

TOWN BOARD MINUTES
TOWN OF POESTENKILL
TOWN BOARD MEETING
JUNE 15, 2017

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, Town Attorney

Motion by Hass, seconded by Butler 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. E. Eisenhandler requested time to speak when discussing the ambulance and T. Jacangelo also requested time to speak later during the meeting.

Motion by Butler, seconded by Van Slyke and an oral vote of 5 ayes to accept the Town Clerk's minutes of the May 18, 2017 as written.

Liaison Reports:

Planning Board – The June 6th Planning Board meeting was cancelled due to lack of agenda items.

Zoning Board – Town Board members had copies of the June 13th meeting and P. Jamison elaborated on the meeting.

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

Library – L. Lundgren reported on the activities at the Library.

Youth Advisory Board - K. Anthony reported on the number of staff needed to operate the Summer Program and their hourly wage. Motion by Wohlleber, seconded by Van Slyke and carried to appoint the Summer camp staff as presented this evening in an email dated May 31st by K. Anthony.

CAC- No Meeting – no meeting

Correspondence:

Charter Communications – memo dated May 12th apprising residents of the changes/additions affecting subscribers in the area.

Establishment of Ambulance District – The Town Board had copies of a memo dated June 14th from Town Attorney Tomaselli summarizing the procedure and steps to be followed for the establishing of an ambulance district. This will be discussed further in the meeting.

Presentations:

Melissa Trainor – Cancer Services for the uninsured - M. Trainor did a presentation on cancer screening for people with no health insurance. Town Board members had copies of the information in their packets. Anybody interested in this service can contact St. Peter's Health Partners – Cancer Care and the information will be posted on the Town's website.

Richard Bubie – Adventure Crew – B. Harris, President of the Venture Crew (different from Boy Scouts in that it is coed and the ages are from 14-21 yrs. reported on this group). He further stated, they were here tonight to present the Eagle Scout/Summit Award to the Town. Supervisor Jacangelo stated that he would have discussions pertaining to certain projects in the near future.

Matt Minich – Eagle Scout Project -Matt Minich of Troop 528 is working on his Eagle Scout badge and is looking for some projects to do. He has spoken with M. Morris from the Library about a new Library sign and he will be working on that and he asked to have the sign fee waived which the Town Board agreed to. He was also told to go to a PBA meeting and present his project to see if they would be willing to donate funds for the project.

Discussion Items:

Highway Equipment Bond- Supervisor Jacangelo stated he spoke with K. Mizner, Key Bank regarding a Bond Anticipation Note (BAN) and the rate is 1.48 – 1.68 depending on when the Town would close. He further stated, his plan right now is to do a 5-year BAN for approximately \$500,000. His thinking right now is to do five equal installments and at the end of the 5-years do it again and at the end of ten years the oldest piece of equipment would be 12-years old. All the information was given to Mr. Tomaselli and he will be doing all of the legal aspects and a resolution will be adopted at the next Town Board meeting.

Barbarberville Falls Local Law Redraft-Supervisor Jacangelo discussed the proposed law with Town Board members and they reviewed the draft that was included in their packets. After a lengthy discussion, with more changes being made it was decided to have the Town Attorney redraft the proposed legislation. This will be brought back for further discussion at the July meeting and then a Public Hearing will be scheduled for the August meeting

Tax Cap Legislation-Mr. Tomaselli had prepared a timeline graft for the Tentative Town Budget that requires a Tax Cap Override as well as the proposed local law for the overriding of the NYS Tax Cap and these documents were part of the Town Board's packet for the meeting. Councilman Wohlleber stated that he needed some further explanation on these two documents as he just received them this evening. Mr. Tomaselli went through the proposed local law Tax Cap Override as well as the proposed local law legislation. But the discussion continued with Supervisor Jacangelo stating that all of this depends on whether the ambulance district is created/passed and that cannot be done until after the November election. The discussion turned to the Map/Plan and Report for this Tax Cap Override legislation. Mr. Tomaselli will draft the Map/Plan and Report with the help from Councilmembers Van Slyke and Wohlleber and get it to the Town Board members prior to the next Town Board meeting so that a decision can be made by the Town Board as to acceptance/not.

Ambulance Service - Supervisor Jacangelo stated a lot of information already had been shared this evening. Councilman Wohlleber gave an overview of the ambulance issue. He reviewed the cost of North Greenbush and Mohawk Ambulance Service. Councilman Wohlleber says this issue has been going on since 2016 with extensive research being done and it is now June and a Public Hearing should be scheduled on these two options and he felt it should be held in July. Councilwoman Butler stated that this can't be decided tonight on one or the other. Councilman Wohlleber feels it is a necessity to push forward. Supervisor Jacangelo wants more information. He sent a letter to the Fire Company on the RFP responses and wants to hear their responses. Councilman Van Slyke said that the Fire Company representatives were on the committee. L. Basle asked how can this go to a Public Hearing already when you don't have all the answers. Councilman Hass talked about response time and there was a lengthy discussion on this issue. F. Burzsei feels that a public information meeting should be held with North Greenbush and Mohawk to have questions like this be answered. E. Eisenhandler talked about the actual contracts and if they included a capped figure for a multi-year contract? Supervisor Jacangelo said that North Greenbush hesitated on this issue and he further stated that the Ambulance Committee should have had these questions answered during their research. And his conclusion is that the Committee has shown the inability of a full conceptional understanding of looking at an RFP and looking ahead. Supervisor Jacangelo stated that he still has incomplete information. T. Jacangelo doesn't see a great benefit to hiring out ambulance services. S. Campbell, town resident, stated his experience with the response time is 30-40 minutes and is unacceptable; He feels that the First Responders from the Town are top notch. The discussion continued at length. Finally, a vote was taken to set a Public Hearing date for July 6th on the two RFP's (North Greenbush and Mohawk).

IN THE MATTER OF HOLDING A PUBLIC HEARING ON THE TWO RFP'S (North Greenbush/Mohawk)

MOVED BY: Councilman Wohlleber
 SECONDED BY: Councilman Van Slyke

VOTED UPON AS FOLLOWS:

Councilwoman Butler	NO
Councilman Hass	NO
Councilman Van Slyke	YES
Councilman Wohlleber	YES
Supervisor Jacangelo	NO

Motion failed.

IN THE MATTER OF HOLDING A PUBLIC INFORMATIONAL MEETING ON THE TWO RFP'S DISCUSSED TENTATIVELY SET FOR THE FIRE HOUSE WITH NO DATE YET ESTABLISHED

MOVED BY: Councilman Hass
 SECONDED BY; Councilwoman Butler

VOTED UPON AS FOLLOWS:

Councilwoman Butler	YES
Councilman Hass	YES
Councilman Van Slyke	YES
Councilman Wohlleber	NO
Supervisor Jacangelo	YES

Action Items:

East Poestenkill Fire House Building Permit Waiver – Motion by Van Slyke, seconded by Butler and carried to waive the Building Permit fee for improvements at the East Poestenkill Fire House.

Summer Camp Hires – already voted upon earlier in the evening.

RESOLUTION #8-2017 – IN THE MATTER OF RECOGNIZING THE SERVICES OF BRUCE MOODY ON HIS RETIREMENT FROM THE POESTENKILL TOWN HIGHWAY DEPARTMENT

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

RESOLUTION #9-2017 – IN THE MATTER OF RECOGNIZING THE SERVICES OF DENNIS KNAUER ON HIS RETIREMENT FROM THE POESTENKILL TOWN HIGHWAY DEPARTMENT

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

Reports:

Supervisor’s Report- Supervisor Jacangelo reported that on June 23rd he will be going to the landfill for a solar feasibility study if anybody is interested in going, met the new Town Highway employees, etc.

Town Attorney’s Report – Mr. Tomaselli reported on the matters that he worked on since the last Town Board meeting which included reprinting the Solar Energy Law incorporating revisions, also reprinting the Workplace Violence Policy, continued monitoring the communications pertaining to Lochvue Subdivision, legal research relating to the establishment of a town-wide ambulance district, etc. The full report is on file in the Town Clerk’s Office.

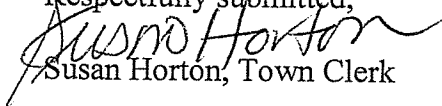
Town Clerk’s Report – Motion by Hass, seconded by Van Slyke and an oral vote of 5 ayes to accept the Town Clerk’s report of May 2017. The total amount received in the Clerk’s office was \$5,458.87 and of that amount \$5,197.99 was remitted to the Supervisor. Town Board members had copies of the Building Inspector/Code Enforcement Officer’s written report. There were also reports from the Assessor, DCO, 811 report, water report and the Highway Dept. report.

Payment of Bills:

Motion by Hass, seconded by Butler and an oral vote of 5 ayes to pay Warrant #10-2017 in the amount of \$120,410.10. Motion by Hass, seconded by Wohlleber and an oral vote of 5 ayes to pay Warrant #11-2017 in the amount of \$33,177.59.

Motion by Wohlleber, seconded by Van Slyke and carried to adjourn this meeting at 10:15 p.m.

Respectfully submitted,


Susan Horton, Town Clerk

Charter

COMMUNICATIONS

June 30, 2017

Re: Charter Communications – Upcoming Changes

Dear Municipal Official:

I am providing you with this notice as part of our ongoing efforts to keep you apprised of developments affecting Charter subscribers in your community.

On or after July 14, 2017, NBC Universal will cease transmission of its Universal HD signal.

On or after July 14, 2017, Charter will launch the Olympic Channel. It will be part of our SPP Tier 1 (Silver) service offering.

If you have any questions or concerns, please feel free to contact me at 518-640-8575 or via email at kevin.egan@charter.com.

Sincerely,



Kevin Egan
Director, Government Affairs
Charter Communications



**Department of
Public Service**

Public Service Commission
John B. Rhodes
Chair and
Chief Executive Officer

Gregg C. Sayre
Diane X. Burman
James S. Alesi
Commissioners

Thomas Congdon
Deputy Chair and
Executive Deputy

Paul Agresta
General Counsel

Kathleen H. Burgess
Secretary

Office Locations

3 Empire State Plaza, Albany, NY 12223-1350
90 Church Street, 4th Floor, New York, NY 10007-2929
295 Main Street, Suite 1050, Buffalo, NY 14203-2508
125 East Bethpage Road, Plainview, NY 11803

www.dps.ny.gov

RECEIVED

JUL 05 2017

TOWN CLERK

June 30, 2017

Dear Community Leader/Elected Official:

In April 2017, Niagara Mohawk Power Corporation d/b/a National Grid, requested that the New York State Public Service Commission approve a proposed increase in its electric and gas delivery rates. National Grid serves approximately 3.2 million customers in 37 counties in Upstate, Central and Western New York State.

To ensure full public participation, the Commission will hold public statement hearings throughout National Grid's service territory to solicit input and public comments regarding the proposed increases. Each hearing will be preceded by an information session where a National Grid representative will describe the Company's filing and Department of Public Service Staff will explain the rate case process and how individuals can participate. The public comments will be considered by the Commission in deciding this case.

The enclosed fact sheet provides an overview of the Company's proposal, information on how to participate in the public statement hearings and available options to submit comments on the National Grid proceeding. Information about the rate proposal can be found at the Commission's www.dps.ny.gov web site. From the homepage, click on "Search," and enter the case number (17-E-0238 and 17-G-0239) in the "Search by Case Number" field.

It is the Commission's intent to facilitate and encourage active and meaningful participation throughout all of its proceedings. We hope you will consider joining us at one of the hearings listed below.

Sincerely,

Michael Corso
Consumer Advocate

Enc.

**Niagara Mohawk Power Corporation
d/b/a National Grid
Proposed Rate Increase**

In April 2017, Niagara Mohawk Power Corporation d/b/a National Grid requested that the New York State Public Service Commission approve a proposed increase in its electric and gas delivery service rates. National Grid serves approximately 3.2 million customers in 37 counties in Upstate, Central and Western New York State.

The utility's filing includes the utility's proposed new rates and the supporting documentation to justify its proposal. Once the filing was received, a formal rate case proceeding was initiated. Department of Public Service (DPS) Staff began an analysis of the Company's request to evaluate whether – or to what extent – a rate increase is justified. DPS represents the public interest in rate proceedings and evaluates such requests with the goal of ensuring safe and reliable service at just and reasonable rates. Review of the National Grid filing is also underway by other parties to the proceeding.

SUMMARY OF THE RATE CASE

On April 28, 2017, National Grid filed for new electric and gas delivery rates to be effective beginning April 1, 2018, through March 31, 2019. According to the filing, the Company's proposal will enable National Grid to continue to provide safe and reliable electric and gas service. National Grid asserts that the rate request will also allow the Company to provide enhanced low-income customer programs, modernize the electric distribution system, and create programs providing customers with the opportunity to better manage their energy consumption.

Proposed Rates:

An electric or gas bill consists of two parts: delivery and supply. The *delivery* charge is the cost to transport the electricity or gas to customers throughout the utility's system. This fee is regulated by the Commission. The *supply* charge is the cost of the electricity or gas itself. This cost is determined by the competitive market place and is not controlled by the Commission or the utility.

Electric Rates: Under this proposal, National Grid requests an increase in annual electric delivery revenues by approximately \$326 million (a 22.8% delivery revenue increase or 13% increase in total revenues). If the proposed rate request were to be approved, the Company estimates that the monthly bill for electric service to a residential heating customer using 600 kWh per month will increase by approximately \$11.23 (21.8% increase on the delivery charge or a 13.9% increase on the total bill).

The full text of the rate case may be viewed online at DPS's www.dps.ny.gov website. From the homepage, click on "Search," and enter the case number (17-E-0238 and 17-G-0239) in the "Search by Case Number" field.

PUBLIC INVOLVEMENT

For major gas and electric utility filings, the Commission is required to render a decision on the rate request within 11 months. Under New York State Law, the Commission must consider a utility's proposal and may adopt or reject it in whole or in part, or modify it by adopting changes proposed by participating parties, the general public or the Commission.

The Commission strongly believes that obtaining public input is a critical component of the rate setting process. Stakeholders such as consumers, government agencies and officials, public interest and environmental groups and industry representatives are invited to participate in the process, review the proposal and submit comments. An Administrative Law Judge (ALJ) will preside over the gathering of public comments and all evidence relating to the rate request.

There are several ways to participate in the rate case process, including:

- **Provide Comments:** Comments submitted through the methods indicated below will be accepted at any point while this proceeding is pending. All comments will become part of the record considered by the Commission:
 - **Via Public Statement Hearings:** The Commission will hold hearing in multiple locations in National Grid's service territory during July and August 2017. Interested members of the public are invited to attend the public statement hearings and provide comments regarding the proposal. The hearings will be preceded by an information session where a National Grid representative will describe the Company's filing and DPS Staff will explain the rate case process and how individuals can participate. It is not necessary to make an appointment in advance or present written material in order to speak at the hearings.
 - **Via the Department's Website:** Comments may also be entered directly into the case via the www.dps.ny.gov website. Enter the associated case numbers (17-E-0238 and 17-G-0239) in the "Search by Case Number" field on the homepage of the website. After clicking to open the case, enter comments in the "Post Comments" section located at the top of the page.
 - **Via Mail/E-Mail:** Submit comments electronically to Kathleen H. Burgess, Secretary, at secretary@dps.ny.gov or by mail or delivery to Secretary Burgess at the Department of Public Service, Three Empire State Plaza, Albany, New York 12223-1350. Comments delivered in these manners should reference "National Grid Rate Case" (17-E-0238 and 17-G-0239).
 - **Via Toll-Free Opinion Line:** Individuals may choose to comment by calling the Commission's Opinion Line at 1-800-335-2120. This line is set up to receive in-state calls 24-hours a day. Callers should press "1" to leave comments about Cases 17-E-0238 and 17-G-0239 "National Grid Rate Case." Comments received via the Opinion Line are not transcribed, but a summary is provided to the Commission for their consideration.

Sullivan-Jones Post 7466

VETERANS OF



FOREIGN WARS

BOX 89

POESTENKILL, NEW YORK 12140

June 15, 2017

Dominic Jacangelo, Supervisor

Town of Poestenkill

38 Davis Drive

Poestenkill, NY 12140

Dear Dom:

On behalf of the VFW Post 7466 and the Auxiliary, we would like to thank you and your Highway Department for your assistance in erecting our soldiers' banners. A personal note of thanks to Toby for undertaking this project so willingly. We have received many praises and thanks from the community since we launched the project. This would not have been an easy task were it not for the Town assisting us.

Thank you again for working with us. We hope you enjoy the banners and flags as much as we do.

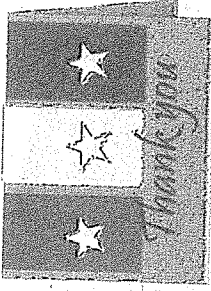
Sincerely,

L. Varitgian

Gail Bentley

Lee Varitgian, Commander

Gail Bentley, President of Auxiliary



A special thank you to Toby Chadwick & the Poestenkill Highway Dept. for the amazing job they did hanging the veteran flags in the Village of Poestenkill. Especially appreciate the time that was taken to place family member's flags near the homes of their loved ones. Proud to be part of this wonderful town.

Vonda Cranfield
The Olive Ewe Shop
35 Main Street, Poestenkill



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 AGENDA

July 5, 2017 @ 7:30 pm

**No Agenda
Meeting Cancelled**

Other:

Harvey Teal	to attend July Meetings
Bill Daniel	to attend August Meetings
Tom Russell	to attend September Meetings



TOWN OF POESTENKILL

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Zoning Board of Appeals

AGENDA

Zoning Board of Appeals July 11, 2017 @ 7:30 pm

MEETING OPENS – PLEDGE OF ALLEGIANCE

Public Hearing:

Diane Wagner
125.-1-2.11

Interpretation
12 Grandview Drive

Minutes of April Meeting

Organizational Items

- 1) ZBA Alternate position

Other:

Kevin McGrath	to attend July Meetings
Terry Lantry	to attend August PB meeting
Paul Jamison	to attend August TB meeting
Tim Hoffay	to attend September meetings



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Zoning Board of Appeals

Note change of date – August 15, 2017

AGENDA

Zoning Board of Appeals

August 15, 2017 @ 7:30 pm

MEETING OPENS – PLEDGE OF ALLEGIANCE

Public Hearing (cont.):

Diane Wagner

125.-1-2.11

Interpretation

12 Grandview Drive

Minutes of April Meeting

Organizational Items

Other:

Terry Lantry	to attend August PB meeting
Paul Jamison	to attend August TB meeting
Tim Hoffay	to attend September meetings
Terry Lantry	to attend October meetings



TOWN OF POESTENKILL

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Zoning Board of Appeals

ZONING BOARD OF APPEALS

July 11, 2017 Minutes

(Distributed before Approval)

Attendees:

Paul Jamison, Chair
Terry Lantry
Kevin McGrath
Tim Hoffay

Non-Voting Member:

Patrick Tomaselli, Esq.

Absent:

Cheryl Sargeant

Chairman Jamison opened the meeting at 7:45 pm with the Pledge of Allegiance and moved to the Public Hearing.

Public Hearing:

Diane Wagner
125.-1-2.11

Interpretation
12 Grandview Drive

Clerk Lynn Kane read the Public Hearing notice into the record. Chairman Jamison read the portion of the code in question - #150-21, (c) – opens Public Comment portion of the Hearing. Chairman Jamison also requests that all comments be addressed to the Board and not to any of those in attendance. Chairman requests Applicant Diane Wagner give an overview of her issue. Mrs. Wagner reviews the history of her situation through maps and other documents with the Board and Town Attorney, Patrick Tomaselli. Mrs. Wagner also has issue with height of fence, maintenance. Attorney Tomaselli has questions: 1) How long has fence been up? (Since permit issued in May 2016), 2) Did you make a complaint at the time the fence was erected? (Yes, to CEO Bob Brunet. Did not feel the placement of fence was accurate, pin was then put in. Don't feel permit should have been issued until pin put in place, fence was of poor quality, called Bob who said there was no code for fence, that if fence was in wrong location, it would have to be moved. Mrs. Wagner also states the height of the grass was an impairment to her property), 3) Is this the first time you are appearing in front of this Board (Yes). Per Chairman Jamison, the Wagners are looking for an interpretation of the code – is the fence within two (2) feet of any front lot line, specifically their front lot line. Height issue is part of part (a) of this code. Attorney Tomaselli thinks the Town Board meant this code to be when a parcel has two (2) front lot lines, such as a corner lot. He feels this code can be interpreted both ways.

Chairman Jamison asked that speakers to identify themselves for the record.

Sandra & John Shuhart: "What is a front lot line?" They feel a front lot line in on a public highway, even if corner lot where there is two front lot line. Chairman Jamison states that the issue tonight is the placement of the fence within two (2) feet of the Wagner's front lot line. Mrs. Shuhart stated that she has the right, as an agriculture business (farm), that she can put up any type of fence including poles with barb wires, that Bob Brunet told her that she could install a six (6) foot privacy fence if she chose to, permit was issued. Mr. Shuhart states that if fence has to be moved, that the Town Highway Department will have to come move it. Mrs. Shuhart states if she has to move the fence, she will also want the Town to move the water line from her property. The Shuhart's review with the Board was with the use of a map, they discussed the various issues including the lot lines, unfinished road work, lack of a CO, that the Komdat's lands are similar to theirs – "forever wild", not mowed, etc. Further discussion on the zones of each parcel – Shuharts in Residential Agriculture, Wagners in Residential. Mrs. Shuhart questions how Wagners could sell parcel as it lacks proper footage. Mr. Shuhart feels there has been a great deal of harassment and that it must end. He feels he has been very cooperative but if necessary, he will get attorneys involved and sue the Zoning Board, the Town, the Wagners. He erected fence to keep Wagners off his property (to stop them from mowing) and they continued to be on his land. He has sought relief from these actions by the Wagners through the NYS Police and the Town, without success. Mrs. Shuhart says they run a working farm, with 400 chickens, goats, horses, 2 greenhouses, etc. Chairman Jamison states the only issue before the Board is if the fence is legally placed. Mrs. Shuhart states she will install a barb wire fence if needed. Member McGrath, recounts as a previous Planning Board Member, that the parcels in question received a subdivision, that the current footage requirements where not in place back then and the Wagners would be able to sell if chose to. Chairman Jamison reiterates that it is the Boards' job to decide what the code means and we will move on from there.

David Hass: Feels this is an unusual situation, thinks the purpose of the code originally was to keep the fence back from the road and it would be best if the neighbors could work the situation out between them.

Paul Barringer, CEO: The two (2) feet listed in the code was to prevent damage to fence when the Town would plow snow. Regarding the issue of the maintenance of the fence, Highway Superintendent Toby Chadwick says it is all good as is. Further, that his interpretation of the code is the front lot line is determined from the street.

Diane Wagner: Her property is Residential, Shuharts is RA and that in accordance with the code, a wire fence may not be erected and that the Shuharts must maintain their property, i.e. mow.

Sandra Shuhart: My property is RA, isn't it all RA. Chairman Jamison says being RA doesn't exempt from setback requirements.

Paul Barringer, CEO: He addressed the Board that this situation is a neighbor vs. neighbor dispute and such disputes are easily taking up twenty-five (25%) percent of his time. He requests the Board direct neighbors to settle issues instead of coming to the Zoning Board. Further, Mr. Barringer states the Wagners have filed two (2) complaints against him with NYS regarding this matter.

Chairman Jamison asks the audience if there are any other comments to be made. Seeing no response, he makes a motion to close the Public Hearing, motion seconded by Member Lantry, approved by four (4) ayes, zero (0) nays and zero (0) abstentions. Chairman Jamison states that the Board has sixty-two (62) days to issue their decision

Resolution: Public Hearing continued until August 15, 2017

Minutes

The minutes of the Board meeting on June 13, 2017 were reviewed. A motion to accept the minutes was made by Chairman Jamison, seconded by Member Hoffay, approved by a vote of four (4) ayes, zero (0) nays, and zero (0) abstentions.

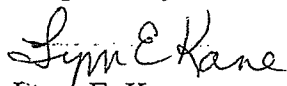
Organizational Items:

Motion made by Member Lantry to enter Executive Session at 8:45 pm, seconded by Chairman Jamison, four (4) ayes. Motion to exit Executive Session was made by Chairman Jamison, seconded by Member Lantry at 8:54 pm.

Chairman Jamison makes a motion to recommend to the Town Board to remove Member Sargeant due to excessive absences, to appoint Michael Colello as Member and to appoint Nicole Heckelman as Alternate. Motion is seconded by Member Lantry, four (4) ayes, zero (0) nays, and zero (0) abstentions. Chairman Jamison also directs Clerk Kane to send memo to Town Ethics Board requesting opinion that it is acceptable for Nicole Heckelman be on the Zoning Board of Appeals while husband, Don Heckelman, is member of Planning Board.

There being no further business, a motion to adjourn was made by Member Lantry, seconded by Chairman Jamison and approved by four (4) ayes, zero (0) nays and zero (0) abstentions. The meeting was adjourned at 9:17 p.m.

Respectfully submitted,



Lynn E. Kane
Clerk to ZBA



TOWN OF POESTENKILL

38 Davis Drive / P.O. Box 210

Poestenkill, NY 12140

(518) 283-5100 Phone

(518) 283-7550 Fax

Zoning Board of Appeals

MEMORANDUM

To: Poestenkill Town Board

From: Paul Jamison, Chairman
Zoning Board of Appeals

Re: Members to Zoning Board of Appeals

Date: July 18, 2017

At the July 11th meeting of the ZBA, Chairman Jamison made a motion as follows:

1. Recommend the removal of Cheryl Sargent as a Member of the Zoning Board of Appeals;
2. Recommend the appointment of Michael Colello as a Member of the Zoning Board of Appeals;
3. Recommend the appointment of Nicole Heckelman as an Alternate to the Zoning Board of Appeals.

Motion was seconded by Member Lantry and approved by four (4) ayes, zero (0) nays and zero (0) abstentions.



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Zoning Board of Appeals

MEMORANDUM

To: Poestenkill Town Board

From: Paul Jamison, Chairman
Zoning Board of Appeals

Re: Ethics Board

Date: July 18, 2017

At the July 11th meeting of the ZBA, a recommendation was sent to the Town Board to appoint Nicole Heckelman as Alternate to the Zoning Board of Appeals. Please advise if there is any conflict with Nicole serving on the ZBA while her husband Don serves on the Planning Board.

Please advise at your earliest convenience. Thank you.

5:04 PM
 07/01/17
 Accrual Basis

**Poestenkill Fire Company
 Custom Summary Report
 June 2017**

	Jun 17
Income	
Insurance Rebate	1,329.29
Town Contract Money	95,961.98
Total Income	97,291.27
Gross Profit	97,291.27
Expense	
Building Maintance	
Main Station	5.99
Refuse	124.03
Total Building Maintance	130.02
Donation	75.00
Electric	
East Poestenkill	83.02
Main Station	21.02
Total Electric	104.04
Equipment	
New Equipment	29,415.49
Repair & Maintance	25.00
Total Equipment	29,440.49
Fire Trucks	
Repair & Maintance	23.92
Total Fire Trucks	23.92
Insurance	349.00
internet & Phone	103.82
Medical Supplies	351.27
Memorial Day	75.00
Professional Services	950.00
Reimbursement	109.86
Security Alarm	65.00
Solar	549.72
Telephone	
Cell Phones	37.71
East Poestenkill	34.09
Main Station	46.15
Total Telephone	117.95
TRansfer to Equipment Replaceme	15,000.00
Transfer to Memorial Fund	10,000.00
Transfer to Vechicle Replacemen	40,000.00
Water	159.84
Total Expense	97,604.93
Net Income	-313.66

5:03 PM
 07/01/17
 Accrual Basis

Poestenkill Fire Company
Custom Summary Report
 April through June 2017

	Apr - Jun 17
Income	
Insurance Rebate	1,542.29
Town Contract Money	95,961.98
Total Income	97,504.27
Gross Profit	97,504.27
Expense	
Building Fuel (heating)	
East Poestenkill (propane)	365.75
Main Station (Propane)	2,018.77
Total Building Fuel (heating)	2,384.52
Building Maintenance	
East Poestenkill	120.00
Main Station	298.79
Refuse	372.09
Total Building Maintenance	790.88
Donation	75.00
Electric	
East Poestenkill	277.49
Main Station	63.06
Total Electric	340.55
Equipment	
New Equipment	35,036.15
Repair & Maintenance	658.50
Total Equipment	35,694.65
Fire Trucks	
Fuel	426.50
Repair & Maintenance	98.15
Total Fire Trucks	524.65
Hospital Stay	65.00
Insurance	
Accident & Sickness	46.00
Auto	6,585.00
Workman's Compensation	14,438.06
Insurance - Other	349.00
Total Insurance	21,418.06
Internet & Phone	103.82
Internet and Phone	207.52
Medical Supplies	702.22
Memorial Day	75.00
Office Supplies	694.70
Professional Services	3,950.00
Reimbursement	109.86
Security Alarm	195.00
Solar	1,364.09
Telephone	
Cell Phones	145.04
East Poestenkill	122.91
Main Station	81.22
Total Telephone	349.17

5:03 PM
07/01/17
Accrual Basis

Poestenkill Fire Company
Custom Summary Report
April through June 2017

	<u>Apr - Jun 17</u>
Training	166.96
TRAnsfer to Equipment Replaceme	15,000.00
Transfer to Memorial Fund	10,000.00
Transfer to Vechicle Replacemen	40,000.00
Uniforms	1,111.68
Water	159.84
Total Expense	<u>135,483.17</u>
Net Income	<u><u>-37,978.90</u></u>

2016

Town of Poestenkill

Court Audit

Index

Overview of operations	1
Audit Program	2
Audit Exceptions	3
Accountability	4
Audit Recommendations	5

On May 26, 2017, I Michelle Asquith performed an audit of the Town's Justices. The Justice Office maintains a duplicate system of records. One is maintained on computer and a hand system with a cash receipt book and hand prepared duplicate receipts. The court clerk, Terry House provided us with all 2016 duplicate receipts, copies of monthly reports from the computer for both justices to the New York State Justice court system, bank statements and I was able to verify cancel checks thru the Town's check image system.

The audit consisted of tracing from the duplicate receipts to the manually maintained cash receipt book and then to the monthly report for Justice Slavin for the months of April, June, and November 2016 and for Justice Kronau the months of February, May and October 2016. There were few clerical errors. We also traced from the cash receipt book to the bank statements and cancelled checks.

An accountability report for the month of December for Justice Kronau was developed that indicated Gregory Kronau had shortage of \$50.00. *Maybe startup funds need to be to be redeposited into account. An accountability report for the month of December for Justice Slavin was developed that indicated Thomas Slavin had a shortage of \$135.00

Submitted on July 20, 2017 by Michelle Asquith

Audit Program

During the Month of May 2017 Michelle Asquith performed the following audit procedures on the books of Theresa Houser, the Town of Poestenkill Court Clerk.

1. Traced all duplicate receipts to the cash receipt book and monthly reports for the following months.
Justice Slavin April, June, and November
Justice Kronau February, May, and October
2. Footed monthly reports for the months and traced to the cancelled check.
3. Traced from the cash receipt book to the bank statement.
4. Prepared accountability statements for both Justices.

Audit Exceptions

- * There were a few incorrect recordings of fees collected.
- * There was a negative balance for the month June in Judge Slavin account due to Bank fees.

Accountability for Judge Kroneau as of December 31,2016

Cash Book Balance as of 12/31/2016	1,068.00
Bail for Pending Cases	<u>0.00</u>
Total Cash Book Balances*	1,068.00

Bank Reconciliation at December 31,2016

Bank balance at end of month	2,556.32
add-Cash on Hand Deposited	<u>0.00</u>
Adjusted Bank Balances*	2,556.32

Accountable For:

Startup deposit	50.00
December fines collected and deposited	1,068.00
Bail for Tacelli Collected 01/01/2015	250.00
Return bail Tacelli 03/09/2015	-250.00
Bail for Serriano 12/30/2015	1,000.00
Return Bail Serriano 12/31/2015	-
Bail for Rockensitire 07/08/2015	1,000.00
	2,500.00
	-
Return Bail Rockensitire 12/01/2016	2,500.00
Total Accountable for	<u>1,118.00</u>
Cash shortage	-50.00

Accountability for Judge Slavin December 2016

Cash Book Balance as of 12/31/2016	418.00
Bail for Pending Cases	<u>0.00</u>
Total Cash Book Balances*	418.00

Bank Reconciliation at December 31,2016	
Bank balance at end of month	333.00
add-Cash on Hand Deposited	<u>0.00</u>
bank deposit adjustment entry correction	
Adjusted Bank Balances*	333.00

Accountable For:

Startup deposit	50.00
December fines collected and deposited	418.00
Total Accountable for	<u>468.00</u>
Cash shortage	-135.00

Audit Recommendations

1. I recommend the court to have a (overdraft account) placed on the Justice accounts to cover any clerical error or bank errors. To cover any fees that may be charged to the account whether they are \$25.00 service charges, \$33.00 overdraft fees or \$25.00 for return check fees.
2. To have the court have a second person verify deposit.

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
162 WASHINGTON AVENUE, ALBANY, NY 12231

(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 of POESTENKILL
City
Town
Village
Local Law No. 3 of the year 2017

A local law REGULATING ACCESS TO AND USE OF THE BARBERVILLE FALLS NATURAL RESOURCE AREA WITHIN THE TOWN OF POESTENKILL
(Insert Title)

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

Section 1. Name of Local Law

This law shall be known as "Barberville Falls Natural Resource Area Law."

Section 2. Authority and Purpose.

Barberville Falls and the surrounding area (collectively referred to hereinafter as "the Barberville Falls Natural Resource Area" is a unique natural landmark situate within the heart of the Town of Poestenkill ("the Town") and is a part of the Town's heritage and was duly acquired by the Town from the Nature Conservancy in 2017. The Barberville Falls is approximately 90 feet in height carrying the waters of the Poesten Kill from the upper escarpment of the Rensselaer Plateau to the Poestenkill Hamlet. The Poesten Kill drains approximately 35 square miles of the Plateau and not only provides important water resources but also a habitat for fish and other aquatic life. The Barberville Falls Natural Resource Area includes discrete ecological communities while also offering to the public a variety of recreational opportunities including hiking, bird watching, nature walks, fishing, ~~hunting~~ and photography on its 138 acres. It is the purpose and intent of this local law that the Town provide for responsible stewardship of this unique natural resource while also allowing its vistas and recreational opportunities to be accessed and enjoyed by the public. As part of such purpose, the Town also hereby establishes rules, restrictions and conditions for public access to and use of the Barberville Falls Natural Resource Area to the end of facilitating, to the extent possible and practicable, a safe and enjoyable experience for all visitors to the Barberville Falls Natural Resource Area and the preservation of its resources in their natural pristine condition.

Section 3. Public Notice.

Whereas the Barberville Falls Natural Resource Area is a natural and potentially dangerous open space area, this local law and the signage if and when posted and hereby authorized shall serve as a warning to the visiting public that the property contains steep slopes, slippery surfaces and dangerous cliffs. Children shall at all times be under the supervision and guardianship of an adult while on the property. All persons enter the property at their own risk.

Section 4. Permitted Uses.

~~1. 1. —From the day after Labor Day through two (2) days before Memorial Day residents of the Town of Poestenkill as well as owners of real property within the Town of Poestenkill together with invited and accompanied guests of such residents and real property owners_ persons are invited to visit the Barberville Falls Natural Resource Area for the purposes of bird watching, hiking, fishing, geocaching, snowshoeing, and photography from one half hour after sunrise until one half hour before sunset. No person who is not a Poestenkill resident or real property owner or an invited and accompanied guest of such a resident or real property owner shall be allowed access to or entry upon the Barberville Falls Natural Resource Area except for the limited purposes set forth in subdivision 1 of Section 5 of this local law.~~

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2. Every person wishing to park in designated parking areas shall obtain and display in the window of their vehicle a permit obtainable from the Town Clerk's office. No person shall park on private property without the permission of the land owner. Illegally parked vehicles may be ticketed, towed or immobilized by the placement of a wheel boot on their vehicle. The fee for having such boot removed shall be \$50 payable to the Town of Poestenkill by cash or check.

~~2. Hunting is permitted during the winter big game season and those times when the public is permitted on the property and provided that any such hunting is undertaken consistent with State law and pursuant to a State issued hunting license. A town permit from the Town Clerk is required for any such hunting access and use, application for which permit shall be accompanied by proof of Poestenkill residency or real property ownership. The number of hunting permits hereby issued by the Town shall be limited to ten (10) per year, issuance of which shall be determined by lottery.~~

3. In addition to the uses expressly permitted by Section 4 and Section 5 subdivision 1 of this local law, the Town Board may, by Resolution, authorize any additional use or uses not inconsistent with the purpose and intent of this local law.

Section 5. Access and Use Restrictions and Prohibitions.

1. No person shall enter the Barberville Falls Natural Resource Area from the day before Memorial Day through Labor Day without first obtaining a permit from the Town Clerk which shall specify the purpose for the entry. Permits will be issued for the limited purposes of scientific research and park cleanups. The permit application shall include the identity, address and contact information for the person responsible for the permit and how many

people are proposed to be included in the permit and identities, addresses and contact information. The permit shall also identify any vehicles to be parked in the Barberville Falls Natural Resource Area parking areas for the event.

2. Alcohol: No person shall possess any alcoholic drink while on Barberville Falls Natural Resource Area property.
3. Glass: No person shall possess any glass container or drinking glass while on Barberville Falls Natural Resource Area property.
4. Swimming: No person shall at any time swim or wade in that portion of the Poesten Kill which passes through the Barberville Falls Natural Resource Area.
5. Camp Fires: No person shall start a campfire or other fire within the Barberville Falls Natural Resource Area for any purpose at any time.
6. Time of Permissible Occupancy: No person shall remain on the Barberville Falls Natural Resource Area property later than one half hour before sunset or earlier than one half hour before sunrise.
7. Noise: No person shall create unnecessary noise while on the Barberville Falls Natural Resource Area except to call emergency personnel or to find a missing person.
8. No recreational hunting is permitted.
- ~~8.9~~ No person shall enter private property from the Barberville Falls Natural Resource Area at any time.
- ~~9.10~~ Parking: No person shall park any vehicle on Barberville Falls Natural Resource Area property other than in designated parking areas. In addition, there shall at no time of the year and for whatever purpose be any parking of vehicles upon the premises of the Barberville Falls Natural Resource Area without first obtaining a parking permit from the Town Clerk, which permit shall be prominently displayed on the dashboard of any such parked vehicle.
- ~~10.11~~ No pets or animals of any kind shall be brought or let loose upon the premises of the Barberville Falls Natural Resource Area.
12. No motorized vehicle shall enter the Barberville Falls Natural Resource Area except those under the direct supervision of the Town of Poestenkill for administrative purposes.

Section 6. Violations and Penalties.

1. Any person who violates the provisions of this local law is guilty of a violation punishable by a fine of up to Two Hundred Fifty Dollars (\$250.00).
2. Any unauthorized or prohibited access, occupancy or use of the Barberville Falls Natural Resource Area or its resources shall constitute both civil and criminal trespass and may be prosecuted as either or both.

Section 7. Severability.

The invalidity or unenforceability of any section, subsection, paragraph, sentence, clause, provision or phrase of the aforementioned sections as declared by the valid judgment of any court of competent jurisdiction to be unconstitutional shall not affect the validity or enforceability of any other section, subsection, paragraph, sentence, clause, provision or phrase,

which shall remain in full force and effect.

INFORMATIONAL MEETING
TOWN OF POESTENKILL
ALS and BLS Services
July 12, 2017
(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

Supervisor Jacangelo opened the meeting at 7 p.m. with the Pledge of Allegiance and thanked the audience for attending tonight's Informational Meeting. He further stated, that this meeting is strictly to gather more information on the matter and is a step that the town is taking to get all the information possible prior to holding a public hearing on the issue. The issue being discussed is whether the residents want to stay with the current arraignment with Mohawk Ambulance (which is free and at no cost to the resident) or to select a paid service (which will cost residents an additional fee on their tax bill). Supervisor Jacangelo introduced Councilman Van Slyke and Councilman Wohlleber who are the Co-Chairmen of the Ambulance Committee. Representatives for Mohawk and North Greenbush Ambulance Services were also present as well as the current First Responders from Poestenkill. There were approximately 75 people in attendance and there were comments for and against the proposed ambulance service.

Prior submitted questions were addressed by Supervisor Jacangelo and other official representatives in attendance. This topic will be addressed further at the July 20th Town Board meeting. The entire audio tape is available upon request.

Respectfully submitted,


Susan Horton
Town Clerk

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

June 20, 2017

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
**TOWN OF POESTENKILL NEW YORK STATE TAX CAP OVERRIDE LAW
FOR THE FISCAL YEAR 2018**

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 10, 2017.

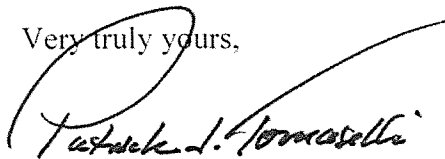
Please send the billing and the affidavit of publication for said legal notice to:

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

**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 at 38 Davis Drive in the Town of Poestenkill, County of Rensselaer, New York at 7:00 P.M. on July 20, 2017 to consider the adoption of a proposed local law entitled "**TOWN OF POESTENKILL NEW YORK STATE TAX CAP OVERRIDE LAW FOR THE FISCAL YEAR 2018**" which would override the limit on the amount of real property taxes that may be levied by the Town of Poestenkill pursuant to General Municipal Law § 3-c, and allow the Town of Poestenkill to adopt a budget for the fiscal year 2018 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law § 3-c. The primary reason for this tax cap override is the proposed establishment of a Town-wide ambulance district and the estimated costs associated with the establishment of said improvement district and the providing of services thereunder,.

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

Dated: June 20, 2017

By Order of the Town Board
of the Town of Poestenkill
Susan Horton, Town Clerk

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

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
162 WASHINGTON AVENUE, ALBANY, NY 12231

(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
Town
Village

of **POESTENKILL**

Local Law No. 4

of the year **2017**

A local law **OVERRIDING THE NEW YORK STATE TAX CAP AS ESTABLISHED IN GENERAL MUNICIPAL LAW SECTION 3-c**
(Insert Title)

Be it enacted by the

Town Board
(Name of Legislative Body)

of the

County
City
Town
Village

of **POESTENKILL**

as follows:

Section 1. Name of Local Law

This law shall be known and may be referred to as "New York State Tax Cap Override Law for the Fiscal Year 2018."

Section 2. Legislative Intent

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Town of Poestenkill pursuant to General Municipal Law § 3-c, and to allow the Town of Poestenkill to adopt a budget for the fiscal year 2018 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law § 3-c. The primary reason for this tax cap override is the proposed establishment of a Town-wide ambulance district and the estimated costs associated with the establishment of said improvement district and the providing of services thereunder.

Section 3. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law § 3-c, which expressly authorizes a town board to override the tax cap by the adoption of a local law approved by vote of sixty percent (60%) of the town board.

Section 4. Tax Levy Limit Override

The Town Board of the Town of Poestenkill, County of Rensselaer, is hereby authorized to adopt a budget for the fiscal year 2018 that requires a real property tax levy in excess of the amount otherwise allowed in General Municipal Law §3-c.

Section 5. Severability

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation or circumstance, shall be adjudicated by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 6. Effective date

This local law shall take effect immediately upon filing with the Secretary of State.

**BOND ANTICIPATION NOTE
NO. 1 OF THE YEAR 2017 OF
THE TOWN OF POESTENKILL
COUNTY OF RENSSELAER
UNITED STATES OF AMERICA**

**IN THE AMOUNT OF
TWO HUNDRED SIXTY THOUSAND (\$260,000.00) DOLLARS**

BOND ANTICIPATION NOTE FOR PURCHASE OF HIGHWAY EQUIPMENT

The Town of Poestenkill, in the County of Rensselaer, State of New York, ("the Town"), a municipal corporation of the State of New York, hereby acknowledges itself indebted and for value received promises to pay to the bearer of this Bond Anticipation Note ("the Note"), or if it be registered, to the registered holder, the sum of Two Hundred Sixty Thousand (\$260,000.00) Dollars by making five (5) equal installment payments on the first through fifth anniversary dates of this Bond Anticipation Note, each in the amount of Fifty-Two Thousand, Five Hundred (\$52,500.00) Dollars, together with accrued interest on the principal balance then due at the rate of 1.48% per annum. Both principal of and interest on this Note will be paid in lawful money of the United States of America, at Key Bank at 66 South Pearl Street, Albany, New York 12207, or at such other locale in the Albany-Troy area as might be agreed upon by the Town and said Bank.

If the holder should so request, the Town Clerk shall convert this Note into a registered Note by registering it in the name of the holder in the books of the Town kept in the office of such Town Clerk and endorsing a certificate of such registration hereon; after which both principal of and interest on this Note shall be payable only to the registered holder, his/her/its legal representatives, successors or transferees. This Note shall then be transferable only upon presentation to such Town Clerk with a written transfer of title and such Town Clerk shall thereupon register this Note in the name of the transferee in his/her books and shall endorse a certificate of such registration hereon. Such transfer shall be dated and signed by the registered holder, or his/her/its legal representatives, and it shall be duly acknowledged or proved, or in the alternative the signature thereto shall be certified as to its genuineness by an officer of a bank or trust company located and authorized to do business in this State.

This Note is the only note of an authorized issue, the principal amount of which is Two Hundred Sixty Thousand (\$260,000.00) Dollars.

This Note is issued pursuant to the provisions of the Local Finance Law of the State of New York; the bond resolution adopted by the Town Board of the Town on _____ authorizing the issuance of Serial Bonds for the purchase of certain equipment, to wit: the purchase of a pay loader and tandem dump truck for use by the Poestenkill Town Highway Department; and the Certificate of Determination executed by the Town Supervisor on _____. This Note has been designated by the Town as a qualified tax-exempt obligation pursuant to the provisions of section 265 of the Internal Revenue Code of 1986, as amended.

The faith and credit of such Town are hereby irrevocably pledged for the punctual payment of the principal of and interest on this Note according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the Constitution and statutes of the State of New York to exist, to have happened and to have been performed precedent to and in the issuance of this Note, exist, have happened and have been performed, and that this Note, together with all other indebtedness of such Town of Poestenkill is within every debt and other limit prescribed by the Constitution and laws of such State.

IN WITNESS WHEREOF, the Town has caused this Note to be signed by its Supervisor and its corporate seal to be hereunto affixed and attested by its Clerk and this Note to be dated as of the _____ day of _____, 2017.

(Seal)

Town of Poestenkill

Attest:

By: _____
Dominic J. Jacangelo, Town Supervisor

Susan Horton, Poestenkill Town Clerk

UNITED STATES OF AMERICA
STATE OF NEW YORK
COUNTY OF RENSSELAER

\$ 260,000.00

THE TOWN OF POESTENKILL
BOND ANTICIPATION NOTE FOR:
HIGHWAY DEPARTMENT EQUIPMENT - 2017

The Town of Poestenkill, in the County of Rensselaer, State of New York, ("the Town"), a municipal corporation of the State of New York, hereby acknowledges itself indebted and for value received promises to pay to the bearer of this Bond Anticipation Note ("the Note"), or if it be registered, to the registered holder, the sum of Two Hundred Sixty Thousand (\$260,000.00) Dollars, MATURITY DATE, together with accrued interest on the principal balance then due at the rate of 1.56% per annum, payable at maturity. Both principal of and interest on this Note will be paid in lawful money of the United States of America, at Key Bank at 66 South Pearl Street, Albany, New York 12207, or at such other locale in the Albany-Troy area as might be agreed upon by the Town and said Bank.

If the holder should so request, the Town Clerk shall convert this Note into a registered Note by registering it in the name of the holder in the books of the Town kept in the office of such Town Clerk and endorsing a certificate of such registration hereon; after which both principal of and interest on this Note shall be payable only to the registered holder, his/her/its legal representatives, successors or transferees. This Note shall then be transferable only upon presentation to such Town Clerk with a written transfer of title and such Town Clerk shall thereupon register this Note in the name of the transferee in his/her books and shall endorse a certificate of such registration hereon. Such transfer shall be dated and signed by the registered holder, or his/her/its legal representatives, and it shall be duly acknowledged or proved, or in the alternative the signature thereto shall be certified as to its genuineness by an officer of a bank or trust company located and authorized to do business in this State.

This Note is the only note of an authorized issue, the principal amount of which is Two Hundred Sixty Thousand (\$260,000.00) Dollars and shall be renewable for up to five years, at the expiration of which period any principal balance and accrued interest shall be paid in full

This Note is issued pursuant to the provisions of the Local Finance Law of the State of New York; the bond resolution adopted by the Town Board of the Town on _____ authorizing the issuance of Serial Bonds for the purchase of certain equipment, to wit: the purchase of a pay loader and tandem dump truck for use by the Poestenkill Town Highway Department; and the Certificate of Determination executed by the Town Supervisor on _____. This Note has been designated by the Town as a qualified tax-exempt obligation pursuant to the provisions of section 265 of the Internal Revenue Code of 1986, as amended.

The faith and credit of such Town are hereby irrevocably pledged for the punctual payment of the principal of and interest on this Note according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the Constitution and statutes of the State of New York to exist, to have happened and to have been performed precedent to and in the issuance of this Note, exist, have happened and have been performed, and that this Note, together with all other indebtedness of such Town of Poestenkill is within every debt and other limit prescribed by the Constitution and laws of such State.

IN WITNESS WHEREOF, the Town has caused this Note to be signed by its Supervisor and its corporate seal to be hereunto affixed and attested by its Clerk and this Note to be dated as of the _____ day of _____, 2017.

(Seal)

Town of Poestenkill

Attest:

By: _____
Dominic J. Jacangelo, Town Supervisor

Susan Horton, Poestenkill 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 7:00 P.M. on July 20, 2017.

RESOLUTION NO. ____ OF THE YEAR 2017: BOND RESOLUTION

A RESOLUTION AUTHORIZING THE PURCHASE OF A PAYLOADER AND TANDEM DUMP TRUCK FOR USE BY THE POESTENKILL TOWN HIGHWAY DEPARTMENT IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$260,000.00 PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SAID PURPOSE AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE TOWN SUPERVISOR.

BE IT RESOLVED, by the Town Board of the Town of Poestenkill, Rensselaer County, New York (the "Town") (by the favorable vote of not less than two-thirds of all of the members of the Board) as follows:

SECTION 1. The specific purpose (hereinafter referred to as "purpose") to be financed pursuant to this Resolution is the purchase of a pay loader and tandem dump truck for use by the Poestenkill Town Highway Department. The estimated maximum cost of said purpose is \$260,000.00.

SECTION 2. The Town plans to finance the total cost of said purpose by the issuance of serial bonds in an amount not to exceed \$260,000.00 of said Town of Poestenkill, hereby authorized to be issued therefore by the Town pursuant to the Local Finance Law. The Town has not previously authorized the expenditure of the funds necessary to finance the cost of the purpose.

SECTION 3. It is hereby determined that said purpose is an object or purpose described in subdivision 28 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is 15 years.

SECTION 4. It is hereby determined that the proposed maturity of the obligations authorized by this Resolution will not be in excess of five years.

SECTION 5. Current funds are not required to be provided prior to the issuance of the bonds authorized by this Resolution or any notes issued in anticipation of such bonds.

SECTION 6. The faith and credit of said Town are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year.

SECTION 7. Subject to the terms and contents of this resolution and the Local Finance Law, and pursuant to the provisions of Sections 30.00, 50.00 and 56.00 to 63.00, inclusive, of said Law, the power to authorize bond anticipation notes in anticipation of the issuance of the serial bonds authorized by this Resolution and the renewals of said notes and the power to prescribe the terms, form and content of said serial bonds (including the use of substantially level or declining level), and said bond anticipation notes, and the power to sell and deliver said serial bonds and any bond anticipation notes issued in anticipation of the issuance of such bonds, is hereby delegated to the Town Supervisor, the Chief Fiscal Officer of the Town. The Town Supervisor is hereby authorized to sign any serial bonds issued pursuant to this Resolution and any bond anticipation notes issued in anticipation of the issuance of said serial bonds, and the Town Clerk is hereby authorized to affix the corporate seal of said Town to any of said serial bonds or any bond anticipation notes and to attest such seal.

SECTION 8. The Town Supervisor is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this Resolution, and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and, if qualified, to designate the bonds authorized by this Resolution, and any notes issued in anticipation thereof, as "qualified tax-exempt obligations" in accordance with Section 265(b)(3) of the Code.

SECTION 9. The Town has heretofore determined that the purchase of a pay loader and tandem dump truck for use by the Poestenkill Town Highway Department constitutes a Type I action which will not have a significant effect on the environment and, therefore, no other determination or procedures under the State Environmental Quality Review Act ("SEQR") is required.

SECTION 10. The validity of said serial bonds or of any bond anticipation notes issued in anticipation of the sale of said serial bonds may be contested only if:

- (a) Such obligations are authorized for an object or purpose for which said Towns are not authorized to expend money, or
- (b) The provisions of law which should be complied with at the date of the publication of this Resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within 20 days after the date of such publication, or
- (c) Such obligations are authorized in violation of the provisions of the Constitution of New York.

SECTION 11. The Town Clerk is hereby authorized and directed to publish this Resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of the Local Finance Law, in The Record, a newspaper having a general circulation in said Town and hereby designated as the official newspaper of said Town for such publication.

SECTION 12. The Town Attorney Patrick J. Tomaselli, Esq. is hereby appointed Bond Counsel of the Town to undertake, as a special matter, legal services in connection with the bonds and notes herein authorized.

SECTION 13. This Resolution is not subject to a permissive referendum pursuant to Section 35.00 of the Local Finance Law and shall take effect immediately.

MOVED BY: _____

SECONDED BY: _____

VOTED UPON AS FOLLOWS:

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

Michelle Asquith

From: Patrick J. Tomaselli <pjtlaw258@aol.com>
Sent: Monday, July 17, 2017 6:09 PM
To: Kathy_A_Mizener@KeyBank.com
Cc: dh@hassmfg.com; vanslykebelt@gmail.com; wohlleber.eric@gmail.com; tcpoest@nycap.rr.com; suppoest@nycap.rr.com; jross@adamrosscutstone.com; djacangelo@poestenkillny.com; secpoest@nycap.rr.com
Subject: Proposed Bonding of Financing of Poestenkill Highway Equipment
Attachments: 2017-07-20 Proposed Poestenkill Highway Purchase Bonding Resolution.doc; 2017 BOND ANTICIPATION NOTE.doc

Kathy -

As Town Attorney for the Town of Poestenkill, I was given your name and contact information by Town Supervisor Dominic Jacangelo.

I have read your email to Dominic dated June 15, 2017 and based upon the information you provided I have prepared a proposed Bonding Resolution as well as a proposed Bond Anticipation Note (BAN). Drafts of same are attached for your information, review and comment. If KeyBank desires any revisions and/or if it has its own format for such documents, please send them to me and I will make the appropriate revisions.

I note and acknowledge that the actual interest rate is subject to change from that used in the draft BAN.

I will await your response and comment. In the meantime, if you have any questions or concerns please do not hesitate to contact me. Please note that the Poestenkill Town Board intends to vote on the bonding resolution at its monthly meeting on the evening of July 20, 2017 (i.e., this Thursday) so any feedback you can give me before that time would be greatly appreciated.

I look forward to working with you and KeyBank in these matters.

Patrick J. Tomaselli, Esq.
Tomaselli Law Offices
P.O. Box 97
Poestenkill, New York 12140
Telephone and FAX: 518-689-2280
email: PJTLAW258@aol.com

CONFIDENTIALITY NOTICE: The information in this transmission is intended only for the individual or entity named above. It may be legally privileged and confidential. If you are not the intended recipient, you are hereby notified that any disclosure, dissemination, distribution or copying of this communication or its contents is strictly prohibited. If you have received this information in error, you are requested to immediately notify Patrick J. Tomaselli, Esq. by replying to this email and by telephone (518) 689-2280 for further instructions. Thank you for your cooperation.

IRS Circular 230 Disclosure: To ensure compliance with requirements imposed by the IRS, we inform you that any U.S. tax advice contained in this communication (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of (1) avoiding penalties under the Internal Revenue Code or (2) promoting, marketing, or recommending to another party any transaction or matter addressed herein.

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Patrick J. Tomaselli
Attorney at Law
Tomaselli Law Offices
P.O. Box 97
Poestenkill, New York 12140-0097
Telephone and Facsimile (518) 689-228

MEMORANDUM – TOWN OF POESTENKILL

DATE: July 10, 2017, 2017
TO: Poestenkill Town Board
FROM: Patrick J. Tomaselli, Esq., Town Attorney
RE: Proposed Establishment of Ambulance District

In furtherance of my previous Memorandum of June 14, 2017, I am transmitting herewith the following proposed documents:

- (1) PROPOSED MAP, PLAN AND REPORT (MPR). Per the direction of the Town Board at the last monthly meeting on June 15, 2017, I prepared and circulated a draft MPR. The current version of said document, which incorporates minor revisions suggested by the Town Supervisor, is attached for everyone's information and review.
- (2) ORDER FOR PUBLIC HEARING. The applicable statutory law provides that subsequent to the date of filing of the MPR with the town clerk, the Town Board may adopt an Order reciting a description of the boundaries of the proposed district, the improvements and/or services proposed to be provided and the maximum amount to be expended therefor, the estimated cost of hook-up fees (if any), and the cost of the district to the typical property and, if different, the typical one or two family home [as said terms are defined in §209-a]. The Order should also indicate the proposed method of financing, the fact that the MPR is on file in the town clerk's office for public inspection and the maximum amount to be expended annually for ambulance services. Finally, it should indicate the date and time of the public hearing concerning the proposed district. I have drafted such a proposed Order and same is attached. It is noted that said Order must be published at least once in the official newspaper of the town (i.e., The Record) not less than ten (10) days nor more than twenty (20) days before the hearing date.
- (3) RESOLUTION APPROVING ESTABLISHMENT OF AMBULANCE DISTRICT. Following the public hearing, the town board shall by resolution make the determinations as to validity and necessity as prescribed in §209-e(1). If and when the town board shall make affirmative determinations on all of the items listed in §209-e(1), the town board may adopt a resolution (which could be the same resolution as referenced in the previous sentence) approving the establishment of the district as the boundaries thereof are finally determined and the providing of ambulance services subject to a permissive referendum I have prepared a draft of said proposed Resolution and a copy of same is attached.

- (4) NOTICE THAT ADOPTION OF RESOLUTION FOR ESTABLISHMENT OF AMBULANCE DISTRICT IS SUBJECT TO PERMISSIVE REFERENDUM. Within ten (10) days of the adoption of the resolution by the town board approving establishment of the ambulance district, the town clerk shall post and publish a notice which shall state the date of adoption of said resolution by the town board, an abstract of same concisely stating the purpose and effect thereof, and an indication that same was adopted subject to a permissive referendum. Said notice is governed by Town Law §90 and Town Law §209-e(3). Again, I have drafted such Notice and a copy of same is attached.
- (5) PETITION FOR PERMISSIVE REFERENDUM. The resolution of the Town Board shall not take effect until thirty (30) days after its adoption nor until approved by the affirmative vote of a majority of the owners of taxable real property situate within the proposed district as shown on the latest completed assessment roll of the town, voting on said proposition, if within said 30 day period, a petition requesting such referendum is filed. The procedures to be followed in the conduct of the permissive referendum and thereafter are as set forth in my June 14, 2017 Memorandum. However, at this juncture it is noted that the enabling statute provides that the town clerk shall cause to be prepared and available for distribution proper forms for the petition and shall distribute a supply to any person requesting same. Following the statutory language, I have prepared a form for the Petition to be handed out by the town clerk and same is attached.
- (7) SEQRA NEGATIVE DECLARATION - NOTICE OF DETERMINATION OF NON-SIGNIFICANCE. As I originally noted, this action (like any action by a municipality) must comply with SEQRA However, it is clear that this is an Unlisted Action having no significant adverse impact upon the environment and thereby requiring only the completion and filing of a SEQRA Short Form EAF and a SEQRA Negative Declaration - Notice of Determination of Non-Significance.
- (8) SERVICE AGREEMENT. A proposed agreement with my comments was previously sent to you by my email of July 5, 2017. Another copy is attached for your convenience.

Other forms and documents will be required if, as and when the proposed Ambulance District is approved.

TOWN OF POESTENKILL

38 Davis Drive

P.O Box 210

Poestenkill, New York 12140

MAP, PLAN AND REPORT FOR THE ESTABLISHMENT OF AN AMBULANCE DISTRICT IN AND FOR THE TOWN OF POESTENKILL

Reason for District:

The Reason for Establishment of District:

South

The Town of Poestenkill is currently provided with critical emergency ambulance services by the Poestenkill Fire Company and various private ambulance services on a mutual aid basis.

The ambulance resources of the Poestenkill Fire Company, including Advanced Life Support Services (ALS) and Basic Life Support Services (BLS) are somewhat limited. Further, the ambulance services provided by and through the Poestenkill Fire Company are faced with a host of challenges. First and foremost, such ambulance services have historically been operated and staffed entirely by volunteers and over the years. Over the years, State-mandated regulations and training requirements have not only increased the costs of providing such services, but have also greatly burdened and significantly reduced the volunteer base.

With respect to the various private ambulance services, they are directly and primarily responsible for providing such services to a number of municipalities both within and outside of Rensselaer County, typically through services contracts with said municipalities which give priority of service to such contracting municipalities. Hence any services available to the residents of the Town of Poestenkill are only provided by such entities if and to the extent available, a situation which is deemed detrimental to the health, safety and well-being of Poestenkill's residents

The need for quality ALS and BLS services has resulted in a need for paid part-time paramedics. Additionally, local population increases have caused a greater demand for services. Changes in health care accessibility and reimbursement rates have compounded the problems facing the already complicated and stressed emergency service sector. Overall, the cost of business has increased and outpaced revenue, with patients' insurance payments insufficient to cover operating costs.

As a result of the foregoing factors, the Town of Poestenkill issued Requests for Proposals (RFPs) for such services and has been diligently working with the resultant Proposers to provide quality critical care services, including but not limited to ALS and BLS, in an attempt to provide to the residents of the Town of Poestenkill high quality care with a minimum response time while also seeking to do so in a fiscally responsible manner.

After careful consideration of the service proposals received in response to its RFP, the Town has determined to award a contract for such services to _____ at an initial annual cost of _____, said contract to be thereafter renewed and/or renegotiated if the Town finds such services to be satisfactory or terminated if the Town finds such services to be unsatisfactory.

In order to enter into an appropriate agreement with said Contractor which meets the needs of the community, the Town of Poestenkill supports the establishment of an ambulance district in accordance with the laws of New York State and especially Article 12-A of the Town Law, as the best course of funding such services. It is noted that funding ambulance services through a separate taxing district is recommended, in part, over simply using Town tax revenue because it provides more fiscal transparency for the Town's taxpayers.

Plan:

In accordance with the foregoing, it is proposed and recommended that an ambulance district be formed that encompasses the entirety of the Town of Poestenkill, the boundaries of which district are coincident with the Town's boundaries and wholly within Rensselaer County. Services to be provided include: emergency medical services, including ALS and BLS, as well as ambulance service for the purpose of providing emergency medical treatment and transportation. Funds raised through separate assessment of all parcels within the Town Ambulance District will allow the Town to contract for the aforesaid services.

Said District shall be formed in accordance with Town Law Article 12-A and other applicable laws of the State of New York and the District expenses shall be levied on an *ad valorem* basis effective for the 2018 Town Property Tax Bills. The Town Board may or may not choose to establish an appointed or elected District Board of Ambulance Commissioners pursuant to Town Law Section 198.

The current plan is for the Town of Poestenkill to contract with an independent contractor, to wit: _____. In accordance with paragraph 2.4 of the RFP, the terms and specifications of the RFP, including especially but not exclusively those set forth in SECTION 3 thereof entitled CONTRACT SPECIFICATIONS, shall be incorporated in and made a part of said contract. In addition to funding from taxes raised by the District as aforesaid, the Contractor may derive funds from stand-by services for events, and depending upon volunteer/staff availability, transport services to local hospitals. It may also avail itself of other ways to enhance income while maintaining high quality, reliable 24/7 paramedic coverage for the residents of the Town of Poestenkill.

The Town Board will continue to work closely with the Contractor by receiving regular financial reports and updates on the status of the organization. This will allow the Board to monitor the viability of the Contractor, suggest options for efficiencies and cost savings, and provide the opportunity to make changes in the contractual arrangement as may be deemed needed.

Ambulance District Report:

For the first year of operation of the Poestenkill Ambulance District, the maximum cost to be expended is estimated to be as follows:

- (1) Budget to be taxed = Initial amount to be raised by District taxes = Service Contract amount, cost of legal services and any other expenses necessarily incurred in the establishment and operation of said District.
- (2) Tax Rate for District Property Owners

	A	B	C
Town of Poestenkill Ambulance District	Total Taxable Assessed Value of All Parcels in the District/Town	Initial Amount to be Raised by District Taxes	Tax Rate (TR) for District Property Owners = B/A

- (3) Tax per \$1,000 of Assessed Valuation for District Property Owners:
 $TR/\$1,000 = TR \times \text{Taxable Assessed Valuation} / 1,000$
- (4) Estimated cost to a typical \$150,000 property in the District in the first year: $TR/\$1,000 \times \$150 = \underline{\hspace{2cm}}$.

Map and Description of the Proposed Ambulance District:

The territory of the proposed district consists of the entire Town of Poestenkill with boundaries coincident with the Town boundaries.
(SEE ATTACHMENT A - MAP)

Map, Plan and Report for the proposed
 Poestenkill Ambulance District

Dated: July _____, 2017

Prepared by Patrick J. Tomaselli, Esq.,
 Poestenkill Town Attorney
 at the Direction of the Town Board

**State Environmental Quality Review (SEQR)
Negative Declaration
Notice of Determination of Non-Significance
July 20, 2017**

Name of Action: Town of Poestenkill Ambulance District

SEQR Status: Unlisted

Description of Action:

The project involves the establishment of an ambulance district in and for the Town of Poestenkill, the boundaries of which are coincident with the boundaries of the Town, for the purpose of providing emergency ambulance services to individuals within the Town with the provision of such services shall to be furnished through contract with a third-party ambulance service provider.

Currently, there is no dedicated or shared commitment for the providing of such emergency ambulance services, including Advanced Life Support (ALS) ambulance services or Basic Life Support ambulance services for the Town of Poestenkill. While various private ambulance services are available, they are directly and primarily responsible for providing such services to a number of municipalities both within and outside of Rensselaer County, typically through service contracts with said municipalities which give priority of service to such contracting municipalities. Hence any services available to the residents of the Town of Poestenkill are only provided by such entities if, when and to the extent available, a situation which is deemed detrimental to the health, safety and well-being of Poestenkill's residents.

In order to enter to address the aforescribed situation by entering into an appropriate agreement with an independent Contractor which meets the needs of the community, the Town of Poestenkill proposes the establishment of an ambulance district in accordance with the laws of New York State and especially Article 12-A of the Town Law, as the best course of funding such services. It is noted that funding ambulance services through a separate taxing district is recommended, in part, over simply using Town tax revenue because it provides more fiscal transparency for the Town's taxpayers.

Location: The entirety of the Town of Poestenkill, Rensselaer County, New.

Reasons Supporting This Determination:

Public informational meetings and a public hearing were held on _____ and _____, 2017, respectively, and the environmental impacts of the proposed action have been evaluated by the Town.

The proposed project is deemed to have no environmental effects whatsoever and certainly has no significant detrimental environmental effects.

More specifically, the proposed project will not result in any significant physical changes within the Town of Poestenkill, will not affect the quantity or quality of existing or future open spaces or recreational opportunities, and will not impact the exceptional or unique characteristics of a critical environmental area (CEA) established pursuant to subdivision 6 NYCRR 617.14(g). The proposed project will not have any effect on the existing transportation systems, will not have any adverse effect on the community's sources of fuel or energy supply, and except for the extremely infrequent sound of an occasional siren, is not anticipated to have any adverse noise impact.

The proposed project is not anticipated to have any adverse vibration or odor impact, nor will it have any adverse air quality impacts.

The proposed project is not anticipated to have any adverse impact on the character of the existing community and to the contrary is reasonably deemed to be only beneficial to the community health and welfare.

A Preliminary Notice of Intent (NOI) to undertake an action within an agricultural district dated _____ and Final NOI dated _____ have been submitted to and found complete by the New York State Department of Agriculture and Markets (Ag & Markets). Correspondence from Ag & Markets dated _____, informed the Town of Poestenkill that the review process pursuant to AML Section 304(4) was completed and that the proposed ambulance district would not have an unreasonably adverse effect on any agricultural district within the Town. Based on the foregoing, the Town of Poestenkill can without equivocation certify to Ag & Markets that the Town of Poestenkill has met the requirements of Section 305(4).

The Poestenkill Town Board has formally coordinated with other potentially involved agencies. Part 1 of a Full Environmental Assessment Form (EAF) has been completed and reviewed in conjunction with notice to and input from the neighboring towns of Brunswick, North Greenbush, Sand Lake and Berlin and Rensselaer County, as well as any applicable permitting and funding agencies. All have concurred that the Poestenkill Town Board assume the role of the SEQRA Lead Agency. On July 20, 2017, the Poestenkill Town Board formally declared itself as the SEQR Lead Agency. Part 2 of a Full Environmental Assessment Form (EAF) has been completed and reviewed by the Town Board; no environmental impacts were identified as potentially large or otherwise significant.

The project has been reviewed and classified as an action eligible for a "Categorical Exclusion" under the NEPA (National Environmental Policy Act) as of January 28, 2008.

For Further Information:

Contact Person: Dominic J. Jacangelo, Supervisor, Town of Poestenkill

Address: P.O. Box 210
38 Davis Drive
Poestenkill, NY 12140

Telephone Number: (518) 283-5101

**NOTICE OF RESOLUTION SUBJECT TO PERMISSIVE FOR THE.
ESTABLISHMENT OF AN AMBULANCE DISTRICT IN THE TOWN OF
POESTENKILL**

The Poestenkill Town Board, by adoption of a resolution on _____, 2017, determined upon the evidence given at a public hearing held _____, 2017, that it is in the public interest to form an ambulance district in the Town of Poestenkill. The boundaries of the district are as follows: the entire Town of Poestenkill, with the boundaries of the district coincident with those of the Town.

The adoption of said resolution, a copy of which follows, is subject to a permissive referendum and shall not take effect until thirty (30) days after its adoption, nor until approved by the affirmative vote of a majority of those qualified to vote on the issue if, within that period, there is filed with the Town Clerk a petition properly signed by the required number of owners of taxable real property within the proposed district, all as required by Town Law Section 209-e. Forms for said petition are available at the Town's Office.

_____, 2017
BY ORDER OF THE TOWN BOARD
TOWN OF POESTENKILL

Susan Horton, Town Clerk
Town of Poestenkill

PETITION FOR PERMISSIVE REFERENDUM ON PROPOSED AMBULANCE DISTRICT FOR THE TOWN OF POESTENKILL

TOWN OF POESTENKILL, COUNTY OF RENSSELAER, STATE OF NEW YORK

I, the undersigned, do hereby state that I am the owner of taxable real property located within the Town of Poestenkill as shown on the latest completed assessment roll of said Town; that my place of residence is duly stated opposite my signature hereto; and I do hereby protest in opposition to the Poestenkill Town Board's establishment of an ambulance district in and for said Town, which district contains the entirety of said Town and the boundaries of which district are coincident with said Town, all as approved by Resolution No. _____ of the Year 2017 of the Town of Poestenkill, adopted by the Town Board on _____, 2017; and I petition that the establishment of the aforesaid proposed ambulance district be submitted to a vote by permissive referendum as provided by law.

IN WITNESS WHEREOF, I have hereunto set my hand, the day and year placed opposite my signature.			
DATE	SIGNATURE AND NAME OF SIGNER	RESIDENCE	TOWN/CITY
2017			
	Printed Name		
2017			
	Printed Name		
2017			
	Printed Name		
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STATEMENT OF WITNESS

County of Rensselaer)
Town of Poestenkill) ss.:

I (print name) _____ state: I am the owner of taxable real property located within said Town; and I currently reside at _____.

Each of the individuals whose names are subscribed to this petition sheet containing signatures, subscribed same in my presence on the dates above indicated and identified himself/herself to be the individual who signed this sheet. I understand that this statement will be accepted for all purposes as the equivalent of an affidavit and if it contains a material false statement shall subject me to the same penalties as if I had been duly sworn.

Date: _____, 2017 Signature of Witness: _____

Witness Identification Information: *The following information must be completed prior to filing with the Town Clerk in order for this petition to be valid.*

Resolution No. _____ of the Year 2017 of the Town of Poestenkill, Adopted _____, 2017.

**AMBULANCE AND EMERGENCY MEDICAL SERVICES (EMS) AGREEMENT
BETWEEN
THE TOWN OF POESTENKILL AND _____**

This Ambulance and Emergency Medical Services Agreement dated as of _____ ("the Agreement") by and between the Town of Poestenkill, a municipal corporation of the State of New York with offices at 38 Davis Drive, Poestenkill, New York 12140 (the "Town"), and _____, a not-for-profit corporation organized under the laws of the State of New York with a principal place of business at _____ (the "Contractor").

Commented [PJT1]: I have set the contract up to be between the Town (rather than the District) and the Contractor.

RECITALS

WHEREAS, the Town is authorized by virtue of section 122-b of the General Municipal Law of the State of New York to provide general ambulance service for the purpose of treating and transporting sick and injured persons found within its boundaries to an acute care hospital; and

WHEREAS, the Town is desirous of entering into an agreement providing such ambulance service as well as emergency medical services, including both Advanced Life Support Services (ALS) and Basic Life Support Services (BLS) to the Poestenkill Ambulance District (the "District", a duly created special improvement district of the Town of Poestenkill the boundaries of which are coincident with those of the Town, pursuant to said provisions of law; and

WHEREAS, Contractor has trained and experienced personnel and is certified by the New York State Department of Health as an ambulance service; and

WHEREAS, Contractor is desirous of furnishing emergency medical services to said Poestenkill Ambulance District under the terms and conditions set forth herein; and

WHEREAS, at a regular meeting of the Town Board of the Town of Poestenkill held on _____], the Town duly authorized this agreement with Contractor upon the terms and provisions herein set forth; and

WHEREAS, this agreement has been duly authorized by the directors of the Contractor;

NOW, THEREFORE, in consideration of the mutual promises herein contained, the Town of Poestenkill does engage Contractor to furnish ambulance and emergency medical services to the District and Contractor agrees to furnish such services, to wit:

I. SERVICES TO BE PROVIDED BY CONTRACTOR

1. Contractor shall, during the term of this agreement and any renewals hereof, make a good faith effort to provide ambulance and emergency medical services (EMS) to the District on a round-the-clock basis. Said EMS shall include providing an emergency ambulance to be on call at all times. In addition to the foregoing, Contractor shall provide on request when needed Mutual Aid to other agencies responding to emergencies. Contractor shall staff vehicles in the manner required by the State of New York and its appropriate agencies.

Commented [PJT2]: I assume the Contractor will be expected to provide Mutual Aid services.

2. Contractor shall respond to direct calls or those referred by any emergency medical services agency and shall transport sick or injured persons found within the boundaries of the Poestenkill Ambulance District, or otherwise under Mutual Aid, needing emergency care to a hospital located in Rensselaer County or Albany County, unless requested by Medical Control to deliver him/her to another hospital. This provision shall not be construed to limit the Primary Operating Territory, as specified in the Ambulance Service Certificate, or otherwise limit operations pursuant to a mutual aid agreement, in response to a disaster management situation or pursuant to temporary approval by the New York State Department of Health.

Commented [PJT3]: I didn't know if we wanted to limit the locations of the hospitals or even if we wanted to designate particular hospitals. This is a Town Board determination.

3. Contractor agrees to provide training and continuing education of its membership, including such certification and recertification as may be required by law. Contractor further agrees to keep in force its Ambulance Service Certificate, and to maintain compliance with the applicable requirements of article 30 of the Public Health Law and the State Emergency Medical Service Code.

4. Contractor will provide all furniture and other miscellaneous items necessary to equip the facilities provided by the District described in paragraph 8 hereafter.

Commented [PJT4]: I was unsure as to whether or not we would be providing facilities for the Contractor's vehicles and equipment and, if so, where. See also paragraph 8.

5. Contractor agrees to procure and maintain at its own expense, during the whole period of this agreement, policies of Comprehensive General Liability, Automobile Liability, public liability and professional liability (malpractice) insurance, written by companies authorized to do business in the State of New York and naming the Town and the District as co-insured parties, and so arranged to protect the Contractor, the Town and the District against liability for negligent acts arising from acts which are encompassed by this agreement, in the amounts set forth on Schedule A attached hereto. The Contractor shall, as a condition of this agreement, furnish the Town Supervisor a certificate showing coverage as herein provided. In addition, Contractor shall indemnify and hold harmless the Town District, their successors and assigns for any and all damage, liabilities or claims of any nature, absolute or contingent, together with expenses and legal fees which may be incurred by the Town or the District to compromise or otherwise resolve any liability arising out of or resulting from activities which are encompassed by this agreement.

Commented [PJT5]: We should probably see what other municipalities are requiring or what NYMIR recommends.

6. The Town hereby authorizes Contractor, pursuant to State Comptroller Opinion 91-20 and the authority contained in General Municipal Law section 122-b-2, to impose the fees or charges set forth on Schedule B, or as the same may be hereafter amended from time to time by the Town upon recommendation of Contractor. Such fees or charges may be billed directly to the user's insurance carrier, in such instances that the user's insurance contract so provides for such direct payment so long as a copy of said bill is also sent to the user. Contractor shall keep proper records and accounts of all monies so received. Nothing herein shall be construed to prevent Contractor from soliciting and accepting donations and from conducting fund-raising activities to assist in defraying its operating and capital expense.

Commented [PJT6]: I also didn't know whether the Board intended to allow direct billings to individuals and/or their insurers.

7. Contractor further agrees that it shall:

- a. File at least annually with the office of the Town Clerk a list of current membership, its directors, officers and employees hired to carry out the mission of Contractor.
- b. File a copy of the Audited Annual Financial Statement with the Town Clerk.

c. File with the Town Clerk on a quarterly basis, i.e., through March 31, June 30, September 30 and December 31 a detailed report of its ambulance calls.

8. In addition to the foregoing and in accordance with paragraph 2.4 of the RFP, all terms and specifications of the RFP, including especially but not exclusively those set forth in SECTION 3 thereof entitled CONTRACT SPECIFICATIONS, shall be incorporated in and made a part of this agreement.

II. THE TOWN SHALL PROVIDE THE FOLLOWING SERVICES, FACILITIES AND EQUIPMENT:

9. The Town agrees to provide and to maintain, either directly or in cooperation with others, the central facility, together with satellites (the "Facilities") as well as the vehicles to be operated therefrom consisting of:

Commented [PJT7]: See my comment for paragraph 4.

a. A facility currently located at the Poestenkill Firehouse on Main Avenue in the Town of Poestenkill.

b. The vehicles, if any, that are currently provided to Contractor by the Town as described in *Schedule C* attached hereto, as well as the equipment presently installed on said vehicles, together with replacement parts for said vehicles and equipment. The Town also agrees to use its best efforts to provide replacement of any such vehicles and equipment at the times listed on *Schedule C* with specifications subject to recommendation by Contractor's Board of Directors.

Commented [PJT8]: See previous comment.

It is understood by the parties that the Facilities set forth above shall be suitable for the purposes of housing said vehicles. The Facilities and garages shall be temperature-controlled for heat or cooling when required by weather or the season. Each Facility shall have suitable sleeping quarters, kitchen equipment, toilets, shower and laundry equipment.

10. The Town further agrees to provide, either directly or through its agent or other contractor:

- a. The insurance coverages as set forth in *Schedule D* attached hereto.
- b. Telephone and communication service to each Facility.
- c. Fuel, oil, repairs and preventative maintenance required for normal operation of the vehicles provided to Contractor.
- d. Maintenance of the facilities indoors and outdoors.
- e. Payment for all utilities including gas, electric, sewer, water and telephone at all Facilities.

Commented [PJT9]: See my comment to paragraph 5.

III. GENERAL PROVISIONS

11. In consideration of the services to be performed hereunder by Contractor, and in addition to the individual person billings to those receiving services as authorized by paragraph 6 hereof, the Poestenkill Ambulance District shall pay to Contractor the annual sum of _____, to be paid in six (6) equal biennial installments of _____, to be paid on the 1st day of January, March, May, July, September and November.

Commented [PJT10]: Because of the 60-day termination clause I have set forth in the following paragraph, I felt that payments every two months would minimize, if not negate, any payments we might need to recover in the event of such termination.

12. The term of this agreement shall commence January 1, 2018 and expire at midnight December 31, 2018. This agreement shall be automatically renewed for additional terms of one (1) year, unless either party shall notify the other, no later than sixty (60) days prior to the end of the term, of its election not to renew. Should this agreement be so terminated, Contractor shall be permitted to remove any furnishings, materials or equipment which had not been previously furnished by the Town. All other equipment and supplies shall be immediately inventoried and surrendered to a representative of the Town as designated by the Town Board of the Town.

Commented [PJT11]: This presumes the original contract term is one year; we might want to make this 2 or even 3 years.

13. It is hereby mutually covenanted and agreed that the relation of Contractor to the Town under this agreement shall be that of an independent contractor.

14. In accordance with the provisions of section 109 of the General Municipal Law, Contractor is hereby prohibited from assigning, transferring, conveying, subletting or otherwise disposing of this agreement, or of its right, title or interest in this agreement, or its power to execute this agreement, to any other person or corporation without the previous consent in writing of the Town.

15. The Town Supervisor has executed this agreement pursuant to a Resolution adopted by the Town Board of the Town of Poestenkill, at a meeting thereof held on _____, and Dominic J. Jacangelo, the Town Supervisor whose signature appears thereafter, is both duly authorized and empowered to execute this instrument and enter into such an agreement on behalf of the Town. This instrument shall be executed in at least duplicate and at least one copy thereof shall be permanently filed, after execution thereof, in the Office of the Town Clerk.

16. Any and all notices and payments required hereunder shall be addressed as follows, or to such other address as may hereafter be designated in writing by either party hereto:

To Town of Poestenkill:

Town Clerk
Poestenkill Town Hall
38 Davis Drive
P.O. Box 210
Poestenkill, New York 12140

To Contractor:

17. No waiver of any breach of any condition of the agreement shall be binding unless the same shall be in writing and signed by the party waiving said breach. No such waiver shall in

any way affect any other term or condition of this agreement or constitute a cause or excuse for a repetition of such or any other breach unless the waiver shall include the same.

18. This agreement constitutes the complete understanding of the parties. No modification of any provisions thereof shall be valid unless in writing and signed by both parties.

IN WITNESS WHEREOF, the Town of Poestenkill has caused its corporate seal to be affixed hereto and these presents to be signed by Dominic J. Jacangelo, its Supervisor, duly authorized so to do, and to be attested to by Susan Horton, Town Clerk, and the said [name of Contractor] has caused its corporate seal to be affixed hereto and these presents to be signed by its President, the day and year first above written.

TOWN OF POESTENKILL

(Seal of the Town of Poestenkill)

By: *Dominic J. Jacangelo*
Poestenkill Town Supervisor

Attested By:

Susan Horton
Poestenkill Town Clerk

CONTRACTOR
(Seal of Contractor)

By: *[Name of President]*
President

STATE OF NEW YORK :
COUNTY OF RENSSELAER : ss.:

On this ____ day of _____, before me, the subscriber, personally appeared Dominic J. Jacangelo who, being by me duly sworn, deposes and says:

That he is the duly elected Supervisor of the Town of Poestenkill, the municipal subdivision of the State of New York named in and which executed the above and within Instrument; that he knows the seal of said Town and that the seal affixed to said Instrument is the seal of the Town; that it was so affixed by the order of the Town Board of the Town of Poestenkill, and that he signed his name thereto by like order;

And on the same day before me personally came and appeared Susan Horton, Clerk of the Town of Poestenkill, who, being by me duly sworn, deposes and says: That she is the Clerk of the Town of Poestenkill; that she knows the seal of said Town and that the seal affixed to said Instrument is the seal of the Town; that it was affixed by order of the Town Board of the Town of Poestenkill; that said Dominic J. Jacangelo is the Supervisor of said Town and that the signature on said Instrument is the signature of said Dominic J. Jacangelo, as Supervisor.

Notary Public

STATE OF NEW YORK
COUNTY OF RENSSELAER

:
: ss.:

On this ____ day of _____, before me, the undersigned, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

At a duly convened meeting of the Town Board of the Town of Poestenkill conducted at 7:00 P.M. on the 20th day of July, 2017, at the Poestenkill Town Hall.

RESOLUTION NO. _____ OF THE YEAR 2017

IN THE MATTER OF THE TOWN BOARD OF THE TOWN OF POESTENKILL ORDERING A PUBLIC HEARING ON THE PROPOSED ESTABLISHMENT OF AN AMBULANCE DISTRICT TO PROVIDE EMERGENCY MEDICAL AND AMBULANCE SERVICES TO THE TOWN OF POESTENKILL

WHEREAS, the Town Board of the Town of Poestenkill heretofore directed the Town Attorney, with input from the Town Board and its members, to prepare a Map, Plan and Report (MPR) for a proposed ambulance district in the Town; and

WHEREAS, the Map, Plan and Report was in fact prepared by the Town Attorney and filed by him in the Office of the Poestenkill Town Clerk; and

WHEREAS, the boundaries of the proposed district are as follows: the entire Town of Poestenkill with boundaries coincident with those of the Town; and

WHEREAS, the service to be provided is emergency medical and ambulance service; and

WHEREAS, the maximum amount proposed to be expended for the first year of operation of the ambulance district for a contract for such services is \$ _____; and

WHEREAS, as foresaid, a Map, Plan and Report (MPR) describing such proposed district and services is on file in the Office of the Town Clerk for public inspection;

NOW, THEREFORE, IT IS HEREBY

ORDERED that the Town Board shall meet at the Town Hall, 38 Davis Drive, Poestenkill, New York, on the _____ day of _____, 2017, at 7:00 P.M., for the purpose of conducting a public hearing on the proposal to establish said ambulance district for the services specified above, at which time and place all persons interested in the subject thereof may be heard concerning the same; and it is further

ORDERED that the Town Clerk is hereby authorized and directed to publish a copy of this order in The Record, the official Town newspaper and post a copy of the same on the signboard of the Town, in the time and manner required by law.

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 conducted at 7:00 P.M. on the _____ day of _____, 2017, at the Poestenkill Town Hall.

RESOLUTION NO. _____ OF THE YEAR 2017

IN THE MATTER OF THE TOWN BOARD OF THE TOWN OF POESTENKILL APPROVING THE ESTABLISHMENT OF AN AMBULANCE DISTRICT IN AND FOR THE TOWN OF POESTENKILL

WHEREAS, the Poestenkill Town Board has heretofore received and reviewed a Map, Plan and Report (MPR) for a proposed ambulance district in the town; and

WHEREAS, said Map, Plan and Report was filed in the Office of the Town Clerk; and

WHEREAS, the Town Board, on July 20, 2017 adopted an Order reciting a description of the boundaries of the proposed district, the maximum amount proposed expended for the first year of operation of the proposed ambulance district, the fact a Map, Plan and Report describing the same had been filed with the Town Clerk for public inspection, and that the Town Board would meet at the Poestenkill Town Hall, 38 Davis Drive, Poestenkill, New York on _____, 2017 at 7:00 P.M. for the purpose of conducting a public hearing on such proposal to establish the ambulance district for the services specified in the Map, Plan and Report, and to hear all persons interested in the subject thereof concerning the same; and

WHEREAS, copies of said order were duly published and posted according to law, and said Town Board at the time and place specified in said order, duly met and considered such proposal and heard all persons interested in the subject thereof, at the time and place specified, concerning the same; and

WHEREAS, the Town Board considered the evidence offered at such time

NOW THEREFORE BE IT

RESOLVED by the Town Board that it has determined as follows:

1. The notice of hearing was published and posted as required by law and is otherwise sufficient.
2. All of the property and property owners within the proposed Ambulance District are benefitted thereby.
3. All of the property and property owners benefitted are included within the proposed Ambulance District.

4. It is in the public interest to establish the proposed Ambulance District as hereinafter described;

and be it further,

RESOLVED, that the Town Board does hereby approve the establishment of an Ambulance District, with the following boundaries:

The entire Town of Poestenkill, with the boundaries of the Ambulance District coincident with the boundaries of the Town; and be it further

RESOLVED, that this resolution is subject to a permissive referendum in the manner provided in Town Law Article 7 and Town Law Section 209-e(3).

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 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 AUTHORIZING AND DIRECTING THE SUPERVISOR OF THE TOWN OF POESTENKILL TO ACCEPT GRANT FUNDS FROM THE NEW YORK STATE OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION

WHEREAS, the Town Board of the Town of Poestenkill has heretofore considered the purchase of that property considered to be a natural resource of the Town and commonly known and designated as Barbersville Falls; and

WHEREAS, in furtherance of possible acquisition of such property the Town Board has authorized the Town Supervisor to make application for available grant moneys from the New York State Office of Parks, Recreation and Historic Preservation;

NOW LET IT THEREFORE BE

RESOLVED, that, subject to approval of the subject premises by the Town Board, Dominic J. Jacangelo, as Supervisor of the Town of Poestenkill, is hereby authorized and directed to accept funds from the New York State Office of Parks, Recreation and Historic Preservation in accordance with the provisions of Title 9 of the Environmental Protection Act of 1993, in an amount not to exceed \$75,000.00, and enter into and execute a project agreement with the State for such financial assistance to this Town for the acquisition of the Barbersville Falls and surrounding premises and, if appropriate, a conservation easement or preservation covenant or public access covenant to the deed of the assisted property; and it is further

RESOLVED, that a certified copy of this Resolution be transmitted to the New York State Office of Parks, Recreation and Historic Preservation.

MOVED BY: _____

SECONDED BY: _____

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

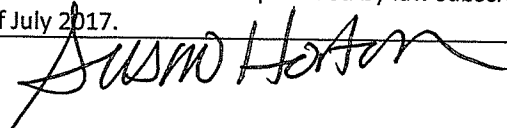
VOTED UPON AS FOLLOWS:

Councilwoman June Butler:	YES
Councilman David Hass:	NO
Councilman Harold Van Slyke:	YES
Councilman Eric Wohlleber:	YES
Supervisor Dominic Jacangelo:	YES

TOWN CLERK'S MONTHLY REPORT
Town of Poestenkill, New York
June 2017

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:	\$ 13.96
	\$ 22.50
Marriage License 3 @ \$ 7.50 each	
Marriage Certificate 3 @ \$10.00 each	\$ 30.00
Marriage Transcript @ \$10.00 each	\$
A1255 Total Town Clerk Fees	\$ 66.46
Peddler's Permit	\$
A1289 Registrar	\$ 70.00
A2655 Minor Sales - Copies (certified copy) – Reimbursement from Key Bank	\$ 189.00
A2530 Games of Chance (Bell Jar)	\$
A2544 Local Fee for 17 dogs	\$ 180.00
A2115 Planning Board Fees/ZBA fees	\$
A2555 Building Permits	\$1,824.12
A2501 Junkyard License	
A2268 Impoundment fees from Creekside Kennel	\$
A2720 Water Meter Fee - 1001 Water Benefit Charge - \$351.81	
A2240 Misc. Water Charges -	\$
A2710 Water Permit Fee	\$
1001 Water billing \$9,954.47	
Total Water Charges	\$10,306.28
REVENUE TO SUPERVISOR	\$12,635.86
Amount paid to State Comptroller for Games Chance License	
Amount paid to DEC for Conservation Licenses	\$ 239.04
Amount paid to AG. And Markets for fee for unsprayed/unneutered Dog program	\$ 50.00
Amount paid to State Health Dept. for Marriage Licenses	\$ 67.50
TOTAL DISBURSED	\$ 356.54
July 5, 2017 Dominic Jacangelo, Supervisor	
TOTAL AMOUNT RECEIVED BY CLERK	\$12,992.40
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 5th day of July 2017.	





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 2017

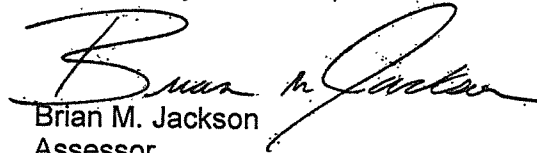
The 2017 final assessment roll will be filed on July 1, 2017. The final legal notice is also filed on July 1st as well as having the roll listed on the Town's website as mandated by New York State. All the changes/corrections from the Board of Assessment Review have been added to that roll and that becomes the roll the taxes are created from starting with the September school bill.

Sales continue to be received from the county as well as any updates in splits/merges. New folders are made for those splits so that they can be valued for next year. These splits/merges are done after March 1st so they do not appear on the final assessment roll.

This office continues to receive from the building department all new construction information that has been completed. This is now processed and set aside for value for 2018 since it is after March 1st and after the final roll is complete.

Constituent relations are considered good during this report period.

Respectfully submitted,



Brian M. Jackson
Assessor
Town of Poestenkill

cc: Town Board
Susan Horton, Town Clerk

Water Report for June 2017

The Lead and copper Rule program has been completed a spreadsheet was put together with the following data "meter account number, year building built, address of property, type of building and the type of pipes from curb stop to house and what type of pipes in building" Then a letter was sent to the Tier 1 Homes (1982-1988) only 3 home allowed the test. Then we sent letters to 14 Tier 3 homes. We finally got 10 homes to do the lead copper test. The people that where tested did not follow a simple request (take water test first thing in morning and put bottle in plastic bag and return to the outside door) at 10:00 I drove around to the ten homes and found only five bottles so I drove to Bender Labs with them three days later I drove around again and found 3 so I did the Post Office and the Town Hall and then took them to Bender

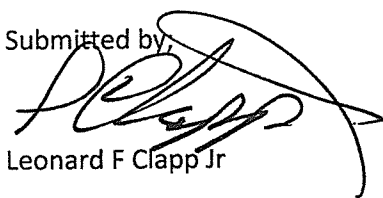
Had three water installations (two if these were from last year that wasn't completed.

The contractor that Mark P hired has left the Lochvue property. We still have 3 service lines (from the water line to curb stop which needs to be corrected and one Fire hydrant that needs to be corrected. Also no progress on the electric line on the water line (SEPT 2017) And at the corner of McKinley way and Lochvue Drive two valve boxes where damage last winter from snow plowing needs to be repaired.

811

Twenty Mark out for last month

Submitted by,

A handwritten signature in black ink, appearing to read 'L. Clapp', written over the printed name 'Leonard F Clapp Jr'.

Leonard F Clapp Jr



TOWN OF POESTENKILL

38 Davis Drive, P.O. 210

Poestenkill, NY 12140

July 13, 2017

To: Dominic Jacangelo

From: Paul Barringer – Code Enforcement Officer/MS 4 Official

Re: June 2017 work activities

My work hours for the month totaled 47 3/4 hours. MS4 compliance hours were attributed to routine inspections performed at Lochvue subdivision projects. Fees collected through this office totaled \$1779.10.

Activities included:

- Fielded a number of complaints concerning non-conforming property issues with various degrees of resolution. One complainant repeatedly files a complaint about the neighbor. ZBA met to hear the complaint and it required my attendance at the meeting.
- Reviewing existing files on ongoing building permits with the long term intent of closing out files. Conducted field inspections if necessary to close out the permit(s).
- 14 Building permits were issued. Permits included 1 new house, 1 new roof, 2 new sidings, 1 new garage, 3 additions to existing residences, 1 above ground pool, 1 roof mounted PV solar array, and 4 alterations permits for residences.
- Performed 2 inspections for foundations in new homes under construction
- One BP was renewed
- Update: Performed one Certificate of Occupancy inspection for a single family residence constructed in 2014. C.O. issued.
- Mail requests by title companies seeking information was responded to with the appropriate information (3)
- Met with 3 residents to review plans and code requirements for additions and or garages to be constructed

Submitted by

Paul F. Barringer

Town of Poestenkill

Dog Control

June 2017

12th Lost dog

13th Stray dog found. Owner picked dog up

18th Stray dog found. Later found

20th Resident has dead deer in front of house

27th State Police need help on horse case



Town of Poestenkill
Office of the Highway Superintendent
P.O. Box 210
Poestenkill, NY 12140
(518) 283-4144

To: Town supervisor- Dominic Jacangelo
Town Board Members Butler, Wohlleber, Hass, Van Slyke

From: Highway Superintendent- Toby Chadwick

Date: July 18, 2017

RE: Highway Activities
June 14, 2017-July 13,2017

1. Crew been out picking up brush and bags of leaves
2. Crew been helping Sand Lake Paving
3. Crew been out patching roads
4. Crew been out cutting side of roads
5. Crew been out replacing culverts in driveways

RECEIVED

JUN 20 2017

TOWN CLERK

Comments of Evan Eisenhandler

Poestenkill Town Board July 20, 2017

First, I was a bit disappointed by the way the Public Information meeting was conducted last week.

- There was less information than there was opinion and conjecture. The Fire Company, although it told its membership at the July 10 meeting that "we are not going to pick one option or the other because we have to work with whichever Agency gets the bid". Then went on to promote the MAS option by speaking glowingly about MAS using "system status" through their spokesperson. That was followed by five minutes extolling the benefits of system status. Thankfully Fire Company President Windover reminded the membership that we were free to speak our mind on the topic. Just as I am doing.
- The "Moderator", our Town Supervisor laid some ground rules but was more than willing to let anyone speak almost whenever they wanted to without stopping them and reminding anyone about his guidelines. That is what prompted me to stand and try to make a point. Which I was not allowed to do.

I found the Presentation by Board Member Hass interesting to say the least. But I will say that in spite of my disbelief of some of his "facts", I fully agree with him on the point about early CPR and Early Defibrillation. It can save lives. Period. But not all Cardiac Arrests are treatable with a Defib. There are only two specific types of heart attack that the modern AED will shock. So a Responder with a DeFib might not even be allowed to administer a shock, or shocks. Then it is all CPR. At

5. YES... Our main objective IS improving patient outcomes. That was the Poestenkill Ambulance Committees' goal from Day One. Which was clearly reflected in our report to this Board.

RECEIVED

JUN 20 2017

Section 1.

TOWN CLERK

Point 1. Please call the Poestenkill Responders by the correct name: The Poestenkill Fire Company BLSFR. And you keep showing low regard for the value of those that provide Ambulance Services by referring to the Emergency Transport as a "ride". That "ride" as you call it is an extension of the Hospital Emergency Room. They are performing their assigned tasks with very clear DOH Policy, REMO Policies, and Medical Control.

Point 2. You went through the call sheets of the first six months of 2017 for Poestenkill and North Greenbush. As a Government Official, you may well have been able to review CAD Reports for the Town of Poestenkill, but you do not have any right to that same access to the CAD Reports from another Town. That may well be a HIPPA violation, which is Federal Law.

Point 3. states "Our Emergency Medical Service is outstanding and should not be destroyed". I agree. Which is why I was willing to sit on the Poestenkill Ambulance Advisory Committee. We set out to devise a solution to a problem that does exist, came up with solutions, and you rejected eighteen months of work by that same committee.

Point 4. While I appreciate the explanation of population density, and the general differences in terrain between the two Towns (Us and No. Greenbush) I truly fail to see where that plays into what level of service our Town Residents deserve.

RECEIVED

JUL 20 2017
TOWN CLERK

Point 5. The Poestenkill Fire Company BLSFR does work well. The factors working against them does not deter them, but it is not BLSFR we are addressing here, it is timely and appropriate Ambulance Service.

Point 6. Certainly raises a question. Yes, the Poestenkill Fire Company has certainly been strengthening their service. But to be clear, they do not offer many of the Advanced treatments that most BLS Ambulances, and all ALS Ambulances in this county offer. I know that the spokesperson for the Fire Company spoke of future plans, but this service has been in operation for about three years and they still do not offer Epi Pen, Naxolene (or Narcon) Blood Glucose testing, and Albuterol, to name a few of the most critical ones.

And to your last point in this section, the CAD Reports for 2017 are now showing a 17.43 minute average response time for MAS, on average.

On the page with the charts, you make a point of comparing the costs of an agreement with NGAA as being the "over two thirds the cost of our entire Fire Company". Do you do the same cost comparisons for every purchase? This is merely trying to clutter the discussion. It is no more connected to this issue that the half of a million dollars you spent last month. Totally unrelated. One could think by these useless comparisons you are merely trying to pit one service against another. No wonder the Fire Company is worried about your cutting their budget.

The charts on the same page are inaccurate and do not reflect billings in the Town of No. Greenbush, or for that matter, possible billing revenue in our town. We simply would not be paying almost as much as the residents of No. Greenbush pay, all factors considered. Further down the same page, you state that NGAA has one Full time ALS

(Paramedic) Ambulance 24/7 and one BLS (EMT) Ambulance. That is incorrect. They have one fully staffed ALS Ambulance and one additional Paramedic 12 hours a day.

RECEIVED

MAR 20 2017

TOWN CLERK

On the next page, where you do comparison charts showing the SLA and the NGAA, you misstated the cost to the Town of Sand Lake by over \$250,00. You top your chart for SLA at \$500,000. You may be thinking about total cost (Town Allotment plus billing revenue) but your next chart showing NGAA shows only Town Allotment. Was that done on purpose?

On the next page, where you start off by saying: "Why we should reject both proposals", you again try to connect the Fire Company Budget to this separate, but also important issue. Please stop pitting good public safety groups against each other. You also mention Mutual Aid. I might point out that the last time you got personally involved, it became a very public battle that resulted in your receiving a "cease and desist" letter from SLA. I doubt that anyone doesn't know why SLA is not too interested in getting involved with our town.

I am sure I have exhausted my time but I will leave this Board with several thoughts. To agree with Mr. Hass, we should do everything possible to provide a safe community. Training every resident in CPR can help, but where we disagree is in what follows.

My credentials are as follow:

A Firefighter for over fifty years.

An EMT for over forty years.

A Deputy Fire Coordinator for over twenty years.

RECEIVED

JUN 20 2017

TOWN CLERK

A Deputy EMS Coordinator for over fifteen years.

The Rensselaer County EMS Coordinator for over twelve years.

I have served two Fire Companies and four Ambulance Squads, including three years as an Operations Manager for one squad.

I am truly you have such a dim view about Ambulance Service as it pertains to Patient Outcome. But rest assured, I do not share even one part of your opinion in that matter.

My final point: Without some kind of contract to ensure Ambulance Service in our town, those great First Responders will, from time to time be stuck with dying patients.