

TOWN BOARD MINUTES  
TOWN OF POESTENKILL  
TOWN BOARD MEETING  
MARCH 22, 2018  
(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  
Jack Casey, Town Attorney

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

Supervisor Jacangelo opened the meeting with the Pledge of Allegiance. M. Pettrone, principal owner of the Lochvue subdivision wanted to address the Board and he gave a brief history of the project. All he asked of the Town Board was for fair treatment and he wanted them to know that they have been diligently addressing the list of issues that the Town had with the project including the road. He hoped to be back at the May Town Board meeting with all the town issues addressed so that the road can be dedicated to the town.

Supervisor Jacangelo went out of order so that T. Muller, M&T representative could address the Board. She discussed all the services that will be provided to the Town by M&T bank. Town Board members had written material provided by the bank and Supervisor Jacangelo thanked her for attending this meeting and he looked forward to working with the new bank.

Supervisor Jacangelo opened the floor for the public comment period. L. Friday, town resident who lives in one of the properties with her husband surrounding the Barberville Falls area, once again wanted to discuss the Town's acquisition of the Falls area. A lengthy discussion followed. She is concerned over the issue of what happens after the acquisition and what were the Town's concrete plans after that. She is concerned over the parking lot issue. Supervisor Jacangelo stated that the EAF will be done by the Town Board this evening going over question by question which a statutory requirement is. He further stated that the Town was not going to spend an enormous amount of money in creating a park plan that tries to reflect the people that live around the Falls area. A parking lot will be developed from monies that the Nature Conservancy is paying the Town to take over the property. L. Friday feels that her and her husband's concerns are not being addressed and Supervisor Jacangelo stated that the Board is trying to be open and above board with this project. And Councilman Van Slyke once again stated he would not vote for this project if all the questions have not been answered.

Motion by Van Slyke, seconded by Hass and an oral vote of 5 ayes to accept the Town Clerk's minutes of the February 15, 2018, as written.

Liaison Reports:

Planning Board –Town Board members had copies of the Planning Board's meeting of February 6, 2018 and March 6, 2018.

Zoning Board –The March 13<sup>th</sup> ZBA meeting was cancelled due to the lack of agenda items.

Fire Company – Town Board members had copies of the February Fire Co. report. Councilman Hass elaborated.

Library – D. Reis reported on the activities at the Library. She reported that the porch area at the library needs to be repaired.

Youth Advisory Board-Youth Director updated the Board on the recent activities. She stated that she and Councilman Wohlleber will be meeting with a new potential youth director next week.

CAC- No Meeting but there will be one in several months.

Correspondence: No correspondence.

Discussion Items:

Review Barberville SEQRA Type 1-The Full Environmental Assessment Form (EAF) questions were read into the record and the Board responded to all the questions.

Draft Town resolution on major subdivision green space substitution-This is now scheduled for next month’s meeting.

Lochvue-Mark Pettrone-Mr. Pettrone addressed the Town Board earlier in the evening.

Tom Russell-Planning Board-There was a major discussion on how to reduce the process in the Town Code so residents can have a few chickens without so much money being spent. Right now, the process takes approximately 5 months. A reduced fee was also discussed. Due to the cost factor, our Town Attorney will also be looking into whether letters must go out certified mail as opposed to regular mail delivery for Planning and Zoning issues. The Town Attorney will draft a document for the Code changes and will make sure that the Town Board has it prior to next month’s meeting for their review.

Highway Superintendent Resolution-This will be done under action items.

Action Items:

RESOLUTION #4-2018-IN THE MATTER OF THE TOWN BOARD OF THE TOWN OF POESTENKILL AGREEING TO PARTICIPATE IN THE APPLICATION FOR THE NATURAL RESOURCE INVENTORY (NRI) TECHNICAL ASSISTANCE OPPORTUNITY AND AUTHORIZES THE CAC ON BEHALF OF THE TOWN TO WORK WITH NYSDEC TO HELP (CREATE/UPDATE) A NATURAL RESOURCES INVENTORY

MOVED BY: Councilman Hass

SECONDED BY: Councilwoman Butler

VOTED UPON AS FOLLOWS:

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

RESOLUTION #5-2018-IN THE MATTER OF ISSUING A NEGATIVE DECLARATION UNDER THE NYS ENVIRONMENTAL QUALITY REVIEW ACT FOR THE TOWN'S ACCEPTING A CONVEYANCE OF THE BARBERVILLE NATURE PRESERVE

Resolved that the Town Board as Lead Agency under SEQRA issue a negative declaration as to this acquisition and that such negative declaration is hereby issued; and further resolved that notice of such negative declaration by duly published in the Environmental Notice Bulletin as required by notices as required by ECL 8-0113(2)(I), 6 NYCRR Part 617.12 (c)(1).

MOVED BY: Councilwoman Butler

SECONDED BY: Supervisor Jacangelo

VOTED UPON AS FOLLOWS:

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

Councilman Van Slyke reiterated that if all the park plans are not met and all the questions are not answered he will vote no on the acquisition of the Falls. Supervisor Jacangelo stated that before any contract is signed all questions will be answered and documented. Councilman Hass reported that filling out the SEQRA review form is no commitment.

RESOLUTION #6-2018-IN THE MATTER OF THE TOWN BOARD AUTHORIZING THE HIGHWAY SUPERINTENDENT TO COMMIT TO A NEW LOADER AT A SPECIAL PRICE FROM THE MILTON CAT DEALER REFLECTING THE TRADE DIFFERENCE OF THE TOWN'S CURRENT LOADER AND THE HOURLY RATE AT A COST NOT TO EXCEED \$7,000. THIS WILL BE DELIVERED IN AUGUST

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

Approval of Ryan Biggs Clark Davis Agreement-Motion by Van Slyke, seconded by Butler and an oral vote of 5 ayes authorizing the Supervisor to sign the agreement with Ryan Biggs Clark Davis Engineering and Surveying for \$800 in connection with the DEC investigation at the Dennis Rd. Landfill site.

Reports:

Supervisor's Report- Supervisor Jacangelo reported that the April meeting will be held on April 26<sup>th</sup> at 7 p.m., and he also reported that he has been talking with Waste Management on several issues and he and Councilwoman Butler completed the paper work for M&T bank. He has been having discussions regarding the Lochvue subdivision and the easement to the MS 4 ponds.

Town Attorney's Report – Mr. Casey reported on the matters that he worked on since the last Town Board meeting which included working on documentation on the road dedication for

Lochvue, Barberville Falls issues and he has been talking with the Code Enforcement Officer on some Town issues.

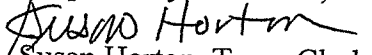
Town Clerk's Report – Motion by Hass, seconded by Van Slyke and an oral vote of 5 ayes to accept the Town Clerk's report of February 2018. The total amount received in the Clerk's office was \$4,089.49 and of that amount \$3,904.89 was remitted to the Supervisor. Town Board members had copies of the 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. The Highway Superintendent will be meeting with T. Field soon about working on a bridge/culvert grant. Supervisor Jacangelo stated that he had a conversation with the DCO about a dog that had been taken to the vet by a resident and the vet wanted to euthanize the dog because he was in such bad shape and the resident said that he would take care of it himself and the vet called the State Police and they retrieved the dog. There was also a discussion about some chickens that were turned over by the owner of the dog to the DCO. Supervisor Jacangelo asked that the Code Enforcement Officer send the property owner a letter on property maintenance.

Payment of Bills:

Motion by Hass, seconded by Wohlleber and an oral vote of 5 ayes to pay Warrant #5 -2018 in the amount of \$347,205.62. Motion by Hass, seconded by Wohlleber and an oral vote of 5 ayes to pay Warrant #6 -2018 in the amount of \$2,687.87

Motion by Wohlleber, seconded by Butler and carried to adjourn this meeting at 9:30 p.m.

Respectfully submitted,

  
Susan Horton, Town Clerk



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)

## MEMORANDUM

TO: DOMINIC JACANGELO/SUPERVISOR  
JUNE BUTLER/DEPUTY SUPERVISOR  
TOWN BOARD MEMBERS

FROM: BRIAN M. JACKSON/ASSESSOR

RE: ASSESSOR'S CLERK POSITION

DATE: APRIL 9, 2018

As you know this office is currently preparing all paperwork, exemptions, values and deeds for the upcoming 2018 tentative assessment roll which is due May 1<sup>st</sup>, 2018. While May is a crucial month for us I wanted to discuss in depth with you about advertising for the Assessor's Clerk position that will become available January 1<sup>st</sup> of 2019.

As you know Lana is here until December 31<sup>st</sup> of this year. However, I believe sometime early in June we should start advertising for someone that she can help train. I would also request of you when you do advertise for this position, that you include myself and Lana in the interview process. That would give the new person some clear idea what the job entails. This person should have some knowledge of maps, tax map numbers, deeds, property record card information, exemption qualifications and careful dealings with seniors that will need assistance with their exemption applications. They also will need to be aware of the whole process that makes up a tentative and final assessment roll for each year that is the cornerstone of this department.

I look forward to your cooperation in this advertising and interviewing process. If you have any questions, please don't hesitate to contact me.

BRIAN M. JACKSON  
ASSESSOR

# Charter

COMMUNICATIONS

April 16, 2018

**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.

**Effective on or after May 21, 2018**, Animal Planet will move from SPP Tier 1 to SPP Select Tier.

For a complete channel lineup, visit [spectrum.com/channels](http://spectrum.com/channels).

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](mailto:kevin.egan@charter.com).

Sincerely,



Kevin Egan  
Director, Government Affairs  
Charter Communications



## 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

March 6, 2018 Minutes

### Attendees:

Tom Russell, Chairman

Jeffrey Briggs

William Daniel

Robert Dore

Judy Grattan

Don Heckelman

Harvey Teal

Steve Valente, Alternate

### Non-Voting:

Robert Ryan, Esq.

Lynn Kane, Clerk

Chairman Russell called the meeting to order at 7:30 pm with the Pledge of Allegiance. Chairman Russell introduced all Members of the Board to the public.

### Victoria Spring

(Tax Map # 126.-3-8.11)

### Special Use Permit

93 Blue Factory Road

Planning Board Clerk Lynn Kane read the Public Hearing Notice. Mrs. Spring reviewed the scope of the project for the Board and answered Member's questions. Planning Board Clerk Lynn Kane read "Notification of Zoning Review Action" from the Rensselaer County Economic Development & Planning dated February 23, 2018, said notice states the County leaves the decision with the local municipality

**SEQRA Hearing:** The SEQRA portion of the public hearing began with Chairman Russell reading the Environmental Assessment Form (EAF) into record and the Board responded to all questions. A motion was made by Member Teal that the proposed action will have no significant environmental impact and therefore a negative declaration should be issued. Board Member Briggs seconded the motion and it was approved by a vote of seven (7) ayes, zero (0) nays, and zero (0) abstentions. Chairman Russell states the proposed action will not result in any significant adverse environmental impacts and closes this Hearing.

### **Special Use Hearing:**

Given the negative declaration, the final public hearing on the approval portion of the application was conducted after the SEQRA hearing. Chairman Russell asked for comments in favor or in opposition of the final portion of the application.

With no additional comments from the public, the public comment period was closed. A motion to approve the Special Use Permit was made by Member Teal, motion seconded by Member Dore and approved by a vote of seven (7) ayes, zero (0) nays and one (1) abstention.

**Minutes**

The minutes of the Board meeting on February 6, 2018 were reviewed. A motion is made by to approve the minutes as written by Board Member Grattan, seconded by Board Member Daniel and approved by a vote of (7) ayes, zero (0) nays, and zero (0) abstention.

**Public Comment Period**

There being no comments from the public, the public comment period was closed.

**New Applicants:**

**Rocco Testo**  
136.0-9-1.4

**Minor Subdivision**  
**Algonquin Beach Road**

Applicant Testo withdraws his application for a Major Subdivision and stated he will work with his Engineer towards a Minor Subdivision.

*Resolution: Application withdrawn*

**Old Business:**

**Kevin W. Kronau, Sr.**  
125.08-1-4.111

**Special Use Permit Extension**  
**NY 351, Poestenkill**

Copy of DEC Permit has not been received and Public Hearing will be scheduled for April 3, 2018. Board Member Grattan made a motion to extend the current Special Use Permit for Kevin Kronau for Natural Products at the Deer Creek Mine, from March 6, 2018 to April 3, 2018. Motion seconded by Member Teal approved by a vote of seven (7) ayes, zero (0) nays and zero (0) abstention.

*Resolution of Issue: 1 month extension was granted, Public Hearing scheduled for April 3, 2018.*

**43 Mall LTD**

**Change to Lochvue Subdivision Plat**

No news, Highway Superintendent Toby Chadwick, Poestenkill Fire Chief and Tom Russell inspected the site, noting issues to correct, especially the road. No news on access to drainage pond onto others property.

**Waste Management**

Business hours 7 am to 4 pm, insufficient work. Is cooperating with Code Enforcement Officer, given 90 days to submit plans for work proposed to the front of the building. The 2 houses in the back are to be use by the Fire Department for extrication training only, not burn.



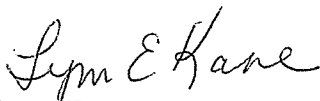
**Organizational Items:**

Town Codes: Steve Valente questioned if the Town codes, whether in writing or on the website, are as up to date as they should be, i.e. 2015 International Fire Codes. Chairman Russell will look into the matter. Also, Member Grattan suggested review of the SEQR form on website, may need to be updated.

Resolutions to Town Board, i.e. Chickens on nonfarm parcels: Discussion continues on how to reduce the process so resident can have a few chickens without a lot of money and time used. Member Valente stated that it currently is a five (5) month process, costing in excess of \$100. Member Grattan stated changing certified USPS mailings to first class would reduce fees but neighbors must be notified. Member Daniel said that if owners are not conscientious in the care and containment of the chickens, the issue is really with Code Enforcement, not Planning Board. Chairman Russell suggested the PB fee be reduced from \$25 to \$5, the applicant would be given a form for neighbors to acknowledge notice of intent. Discussion of re-instituting policy of placing sign on applicant's property to indicate a hearing. Member Valente asked what the Town Board's response was to this issue at last Town Board meeting, Chairman Russell stated they wanted the Planning Board to create a proposed amendment for their consideration.

A motion to adjourn the meeting was made by Board Member Grattan, seconded by Board Member Dore and approved by a vote of seven (7) ayes, zero (0) nays, and zero (0) abstentions.

Respectfully submitted,



Lynn E. Kane,  
Planning Board Clerk



**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  
April 3, 2018 Minutes**

**Attendees:**

Tom Russell, Chairman  
Jeffrey Briggs  
William Daniel  
Robert Dore  
Judy Grattan  
Don Heckelman  
Harvey Teal  
Steve Valente, Alternate

**Non-Voting:**

Robert Ryan, Esq.  
Lynn Kane, Clerk

Chairman Russell called the meeting to order at 7:30 pm with the Pledge of Allegiance. Chairman Russell introduced all Members of the Board to the public.

**Public Hearing:**

**Kevin W. Kronau, Sr.**  
**125.08-1-4.111**

**Special Use Permit Extension**  
**NY 351, Poestenkill**

Planning Board Clerk Lynn Kane read the Public Hearing Notice. Mr. Chip Kronau reviewed the scope of the project for the Board and answered Member's questions. No changes to the project. Usage depends on project needs, mine is nearing end of life, DEC regularly pops in for inspections.

**SEQRA Hearing:** Not required with this renewal

**Special Use Hearing:**

Chairman Russell asked for comments in favor or in opposition of the final portion of the application. With no additional comments from the public, the public comment period was closed. We have not received needed response for Rensselaer County Economic Development and Planning, Public Hearing will remain open and continue at next meeting on May 1, 2018. A motion to provide an Extension from 4/3/18 to May 4, 2018 was made by Member Grattan, motion seconded by Chairman Russell and was approved by a vote of seven (7) ayes, zero (0) nays and zero (0) abstention.

*Resolution: Public Hearing remains open until May 1, 2018.*

**Minutes**

The minutes of the Board meeting on March 6, 2018 were reviewed. Corrections to Minutes 1) Under “Minutes”, delete “...by...” in first sentence; 2) Under “Kronau”, delete “...not...” in first sentence. A motion made to approve the minutes with corrections by Board Chairman Russell, seconded by Board Member Grattan and approved by a vote of (7) ayes, zero (0) nays, and zero (0) abstention.

**Public Comment Period**

Nick Snyder  
125.12-7-27

Informal Conference  
School Road

Mr. & Mrs. Snyder stated they had recently purchased a 2+ acres lot on School Road, behind the VFW and reviewed their proposed plans for a 4 lot minor subdivision on the north side of School Road, located in the Hamlet. They desire to build duplexes on each parcel. Member Grattan inquired where parking would be located, as is against Code to park in front yard. Mr. Snyder suggested a “gable in entry”. It was concluded that single family dwellings would fit with Code but the duplexes would create “double density”. ZBA Chairman Jamison was invited to participate in the project review and advised Applicant that a total of 4 area variances would be needed, 1 for each parcel. Upon inquiry, Mr. Snyder stated he has not consulted with Rensselaer County Health Department regarding the septic systems but was confident would not be an issue. It was decided that Mr. Snyder could have “Informal Conference” with ZBA next Tuesday, April 10, 2018 and then submit 4 lot minor subdivision application with SEQR to Planning Board for appearance at May 1, 2018 meeting.

**Old Business:**

**43 Mall LTD**

**Change to Lochvue Subdivision Plat**

Chairman Russell stated CEO Paul Barringer issued CO for Lot 4, its driveway improved with blacktop and more access space and work has begun on new house couple of lots down.

**Waste Management**

Chairman Russell reported Waste Management remains cooperative with CEO, the houses in the rear of property will have heating systems removed, the houses will be checked on a quarterly basis for security, maintenance for house on Route 66 will begin shortly and the 90 day periods for the building plans start will start in April.

**Organizational Items:**

1. Chairman Russell discussed revising the Special Use Permit for Natural Products renewal process if there are no changes. Chairman Russell proposes the following:

“Permit renewals may be granted at the discretion of the Planning Board if activity is proceeding in accordance with the provisions of the previous permit. No additional Public Hearing or notification to the Abutters will be necessary.

All holders of permits shall advise the Planning Board of any change of facts and or conditions which might effect their ability to operate under the permit.

For Special Use Permit for Natural Product Extracation: Immediately after any change of ownership of any extraction site or of the persons or entities directly responsible for its operation, the new owner or operator shall apply for a new permit, indicating on the application any existing or anticipated changes from the data, plans and or conditions supporting or included in the previous permit.”

2. Chairman Russell reported the on-going discussion with the Town Board regarding Type I projects and the need to reduce the cost and effort for the residents. Member Grattan questioned why Town Board had not acted on 2 previous Memos from the Planning Board. Town Board Member Ross stated the Town Board is looking for an actual resolution from the Planning Board. Motion made by Member Grattan “Type I Special Use Permit applications will be processed as follows: 1) Letters to Abutters will be sent by first class USPS mail instead of certified mail USPS, 2) Will have the permit fee reduced from \$25.00 to \$5.00, 3) A “Public Notice” sign will be placed in the front yard of Applicant’s property. There will be no changes to Type II, Type III or Type IV.” Motion seconded by Chairman Russell and was approved by a vote of seven (7) ayes, zero (0) nays and zero (0) abstention. Clerk Kane inquired how the signs would be installed, Member Grattan said the CEO would be notified and he would place the signs. Alternate Valente questioned if this motion was meant to include the issue of a few chickens at residences, Chairman Russell stated he was continuing this discussion with the Town Board and would let him know.
3. Clerk Kane advised up to date SEQR forms are now posted on Town website. Member Briggs suggested adding link to DEC so residents could better prepare.

A motion to adjourn the meeting was made by Board Member Briggs, seconded by Board Member Heckelman and approved by a vote of seven (7) ayes, zero (0) nays, and zero (0) abstentions.

Respectfully submitted,

Lynn E. Kane,  
Planning Board Clerk





## 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

### AGENDA

## Zoning Board of Appeals

April 4, 2018 @ 7:30 pm

10

### MEETING OPENS – PLEDGE OF ALLEGIANCE

Minutes of January 9, 2018

#### New Applicant:

Nick Snyder  
125.12-7-27

Informal Conference  
School Road

#### Other:

**Paul Jamison**  
**Kevin McGrath**  
**Tim Hoffay**

**to attend May Meetings**  
**to attend June Meetings**  
**to attend July Meetings**



## 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

### ZONING BOARD OF APPEALS April 10, 2018 Minutes

Attendees:

Paul Jamison, Chairman  
Kevin McGrath  
Michael Collelo  
Susan Kalafut  
Nicole Heckelman, Alternate

Absent:

Tim Hoffay

Chairman Jamison opened the meeting at 7:30 pm with the pledge of allegiance.

Informal Conferences:

Nick Snyder  
125.12-7-27

Informal Conference  
School Road

Mr. & Mrs. Snyder stated they had recently purchased a 2+ acres lot on School Road, behind the VFW and reviewed their proposed plans for a 4 lot minor subdivision on the north side of School Road, located in the Hamlet. They desire to build duplexes on each parcel but are open to different possibilities for subdivision of single family dwellings and duplex, want income property, duplexes with 2 bedrooms each. Chairman Jamison reviewed that the project is in the Hamlet, ½ acre lot per single family dwelling, Snyder looking for double density, would require 4 variances, that it is a very big request. Snyder recounted recent conference at Planning Board meeting, knows of parking restrictions, maximum length of house is 66', addressed VFW horseshoe pit and previous desire to donate land to them if not for a lot line adjustment by neighbor just prior to completion of sale. Member McGrath raised possible issue of School Road belonging to Averill Park School District, though Town maintains it, it may only be a right away. Mr. Snyder was advised to check with Highway Superintendent Toby Chadwick for clarification. Snyder suggested variety of combinations – 3 single family and 1 duplex, 2 single and 2 duplex, two story dwellings, etc. Member McGrath stated ZBA does not grant multiple variances for 1 project, that would be the Planning Board but rather if Snyder could work project so only 1 lot would need variance, would be more in line with Board's work.

Lou Basle  
125.-11-41

Informal Conference  
69 Abbott Drive

Mr. Basle reviewed situation at 14 Abbott Drive for the Members, including his correspondence and attendance at meetings of the Planning Board, the Zoning Board of Appeals and the Town Board. He recounted that in 1982 the lot was sold and deemed a non-conforming use due to Abbott Construction, which he said never existed. He further stated that in 2010 the property was subdivided without a Public Hearing or appropriate notice to the surrounding neighbors. Also, the existing farmhouse was made into 4 apartments and then an additional building of 4 apartments was built – again without notice. He feels it's now an industrial park with abandoned vehicle scattered, surplus materials stored against his property line, few storage sheds built without building permits, box container also on site, all of this is terrible to live with, is diminishing area property values, there is lots of trucks and noise before 7 am (so is in violation of noise ordinance). He understands the Town and/or the various Boards could not have foreseen the expansion of activities back when the lot was sold but they need to step up now. Has filed complaint with Code Enforcement Officer and is awaiting reply. He has sent 2 emails and 2 letters to current owner, Kevin Kronau, without response back. He is prepared to go further to resolve this situation but wants to pursue all other avenues first. Member McGrath stated a non-conforming use can not be expanded. Chairman Jamison explained the ability of the ZBA to assist Mr. Basle with this situation – that if the Code Enforcement Officer decides that the use on the property conforms to the Code, then Mr. Basle could request an Interpretation – to review and possibly overturn the CEO decision. Chairman Jamison will follow up with CEO Paul Barringer for status of review.

**Minutes:**

The minutes of the Board meeting on December 12, 2017 were reviewed. Corrections – spelling of Michael Colello and Nicole Heckelman names to be corrected. A motion to accept the minutes with corrections was made by Member McGrath, seconded by Member Heckelman and approved by a vote of five (5) ayes, zero (0) nays, and zero (0) abstentions.

**Organizational:**

Clerk Kane polled Members for interest in attending training on April 26, 2018.

A motion to adjourn was made by Member McGrath and seconded by Member Heckelman. It passed with a vote of five (5) ayes, zero (0) nays, and zero (0) abstentions.

Respectfully submitted,

*Lynn E Kane*

Lynn E. Kane  
Clerk to ZBA



# Barberville Natural Resource Area (BNRA) Plan

---

## Description

### Location and Current Access

The Barberville Natural Resource Area (BNRA) is in the Town of Poestenkill, Rensselaer County, along 0.57 miles of the Poesten Kill and includes 138 acres of undeveloped land. A major tributary of the Poesten Kill, draining Davitt Pond, transects the property. A major feature of the BNRA is the Barberville Falls of the Poesten Kill, shared with neighboring private property on the west side of the falls.

The BNRA is currently accessed by the public from a limited parking area located on the east side of Plank Road (County Route 40) approximately 0.27 miles north of its junction with Blue Factory Road. The existing parking lot can accommodate 4-6 vehicles. There are no bus routes that access the BNRA. BNRA users may access the property via three existing trails:

1. **The Creek Trail** is located just north of the parking area along Plank Road. It is a smooth, unmarked trail except for signs at the ends. It goes down the slope to the banks of the Poesten Kill and then goes a short distance both upstream and downstream. Round trip is about a mile.
2. **The Falls Trail** is .1 mile east of the intersection of Plank Road and Blue Factory Road on the opposite side of the road from Banner Hill Road. The trailhead is well marked, and the trail is relatively flat to the top of the falls. The trail descends steeply from there to the bottom of the falls. Round trip is about .5 mile.
3. **The Ridge Trail** begins 0.1 miles east of the Falls Trail, along the Blue Factory Road. The trail loop is generally well defined and marked with orange diamonds or orange ribbon. The trail comes to the Poesten Kill opposite the southern terminus of the Creek Trail and then climbs a ridge alongside of the stream. Round trip is about 1.3 miles.

### Existing Conditions

This description of the existing conditions at the BNRA is meant to be a summary highlighting the most important elements.

### Physical Resources

**Geology.** BNRA is located at the escarpment of the Rensselaer Plateau. The Rensselaer Plateau is a sub-section of the Taconic Range, a physiographic section of the larger New England province and part of the Appalachian Mountains. The Taconic orogeny was the first Paleozoic mountain building event in North America, and the first of a series of mountain building plate collisions that contributed to the formation of the Appalachian Mountains, North America's oldest mountain range.

What underlies much of the Rensselaer Plateau today are the older rocks. Four ice ages continued to erode the surface geology of the area. Today, much of the rock record is eroded and the ancient

Greywacke bedrock is at or near the surface across the Plateau. Topping the bedrock is a mantle of glacial debris left by the melting of the Wisconsin ice sheet approximately 15,000 years ago. As the Wisconsin ice age waned in the area, it left behind extensive deposits of glacial till and outwash (sand and gravel). It is likely that the falls has migrated eastward over the past several thousand years.

The Barberville Falls of the Poesten Kill is about 90 feet high and 50-60 feet wide plunging over the escarpment of the Plateau. The main bedrock at the falls is Rensselaer greywacke. Above the falls are beds of Nassau slate and limestone.

**Soils.** The soils in the BNRA are mainly Buckland Very Stony Loam series derived from the parent glacial till.

**Topography.** Eons of erosion in the area that includes the BNRA have developed a significant cataract and gorge which extends for several hundred yards to the west.

### **Water Resources.**

This watershed is a significant tributary to the Hudson River and belongs to the Upper Hudson major watershed.

Two streams, flowing through the BNRA are classified as “C” by the Department of Environmental Conservation (DEC). This classification designates streams that support fisheries and are considered suitable for non-contact activities such as fishing and boating.

The most prominent stream in the BNRA is the Poesten Kill, which drains approximately 35 square miles of the Rensselaer Plateau — an area from Dyken Pond on the north to Taborton on the south. The Poesten Kill not only provides important water resources but also a habitat for fish and other aquatic life. Below the falls, the stream flows through a gorge as deep as 100 feet and 500-1,000 feet wide.

The second-most prominent stream is the Davitt Pond stream which has its origin as the main outfall of Davitt Pond approximately 2/3 mile north of the property boundary.

### **Natural Resources**

The following information will be updated later as a natural resource inventory is conducted by the Town Conservation Advisory Council (CAC) in partnership with the Hudson River Greenway.

### **Ecological Communities**

A 1999 survey of the dominant hemlock-northern hardwood forest at the Nature Conservancy Barberville Falls Preserve, conducted by ecologist David Hunt, resulted in an A rating reflecting it is a large, healthy, and an excellent instance of such a community. Most instances have been compromised by invasive species, extensive logging or development. Small stands of hemlock-hardwood swamp and Maple-basswood rich mesic forest are also found in the BNRA.

**Invasive Flora.** No invasive plant communities of significance have previously been identified on the property. It is noted that there is currently an absence of Japanese Knotweed which has invaded much of the plateau.

**Fauna.** The birds, fish, mammals, amphibians and reptiles that are found in the surrounding areas are representative of those found at the BNRA. The diverse ecosystems of the preserve provide a variety of habitats that support a variety of fauna typical of this area of New York State.

**Invasive Fauna.** Two destructive, invasive forest pests are either in the BNRA or represent a serious threat: Hemlock Woolly Adelgid is present in the areas near Rensselaer County; Emerald Ash Borer has been located in Rensselaer County.

**Rare, Threatened and Endangered Species.** The Natural Resource Inventory will attempt to identify and Rare, Threatened or Endangered Species community in the BNRA.

### **Cultural Resources**

The area as a whole is significant from a Native American, early-American trading, Revolutionary War, and Industrial Revolution standpoint.

Archeologists estimate that Native Americans, specifically Mohican and pre-Mohican people, lived in today's Rensselaer County for about 10,000 years, thriving on the resources of the region's rich forests and waterways for thousands of years. Some archeological sites indicate continuous human settlement for approx. 5,000 years, until the area was colonized by the Dutch

From the early 1600s, European settlers - Dutch, English, then French and Norwegian - entered into economic and military agreements with Mohican and other neighboring Native American tribes. Native Americans got swept up in the wars Europeans waged for access to the fur trade and land, and their numbers plummeted, further exacerbated by losses from intertribal conflicts. The few remaining Native Americans of today's Rensselaer County in New York came to be known as the 'friendly' Stockbridge Indians.

In the early 1900's the Water Molder Power Co. was organized to harness the water power of the falls through the production of electricity. A small power house with a sluiceway was constructed. The investors abandoned the project before completion and left town. Remnants of the project remain most notably remains of the sluiceway.

### **Scenic Resources**

The main scenic resources of the BNRA are the views of the Poesten Kill, Barberville Falls, and Davitt Pond stream from the various hiking trails. The Area trails also provide access to beautiful views of the mature beech-maple and hemlock hardwood forests found on the property.

### **Recreational Resources/Activities**

The BNRA has a complex of approx. 2.8 miles of designated trails for hiking, . The most frequently used trail is the Falls Trail. There is no parking at the Falls Trail head currently and visitors must walk along Plank Road to reach the trail from the small parking area. Trails on neighboring private property protected by a conservation easement, which connect to trails at the large Camp Rotary Boy Scout Reservation on Davitt Pond, do not provide access to the BNRA property since they are privately held. Swimming, wading, boating, and kayaking in the Poesten Kill are not allowed activities in the BNRA.

Hunting, with a state hunting license and a permit, is allowed in the Preserve at certain times of the year with very specific conditions and corresponding to DEC hunting seasons.

Fishing, with a state fishing license, is permitted on all waters within the BNRA boundary. **Portions of the west shoreline to the middle of the Poesten Kill are private property and trespassing on private property is against BNRA rules and is punishable by prosecution as trespassing.**

## Town Mission

The mission of the Town of Poestenkill is to provide safe and enjoyable recreational and interpretive opportunities for all visitors and to be responsible stewards of our valuable natural, historic and cultural resources. The management of the preserve shall be consistent with all local laws adopted by the Town for the purpose of managing the BNRA.

## Barberville Natural Resource Area Vision Statements

Introduction. The Barberville Natural Resource Area is the first town-owned natural resource area in the Town and is unrivaled in its importance to the Town's natural and cultural history. The property was protected for more than 50 years as a preserve of The Nature Conservancy.

Vision. As the first natural resource area under ownership by the Town of Poestenkill, the vision of BNRA is to remain a natural resource area for the public's enjoyment; to provide recreational opportunities; engage visitors about the environmental, historic, and cultural resources of the Area; and to be a place of inspiration and wonder at nature's splendor. It is the Town's vision to be a steward of the BNRA to protect and to enhance its natural habitats and species, and to remain available to the public for future generations. Development of facilities to support the public's use will be kept at a minimum and to the greatest extent possible the BNRA will be maintained in its natural state.

The BNRA will accomplish this vision as follows:

- Maintain and enhance the BNRA's biodiversity and existing natural communities. Protect rare and endangered plants and animals and control invasive species in the Area.
- Provide adequate access and trails to prevent infringement of the property rights of adjoining neighbors.
- Maintain and enhance the trail system to provide a variety of opportunities while safeguarding the habitats through which the trails run.
- Expand educational programming in the BNRA on environmental and historic themes.

## Action Items

This section provides a narrative description of the plan, outlining what will be done in the Area for natural and cultural resource protection, recreation resource development, and management and operations, pending available funding. Action items are presented which have been guided by the vision for BNRA..

## Natural Resource Protection Strategies

To the extent feasible natural resource protection shall be a leading goal of the management strategies combined with an appropriate level of public access and recreational opportunity. Adaptive management strategies are needed to manage forest health, invasive species, and potential impacts to water quality or fish and wildlife. Management strategies must also consider potential future impacts to BNRA.

Action Item. Develop a Comprehensive Invasive Management Plan, Including Early Detection and Rapid Response, Follow Recommendations of CAC and consult with the NYS Invasive Species Task Force and Invasive Species Institute.

## Recreation Development

Action Item: Clean up the old farm dump located along the Ridge Trail and properly dispose of the material removed from that site.

Action Item. Improve parking to direct visitor activities away from neighboring private property. The current parking area places visitors on Plank Road with minimal space to park. To access a falls view, visitors must walk some distance up Plank Road and access the Falls from the Falls Trail located on Blue Factory Road. Many visitors seek short cuts to the falls through private property.

Action Item: Construct a new gravel parking area for 6-10 cars at the property which borders Blue Factory Road. The Parking area will be less than 1 acre (app. 4500 sq. ft.) and be gated on Blue Factory Road. The gate will be locked and closed when entry to the park is not permitted.

Action Item: Develop a new entry trail from the new parking area to the falls. This entry would parallel the private property line along the existing Ridge Trail and develop a new rock trail that will bring visitors to the base of the falls from the west along the Poesten Kill.

Action Item : Close the Falls Trail from the top of the falls to the bottom of the gorge and install plant materials to dissuade access to the base of the falls.

Action Item: Develop new and clear signage regarding allowed activities at the falls and those activities which are prohibited.

## Operations, Infrastructure and Facilities Strategies

Action Item. Facilitate New Signage for BNRA

- The new signage internal to the BNRA will be based on universal language signs (symbols instead of words) to guide use.

Action Item: Hire a part time BNRA steward

- Hire a steward to do interpretive and instructive communication at the falls, request the assistance of local peace officers when needed; open and close park gates at appropriate times; install and remove illegal parking boots as needed.

Action Item: Coordinate Enforcement Actions

- The Town will, to the best of its ability coordinate and ask for law enforcement agencies such as Conservation Police Officers and Forest Rangers, County Sheriff's Office and State Police to help provide enforcement of state, county and local laws in order to provide sound management of the BNRA and to ensure that visitors behave in a peaceful and non-intrusive manner to not adversely impact neighbors or neighboring communities. The Town shall ensure that local justices are aware of the goals of the BNRA and that the stewardship of those lands held in the public trust are considered should any involved matter come before the local court.

## Barberville Natural Resource Area

### Implementation

The first step in implementation is the Town Board's enactment of the Barberville Natural Resource Area Law, Local Law # \_\_\_-2018.

### Priorities

The pace and sequencing of recommended actions will be determined by the availability of funding, which is a function of the size of the Preserve's annual budget and the need to balance critical problems with long term goals. This plan will be reviewed annually by the CAC to select projects that will be added to the plan for implementation and to assess the progress of plan implementation.

#### Immediate:

- Clean up of old farm dump
- Development of Blue Factory Road gravel parking area
- Hiring of a part time BNRA Interpreter

#### Priority 2:

- Development of new trail to falls
- Closing of Falls Trail down to the bottom of the Gorge

#### Long Term:

- Provide annual review of preserve operations. Examine impacts to the fauna and flora. Take appropriate actions to minimize impacts.
- Work with appropriate agencies to ensure that the Hemlock Woolly Adelgid does not get a foot hold in the property.
- Establish a dedicated source of funding for the care and management of the preserve.
- Involve volunteer groups in the stewardship of the BNRA

# Budget

---

The Nature Conservancy has provided \$30,000 with the transfer of the property to the Town of Poestenkill. The following is a proposed schedule of how that money will be applied to the Barberville Natural Resource Area for the purposes outlined in the proceeding plan. A future source of funding should be dedicated to the stewardship of the falls when the initial stewardship money is expended.

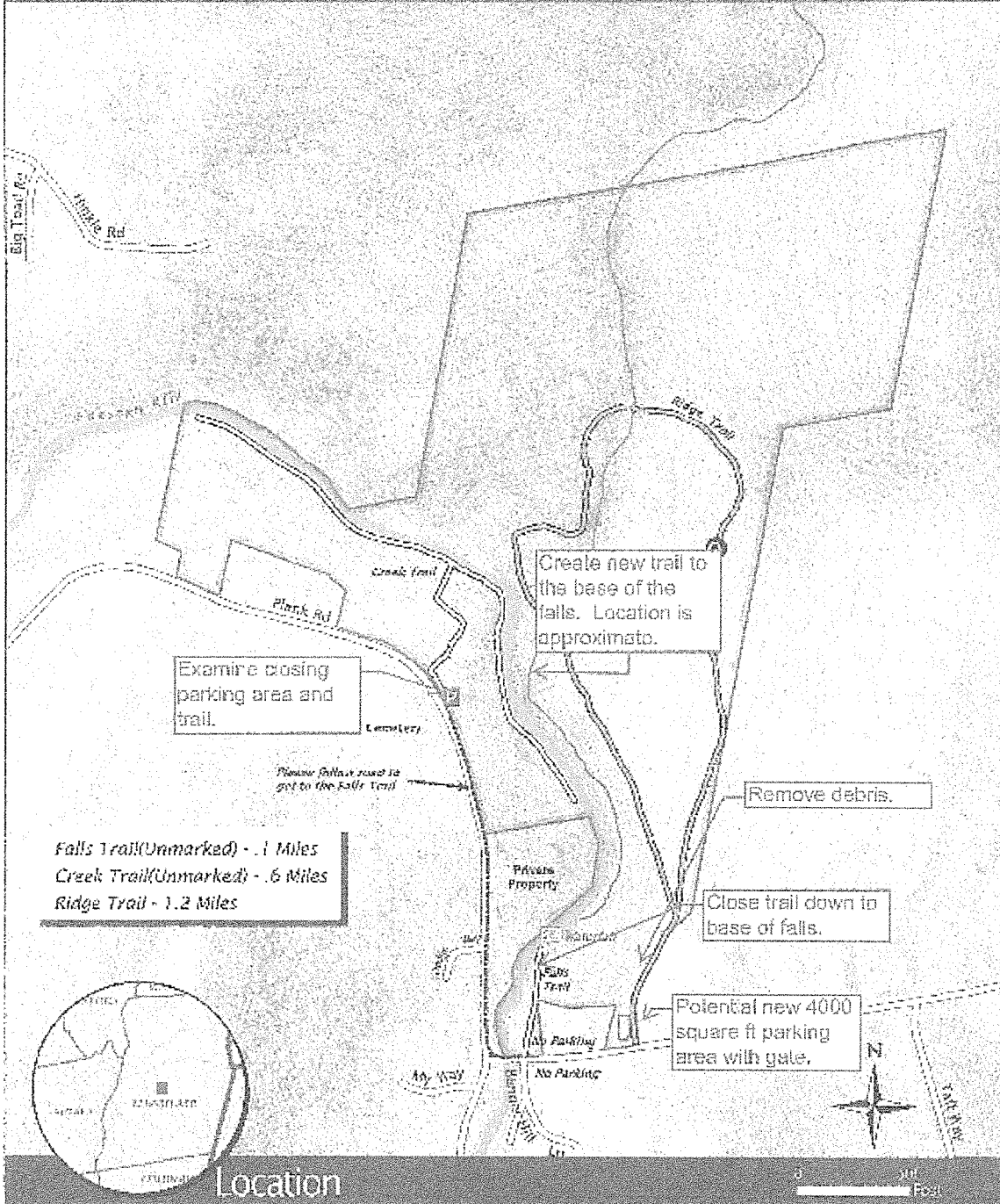
## Barberville Natural Area Budget

	2017	2018	2019	2020
Environmental Cleanup	0	2500	100	100
Park Improvements	0	2500	2500	
Staffing 4 days a week to start / 4 months	0	6899.2	6961.92	7400.96
		11899.2	9561.92	7500.96
				28962.08

The \$2500 for cleanup assumes that we will need highway equipment to cut a larger trail to the old dump and we can get a dumpster relatively close by.

Wages are based on 28 hours per week at just over minimum wage plus fringe which must be paid.









Local Law Filing

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

Formatted: Different first page header

(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 of POESTENKILL  
Town  
Village

Local Law No. of the year 201

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

Be it enacted by the Town Board of the  
(Name of Legislative Body)

County  
City of POESTENKILL  
Town as follows:  
Village

Section 1. Name of Local Law

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

Section 2. Authority and Purpose.

Barberville Falls and the surrounding area (collectively referred to hereinafter as "the Barberville Natural Resource Area") is a unique natural landmark situated 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 2018. 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 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, 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 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 Natural Resource Area and the preservation of its resources in their natural pristine condition and to ensure that private land is not trespassed on nor used for purposes not approved by the owner of such private land.

### Section 3. Public Notice.

Whereas the Barberville Natural Resource Area is a natural and potentially dangerous open space area, this local law and the signage hereby authorized and if and when posted 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. From the day after Labor Day through two (2) days before Memorial Day persons are invited to visit the Barberville Natural Resource Area for the purposes of bird watching, hiking, fishing, geocaching, snowshoeing, and photography ~~and such other uses as the Town Board shall name not inconsistent with the purposes and intent of this local law, from one-half hour after sunrise until one-half hour before sunset.~~
2. Every person intending to park in designated parking areas as provided for in subdivision 11 of Section 5 of this local law shall first obtain and display in the window of their vehicle a permit obtainable from the Town Clerk's office. No person shall park on any 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. Any towing fees are the sole obligation of the vehicle owner and shall be payable directly to the towing service provider.
3. The town board by resolution may establish one week from October 1 through December 20 for hunting provided that any such hunting is undertaken consistent with State law. Such use shall be by permit only issued to town residents following a public lottery. The number of permits shall be limited to 5 (five) for the week. Such hunting season shall be posted not less than 30 (thirty) days prior to commencement on the town website and at entries to the property and other such other locations as determined by the Town Board. The Town shall use reasonable efforts to notify adjacent and nearby property owners of the proposed resolution.
4. In addition to the uses expressly permitted by this Section 4 and subdivision 13 of Section 5 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 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 Natural Resource Area parking areas for the specified activity.

2. Alcohol: No person shall possess any alcoholic drink while on Barberville Natural Resource Area property.
3. Glass: No person shall possess any glass container or drinking glass while on Barberville 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 Natural Resource Area.
5. No person shall wander off designated trails or climb on the face of the falls.
6. Camp Fires: No person shall start a campfire or other fire within the Barberville Natural Resource Area for any purpose at any time.
7. Time of Permissible Occupancy: No person shall remain on the Barberville Natural Resource Area property later than ~~one-half hour before~~ sunset or earlier than ~~one-half hour before~~ sunrise.
8. Noise: No person shall create unnecessary noise while on the Barberville Natural Resource Area except to call emergency personnel or to find a missing person.
9. No recreational hunting is permitted other than that authorized in Section 4, Subdivision 3.
10. No person shall enter private property from the Barberville Natural Resource Area at any time other than with the permission of the owner of such private land. In this regard, it is noted that the area extending from the center of the bed of the Poesten Kill to the west edge of the Barberville Falls proper as well as the adjacent land from under the bridge to the power house is privately owned property which is not included in the Barberville Natural Resource Area. Accordingly, entry upon such private property constitutes trespass and may be prosecuted as such by the property owner.
11. Parking: No person shall park any vehicle on Barberville 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 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.
12. No pets or animals of any kind shall be brought or let loose upon the premises of the Barberville Natural Resource Area.
13. No motorized vehicle shall enter the Barberville 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 Natural Resource Area or its resources shall constitute both civil and criminal trespass and may

be prosecuted as either or both.

3. Any person who requires the assistance of a first responder, police or fire services, or town resources by virtue of a violation of this Article shall be strictly liable for the actual costs associated with such assistance.

#### **Section 7. Resource Area Review**

The Conservation Advisory Council as established by Article I of Chapter 16 of the Town Code shall review the use of the Barberville Natural Resource area to ensure that this article is meeting the goals set out by its provisions and make recommendations from time to time to the Town Board on possible changes to the article. In addition, the Conservation Advisory Council is authorized to accept donations on behalf of the town for the care and management of the property and may apply for grants both public and private for the same.

#### **Section 8. 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.

**TOWN CLERK'S MONTHLY REPORT**  
**Town of Poestenkill, New York**  
**March 2018**

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

Conservation Fees to the Town:	\$ 1.66
	\$ 7.50
Marriage License 1 @ \$ 7.50 each	
Marriage Certificate 1 @ \$10.00 each	\$ 10.00
Marriage Transcript @ \$10.00 each	\$
A1255 Total Town Clerk Fees	\$ 19.16
Impoundment Fees	\$
A1289 Registrar	\$ 130.00
A2655 Minor Sales - Copies (certified copy) -	\$
A2530 Games of Chance (Bell Jar)	\$
A2544 Local Fee for dogs	\$ 240.00
A2115 Planning Board Fees	\$
A2555 Building Permits	\$ 1564.91
A2501 Junkyard License	
A2268 Impoundment fees from Creekside Kennel	\$
A2720 Water Meter Fee \$ 1001 Water Benefit Charge -	
A2240 Misc. Water Charges - \$	\$
A2710 Water Permit Fee \$	\$
1001 Water billing \$6,711.00	
Total Water Charges	\$6,711.00
<b>REVENUE TO SUPERVISOR</b>	<b>\$8,665.07</b>
Amount paid to State Comptroller for Games Chance License	\$
Amount paid to DEC for Conservation Licenses	\$ 28.34
Amount paid to AG. And Markets for fee for unsprayed/unneutered Dog program	\$ 52.00
Amount paid to State Health Dept. for Marriage Licenses	\$ 22.50
<b>TOTAL DISBURSED</b>	<b>\$ 102.84</b>
<b>April 5, 2018</b> <b>Dominic Jacangelo, Supervisor</b>	
<b>TOTAL AMOUNT RECEIVED BY CLERK</b>	<b>\$ 8,767.91</b>
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 March Fees the application and payment of which are otherwise provided by law subscribed and sworn to before me this 5th day of April 2018.	

*Susan Horton*



# Town of Poestenkill

38 Davis Drive | P.O. Box 210

Poestenkill, NY 12140

518.283.5100 (Phone)

518.283.7550 (Fax)

OFFICE OF THE  
ASSESSOR

TO: POESTENKILL TOWN BOARD

FROM: BRIAN M. JACKSON/ ASSESSOR  
ASSESSOR'S REPORT FOR MARCH 2018

Almost all the renewal applications have been received. A few remainders needed to be called the last week of February to return their applications. Less than a handful of those did not return their applications. We received many new applicants for the Enhanced STAR exemption that were previously receiving the Basic STAR exemption. Many of those applied for the IVP program which the State will then verify their income and notifies us if they qualify.

During March we review all the renewals on the rps system and make correction/ changes based on their renewal information. Deeds are processed. All construction folders are reviewed; any from the prior year that is now complete and any new construction for this year that is complete are valued and added to the assessment roll. New house construction that has received a Certificate of Occupancy are noted on the property record cards, diagram is prepared and drawn, and data entered and valued. Water benefit units are reviewed with the Water Manager for any changes within the water district and these changes are sent to our county office to record on the rps system.

We are required to complete all data entry and corrections to our county office by mid-April so that the assessment rolls can be printed, and the change notices be mailed on or before May 1<sup>st</sup>.

Constituent relations continue to be good during this period.

Respectfully submitted,

Brian M. Jackson  
Assessor  
Town of Poestenkill

cc: Town Board  
Susan Horton, Town Clerk

Town of Poestenkill  
Office of the Water Superintendent  
P.O. Box 210  
Poestenkill, NY 12140  
Memorandum

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

From: Forest Crawford / Water Manager

Date: April 20, 2018

RE: Monthly Activities

**Monthly Water Report (March/April)**

Six 811 Dig Safe requests were received and responded to.

The Variable Speed Drive that failed in 2017 causing a boil order was replaced returning the pump station to the proper level of redundant control.

Sensaphone emergency response notification system was reactivated. The backup battery was found to be bad and was replaced (this was the cause for no calls going out during the power surge last month). The call out phone numbers were updated and reprogrammed. A microphone was installed to allow remote listening to the pump station.

Continued training with Bob Brunet.





## TOWN OF POESTENKILL

38 Davis Drive, P.O. 210  
Poestenkill, NY 12140

April 19, 2018

To: Dominic Jacangelo

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

Re: March 2018 work activities

My work hours for the month totaled 46 1/4 hours including 3 responses to fire scenes or MVA involving a structure at the request of Poestenkill Fire Dept. Fees collected through this office totaled \$567.82. In addition, \$500 was received for the Quail Meadows drainage district for a new house construction permit. Two hours were for attendance at the bi-monthly MS4 meeting held at the Rensselaer County office building.

Activities included:

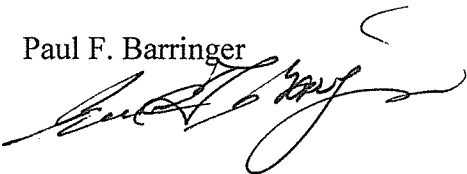
- Fielded a number of complaints concerning non-conforming property issues with various degrees of resolution.
- Investigated one neighbor – neighbor complaint and found that one resident has been illegally dumping affecting the complainant's property. The illegal dumping may also violate MS4 regulations and DEC regulations. Research is ongoing. Update. The fill may be in violation of DEC regulations and further research is necessary. The results are definitely in violation of Town Code and the resident will be notified. Still pending.
- Investigated a second neighbor – neighbor complaint about illegal construction and illegal fence. Investigating. Update: Checked with assessor about the history of the property and building permits. Found no basis for the complaint of illegal construction. The complaint is still open regarding the illegal fence.
- Additional complaint received from a neighbor concerning illegal dumping of trees, shrubs, possible construction debris, etc. on adjacent property where the truck traffic imperils the safety of the neighbors' children. Investigated and found a large pile of debris. Consulted with DEC and will continue the investigation when the weather breaks ( recent snowfall prevented an immediate investigation). Sent a Cease and Desist letter to the property owner. Will provide follow up information.
- Received a tenant complaint about unsanitary conditions in their apartment and a lack of response from the landlord. Scheduled an inspection of the premises with the landlord and the tenant. Found several violations including electrical, lack of smoke detectors in the appropriate location, and possible egress violations. The landlord noted the complaints

started after eviction proceedings had begun against the tenant. Some of the violations were immediately addressed by the landlord. More research for compliance to other issues will be conducted at the request of the landlord.

- Reviewing existing files on ongoing building permits with the long-term intent of closing out files. Conducting field inspections as necessary. Certificates of Compliance and Certificates of Occupancy have been issued where applicable. One Certificate of Occupancy issued for a major addition to a structure on Snake Hill Rd. Issued a Certificate of Occupancy for a house where major renovations was completed on Tymeson Rd.
- Presently there are 8 open building permits for new house construction in various stages of completion. One permit was issued in March for the Quail Meadows subdivision. There are 3 long time open building permits for new house construction that have had their permits extended. There are 2 open building permits for additions and 1 pole barn. The new house under construction on Snake Hill Rd. has received a Temporary Certificate of Occupancy with an anticipated completion date before January 1, 2018. Still open. Four existing building permits in addition to the above originally issued for new house construction and/or significant modifications have been extended. Onsite inspections have taken place for compliance to the building code. The remaining permits are for long standing projects in various stages of completion.
- One letter for a building that was constructed without appropriate permits was delivered by Rensselaer County Sherriff's Dept. to the homeowner in attempt to bring the homeowner in compliance with New York State and Town of Poestenkill Code Regulations and laws. Still open. Court date is being pursued to bring the owner in compliance. Owner has attempted to contact this office without any resolution at the time of this report. The owner came into the office to discuss a resolution. It was agreed to allow the owner some time to the results of the discussion and to come to a decision. The end time for the resolution was not discussed but it was agreed that the owner will accept correspondence from this office. Update: Still open. Owner met with me to receive a building permit application and schedule a review of the premise prior to approving the building permit. The owner has not yet scheduled the review.
- Conducted field inspections for compliance to SWPPP and MS4 requirements at Lochvue. Reviewed weekly reports from Ingalls Engineering for same. The engineering firm has been notified that the identified deficiencies and the maintenance work for SWPPP compliance needs to be addressed by the developer. Maintenance of the collection ponds and SWPPP compliance will remain with the developer until the subdivision is completed. Still open.
- Fielded a number of phone calls inquiring about building code compliance for future projects from town residents.

- Attended the bi-monthly MS4 meeting held at Brunswick Town Hall. Anticipating a change in DEC requirements for MS4 still waiting for the draft. A presentation by DEC representative Richard Clarkson outlined the changes in Part 360 regulations regarding dumping and fill. The regulations have the potential to impact the junkyard permits issued by the Town of Poestenkill. A review of the regulations will take place prior to the issuance of the permits.
- Provided information to Attorney Casey for a non-conforming occupancy related to both NYS Codes and Town of Poestenkill Codes to bring the property owner into court. The issue has been a long standing problem prior to my employment and had been scheduled and re-scheduled for court appearances. According to one neighbor, one part of the complaint may have been resolved. Awaiting from input from the town attorney to proceed.
- Mail requests for property updates were issued to the requesting title companies.
- Received a phone call from DEC Field Representative Kate Cournac inquiring about the clear cutting of the property at the rear of the Poestenkill Fire House in proximity to the Poesten Kill. Upon investigation found the land was being cleared for a Venture Scout project sponsored by the Poestenkill Fire Co. Due to the extent (greater than 1 acre and clear cutting), it was determined to be in violation of MS4 regulations and a verbal stop work order issued until further investigations and review by DEC. Met with DEC Part 15 specialist and DEC Enforcement representative Mary Barrie and Poestenkill Fire Dept. representatives. DEC found no water encroachment violations and found the present site stabilization to be satisfactory. No citations issued by DEC but work could not go forward until a SWPPP could be filed and a Notice of Intent filed with DEC. Further information will be provided next month.
- Received an alert from a town resident about the presence of a major spill remediation company at a residence within the town. Investigated and found that an oil supply company had caused a tank rupture in the basement and the company was there at the direction of DEC for clean up. No further action needed by Code Enforcement.

Paul F. Barringer

A handwritten signature in black ink, appearing to read 'Paul F. Barringer', written over the printed name.



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: April 19, 2018

RE: Highway Activities  
March 16,2018-April 19,2018

1. Crew been pick up brush
2. Crew been patching holes
3. Crew been plowing and sanding on mountain
4. Crew been out sweeping the roads
5. Crew been working in shop
6. Crew had MSHA mining refresher training