

TOWN BOARD MINUTES  
TOWN OF POESTENKILL  
TOWN BOARD MEETING

August 17, 2017

(Not approved at time of distribution)

ROLL CALL AS FOLLOWS

Councilwoman Butler	Present
Councilman Hass	Present
Councilman Van Slyke	Present
Councilman Wohlleber	Absent (Vacation)
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 which opened at 7:00 pm on the proposed Local Law #4-2017 entitled "Regulating Access to And Use of The Barberville Natural Resource Area Within the Town of Poestenkill. The Town Clerk had the Affidavit of Publication available for review. This law will govern activities at the Falls area and will allow recreational activities and prohibited activities will be prosecuted as civil trespassing. There were approximately 25 people in attendance with for/against comments being stated. J. Enck, Big Toad resident feels that more clarity is needed in the current proposed law. M. Dunlea also supports the proposed Law. M. Hopple supports Local Law #4 and she thanked the Town Board for considering this undertaking and she feels that this area is a town treasure. T. Hohman and family have owned half of the falls since 1952 and he questions the very first sentence of proposed local law #4 specifically where it states, "surrounding area" because of the fact that Hohman's own half of the water's creek bed. These are just some of the comments that were heard and the full scope of the comments is on audio tape which is available in the Town Clerk's office. There were also written questions that had been submitted previously that were answered during the Public Hearing. It was concluded that the Town Board will capture all of tonight's comments and that there is no set time table for the contract with the Nature Conservancy. Councilwoman Butler feels that anyone that has any concerns should call the Nature Conservancy and voice their opinion. Supervisor Jacangelo stated that the Public Hearing will remain open and continue at the September Town Board meeting.

Public Comment Period – E. Eisenhandler, town resident spoke on the Ambulance Plan. He stated that he has never seen a person make a commitment and then change their mind as what happened in this matter. He feels that this issue should go to the public for a vote and not be decided by the Town Board. This too is on audio tape.

Motion by Van Slyke, seconded by Hass and an oral vote of 4 ayes to accept the Town Clerk's minutes of July 20, 2017 with corrections as stated. The Local Law was #3-2017 instead of Local Law #4-2017 as stated and R. French is not the Fire Chief of North Greenbush but is the Ambulance Chief.

Liaison Reports:

Planning Board – Due to lack of agenda items, the Planning Board meeting for August 1<sup>st</sup> was cancelled.

Zoning Board – P. Jamison, Chairman reported on the Zoning Board meeting of August 15<sup>th</sup>.

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

Library – M. Hopple reported on the activities at the Library which included the upcoming Market Day.

Youth Advisory Board-Supervisor Jacangelo reported on the Summer Camp and the huge participation this year.

CAC- They met this month and the Barberville Falls was discussed.

Correspondence:

Charter Communications-Memo from July 21<sup>st</sup> regarding upcoming changes.

NYS Dept. of Environmental Conservation – Memo pertaining to acquiring from willing seller(s) certain lands in Poestenkill under the 2016 Open Space Land.

Action Items:

RESOLUTION #12-2017-IN THE MATTER OF THE ADOPTION OF LOCAL LAW NO. 3 OF THE YEAR 2017 OF THE TOWN OF POESTENKILL ENTITLED “NEW YORK STATE TAX CAP OVERRIDE LAW FOR THE FISCAL YEAR 2018” resolved, that the Town Board, for the purpose and intent set forth in Section 2 of said proposed legislation, hereby adopts said proposed Local Law No. 3 of the Year of 2017 of the Town of Poestenkill and directs that same be duly filed by the Town Clerk with the Department of State of the State of NY

MOVED BY: Councilman Hass

SECONDED BY: Councilman Wohlleber

VOTED UPON AS FOLLOWS:

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

RESOLUTION #13-2017-IN THE MATTER OF THE TOWN BOARD OF THE TOWN OF POESTENKILL AMENDING THE 2017 BUDGET TO REFLECT THE PURCHASE OF A PAYLOADER AND TWO DUMP TRUCKS FOR \$415,000 AND THE FINANCING OF SAID EXPENDITURE BY ISSUANCE OF A BOND ANTICIPATION NOTE resolved, that the Town Bookkeeper account in Quick Books for the B.A. N. in the DA Highway Fund by setting up liability account 626- BANs Payable, record BAN fund receipts by debiting cash and crediting 626- BANS Payable; and updating the 2017 Budget for line DA-5130.2 and purchasing the equipment from that line.

MOVED BY: Supervisor Jacangelo  
 SECONDED BY: Councilwoman Butler

VOTED UPON AS FOLLOWS:

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

RESOLUTION #14-2017-THE TOWN BOARD RECOGNIZES THE SERVICES OF TIMOTHY SLUUS ON HIS RETIREMENT FROM THE TOWN HIGHWAY DEPARTMENT, resolved, as a memento of the Town's appreciation of the many years of public service by Tim Sluus a certified copy of this resolution be delivered to him.

MOVED BY Councilwoman Butler  
 SECONDED BY: Councilman Van Slyke

VOTED UPON AS FOLLOWS:

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

RESOLUTION #15-2017-IN THE MATTER OF THE TOWN BOARD OF THE TOWN OF POESTENKILL ACKNOWLEDGING THE CONDUCT AND COMPLETION OF AN AUDIT OF THE TOWN JUSTICE COURT FINANCIAL RECORDS FOR THE CALENDAR YEAR OF 2016 AND AUTHORIZING THE TRANSMITTAL THEREOF TO THE NEW YORK STATE OFFICE OF COURT ADMINISTRATION (OCA) resolved that a copy of said report for year 2016 be submitted to the NYS Office of Court Administration for review by OCA's office of Internal Affairs for recurring findings and other matters that might identify problems requiring further audit or remedial actions, with the results of such review to be integrated into the applicable risk assessment process.

MOVED BY: Councilwoman Butler  
 SECONDED BY: Councilman Hass

VOTED UPON AS FOLLOWS:

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

RESOLUTION #16-2017-IN THE MATTER OF THE TOWN BOARD OF THE TOWN OF POESTENKILL AMENDING THE 2017 BUDGET TO REFLECT THE 2016 ASSIGNED UNAPPROPRIATED FUND BALANCE OF \$30,000 TO BE USED IN 2017 FOR AN ELEVATOR LIFT FOR THE TOWN HALL resolved that 2017 Budget line liftA-1620.4 (Buildings-Contractual Expenses) be increased by the additional sum of \$30,000; there by increasing 2017 appropriations by said amount.

MOVED BY: Councilman Hass  
 SECONDED BY: Councilwoman Butler

VOTED UPON AS FOLLOWS:

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

Reports:

Supervisor's Report- Supervisor Jacangelo reported that he once again will be meeting with National Grid about the extension of the gas line. Supervisor Jacangelo wanted to elaborate on his feelings about this ambulance issue. He stated once again that he was optimistic that other towns would participate but that didn't happen and he didn't want to burden the tax payers with this. He has not given up on this issue and he thinks there is still hope with discussions with North Greenbush. Councilman Hass stated that the proposals were not cost effective and that is why the Board did not accept either proposal. Councilman Van Slyke reported that the Tax Cap Override Resolution passed at the last meeting but both ambulance resolutions failed. He could not understand why this happened. Supervisor Jacangelo stated that he has not given up on this issue and the Tax Cap Override Resolution is still in effect for the upcoming year. Supervisor Jacangelo also stated that he attended a ribbon cutting ceremony regarding a solar energy system. He reported that he read National Grid the riot act about their wires not being moved at the Lochvue Site and was told by National Grid they had not received the proper easements as of yet. Supervisor Jacangelo stated that the Town was told that this issue would be taken care of by the first week in September.

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 Lochvue subdivision issues, prepared the final draft of Local Law #4-2017, did a legal research on the town wide ambulance district, reviewed inquiries from ZBA regarding a pending matter, researched issue of payment in lieu of open space for subdivisions, etc. The full report is on file in the Town Clerk's office.

Town Clerk's Report – Motion by Van Slyke, seconded by Butler and an oral vote of 4 ayes to accept the Town Clerk's report of July 2017. The total amount received in the Clerk's office was \$9,929.84 and of that amount \$9,716.34 was remitted to the Supervisor. The Town Clerk wanted to remind residents that on October 7<sup>th</sup> from 8 – 12 Noon the town will be holding a Recycling Day at the VFW. Town Board members had copies of the Building Inspector/Code Enforcement Officer's written report. There were also reports from the Assessor, DCO, Creekside Shelter, 811 report, water report and the Highway Dept. report. M. Asquith, bookkeeper spoke about the amount left in budget lines for 2017. In ongoing discussion regarding a water customer was once again discussed, and it was decided to re-levy the outstanding water bill amount if not paid, to their Town/County 2018 Tax bill.

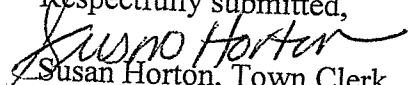
Supervisor Jacangelo stated that he will be advertising a job listing for the Water Superintendent's position in September. Mr. Clapp will be retiring as of December 31<sup>st</sup> and he wanted to thank him for all the work he has done for the town. He also wanted to thank the Highway Superintendent and his crew for the delivery of the stone to the library.

Payment of Bills:

Motion by Hass, seconded by Van Slyke and an oral vote of 4 ayes to pay Warrant #14 -2017 in the amount of \$474.34. Motion by Hass, seconded by Butler and an oral vote of 4 ayes to pay Warrant #15 -2017 in the amount of \$133,372.89.

Motion by Hass, seconded by Van Slyke and carried to adjourn this meeting at 9:50 p.m.

Respectfully submitted,

  
Susan Horton, Town Clerk