

TOWN BOARD MINUTES
TOWN OF POESTENKILL
TOWN BOARD MEETING
December 15, 2016
(Not approved at time of distribution)

ROLL CALL AS FOLLOWS

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

NON VOTING MEMBERS

Susan Horton, Town Clerk
Patrick Tomaselli, Attorney

Motion by Hass, seconded by Van Slyke 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 any comments. No one expressed the desire to speak.

Motion by Butler, seconded by Van Slyke and an oral vote of 5 ayes to accept the Town Clerk's minutes of the November 17, 2016 Town Board meeting as written.

Presentations – Alzheimer's Association by Molly McCann – Ms. McCann is the Program Manager for the Alzheimer's Association for Rensselaer County and she spoke on the help and education that this program provides for caregivers for Alzheimer patients.

Liaison Reports:

Planning Board –Town Board members had copies of the Planning Board's minutes of December 6th in their packets. No Planning Board member was present therefore, Town Board member Van Slyke elaborated on the meeting.

Zoning Board – No ZBA liaison was present to Town Board Member Butler reported on the December 13th meeting.

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

Library – L. Lundgren reported that the yearly holiday light display is up at the library building. Ms. Lundgren report that the Library is looking for volunteers to shovel the Library ramp when needed during the daytime hours when the older volunteers are working at the Library. Town Board Member Van Slyke was concerned that he was not allowed into the Library Board's Executive Session.

Youth Advisory Board-Councilman Wohlleber reported on the events that are going on in the Youth Dept.

CAC- No Meeting.

Supervisor Jacangelo stated that during mid- January he would like to hold an informal meeting with the Planning/Zoning, Town Board, and Fire Dept. to discuss the Commercial Solar systems being developed in Town.

Correspondence:

Memo dated December 7th from Charter stating that certain changes will be taking place on or about January 11, 2017.

Memo from Court Clerk dated December 7th that the Justice books will be available for the Town Board's review on December 14th from 5:30-6:30 p.m.

Tom Russell Public Service Recognition- Mr. Russell spoke on the possibility of recognizing certain members of the community that go over and above helping mankind. Supervisor Jacangelo and Town Board members thought this was an excellent idea and this will be discussed in the 2017 year.

Discussion Items:

Supervisor Jacangelo stated that he was alerted this week that the elevator no longer is in working condition and must be replaced as soon as possible at the cost of \$25,000 - \$30,000 to be in compliance. Supervisor Jacangelo is in the process of getting a proposal together but needs authority to move forward. Mr. Tomaselli will prepare an Emergency Resolution in order to get this done as quickly as possible. Motion by Van Slyke, seconded by Wohlleber and carried authorizing the Supervisor to move forward with the bid process for this emergency. Supervisor Jacangelo stated that the elevator issue is being put on the website.

Motion by Butler, seconded by Van Slyke and an oral vote of 5 ayes authorizing the supervisor to sign the contract from Ryan Biggs/Clark Davis Engineering & Surveying, P.C. to perform the Engineering Services related to the 1994 Landfill Consent Order

Reports:

Supervisor's Report- Supervisor Jacangelo reported that there have been meetings and many discussions with the owners and National Grid, etc. regarding issues at the Lochvue site and the hydrant appears to be shallower then it should be and they are afraid of it freezing. Ultimately the Town has to accept the road at some point. The good news is that the water district will end the year with funds available. L. Basle wanted to know if more storz connections could be purchased.

Attorney's Report – Mr. Tomaselli drafted resolutions for this evening's meeting. He attended site meetings at Lochvue and other incidental discussions with various Town officers, etc. The full report is on file at the Town Clerk's office.

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 November 2016. The total amount received in the Clerk's office was \$5,539.04 and of that amount \$4,301.79 was remitted to the Supervisor. Town Board members had copies of the Building Inspector/Code Enforcement Officer's written report. There were also reports from the Assessor, DCO and the Highway Dept. Councilwoman Butler who is liaison for the Highway Department reported on updating the Highway's vehicles inventory. She had pictures for review of said vehicles along with a listing of the vehicles that were part of the Town Board's packets. After a lengthy discussion, it was decided that no action would be taken

on the purchase of a new loader at this time and wait until Spring to get the fleet in shape. Also, Town Board Members had a copy of the 2016 roads that were paved as part of the 5-year plan. Right now, the paving is ahead of schedule and partnering with the Town of Sand Lake has allowed the Town to pave two to three more times of mileage.

Budget Transfers:

RESOLUTION #36-2016-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 \$1,619.02 be transferred from General Budget fund line item 1199.04 (Contingency) to General Budget fund line item 1362.1 (Code Enforcement Clerk); and that the sum of \$106.72 be transferred from General Budget fund line item 17310.2 (Youth Equipment) to General Budget fund line item 17310.4 (Youth Program).

MOVED BY: Councilman Hass
 SECONDED BY: Councilman Wohlleber

VOTED UPON AS FOLLOWS:

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

RESOLUTION #37-2016-IN THE MATTER OF THE TRANSFER OF CERTAIN WATER BUDGET FUNDS-RESOLVED, that it is hereby authorized and directed as follows: That the sum of \$1,353.60 be transferred from Water Budget fund line item 8310.1 (Water Manager) to Water Budget fund line item 8310.11 (Water Assistant Manager); and that the sum of \$4,287.72 be transferred from Water Budget fund line item 8310.4 (Administration Contractual) to Water Budget fund line item 8320.43 (Purchase of Water).

MOVED BY: Councilman Wohlleber
 SECONDED BY: Councilman Hass

VOTED UPON AS FOLLOWS:

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

RESOLUTION #38-2016-IN THE MATTER OF THE TRANSER OF CERTAIN HIGHWAY BUDGET FUNDS-RESOLVED, that it is hereby authorized and directed as follows: That the sum of \$6,409.86 be transferred from 25110.4 (General Repairs) to Highway Budget fund line item 25130.4 (Machinery).

MOVED BY: Councilwoman Butler
 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

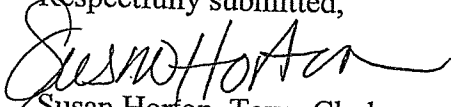
Payment of Bills:

Motion by Hass, seconded by Wohlleber and an oral vote of 5 ayes to pay Warrant #23-2016 in the amount of \$37,545.77. Motion by Hass, seconded by Van Slyke and an oral vote of 5 ayes to pay Warrant #24-2016 in the amount of \$37,738.29.

M. Asquith, Town Bookkeeper reported that the last Sales Tax/Mortgage Tax checks have been received and they are above the revenue projections. She also stated that she will be starting the Annual Updated Document (AUD) with help from an accountant that has been working with the town.

Motion by Wohlleber, seconded by Van Slyke and an oral vote of 5 ayes to adjourn this meeting at 8:50 p.m.

Respectfully submitted,



Susan Horton, Town Clerk

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 6:00 P.M. on the 29th day of December, 2016.

RESOLUTION NO. _____ OF 2016

**IN THE MATTER OF THE TRANSFER OF CERTAIN
WATER BUDGET FUNDS**

WHEREAS, the Town bookkeeper has advised that it has become necessary to effect certain Water 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 \$1,293.60 be transferred from Water Budget fund line item 8310.1 (Water Manager) to Water Budget fund line item 8310.11 (Water Assistant).

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 6:00 P.M. on the 29th day of December, 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 \$2,126.30 be transferred from Highway Budget fund line item 25110.4 (General Repairs) to Highway Budget fund line item 25130.4 (Machinery).

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 6:00 P.M. on the 29th day of December, 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 \$117.49 be transferred from General Budget fund line item 11990.4 (Contingent) to General Budget fund line item 13620.1 (Code Enforcement Clerk); and

That the sum of \$852.60 be transferred from General Budget fund line item 113154 (Accounting) to General Budget fund line item 11240.1 (Secretarial); and

That the sum of \$279.05 be transferred from General Budget fund line item 11990.4 (Contingent) to General Budget fund line item 11355.1 (Assessor); and

That the sum of \$570.36 be transferred from General Budget fund line item 11420.4 (Attorney Contractual) to General Budget fund line item 11420.1 (Attorney); and

That the sum of \$275.00 be transferred from General Budget fund line item 11990.4 (Contingent) to General Budget fund line item 13510.4 (Dog Control-Contractual)); and

That the sum of \$1,103.03 be transferred from General Budget fund line item 19060.8 (Emp. Med. Hospital) to General Budget fund line item 15010.1 (Highway Superintendent).

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 15th day of December, 2016.

RESOLUTION NO. _____ OF 2016

IN THE MATTER OF AUTHORIZING THE TOWN SUPERVISOR TO EXECUTE A CONTRACT WUTH RYAN BIGGS/CLARK DAVIS ENGINEERING & SURVEYING, P.C. FOR THE PROVIDING OF ENGINEERING SERVICES PERTAINING TO THE LANDFILL CONSENT ORDER FOR THE FISCAL YEAR 2017

WHEREAS, in March of 1994 the Town of Poestenkill ("the Town") entered into a certain consent Order with the New York State Department of Environmental Conservation ("NYSDEC") requiring, among other things, groundwater sampling and analysis of monitoring wells and residential supply wells in the vicinity of the Poestenkill Landfill; and

WHEREAS, the firm of Ryan Biggs/Clark Davis Engineering & Surveying, P.C. ("Ryan Biggs") has submitted a proposal to the Town in connection with such work, whereby Adirondack Environmental Services, Inc. ("AES") would perform required groundwater sampling and analysis under separate contract with the Town and Ryan Biggs would review and coordinate the work, provide required reporting to NYSDEC and other work as detailed in and/or required by the Consent Order, and said proposal of Ryan Biggs is embodied in its letter to the Town dated December 12, 2016; and

WHEREAS, said proposal appears to be missing certain portions and the Town intends to clarify this apparent discrepancy with Ryan Biggs;

NOW, LET IT THEREFORE BE

RESOLVED, that it is hereby authorized and directed that, contingent upon clarification to the satisfaction of the Town and the Town Attorney of the proposal of Ryan Biggs as hereinabove set forth, the Town Supervisor be and hereby is authorized to execute same on behalf of the Town.

MOVED BY: Butler

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

SECONDED BY: Van Slyke

VOTED UPON AS FOLLOWS:

Councilwoman June Butler:	YES
Councilman David Hass:	YES
Councilman Harold Van Slyke:	YES
Councilman Eric Wohlleber:	YES
Supervisor Dominic Jacangelo:	YES

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 15th day of December, 2016.

RESOLUTION NO. _____ OF 2016

**IN THE MATTER OF AUTHORIZING THE AWARDING
OF AN EMERGENCY CONTRACT FOR THE
REPLACEMENT OF THE TOWN HALL ELEVATOR**

WHEREAS, on or about December 14, 2016, it came to the attention of the Town and this Town Board that the Poestenkill Town Hall elevator had completely failed and was no longer operable; and

WHEREAS, subsequent inspection and evaluation revealed that due to its age and deteriorated condition it was unfeasible to repair the existing elevator and that removal of same and its complete replacement with a new system was required; and

WHEREAS, it is necessary to replace said elevator system immediately as it provides the only means for safe handicapped access to the public areas of the Town Hall and is therefore the only mechanism for compliance by the Town with the requirements of the Accessibility Guidelines of the Americans with Disabilities Act of 1990 (ADA); and

WHEREAS, it has been estimated that the total cost of removal of the existing elevator system and appurtenances and their replacement with new equipment should not exceed the sum of Thirty Thousand Dollars (\$30,000.00);

NOW, LET IT THEREFORE BE

RESOLVED, that, pursuant to General Municipal Law §103(4), the Town Board hereby finds and determines that a public emergency exists within the Town arising out of an unforeseen occurrence or condition whereby circumstances affecting the life, health, safety or property of the Town require immediate action which cannot await competitive bidding; and it is further

RESOLVED, that the Town immediately solicit proposals for the above-described work, the contract for which shall be awarded pursuant to Local Law No. 1 of the Year 2014 entitled "Town of Poestenkill Best Value Contract Award Law" , with said proposals to be received and evaluated and the contract for such work to be awarded as soon as possible.

MOVED BY: Van Slyke

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

SECONDED BY: Wohlleber

VOTED UPON AS FOLLOWS:

Councilwoman June Butler:	YES
Councilman David Hass:	YES
Councilman Harold Van Slyke:	YES
Councilman Eric Wohlleber:	YES
Supervisor Dominic Jacangelo:	YES