

TOWN BOARD MINUTES  
TOWN OF POESTENKILL  
TOWN BOARD MEETING  
July 20, 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 Van Slyke carried that the monthly bills had been audited for payment.

Supervisor Jacangelo opened the meeting with the Pledge of Allegiance and the first item on the agenda was the Public Hearing for 7:00 pm.

Public Hearing: "Town of Poestenkill New York State Tax Cap Override Law for the Fiscal Year 2018" – The Town Clerk had the Affidavit of Publication available for review. Supervisor Jacangelo opened the floor for any comments on the proposed local law. E. Eisenhandler spoke at length and stated he was disappointed at the way the Public Informational meeting was conducted. He stated that some of the facts that were given were not exactly facts. He does not feel that the Town Board should make the decision on either one of these proposals, it should be brought to the people for a vote. He feels the emergency medical service that the Fire Department supplies is outstanding. However, "BLS" can only take you so far and "ALS" is definitely needed. He feels an ambulance service is definitely needed in our Town. His complete comments are attached to the minutes. L. Basle questioned if this tax cap proposed local law is strictly needed for creating an ambulance district. Supervisor Jacangelo stated that this proposed tax cap override is needed for the proposed ambulance district. Otherwise, we would not be discussing this issue. The North Greenbush Fire Chief stated regardless of which service is picked the Town of Poestenkill needs an Ambulance Service. Town resident, P. St. Germain was disgusted with the Mohawk Ambulance Service that he experienced. Former Councilwoman, G. Bentley personally feels the ambulance service that we are using at this time is sufficient. L. Basle stated that either one of the proposals will not change the service and he is against the proposed tax cap law. Public hearing closed at 7:45 pm after everyone was given the opportunity to speak.

Public Comment Period – P. St. Germain stated that the PBA donated money for a defibrillator for the Fire Department and he feels an item like this should be purchased by the Town and not depend on outside sources. Supervisor Jacangelo stated that the Town Board has never been approached to supply a defibrillator and one will be purchased and things beyond that. T. Jacangelo feels that more investigative work should be done on creating the Ambulance District and to look into other options. Councilman Hass stated that he has found a hand rail needed at the entryway of Town Hall and Supervisor Jacangelo stated prior to purchase to check with the Code Enforcement Officer to see if it meets code. Supervisor Jacangelo asked NG Chief French whether they supply mutual aid to the Town of Brunswick and the answer was they do. Councilman Van Slyke reported that North Greenbush can be at our local schools in 6 minutes.

Motion by Van Slyke, seconded by Butler and an oral vote of 5 ayes to accept the Town Clerk's minutes of June 15, 2017 as written. Motion by Butler, seconded by Van Slyke and an oral vote of 5 ayes to accept the minutes of the July 12, 2017 Informational Meeting.

#### Liaison Reports:

Planning Board – Planning Board meeting of July 5<sup>th</sup> was cancelled due to the lack of agenda items. Supervisor Jacangelo has asked Mr. Tomaselli to look into the resolution that was adopted by the Planning Board on June 7, 2011 in which a fee of \$750 would be paid by the sub dividers of land in lieu of greenspace. Supervisor Jacangelo fees this fee is not adequate.

Zoning Board – Town Board members had copies of the July 11<sup>th</sup> ZBA meeting in their packets.

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

Library – M. Wait reported on the activities at the Library which included the upcoming September 23<sup>rd</sup> Market Day. Supervisor Jacangelo thanked Mr. Chadwick, Councilman Hass as well as the Highway Department for removing the tree limbs hanging over the Library and clearing the moss from the Library roof.

Youth Advisory Board- K. Anthony, Youth Director updated the Board on the activities that were happening with the Summer Camp.

#### CAC- No Meeting

#### Correspondence:

Charter Communications-Memo dated June 30, 2017 to the Town reporting on upcoming changes to their cable channels.

Department of Public Services-Memo dated June 30, 2017 regarding National Grid proposed rate increases.

Sullivan Jones Post 7466-Thanking the Town and the Highway Department for the assistance in erecting the Soldiers Banners with a special note thanking our Highway Superintendent for undertaking the project so willingly.

Thank You Note-Thanking our Highway Superintendent and his crew for the excellent job they did hanging the Veterans Banners.

#### Discussion Items:

Court Audit-The Town Bookkeeper completed the court audit of 2016 and Town Board Members had copies of the audit in their packets.

Barberville Falls Local Code redraft- Supervisor Jacangelo polled the Board members to see if they were ready to move forward with the proposed local law. Motion by Hass, seconded by Butler and carried to direct the Town Attorney to put draft #3 entitled "Regulating Access To and Use Of The Barberville Falls Natural Resource Area Within The Town Of Poestenkill" in final form and to prepare the legal notice for the public hearing to be held on August 17<sup>th</sup> at 7:00 pm.

Tax cap Legislation-Vote to follow.

Ambulance Service public informational meeting held on July 12, 2017 – Supervisor Jacangelo stated that everyone had an opportunity to speak with a lot of opinions voiced, pro/con.

Action Items:

Adopt State Tax Cap Override Law for the Fiscal Year 2018-Motion by Hass seconded by Wohlleber to adopt Local Law #4-2017-Discussion followed among Town Board members. Councilman Hass feels that the town is taxed enough and he is against the law and does not want the ambulance district on the November ballot. Mr. Tomaselli then went into all of the legal issues that are needed to be dealt with in creating an ambulance district and the lengthy process. Supervisor Jacangelo feels that as the meeting goes forward, things will play out as to where his thoughts are on the subject.

IN THE MATTER OF ADOPTING LOCAL LAW #4-2017-OVERRIDING THE NYS TAX CAP AS ESTABLISHED IN GENERAL MUNICIPAL LAW SECTION 3-C

MOVED BY: Councilman Hass

SECONDED BY: Councilman Wohlleber

VOTED UPON AS FOLLOWS:

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

Highway Equipment Bond -RESOLUTION #10-2017 – A RESOLUTION AUTHORIZING THE PURCHASE OF A PAYLOADER AND (2) TANDEM DUMP TRUCKS FOR USE BY THE POESTENKILL TOWN HIGHWAY DEPARTMENT IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$425,000 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.

MOVED BY: Councilwoman Butler

SECONDED BY: Councilman Hass

VOTED UPON AS FOLLOWS:

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

Presentation – Councilman Hass stated at the present time we have excellent service provided by Mohawk Ambulance and our own First Responders. He feels neither one of the RFP's that were presented should be chosen and the Town Board should move forward with their decision. The numbers for each proposal are unacceptable. He feels the public when given all the facts, will reject both of these proposals. Other options can be looked at in the future. Councilwoman Butler stated that when Councilmembers Van Slyke and Wohlleber first brought up the ambulance issue with the Town Board, it was thought that Sand Lake would come aboard and Mutual aid would be achieved and there would be a benefit to the Town; this did not happen. What is left is less than expected. Councilwoman Butler stated she has listened to opinions for and against this ambulance district and it is her responsibility as a Town Board member to control expenditures.

And she feels neither ambulance proposals will provide a path to that goal. She feels that the Town should all work together to provide a solution to benefit the Town as a whole. Councilman Van Slyke feels that the ambulance service is worth the investment as to take care of the residents and they should be the ones allowed to make this decision. Councilman Wohlleber stated that when he and Councilman Van Slyke first ran for office several years ago that 9 out of 10 households stated that the Town needed an ambulance service. Councilman Wohlleber feels a dedicated service is needed and that it should go forward to the voters because they are paying the bills. Supervisor Jacangelo stated that when the two proposals were made that he had some thoughts and hope that other towns would come forward and participate; that didn't happen. He doesn't see a cost benefit with either proposal and no mutual aid is included in either proposal. He is not given up on the issue and maybe some things can be done with Mohawk that would be reasonable. All possibilities have not been explored and if these proposals do not move forward this is not the end of this issue. He voted for the tax cap override because he knows something has to be done regarding the ambulance issue. He does not feel a need for the ambulance district and thanks the committee for their hard work. He further stated the Town has a very low tax base and hopefully in the future that will change.

Motion by Councilmember Hass, seconded by Butler to reject both the Mohawk and the North Greenbush Ambulance Service Proposals.

VOTED UPON AS FOLLOWS:

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

Motion by Hass, seconded by Butler to table all relevant resolutions pertaining to the ambulance district.

VOTED UPON AS FOLLOWS:

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

The tabled resolutions are listed below.

Proposed Map, Plan and Report- NOTICE THAT ADOPTION OF RESOLUTION FOR ESTABLISHMENT OF AMBULANCE DISTRICT, PETITION FOR PERMISSIVE REFERENDUM, SEQRA, AND SERVICE AGREEMENT FOR REVIEW This resolution was tabled.

Scheduling a Public Hearing on the proposed Establishment of an Ambulance District to provide emergency medical and Ambulance Services to the Town- IN THE MATTER OF THE TOWN BOARD OF TOWN OF POSTENKILL APPROVING THE ESTABLISHMENT OF AN AMBULANCE DISTRICT IN AND FOR THE TOWN OF POESTENKILL. This resolution was tabled.

Authorization ordering a Public Hearing on the Proposed Establishment of an Ambulance District in the Town- 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. This resolution was tabled.

Reports:

Supervisor's Report- Supervisor Jacangelo reported that he is recommending the replacement of a concrete slab outside Town Hall, sending thank you letters for the two RFP's, and he feels the Lochvue issue will be rectified next week.

Town Attorney's Report – Mr. Tomaselli reported on the matters that he worked on since the last Town Board meeting which included working on the redrafts of the proposed local law pertaining the Barberville Falls, extensive legal research on the ambulance district, attendance at a ZBA public hearing. The full report is on file in the Town Clerk's office.

Town Clerk's Report – Motion by Butler, seconded by Hass and an oral vote of 5 ayes to accept the Town Clerk's report of June 2017. The total amount received in the Clerk's office was \$12,992.40 and of that amount \$12,635.86 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, Highway Dept. report and Account report. M. Asquith reported on the town's sales tax revenue and the status of the town's revenue for the year.

Payment of Bills:

Motion by Hass, seconded by Butler and an oral vote of 5 ayes to pay Warrant #12 -2017 in the amount of \$11,227.43. Motion by Hass, seconded by Butler and an oral vote of 5 ayes to pay Warrant #13-2017 in the amount of \$69,500.40.

Motion by Supervisor Jacangelo, seconded by Butler and carried to enter into Executive Session at 9:30 pm for a Personnel issue with a possible vote to take place. Motion by Van Slyke, seconded by Hass to exit Executive Session at 9:50 pm with no votes taken and the meeting was immediately adjourned.

Respectfully submitted,

  
Susan Horton, Town Clerk