

TOWN BOARD MINUTES
TOWN OF POESTENKILL
TOWN BOARD MEETING
OCTOBER 17, 2019
Not approved at time of distribution)

ROLL CALL AS FOLLOWS

Councilwoman Butler	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

It was noted that the monthly bills had been audited for payment.

Supervisor Jacangelo opened the meeting with the Pledge of Allegiance and opened the floor for comments. G. French, Town resident discussed the new culvert the Highway Department installed at the end of his driveway. Supervisor Jacangelo stated that he would ask the Highway Superintendent to make some modifications. Councilman Hass would like to ask a Fire Co. representative if the brightness of the lighted sign could be lowered. L. Basle wanted to reserve time to speak on the upcoming proposed Local Law entitled "TO EASE THE APPLICATION FOR A NONCONFORMING USE AND THEREBY MAINTAIN A SOLID TAX BASE AND AVOID ABANDONED COMMERCIAL STRUCTURES" when it was being discussed.

Public Hearing-AMENDMENT TO THE FRANCHISE AGREEMENT BETWEEN THE TOWN OF POESTENKILL, NEW YORK, AND SPECTRUM NORTH EAST, LLC, FORMERLY KNOWN AS TIME WARNER CABLE NORTH EAST LLC- The hearing opened at 7 p.m. and closed at 7:05 with no public comments from either the people in attendance or the Town Board. A copy of the Amendment has been filed in the Town Clerk's office. The formal vote on the Amendment will take place during the Action Items of the agenda.

Motion by Hass, seconded by Van Slyke and an oral vote of 4 ayes to accept the Town Clerk's minutes of the September 19, 2019, as amended clarifying Councilman Van Slyke's comments on ambulance response time.

Liaison Reports:

Planning Board –The Planning Board meeting for October 1st was cancelled due to lack of agenda items.

Zoning Board – The ZBA meeting of October 8th was also cancelled due to lack of agenda items.

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

Library – D. Reis reported on the recent activities at the Library.

Youth Advisory Board- Youth Director T. Bucker updated the Board on the activities that were happening with the Youth Board and their upcoming events.

CAC-J. Briggs reported that the draft on the Natural Resource Inventory will be available around the first of December for the Town Board's review.

Correspondence: There were several memos from Charter Communications regarding the upcoming changes in the channel lineup.

Presentations –

John and Sandy Shuhart Presentation PDD Application – Supervisor Jacangelo reported that the Shuhart's were still finalizing their paperwork on the proposed project.

Discussion Items:

John and Sandy Shuhart – Senior Apartment Building project PDD Long Form - the Shuhart's did not appear as previously stated.

2020 Phone System - Supervisor Jacangelo and Councilman Hass will meet to discuss a new phone system with Centrix. Changing the provider from Spectrum will lower the monthly cost. Councilman Hass suggested to first switch the Town Clerk's private line to internet phone service as this would be the simplest line to do and will save the Town \$50+ each month. This would also give the private line user many more features. Supervisor Jacangelo stated that he has spoken with Spectrum, the town's current provider and was told that they are as low as they will go right now on their monthly bill. He also would like to have M. Noble involved with installing a new phone system. This will be discussed further at later meetings.

Action Items:

2020 Preliminary Budget – Town Board members had copies of the Preliminary Budget as revised on October 16th. Supervisor Jacangelo stated that this draft reflects the topics/figures from last weeks budget workshop. Some changes were revised in the Water budget and the 811 line. He further reported that the major leak in the water system has been located. Supervisor Jacangelo stated that the new software that will be purchased in the upcoming year has been reflected in this Preliminary Budget. This software will be able to read the new water meters as well as the current water meters. Supervisor Jacangelo stated based on everything previously discussed we are looking at a negligible tax change. Councilwoman Butler stated that she met with Highway employees and they are interested and will use the exhaust system when it is installed at the highway garage and this feature will be let out to bid. There was a question as to whether the library porch project was going to be completed out of this current budget. Councilman Van Slyke reported that he doesn't have a start date for the completion of the project. A Public Hearing on the Preliminary 2020 Budget has been scheduled for October 24th at 7 p.m. and the Town Attorney will do the legal notice.

Approval to sign Snow and Ice Agreement-Motion by Hass, seconded by Van Slyke and carried with a vote of 4 ayes to authorize the Supervisor to sign the 2019-2020 Snow and Ice Agreement. There was a question regarding some of the wordage in the agreement and our Town Attorney is working with the Rensselaer County attorney on this issue.

Possible Motion on Consideration of PDD-No action taken.

Approval of Amendment of Franchise Agreement-Motion by Hass, seconded by Butler and carried with an oral vote of 4 ayes to authorize the Supervisor to sign the Amendment.

Town Board members had copies of a proposed Local Law that will possibly be voted on at a future Town Board meeting. This proposed Law is to ease the application for a non-conforming

use. The Town has many commercial sites which have operated for decades in a manner that is nonconforming to current land use regulations. The property is difficult to transfer if the new nonconforming use is different from the former nonconforming use and therefore cannot be grandfathered. L. Basle wanted to know what the difference is with this proposed law as to what the town is doing right now? Supervisor Jacangelo explained the complicated process to Mr. Basle. With this new proposed law, the Planning Board would make the decision as to whether or not the application met the criteria that is allowed in order for it to be granted.

Budget Transfers:

RESOLUTION #9-2019-IN THE MATTER OF THE TRANSFER OF CERTAIN GENERAL BUDGET FUNDS RESOLVED, that it is hereby authorize and directed That the sum of \$115.51 be transferred from General Budget fund line item 119904 (Contingent) to General Budget fund line item 136204 (Code Enforcement 4); and that the sum of \$63.23 be transferred from General Budget fund line item 119904 (Contingent) to General Budget fund line item 113204 (Bank Service)

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

RESOLUTION #10-2019-IN THE MATTER OF THE TRANSFER OF CERTAIN HIGHWAY BUDGET FUNDS RESOLVED, that it is hereby authorized and directed that the sum of \$8163.97 be transferred from Highway Budget fund line item 251101 (General Repair 1 (to Highway Budget fund line item 251421 (Snow Removal 1)

MOVED BY: Councilman Hass

SECONDED BY: Councilwoman Butler

VOTED UPON AS FOLLOWS:

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

Reports:

Supervisor's Report- Supervisor Jacangelo reported that he followed up with NYSERDA on the streetlight project and he also got an informal proposal from the County regarding the solar panels at the landfill. He also noted that he has been working on the 2020 budget.

Town Attorney's Report – Mr. Casey reported on the matters that he worked on since the last Town Board meeting which included doing the public notice for the franchise agreement, working on the snow and ice agreement for tonight's meeting and he received notice that the Hohman article 78 oral arguments will be held on November 21st.

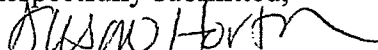
Town Clerk's Report – Motion by Hass, seconded by Butler and an oral vote of 4 ayes to accept the Town Clerk's report of September 2019. The total amount received in the Clerk's office was \$6,500.75 and of that amount \$2,985.84 was remitted to the Supervisor. Town Board members had copies of the Building Inspector/Code Enforcement Officer's written report. Supervisor Jacangelo reported that there have been complaints regarding a commercial operation on Lynn Rd and that the Code Enforcement Officer will be issuing a cease and desist order. There were also reports from the Assessor, (noted that B. Pinho has been notified by the State that she now qualifies for the Assessor position). She will be taking the certification classes. Reports also from the DCO, 811 report, Water report and the Highway Dept. report.

Payment of Bills:

Motion by Hass, seconded by Butler and an oral vote of 4 ayes to pay Warrant #19-2019 in the amount of \$917.28. Motion by Hass, seconded by Van Slyke and an oral vote of 4 ayes to pay Warrant #20-2019 in the amount of \$132,181.21.

Motion by Supervisor Jacangelo, seconded by Councilwoman Butler and carried to enter into Executive Session at 8:10 p.m. to discuss a personnel issue with no votes being taken. Motion by Hass, seconded by Van Slyke and carried to exit from Executive Session at 8:25 p.m. and the meeting was immediately adjourned.

Respectfully submitted,


Susan Horton, Town Clerk