

TOWN BOARD MINUTES
TOWN OF POESTENKILL
TOWN BOARD MEETING
AUGUST 18, 2016
(Not approved at time of distribution)

ROLL CALL AS FOLLOWS

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

NON VOTING MEMBERS

Susan Horton, Town Clerk
Patrick Tomaselli, Absent

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

Supervisor Jacangelo opened the meeting with the Pledge of Allegiance and asked to go out of order and allow the presentation of the Proclamation to Maxwell Everett for becoming an Eagle Scout. This resolution was adopted at the July Town Board meeting. The Town Board congratulated Maxwell and wished him well in his future endeavors.

Public Hearing on Fane Rezoning Continued from July 21st - The Public Hearing was reopened at 7:05 pm. The affidavit of publication was available for review. The application is for a zoning change to amend the land use regulations and the land use district map by changing the present zoning classification of Residential to Natural Products for a parcel of land approximately 9.98+- acres in size owned by Perry Bros. Sand & Gravel located on Snyder Corners Rd. The purpose of the continuation of this public hearing was to allow written comments as well as verbal. There were approximately fifty people in attendance. The main concerns were the proximity of the excavation, noise, traffic and water table. Many residents voiced their concern on the whole operation. However, other people stated their opinions on the need of gravel. A. Schultz representing Fane Trucking stated that this rezoning application will not increase truck traffic on Snyder Corners Rd. because the trucks will exit within the site itself. B. Doyle representing Perry Bros. (actual owner of property) stated that this particular proposed mining area is at the end of the original operation mine site and no excavation will take place in the water table. Mr. Doyle further stated that the present berm will stay in place. The question arose from the audience as to who monitors these mining operations. Supervisor Jacangelo stated that the Town Board has the authority of rezoning and DEC normally supports what the town puts in place. The full audio tape is on file at the Town Clerk's office. Supervisor Jacangelo stated that action would be taken later on in the meeting. The hearing was closed at 7:50 pm.

Public Comment – T. Jacangelo wanted to reserve time to speak.

Motion by Hass, seconded by Van Slyke and an oral vote of 5 ayes to accept the Town Clerk's minutes of the July 21, 2016 Town Board meeting as written.

Liaison Reports:

Planning Board –Town Board members had copies of the Planning Board's meeting of July 12th and the August 2nd in their packets and Chairwoman Grattan elaborated. Please note that the Town is looking for a Planning Board/ZBA Secretary. Chairwoman Grattan also reported on the

new procedure requiring reimbursable costs to be paid prior to approval being granted unconditionally.

Zoning Board-Liaison and Chairman Jamison reported on their recent ZBA meeting of August 9th.

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

Library – Ed Gresens reported on the library activities.

Youth Advisory Board-Councilman Wohlleber reported that the summer camp program went well.

CAC-No Meeting.

Correspondence:

Memo dated August 1st from Time Warner Cable (now Charter Communications) stating that certain services/stations might be discontinued in the near future.

Joyce Blauvelt Letter – Letter dated July 26th to the Town regarding the cars traveling at high rates of speed on Plank Road. She would like to see speed limit signs posted for no more than 35 mph. The area of concern is Plank Road/County Rt. 40. Mrs. Blauvelt would like a speed study request prepared by the town and Supervisor Jacangelo stated when the Board got to the Action Items of the meeting the request would be authorized.

Flier on Rensselaer Plateau Signage – Supervisor Jacangelo reported that Town Board members had a flier in their packet pertaining to the workshop on designs for road signage for the Rensselaer Plateau that will be held at the Sand Lake Town Hall on August 24th.

Discussion Items –

Natural Gas Update – Supervisor Jacangelo reported that he and Councilman Hass once again met with Gas Representatives. They discussed the supply of Natural Gas on this side of the river and it was not good and there are concerns that a lot of the home owners will not commit to sign up in the allotted time frame. More information will be forth coming from National Grid and when received it will be distributed to Town Board members.

Highway Garage – Supervisor Jacangelo stated that there has been discussion about implementing a new disciplinary document for Highway employees. Councilwoman Butler, Union Rep and the Highway Superintendent have been meeting to work out a “Step Program” pertaining to work procedure violations; either oral/written. Councilwoman Butler was looking for guidance as to whether this discussion should continue and Supervisor Jacangelo reported that it should.

Ambulance – Councilman Van Slyke reported that the process is moving forward and Town Board members have copies of the document.

Solar Installation at the Highway Garage – Supervisor Jacangelo stated that Town Board members had copies of a Solar installation project for the Highway Garage. This is an ongoing project and will be discussed at future board meetings.

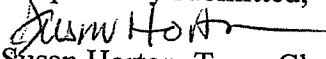
Action Items –

Warren Fane – Local Law#3-2016 Amending the Land Use Regulations and Land Use District Map of the Town of Poestenkill – Councilman Wohlleber had concerns that the revised local law that was discussed at last month's meeting in depth was not posted to the website in a timely fashion for town residents to review. Supervisor Jacangelo stated that he received the revised proposed local law on Tuesday and it was posted to the website. Councilman Wohlleber just received his copy tonight and had not had a chance to review it and he doesn't feel that final action should be taken tonight. Supervisor Jacangelo stated that there was considerable discussion over the distance of the excavation from the residents. Councilman Hass feels the Town Board should not stand against Fane; Councilwoman Butler feels that issues were already resolved and that the rezoning should be voted on tonight and Councilman Van Slyke agreed. Motion by Hass, seconded by Butler to adopt Local Law#3-2016 entitled "AMENDING THE LAND USE REGULATIONS AND LAND USE DISTRICT MAP OF THE TOWN OF POESTENKILL." A lengthy discussion followed. Supervisor Jacangelo stated if this vote causes grounds for an Article 78 he will not authorize payment. Councilman Hass withdrew his motion and a Special Meeting will take place on August 25th at 7:00PM for the official vote on this proposed law. Supervisor Jacangelo apologized to the Fane representatives for the confusion. Attorney Schultz asked if the Town Board was satisfied with the current proposed local law. Supervisor Jacangelo stated that he was uncomfortable with Section 3 (c) stating that there shall be no excavation within 150 ft. of any existing residential structure and he does not see himself voting for this local law at next week's meeting. He is upset that the Town Attorney just got this document to the board but he was sick. A. Schultz stated that he would agree with whatever the distance is from the closest corner of the occupied house from the edge of the excavation on the map. Everything else in the document was discussed at the July meeting. Motion by Jacangelo, seconded by Wohlleber and carried to recess the actual vote on this proposed law until August 25th at 7:00 pm.

Unfortunately, at this point of the meeting the power went out. The bills were voted on and the remaining of the agenda will be completed at next week's meeting.

Motion by Hass, seconded by Wohlleber and carried to pay Warrant #15-2016 in the amount of \$126,601.23. Motion by Hass, seconded by Wohlleber and carried to pay Warrant #16-2016 in the amount of \$3,088.46.

Respectfully submitted,


Susan Horton, Town Clerk