

TOWN BOARD MINUTES  
TOWN OF POESTENKILL  
TOWN BOARD MEETING  
JULY 16, 2020

(Not approved at time of distribution)

ROLL CALL AS FOLLOWS

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

NON-VOTING MEMBERS

Susan Horton, Town Clerk  
Jack Casey, Town Attorney - Absent

Supervisor Hammond opened the meeting with the Pledge of Allegiance at 7 p.m. and on a motion by Hass, seconded by Butler and carried it was stated that the monthly bills had been audited for payment.

Motion by Wohlleber, seconded by Butler and an oral vote of 5 ayes to accept the Town Clerk's minutes of June 18, 2020 as written. Motion by Butler, seconded by Hass and oral vote of 5 ayes to accept the Town Clerk's Workshop minutes of July 6, 2020. Supervisor Hammond thanked everyone for attending the Workshop given the short notice. He also stated that on Monday, July 20<sup>th</sup> there will be a Shared Services meeting at the Rensselaer County Building if any of the Board members were interested in attending as he will be unavailable to attend that meeting.

Public Comment Period – Councilman Hass stated that he noticed on the website that the State of Emergency for the Town was still in effect and wanted to know if that was necessary. Supervisor Hammond was in favor of ending the State of Emergency as he feels we are in stage 4 and are able to hold Board meetings and the Town Hall is open for business. Councilman Van Slyke along with Councilman Wohlleber were opposed to this action and voiced their concerns. Supervisor Hammond stated we will always have to be cautious and if necessary, we can impose another State of Emergency. Motion by Supervisor Hammond, seconded by Butler and oral vote of 3 ayes and 2 nays (Wohlleber and Van Slyke) to end the Town of Poestenkill's State of Emergency. With no other comments this portion of the meeting was closed.

Liaison Reports:

Planning Board-Town Board members had copies of the July 7th Planning Board meeting in their packet. Councilwoman Butler reported on the meeting and expressed it was a very busy meeting with five (5) applicants in attendance. Chairman Russell also went into detail on each of the applicants and stated that he spoke with a liaison from the NY Bridge Program. T. Russell also wanted to thank our Youth Director, Tiffany Buker for her excellent work with the Summer camp.

Zoning Board– Susan Kalafut reported on the July 14<sup>th</sup> ZBA meeting. S. Kalafut stated the Board interviewed (2) candidates for the Alternate position and will send their recommendation to the Town Board for their approval at the August Town Board meeting. Supervisor Hammond stated that it was discussed in a previous workshop that the Alternate would not be a paid position. S. Kalafut replied this is not the way it was presented to the candidates therefore; she would have to talk to the candidates and let them know. Councilman Van Slyke voiced his concerns over not paying the ZBA Alternate. He stated that he attends almost all the ZBA meetings and 50% of the time one of the members are absent and the Alternate steps in. He feels there is a need for the

Alternate and having an Alternate on hand is a learning process for them. ZBA Chairman, P. Jamison spoke regarding one of the applicants requesting a variance, J. Hitchcock and the

interpretation of "Retail." Supervisor Hammond suggested that ZBA forward to the Town Board their interpretation of "Retail" for review and stated that the ZBA should follow up with their Attorney for guidance.

Fire Company – Town Board members had copies of the June 2020 Fire Co. report. D. Toniatti stated that the Car Show scheduled for August has been cancelled.

Library – M. McClellan reported for the Library reported on the current activities happening at the Library. She stated that the library porch is finished; however, some extra materials are still there, and she would like to get rid of them so they can pressure wash the porch. Supervisor Hammond asked the Highway Superintendent, Toby Chadwick if he was interested in any of the materials and he replied, no. After a lengthy discussion about the materials, it was decided that a FREE sign will be placed on the materials for anyone that is interested.

Youth Advisory Board- T. Buker reported that Summer camp is in Week 2 and is very successful. She stated that parents are very happy to have their children out and about and enjoying the summer. Supervisor Hammond stated that he was disappointed with the school not allowing the camp to take place there and the Town having to spend the extra money for tents to accommodate the children.

CAC- no meeting

Correspondence:

Charter Communications

Board members had several memos from Charter Communications in their packets referencing upcoming changes.

Discussion Items:

Ambulance - Councilman Wohlleber began this discussion stating that the Ambulance Committee which was formed in January by the Board has not been able to meet due to the Covid19 outbreak. Therefore, anything of significant importance has not been done and the likelihood is we will not be able to meet, and we are in Mid-July in the same place we were in January. E. Wohlleber stated he wanted to discuss a Resolution to create a boundary, and he proposes that to be the Town line limits and once that boundary is set, we will begin the Public Hearing process and have a meeting for the Public's input. E. Wohlleber stated the more we consider the next step we would be required to have a Mandatory Referendum as soon as one can be done on creating an Ambulance District. He went on to say if you create the district first you are not tied down to anything and it gives you options that can include any number of things. He feels having a district/budget and resources is important because it gives you leverage when speaking with people. E. Wohlleber went on to say that he feels the first step would be to direct the Town Attorney to file an MPR (Map, Plan and Report) with the Town Clerk and if that is the will of the Town Board it will lead to a Public Hearing and the Town Board will make a decision as to proceed or not. As part of that order the district lines need to be established, a Public Hearing date will need to be made and a budget amount will need to be published. E. Wohlleber stated he felt a "not to exceed" amount should be stated, and he felt the amount of \$225,000 was appropriate. Councilman Van Slyke went over ambulance response times that he received from the County.

Supervisor Hammond stated that ultimately it would be the vote of the people of Poestenkill if there was going to be a district. He also stated that it would not be on this November's ballot. Councilman Wohlleber agreed with Supervisor Hammond and stated we would have to work with the Board of Elections, and it would probably be a Special Election sometime in 2021. Supervisor Hammond is in favor of having this be voted on by the people. Councilwoman Butler wanted to know how we got from "a memo that the Town Attorney sent" to a "Resolution." She stated it was not on the agenda. Supervisor Hammond stated that it's been a very difficult week with the Town Attorney and his secretary both having to be quarantined. He has done his best to have the information available for Board members. He stated that this can be postponed until next month. Councilwoman Butler stated one of the options was not to have the whole town and why would you want the whole town when a quarter of the town will not be served. Supervisor Hammond stated you don't know that until you decide what you are doing with the district. Supervisor Hammond stated he had several productive meetings with the County regarding this subject. Councilman Hass stated the purpose of the Committee was to gather information so the Town Board could make informed decisions. However, with the circumstances that have occurred, the Town Board has no information whatsoever. "With no information you propose to take action," which makes no sense to Councilman Hass. He also stated that E. Wohlleber sent out letters to Department Heads asking them to cut their budgets by 10% due to the uncertainty of the financial situation that has occurred and now you are proposing an amount \$225,000 for an existing service that we currently get for free to the taxpayers. E. Wohlleber stated that it is your opinion that the service we are getting is excellent. He went on to state that the response time is getting longer and longer, and he wanted it noted that this is not connected to the budget aspect. D. Hass wanted to know if anyone has contacted Mohawk Ambulance about response times. Both Councilman Wohlleber and Councilman Hass have not. Supervisor Hammond stated he has spoken with many residents and they are in favor of an ambulance district. However, he stated once again that it should be put to a vote for the people to decide. D. Jacangelo, former Supervisor of the Town suggested that as a Board they should look at the DOS website (Dept. of State) under Local Government. He said there is about a dozen studies on consolidated services. He also suggested that what you can do is write a Grant application. Furthermore, a district is only how you can raise the money it is not what you are going to do and what is important is to know what you are going to do. E. Eisenhandler, resident wanted to know if this was such a good idea to apply for a grant why wasn't this done in a previous administrations term. The discussion continued and there were several comments from town residents including, D. Basle, Asst. Chief and L. Basle regarding response time. They feel the residents are not being informed properly about response times. D. Basle wanted to clarify that the response time does not include the fact that the Fire Company is usually on the scene well before Mohawk Ambulance and is providing care to our residents. Councilman Van Slyke stated he received the 2019 response times from the County, which indicated that the Fire Company was unable to respond to many of the calls. After a lengthy discussion, it was decided to hold a Special Meeting on Thursday, August 6<sup>th</sup> at 6:30 p.m. at the Fire House to continue the discussion regarding Ambulance Service.

#### Action Items:

**RESOLUTION #6-2020 – RESOLUTION OF THE TOWN BOARD OF THE TOWN OF POESTENKILL, NEW YORK, IN GRATEFUL RECOGNITION OF THE SERVICES OF VIVIAN KELLY AS DEPUTY TOWN CLERK, NOW, BE IT THEREFORE RESOLVED,** 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 Vivian Kelly for the many tireless and dedicated service she rendered to the Town of Poestenkill.

MOVED BY: Councilwoman Butler  
 SECONDED BY: Councilman Hass

VOTED UPON AS FOLLOWS:

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

Supervisor Hammond stated that Vivian Kelly is a staple in our community and will be dearly missed.

RESOLUTION #7-2020 - RESOLUTION OF THE TOWN BOARD OF THE TOWN OF POESTENKILL, NEW YORK, IN GRATEFUL RECOGNITION OF THE SERVICES OF BRIAN JACKSON, POESTENKILL TOWN ASSESSOR, NOW BE IT THEREFORE RESOLVED, 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 Brian Jackson for the six years of service he rendered to this Town in his role as Assessor, and for the knowledge, experience and professionalism he brought to that office.

MOVED BY: Councilman Wohlleber  
 SECONDED BY: Councilman Van Slyke

VOTED UPON AS FOLLOWS:

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

Reports:

Supervisor's Report- Supervisor Hammond reported that he was treated to lunch by the Poestenkill Seniors at the Lakeview. He also met with the County (3) times to discuss the Ambulance Services. He also stated it has been a difficult week as his secretary and the Town Attorney were both under quarantine. He wanted to thank Betsy, Tiffany and Sue for their help.

Town Attorney's Report – Mr. Casey was unable to attend tonight's meeting since he is under quarantine. However, Mr. Casey is available if you have any questions or concerns.

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 2020. The total amount received in the Clerk's office was \$5,426.86 and of that amount \$5,066.34 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, Water Manager/811 report, Highway Dept. report. R. Brunet reported that he has been extremely busy with EPA-Cooper Lead samples. He stated that all 12 samples were successful, and all those residents have received a letter stating so. The quarterly water meters were read, and the billing was sent out. Mr. Brunet also spoke about issues he has been dealing with and hopes to remedy them soon. Councilman

Wohlleber asked the Highway Superintendent, Toby Chadwick the status on picking up brush. T. Chadwick stated maybe Fall or next Spring. E. Wohlleber asked if a notice should be put in the paper because there have been numerous calls regarding brush pickup and T. Chadwick replied that it was already on the website and went on to say that the Highway Department has been picking up brush for the last 2 ½ months and that they have been around the town 4 times so far. E. Wohlleber stated "so you are not going to pick up any more brush, that seems odd." Highway Superintendent replied, "do you want a landscaping service, or a Highway service" and he also stated that his crew has been out paving. E. Wohlleber feels as though there should be a way that the Highway Department can pick up the brush. He went on to ask T. Chadwick if he needed to hire additional help for this purpose. T. Chadwick responded with how can we do that if need to cut the budget? E. Wohlleber replied that it would be in this year's budget not next years. Councilwoman Butler feels part of the issue is that people are now home due to the pandemic and have been cleaning. She feels a notice should be placed stating that the Highway picks up brush in the Springtime and that there is no more time to pick up brush because the Highway crew is paving. E. Wohlleber stated his personal opinion is that town residents want two things, the roads paved, and brush picked up. He went on to state that if the brush cannot be picked up, it should be noted in the paper and finds it unacceptable.

Payment of Bills:

Motion by Hass, seconded by Butler and an oral vote of 4 ayes and 1 nay to pay Warrant #13-2020 in the amount of \$20,356.00. Councilman Wohlleber refused to sign the bills (Highway) until the brush is picked up. Motion by Hass, seconded by Butler and an oral vote of 5 ayes to pay Warrant #14-2020 in the amount of \$1,018.94.

Motion by Hass, seconded by Butler, and carried to adjourn this meeting at 8:05 p.m.

Respectfully submitted,  
Susan Horton Town Clerk

