in the issuance to the applicant of any mining permit.

MOVED BY: _____

SECONDED BY: _____

Prepared and approved as to form by:
Patrick J. Tomaselli, Esq.,
Poestenkill Town Attorney

VOTED UPON AS FOLLOWS:

Councilwoman June Butler: _____

Councilman David Hass: _____

Councilman Harold Van Slyke: _____

Councilman Eric Wohlleber: _____

Supervisor Dominic Jacangelo: _____

RESOLUTION NO. _____ OF 2016

IN THE MATTER OF THE TOWN BOARD OF THE TOWN OF POESTENKILL FORMALLY RECOGNIZING THE ACHIEVEMENTS OF LOCAL RESIDENT AND EAGLE SCOUT MAXWELL EVERETT

WHEREAS, it has recently been brought to the attention of the Poestenkill Town Board that Maxwell Everett, a resident of the Poestenkill community, a Senior at Averill Park High School and a member of Scout Troop 525, has achieved the status of Eagle Scout and will be so honored at an upcoming Eagle Scout Court of Honor Ceremony; and

WHEREAS, Maxwell's Eagle Scout Project involved the rehabilitation of the kickball field at Poestenkill Elementary School, a project which saw him lead his entire troop in reworking the infield by replanting grass, laying out baselines, etc., which efforts required Maxwell to spend his entire summer watering, reseeding and fertilizing until the grass finally was reestablished; and

WHEREAS, in order to achieve the rank of Eagle Scout it is necessary that an individual must earn no fewer than 21 merit badges in many subject areas, including mandatory badges in Camping; Citizenship in the Community, Nation and World, Communications, Cooking, Emergency Preparedness, Environmental Science, Family Life, First Aid, Personal Fitness, Personal Management and Swimming, and Maxwell has successfully done so; and

WHEREAS, Maxwell has also participated in many school activities, including playing lacrosse and playing the saxophone in the school band and school jazz band; and

WHEREAS, through Maxwell's hard work and significant accomplishments, he has made his parents Casey and Rebecca Maxwell justifiably very proud of him;

NOW, LET IT THEREFORE BE

RESOLVED, that the Town Board of the Town of Poestenkill on behalf of said Town and its residents hereby unanimously recognizes and applauds the extraordinary achievements of Maxwell Everett and congratulates him on the attainment of the rank of Eagle Scout and to that end hereby requests that a certified copy of this Resolution be presented to Maxwell Everett at his upcoming Eagle Scout Court of Honor Ceremony.

Councilwoman June Butler: _____

Councilman David Hass: _____

Councilman Harold Van Slyke: _____

Councilman Eric Wohlleber: _____

Supervisor Dominic Jacangelo: _____

Prepared and approved
as to form by:
Patrick J. Tomaselli, Esq.,
Town Attorney

TOWN CLERK'S MONTHLY REPORT

Town of Poestenkill, New York

June 2016

TO THE SUPERVISOR: Pursuant to Section 27, Subd. 1, of the Town Law, I hereby make the following statement of all fees and moneys received by me in connection with my office during the payment of which is otherwise provided for by law:

Conservation Fees to the Town:	\$ 23.78
Marriage License #3-7-2016 @ \$ 7.50 each	\$ 37.50
Marriage Certificate 5 @ \$10.00 each	\$ 50.00
Marriage Transcript @ \$10.00 each	\$
A1255 Total Town Clerk Fees	\$ 111.28
Peddler's Permit	
A1289 Registrar	
A2655 Minor Sales - Copies	\$
	\$
A2544 Local Fee for 14 dogs	\$ 124.00
A2115 Planning Board Fees/ZBA fees	\$ 341.17
A2555 Building Permits	\$ 678.23
A2501 Junkyard License	50.00
A2268 Impoundment fees from Creekside Kennel	\$
A2720 Water Meter Fee 1001 Water Benefit Charge \$352.51	
A2240 Misc. Water Charges - \$752.00	\$
A2710 Water Permit Fee \$	\$
1001 Water billing \$6,439.96	
Total Water Charges	\$7,544.47
REVENUE TO SUPERVISOR	\$8,849.15
Amount paid to State Comptroller for Games Chance License	
Amount paid to DEC for Conservation Licenses	\$ 711.22
Amount paid to AG. And Markets for fee for unsprayed/unneutered Dog program	\$ 36.00
Amount paid to State Health Dept. for Marriage Licenses	\$ 112.50
TOTAL DISBURSED	\$ 859.72
July 6, 2016 Dominic Jacangelo, Supervisor	
TOTAL AMOUNT RECEIVED BY CLERK	\$9,708.87
State of New York, County of Rensselaer, Town of Poestenkill, Susan Horton, being duly sworn says that she is the Clerk of the Town of Poestenkill the foregoing is a full and true statement of all Fees and Moneys received by her during June only such Fees the application and payment of which are otherwise provided by law subscribed and sworn to before me this 6th day of July 2016.	

Susan Horton



OFFICE OF THE
ASSESSOR

Town of Poestenkill

38 Davis Drive | P.O. Box 210
Poestenkill, NY 12140
518.283.5100 (Phone)
518.283.7550 (Fax)

TO: POESTENKILL TOWN BOARD

FROM: BRIAN M. JACKSON/ ASSESSOR
ASSESSOR'S REPORT FOR JUNE 2016

The 2016 final assessment roll is filed with the Town Clerk on July 1st of each year. This roll reflects the changes made by the Board of Assessment Review in late May. This roll will become the reference for taxes starting with the September school bill. A final legal notice was filed on July 1st as well stating that the roll is available with the Town Clerk. The final roll is now posted on our Town website which is also required by Real Property Tax Law.

Sales continue to be received and new construction closed out by the building department has also been received and are now ready for processing. We periodically receive from the county office new split/merge parcels for processing which many are a result of new filed subdivisions. These new parcels as well as the new construction folders will eventually need value placed for year 2017.

Constituent relations are considered good during the report period.

Respectfully submitted

Brian M. Jackson
Assessor
Town of Poestenkill

cc: Town Board
Susan Horton, Town Clerk



TOWN OF POESTENKILL

38 Davis Drive, P.O. 210

Poestenkill, NY 12140

Office of the
Building Inspector/
Code Enforcement Officer/Water Manager

July 9, 2016

TO: DOMINIC JACANGELO - SUPERVISOR

FROM: ROBERT L. BRUNET, P.E. – BUILDING INSPECTOR/
CODE ENFORCEMENT OFFICER/WATER MANAGER

RE: WORK ACTIVITIES FOR JUNE 2016

New construction permits and permit renewals have increased during the June period. Repair and alterations work has continued, largely on existing open permits. In this month's report the standard results are reviewed and a detailed summary of our status of connections to the Poestenkill municipal water system is presented. A brief overview of our water hookup status is as follows: (7/9/2016).

- 1) Permits issued to hookup – 376
- 2) Final testing, water flushing, meter installation and plumbing connection inspections (fully hooked-up residences/businesses/schools to water)–359
- 3) Certificates of Compliance issued – 334
- 4) Physical site inspections for hookup – 668
- 5) New Installations (2)

On June 1, 2016 we took the NYSDOH required sample for the monthly Coliform test. The Coliform sample was tested by St. Peter's Hospital Environmental Laboratory and found to be satisfactory.

The overview of our standard items reveals that resident complaints, inspections for construction and property maintenance issues are continuing with corrective actions being taken where warranted, most on a voluntary compliance basis.

There is continued action required to address those locations where the owner either ignores or refuses to correct the problems. An ongoing case in point is the location of 647 Blue Factory Rd, Averill Park where the owner (who attended a recent Town Board meeting accompanied by three of his associates) continues to violate numerous Town Codes involving an excessive number of dogs, illegally living in a mobile home for an extended period of time. Other violations are likely to be cited. In spite of many residence complaints, in spite of numerous written complaints, in spite of numerous face to face meetings with the owner, and in spite of numerous phone calls, the owners' commitments to the Town and to the

complainant have not been kept; the owner continues, to this day to intentionally violate the Codes. The court date is set and we will keep you apprised of results.

We continue to meet our objective of 100% compliance with regard to the NYS "811-Call Before You Dig" law. We have met 100% of our responsibilities as the **Assessor's Data Collector**, in time for the annual assessment update.

MS4

MUNICIPAL SEPARATE STORM SEWER SYSTEM

Inspections for MS4 issues continue with generally good results being experienced and we continue to meet all our responsibilities in this important area.

Filling pools has been a significant financial benefit to the residents as well as to the Town. Junes' results are detailed below for your information:

Pools filled in June 2 (one 28,000 gals. & one 7,500 gals.)
Cost to the homeowners \$ 712
Savings to the homeowners \$ 1,088 vs. bringing in "trucked water" (\$1800)
Profit to the Town \$ 550

The following specific work was accomplished by the Building Inspector / Code Enforcement / Water Manager Office during the month of June 2016.

I Work Permits 11
III Certificate of Occupancy Issued: 2
IV Certificate of Compliance Issued: 5
V Assisted:
 a) Phone Calls – over 100
 b) Office Meetings - over 20
VI Site Inspections: 32 (20 CEO & 12 MS4)
VII Complaints Received: 11
VIII Fees collected: \$ 1430.23
IX MS4 Construction / SWPPP Inspections 12
X June hours worked:
 WEEK 6/1 - 6/4 36 hours
 WEEK 6/5 - 6/11 56 hours

WEEK	6/12 - 6/18	56 hours
WEEK	6/19 - 6/25	58 hours
<u>WEEK</u>	<u>6/26 - 6/30</u>	<u>46 hours</u>

MONTH TOTAL 6/1 - 6/30 252 HOURS

Poestenkill Dog Control

June 2016

- 6th Lost dog
- 12th Stray dog found. Took to kennel
- 20th Stray cat found
- 20th Resident's dog attacked by stray dog
- 20th Stray dog found. Driver took to kennel
- 22nd Resident identified stray dog that attacked his dog
- 23rd Lost dog
- 23rd Lost dog
- 25th Dog killed skunk
- 27th Stray dog found. Took to kennel
- 28th Lost dog. Was picked up and taken to kennel
- 28th Info from clerk regarding stray dog
- 29th Information given to complainant re dog that attacked his dog

At a duly convened meeting of the Town Board of the Town of Poestenkill in the County of Rensselaer conducted at the Poestenkill Town Hall at 7:00 P.M. on the 21st day of July, 2016.

RESOLUTION NO. _____ OF 2016

IN THE MATTER OF THE TRANSFER OF CERTAIN HIGHWAY BUDGET FUNDS

WHEREAS, the Town bookkeeper has advised that it has become necessary to effect certain Highway Budget fund transfers in order to properly fund certain Town expenses;

NOW, LET IT THEREFORE BE

RESOLVED, that it is hereby authorized and directed as follows:

That the sum of \$6,839.71 be transferred from Highway Budget fund line item 2513.04 (Machinery-Contractual) to Highway Budget fund line item 2513.02 (Machinery-Equipment).

MOVED BY: _____

Prepared and approved as to form by:
Patrick J. Tomaselli, Esq., Town Attorney

SECONDED BY: _____

VOTED UPON AS FOLLOWS:

Councilwoman June Butler: _____

Councilman David Hass: _____

Councilman Harold Van Slyke: _____

Councilman Eric Wohlleber: _____

Supervisor Dominic Jacangelo: _____

At a duly convened meeting of the Town Board of the Town of Poestenkill in the County of Rensselaer conducted at the Poestenkill Town Hall at 7:00 P.M. on the 21st day of July, 2016.

RESOLUTION NO. _____ OF 2016

IN THE MATTER OF THE TRANSFER OF CERTAIN GENERAL BUDGET FUNDS

WHEREAS, the Town bookkeeper has advised that it has become necessary to effect certain General Budget fund transfers in order to properly fund certain Town expenses;

NOW, LET IT THEREFORE BE

RESOLVED, that it is hereby authorized and directed as follows:

That the sum of \$247.60 be transferred from General Budget fund line item 1199.04 (Contingency) to General Budget fund line item 1191.04 (Insurance); and

That the sum of \$403.51 be transferred from General Budget fund line item 1199.04 (Contingency) to General Budget fund line item 1751.04 (Historian - Contractual); and

That the sum of \$515.00 be transferred from General Budget fund line item 1199.04 (Contingency) to General Budget fund line item 1851.04 (Beautification).

MOVED BY: _____

Prepared and approved as to form by:
Patrick J. Tomaselli, Esq., Town Attorney

SECONDED BY: _____

VOTED UPON AS FOLLOWS:

Councilwoman June Butler: _____

Councilman David Hass: _____

Councilman Harold Van Slyke: _____

Councilman Eric Wohlleber: _____

Supervisor Dominic Jacangelo: _____