

TOWN BOARD MINUTES
TOWN OF POESTENKILL
TOWN BOARD MEETING
SEPTEMBER 20, 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.

Public Comments on Barberville Natural Resource Area Plan/Law – Supervisor Jacangelo reiterated that the comment period on the possible falls transfer of ownership has been open since the original public hearing date. M. Levey has been working with Supervisor Jacangelo for 3 or 4 years on this possible transfer and if the Town does not take ownership it will be transferred to a third party because the Nature Conservancy cannot give the attention to the site that it needs. He is in favor of the transfer of ownership to the town. J. de Waal Malefyt is in favor of the acquisition and the Barberville Natural Resource Area Law and he feels this law best addresses adjacent landowners' concerns. He also feels that the Town is the best entity to take control of the BNRA because as a local government it has better resources and connections with State and County enforcement agencies to further address the local laws of the BNRA when/if the Town assumes ownership. Supervisor Jacangelo reported that all emails and comments that have been received, whether in favor or not are part of the official record. Supervisor Jacangelo closed the public hearing at 7:15 p.m.

Supervisor Jacangelo opened the floor for comments. F. Fisher, town resident was present to tell the Town Board and the audience about his recent ordeal with the time it took for Mohawk Ambulance to arrive on the scene when he was severely burned at his work place at the Hollywood Drive In. He is concerned over the lack of an ambulance service in the Town. Supervisor Jacangelo spoke about the proposals that the Town had been discussing last year's but they lacked in substance. Supervisor Jacangelo wants to meet with Mohawk and is looking for a commitment to serve the Town and would like an explanation as to why the response is so slow. What ever the solution is it has to be cost effective. L. Fisher said should it be the cost or a life? Supervisor Jacangelo stated that last years proposals were deficient because there was no mutual aid. D. Bader, Abbott Dr. resident and Captain in the Troy Fire Dept. stated that our Fire Dept. does a great job, but the Town needs to do something about an ambulance service in Town and the people should be given a chance to vote on the issue. S. Kellar another town resident feels that the Board has an obligation to the Town to have a dedicated ambulance service. E. Eisenhandler, Town resident, feels that this Town Board has been given enough time and the inactivity on this matter is shameful. Councilman Wohlleber stated that the Ambulance Advisory Volunteer Committee started in January 2016 and met through July 2017 and the members of the Committee worked very hard. And now fast forward, it has been 15 months, and nothing has been done. T. Jacangelo asked if Councilman Van Slyke and Councilman Wohlleber had (as the Advisory Committee) met with the other Committee members on a regular basis and the

answer was yes that they had, and Councilman Van Slyke had the data from the County. The lengthy discussion continued.

Motion by Butler, seconded by Van Slyke and an oral vote of 5 ayes to accept the Town Clerk's minutes of the August 16, 2018 meeting with one correction. The vote authorizing Supervisor Jacangelo to sign the Community Benefit Agreement should read a NO vote for Councilman Van Slyke and a YES vote for Councilman Wohlleber.

Liaison Reports:

Planning Board –Town Board members had copies of the Planning Board's meeting of September 4, 2018. Chairman Russell elaborated on the meeting.

Zoning Board – Town Board members had copies of the September 11, 2018 meeting. M. Colello elaborated on the recent meeting.

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

Library – M. Hopple reported on the activities at the Library.

Youth Advisory Board-Councilman Wohlleber updated the Board on the activities that were happening with the Youth Board including the Halloween parade.

CAC- The CAC met last week and went through the BNRA Plan and the Natural Resource Area Law once again.

Correspondence: Letter dated August 29th informing residents about programming changes that will affect subscribers.

Barberville Falls-These letters will be placed in the Falls file.

Presentations: D. Clemente did a brief presentation on the proposal to rezone 5 acres of the Troy Sand Gravel property on Stop 13. A map of the proposed site was given to the Board. This will be a 2-3-year project and there will be no blasting and no truck traffic on town roads. Supervisor Jacangelo stated that he would like to look at the site before taking any vote to entertain a rezoning application.

Solar Energy-This will happen at a later date.

Discussion Items:

Acquisition Agreement Barberville NRA-Town Attorney Casey will forward the current draft of this paperwork to Town Board members.

Continuation of Barberville Natural Resource Area Plan- CAC members, Supervisor Jacangelo and Councilwoman Butler took a hike up at the Falls area recently.

Continuation of Barberville Natural Area Local Law-Attorney Casey will forward the current draft of the paperwork to Town Board members.

Councilman Van Slyke stated that he had several estimates on the Library porch and the range from \$8,000 -\$18,000.

Set dates for Budget Workshops-It was decided that a Budget Workshop will be held October 4th at 7 p.m. and Quail Meadow Rd. will be discussed.

Action Items:

Consider approving the 2018-2019 Snow and Ice Agreement-Motion by Van Slyke, seconded by Hass and an oral vote of 5 ayes to authorize Supervisor Jacangelo to sign this Agreement.

RESOLUTION #14-2018-DECLARING THE MONTH OF SEPTEMBER "OVARIAN CANCER AWARENESS MONTH" AND ANNOUNCING A "TURN THE TOWN TEAL" CAMPAIGN IN THE TOWN OF POSESTENKILL TO RAISE AWARENESS ABOUT OVARIAN CANCER AND ITS SYMPTOMS

MOVED BY: Councilwoman Butler

SECONDED BY: Councilman Wohlleber

VOTED UPON AS FOLLOWS:

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

Consideration of acceptance of Quail Meadow Rd-This will be discussed at the October 4th workshop.

Reports:

Supervisor's Report- There is an opening on the Board of Assessment Review and this is a 5-year appointment. Supervisor Jacangelo reported that he met with County representatives on shared services on September 14th. Councilwoman Butler and the Supervisor met with the highway union and there was some discussion on reducing the speed limit near School St. Starting on October 1st per the Community Host Agreement residents will be allowed to bring their 30- gallon trash bags of garbage for a \$3 fee. On October 6th bulk items will be accepted. A listing of times and fees will be posted to the Town's website along with items that are accepted.

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 Barberville Falls Acquisition paperwork, drafting the Local Law, and drafting the Ovarian Cancer Resolution for tonight's meeting.

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 August 2018. The total amount received in the Clerk's office was \$8,406.26 and of that amount \$6,793.88 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, 811 report, water report and the Highway Dept. report.

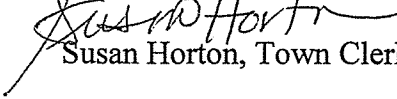
Payment of Bills:

Motion by Hass, seconded by Wohlleber and an oral vote of 5 ayes to pay Warrant #17-2018 in the amount of \$47,717.65. Motion by Hass, seconded by Wohlleber and an oral vote of 5 ayes to

pay Warrant #18-2018 in the amount of \$180,576.19. There was a large vet bill that needed to be explained.

Motion by Butler, seconded by Hass and an oral vote of 5 ayes to exit to Executive Session at 9:15 p.m. to discuss the highway contract and a personnel issue with no votes taken. Motion by Van Slyke, seconded by Wohlleber and carried to exit from Executive Session at 9:35 p.m. and immediately adjourned this meeting.

Respectfully submitted,


Susan Horton, Town Clerk

TOWN BOARD MINUTES

Town of Poestenkill

Town Meeting/Budget Workshop

October 4, 2018

ROLL CALL AS FOLLOWS

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

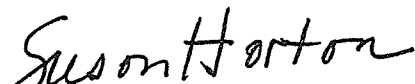
NON-VOTING MEMBERS

Susan Horton, Town Clerk

Supervisor Jacangelo opened the Meeting/Workshop with the Pledge of Allegiance and thanked everyone for attending. Town Board members had copies of the 2019 Tentative Budget. Board members reviewed tentative figures line by line. There was much discussion on several issues which included newly created position(s) within the Tentative Budget. The 2019 Budget Hearing will take place on October 18th at the regularly scheduled Town Board meeting. Copies of Tentative Budget are available in the Town Clerk's office. J. Uline, Chairman of the Poestenkill Fire Company Board of Directors, was looking for some guidance from the Town Board regarding the new Fire Fighters Cancer Awareness Law which will take effect January 2019. The proposed cost will be between \$200 - \$225 per fire fighter. Supervisor Jacangelo stated that he will investigate this matter.

The next Town Board meeting will be held on October 18th starting at 7:00 pm where the Budget will be discussed further. Motion by Butler, seconded by Hass and carried to enter into Executive Session at 9:30 pm to discuss a Personnel issue with no votes being taken. Motion by Wohlleber, seconded by Van Slyke and carried to exit Executive Session at 9:45 pm and immediately adjourn.

Respectfully submitted,


Susan Horton, Town Clerk

Charter

COMMUNICATIONS

October 1, 2018

Re: Charter Communications – Upcoming Changes

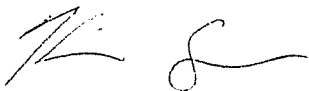
Dear Municipal Official:

At Charter, locally known as Spectrum, we continue to enhance our services, offer more entertainment choices and deliver the best value to our customers. Like every business, Charter faces rising costs that require occasional price adjustments. As a result, customers will be notified of the following price adjustments through a bill message on or after October 1, 2018. **Effective on or after November 1, 2018**, pricing will be adjusted for the following services/products:

Services/Products/Equipment	Current Rate	New Rate
Broadcast Surcharge	\$8.85	\$9.95
Digital Receivers	\$6.99	\$7.50
Digital Transport Adapter (DTA)	\$4.99	\$5.99
Latino View	\$7.99	\$8.99

We remain committed to providing an excellent experience for our customers, in your community and in each of the communities we serve. 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.

Sincerely,



Kevin Egan
Director, Government Affairs
Charter Communications

20 Century Hill Drive
Latham, NY 12110

Dear Town Board member,

On **Tuesday, October 23rd** there will be a **Community Safety Awareness Program**. With the help of Rensselaer County, we have planned an Active Shooter Training, given by the Sheriff's Department, at the Poestenkill Firehouse from 6-8pm. The Sheriff's Department will also hold a drug take-back at that time, which will be available without having to participate in the training event. The Fire Company will demonstrate the use of an AED. Donations of items or money to the Bread of Life Food Pantry in town will also be accepted at this time. More details will be coming soon, visit www.poestenkilllibrary.org.

Please share this information to the Town website.

If the Town Board would like a table to provide informational material, please contact Margie or Lianne at the Library (518-283-3721).

We hope to see you there!

Poestenkill Library Trustees and Staff



Planning Board

TOWN OF POESTENKILL

38 Davis Drive / P.O. Box 210
Poestenkill, NY 12140
(518) 283-5100 Phone
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PLANNING BOARD September 4, 2018 Minutes

Attendees:

Tom Russell, Chairman
Jeffrey Briggs
William Daniel
Don Heckelman
Judy Grattan
Robert Dore
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.

Public Hearings:

43 Mall LTD

Mark Petrone

Easement for Storm Water Pond

Planning Board Clerk Lynn Kane read the SEQRA Hearing Notice. Attorney Andrew Gilchrist of Gilchrist & Tingley, PC appeared with the Applicant. Chairman Russell stated the area in question has been mowed and clearly staked and the Highway Superintendent Toby Chadwick has approved. Chairman Russell made motion "to amend the Major Subdivision Plat plan of the Lochvue Estates Lands N/F of 43 Mall, LTD, dated August 6, 2013 to include the Map of Access Easement dated December 8, 2017 and the Easement Agreement between Volland Organization LLC and 43 Mall Ltd., dated May 30, 2018, as modification of the aforementioned Final Major Subdivision Plat plan." Motion seconded by Member Briggs, approved by seven (7) ayes, zero (0) nays, and zero (0) abstentions. Applicant Petrone thanked Clerk Kane for extra effort in coordinating with the Rensselaer County Clerk's Office for filing.

Resolution: Amendment approved.

Rocco Testo

136.0-9-1.4

3 Lot Minor Subdivision

Algonquin Beach Road

Engineer Dickinson appeared with Applicant Testo. Board Members reviewed the newly revised site plan showing area of wetlands. Member Briggs questions Engineer Dickinson

what resources were used to document the wetlands, answer being Mr. Dickinson used maps by others, specifically mapping done for abutter Catone many years ago, not a visit to site. Member Briggs advises Board of Federal regulations regarding the documentation and actions around the wetlands, the importance of following said regulation clearly, that any discrepancy and the Corps of Engineers will intervene – what matters is what is on the ground, per the 1987 delineation protocol. Failure to follow protocols could leave all parties in jeopardy. Planning Board Attorney, Robert Ryan, agrees that the documentation must match the site conditions. Abutting land owner, Mike Catone, states he doesn't want any run off from the site, especially Lot 1, that he was advised by CEO Barringer to get on the record that future excavation must take his comment under consideration. Mr. Testo states he now will be the contractor of new home on Lot 1 and he assures Mr. Catone there will be no problems with run off waters onto Mr. Catone's property. Member Briggs further states that NYS requires a 100' buffer beyond the wetlands, that the Federal government does not, using 3 parameters shows exactly where the wetlands are located and that if there is water within 12" of the surface, it is considered wetlands. Further, it is best to hire a "wetland delineator" and use their generated report. Attorney Ryan states that now that the Board is aware of wetlands, whether they do or do not exist, must show exactly where they are. If possible, NYS should delineate it the wetland boundaries, and it would be a wise move on Applicant's part. Engineer Dickinson said the work will get done as soon as possible. Chairman Russell stated the Public Hearing will stay Open.

Resolution: Public Hearing remains open.

Janet Provost
137.00-2-7.21

3 Lot Minor Subdivision
576 Oak Hill Road

Chairman Russell asks if a Member will "classify the project as a 3 lot minor subdivision. Motion made by Member Daniel, seconded by Member Dore and approved by a vote of seven (7) ayes, zero (0) nays and zero (0) abstentions.

Planning Board Clerk Lynn Kane read the Public Hearing Notice. Chairman Russell advises the Board of the Zoning Board of Appeals issuance of an Area Variances for the frontage of Lot 2. Chairman Russell asked for comments in favor or in opposition of the application. There being no comments, the public comment period is closed.

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. Chairman Russell asked for comments in favor or in opposition of this portion of the application, none given. A motion made by Member Teal that the proposed action will have no significant environmental impact and therefore a negative declaration should be issued. Member Heckelman 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.

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

No comments given. Chair closes the public hearing with "There being no further comments, the public hearing is closed." Member Daniel makes "motion that the proposed 3 lot minor subdivision for the property at 576 Oak Hill Road, Town of Poestenkill, be approved, motion seconded by Member Briggs and it was approved by a vote of seven (7) ayes, zero (0) nays, and zero (0) abstentions.

Resolution: 3 lot Minor Subdivision Approved

Minutes: Meeting minutes of August 7, 2018 were reviewed. Corrected to show Don Heckelman was absent, correction to 4th page, second sentence of Terri Jacangelo's comments, missing "w" for word "with". Motion to accept the Minutes with corrections was made by Board Member Daniel, seconded by Board Member Dore and approved by a vote of six (6) ayes; zero (0) nays; one (1) abstention by Don Heckelman.

Public Comment Period:

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

Old Business:

Gregory Hansen - Member Grattan questioned if ZBA had issued variance, told no, has not had Public Hearing yet, will be on September 11th.

Quail Meadows – Chairman Russell stated activity is picking up, there was a meeting with Kevin Kronau, Chip Kronau, Tom Fields, Toby Chadwick and Supervisor Jacangelo regarding problems with the road at Quail Meadows (between Cathlie Drive & Weatherwax Rd.) including possible issues with the subbase and the test holes. For Phase 2 roadway, Mr. Kronau probably wants to wait over the winter to address settling of road, he needs to address pitch of road coming down off hill, the road shoulders need to be addressed, there was much discussion of remedies, prior to Town accepting the road. Member Grattan questions about accepting road if construction vehicles are to remain using it, Chairman Russell says this is being discussed, there will be a 3 year Performance Bond. Phase 2 road has long way to go. Quail Meadows Road issues are being addressed and corrected.

Lochvue – Chairman Russell states that the access road will go all the way around the pond. There are concerns regarding size of commercial vehicles of Town or County. Negotiations are on-going. Need the room around the pond for access.

Waste Management – Member Valente advised the Board that a resident had inquired of hours of operation at Waste Mgt. – because the area was so quiet during working hours. Board Members were pleased.

A motion to adjourn the meeting at 8:45 pm was made by Board Member Heckelman, seconded by Chairman Russell 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 AGENDA

October 6, 2018

7:30 Meeting Opens – Pledge of Allegiance

Public Hearings:

<u>Rocco Testa</u> 136.0-9-1.4	<u>3 Lot Minor Subdivision</u> Algonquin Beach Road
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Applicants:

<u>Martin Gibbins</u> 136.-8-14	<u>Special Use Permit – Horses</u> 8887 NY 66
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<u>Martin Gibbins</u> 136.-8-14	<u>Special Use Permit – Home Occupation</u> 8887 NY 66
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<u>Ronald Levesque</u> 124.8-3-4	<u>Lot Line Adjustment</u> 1 Saddle Hill Road
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<u>Ronald Levesque</u> 124.-10-2	<u>Special Use Permit</u> 1539 Spring Avenue Ext.
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<u>American Tower Company</u> 137.-1-30.2	<u>Special Use Permit</u> 116 High Meadow Road
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Minutes of the September 4, 2018 Meeting

Public Comments

Old Business:

Organization: PB November 7th – Wednesday!!

Other:

Bob Dore to attend October Meetings

Don Heckelman to attend November Meetings

Bill Daniel to attend December Meetings



Planning Board

TOWN OF POESTENKILL

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PLANNING BOARD October 2, 2018 Minutes

Attendees:

Tom Russell, Chairman
Jeffrey Briggs
William Daniel
Judy Grattan
Robert Dore
Harvey Teal

Non-Voting:

Robert Ryan, Esq.
Lynn Kane, Clerk

Absent:

Don Heckelman
Steve Valente, Alternate

Chairman Russell called the meeting to order at 7:40 pm with the Pledge of Allegiance and introduces the Members of the Board.

Public Hearing:

Rocco Testo
136.0-9-1.4

3 Lot Minor Subdivision
Algonquin Beach Road

Chairman Russell advises the Board that significant wetlands found on Lot 1 of proposed subdivision and is deemed unbuildable. Mr. Testo is to revise proposal to a 2 lot subdivision. Chairman Russell stated the Public Hearing will stay Open.

Resolution: Public Hearing remains open.

New Applicants:

Martin Gibbins
136.-8-14

Special Use Permit – Horses
8887 NY 66

Mr. Gibbins reviewed the proposal additional storage building to house his landscape business equipment and the 12' overhang to provide shelter for the 3 horses during the day. The horses have been there for many years and Mr. Gibbins has an on-going land lease with Valente to graze the horses on as much land as needed, for as long as Mr. Gibbins owns the horses. There is fencing around approximately 3 acres of grazing area. Questioned by Board for a more recent survey, Mr. Gibbins says he has not had done since 1988. Member Grattan makes a motion to send Applicant to Zoning Board of Appeals for an Area Variance, with a Planning Board Advisory that the Board has no negative issues. Motion is seconded by

Chairman Russell and is approved by a vote of six (6) ayes, zero (0) nays and zero (0) abstentions.

Resolution – Applicant sent to ZBA for Area Variance with PB Advisory.

<u>Martin Gibbins</u>	<u>Special Use Permit – Home Occupation</u>
136.-8-14	8887 NY 66

Mr. Gibbins reviewed the proposed additional storage building to house his wife’s car, miscellaneous landscape business equipment and the 12’ overhang to provide shelter for the 3 horses during the day. Used to have an auto repair business (With SUP dated 2003) and his current business is landscape business with only equipment stored on property. Member Grattan inquires if any signs (no), employees on site (no), any billing done on site (no, has outside company). Members Daniel and Teal reviewed proposed building with Applicant, asking question about height of building (less than 18’), electric (no), concrete floors (no). Mr. Gibbins explains the primary purpose of building is to store wife’s car, some miscellaneous storage of equipment and the overhang for the horses. Member Grattan states code restricts a Home Occupancy, Class II, to a space not to exceed 500 s.f. and proposed building size exceeds that. Member Grattan makes motion to classify the new building as a garage and send Applicant to get a building permit. Motion seconded by Chairman Russell and was approved by a vote of six (6) ayes, zero (0) nays and zero (0) abstentions

Resolution – Determined that SUP is not necessary.

<u>Ronald Levesque</u>	<u>Lot Line Adjustment</u>
124.8-3-4	1 Saddle Hill Road

Mr. Levesque recently purchased pie shape lot (approximately 0.5 acres) at 1539 Spring Ave. where an auto repair shop has been operating for 40+ years. He would like to add to the lot approximately 1 acre of his private land so as to square up lot and to provide for adequate room for proposed additional storage building. Applicant owns all property surrounding this lot, states this addition would greatly improvement the appearance and character of the lot and that there are no neighbors nearby that would be negatively affected. Applicant feels strongly bringing his sign making business out to the Town would be beneficial to all parties. Member Grattan informs the Board that the Moules Lake subdivision has a condition that the remaining lands be kept forever wild – either through a nature conservatory or a homeowners association. Member Dore states this was a significant issue when the review process was happening as residents didn’t want further subdivision taking place. Research through Town files by Clerk Kane indicate that developer Zelenke didn’t notify the Town of a homeowners association creation. Mr. Levesque states his research at the NYS Department of State shows there an association was registered but was eventually deactivated by NYS as there were never any meetings held, officers appointed, reports filed, etc. Mr. Levesque would like to donate 10 acres of his own land to the “forever wild” land if he could be allowed to add the acre to his proposed building site. There was much discussion between the Board and Robert Ryan, Esq. Attorney Ryan states that the subdivision plat plan could be amended to denote the exchange of land and then the Applicant could be given his lot line adjustment. Member Briggs states with this amendment, Applicant could apply for a “conservation easement”, which would further ensure property kept forever wild and provide a tax break.

Resolution – Board to attempt to amend plat plan, Applicant to reappear at November meeting.

Ronald Levesque

Special Use Permit

124.-10-2

1539 Spring Avenue Ext.

Again Mr. Levesque reviews recent purchased lot at 1539 Spring Ave. where an auto repair shop has existed for 40+ years. He proposes moving his sign making business to the site with an addition to existing building and adding additional pole barn for storage, once his Lot Line Adjustment is approved. Applicant owns all property surrounding this lot, would increase size of lot from 0.5 acres to 1.5 acres, states that Town should want him and his business and that the parcel would always look very nice, clean. Member Grattan states that Board can not consider a Special Use Permit application as commercial business is not allowed in the current Residential zone and that only an auto repair business could continue in operation on the parcel. There is much discussion and ZBA Member McGrath states that a Use Variance is very difficult to obtain and doesn't recollect any being issued during his many years on the Boards. It is mutually decided to leave this application open until such time as Applicant received an approved Lot Line Adjustment for the parcel.

Resolution – Application remains open.

American Tower Company

Special Use Permit

137.-1-30.2

116 High Meadow Road

American Tower zoning attorney, Robert Karam, reviews the current tower placement at 116 High Meadow Road. Attorney Karam states that it is 113' tower, that the prior Town Code Enforcement Officer had issued building permits from 2003 to present for all work done at the tower – without the need or instruction to apply to the Planning Board. Attorney Karam further stated that the SUP request before the Board is to bring all documentation and conditions up to date and establish process moving forward. There are 3 tenants on the tower – Verizon, Sprint and AT&T – and that before any work is performed, a structural safety inspection must be performed and accepted by American Tower. Such inspection includes checking strength and durability of guide wire, tower strength against winds, etc. Allen Hinkle from Verizon further states that inspection must prove that the tower can support the proposed changes and must be approved by a structural engineer. Member Teal inquires about current height as submitted plans indicate tower height at 110', Attorney Karam says has been no change in height of tower. Attorney Karam states there are currently 17 antennas, with Verizon having 9, AT&T having 6 and Sprint having 2. Much discussion about the current Town Law regarding telecommunications sites, in particular Attorney Ryan reviews the current federal standards regarding same and explains collocation. Of particular concern is the time frame established in said federal regulations – Board has sixty (60) days from time of application to render decision or is automatically approved by statute. The Board discusses amending the Town Law to remove the number of antennas and replace with phrase of must prove structural soundness. Chairman Russell made motion that when a Tenant requests an increase of antennas, then Tenant would apply for Special Use Permit approval and that American Tower must submit structural safety inspection report annually

to Town Code Enforcement Officer. Motion was seconded by Member Grattan and was approved by a vote of six (6) ayes, zero (0) nays and zero (0) abstentions.

Resolution – Tenants will apply for SUP if adding antennas.

Minutes: Meeting minutes of September 4, 2018 were reviewed. Motion to accept the Minutes was made by Board Member Teal, seconded by Board Member Dore and approved by a vote of six (6) ayes; zero (0) nays and zero (0) abstentions.

Public Comment Period:

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

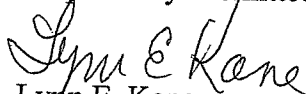
Old Business:

None

Motion was made by Chairman Russell, seconded by Member Teal and an oral vote of 6 ayes to enter Executive Session at 9:35 pm to discuss a personnel matter with no votes taken. Motion was made by Member Daniel, seconded by Member Briggs and carried to exit Executive Session at 9:40 pm.

A motion to adjourn the meeting at 9:40 pm was made by Board Member Grattan, seconded by Chairman Russell and approved by a vote of six (6) 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
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Zoning Board of Appeals

ZONING BOARD OF APPEALS September 11, 2018 Minutes

Attendees:

Paul Jamison, Chairman
Kevin McGrath
Tim Hoffay
Michael Colello
Susan Kalafut
Nicole Heckelman, Alternate

Chairman Jamison opened the meeting at 7:30 pm with the Pledge of Allegiance. A moment of silence was observed for the victims and rescuers of the September 11, 2001 tragedy.

Public Hearing:

<u>Gregory Hansen</u>	<u>Area Variance</u>
136.00-1-6/136.00-1-7/136.00-1-9-2	16 Jefferson Way

Member McGrath rescued himself from this proceeding as he was the surveyor on the project. Secretary read the Public Hearing notice. Chairman Jamison recounts from previous meeting the discussions regarding the possibility of a number of variances, that were of concern to the Planning Board, and that upon speaking with Town Attorney, it was decided that the side setbacks – common lot line between two houses - for 296 Snyders Corners Road and 300 Snyders Corner Road, are the only actions needed from this Board. Applicant Hansen briefly explains his situation of following mother's death in December 2017, he needs to sell her residence, was directed by mother to give land to abutting neighbor Geerhpt due to location of shed, that he wishes to retain 2 acres in rear, that there is not fifty (50) feet between the two houses. Chairman Jamison asks if there are any comments from the audience in favor or against this application. Neighbor Chuck Brand stated in favor of the application and Secretary Kane advised Board that neighbor Russell Bonesteel, who has taken over property from George Bachaus, is also in favor of application. Chairman Jamison reads the Planning Board Advisory which states they have no negative issues. Chairman Jamison made a motion for an area variance for 296 Snyders Corners Road (owner Greg Hansen) to allow a side setback of twenty-one point seven (21.7) feet where twenty-five (25) feet is required by Code. Motion is seconded by Member Colello, approved by vote of five (5) ayes, zero (0) nays and zero (0) abstentions. Chairman Jamison made a motion for an area variance for 300 Snyders Corners Road (owner Chrissy Geerhpt) to allow a side setback of twenty-one point seven (21.7) feet where twenty-five (25) feet is required by Code. Motion is seconded by Member Kalafut, approved by vote of five (5) ayes, zero (0) nays and zero (0) abstentions. All voting members completed the Area Variance Findings and Decision form for this application.

After considering all of the mandatory area variance factors, **Board Member Colello** voted to **approve** the variance giving the following reasons for this decision:

- 1) *Whether an undesirable change would be produced in the character of the neighborhood or detrimental to nearby properties.* – No, the change is minimal.
- 2) *Whether the benefit sought by the applicant can be achieved by a feasible alternative to the variance.* – No, with the situation, this is the best way to remedy Mr. Hansen's situation.
- 3) *Whether the requested variance is substantial.* – No, it will have minimal effect.
- 4) *Would the variance have an adverse impact on the physical or environmental conditions in the neighborhood?* – No, neighborhood will remain the same with minor lot line adjustment.
- 5) *Whether the alleged difficulty was self-created. This fifth argument is not in and of itself grounds for denial.* – No, this is the best way to deal with the property left to Mr. Hansen. He cannot afford the taxes on both properties and does not want to create tension with new neighbors.

After considering all of the mandatory area variance factors, **Board Member Kalafut** voted to **approve** the variance giving the following reasons for this decision:

- 1) *Whether an undesirable change would be produced in the character of the neighborhood or detrimental to nearby properties.* – No, two neighbors presented in favor of the variances requested.
- 2) *Whether the benefit sought by the applicant can be achieved by a feasible alternative to the variance.* – No, none were presented to the Board.
- 3) *Whether the requested variance is substantial.* – No, side variance is not substantial.
- 4) *Would the variance have an adverse impact on the physical or environmental conditions in the neighborhood?* – No, no adverse impacts noted. Minor line adjustments.
- 5) *Whether the alleged difficulty was self-created. This fifth argument is not in and of itself grounds for denial.* – No, situation is "grandfathered" in, multi-generations of family with existing building.

After considering all of the mandatory area variance factors, **Board Member Hoffay** voted to **approve** the variance giving the following reasons for this decision:

- 1) *Whether an undesirable change would be produced in the character of the neighborhood or detrimental to nearby properties.* – No, simple lot line adjustment between existing homes.
- 2) *Whether the benefit sought by the applicant can be achieved by a feasible alternative to the variance.* – No, distance between homes is set.
- 3) *Whether the requested variance is substantial.* – No, less than 4 ft.
- 4) *Would the variance have an adverse impact on the physical or environmental conditions in the neighborhood?* – No, simple side lot line issue.
- 5) *Whether the alleged difficulty was self-created. This fifth argument is not in and of itself grounds for denial.* – No, space between units grandfathered.

After considering all of the mandatory area variance factors, **Board Member Heckelman** voted to **approve** the variance giving the following reasons for this decision:

- 1) *Whether an undesirable change would be produced in the character of the neighborhood or detrimental to nearby properties.* – No, houses are on the property now, no detriment to realty property.
- 2) *Whether the benefit sought by the applicant can be achieved by a feasible alternative to the variance.* – No, needs to sell mother's property to pay taxes and the piece to Chrissy Geerhpt promised by mother to her.
- 3) *Whether the requested variance is substantial.* – No, less than 4 feet.
- 4) *Would the variance have an adverse impact on the physical or environmental conditions in the neighborhood?* – No, houses existed since 1973.
- 5) *Whether the alleged difficulty was self-created. This fifth argument is not in and of itself grounds for denial.* – No, mom passed away, unable to pay property taxes.

After considering all of the mandatory area variance factors, **Chairman Jamison** voted to **approve** the variance giving the following reasons for this decision:

- 1) *Whether an undesirable change would be produced in the character of the neighborhood or detrimental to nearby properties.* – No, there will be no physical change, so the character of the neighborhood should not change.
- 2) *Whether the benefit sought by the applicant can be achieved by a feasible alternative to the variance.* – No, Applicant sought to come as close as possible to the required set back.
- 3) *Whether the requested variance is substantial.* – No, the request is for less than 20% of the required dimension..
- 4) *Would the variance have an adverse impact on the physical or environmental conditions in the neighborhood?* – No, there will be no change to the environment or the neighborhood.
- 5) *Whether the alleged difficulty was self-created. This fifth argument is not in and of itself grounds for denial.* – No, the property layout existed prior to zoning.

Chairman Jamison polled the members for their responses. There were unanimous decisions on all questions on the form as well as the final record of vote. Variances approved by a vote of five (5) ayes, zero (0) nays and zero (0) abstention.

Resolution: 2 side setback Area Variances approved.

Keith Hankle

136.-9-11

Area Variance

3 Cherokee Lane

Mrs. Hankle presented their plans to the Board as wanting to build a detached garage on the property due to recent addition to family and the need to store garage items in the garage. The only lot map the Applicant has available is a dated plan for the original sanitary system. Chairman Jamison asks if there are any comments from the audience in favor or against this application. There were no public comments given. Motion made by Member Kalafut to close the public meeting. Motion was seconded by Member Colello. Motion was approved

by five (5) ayes, zero (0) nays and zero (0) abstentions. Chairman Jamison made a motion to allow a side setback of fifteen (15) feet where twenty (20) feet is required by Code and to allow a front setback of forty-two (42) feet where fifty (50) feet is required by Code. Motion was seconded by Member McGrath and motion was approved by five (5) ayes, zero (0) nays and zero (0) abstentions. All voting members completed the Area Variance Findings and Decision form for this application.

After considering all of the mandatory area variance factors, **Board Member Colello** voted to **approve** the variance giving the following reasons for this decision:

- 1) *Whether an undesirable change would be produced in the character of the neighborhood or detrimental to nearby properties.* – No, similar properties nearby, no comments.
- 2) *Whether the benefit sought by the applicant can be achieved by a feasible alternative to the variance.* – No, garage is now used for storage, only way to store vehicles.
- 3) *Whether the requested variance is substantial.* – No, the difference of 8 feet and 5 feet is minimal.
- 4) *Would the variance have an adverse impact on the physical or environmental conditions in the neighborhood?* – No, similar properties in the area, no adverse effect on physical and environmental conditions.
- 5) *Whether the alleged difficulty was self-created. This fifth argument is not in and of itself grounds for denial.* –

After considering all of the mandatory area variance factors, **Board Member Kalafut** voted to **approve** the variance giving the following reasons for this decision:

- 1) *Whether an undesirable change would be produced in the character of the neighborhood or detrimental to nearby properties.* – No, no comments from neighbors.
- 2) *Whether the benefit sought by the applicant can be achieved by a feasible alternative to the variance.* – No, very limited space. Chimney on side prohibits attached garage.
- 3) *Whether the requested variance is substantial.* – No, front 42' (50' req.) – 8 ft., side 15' (20') req.) – 5 ft.
- 4) *Would the variance have an adverse impact on the physical or environmental conditions in the neighborhood?* – No, homes in neighborhood have similar garages.
- 5) *Whether the alleged difficulty was self-created. This fifth argument is not in and of itself grounds for denial.* – Yes, while applicant desires a new garage, it is not essential (so self created).

After considering all of the mandatory area variance factors, **Board Member Hoffay** voted to **approve** the variance giving the following reasons for this decision:

- 1) *Whether an undesirable change would be produced in the character of the neighborhood or detrimental to nearby properties.* – No, detached garages common.
- 2) *Whether the benefit sought by the applicant can be achieved by a feasible alternative to the variance.* – No, limited space.
- 3) *Whether the requested variance is substantial.* – No, 5 ft. on rear corner.
- 4) *Would the variance have an adverse impact on the physical or environmental conditions in the neighborhood?* – No, standard garage.
- 5) *Whether the alleged difficulty was self-created. This fifth argument is not in and of itself grounds for denial.* – Yes, minimum width of 2 car garage is 24'.

After considering all of the mandatory area variance factors, **Board Member McGrath** voted to **approve** the variance giving the following reasons for this decision:

- 1) *Whether an undesirable change would be produced in the character of the neighborhood or detrimental to nearby properties.* – No, neighbors have similar situations with detached garages.
- 2) *Whether the benefit sought by the applicant can be achieved by a feasible alternative to the variance.* – Yes, could attach garage to house.
- 3) *Whether the requested variance is substantial.* – No, 15' vs. 20' and 42' vs. 50' is not substantial.
- 4) *Would the variance have an adverse impact on the physical or environmental conditions in the neighborhood?* – No, similar lot configurations exist on neighboring properties.
- 5) *Whether the alleged difficulty was self-created. This fifth argument is not in and of itself grounds for denial.* – Yes, garage doesn't need to be built.

After considering all of the mandatory area variance factors, **Chairman Jamison** voted to **approve** the variance giving the following reasons for this decision:

- 1) *Whether an undesirable change would be produced in the character of the neighborhood or detrimental to nearby properties.* – No, several other nearby properties have detached garages and this would be in keeping with these.
- 2) *Whether the benefit sought by the applicant can be achieved by a feasible alternative to the variance.* – No, other locations were considered but this is the most sensible and aesthetically pleasing option.
- 3) *Whether the requested variance is substantial.* – No, both are less than 25%.
- 4) *Would the variance have an adverse impact on the physical or environmental conditions in the neighborhood?* – No, there should be no significant environmental impact.
- 5) *Whether the alleged difficulty was self-created. This fifth argument is not in and of itself grounds for denial.* – Yes, this is a desired rather than a required addition

Chairman Jamison polled the members for their responses. There were unanimous decisions on all questions on the form as well as the final record of vote.

Resolution: Area Variance approved for side/front setbacks

Minutes:

The minutes of the Board meeting on August 14, 2018 were reviewed. Corrections – under Provost, change “public meeting” to “public hearing”; correct spelling of Member Heckelman’s name through out minutes. A motion to accept the minutes with corrections was made by Member Kalafut, seconded by Chairman Jamison, and approved by a vote of four (5) ayes, zero (0) nays and zero (0) abstention.

There being no further business, a motion to adjourn the meeting was made by Member Kalafut, seconded by Member Colello and approved by five (5) ayes, zero (0) nays and zero (0) abstentions. The meeting was adjourned at 9:00 pm.

Respectfully submitted,
Lynn E. Kane, Secretary



Zoning Board of Appeals

TOWN OF POESTENKILL

38 Davis Drive / P.O. Box 210
Poestenkill, NY 12140
(518) 283-5100 Phone
(518) 283-7550 Fax

AGENDA

Zoning Board of Appeals October 9, 2018 @ 7:30 pm

MEETING OPENS – PLEDGE OF ALLEGIANCE

New Applicants:

<u>Charles Mero</u>	<u>Area Variance</u>
125.12-3-7	20 Davis Drive
<u>Martin Gibbins</u>	<u>Area Variance</u>
136.-8-14	8887 NY 66

Minutes of September 11, 2018

Organizational:

Other:

Kevin McGrath	to attend October Meetings
Tim Hoffay	to attend November Meetings
Susan Kalafut	to attend December Meetings



TOWN OF POESTENKILL

38 Davis Drive / P.O. Box 210
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Zoning Board of Appeals

ZONING BOARD OF APPEALS

October 9, 2018 Minutes

Attendees:

Paul Jamison, Chairman
Kevin McGrath
Tim Hoffay
Michael Colello
Susan Kalafut
Nicole Heckelman, Alternate

Non-Voting Member:

Lynn Kane, Clerk

Chairman Jamison opened the meeting at 7:35 pm with the Pledge of Allegiance.

New Applicants:

Charles Mero
125.12-3-7

Area Variance
20 Davis Drive

Applicant has resubmitted application with more detail and the needed calculations as requested at the August meeting on their request for an Area Variance for a detached garage. Chairman Jamison asks Mr. Mero if he has confirmed the distances from proposed garage to the property line. Mr. Mero states he used the neighbor's fence as reference, saying the fence is on the property line. Chairman Jamison and Member McGrath discuss the other setbacks with Mr. Mero, specifically which they must have been or be properly measured so as to insure the Area Variance is issued correctly. If Mr. Mero is certain, then the Board will accept. There is a discussion amongst the Board Members regarding the listed maximum building density listed in the Code. Member McGrath states that notice to neighbors for Public Hearing should go to property owners, not tenants. Clerk Kane states letters sent to person listed on tax rolls. Chairman Jamison makes a motion to hold a Public Hearing on November 7, 2018 for three (3) Area Variances – a side setback of 4.5' where 10' is required by Code; a rear setback of 6' where 10' is required by Code and a maximum building coverage of 36% where 30% is required by Code. Motion is seconded by Member Colello and approved by five (5) ayes, zero (0) nays and zero (0) abstentions.

Resolution: Public Hearing scheduled for November 7, 2018.

Martin GibbinsArea Variance

136.-8-14

8887 NY 66

Mr. Gibbins recounts his recent appearance before the Planning Board – adding building to store his wife’s car, a 12’ overhang to protect horses when he is not home and storage for equipment for his landscape business. States there is no landscape business on site – no office, billing, employees, etc. As such, the Planning Board determined the additional building to be an accessory structure and not in need of a Special Use Permit. Further, the Planning Board sent Mr. Gibbins to the Zoning Board of Appeals, with an Advisory of no negative issues, for an Area Variance for the 3 horses on a 1.88 ace parcel. Mr. Gibbins further explains the Lease Agreement he has with abutting land owner Anthony Valente, to use as much acreage as needed for grazing of his horses. Copy of agreement provided to Board members. Mr. Gibbins states that he has had horses since the mid-1980s and that his property was zoned Residential/Agricultural when he purchased it in 1972. There is much discussion amongst the Board Members, Clerk Kane and Planning Board Chairman Russell as to events at the Planning Board on October 2, 2018. Chairman Jamison states he believes that the horses would be a “pre-existing, non-conforming use” that should be grandfathered in and directs Clerk Kane to research 1) when was zoning of the Gibbins parcel changed from Residential/Agriculture to Residential and 2) when was the Town Code regarding livestock on non-farm parcel enacted. In the interim, Chairman Jamison made a motion to schedule a Public Hearing for December 11, 2018 to consider an Area Variance to allow three (3) horses on the existing 1.88 acre parcel with the condition that must have three (3) acres of supplemental land for grazing purposes. Motion seconded by Member McGrath and approved by a vote of five (5) ayes, zero (0) nays and zero (0) abstention.

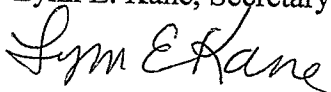
Resolution: Schedule a Public Hearing for December 11, 2018.

Minutes:

The minutes of the Board meeting on September 11, 2018 were reviewed. Corrections – under Hansen Public Hearing, Member McGrath “recused” himself, not “rescued”. And on Page 4 of 5, under Member Colello question #5, his answer should have read “Yes, They could have used original garage instead of sealing it off.” A motion to accept the minutes with corrections was made by Chairman Jamison, seconded by Member Colello, and approved by a vote of five (5) ayes, zero (0) nays and zero (0) abstention.

There being no further business, a motion to adjourn the meeting was made by Member Kalafut, seconded by Member Colello and approved by five (5) ayes, zero (0) nays and zero (0) abstentions. The meeting was adjourned at 8:40 pm.

Respectfully submitted,
Lynn E. Kane, Secretary



12:37 PM
09/30/18
Accrual Basis

Poestenkill Fire Company
Custom Summary Report
September 2018

	Sep 18
Expense	
Building Fuel (heating)	
Main Station (Propanel)	331.06
Total Building Fuel (heating)	331.06
Building Maintenance	
Main Station	90.69
Refuse	169.73
Total Building Maintenance	260.42
Electric	
East Poestenkill	114.01
Main Station	21.92
Total Electric	135.93
Equipment	
New Equipment	184.46
Repair & Maintenance	158.44
Total Equipment	342.90
Fire Trucks	
Fuel	38.00
Total Fire Trucks	38.00
Internet & Phone	103.88
Medical Supplies	26.04
Office Supplies	62.00
Physicians	120.00
Security Alarm	65.00
Solar	507.59
Telephone	
East Poestenkill	40.93
Main Station	48.59
Total Telephone	89.52
Total Expenses	2,150.84
Net Income	-2,150.84

Poestenkill Fire Company
 Custom Summary Report
 July through September 2018

	<u>Jul - Sep 18</u>
Income	
Bank Reverse Charge	33.95
Total Income	<u>33.95</u>
Gross Profit	33.95
Expense	
Building Fuel (heating)	
East Poestenkill (propane)	215.25
Main Station (Propane)	331.00
Total Building Fuel (heating)	<u>546.25</u>
Building Maintenance	
Cleaning Supplies	190.52
Main Station	90.59
Refuse	459.87
Total Building Maintenance	<u>741.08</u>
Code 100	77.75
Electric	
East Poestenkill	355.32
Main Station	63.06
Total Electric	<u>418.38</u>
Equipment	
New Equipment	6,070.45
Repair & Maintenance	746.06
Total Equipment	<u>6,816.51</u>
Fire Trucks	
Fuel	1,001.46
Repair & Maintenance	1,757.13
Total Fire Trucks	<u>2,758.61</u>
Gift From Ladies Aux.	86.00
Internet & Phone	207.70
Internet and Phone	103.82
Medical Supplies	647.98
Memorial Service	100.00
Office Supplies	99.95
Physical Fitness	150.00
Physicale	240.00
Professional Services	1,750.00
Reimbursement	75.51
Security Alarm	185.00
Solar	1,932.20
Telephone	
East Poestenkill	120.92
Main Station	147.84
Total Telephone	<u>268.76</u>
Training	149.52
Water	32.40
Total Expense	<u>17,818.31</u>
Net Income	<u>-17,582.35</u>

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 October 18, 2018.

RESOLUTION NO. 15 OF THE YEAR 2018:

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF POESTENKILL, NEW YORK, IN RECOGNITION OF THE SERVICES OF LANA CASSIDY AS CLERK TO THE ASSESSOR, CLERK TO THE BUILDING INSPECTOR/CODE ENFORCEMENT OFFICER AND CLERK TO THE WATER MANAGER.

WHEREAS, Lana Cassidy has faithfully and dutifully served the Town of Poestenkill since 1986 in several capacities; and

WHEREAS, during all her years of public service and her countless interactions with Town residents and other members of the public at large, as well as in her dealings with fellow Town officials and employees, Lana Cassidy treated everyone with the utmost courtesy, patience, kindness and respect, while at the same time tirelessly performing all her official duties with diligence, dedication and uncompromising excellence; and

WHEREAS, her good humor and camaraderie, as well as her extensive level of knowledge of the Town and its residents will be irreplaceable; and

WHEREAS, Lana Cassidy always managed to keep the interests of the Town and its residents first and foremost and was always willing to give her time and best efforts to the critical issues in her capacity as Clerk; and

WHEREAS, while Lana will continue to reside in Poestenkill, her full-time presence in the Poestenkill Town Hall will be missed by this Town Board, and by all municipal officials and employees of the Town who knew and worked with her, as well as by countless residents who sought her services and advice, and were otherwise touched by her official or personal presence; and

WHEREAS, it is altogether fitting and appropriate for the Town of Poestenkill to commemorate Lana Cassidy's many years of loyal, honest and steadfast service to the Town and its residents;

NOW THEREFORE BE IT RESOLVED, , on a motion made by Councilman David Hass and seconded by Councilman Eric Wohlleber, that the Town Board of the Town of Poestenkill, on behalf of the Town and its residents, hereby formally recognizes and expresses its sincere appreciation to Lana Cassidy for the many years of tireless and dedicated service she rendered to this Town in her role as Clerk to the Assessor, Building Inspector, Code Enforcement and Clerk to the Water Manager, and for the knowledge, experience and professionalism she brought to that office; and

BE IT FURTURE RESOLVED, that, as a memento of the Town's appreciation of the many years of public service by Lana Cassidy, a certified copy of this Resolution be delivered to her with our heartfelt thanks.

MOVED BY: _____

SECONDED BY: _____

VOTED UPON AS FOLLOWS:

Councilwoman June Butler: Yes _____

Councilman David Hass: Yes _____

Councilman Harold Van Slyke: Yes _____

Councilman Eric Wohlleber: Yes _____

Supervisor Dominic Jacangelo: Yes _____

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

TOWN CLERK'S MONTHLY REPORT
Town of Poestenkill, New York
September 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:	\$ 157.41
Marriage License @ \$ 7.50 each	\$
Marriage Certificate @ \$10.00 each	\$
Marriage Transcript @ \$10.00 each	\$
A1255 Total Town Clerk Fees	\$ 157.41
Peddler's Permit	\$
A1289 Registrar	\$
A2655 Minor Sales - Copies (certified copy) – \$10-certified copy \$8- foil request	\$ 18.00
A2530 Games of Chance (Bell Jar)	\$
A2544 Local Fee for dogs (6) dogs –	\$ 60.00
A2115 Planning Board Fees Planning - \$174.79 ZBA - \$981.00	\$ 1155.79
A2555 Building Permits	\$ 727.90
A2501 Junkyard License	150.00
A2268 Impoundment fees	\$
A2720 Water Meter Fee \$235 1001 Water Benefit Charge -	\$
A2240 Misc. Water Charges -	\$
A2710 Water Permit Fee	\$
1001 Water billing \$612.67	\$
Total Water Charges	\$ 847.67
REVENUE TO SUPERVISOR	\$ 3116.77
Amount paid to State Comptroller for Games Chance License	\$
Amount paid to DEC for Conservation Licenses	\$2,696.59
Amount paid to AG. And Markets for fee for unsprayed/unneutered Dog program	\$ 12.00
Amount paid to State Health Dept. for Marriage Licenses	\$
TOTAL DISBURSED	\$ 2,708.59
October 10, 2018 Dominic Jacangelo, Supervisor	
TOTAL AMOUNT RECEIVED BY CLERK	\$ 5,825.36
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 September Fees the application and payment of which are otherwise provided by law subscribed and sworn to before me this 10th day of October 2018.	

Susan Horton



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 SEPTEMBER 2018

We continue to receive deeds and split/merger information from the county. We also continue receive final construction projects from the building department, which is then processed and added on the rps system.

There are no corrections or changes that we expect to have done by the BAR in October.

We expect to start training Betsy in October so that she can become familiar with the assessor's office.

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: Robert Brunet / Water Manager *RB*

Date: October 03, 2018

RE: Monthly Activities

Monthly Water And 811 Reports (September-October 3, 2018)

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

Water Report - From an overall water system viewpoint--- everything is going well except for the numerous problems associated with the metering pumps at the pump station. These problems have been occurring for many years and I think that we are closer to permanent solutions---time will tell! I do not generally cite these daily problems in the monthly report, but in this report I have listed and detailed some of the problems for your awareness of our involvement. These problems corrected are in addition to the daily (7 days/wk.) responsibility of mixing the required chemicals at the pump station and also taking the daily chlorine residual tests at Town Hall. In future monthly reports I will only provide a brief statement on the overall status.

At Pumphouse (Sept.11) repaired LMI metering pump #2 chemical supply input lines (defective foot valve)

At Pumphouse (September 14) cleaned tank #1 of chlorine fluid residue and added new chemicals

AT Pumphouse (September 17) repaired high pressure fluid line on metering pump #2

AT Pumphouse (September 18) repaired high pressure fluid lines on metering pumps #1 & #2

At Pumphouse (Sept.19) replaced split ¾" high pressure nipple feeding metering pump #1.

At Pumphouse (Sept.21) replaced a second split ¾" high pressure nipple feeding metering pump #2.

At Pumphouse (Saturday, Sept.22) repaired a dripping high pressure nipple feeding the 6" water main.

At Pumphouse Saturday, Sept.22) repaired the weather seal on the main pump house door.

At Pumphouse (Sept.23) unblocked the high pressure nipple feeding the 6" water main from the metering pumps #1 & #2.

Met at the pumphouse with the Territory Manager, Jason Matt (TI SALES) and worked with Travis (LMI Pump Technical Services Division) on Sept 21 to identify the cause of ongoing pump problems and determine solutions.

At Pumphouse (Sept.22) repaired broken PVC fitting on metering pump #2 from the foot valve to the pump body and continued "routining" all other components of the pump station.

At Pumphouse (Saturday, Sept.29) repaired leaky water valve on 80 gallon reserve tank in the chemical room.

Worked with Renns. County to I.D.underground facilities for the placement of the drainage basin and piping near Furry Rd.

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

Performed routine maintenance work at Pump Station, including gluing and re-attaching weather sealant on pumphouse door.

As requested by Renns. County Dept. of Health, cleaned out all weeds from the area between the fence and the tank on Hinkle Rd.

Inspected 4 new water installations.

4 new meters were installed.

Continued to perform hydrant flushing activities.

Handled several customer complaints.

Took computer readings (Sept 26) for all the meters in the Water District to permit quarterly billing of water customers (Processed by Sue Horton).

Took daily water samples at Town Hall and at Fire Department for required quarterly THM sampling (9/5/2018) and delivered these and the required monthly Coloform 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.

A resident (Renise Holohan from Johnson Lane) came into Town Hall to pick up a water map of the district so that her volunteer Boy Scouts could trim the weeds from around the hydrants and possibly shovel snow around the hydrants. So far, they have cleared hydrants on Snyders Corner Road, Weatherwax road, Route 66, and Route 355. This is a great effort and should be recognized in the future. Incidentally, it was the same group of Scouts (including her son) which designed and built the pavilion on Veterans Road.



TOWN OF POESTENKILL

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

October 11, 2018

To: Dominic Jacangelo
Town Board members

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

Re: September 2018 work activities

My work hours for the month totaled 43 1/2 hours. Fees collected through this office totaled \$1376.90.

Activities included:

- Fielded a number of complaints concerning non-conforming property issues with various degrees of resolution.
- Issued 1 new building permit for a new single family residences in the Quail Meadow subdivision. Issued 12 new permits for an above ground pool, PV solar array, repairs and alterations, pole barns, garages, carports, and a new shed
- 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 (dated 3/18/2018). 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 salvage 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. Remains the same- will be updated next month's report. No change from the August report. Still waiting for DEC report and action.**

- 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. Matter of non-conforming use has been referred to Zoning/Planning.**
- Reviewing existing files on ongoing building permits with the long-term intent of closing out files. Conducting field inspections as necessary to close out the permits.
- There are 10 open building permits for new house construction. Three of the houses are long term projects with extensions. There are 2 open building permits for additions and 1 pole barn (permit extended 9/18) that are under review for compliance awaiting required documentation to close out the building permit. 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.
- 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. **UPDATE: No new building permits were issued to Pigiavento Builders due to non-compliance with MS4 deficiencies. Building permit approvals will resume when deficiencies are corrected.**

UPDATE 10/18: Permits have resumed to be issued since the builder has responded with compliance to issues identified by the engineering firm charged with inspections.

- Ongoing MS4 inspections for Quail Meadows and Lochvue have taken place. Met with town Engineer Tom Fields, Planning Board Chairman Tom Russell, and Highway Superintendent Toby Chadwick over issues at the sites and have
- Fielded a number of phone calls inquiring about building code compliance for future projects from town residents.
- Mail requests (2) for property updates were issued to the requesting title companies.
- 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 for multi family housing were conducted. Only minor violations noted. Remaining units have not responded to the request and will be contacted again. Additional letters have been sent and only one response.**

Paul F. Barringer

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

Town Of Poestenkill

Animal Control Calls

Month of September

Total calls 19

Breakdown of calls

Dogs running at large – 8

Barking dog Complaints – 6

Questions about dog laws and ordinances – 3

DOA pickups - 2

Bob Guyer

Creekside Kennel Ltd

Shelter Report

October 12, 2018

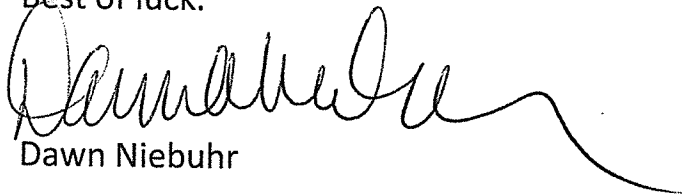
The following dogs were brought to Creekside Kennel shelter during our contract period.

2018-01 Female Brown Mix adult; held 2 days; redeemed by owner City of Troy license 1102401

2018-02 Male Chocolate Labrador held 2 days pending animal cruelty charges; released back to owner / court / town supervisor; license 0828.

Thank you for allowing me to provide shelter services all these years. It's been an interesting, learning experience.

Best of luck.



Dawn Niebuhr



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: October 17, 2018

RE: Highway Activities
September 17, 2018-October 17, 2018

1. Crew cutting chipping brush & bagging
2. Crew been helping Town of Grafton #4 on roads & hauling winter sand
3. Crew been working on equipment for winter season
4. Crew been out patching holes