

TOWN BOARD MINUTES  
TOWN OF POESTENKILL  
TOWN BOARD MEETING  
August 11, 2022  
(Not approved at time of distribution)

ROLL CALL AS FOLLOWS

Councilwoman Butler	Present
Councilman Hass	Absent
Councilman Van Slyke	Present
Councilman Wohlleber	Absent
Supervisor Hammond	Present

NON-VOTING MEMBERS

Susan Horton, Town Clerk  
Andrew Gilchrist, Attorney

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

Supervisor Hammond opened the meeting with the Pledge of Allegiance at 7:00 p.m. and followed with opening the floor for the two Public Hearings on the agenda tonight, the Junkyard License Public Hearing and the Public Hearing for Local Law #2-2022.

There being no comments on either of these Public Hearings, this Public Hearing was closed at 7:20 p.m.

The Affidavit of Publication is available for review at the Town Clerk's Office.

**PUBLIC COMMENT PERIOD -**

T. Anastasia, town resident said he wanted to discuss the proposed water district #2, specifically the funding status. He said that he believed the entire undertaking would be 5.5 million dollars and that the federal government could fund about 3.2 million, up to 60% of the total required. He then stated that he hoped that the remainder would be funded by NYS Grants. He said that the residents should lobby, along with the CCCDW Group for this. Tim felt that the residents should lobby directly to our public officials for their support. Supervisor Hammond agreed with Tim and stated that if the entire project was not funded it was likely that the project would be cancelled. Ron Laberge, P.E., Executive VP- Laberge Group stated that they were working on obtaining NYS funding. He supplied the resolution establishing the Town of Poestenkill as the "Lead Agency" for this project. R. Brunet, Water Manager said that he was concerned about the timeframe for NYS Approval. He said that according to his information, that the application and supporting documents must be submitted by 5 pm on September 9<sup>th</sup>. A. Gilchrist, Town Attorney, stated that the Supervisor could call a special meeting prior to the September Town Board meeting to accommodate this if responses from the other agencies were received.

When everyone was given the opportunity to speak, the public comment period of this meeting was closed at 7:15 p.m.

Motion by Butler, seconded by Van Slyke and an oral vote of 3 ayes (Hass and Wohlleber absent) to accept the Town Clerk's minutes of the July 14, 2022, as written.

**Correspondence -** Memo's dated July 15, 2022, and August 5, 2022, regarding upcoming program changes to Spectrum customers.

**Liaison Reports:**

Planning Board –Town Board members had copies of the Planning Board’s meeting of July 5, 2022, in their packets. H. Teal, elaborated on the agenda items from the August 2<sup>nd</sup> meeting.

Zoning Board –Town Board members had copies of the July 6, 2022, meeting in their packets.

Fire Company – Town Board members had copies of the Fire Co. July 2022 report. D. Basle reported on the number of calls the Fire Company responded to. The Fire Company is having a car show on August 14<sup>th</sup>.

Library – E. Gresens reported on upcoming events at the library which included Market Day on September 17<sup>th</sup> and a variety of happenings for toddlers, children, and adults.

Youth Advisory Board – Tiffany Buker gave an update on the success of 5 weeks of summer camp.

CAC – no meeting

**Action Items:**

Junkyard License Application – Motion by Councilman Van Slyke and seconded by Councilwoman Butler to approve the Junkyard License Application. This approval was needed because the previous owner had passed away and to comply with code, the ownership was non-transferrable and would need an application for the new owner. A certificate of approval was received from the Zoning Board. R. Brunet stated how well kept up the junkyard was during his time as Code Enforcement Officer.

**VOTED UPON AS FOLLOWS:**

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

RESOLUTION #18-2022 – Introducing Local Law #2-2022 has been before the members of the Town Board in its final form in compliance with the New York Municipal Home Rule Law. Local Law #2-2022 will repeal Local Law #1-2006, thereby re-establishing the statutory date for meetings of the Board of Assessment Review.

MOTION BY: Councilman Van Slyke

SECONDED BY: Councilwoman Butler

**VOTED UPON AS FOLLOWS:**

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

\*Please note, Resolution #17-2022 and Resolution #18-2022 are out of order due to the fact that the Board voted on Resolution #18-2022 first.

Local Law #2-2022 – A Local Law repealing Local Law #1-2006 thereby re-establishing the statutory date for meetings of the Board of Assessment Review in the Town of Poestenkill.

In accordance with Real Property Tax Law 512, from and after the effective date of this local law, the meeting of the Board of Assessment Review of the Town of Poestenkill shall take place on the date prescribed by said statute (currently the fourth Tuesday in the month of May), continuing for so many days thereafter as the Board of Assessment Review deems necessary, for the purpose of hearing complaints in relation to assessments.

MOVED BY: Councilman Van Slyke

SECONDED BY: Councilwoman Butler

VOTED UPON AS FOLLOWS:

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

RFP for Website- Councilwoman Butler said secure online payments was still part of the RFP and previous discussions were held about not including online payments. This was tabled until next month's meeting. (September 8, 2022)

Noise Ordinance – tabled until next month's meeting. (September 8, 2022)

Health Insurance for Arthur Whitney – Supervisor Hammond said he wanted to discuss this in executive session and no vote took place during executive session regarding this action item. It was tabled until next month's meeting. (September 8, 2022)

Hydroseeding approval for 2 Lochvue Dr. (from Escrow Account) – Code Enforcement Officer, Tracy Church stated that for the contractor to obtain a C.O. for the home it was necessary for him to provide the Town \$4,000 which was put into an Escrow Account for groundwork yet to be done. This work was done, and the Town needed to pay the “On Target Landscaping LLC” for the work which they performed. Motion by Butler, seconded by Van Slyke and oral vote of 3 ayes (Hass, Wohlleber absent) to authorize payment of \$4,000 out of Escrow Account to On Target Landscaping LLC for services rendered.

Library Roof – Motion by Butler, seconded by Van Slyke and an oral vote of 3 ayes (Hass, Wohlleber absent) authorizing Capital Weatherproofing, 600 Broadway – Albany, NY to replace roof on the Poestenkill Library at a cost no greater than \$24,160.00 with a lifetime warranty.

Part 1 – Full Environmental Assessment Form and Resolution #17-2022 -

RESOLUTION #17-2022 – RESOLUTION TO DECLARE INTENT FOR LEAD AGENCY and CLASSIFY PROJECT as an UNLISTED ACTION. Resolved, that it is the intention of the Town Board of the Town of Poestenkill to declare itself as Lead Agency for SEQR Coordinated Review of this Action; and that the Town Board of the Town of Poestenkill hereby directs the coordination of intent for Lead Agency designation with all involved Agencies for the Project through the service of a notice of intent, indicating that the Town Board of the Town of Poestenkill seeks to be designated as Lead Agency for the Action.

MOVED BY: Councilwoman Butler  
 SECONDED BY: Councilman Van Slyke

**VOTED UPON AS FOLLOWS:**

Councilwoman Butler: YES  
 Councilman Hass: ABSENT  
 Councilman Van Slyke: YES  
 Councilman Wohlleber: ABSENT  
 Supervisor Hammond: YES

**Reports:**

Supervisor's Report- Supervisor Hammond reported that it was a busy month.

Town Attorney's Report – A. Gilchrist, Town Attorney reported he has been working with the Planning/Zoning Departments and with the Building Inspector regarding a Junkyard license. Resolutions for tonight's meeting and other routine matters.

Town Clerk's Report – Motion by Butler, seconded by Van Slyke and an oral vote of 3 ayes (Hass and Wohlleber absent) to accept the Town Clerk's report of July 2022. The total amount received in the Clerk's office was \$16,062.09 and of that amount \$15,862.89 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. DJ Goyer, Highway Superintendent reported that due to the fact that paving on Fifty-Six Rd came in under budget, the amount needed for road improvements is now \$98,000 which is a savings of \$28,481.74.

**Water Manager's Report:**

R. Brunet, Water Manager, reported that everything has been going quite well in the water district operations, with all monthly objectives either met or exceeded. He said that he wanted to highlight several successes but first wanted to recognize an outstanding "team player," DJ Goyer, Highway Superintendent. Bob said that DJ has unselfishly helped the water department in the past and has agreed to help further in hydrant flushing now. Bob next discussed the Poestenkill Landfill, stating that the DEC has consented to a proposed revised testing schedule and that this new schedule, along with having taken over the consent decree responsibility from Ryan Briggs Engineering, will result in an estimated annual savings for Poestenkill of over \$5,000 for many years to come. He commented that the DEC just completed the five new test wells in the area of the Algonquin Middle School and that we are awaiting the test results.

**Payment of Bills:**

Motion by Van Slyke, seconded by Butler and an oral vote of 3 ayes to pay Warrant #15-2022 in the amount of \$108,345.55. Motion by Van Slyke, seconded by Butler and an oral vote of 3 ayes to pay Warrant #16-2022 in the amount of \$18,265.62.

**PUBLIC COMMENT PERIOD -**

E. Gresens asked about Deer Creek being part of Water District #2. Supervisor Hammond said at this time it was not included and suggested gathering a petition from the residents.

Motion by Supervisor Hammond, seconded by Councilman Van Slyke and carried to enter into Executive Session at 7:55 p.m. to discuss a personnel issue with no votes taken. Motion by Councilwoman Butler and seconded by Councilman Van Slyke to exit Executive Session at 8:15 p.m. and immediately adjourn this meeting.

Respectfully submitted,

Susan Horton, Town Clerk