

At a duly convened meeting of the Town Board of the Town of Poestenkill in the County of Rensselaer conducted at the Poestenkill Town Hall at 7:00 P.M. on the 16th day of August, 2018.

LOCAL LAW NO. __ OF 2018

TO PROVIDE THAT A SPECIAL USE PERMIT WILL NOT BE NECESSARY FOR RESIDENTS TO KEEP UP TO SIX (NONROOSTER) CHICKENS

WHEREAS, Chapter 150, Article VI § 150-26 (D) of the Poestenkill Town Code requires residents to obtain a special use permit in order to keep chickens in the R, RR-1 and CL1 Districts, and

WHEREAS, the Town Board hereby finds that the rigors of obtaining a special use permit in order to keep chickens (excluding roosters) is unduly onerous for residents with sufficient property in the R, RR-1 and CL1 Districts who wish to raise chickens; and

WHEREAS, the requirement that such residents provide a 144-square foot fenced-in pen for their chickens is a reasonable protection for the chickens and neighbors;

NOW, LET IT THEREFORE BE

RESOLVED, that Chapter 150, Article VI § 150-26 of the Poestenkill Town Code be and hereby is amended to add a new subdivision F to read as follows:

F. Notwithstanding the above, a person may keep up to six chickens, who are not roosters, in an enclosed coop of not more than 144-square feet, including a pen, in any zone without first obtaining a special use permit. Side and rear setbacks of the zone shall apply.

MOVED BY: _____

Prepared and approved as to form by:
John T. Casey, Town Attorney

SECONDED BY: _____

VOTED UPON AS FOLLOWS:

Councilwoman June Butler: _____

Councilman David Hass: _____

Councilman Harold Van Slyke: _____

Councilman Eric Wohlleber: _____

Supervisor Dominic Jacangelo: _____

TOWN BOARD MINUTES
TOWN OF POESTENKILL
TOWN BOARD MEETING
JULY 19, 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 carried that the monthly bills had been audited for payment.

Supervisor Jacangelo opened the meeting with the Pledge of Allegiance and started the continuation of the discussion on proposed Local Law #2-2018 TO REPEAL THE REQUIREMENT FOR A SPECIAL USE PERMIT FOR RESIDENTS IN CERTAIN ZONING DISTRICTS TO KEEP UP TO SIX CHICKENS. Councilman Hass would like to see chickens allowed in the Hamlet area as well as the other zones mentioned in the proposed law which include R, RR-1 and CL 1. After a lengthy discussion with some minor changes, the Town Board members decided that a new law will be drafted for next month's meeting to include chickens in the HAMLET.

Barberville Natural Resource Area Plan-Supervisor Jacangelo stated that the Article 78 is still pending. He also stated that there was a person injured at the Falls several weeks ago and because the Falls was closed at the time the person was issued a summons and must do community service. Councilman Van Slyke wanted it noted that this was an out of town person. An email was received from a town resident and was read into the record regarding potential hazards at the site. Supervisor Jacangelo reported that there will not be a difference in the Town's insurance premiums and he has spoken to Matt Levy, Nature Conservancy representative and he is supposed to erect signs at the site; however, this has not been done. M. Hopple, town resident feels that the town's Natural Resource Plan is a good guide to follow and it lays out a good action plan. Supervisor Jacangelo did a shout out to the Sheriff's department for responding to the accident and emphasized that people are to abide by the rules or go home. Another town resident, B. McClave has been involved with the falls for a long time and he feels that whoever takes ownership, the Falls should be policed/supervised. The Plan lays out these actions. A lot of the questions that were asked tonight cannot yet be answered until the time when/if the site is taken over by the town. Supervisor Jacangelo stated that this discussion will be continued at the regular August Town Board meeting and anyone can always write down their comments/email and send them to the Town Hall.

Supervisor Jacangelo opened the floor for comments. L. Basle asked to reserve time to speak when reports were given.

Motion by Wohlleber, seconded by Butler and an oral vote of ayes to accept the Town Clerk's minutes of the June 28, 2018 meeting.

Liaison Reports:

Planning Board –Town Board members had copies of the Planning Board’s meeting of July 3rd 2018. H.Teal, Planning Board liaison elaborated on the meeting. He also noted the Comprehensive Plan needs reviewing. Supervisor Jacangelo stated that perhaps a committee could be formed to review the existing Plan and this will be discussed further in the future. Supervisor Jacangelo also spoke briefly on the green space fund and that perhaps this fund could be used for the policing of the Falls (if the town takes it over) or perhaps a public park could be created.

Zoning Board – Town Board members had copies of the ZBA meeting of July 10th and M Colello, ZBA liaison elaborated on their meeting.

Fire Company – Town Board members had copies of the Fire Co. June 2018 report.

Library – E. Gresens reported on the activities at the Library. Councilman Van Slyke reported that one estimate had been received on the renovations to the Library porch and Supervisor Jacangelo stated that there should be two or three proposals submitted before any decision is made.

Youth Advisory Board-Youth Director T. Buker updated the Board on the activities that were happening with the Summer Camp which is at full capacity.

CAC- No Meeting

Correspondence:

Memo dated June 29th regarding channel changes for Charter Communications.

Discussion Items:

Local Law#2-2018 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 CL 1 Districts. This was already discussed, and a new draft will be done by our Town Attorney.

Continuation of Barberville Natural Resource Area Plan-This too was already discussed, and the town is waiting for a decision on the Article 78 proceedings.

Supervisor Jacangelo gave Councilwoman Butler the street light inventory for her review.

Action Items:

Consider for Approval Proposed Local Law #2-2018-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 sq. Ft. pen in R, RR-1 and CL1 Districts- THIS WILL BE DISCUSSED FURTHER BEFORE ANY FORMAL ACTION.

Authorizing reissuing of Highway Truck Debt-Supervisor Jacangelo wanted this discussed because the Debt (original amount \$425,000) for the (2) Highway Trucks and Payloader will be due on August 10th and he said that it was too early yet to get an interest quote from the bank (s) so he needed authorization from the Board to go ahead and get this started. It is his presumption to pay down the debt based on what is in the budget for capital acquisitions and he wants to meet with the highway superintendent to see if any more money can get “squeezed” out of the budget to get the debt paid down. He is also not sure if a bond council is needed. Supervisor Jacangelo is

going to get quotes from Key Bank and M&T and will go with the lower interest rate. Motion by Hass, seconded by Wohlleber and carried authorizing the Supervisor to move forward with the process of contacting the bank(s) for their quotes on interest rates.

Reports:

Supervisor's Report- Supervisor Jacangelo reported that himself, T. Fields and the Highway Superintendent have been working on the issues both at Lochvue and Quail Meadows. Both Developers have been notified of their deficiencies in their proposed roads for town dedications. Supervisor Jacangelo also stated that he and Councilman Van Slyke met with NYSERDA about the possibilities of a Municipal Grant for a heating/cooling system for Town Hall. He also attended a meeting with the County Executive regarding shared services. He is working with the Assessor/Code Enforcement officer regarding the interviews for the prospective candidates for Lana's position; 3 of these people will be called back. Supervisor Jacangelo once again discussed whether solar panels should be placed at the highway garage/landfill.

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 proposed road dedications for the two major sub-divisions in town. He prepared the proposed local law #2 which he must re-work. He worked on the Bond Anticipation Note and completed his mandatory training.

Town Clerk's Report – Motion by Wohlleber, seconded by Butler and an oral vote of 5 ayes to accept the Town Clerk's report of June 2018. The total amount received in the Clerk's office was \$6,472.62 and of that amount \$6,194.22 was remitted to the Supervisor. Town Board members had copies of the Building Inspector/Code Enforcement Officer's written report. Supervisor Jacangelo added that he and the Code Enforcement Officer have been working on a foreclosed property on Williams Rd. because of all the neighbors' complaints. It was reported that the Code Enforcement Officer had called the property management company/bank but had no results, so the Supervisor asked if the highway crew could get a dumpster and have them clean it up and the amount will be relieved onto the property tax bill. There were several complaints from town residents who also have a similar problem with these issues. There were also reports from the Assessor, 811 report, water report and the Highway Dept. report. Supervisor Jacangelo also reported that there will be a meeting on July 24th at the town hall for a webinar presentation regarding highway equipment tracking. Anyone that would like to attend is welcome. The highway superintendent stated that he had learned about this tracking at the Town of Sand Lake.

Councilman Wohlleber stated residents were upset over the "new" sign East of Blue Factory just stating end of 40 mph (just prior to Oak Hill Rd.) Supervisor Jacangelo stated that this was a county road and that he should reach out to County Legislature, R. Bayly.

Town resident L. Basle stated that he has been working with the Code Enforcement Officer for over 8 months regarding the issue that he is having with the property on Abbott Dr. and is getting nowhere. He further stated none of the storage buildings that are there have had building permits. Supervisor Jacangelo stated that ZBA minutes have shown that in 1982 there was a Special Use Permit (SUP). The Permit has not yet been located. Attorney Casey reviewed the course of action that Mr. Basle should follow if he starts a court action. Councilman Wohlleber is frustrated with the Code Enforcement Officer over the many issues that are involved with this case. Supervisor Jacangelo stated that he would talk to the Code Enforcement Officer to see what the next course of action that he will be taking on this matter.

Supervisor Jacangelo stated that he will have the Code Enforcement Officer call Councilman Wohlleber because he has spoken with the land owner. Councilman Van Slyke wanted to know what would satisfy Mr. Basle at this point while the issue is still being investigated and Mr. Basle said just to clean up the site.

Budget Transfers:

RESOLUTION #10-2018-IN THE MATTER OF THE TRANSFER OF CERTAIN GENERAL BUDGET FUNDS resolved that it is hereby authorized and directed that the sum of \$500 be transferred from General Budget Fund line item 11990.4 (Contingent) to General Budget Fund line item 18510.4 I (Community Beautification)

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 #11-2018-IN THE MATTER OF THE TRANSFER OF CERTAIN GENERAL BUDGET FUNDS resolved that it is hereby authorized and directed that the sum of \$3,107.50 be transferred from General Budget Fund line item 11990.4 (Contingent) to General Budget Fund line item 11910.4 (Insurance)

MOVED BY: Councilman Hass

SECONDED BY: Councilman Wohlleber

VOTED UPON AS FOLLOWS:

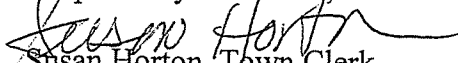
Councilwoman Butler	YES
Councilman Hass	YES
Councilman Van Slyke	YES
Councilman Wohlleber	YES
Supervisor Jacangelo	YES

Payment of Bills:

Motion by Hass, seconded by Wohlleber and an oral vote of 5 ayes to pay Warrant #13 -2018 in the amount of \$2,712.10. Motion by Hass, seconded by Wohlleber and an oral vote of 5 ayes to pay Warrant #14 -2018 in the amount of \$ 51,604.87.

Motion by Supervisor Jacangelo, seconded by Butler and carried to exit to Executive Session at 9:15 p.m. to discuss a personnel issue with no votes being taken. Motion by Wohlleber, seconded by Hass and carried to exit from Executive Session at 9:50 p.m. and immediately adjourn.

Respectfully submitted,


Susan Horton, Town Clerk

TOWN BOARD MINUTES
TOWN OF POESTENKILL
TOWN BOARD SPECIAL MEETING
AUGUST 7, 2018
(Not approved at time of distribution)

ROLL CALL AS FOLLOWS

Councilwoman Ross	Present
Councilman Hass	Present
Councilman Van Slyke	Present
Councilman Wohlleber	Absent
Supervisor Jacangelo	Present

NON-VOTING MEMBERS

Susan Horton, Town Clerk
Jack Casey, Town Attorney

Supervisor Jacangelo opened the Special Meeting at 5:30 p.m. with the Pledge of Allegiance. He explained that this meeting was for the sole purpose of authorizing the refinancing of the current debt of the highway vehicles. Supervisor Jacangelo stated that he and Attorney Casey have been working on this issue. The special meeting notice was published on the website on August 3rd. He further stated, that Steve Riley from the firm of Whiteman, Oysterman & Hanna LLP is acting as bond council to undertake legal services in connection with the bonds and notes. Supervisor Jacangelo stated that they received two quotes, one from Key Bank and one from M & T Bank and the decision was to go with M & T Bank at a lower interest rate.

Supervisor Jacangelo explained that \$110,000 will be applied to the principal and the interest of \$6,000 plus change will be paid out of the General Highway Funds. The Resolution is as follows:

RESOLUTION #12-2018 – BOND ANTICIPATION RENEWAL NOTE RESOLUTION ADOPTED AUGUST 7, 2018 AUTHORIZING THE RENEWAL, IN PART, OF A BOND ANTICIPATION NOTE OF THE TOWN OF POESTENKILL IN THE PRINCIPAL AMOUNT OF \$305,000 IN ANTICIPATION OF THE ISSUANCE OF SERIAL BONDS BY THE TOWN FOR THE PURPOSE OF ACQUIRING A PAYLOADER AND TWO TANDEM DUMP TRUCKS AND RELATED APPARATUS.

WHEREAS, pursuant to the Bond Resolution, the Town previously issued its \$415,000 Bond Anticipation Note for Highway Department Equipment-2017 (the “2017 Note”) and the 2017 Note matures on August 10, 2018. This Resolution takes effect immediately.

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	ABSENT
Supervisor Jacangelo:	YES

Motion by Hass, seconded by Van Slyke and carried to adjourn this meeting at 5:50 p.m.

Respectfully submitted,

Susan Horton, Town Clerk



TOWN OF POESTENKILL

38 Davis Drive / P.O. Box 210

Poestenkill, NY 12140

(518) 283-5100 Phone

(518) 283-7550 Fax

Planning Board

PLANNING BOARD AGENDA

August 7, 2018

7:30 Meeting Opens – Pledge of Allegiance

Public Hearings:

<u>43 Mall LTD</u> Mark Petrone	<u>Easement for Storm Water Pond</u>
<u>Rocco Testo</u> 136.0-9-1.4	<u>3 Lot Minor Subdivision</u> Algonquin Beach Road
<u>Larry Dickinson</u> 126.-1-24.114	<u>2 Lot Minor Subdivision</u> Snake Hill Road
<u>CNS Real Estate & Development</u> 125.12-7-27.1.1	<u>4 Lot Minor Subdivision</u> School Road

Applicants:

<u>Gregory Hansen</u> 136.00-1-6/136.00-1-7/136.00-1-9.2	<u>2 Lot Line Adjustments</u> 19 Jefferson Way
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Minutes of the July 3, 2018 Meeting

Public Comments

Old Business:

Waste Management:

Organization:

Other:

Jeff Briggs to Attend August Meetings
Tom Russell to attend September Meetings
Bob Dore to attend October 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

AGENDA

Zoning Board of Appeals August 14, 2018 @ 7:30 pm

MEETING OPENS – PLEDGE OF ALLEGIANCE

Public Hearing:

<u>Janet Provost</u>	<u>Area Variance</u>
137.00-2-7.21	576 Oak Hill Road

New Applicant:

<u>Charles Mero</u>	<u>Area Variance</u>
125.12-3-7	20 Davis Drive

<u>Gregory Hansen</u>	<u>Area Variance(s)</u>
136.00-1-6/136.00-1-7/136.00-1-9.2	19 Jefferson Way

<u>Keith Hankle</u>	<u>Area Variance</u>
136.-9-11	3 Cherokee Lane

Minutes of July 10, 2018

Organizational:

Other:

Paul Jamison	to attend August Meetings
Michael Colello	to attend September Meetings
Kevin McGrath	to attend October Meetings

Poestenkill Fire Company
Custom Summary Report
July 2018

	<u>Jul 18</u>
Expense	
Building Fuel (heating)	
East Poestenkill (propane)	215.25
Total Building Fuel (heating)	<u>215.25</u>
Building Maintenance	
Cleaning Supplies	190.52
Refuse	145.07
Total Building Maintenance	<u>335.59</u>
Code 100	77.76
Electric	
East Poestenkill	115.99
Main Station	21.02
Total Electric	<u>136.61</u>
Equipment	
New Equipment	960.87
Repair & Maintenance	556.41
Total Equipment	<u>1,517.28</u>
Fire Trucks	
Fuel	539.06
Repair & Maintenance	1,757.13
Total Fire Trucks	<u>2,296.19</u>
Gift From Ladies Aux.	85.00
Internet and Phone	103.82
Medical Supplies	105.68
Physical Fitness	150.00
Reimbursement	75.31
Security Alarm	65.00
Solar	664.53
Telephone	
East Poestenkill	40.23
Main Station	50.26
Total Telephone	<u>90.49</u>
Training	149.52
Water	32.40
Total Expense	<u>6,100.43</u>
Net Income	<u><u>-6,100.43</u></u>

Community Benefit Agreement
between the
Town of Poestenkill
and
Waste Management of New York, LLC

This Agreement made this _____ day of _____, 2018, by and between **Waste Management of New York, LLC**, a limited liability company of the State of Delaware, (hereinafter referred to as “Waste Management”), and the **Town of Poestenkill**, a municipal corporation of the State of New York (hereinafter referred to as “Poestenkill” and/or “Town”).

WITNESSETH:

WHEREAS, Waste Management owns and operates a solid waste transfer station located at Routes 66 and 351, Poestenkill, New York (hereinafter, the Transfer Station); and

WHEREAS, Waste Management operates the Transfer Station pursuant to a solid waste facility permit issued by the New York State Department of Environmental Conservation (hereinafter referred to as “NYSDEC”), and receives and transfers Solid Waste (as defined in 6 NYCRR Part 360); and

WHEREAS, Poestenkill is familiar with the current and past operation of Waste Management’s Transfer Station and has confidence in the ability of Waste Management to continue to operate same in compliance with all applicable laws, rules and regulations; further, Waste Management agrees that Poestenkill will enforce applicable rules and regulations of the Town; and

WHEREAS, Poestenkill recognizes that a Planned Development District was established for the operation of the transfer station in 1993 which allows for the continued or future use of the

Transfer Station by Waste Management to service solid waste generators other than those within Poestenkill, and

WHEREAS, Poestenkill and Waste Management have agreed that the community benefits to be provided to the Town shall be defined by the terms and conditions of this Agreement.

NOW, THEREFORE, for and in consideration of the mutual covenants herein, the parties agree as follows:

1. The effective date of this Agreement shall be January 1, 2018, and it shall remain in effect for the period of time that the Waste Management transfer station remains in operation and receives Municipal Solid Waste for transfer or any future or subsequent owner.

2. Subject to the terms of this Agreement, Waste Management agrees to provide Poestenkill community benefits, as follows:

(a) Waste Management will contribute to the Town a benefit of fifty cents (\$.50) per ton of Solid Waste received for transfer at the Transfer Station. Such payments shall be subject to appropriation by the town for projects that contribute to the quality of life in the Town such as the care and maintenance of public facilities such as but not limited to the celebration of national holidays, the recognition of distinguished veterans, and the care and maintenance of public spaces. Payments shall be made quarterly, within thirty (30) days of the end of each calendar quarter.

(b) Waste Management shall provide residential Solid Waste drop-off service to residents of the Town. Residents may deliver residential Solid Waste only, and dispose same for a fee of three dollars (\$3.00) per bag, with such bags limited to 30 gallon capacity. Residents may use their own bags. Drop off shall be 7- 10 AM on Mondays and Fridays. Waste Management shall place on their property a receptacle(s) (roll off or packer) to accept mixed recyclables from town residents at the same rate as solid waste \$3 / 30 gallon bag.

(c) Waste Management shall provide service once per calendar quarter to residents of the Town for disposal of white goods. Residents may deliver residential white goods, and dispose same for a fee of \$30.00 per item. White goods include washers, dryers, microwaves, refrigerators, freezers, and air conditioners.

(d) Waste Management shall provide service once per calendar quarter to residents of the Town for disposal of bulky waste. Residents may deliver residential bulky waste, and dispose same for a fee of \$20.00 per item. Bulky waste includes mattresses, couches, furniture, sofa chairs and such other items as Waste Management shall choose at its discretion to accept.

(e) All Solid Waste which is disposed under (b), (c) or (d) above shall be generated by residences within the Town, and delivered to the Transfer Station for disposal. Solid Waste generated by contractors shall not be eligible for disposal under these provisions. Proof of residence will be required in order to deliver Solid Waste. Any Town resident delivering Solid Waste under the drop-off program shall comply with all directions of Waste Management's on-site personnel.

(f) Waste Management will communicate a schedule of the days and hours of each of the above programs to the Town. Waste Management reserves the right to modify such schedules on reasonable advance notice to the Town.

3. This Agreement shall remain in effect for the period of time that the Waste Management transfer station remains in operation, and receives Solid Waste for transfer. This Agreement shall not obligate Waste Management or their (subsequent company) to provide the community benefit hereunder unless the Transfer Station is in operation and accepting solid waste for disposal. Waste Management may suspend its Solid Waste receiving operations at the Transfer Station at any time, in its sole discretion, and will provide 7 (seven) day advance notice to the Town of such suspension.

4. Waste Management will operate the Transfer Station in accordance with the facility permit and applicable regulations of the NYSDEC and within the parameters of their operating permit from the Town of Poestenkill. Waste Management agrees that it will not expand the physical plant of the Transfer Station without any required Town approval and that any capacity expansion must be approved by NYSDEC; and

5. The parties to this agreement agree to meet once per year to discuss general operating issues which may arise and which require action on either parties part. In addition the parties agree that once every five (5) years the parties will meet for the purpose of reviewing this agreement and shall modify such agreement with mutually agreeable terms and conditions.

5. Any notices or communication required or permitted hereunder shall be in writing and sufficiently given if delivered in person or sent by certified or registered mail, return receipt requested, postage prepaid, as follows:

If to the Town:

Town of Poestenkill
Town Hall
Poestenkill, New York, 12140
Attention: Town Clerk

If to Waste Management:

Waste Management of New York LLC
100 Boat St.
Albany, NY 12202
Attn: Area Director of Disposal Operations

Changes in the respective addresses to which such notices may be directed may be made from time to time by any party by written notice to the other party.

6. The waiver by any party of a default or a breach of any provisions of this Agreement by another party shall not operate or be construed to operate as a waiver of any subsequent default or breach. The performance of any obligation by any party with knowledge of the existence of a default or breach shall not operate or be construed to operate as a waiver of any default or breach.

7. The provisions of this Agreement shall (a) constitute the entire agreement between the parties, superseding all prior agreements, and negotiations and (b) be modified only by written agreement duly executed by Poestenkill and Waste Management.

8. In the event that any provisions of this Agreement or the application of such provision to any person or circumstance shall, for any reason, be determined to be invalid, illegal or unenforceable in any respect, the remaining provisions of this Agreement, or the application of the provision to any person or circumstances other than those as to which the provision was held

invalid, illegal or unenforceable, shall not be affected by such determination and shall be valid and enforceable to the fullest extent permitted by law.

9. This Agreement may be executed in more than one counterpart, each of which shall be deemed to be an original but all of which taken together shall be deemed a single instrument.

10. This Agreement shall be binding upon the successors and assigns of the parties as permitted and required by law.

IN WITNESS WHEREOF, the parties hereto signed this Agreement as of the day and year first above written.

ATTEST:

Town of Poestenkill

ATTEST:

**Waste Management of
New York, LLC**

TOWN CLERK'S MONTHLY REPORT
Town of Poestenkill, New York
July 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:	\$ 12.86
Marriage License @ \$ 7.50 each	\$
Marriage Certificate @ \$10.00 each	\$
Marriage Transcript @ \$10.00 each	\$
A1255 Total Town Clerk Fees	\$ 12.86
Peddler's Permit	\$
A1289 Registrar	\$
A2655 Minor Sales - Copies (certified copy) -	\$
A2530 Games of Chance (Bell Jar)	\$
A2544 Local Fee for dogs	\$ 209.00
A2115 Planning Board Fees Planning \$93.12 ZBA \$40.00	\$ 133.12
A2555 Building Permits	\$2134.00
A2501 Junkyard License	
A2268 Impoundment fees	\$
A2720 Water Meter Fee \$ 235.00 1001 Water Benefit Charge -	
A2240 Misc. Water Charges -	\$
A2710 Water Permit Fee \$80.00	
1001 Water billing \$15.579.62	\$
Total Water Charges	\$15,894.62
REVENUE TO SUPERVISOR	\$18,383.60
Amount paid to State Comptroller for Games Chance License	\$
Amount paid to DEC for Conservation Licenses	\$ 220.14
Amount paid to AG. And Markets for fee for unsprayed/unneutered Dog program	\$ 53.00
Amount paid to State Health Dept. for Marriage Licenses	\$
TOTAL DISBURSED	\$ 273.14
August 3, 2018 Dominic Jacangelo, Supervisor	
TOTAL AMOUNT RECEIVED BY CLERK	\$18,656.74
State of New York, County of Rensselaer, Town of Poestenkill, Susan Horton, being duly sworn says that she is the Clerk of the Town of Poestenkill the foregoing is a full and true statement of all Fees and Moneys received by her during June Fees the application and payment of which are otherwise provided by law subscribed and sworn to before me this 3rd day of August 2018.	

Susan Horton



TOWN OF POESTENKILL

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

August 9, 2018

To: Dominic Jacangelo
Town Board members

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

Re: July 2018 work activities

My work hours for the month totaled 39 3/4 hours. Fees collected through this office totaled \$2793.

Activities included:

- Fielded a number of complaints concerning non-conforming property issues with various degrees of resolution.
- Issued 5 new building permits for new single family residences in the Lochvue and Quail Meadow subdivisions. Issued 7 new permits for above ground pools, PV solar arrays, new roofing repairs
- 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 was notified. Research indicates fill material may be okay but the area of the dumping may need to be modified according to town code. No need for DEC. Will communicate with offending party. 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. **Update:** Possible violation of town code regarding fence. Will communicate with complainant. Still open. No action taken.
- 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. **Update:** DEC indicated they will be investigating and I will be invited to their

inspection of the premises. At this time, DEC has not notified me when the inspection will take place. Update: DEC investigation found materials not permitted under their legislation and found an abundance of tires, possibly exceeding their allowable threshold without a permit in place. Further investigation by DEC and possible fines. At the time of this report, DEC has not informed the building department of any formal action. Code enforcement had issued a cease and desist order for the questionable dumping. The dumping continued and it was formally posted. The site is a salvaged yard and the permit to operate has not been renewed at this time pending the full investigation and the determination by DEC the operations do not violate their regulations.

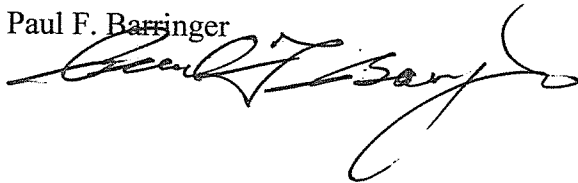
- Reviewing a complaint of a non-conforming use operation in a residential neighborhood. The town attorney, zoning and planning boards are involved in the review. Met with the owner of the property to review operations and inspect for possible code violations. One reported violation was found to be unfounded for non-registered motor vehicles. Condition of the property will be reviewed after the review is completed by the zoning/planning boards. **Update: Files have been researched and in the process of review. The noise violation complaint appears to have been resolved.**
- Reviewing existing files on ongoing building permits with the long-term intent of closing out files. Conducting field inspections as necessary.
- 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. 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. Small changes since last month's report.
- 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. Status is same.

- Conducted field inspections for compliance to SWPPP and MS4 requirements at Lochvue and Quail Meadows. Reviewed weekly reports from Ingalls Engineering for Lochvue. The engineering firm for Lochvue has been notified that the identified deficiencies and the maintenance work for SWPPP compliance needs to be addressed by the developer. Quail Meadows SWPP inspections have resumed due to the construction. Maintenance of the collection ponds and SWPPP compliance will remain with the developer until the Lochvue subdivision is completed. Still open.
- Met with Quail Meadow owner Kevin Kronau and his MS4 compliance engineer, Scott Reese about the future of the SPEDES/MS4 compliance report. Contacted DEC representative and Town Engineer Tom Field about the town's responsibility regarding the plan. Found the plan must remain as is unless the owner/developer submits a NOT and files a new plan for the future subdivision work. All contractors working within the development shall sign on to the existing plan. **Status same. Site inspections have resumed with the required reports submitted weekly. Phase 2 of the Quail Meadows subdivision has begun for the infrastructure.**
- Fielded a number of phone calls inquiring about building code compliance for future projects from town residents.
- 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. **UPDATE:** Reviewed the requirements and forwarded the necessary link and paperwork for DEC compliance to the salvage yard owners. Sent letters to the owners for calling to schedule the town required inspections prior to renewing the operating permits. Permitting process will be resumed with the exception of one, which needs to resolve its violations prior to issuing the permit.
- Provided information to Attorney Casey for non-compliance 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. **Update: Paperwork for the court appearance is being prepared. Letter sent to the owner without a response at the time of this report. No response still by the time of this report. Neighbor reports that there has been no activity at the site. No change since last report.**
- 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. **Update:** PFD was working with Rensselaer Co. Sewer and Water specialist to prepare an acceptable plan (NOI) to be filed prior to continuing the work. SPEDES plan prepared and under review by town engineer and due to the location, under review by NYS Historic Preservation due to potential Native American history. No response from NYS Historic Preservation had been received by the time of this report. Update: **Since no action by SHPO, the project may move forward.**

- Letters have been mailed to the owners of the multi-family residences to schedule the required inspections as indicated in NYS Uniform Building Fire Code not to exceed 36 months. **Five fire inspections have scheduled for dates in August.**

Paul F. Barringer

A handwritten signature in black ink, appearing to read "Paul F. Barringer", written in a cursive style.



OFFICE OF THE
ASSESSOR

Town of Poestenkill

38 Davis Drive | P.O. Box 210
Poestenkill, NY 12140
518.283.5100 (Phone)
518.283.7550 (Fax)

TO: POESTENKILL TOWN BOARD

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

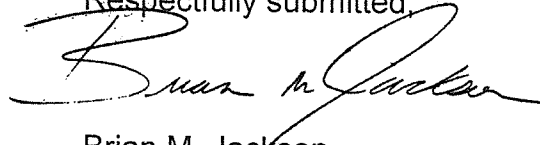
New York State Tax and Finance is again changing the way people apply for the STAR exemption. Anyone that is currently getting the Enhanced STAR (Sr.) and is on the IVP list will not change; but anyone that is on the Enhanced list and still files with our office will no longer be able to do that. They will all need to apply directly with the State beginning this coming year. Also, anyone who is receiving the Aged exemption will not automatically get the Enhanced as before. They will have to apply for that separately this year and will ultimately file directly in the future with the State for their Enhanced exemption as well. For the seniors, it will be several applications to file this year and then (except) for the initial Aged exemption application each year here, everything will be administered by New York State. It is somewhat confusing this year with several new forms to file for the seniors and then next year the State dealing with them directly. We are in the process of mailing our seniors some information on what the new changes will be and how we will implement the paperwork for them. It is apparent that the State wants to control any and all STAR applicants but the fear is that some of the seniors may not file as needed or will be lost in the transition.

We have also been in the process of interviewing several candidates for the Assessor Clerk and Building Inspector clerk positions. The clerk for the water department will not be filled in 2019. There were 13 resumes received and the interviews were spread over a couple of weeks to accommodate everyone. There will be additional interviews as we try to narrow the field and obtain the person or persons that will fill each position.

We continue to receive new deeds from the county. They are processed and checked on the rps system and a STAR letter is sent to the new owners so that they can contact the State directly to receive their STAR checks.

Constituent relations continue to be good during this period.

Respectfully submitted,


A handwritten signature in black ink, appearing to read "Brian M. Jackson". The signature is written in a cursive style with a large initial "B" and a long, sweeping underline.

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: Robert Brunet / Water Manager 

Date: August 15, 2018

RE: Monthly Activities

Monthly Water Report July-August 2018)

Daily 811 Dig Safe daily requests were received and responded to appropriately

Working on the Quail Meadows and the Lochvue subdivision issues

Prepared and Submitted required NYSDOH MONTHLY 360 Report and Bender Labs reports to the RCDOH

Inspected 3 new water installations

3 new meters were installed.

Ordered and received 6 new meters for inventory

Handled several customer complaints

At pumphouse (July 4) High pressure water line broke; replaced defective water line.

At pumphouse (Sunday, July 15) Second High pressure water line broke; replaced defective water line.

At pumphouse (August 2) replaced defective high pressure check valve in system

AT pumphouse August 4) repaired and cleaned out blockage in high pressure lines at pump station

Took daily water samples at Town Hall and delivered monthly test samples to Bender Labs for testing. Lab results were all Satisfactory

Worked on various Town Undertakings (Lochvue @ Quail Meadow, for example)

Followed procedures to bill and update records for 3 sellers and buyers of homes



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: August 2, 2018

RE: Highway Activities
July 11, 2018- August 2, 2018

1. Crew cutting grass on shoulders of roads.
2. Crew finished putting shoulders on Bermas Road, Swankey Rd, Hicks Pond Rd.
3. Crew been helping Town of Sand lake paving road.
4. Crew been helping Rensselaer County highway department pave.
5. Crew been working on equipment.
6. Crew been chipping brush and bags.