

TOWN BOARD MINUTES
TOWN OF POESTENKILL
TOWN BOARD MEETING
JULY 18, 2019

Not approved at time of distribution)

ROLL CALL AS FOLLOWS

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

NON-VOTING MEMBERS

Susan Horton, Town Clerk
Jack Casey, Town Attorney

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

Supervisor Jacangelo opened the meeting with the Pledge of Allegiance and thanked everyone for attending.

The first item on the agenda was the Public Hearing on proposed Local Law # 3-2019 which prohibits parking on portions of Tymeson Road and was opened at 7 p.m. The Affidavit of Publication was available for review. This proposed law would add a new subdivision E to section 150-19, PARKING of the Town Code to prohibit on-street parking on Tymeson Rd which interferes with the Town's right-of-way or the public highway. This whole issue stems from the health and welfare of the children that are living at 20 Tymeson Rd. and the issues of the children running in and out of the parked cars that are parking on the side of the road. Ms. Martin, who resides at 20 Tymeson Rd. wants a speed study done because of the speeders that travel down Tymeson Rd. and asked when a letter would be sent to DOT for such study. Supervisor Jacangelo stated that he has spoken with DOT and a letter will be sent out this week. She continued by saying that she has done everything the Town has asked her to do; like starting with cleaning up of the property and she feels like she is being harassed with pictures constantly being taken of her property. She is against the No Parking on the side of the road issue. Councilman Wohlleber wanted it noted that anyone can take pictures. Many residents from Tymeson Rd. spoke on the dangerous situation on that road. Supervisor Jacangelo stated that a road is not a safe place for children to be playing, and furthermore it is a Town Highway property. Another issue that was brought to his attention was when our Code Enforcement Officer was at the site, he was blocked in by a vehicle and not allowed to leave and if this happens again the police will be called. Supervisor Jacangelo further stated that the Code Enforcement Officer has asked for the property to be cleaned up and to please remove the basketball hoop from the Town road. No formal action will take place this evening and the hearing will be continued at the August meeting. Mr. Barringer, Code Enforcement Officer was present at tonight's meeting. His assessment on the matter is that since October of last year, when he initially contacted Ms. Martin to clean up the property, and just being there recently he cannot see where there is any improvement. Supervisor Jacangelo suggested to Ms. Martin to make a list of everything she is going to do for the next 30 days and during this period our Code Enforcement Officer will be checking on the progress, but no formal action will be taken. Supervisor Jacangelo stated that the hearing will continue at next month's Town Board meeting and Attorney Casey will do a new legal notice stating the same. When everyone was given the opportunity to speak, the Public Hearing was closed at 7:40 p.m.

Supervisor Jacangelo opened the comment period and R. Chamberlain, Town resident, stated that he was urged to come this meeting to speak about an issue about renovating in a flood zone. Mr. Barringer our Code Enforcement Officer was still present at the meeting and stated that FEMA has strict rules that must be followed, and everything must be in its place in case the Town gets audited. Mr. Chamberlain will visit Mr. Barringer at Town Hall to discuss his issues with him on a one to one basis.

K. Kronau was present to discuss some issues from his Quail Meadow project but Supervisor Jacangelo felt it would be better to discuss it at their meeting on Monday, July 22nd when Tom Fields, Engineer would be present and Supervisor Jacangelo has the paper work that he needs from the Planning Board.

Motion by Butler, seconded by Hass and an oral vote of 5 ayes to accept the Town Clerk's minutes of the June 18, 2019, as written.

Liaison Reports:

Planning Board –Town Board members had copies of the Planning Board's meeting of July 2nd, and PB member H. Teal elaborated on the meeting. Supervisor Jacangelo had some questions regarding Hohman/Minor Subdivision. He stated there is a sawmill there and he does not know how it is permitted. He wasn't sure if it was permitted as a home occupation, he doesn't know the history of that mill. Once the home is split off, it is no longer a home occupation. Supervisor Jacangelo asked L. Kane, Clerk to the Planning Board to pull the records for Planning Board's information so they have the background on this and whatever the background is, it needs to be in front of the Planning Board to make a decision.

Zoning Board – Town Board members had copies of the ZBA's meeting of July 9, 2019 and ZBA Chairman elaborated. P. Jamison stated that one of the issues during one of the Public Hearings was in regard to fencing and some of the issues this seemed to create for a neighbor. Final approval was granted from the ZBA for the fencing with a condition that some sort of greenery be placed in front of the fencing. The ZBA secretary has spoken with an arborist and was told that this certain type of ivy could be planted in front of the fence however; it could not be planted until Spring.

Fire Company – Town Board members had copies of the June Fire Co. report. D. Ruppert, Jr. notified the Board that he is now the Chairman of the Board of Directors for the Fire Department.

Library – Town Councilman, Van Slyke stated that the work on the porches of the Library should be starting within the next two weeks.

Youth Advisory Board- T. Buker, Youth Director, updated the Board on the activities that were happening with the Youth Board. She also stated that they are at full capacity for all four weeks.

CAC- No meeting was held this month.

Correspondence: Memo – complaint – Supervisor Jacangelo stated that this was already discussed.

Discussion Items:

Acknowledge Donald Heckelman resignation- Motion by Wohlleber, seconded by Hass with one abstention by Councilman Van Slyke and carried to accept the resignation of Donald Heckelman from the Planning Board. Supervisor Jacangelo stated that his reinstatement will take place at the August meeting.

Action Items:

Adopt Local Law #3-2019 Which Prohibits Parking on Portions of Tymeson Road-No action taken at this meeting.

Resolution – Turning The Town Teal -

RESOLUTION #4-2019 – DECLARING THE MONTH OF SEPTEMBER “OVARIAN CANCER AWARENESS MONTH” AND ANNOUNCING A “TURN THE TOWN TEAL” CAMPAIGN IN THE TOWN OF POESTENKILL TO RAISE AWARENESS ABOUT OVARIAN CANCER AND ITS SYMPTOMS, Resolved that teal ribbons may and shall be displayed from all the Town of Poestenkill’s public buildings during the month of September.

MOVED BY: Councilwoman Butler
SECONDED BY: Councilman Van Slyke

VOTED UPON AS FOLLOWS:

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

Reports:

Supervisor’s Report- Supervisor Jacangelo reported that the August Town Board meeting will be held on August 22nd. Supervisor Jacangelo also reported that he has been reviewing the Highway truck bond material and he stated somewhere between now and August 10th a special meeting will be set to adopt the Highway Bonding Resolution. He has worked diligently in finishing the FEMA reports and eventually a new Local Law will be drafted to update the current 1987 Flood Damage Prevention Local Law. He also noted that the Town did not receive the Archive Grant. The Town will be needing some culvert replacements and there are Grants out there coming from the Hudson Valley Greenway. He also wanted it noted that he visited the Chamberlain property that was discussed during the Public Comment period and also visited the property on Snyders Corner Rd. where the tree came down on the house. Supervisor Jacangelo also discussed the new air conditioners that had been purchased for the town hall and received an estimate of approximately \$30,000 to put in heat pump for the entire building. He said that the LED streetlights are moving forward, and additional bills were requested. Supervisor Jacangelo reported that R. Brunet, Water Manager is concerned about the water consumption and through Water Rural Resources a substantial leak was found on Furry Road, which is very concerning. Supervisor Jacangelo also stated that at next month’s meeting the Preliminary work on the 2020 Budget will begin. He also noted that there is a major subdivision with seven or eight lots involved on Rt. 355 and on Monday, he has a meeting with the property owners on Rt. 351 for potential condominiums.

Town Attorney's Report – Mr. Casey reported on the matters that he worked on since the last Town Board meeting which included the legal notice for Proposed Local Law #3. He met with the principals of Lochvue regarding their road dedication, drafted Resolution #4 for tonight's meeting and stated that the oral arguments for the Holman/Town of Poestenkill oral arguments will be heard in November.

Town Clerk's Report – Motion by Hass, seconded by Butler and an oral vote of 5 ayes to accept the Town Clerk's report of June 2019. The total amount received in the Clerk's office was \$11,086.88 and of that amount \$10,755.18 was remitted to the Supervisor. Town Board members had copies of the Building Inspector/Code Enforcement Officer's written report. There were also reports from the Assessor, DCO, 811 report, Water report and the Highway Dept. report. Highway Superintendent Chadwick stated that he would look into the culvert issues on Tymeson Road.

P. Barringer, Code Enforcement Officer spoke on an issue that is happening on Rt. 355 and he stated that the gentleman is still not in compliance....it is a Commercial operation in a Residential zone. The next step is to send out a compliance letter stating the time frame. Councilwoman Butler wanted to know (because of the upcoming 2020 Budget talks) how many hours did he feel necessary in the Building/Code Enforcement Office? The ten hours that he now has is not practical for running the office which is what is in the current budget. Perhaps, my current Clerk could be trained for some of the tasks. Councilwoman Butler wanted to know if more weekly hours were needed so they could be incorporated into the 2020 Budget talks.

M. Asquith, Secretary/Bookkeeper reported on the Town's current financial situation. Town Board members had copies of the report which included the Water, General Budget, and the Highway Budget and the report included the actual breakdown of the different departments.

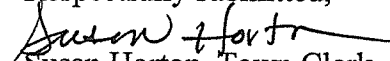
Supervisor Jacangelo stated that Councilman Van Slyke wanted to have a conversation regarding 150-76 of the Town Code/Non-Conforming Uses. Supervisor Jacangelo explained that it is in the Town's interest to create the ability to go from one non-conforming use to another non-conforming use and look at what the results are. However, right now the way the Code is written this cannot be done. Specific language needs to be drafted. The discussion continued at length and it was decided that the Town Attorney would draft language and forward it to all of the Boards for their comments and concerns. This will be discussed further at future Town Board meetings.

Payment of Bills:

Motion by Hass, seconded by Wohlleber and an oral vote of 5 ayes to pay Warrant #13-2019 in the amount of \$13,631.04. Motion by Hass, seconded by Wohlleber and an oral vote of 5 ayes to pay Warrant #14-2019 in the amount of \$27,514.62.

Motion by Wohlleber, seconded by Van Slyke and carried to adjourn this meeting at 9:05 p.m.

Respectfully submitted,


Susan Horton, Town Clerk