

TOWN BOARD MINUTES
TOWN OF POESTENKILL
TOWN BOARD MEETING

July 15, 2021

(Not approved at time of distribution)

ROLL CALL AS FOLLOWS

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

PUBLIC COMMENT PERIOD

Supervisor Hammond led the audience in the Pledge of Allegiance and opened the floor at 7 p.m. for Public Comments. Supervisor Hammond informed the audience of the reason for Councilman Van Slyke's absence. He asked all in attendance to keep his family in their prayers as his daughter Nicole is very ill. D. Niebuhr, Town Resident and past Planning Board Chairman asked if there she would be able to speak on the proposed Kronau PDD. Supervisor Hammond stated that the Public Hearing on this topic will be scheduled at a later date, however, M. Bond, P.E., Barber Engineering, representing Kevin and Dale Kronau will be updating the Board on this project later in tonight's meeting. Rick and Deb Lewis reported to the Board their concerns regarding their neighbor's chickens. Mr. Lewis had a recording of the "crowing hen" which he shared with Town Board members. This topic will also be discussed during the discussion items portion of tonight's meeting. E. Eisenhandler, Town Resident commented about the need to address abandoned homes. He stated that Councilman Wohlleber made some very good comments, and he feels it is very important that all town residents be heard. D. Basle, Asst. Chief, thanked the Highway Department for doing a great job keeping the roads clear so the Fire Company could do their job. D. Jacangelo, Town Resident and former Town Supervisor explained the process of a PDD to the Board members. There being no further comments, the public comment period was closed.

Town Clerk's Minutes - Councilman Wohlleber stated he would like the following word corrected in the June 17, 2021, minutes.

On page 2 under Discussion Items – Abandoned Building Legislation, Councilman Wohlleber would like the word "some" omitted and replaced with the word "one". It should now read: He then discussed one of the successes which Poestenkill had, including the burned-out home on Plank Road which the Town had torn down and which has since been sold and will shortly be built upon.

Motion by Hass, seconded by Butler and an oral vote of 4 ayes to accept the Town Clerk's minutes of the June 17, 2021, as amended.

Liaison Reports:

Planning Board – Town Board members had copies of the Planning Board’s meeting of June 1, 2021, and S. Valente, Planning Board Member elaborated on the meeting.

Zoning Board – Town Board members had copies of the ZBA’s updated May 11, 2021, meeting and copies of the June 8, 2021, meeting. T. Buker, Clerk, informed the Board that the July ZBA meeting was cancelled due to lack of agenda items.

Fire Company – Town Board members had copies of the Fire Company’s June 2021 report. D. Basle, Asst. Fire Chief reminded Supervisor Hammond that the “Initial Damage Assessment” form is due back to Rensselaer County by Monday, July 19th.

Library – M. Wait reported on the library’s current activities. She informed the Board that the library now has a new Director, Amanda Kirby. Market Day will be held on September 20th, and there will be a 20-year Anniversary for the library held on September 18th from 1 – 3 p.m.

Youth Advisory Board - T. Buker, Camp Director reported on the Summer Camp activities. She reported that the Poestenkill/Sand Lake Summer Camp is the largest Day Camp in Rensselaer County. Supervisor Hammond thanked Tiffany for doing a Great Job!

CAC- There was no meeting.

Correspondence:

Memos dated June 30, 2021, and July 7, 2021, from Charter Communications regarding the upcoming changes to their service.

Discussion Items:

Jake brakes update – L. King, Town Resident, briefed the Town Board on his activities since the last meeting. He discussed a proposal which Sergeant Marc St. Germain presented to him in their recent meeting. A number of the audience residents discussed his comments, with one resident stating that he does not feel that large trucks are the problem, but rather motorcycles and pickup trucks. The public discussion centered around the “violators” intentionally owning loud vehicles because they like the sound of them, not realizing the impact on the neighborhoods they pass through. The discussions then focused on the legal options open to the Town; the general feeling is that the Town is very limited. Mr. King gave some legal positions which other Towns have taken. J. Casey, Town Attorney, was provided with the names of some of these Towns and he said that he would research them and provide his findings to the Town at the next Town Board meeting.

Cannabis – This subject was a continuation of discussions from last month’s Town Board meeting. The New York State law that legalized cannabis allows local municipalities to restrict commercial sales but has certain time sensitive requirements if a municipality decides to do so. After comments from the public and the Town Board members, it was decided that, although significant sales are not expected, the Town would take no action at this time.

Amend local law (crowing rooster) – Town Residents Deb and Rick Lewis, residing on Vosburgh Road discussed the problem of a “crowing hen”. The “crowing hen” is disturbing every morning and all day long. It can clearly be heard throughout the house, even with the doors and windows closed. Deb and Rick complimented Bob Guyer, Animal Control Officer, for his work on this issue, stating that he had gotten the neighbor’s commitment to solve the problem.

The neighbor gave specific details of what would be done; unfortunately, after a month nothing has been done. The discussion then explored what legal options the Animal Control Officer and the Town had available. Deb and Rick requested that the Town amend the local laws to address the issue. Supervisor Hammond stated that he would like Bob Guyer and Jack Casey, Town Attorney to get together to discuss this issue.

Establishing Public Meeting Guidelines and rules of Decorum – Councilman Wohlleber gave a very professional presentation on the reasons for his proposed legislation. He cited numerous specific incidents over recent times where discussions got out of hand, with no particular person responsible. Councilman Wohlleber commented that proper mutual respect, allowing parties to discuss differing opinions, without being cut off by another who had a different opinion was essential. Councilman Wohlleber briefly reviewed his “Establishing Public Meeting Guidelines and rules of Decorum” legislation. He also stated that a structure was needed to guide the decorum of the meetings and that he believed that the Robert Rules of Order provides the basics for running successful meetings. Councilman Hass mentioned that, in the past, copies of Roberts Rules were purchased and provided to the Planning Board and the Zoning Board members. Councilman Hass stated that he would be happy to provide copies of Robert’s Rules to the Town Board at our next meeting. The entire Town Board was supportive of taking steps to improve our meetings and ensuring that everyone was treated with respect and provided with an opportunity to voice viewpoints. A workshop will be established to study the proposals and make recommendations.

American Recovery Act update – M. Asquith, Admin. Asst./Bookkeeper discussed the ARPA, stating that Poestenkill is eligible to receive a total ARPA payment of \$459,558 and our status of collecting information and requests for funds. She reminded everyone that funds not used will have to be repaid. She also stated that it is very important to document all requests for funding.

PDD – White Church Road questions answered – M. Bond, P.E., Barber Engineering, representing Kevin and Dale Kronau, addressed the Town Board members, as a follow up to last months meeting, and provided a brief overview of the project. A discussion ensued about the viability of this PDD proposal, in concept. D. Niebuhr, past Planning Board Chairman, commented on her support for the project, stating that she, herself, would like to move into this style Community in the future. She stated that this style development is the “future” of Poestenkill. Supervisor Hammond discussed the Zoning issues regarding whether a building presently requires one or two acres. He stated that this issue must be resolved, but confirmed that, conceptually, the PDD was acceptable and that a public hearing would be scheduled at some point in the future but that more details still needed to be discussed. Mr. Kronau and Mr. Bond both indicated that the details would be forthcoming as the plan progresses but that they wanted to be sure of the Town Board’s acceptance before spending money and time, only to find that the Town Board were negative on the concept. The Board signaled their support for the project, but no formal vote will be taken at this time. The proposal will continue to be explored.

Computer updates – Town Board members had copies of the Network review conducted by National, a managed IT Service Firm in the area. M. Noble, Town Resident and Town’s IT Officer updated the Board on the Computer Systems and steps needed to ensure the towns security.

Town’s Budget Report – Board members had copies of the Profit and loss report. M. Asquith, Admin. Asst./Bookkeeper reported on the Town’s finances. Michelle went through the Water

Department, General Fund and Highway Fund informing the Board on each of them. She reported that the Town is doing well.

On a personal note, Michelle thanked the Town Board and her co-workers for their support during the recent passing of her mother.

Action Items:

Approval of Standard Workday and Reporting - Motion by Hass, seconded by Wohlleber to approve the submittal of the Standard Workday and Reporting to New York State and Local Retirement System for K. Hammond, Town Supervisor.

VOTED UPON AS FOLLOWS:

Councilwoman Butler	Yes
Councilman Hass	Yes
Councilman Van Slyke	Absent
Councilman Wohlleber	Yes
Supervisor Hammond	Abstain

Budget Transfers:

RESOLUTION #12-2021 – IN THE MATTER OF THE TRANSFER OF CERTAIN GENERAL BUDGET FUNDS - Resolved, that it is hereby authorized and directed as follows: That the sum of \$200.20 from General Fund Budget line item 11990.4 (Contingent 4) be transferred to General Fund budget line item 119104 (Insurance 4) in the sum of \$200.20.

MOVED BY: Councilman Hass

SECONDED BY: Councilwoman Butler

VOTED UPON AS FOLLOWS:

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

Reports:

Supervisor's Report- Supervisor Hammond stated that the Highway Superintendent, DJ Goyer, and his crew have been doing an excellent job clearing the roads during the recent rainstorms.

Town Attorney's Report – Mr. Casey reported on the matters that he worked on since the last Town Board meeting which included working with T. Church, Code Enforcement Officer on an ongoing legal issue and reviewing Councilman Wohlleber's emails regarding Roberts Rules of Order.

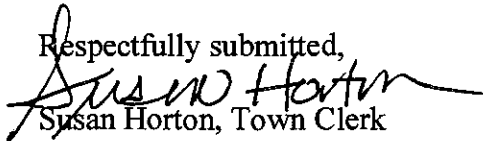
Town Clerk's Report – Motion by Hass, seconded by Butler and an oral vote of 4 ayes to accept the Town Clerk's report of June 2021. The total amount received in the Clerk's office was \$5,367.61 and of that amount \$5,135.33 was remitted to the Supervisor. Town Board members had copies of the Building Inspector/Code Enforcement Officer's written report. There were also reports from the Assessor, DCO, 811 report, Water report and the Highway Dept. report. Robert Brunet, Water Manager updated the Board on the status of homes near the Algonquin Middle School testing for PFOS/PFOA, on the status of upcoming legal changes by the EPA and reviewed significant savings as a result of leak location successes.

Payment of Bills:

Motion by Hass, seconded by Wohlleber and an oral vote of 4 ayes to pay Warrant #16-2021 in the amount of \$128,648.54. Motion by Hass, seconded by Wohlleber and an oral vote of 4 ayes to pay Warrant #17-2021 in the amount of \$9,187.33.

Motion by Hass, seconded by Wohlleber and carried to enter into Executive Session at 9:10 p.m. to discuss a legal issue with no votes taken. Motion by Hass, seconded by Wohlleber to exit the Executive Session at 9:35 p.m. and immediately adjourn this meeting.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Susan Horton", with a long horizontal flourish extending to the right.

Susan Horton, Town Clerk