

TOWN BOARD MINUTES
TOWN OF POESTENKILL
TOWN BOARD MEETING
JUNE 28, 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 and explained that the first item on the agenda was the Public Hearing which opened at 7 p.m. on proposed Local Law #2-2018 which would amend Chapter 150, Article VI 150-26 (D) of the Town Code to repeal the requirement for a SUP for keeping up to 6 chickens (excluding roosters) in an enclosed 144 square foot pen in R, RR-1 and CL1 Districts. Supervisor Jacangelo asked if any one had any questions/comments on the proposed local law. Councilman Hass feels that the Hamlet should be included in this proposed law and currently in our Code they are not allowed in the Hamlet. The Hamlet is mostly ½ acre or less. Councilwoman Butler feels this might be a problem with adjoining neighbors in the Hamlet. Councilman Van Slyke feels that the way it is now is fine because the Hamlet is too close. Councilman Wohlleber feels that the Town should be more efficient, and he is not in favor because we are just shifting the burden to the neighbors/Code Enforcement Officer. Supervisor Jacangelo stated that he is not inclined to change the official document to include the Hamlet unless there is a majority in favor of the change. Motion by Hass, seconded by Van Slyke to make a motion to support the allowance of chickens in the Hamlet. Supervisor Jacangelo, Councilman Wohlleber and Councilwoman Butler voted no on the motion allowing chickens in the Hamlet and Councilman Hass and Van Slyke were for the allowing of the chickens in the Hamlet. This will be discussed further at the July 19th meeting where it will formally be voted on. After everyone was given the opportunity to speak, the Hearing was closed at 7:25 p.m.

Public Comment on the Barberville Natural Resource Area Plan-A town resident inquired as to who would be enforcing the rules and regulations at the site. Supervisor Jacangelo stated that a person will be hired to enforce the rules. M. Kitchie asked about the issue of insurance and if there would be an additional cost of taking this site over. There will be no additional cost of the town's insurance premiums and the Nature Conservancy will provide a one-time \$30,000 fee to the town which will be used for security and upkeep of the property. T. Hohman reported that the yellow police signs have been taken from the site and that is criminal he stated. Supervisor Jacangelo stated once again that the Nature Conservancy has been an absentee landlord and the town is trying to fix the problem and care for the site. The lengthy discussion continued. Supervisor Jacangelo stated he received an informal comment that the Park Plan assumes that the current draft of the local Code which has not been finished, supersedes the Park Plan. K. Hohman wanted to know if his questions to the CAC had been answered and Supervisor Jacangelo stated that the committee answered these questions. And T. Hohman stated that if the

Town took this site over then the Town is stuck with it. J. Casey, Town Attorney stated that there is a “reverter clause” in the proposed deed. Councilwoman Butler stated that the Town didn’t want the property, but we felt that we would be a better steward then the Nature Conservancy has been over the years. Councilman Hass stated for the record that he opposes the Town taking over this property because it is going to be an enormous problem for the town. This discussion will continue at the July 19th meeting.

Supervisor Jacangelo opened the floor for comments. Town resident asked if there was a jake brake ordinance (engine braking) in the town and Supervisor Jacangelo stated that there is no town ordinance nor state law. The same gentleman stated that this time of year a popular bike route on Plank Rd. is an issue due the heavy traffic flow trying to avert the bicyclists. Supervisor Jacangelo stated that he would notify the County Engineer. T. Anatasio wanted to know if the small bridge on Snyder Corners Rd. was going to be repaired and he didn’t know anything about it but he will reach out to R. Bayly our Legislator to see if he can shed some light on the subject. His second question was where does he find out the results of the water sampling from when Callanan started their mining in that area.

Motion by Hass, seconded by Wohlleber and an oral vote of 5 ayes to accept the Town Clerk’s minutes of the May 17, 2018 meeting as written.

Liaison Reports:

Planning Board –Town Board members had copies of the Planning Board’s meeting of June 5, 2018. T. Russell, PB Planning Board Chairman elaborated on the meeting.

Zoning Board – Town Board members had copies of the ZBA meeting of June 12, 2018. No Liaison was present, but Councilwoman Butler noted in the June 12th minutes that the secretary stated that a property that was previously subdivided cannot have another subdivision for 10 yrs. Councilwoman Butler stated that this should be “5 yrs. not 10 yrs.”

Fire Company – Town Board members had copies of the Fire Co. May 2018 report. L. Basle thanked the highway superintendent and his crew for doing a wonderful job doing the paving at the firehouse. He also asked the supervisor if the town’s files are being reviewed on the property on Abbott Dr. Supervisor Jacangelo stated that the issue is being reviewed.

Library – E. Gresens reported on the activities at the Library.

Youth Advisory Board- The new Youth Director T. Buker reported that they are on summer camp planning mode. Councilman Wohlleber spoke on K. Anthony’s accolades for her many years as the Youth Director and wished her the best in future endeavors and Supervisor Jacangelo shared Councilman Wohlleber’s comments.

CAC- Supervisor Jacangelo stated that the CAC did meet this month and reviewed the questions on the Barberville Falls Resource Plan and the Waste Management Host Agreement.

Correspondence:

Memo from Charter Communications dated June 7th explaining the channel changes that were taking place.

Kronau Group-Quail Meadows-Memo dated June 21st from K. Kronau asking for the Quail Meadow Dr. road in Phase I to be dedicated to the Town. D. Basle questioned the hydrants/connections on Quail Meadow and he also questioned the bump outs on the road.

Discussion Items:

Mohawk and Hudson River Humane Society animal shelter agreement-Motion by Hass, seconded by Wohlleber and carried to authorize the Supervisor to sign the shelter agreement.

Waste Management Host Community Agreement-Motion by Van Slyke, seconded by Supervisor Jacangelo to accept the Host Benefit Proposal and discussion followed. Supervisor Jacangelo stated that Waste Management has written up a draft proposal that all Town Board members had in their packets. He went through all of the details of the proposal. It provides solid waste disposal for residents of the town who do not have trash pick up and will be open certain days and time during the week. They will accept recyclables as well. The proposal offers a host fee of 50 cents per ton/90 tons per day/5 days a week which estimates approximately \$12,000 per year which Waste Management would like to be paid quarterly. A discussion regarding where the resources would be allocated too was held by Board members. It was discussed that it would be put into a legal/beautification fund for the Town's use when needed. The Host agreement includes that they (Waste Management) will comply with State DEC permit but comply with the Town operating permit which mirrors the NYS permit. Councilman Hass strongly disagrees with accepting this proposal because he feels this is creating an anti-business town and perhaps it could be looked at as a "bribe". Motion by Van Slyke, seconded by Supervisor Jacangelo and an oral vote of 4 ayes with 1 nay by Councilman Hass to authorize the Supervisor to sign the Community Benefit Agreement between the Town and Waste Management.

MS4 Annual Report-Supervisor Jacangelo stated that this document has been filed with the County.

Phone System-Supervisor Jacangelo stated that he is looking into whether our current internet can handle a new phone system because the internet is so slow.

Resolution #9-2018-Authorizing the Planning Board Upon a proper finding pursuant to Town Law 277(4) (c) to accept a sum of money in lieu of dedicated Parkland required in the approval of a subdivision Plat containing Residential Units and provisions for the determination of the value thereof- Supervisor Jacangelo wants to forward this resolution to the Planning Board and the Zoning Board for their comments prior to any formal vote on the issue. Councilman Hass objects to the whole State law concept. This will be discussed further at the next TB meeting.

Discuss section 150.85 of the Code-Councilwoman Butler stated this was already discussed at an earlier date.

General Code Estimate-A quote has been received from General Code Publishing to update recent legislation and the Town Board feels that the quote is reasonable but Supervisor Jacangelo would like to wait until the proposed Local Law #2-2018 is formally acted on and until the Town decides on what is going to be done with the Falls issue.

Action Items:

Certify Mohawk and Hudson River Humane Society Shelter Agreement-This was already approved earlier in the meeting. Supervisor Jacangelo reported that with the new Mohawk and Hudson River Humane Society Agreement it will cost \$70 plus additional fees per day.

Consider for Approval Waste Management Host Community Agreement-This was already voted upon earlier in the meeting.

Consider for Adoption Code Change in relation to the keeping of Chickens in certain Zones- This will be discussed further at the next Town Board meeting.

Motion by Wohlleber, seconded by Van Slyke and an oral vote of 5 ayes to appoint R. Brunet at a salary of \$2,000 a month as interim Water Manager for the town until a replacement is found.

Reports:

Supervisor's Report- Supervisor Jacangelo reported that the former Water Manager has left his position and that Lana's position will be vacant starting January 1st and there are twelve applicants that will be interviewed on July 12th. Supervisor Jacangelo also noted that the resolution that was adopted in 2016 where new hires will only be eligible for single coverage does NOT apply to the highway department.

Town Attorney's Report – Mr. Casey reported on the matters that he worked on since the last Town Board meeting which included working on the Park Land Local Law, the proposed local law pertaining to the chickens and contracts.

Town Clerk's Report – Motion by Butler, seconded by Wohlleber and an oral vote of 5 ayes to accept the Town Clerk's report of May 2018. The total amount received in the Clerk's office was \$5,985.46 and of that amount \$5,737.70 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 wanted to thank the Town of Sand Lake and North Greenbush, Rensselaer County Highway crew and D. Browe. Supervisor Jacangelo also thanked the Highway Superintendent for coordinating all the people in the paving project at the Firehouse parking lot.

Payment of Bills:

Motion by Hass, seconded by Wohlleber and an oral vote of 5 ayes to pay Warrant #11-2018 in the amount of \$178,006. Motion by Hass, seconded by Wohlleber and an oral vote of 5 ayes to pay Warrant #12-2018 in the amount of \$36,233.30.

Motion by Butler, seconded by Supervisor Jacangelo and carried to exit to Executive Session at 9:30 to discuss possible litigation with no votes being taken during the session. Motion by Supervisor Jacangelo, seconded by Butler and carried to adjourn this meeting at 10 p.m.

Respectfully submitted,

Susan Horton, Town Clerk

