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June 8, 2021

VIA E-MAIL TO legals@troyrecord.com

The Record
279 River Street Triangle
Troy, NY 12180

**Re: Notice of Public Hearing for a local law pertaining to
the construction of driveways and private roads**

Sirs and Madams:

As Poestenkill Town Attorney, I am transmitting to you a Notice of Public Hearing to be published in the legal notices section of The Record one (1) April 6, 2021. Please send a proof copy back to me and send the billing and the affidavit of publication to:

Hon. Susan Horton, Town Clerk
Poestenkill Town Hall
P.O. Box 210
Poestenkill, NY 12140

It is not necessary to send the billing and the affidavit of publication to me. Thank you for your attention to this matter.

Very truly yours,

JOHN T. CASEY
Poestenkill Town Attorney

cc: Town Board, Town Clerk

**NOTICE OF PUBLIC HEARING
TOWN OF POESTENKILL**

Notice is hereby given that the Town Board of the Town of Poestenkill at its June 17, 2021 meeting will hold a public hearing pursuant to Town Law § 184 (2) at the Poestenkill Town Hall, 38 Davis Drive, in the Town of Poestenkill, County of Rensselaer at 7:00 P.M., with respect a Local Law enacting Standards for Residential and Private Roads.

**RESOLUTION OF THE TOWN BOARD OF THE TOWN
OF POESTENKILL, NEW YORK, TO ENACT A LOCAL
LAW REQUIRING AN APPLICATION BE FILED TO
CONSTRUCT DRIVEWAYS AND PRIVATE ROADS**

WHEREAS, the Town Board recognizes the necessity of safe ingress and egress from driveways and private roads onto public roads; and

WHEREAS, enacting standards will set forth the minimum requirements to assure such safety; and

WHEREAS, setting forth clear standards for driveways and private roads to be constructed will assist in enforcement of such minimum standards during design, construction and reconfiguration of driveways and private roads;

NOW BE IT THEREFORE ENACTED, that the Zoning Ordinance of the Town Poestenkill be amended to add a new section to Article VI (which article was added at the time of adoption of the Code [*see*, Ch. 1, General Provisions, Art. I]) denominated sect. 150-19a to provide:

150-19a – Application to Construct Residential and Private Roads

1. Definitions

- a. Residential Driveway- any entrance or exit used by vehicular traffic to or from a one- or two-family residence, 30' to 150' in length.
- b. Private Road- any entrance or exit used by vehicular traffic to and from a one- or two- family residence, more than 150' in length.

2. Before construction of any driveway or private road, the owner of such property upon which said driveway or private road is to be located or designee shall cause to be signed and filed with the Poestenkill Highway Department a form promulgated by such department which shall contain contact information and shall acknowledge that the owner and/or building understands that:

- a. The Town Highway Department must approve all drainage and culverts. All culverts shall be of lined plastic and designed for traffic loading. Thin-walled metal and PVC plastic is not acceptable.
- b. Initial 10' of driveway starting at edge of existing highway pavement to be constructed with a negative grade away from the edge of the existing highway pavement.
- c. Driveway culvert if required shall be a minimum diameter of 15" with a minimum of 12" coverage.
- d. Driveways entering from County or State highways need approval of their respective engineers.
- e. The applicant will be responsible for any and all damage to the roadway determined by the Town Superintendent of Highways. The Town Superintendent of Highways will determine what type of repair work is to be performed. The cost of this work will be the responsibility of the applicant.
- f. By signing such document, the applicant agrees to bear all associated repair costs or as determined by the Town Superintendent of Highways.

AND BE IT FURTHER ENACTED that this local law shall become effective immediately.

At the aforesaid time and place of hearing, all interested persons will be given the opportunity to be heard concerning the proposed local law.

Prepared as to form by:

JOHN T. CASEY
Poestenkill Town Attorney

TOWN BOARD MINUTES
TOWN OF POESTENKILL
TOWN BOARD MEETING

May 20, 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

Supervisor Hammond opened the meeting with the Pledge of Allegiance.

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

Supervisor Hammond opened the floor at 7 p.m. for the Public Hearing – RESOLUTION OF THE TOWN BOARD OF THE TOWN OF POESTENKILL, NEW YORK, TO ENACT A LOCAL LAW SETTING FORTH STANDARDS FOR DRIVEWAYS AND PRIVATE ROADS IN NEW CONSTRUCTION/DRIVEWAY APPLICATION – The proposal, including the Application, was discussed in detail by DJ Goyer, Highway Superintendent. Councilman Hass pointed out that he believed the Application should be made part of the proposed local law for it to be legal. It was decided that DJ Goyer would work with the Town Attorney, Jack Casey to accomplish this and the package would be brought back at the next Town Board Meeting. This public hearing will continue next month.

Public Comment Period – J. Hitchcock asked which department handled culvert issues and why State Police were called on 5/14/21 to Jones Road and he asked if this was the normal procedure and who handles this type of issue? After a discussion involving Tracy Church, Code Enforcement Officer, David Goyer, Highway Superintendent, and Mr. Hitchcock, it was determined that this was not a Code issue and was likely a traffic complaint.

Motion by Butler, seconded by Hass and an oral vote of 4 ayes to accept the Town Clerk's minutes of April 15, 2021 meeting as written.

Correspondence – Letters dated May 1, 2021, May 2, 2021, May 4, 2021, and May 14, 2021 informing residents about programming changes that will affect subscribers.

Liaison Reports:

Planning Board –Town Board members had copies of the Planning Board's meeting of April 6, 2021. D. Heckelman, Planning Board chairman elaborated on the meeting.

Zoning Board – Town Board members had copies of the April 13, 2021 meeting. Chairman Frank Burzesi elaborated on the meeting.

Fire Company – Town Board members had copies of the Fire Co. April 2021 report.

Library – Susan Kalafut reported on the activities at the Library. She informed the Board that the Library is open for regular hours and to please wear mask when visiting as not all patrons are able to be vaccinated. The puzzle sale was very successful and a May 31st deadline for High School seniors to apply for the Clement Scholarship.

Youth Advisory Board- T. Buker, Youth Director updated the Board on the progress of Summer Camp. Counselors and CITs are in the process of being hired and camp prices will increase after May 23rd.

CAC- There was no meeting.

Discussion Items:

Public Health Coordinator – R. Brunet discussed his proposal that the Town establish a “Public Health Coordinator” and suggested that this responsibility be assigned to the Water District. He said that this recommendation was to assign the work responsibility, not establish a new position. He said that this proposal was prompted by recently increased regulations by the EPA, the DEC, and by the Biden administration, all of which are presently being handled by him for the Water District (such as PFOA, PFOS, Lead Copper Rule Revision-LCRR, but not COVID). The Water District today has no responsibility for residents’ wells, even though the testing and documentation is the same as in the Water District. Furthermore, he stated that he had been performing this type of coordination responsibility with the RCDOH, the NYSDOH, and the Algonquin School personal, even though it had nothing to do with the Water District. Most Town Board members supported the idea, but Councilman Hass had reservations and it was decided to table this item until the next meeting.

Speed Limits – T. Russell asked that speed limit changes be considered especially with more people doing outdoor activities. Supervisor Hammond stated that letters are being submitted to the County and State and request that they review the situation.

Timeline for PDD – T. Russell, Planning Board member discussed the reasons for his request to extend the present 60-day response time imposed upon the Planning Board for the PDD being reviewed. Councilman Wohlleber asked what the status of Professional Engineer Tom Fields’ letter to the Planning Board was, citing many deficiencies which required answers from the applicant. D. Heckelman, Planning Board Chairman, stated that they had just received it and that it would be forwarded to the applicant at the next meeting. Supervisor Hammond said that there is no reason why the Planning Board could not meet more often if necessary. He went on to state that he did not want to change the 60-day timeframe and that the Planning Board could notify the PDD applicant that they would reject the proposal because of unanswered questions if they could not mutually agree on a timeframe extension for this particular case in order to resolve all issues. Tiffany Buker, Clerk to Planning Board, spoke about looking at the process and to make sure the information they were gathering was for the step of the process they were on and were not getting too far ahead of themselves.

Seniors over 90 Years Old - T. Russell would like to form a committee where we can track our seniors that are 90 years and older and recognize them with cards/flowers. T. Russell will be reaching out to the Poestenkill Business Association for their assistance in this matter.

Vacant Building Registry – Councilman Wohlleber introduced draft legislation entitled “Establishing a registry for vacant buildings and property maintenance requirements for lots containing a vacant building.” Councilman Wohlleber mentioned that the legislation mirrors others passed in Rensselaer County, including in the Town of Brunswick. The goal of this

legislation is to empower the town to identify vacant buildings, decrease the amount of time a building remains vacant and to encourage investment in town. Councilman Wohlleber stated that in the majority of cases abandoned homes are in possession of banks and are left vacant for extended periods of time, while falling into disrepair. This legislation is designed to encourage banks and/or owners of vacant homes to maintain their properties. Councilman Wohlleber feels these buildings present a public safety and health risk, negatively impact the market value of neighboring homes and properties and the welfare of the community. There was significant discussion on this subject, somewhat "heated" involving numerous residents and various members of the Town Board. The many concerns included the owners' ability to pay registration fees if they were already unable to pay their taxes. The property Maintenance Code was discussed as a means of addressing some of these situations. The Town's ability to involve banks was also discussed, as well as which Town officials would be involved in the additional required workload. Councilman Hass strongly stated his disapproval of this legislation. He also stated that this was the biggest overreach of government that he has ever seen; this viewpoint was strongly supported by many of the residents in attendance. The discussions concluded with the request from Councilman Wohlleber asking the Board to direct Jack Casey, Town Attorney on what specific question(s) they wanted addressed. Supervisor Hammond speaking for the Board stated that it is clarification on section 7 of the resolution which the Board wanted the Town Attorney to review.

The details of Councilman Wohlleber's full statement is available for review at the Town Clerk's office.

Replacement Sander - DJ Goyer, Highway Superintendent explained to the Town Board that during the winter the Town Sander was totaled and will need to be replaced. However, the only amount that will have to be paid is the \$500 deductible which will come out of the Highway Budget. He is asking the Board to approve the purchase of a new 2021 Sander.

IN THE MATTER OF THE TOWN BOARD OF THE TOWN OF POESTENKILL
 AUTHORIZING DAVID GOYER, HIGHWAY SUPERINTENDENT OF THE TOWN OF
 POESTENKILL TO PURCHASE A 2021 BENGAL ZWACK Z513HS SLIDE IN SANDER IN
 THE AMOUNT OF \$17,250 FROM ZWACK INC., RTE 22 STEPEHTOWN, NY 12168.

MOVED BY: Councilwoman Butler

SECONDED BY: Councilman Hass

VOTED UPON AS FOLLOWS:

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

Assessor Clerk – The Town Board members were unanimous in their support of the appointment of Michele Wait for the Assessor Clerk position. Motion by Wohlleber, seconded by Hass and 4 ayes to appoint Michele Wait, Clerk to the Assessor. Supervisor Hammond asked if the hours and the wages were the same as the existing budget allowed. There was some uncertainty and Supervisor Hammond said that he would discuss the issue with Betsy Pinho, Assessor.

Action Items:

APPROVAL OF RESOLUTION OF THE TOWN BOARD OF THE TOWN OF
 POESTENKILL, NEW YORK, TO ENACT A LOCAL LAW SETTING FORTH
 STANDARDS FOR DRIVEWAYS AND PRIVATE ROADS IN NEW CONSTRUCTION.

This Law has been tabled until next month.

RESOLUTION #4-2021 – IN THE MATTER OF THE TOWN BOARD OF THE TOWN OF POESTENKILL ACKNOWLEDGING THE CONDUCT AND COMPLETION OF AN AUDIT OF THE TOWN JUSTICE COURT FINANCIAL RECORDS FOR THE CALENDAR YEAR 2019 AND AUTHORIZING THE TRANSMITTAL THEREOF TO THE NEW YORK STATE OFFICE OF COURT ADMINISTRATION (OCA). Resolved, that a copy of said audit report for the calendar year 2019 be submitted to the New York State Office of Court Administration (OCA) for review by OCA’s Office of Internal Affairs for recurring findings and other matters that might identify problems requiring further audit or remedial actions, with the results of such review to be integrated into the applicable risk assessment process.

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

RESOLUTION #5-2021 – RESOLUTION OF THE TOWN BOARD OF THE TOWN OF POESTENKILL, NEW YORK, HONORING VICTORIA BUBIE ON HER EARNING THE RANK OF EAGLE SCOUT. Resolved, that the Town Board of the Town of Poestenkill pause in its deliberations to Congratulate Victoria Bubie, an exemplary young woman, on her impressive achievement, to wish her every success in her studies, in her community involvement and in any leadership position her career might offer, and to thank her for her volunteer work on behalf of the Poestenkill Town Youth Commission.

MOVED BY: Councilwoman Butler
 SECONDED BY: Councilman Hass

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 he and the Town Clerk were invited to attend lunch with the Poestenkill Seniors at the Lakeview Restaurant.

Town Attorney’s Report – Jack Casey, Town Attorney stated that he has been working on resolutions, code enforcement issues and commercial wood issues.

Town Clerk’s Report – Motion by Butler, seconded by Hass and an oral vote of 4 ayes to accept the Town Clerk’s report of April 2021. The total amount received in the Clerk’s office was \$26,004.10 and of that amount \$25,660.40 was remitted to the Supervisor. S. Horton, Town Clerk also reported on the 2021 Property Tax Collections for the Town. She stated the amount of \$3,929,332.30 was collected for 2021 tax season. 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.

Budget Transfers – Resolution #6-2021 – 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 \$2,673.79 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 \$2,673.79.

MOVED BY: Councilman Hass

SECONDED BY: Councilman Wohlleber

VOTED UPON AS FOLLOWS:

Councilwoman Butler: YES

Councilman Hass: YES

Councilman Van Slyke: ABSENT

Councilman Wohlleber: YES

Supervisor Hammond: YES

Concluding Public Comment Period:

Councilman Hass stated a Farmer's Market would be open beginning July 10th to October(ish) depending on the weather. It was \$10 per week to be a vendor and the only stipulation was it needed to be something the vendor's make or grow what they sell.

Payment of Bills:

Motion by Hass, seconded by Butler and an oral vote of 4 ayes to pay Warrant #12-2021 in the amount of \$3,536.53. Motion by Hass, seconded by Butler and an oral vote of 4 ayes to pay Warrant #13-2021 in the amount of \$76,387.17.

Motion by Hass, seconded by Butler and an oral vote of 4 ayes to exit to Executive Session at 8:14 p.m. to discuss a personnel issue with no votes taken. Motion by Hass, seconded by Butler and carried to exit from Executive Session at 8:55 p.m. and immediately adjourned this meeting.

Respectfully submitted,

Susan Horton, Town Clerk



Planning Board

TOWN OF POESTENKILL

38 Davis Drive / P.O. Box 210

Poestenkill, NY 12140

(518) 283-5100 Phone

(518) 283-7550 Fax

PLANNING BOARD AGENDA

May 4, 2021, 7:00 pm

**MEETING WILL BE HELD AT THE FIRE HOUSE
OPEN MEETING**

7:00 Meeting Opens -- Pledge of Allegiance

Public Comments:

Approval of April 6, 2021 Meeting Minutes:

Applicant:

Matt Bond White Church Road PPD Proposal
125.-6-4.111

Ronald Levesque Lot Line Adjustment
124.-10-2, 124.-10-3.111

Members of the public may attend and comment on the proposed action. Comments may also be submitted to the Planning Board in writing prior to May 3, 2021.

Old Business:

Update on Cooper Hill Subdivision

New Business:

Other:

Bill Daniels to attend May meetings
Laura Burzesi to attend June Meetings
Steve Valente to attend July Meetings



Planning Board

TOWN OF POESTENKILL

38 Davis Drive / P.O. Box 210
Poestenkill, NY 12140
(518) 283-5100 Phone
(518) 283-7550 Fax

PLANNING BOARD
May 4, 2021 Minutes
@ Poestenkill Fire Hall

Attendees:

Don Heckelman, Chairman
Tom Russell
Harvey Teal
Jeff Briggs
William Daniel
Steve Valente
Laura Burzesi
Vicky Spring, Alternate

Non-Voting:

Robert Ryan, Esq.
Tiffany Buker, Clerk

Chairman Heckelman called the meeting to order at 7:00 pm with the Pledge of Allegiance and introduced the Members of the Board.

Public Comment Period:

There was no comments made.

Applicants:

Matt Bond/ Kronau Group
136.-6-3.131

White Church Rd PDD

Matt Bond from Barber Engineering, representing Kevin and Dale Kronau presenting White Church PDD, gave overview of project. 8.7 acre parcel of land currently zoned natural products and eventually mining will end and with a reclamation plan and hope to continue on to the next phase of the Deer Creek development, the adjacent property, and is currently proposed as 8 townhome style, a total of 16 residential units with on site septic treatment system. The remaining undeveloped sections would be open space and not developed as part of an HOA.

The floor was opened to planning board members to ask questions about the project, V. Spring- asked about townhome vs. duplex. M. Bond explained goal is to sign over and not lease and would be sold as individual.

J Briggs- asked what PDD means to Matt Bond. Matt explained this is a PDD because it doesn't meet existing zoning as is currently natural products and with need to change zoning for

requesting PDD and setback restrictions. M Bond believes residential and north of residential agriculture is the surrounding zones. This would allow an overlay J Briggs- planned development is not just how to not just squeeze more units. Without the PDD and it reverts to residential you could put 4 houses on 8 acres. J Briggs would like to see unique, interesting ideas that would show 16 units on a plot of land. J Briggs stated being close to the hamlet, small lots fits into the surrounding area. J Briggs asked about the look of the buildings. M Bond stated J Briggs is concerned with conservancy and that DEC is recommending cluster style homes and explained what it would mean extending the road and putting houses further back. M. Bond stated this a concept plan looking for approval for the PDD, and at this time we are looking for approval of the concept and then will move on to the details of design. The footprint chosen is generic and there seems to be a demand for starter homes and also older population looking to downsize.

W Daniel is concerned about the slope areas behind these is 30 ft high and it not being usable space and that is why the open space area is there. M Bond stated the sections of slope would be rear of lot if you moved away from cluster style. Chip Kronau explained the burn and the drop off would be different if it were to be changed to residential. There is lots of grading work that needs to be done to blend in before building can be done.

L Burzesi asked about septic and if it would support them all. M Bond stated it would likely be separate tank for each unit and go into a joint main. W Daniel asked about the residents and wells. M Bond stated there are rules for separation and would meet DOH standards and soil would be amended if need to slow down after the perc test was done.

S Valente asked about water. Chip Kronau said it would be connected to water via 351.

L. Burzesi asked about an easement in the drawing. M Bond stated it has always been there and was originally put in for access but with this development, it wouldn't use that access road but accessed from White Church Rd. M Bond stated it would widen access and said 2 standards based on highway standards: hammerhead and cul-de-sac. Currently proposing hammerhead style.

L. Burzesi said there is a separation between the two developments. M Bond stated it grades down to the existing development since the proposed is higher and also a wood line.

S. Valente asked about the setback from the road and being 50 feet as it is proposed as 40 feet. M Bond stated that is one of the proposals in the PDD is to minimize the setbacks and shorter road access which ties into the cluster style- shorter access road, shorter driveways.

W Daniel asked if it would be a town road and to make sure he knows there are standards. M Bond stated it is planned to be turned over to the town and knows there are standards that need to be met including the grade.

T Russell asked if 50 ft what would happen, and M Bond said it could happen but would push the houses further back onto the property. M Bond said if the road is widen, it would narrow the

building lot. Russell asked about decreasing number of homes and single homes. M Bond stated it was looked at as well but that would make it less affordable to new home buyers. Discussion continued about things that were design specific and not concept specific- cost, look,

D Heckelman asked about hammerhead and fire dept having issues with the turnaround and changed need to be made. M Bond said that others could be looked at but it was done using the town's road standards. M Bond stated the road is still 26 feet wide and it is the overall right away being a little narrower and there is still access for 3 cars to pass or 2 cars and a fire truck to pass. M Bond said this is something that could be changed in the design process if the approval for the PDD is made.

D Heckelman opens up to public comment about the PDD.

Resident S. Bidwell is concern about erosion and his septic and gave the back story of an issue in 2018. He is looking for more to be done to fix the issue.

W Daniel stated taking berm out and Mr. Bidwell will have more issues. M Bond stated the issues will meet or be at existing issues with additional vegetation. S. Bidwell asked if anything was being proposed to be done with what is there. M Bond stated they are not proposing work to be done there where the concern is and want to minimize the disturbance. S Bidwell said unable to maintain grass once the problems from 2018 occurred with dirt being pushed down the hill and can no longer do anything with it like he was able to do before. S. Bidwell wants for whatever happens there to be maintained and if they are to sell that piece depending on what he wants for it, he would be willing to buy it. Chip Kronau said he think his father will work with Mr. Bidwell on this area. Chip said he is aware of the issue and what is there is not permanent and a bandaid for now.

A question was asked about storm water and Chip Kronau said storm water said can't come off of there as it is against DEC regulations. Stormwater needs to be addressed in the project and stay within the project and will be addressed in the design process of the project.

T Russell asked if DOT had been talked to about site distance. T Russell mentioned the email from Tom Fields about concerns about the culvert at the entrance and stormwater. M Bond said DOT will be contacted but these questions are warranted to the design process and not the concept. L Burzesi stated that many of these questions (stormwater, culverts, look) are geared towards the design process and we are currently being asked are we willing to give them the go ahead to start the design process

Town resident L Basle asked about PDD process and if approved is there still control by the board of how the design comes about.

Planning Board Attorney Bob Ryan gave process overview and reminded this process doesn't approve but makes a recommendation back to the town board to approve or deny, and then if the town board approves then the applicant files a site plan and that is where the design and development of parcel comes under review. L Basale asked if the PDD is approved but the project is dropped does it stay a project, B Ryan said he would need to look into it but PDD is for a specific project so he believes it is only approved for that specific project and there is a timeline. L Basale thinks should their recommendation should make sure it fits into the comprehensive plan.

E Gresens would like more information on the septic system as it could affect all their wells. M Bond stated the location and size is based on daily load demand that is calculated based on number of units. The septic system would be designed in accordance with Dept of Health standards. T Russell asked about the number of people. M Bond stated the calculation is based off number of bedrooms per residential unit.

T Russell asked about driveways. M Bond stated driveways are proposed for 2 cars and each unit has an attached garage. If a car parked on the side of the road, there is still plenty of space for cars to pass on the road. T Russell about emergency turnarounds before the end. Discussion happened about turn arounds and if additional turn arounds would be needed.

Discussion occurred about HOA and if adding on, what that process would be. If any additions were made after the initial build, a building permit would be needed. T Russell asked about HOA and M Bond said all would be discussable items in design process. S Bidwell asked if HOA goes defunct, does the town pick up? B Ryan said there is more to that and an HOA is more for the exterior especially since 2 owners for one building and that it shouldn't go bankrupt as more fees would need to be assessed or cost cut.

S Bidwell asked about septic system life. M Bond stated it was dependent on load but 20-50 year is typical life expectancy. Dept of Health decides how big and adjacent area, etc and it is part of the design criteria set forth by the DOH.

S Valente asked about depletion time of gravel, Chip Kronau said wouldn't be long if approved. Chip Kronau said not mine all out, and would be using some for the project, it is more of the grading to get the right slopes and percentage of grade. Discussion about when mine permit were would be terminated and how it coincides with the development of the project.

T Russell asked the fire department if the distance between buildings and what that means for them. Fire Dept (D Basle) said they were concerned with 50 ft rightaway of the roadway. They would like to see the 50 ft rightaway. The house setback being asked is 24 feet. Fire Dept also has concerns about the main and number of hydrants. Fire Dept would also like to see easement to access road for fire access, hydrant in deer creek, etc. S Valente stated some of the neighbors are concerned with the easement being a road. S. Bidwell said there are lots of neighbors with kids and D. Basale said it would be with a gate and access only to emergency vehicles. S Valente sees the easement being a problem is a road for emergency vehicle access. Discussion occurred about Kronaus selling off the easement.

S Valente asked if minimums are set to hamlet standards.

D Heckelman brought to the attention the copy of concerned resident letter that was sent to the town board and town supervisor. A copy will also be given to M Bond.

D Heckelman asked them to come back to next meeting to have more discussion on this and have time for questions to be submitted before then. M Bond asked if he is asking for an additional 30 days and review of comments. M Bond reminded this is concept level and not

design level and questions should be geared towards concept. Tiffany Buker, secretary, stated questions should be submitted by May 25th to allow M Bond time to get answers to the questions.

Ron Levesque

Lot Line Adjustment

124.00-10-3.111

D Heckelman gave overview of project. R Levesque steps into explain. R Levesque has tabled SUP (and officially withdrawn) and just going for lot line adjustment. He started Moules Lake LLC, only property owner, therefore sole in HOA. He wants to take property from one piece of land and move to it another piece of land. He wants to add more property to the pie shaped lot. The half acre lot is surrounded by land and across the street is forever wild land and can't be built on. This transaction is a paper transaction and R Levesque is the only owners of the property and making the property from pie shaped to closer to a rectangle.

D Heckelman recalled the issue where property with lot line adjustment is from and has a limitation on it that the property is either Forever Wild nature conservancy or controlled by an HOA. R Levesque said what found in the last 2 years, that has never legally been a HOA. The property that came up for foreclosure the conditions should have been fought by the town in a legal battle as requirements from the planning board. There has been no legal filings for the conditions of the planning board (to establish an HOA) be maintained. R Levesque bought the property in foreclosure from the county- clean and clear and free of all encompasses upon it as the county is not going be part of the HOA. D Heckelman stated that Daisy Lane residents didn't need to be notified of this meeting as it is not a public hearing and if it moves forward and a public hearing is needed the abutters would be notified. B. Ryan asked if he had a title abstract as he asked in 2018 and said as a buyer to do a title abstract to see what the deed restrictions are.

As a buyer on foreclosure properties it wipes tax liens but not deed restrictions. B Ryan said as part of the plat it still has restrictions on it to make it buildable. R Levesque isn't asking to build on the property. S Valente asked for clarification on the process of lot line adjustment and looking at deeds. D Heckelman said the deed is being looked at because of the restrictions on the property. S Valente asked how do we know that because it isn't part of the process. D Heckelman said it was because it was part of the plat that it goes to nature conservancy or HOA.

R Levesque said those restrictions were placed on the developer and the deed never changed as he kept it in his own name and it wasn't transferred. S Valente asked if the restriction was on the deed or the plat. D Heckelman said it was on the plat for the development. S Valente said if it isn't on the deed, how can we enforce it and L Burzesi agreed. R Levesque says he isn't looking to build on it, just square off the piece of property. B Ryan said it could be on the deed but an abstract was never provided. We don't approve lot line adjustments on a subdivision. The issue from 2 years ago was for the special use permit where we knew there was restrictions on the existing subdivision plat and there could be a liability to the town if we are approving a SUP and concerns are voiced of the major subdivision approval when it was suppose to be built on. Here there is no approval, if we say this isn't a subdivision then the lot line isn't approved. Our process is only looking at if it is a subdivision. D Heckelman asked if we could move forward with the lot line adjustment without having to do an approval. B Ryan said we say it is not a subdivision it is a lot line adjustment and then R Levesque can do what he wants to do. B Ryan

says no public hearing is needed and the planning board make a determination that it is a lot line adjustment and not a subdivision and there is no approval process for it. D Heckelman said this is giving him more property and he wouldn't have needed the variances for the setbacks. B Ryan says we are not approving development on this land. T Buker asked for additional copies

Motion forward to classify as a lot line adjustment Motion by J Briggs and Seconded by H Teal.
All in favor, ayes and no no's or abstains.

D Heckelman told R Levesque to get paperwork to Tiffany. Discussion was had about why signing it and it was decided it would need to be signed for the county and signed as Classified as Lot Line Adjustment.

Minutes: Meeting minutes of April 6, 2021 were reviewed. Motion to accept the Minutes was made by Member Russell, seconded by Member William Daniel and approved by a vote of six (6) ayes; zero (0) nays and one (1) abstentions – Member Burzesi.

Old Business:

Cooper Hill Subdivision- There is a letter from Mrs. Gush to restart the project. There was discussion about restart or start and where it was at in the process. Revisions were needed to the preliminary plat before it could be moved to final plat. We see this as a start from scratch.

A motion to adjourn the meeting at 8:41 pm was made by Member Briggs, was seconded by Member Teal and was approved with seven (7) ayes, zero (0) nays and zero (0) abstentions.

Respectfully submitted,

Tiffany Buker
Planning Board Clerk



TOWN OF POESTENKILL

38 Davis Drive / P.O. Box 210
Poestenkill, NY 12140
(518) 283-5100 Phone
(518) 283-7550 Fax

Planning Board

PLANNING BOARD AGENDA

June 1, 2021, 7:00 pm

MEETING WILL BE HELD AT THE FIRE HOUSE
OPEN MEETING

7:00 Meeting Opens – Pledge of Allegiance

Public Comments:

Approval of May 4, 2021 Meeting Minutes:

Applicant:

Matt Bond White Church Road PPD Proposal
125.-6-4.111

Nicholas Costa Cooper Hill Subdivision

Members of the public may attend and comment on the proposed action. Comments may also be submitted to the Planning Board in writing prior to May 3, 2021.

Old Business:

New Business:

Other:

Laura Burzesi to attend June Meetings
Steve Valente to attend July Meetings
Don Heckelman to attend August Meetings



Zoning Board of Appeals

TOWN OF POESTENKILL

38 Davis Drive / P.O. Box 210

Poestenkill, NY 12140

(518) 283-5100 Phone

(518) 283-7550 Fax

Zoning Board of Appeals

May 11, 2020 @ 7 pm

Poestenkill Fire House

MEETING OPENS – PLEDGE OF ALLEGIANCE

Public Hearing:

Thomas Capparella

125.-11-28

Area Variance

53 Abbott Drive

Approve Meeting Minutes of April 13, 2021.

Organizational:

Other:

Frank Burzesi

Tim Hoffay

Paul Jamison

to attend May Meetings

to attend June Meetings

to attend July Meetings



TOWN OF POESTENKILL

38 Davis Drive / P.O. Box 210
Poestenkill, NY 12140
(518) 283-5100 Phone
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Zoning Board of Appeals

ZONING BOARD OF APPEALS

May 11, 2021 Minutes

Poestenkill Fire Hall

(not approved at time of distribution)

Attendees:

Frank Burzesi, Chairman
Paul Jamison
Nicole Heckelman
Kevin McGrath
Tim Hoffay
Susan Kalafut, Alternate

Chairman Burzesi called the meeting to order at 7:02 pm with the Pledge of Allegiance.

Public Hearing:

Thomas Capparella

125.-11-28

Area Variance- Setbacks

53 Abbott Dr

Chairman Burzesi read the public notice for Mr. Capparella. Chairman Burzesi stated he had no letters for or against the project. Chairman Burzesi asked Mr. Capparella to describe his project. Mr. Capparella is looking to build a thirty foot by thirty foot garage on the back of his property. His property is sloped and this area is the flattest and most level and best spot to put a garage. Other parts of the property are wet and also his leach field location. Chairman Burzesi asked how tall of a building. Mr. Capparella stated 12 foot sides and looking at using a steel building and he isn't sure of the eve height but doesn't think it will be more than 15 or 16 feet and knows the max is 20 feet. Clarification was noted for the center height being approximately 15 or 16 feet and side height of the building is 12 feet. Member K. McGrath asked for clarification on the set backs and to confirm it was five feet on both sides. K McGrath asked for how he knew where that line was. Discussion was had about the survey markers and the stake in one corner and the drainage ditch from the neighbors property. Mr. Caparella stated the closest part of the building to the stakes would be at stake 9 and showed how the rest of the garage would be on the lot map. Mr. Caparella said when they bought the property they had it surveyed and it was about 2.5 years ago but he didn't have the map with him tonight. N. Heckelman saw the stake and P. Jamison said he saw the stake as well and asked about the bushes and if they were on his property, which they are. P. Jamison agreed with K. McGrath that five feet seemed close. Mr. Caparella stated he could probably stretch it to 10 feet and be away from the well but would prefer the five feet. P Jamison is less concerned with back and more concerned with the side. Mr. Capparella had put bricks out prior to N. Heckelman seeing the land and had measured out an extra five and he was still away from the well but thinking about winter time and plowing and having some

extra room. K McGrath said with the five feet and putting a ladder up, you would be on your neighbors property. It was also asked about the overhang and Mr. Capparella thought there wasn't much of an overhang with a steel building. Chairman Burzesi said he could do ten feet on the side setback, where the bushes are. Mr. Capparella said he could do that but on the back side he needed it five feet as there is a big ditch behind there and he wouldn't be able to get back behind the building. Chairman Burzesi asked if anybody here had a public comment. L Basale, town resident, isn't concerned about the setbacks but that the term supplemental income is being used which to him means bringing in business and the neighborhood is residential. L Basale wanted to make it Mr. Capparella stated he has eight vehicles registered to his own name and it is mainly for his own use but there are times a friend will stop by for help with a repair. He doesn't have plans to own his own business and if he were to do that he would get the Special Use Permit. P Jamison said the size of the garage seems to be normal and not a commercial size. T Russell asked what kind of equipment he would be bringing in. Mr. Capparella said he would have a compressor and at some point plans to put in an above ground lift and with the amount of concrete (six to six and half inches of concrete). With the amount of concrete, Mr. Capparella feels that is something the planning board would want to know about. Mr. Capparella said he could do that and get the Special Use Permit if decided to run a business out of there but there is not room to store additional cars. T Russell is not concerned about what he is doing now, but may do in the future and the noise it could cause for neighbors and what the limitations that could come down if procedures aren't followed. Mr. Capparella stated he didn't know he would need a special use permit for a compressor. T Russell stated the above ground lift could be a trigger for a special use permit. P Jamison confirmed an official denial on the building permit. ZBA members felt better going with the 10 feet on the side. Chairman Burzesi asked if the neighbor had walked the line and seen where the garage would go. Mr. Capparella has talked to his neighbor about it and said as long as it is not on his property he didn't have a problem with it. Chairman Burzesi confirmed the sign was on the property and could be seen by the neighbors. N. Heckelman did a site visit and suggested the neighbor come to the meeting. Chairman Burzesi was concerned with not getting anything back on the certified letters to confirm receipt. Chairman Burzesi asked if Mr. Capparella was okay with closing the public hearing and waiting to vote on it at next meeting as this would ensure abutters had ample time to ask questions and review the application. Mr. Capparella was in agreement. Chairman Burzesi would like to leave the public hearing open for the next meeting and it will be voted on next month. K McGrath asked to see the map from the surveyor. Mr. Capparella doesn't believe he received a map after it was surveyed. Chairman Burzesi asked for him to find the survey map. K McGrath said the survey map will help make sure they are not pouring the cement in the wrong spot. N Heckelman asked if the survey map would be on file at town and K McGrath said not all towns do and it isn't kept at the county of individual lots surveyed but the overall site plan for subdivisions. Chairman Burzesi said it would be his responsibility to make sure he had the correct lines before putting the cement in so you really want to know.

Motion made by Chairman Burzesi to keep the public hearing open until the next meeting (June 8), second by Paul Jamison with five (5) ayes and zero (0) nays or abstains.

Meeting minutes for the April 13th, 2021 with amendments of first paragraph with the consensus of the board was for the side setbacks and agreement was to use the side setback numbers and a

typo in P Jamison's voting question from 750% to 75% were approved with amendments in a motion made by Member Jamison, seconded by Member Heckelman and carried by 5-0.

There being no further business, a motion to adjourn the meeting was made by Chairman Burzesi, seconded by Member Jamison and was approved by five (5) ayes, zero (0) nays and zero (0) abstentions. The meeting was adjourned at 7:48pm.

Respectfully submitted,

Tiffany Buker, ZBA Clerk



Zoning Board of Appeals

TOWN OF POESTENKILL

38 Davis Drive / P.O. Box 210
Poestenkill, NY 12140
(518) 283-5100 Phone
(518) 283-7550 Fax

Zoning Board of Appeals

June 8, 2021 @ 7 pm
Poestenkill Fire House

MEETING OPENS – PLEDGE OF ALLEGIANCE

Public Hearing:

<u>Thomas Capparella</u>	<u>Area Variance</u>
136.-9-34.18	53 Abbott Drive

Approve Meeting Minutes of May 11, 2021.

Organizational:

Other:



Planning Board

TOWN OF POESTENKILL

38 Davis Drive / P.O. Box 210

Poestenkill, NY 12140

(518) 283-5100 Phone

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PLANNING BOARD AGENDA

May 4, 2021, 7:00 pm

**MEETING WILL BE HELD AT THE FIRE HOUSE
OPEN MEETING**

7:00 Meeting Opens – Pledge of Allegiance

Public Comments:

Approval of April 6, 2021 Meeting Minutes:

Applicant:

Matt Bond
125.-6-4.111

White Church Road PPD Proposal

Ronald Levesque
124.-10-2, 124.-10-3.111

Lot Line Adjustment

Members of the public may attend and comment on the proposed action. Comments may also be submitted to the Planning Board in writing prior to May 3, 2021.

Old Business:

Update on Cooper Hill Subdivision

New Business:

Other:

Bill Daniels
Laura Burzesi
Steve Valente

to attend May meetings
to attend June Meetings
to attend July Meetings



Planning Board

TOWN OF POESTENKILL

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(518) 283-5100 Phone
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PLANNING BOARD May 4, 2021 Minutes @ Poestenkill Fire Hall

Attendees:

Don Heckelman, Chairman
Tom Russell
Harvey Teal
Jeff Briggs
William Daniel
Steve Valente
Laura Burzesi
Vicky Spring, Alternate

Non-Voting:

Robert Ryan, Esq.
Tiffany Buker, Clerk

Chairman Heckelman called the meeting to order at 7:00 pm with the Pledge of Allegiance and introduced the Members of the Board.

Public Comment Period:

There was no comments made.

Applicants:

Matt Bond/ Kronau Group
136.-6-3.131

White Church Rd PDD

Matt Bond from Barber Engineering, representing Kevin and Dale Kronau presenting White Church PDD, gave overview of project. 8.7 acre parcel of land currently zoned natural products and eventually mining will end and with a reclamation plan and hope to continue on to the next phase of the Deer Creek development, the adjacent property, and is currently proposed as 8 townhome style, a total of 16 residential units with on site septic treatment system. The remaining undeveloped sections would be open space and not developed as part of an HOA.

The floor was opened to planning board members to ask questions about the project, V. Spring- asked about townhome vs. duplex. M. Bond explained goal is to sign over and not lease and would be sold as individual.

J Briggs- asked what PDD means to Matt Bond. Matt explained this is a PDD because it doesn't meet existing zoning as is currently natural products and with need to change zoning for

requesting PDD and setback restrictions. M Bond believes residential and north of residential agriculture is the surrounding zones. This would allow an overlay J Briggs- planned development is not just how to not just squeeze more units. Without the PDD and it reverts to residential you could put 4 houses on 8 acres. J Briggs would like to see unique, interesting ideas that would show 16 units on a plot of land. J Briggs stated being close to the hamlet, small lots fits into the surrounding area. J Briggs asked about the look of the buildings. M Bond stated J Briggs is concerned with conservancy and that DEC is recommending cluster style homes and explained what it would mean extending the road and putting houses further back. M. Bond stated this a concept plan looking for approval for the PDD, and at this time we are looking for approval of the concept and then will move on to the details of design. The footprint chosen is generic and there seems to be a demand for starter homes and also older population looking to downsize.

W Daniel is concerned about the slope areas behind these is 30 ft high and it not being usable space and that is why the open space area is there. M Bond stated the sections of slope would be rear of lot if you moved away from cluster style. Chip Kronau explained the burn and the drop off would be different if it were to be changed to residential. There is lots of grading work that needs to be done to blend in before building can be done.

L Burzesi asked about septic and if it would support them all. M Bond stated it would likely be separate tank for each unit and go into a joint main. W Daniel asked about the residents and wells. M Bond stated there are rules for separation and would meet DOH standards and soil would be amended if need to slow down after the perc test was done.

S Valente asked about water. Chip Kronau said it would be connected to water via 351.

L. Burzesi asked about an easement in the drawing. M Bond stated it has always been there and was originally put in for access but with this development, it wouldn't use that access road but accessed from White Church Rd. M Bond stated it would widen access and said 2 standards based on highway standards: hammerhead and cul-de-sac. Currently proposing hammerhead style.

L. Burzesi said there is a separation between the two developments. M Bond stated it grades down to the existing development since the proposed is higher and also a wood line.

S. Valente asked about the setback from the road and being 50 feet as it is proposed as 40 feet. M Bond stated that is one of the proposals in the PDD is to minimize the setbacks and shorter road access which ties into the cluster style- shorter access road, shorter driveways.

W Daniel asked if it would be a town road and to make sure he knows there are standards. M Bond stated it is planned to be turned over to the town and knows there are standards that need to be met including the grade.

T Russell asked if 50 ft what would happen, and M Bond said it could happen but would push the houses further back onto the property. M Bond said if the road is widen, it would narrow the

building lot. Russell asked about decreasing number of homes and single homes. M Bond stated it was looked at as well but that would make it less affordable to new home buyers. Discussion continued about things that were design specific and not concept specific- cost, look,

D Heckelman asked about hammerhead and fire dept having issues with the turnaround and changed need to be made. M Bond said that others could be looked at but it was done using the town's road standards. M Bond stated the road is still 26 feet wide and it is the overall right away being a little narrower and there is still access for 3 cars to pass or 2 cars and a fire truck to pass. M Bond said this is something that could be changed in the design process if the approval for the PDD is made.

D Heckelman opens up to public comment about the PDD.

Resident S. Bidwell is concern about erosion and his septic and gave the back story of an issue in 2018. He is looking for more to be done to fix the issue.

W Daniel stated taking berm out and Mr. Bidwell will have more issues. M Bond stated the issues will meet or be at existing issues with additional vegetation. S. Bidwell asked if anything was being proposed to be done with what is there. M Bond stated they are not proposing work to be done there where the concern is and want to minimize the disturbance. S Bidwell said unable to maintain grass once the problems from 2018 occurred with dirt being pushed down the hill and can no longer do anything with it like he was able to do before. S. Bidwell wants for whatever happens there to be maintained and if they are to sell that piece depending on what he wants for it, he would be willing to buy it. Chip Kronau said he think his father will work with Mr. Bidwell on this area. Chip said he is aware of the issue and what is there is not permanent and a bandaid for now.

A question was asked about storm water and Chip Kronau said storm water said can't come off of there as it is against DEC regulations. Stormwater needs to be addressed in the project and stay within the project and will be addressed in the design process of the project.

T Russell asked if DOT had been talked to about site distance. T Russell mentioned the email from Tom Fields about concerns about the culvert at the entrance and stormwater. M Bond said DOT will be contacted but these questions are warranted to the design process and not the concept. L Burzesi stated that many of these questions (stormwater, culverts, look) are geared towards the design process and we are currently being asked are we willing to give them the go ahead to start the design process

Town resident L Basle asked about PDD process and if approved is there still control by the board of how the design comes about.

Planning Board Attorney Bob Ryan gave process overview and reminded this process doesn't approve but makes a recommendation back to the town board to approve or deny, and then if the town board approves then the applicant files a site plan and that is where the design and development of parcel comes under review. L Basale asked if the PDD is approved but the project is dropped does it stay a project, B Ryan said he would need to look into it but PDD is for a specific project so he believes it is only approved for that specific project and there is a timeline. L Basale thinks should their recommendation should make sure it fits into the comprehensive plan.

E Gresens would like more information on the septic system as it could affect all their wells. M Bond stated the location and size is based on daily load demand that is calculated based on number of units. The septic system would be designed in accordance with Dept of Health standards. T Russell asked about the number of people. M Bond stated the calculation is based off number of bedrooms per residential unit.

T Russell asked about driveways. M Bond stated driveways are proposed for 2 cars and each unit has an attached garage. If a car parked on the side of the road, there is still plenty of space for cars to pass on the road. T Russell about emergency turnarounds before the end. Discussion happened about turn arounds and if additional turn arounds would be needed.

Discussion occurred about HOA and if adding on, what that process would be. If any additions were made after the initial build, a building permit would be needed. T Russell asked about HOA and M Bond said all would be discussable items in design process. S Bidwell asked if HOA goes defunct, does the town pick up? B Ryan said there is more to that and an HOA is more for the exterior especially since 2 owners for one building and that it shouldn't go bankrupt as more fees would need to be assessed or cost cut.

S Bidwell asked about septic system life. M Bond stated it was dependent on load but 20-50 year is typical life expectancy. Dept of Health decides how big and adjacent area, etc and it is part of the design criteria set forth by the DOH.

S Valente asked about depletion time of gravel, Chip Kronau said wouldn't be long if approved. Chip Kronau said not mine all out, and would be using some for the project, it is more of the grading to get the right slopes and percentage of grade. Discussion about when mine permit were would be terminated and how it coincides with the development of the project.

T Russell asked the fire department if the distance between buildings and what that means for them. Fire Dept (D Basle) said they were concerned with 50 ft rightaway of the roadway. They would like to see the 50 ft rightaway. The house setback being asked is 24 feet. Fire Dept also has concerns about the main and number of hydrants. Fire Dept would also like to see easement to access road for fire access, hydrant in deer creek, etc. S Valente stated some of the neighbors are concerned with the easement being a road. S. Bidwell said there are lots of neighbors with kids and D. Basale said it would be with a gate and access only to emergency vehicles. S Valente sees the easement being a problem is a road for emergency vehicle access. Discussion occurred about Kronaus selling off the easement.

S Valente asked if minimums are set to hamlet standards.

D Heckelman brought to the attention the copy of concerned resident letter that was sent to the town board and town supervisor. A copy will also be given to M Bond.

D Heckelman asked them to come back to next meeting to have more discussion on this and have time for questions to be submitted before then. M Bond asked if he is asking for an additional 30 days and review of comments. M Bond reminded this is concept level and not

design level and questions should be geared towards concept. Tiffany Buker, secretary, stated questions should be submitted by May 25th to allow M Bond time to get answers to the questions.

Ron Levesque

Lot Line Adjustment

124.00-10-3.111

D Heckelman gave overview of project. R Levesque steps into explain. R Levesque has tabled SUP (and officially withdrawn) and just going for lot line adjustment. He started Moules Lake LLC, only property owner, therefore sole in HOA. He wants to take property from one piece of land and move to it another piece of land. He wants to add more property to the pie shaped lot. The half acre lot is surrounded by land and across the street is forever wild land and can't be built on. This transaction is a paper transaction and R Levesque is the only owners of the property and making the property from pie shaped to closer to a rectangle.

D Heckelman recalled the issue where property with lot line adjustment is from and has a limitation on it that the property is either Forever Wild nature conservancy or controlled by an HOA. R Levesque said what found in the last 2 years, that has never legally been a HOA. The property that came up for foreclosure the conditions should have been fought by the town in a legal battle as requirements from the planning board. There has been no legal filings for the conditions of the planning board (to establish an HOA) be maintained. R Levesque bought the property in foreclosure from the county- clean and clear and free of all encompasses upon it as the county is not going be part of the HOA. D Heckelman stated that Daisy Lane residents didn't need to be notified of this meeting as it is not a public hearing and if it moves forward and a public hearing is needed the abutters would be notified. B. Ryan asked if he had a title abstract as he asked in 2018 and said as a buyer to do a title abstract to see what the deed restrictions are.

As a buyer on foreclosure properties it wipes tax liens but not deed restrictions. B Ryan said as part of the plat it still has restrictions on it to make it buildable. R Levesque isn't asking to build on the property. S Valente asked for clarification on the process of lot line adjustment and looking at deeds. D Heckelman said the deed is being looked at because of the restrictions on the property. S Valente asked how do we know that because it isn't part of the process. D Heckelman said it was because it was part of the plat that it goes to nature conservancy or HOA.

R Levesque said those restrictions were placed on the developer and the deed never changed as he kept it in his own name and it wasn't transferred. S Valente asked if the restriction was on the deed or the plat. D Heckelman said it was on the plat for the development. S Valente said if it isn't on the deed, how can we enforce it and L Burzesi agreed. R Levesque says he isn't looking to build on it, just square off the piece of property. B Ryan said it could be on the deed but an abstract was never provided. We don't approve lot line adjustments on a subdivision. The issue from 2 years ago was for the special use permit where we knew there was restrictions on the existing subdivision plat and there could be a liability to the town if we are approving a SUP and concerns are voiced of the major subdivision approval when it was suppose to be built on. Here there is no approval, if we say this isn't a subdivision then the lot line isn't approved. Our process is only looking at if it is a subdivision. D Heckelman asked if we could move forward with the lot line adjustment without having to do an approval. B Ryan said we say it is not a subdivision it is a lot line adjustment and then R Levesque can do what he wants to do. B Ryan

says no public hearing is needed and the planning board make a determination that it is a lot line adjustment and not a subdivision and there is no approval process for it. D Heckelman said this is giving him more property and he wouldn't have needed the variances for the setbacks. B Ryan says we are not approving development on this land. T Buker asked for additional copies

Motion forward to classify as a lot line adjustment Motion by J Briggs and Seconded by H Teal.
All in favor, ayes and no no's or abstains.

D Heckelman told R Levesque to get paperwork to Tiffany. Discussion was had about why signing it and it was decided it would need to be signed for the county and signed as Classified as Lot Line Adjustment.

Minutes: Meeting minutes of April 6, 2021 were reviewed. Motion to accept the Minutes was made by Member Russell, seconded by Member William Daniel and approved by a vote of six (6) ayes; zero (0) nays and one (1) abstentions – Member Burzesi.

Old Business:

Cooper Hill Subdivision- There is a letter from Mrs. Gush to restart the project. There was discussion about restart or start and where it was at in the process. Revisions were needed to the preliminary plat before it could be moved to final plat. We see this as a start from scratch.

A motion to adjourn the meeting at 8:41 pm was made by Member Briggs, was seconded by Member Teal and was approved with seven (7) ayes, zero (0) nays and zero (0) abstentions.

Respectfully submitted,

Tiffany Buker
Planning Board Clerk



TOWN OF POESTENKILL

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Planning Board

PLANNING BOARD AGENDA

June 1, 2021, 7:00 pm

MEETING WILL BE HELD AT THE FIRE HOUSE
OPEN MEETING

7:00 Meeting Opens – Pledge of Allegiance

Public Comments:

Approval of May 4, 2021 Meeting Minutes:

Applicant:

Matt Bond White Church Road PPD Proposal
125.-6-4.111

Nicholas Costa Cooper Hill Subdivision

Members of the public may attend and comment on the proposed action. Comments may also be submitted to the Planning Board in writing prior to May 3, 2021.

Old Business:

New Business:

Other:

Laura Burzesi to attend June Meetings
Steve Valente to attend July Meetings
Don Heckelman to attend August Meetings

1:12 PM
06/03/21
Accrual Basis

Poestenkill Fire Company
Custom Summary Report
May 2021

	May 21
Expense	
Building Fuel (heating)	
Main Station (Propanel)	452.27
Total Building Fuel (heating)	452.27
Building Maintance	
Main Station	1,043.50
Refuse	71.55
Total Building Maintance	1,115.05
Code 100	69.87
Donation	100.00
Electric	
East Poestenkill	22.70
Main Station	21.02
Total Electric	43.72
Equipment	
New Equipment	262.80
Repair & Maintance	1,543.30
Total Equipment	1,806.10
Fire Trucks	
Fuel	323.56
Repair & Maintance	397.11
Total Fire Trucks	720.67
Internet & Phone	114.03
Medical Supplies	26.10
Office Supplies	127.96
On Q Safety	65.00
Porfessional Services	4,000.00
Security Alarm	65.00
Solar	486.00
Telephone	
East Poestenkill	44.97
Main Station	58.14
Total Telephone	103.11
Total Expense	9,294.88
Net Income	<u><u>-9,294.88</u></u>

BE Barber Engineering

Po Box 454, Nassau, New York 12123 • (O) 518-931-4099 • design@bbreng.com

March 4, 2021

Ms. Susan Horton, Town Clerk
Town of Poestenkill
38 Davis Drive
Poestenkill, New York 12140

MAR 05 2021

Re: White Church Road PDD – Sketch Plan Review
Town of Poestenkill
Barber Engineering Project No: 20-202

Dear Ms. Horton,

On behalf of the Applicants, Kevin Kronau and Dale Kronau, we are requesting the above noted project be placed on the agenda for consideration. Please consider this a written application for establishment of a planned development district. We are providing the following materials for review by the Town Planning Board.

Please find enclosed Nine copies (9) each of the following:

1. Project Narrative
2. Application for Rezoning
3. Property Survey
4. Sketch Plan
5. 500 ft Radius Map

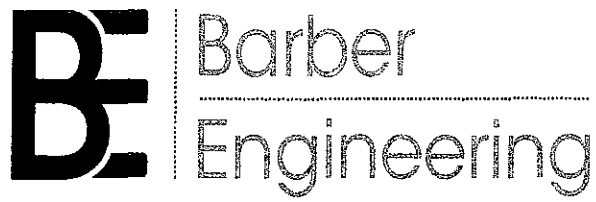
Should you have any questions relative to the project or require additional copies, please contact me at (O) 518-931-4099 or (C) 518-365-6090.

Sincerely,
Barber Engineering



Matthew J. Bond, PE

Cc: Kevin Kronau (via email)



Po Box 454, Nassau, New York 12123 • (O) 518-931-4099 • design@bbreng.com

WRITTEN PROJECT NARRATIVE

Proposal: A Planned Development District on
White Church Road (NYS Route 351)

Submitted To: Town of Poestenkill

Owner/Applicant: Kevin Kronau and Dale Kronau
PO Box 64
Poestenkill, NY 12140

Applicants Representative: Barber Engineering
PO Box 454
Nassau, NY 12123

Site Address(es): White Church Road

Site Size: 8.68 ±

Assessor's Information: Rensselaer County
Tax ID: 125.-6-4.111

Zoning: NP - Natural Products

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WATER SUPPLY5
WASTEWATER DISPOSAL6
ROADWAYS & TRANSPORTATION6
VISUAL & NOISE6
SOLID WASTE DISPOSAL7
ENVIRONMENTAL IMPACT7

INTRODUCTION

This Project Narrative and the information that follows represent the proposal for the design and development of a residential Project, to be known as White Church Rd PDD. The Project site is 8.68 ± acres, located in the northwestern portion of the Town of Poestenkill, Rensselaer County, New York. The property borders the north side of the Deer Creek residential development and has frontage on both White Church Road (NYS Route 351) and Deer Creek Road, and is identified as Tax Map Number 125.-6-4.111.

The Project owners and applicants are: Kevin Kronau & Dale Kronau

PO Box 64

Poestenkill, NY 12140

The subject parcel is undeveloped land, currently zoned in the Natural Products (NP) District, and is a permitted, active, gravel mine. As mining operations will likely be complete are nearing completion, the intent is to rezone the parcel as a Planned Development District (PDD) to allow for a residential development that will also serve as the mine's reclamation plan.

PROJECT DESCRIPTION

The Project site is partially occupied by a gravel mine, while the remainder is wooded, vacant land. It is to be developed as townhome parcels. The density of the project at final build-out will be eight (8) buildings of two (2) units each, for a total of sixteen (16) residential units. The Project will have a roadway connecting to White Church Road (NYS Route 351), associated utilities, attached garages, and community open space. The Applicant intends to construct the townhomes in a floor plan and material finish that will meet market demands and appeal to future home buyers.

The infrastructure development of the site will consist of approximately 860 linear feet of connecting roadway, with utility extensions for water, electric, telephone, cable and landscape improvements. The water main will be location within a utility easement in the right of way for the proposed roadway, with both to be offered for dedication to the Town of Poestenkill, upon completion. Stormwater management will consist of a collection system and management area(s).

ZONING AND LAND USE

The subject parcel is shown on the Town Zoning Map prepared by others to be zoned Natural Products (NP) while portions of the parcel are also shown in the Residential (R) and Rural Agricultural – (RA) Districts. The property was zoned Natural Products to allow for mining of the existing soils and this is the current use. However, as mining operations will likely be complete in the coming years, the intent is to close out the mining permit and complete the closure/reclamation of the property by constructing a residential development in place. Development is proposed on the eastern portion of the property, with the western portion to remain common open space.

The subject parcel has frontage on two (2) public roads. It is bordered by White Church Road (NYS Route 351) to the east. The southern and western sides of the parcel meets Deer Creek Road in two places. As a result, the south and western ends of the parcel are bordered by residential lots that are part of the Deer Creek Residential Development. The land to the north is mostly undeveloped and owned N/F by Capital District Farms, Inc. Additional residential structures lay to the east (across White Church Road), south and west.

SOIL CONDITIONS, GROUNDWATER & TOPOGRAPHY

According to soil mapping and descriptions provided by Rensselaer County and the USDA Natural Resources Conservation Service, soil types found on site consist of the following:

- Chenango gravelly loam, fan (CkB); Hydrologic Soil Group A; Depth to high water table about 36 to 72 inches; Depth to restrictive feature >80”.
- Hoosic gravelly sandy loam, rolling (HoC); Hydrologic Soil Group A; Depth to high water table >80”; Depth to restrictive feature >80”.
- Hoosic gravelly sandy loam, steep (HoE); Hydrologic Soil Group A; Depth to high water table >80”; Depth to restrictive feature >80”.
- Pits, gravel (Pg); Hydrologic Soil Group Unspecified; Depth to high water table Unspecified; Depth to restrictive feature Unspecified.
- Teel silt loam (TeA); Hydrologic Soil Group B/D; Depth to high water table about 18 to 24”; Depth to restrictive feature >80”.

The topography of the site is varied, with steep sections and flatter plateaus. The eastern portion of the property is divided by Deer Creek (NYS DEC Stream No. H236-16 Class D), which runs approximately north to south. Nearly 7.5 acres of the property lay west of the creek, while the remaining 0.9 acres lay

east of the creek. Of the nearly 7.8 acres west of the Deer Creek crossing, approximately 4.5 acres grade towards the Deer Creek Development, which ultimately drains into Deer Creek via culverts and grass swales. The remaining approximately 3.0 acres of the 7.5 lying west of the Deer Creek Crossing drain into the Creek via a series of swales, settling ponds, and rock outlets. The remaining 0.9 acres of the overall property that is on the east side of Deer Creek drain toward the Creek.

STORMWATER MANAGEMENT & DRAINAGE

In order to accommodate the proposed development, it is necessary to add an on-site stormwater collection system and management area(s). The stormwater collection system will be provided using pavement gutters, catch basins and piping. Downstream control structures and basins will regulate the discharge rate by not exceeding the peak flows for pre-development conditions. Major runoff from roofs, pavement and other impervious areas will be directed to the storm sewer system and management area. The stormwater management systems and Stormwater Pollution Prevention Plan (SWPPP) will be design in accordance to the NYSDEC Stormwater Management Design Manual and in compliance with the NYSDEC GP-0-20-001.

The stormwater management model used for the design of the stormwater management areas is based upon 1-year, 10-year, and 100-year peak frequency twenty-four hour storm events for pre-development and 1-year, 10-year, and 100-year peak frequency twenty-four hour storm events for post-development.

The discharge rates and volumes of the control structures, ponds, and direct runoff will be regulated. The discharge rates and volumes will not exceed the peak flows and volumes for pre-developed conditions at a 1-year, 10-year and 100-year storm frequency. The post-developed flows will be stored and released over time through various Stormwater Management Practices (SMP) for water quality and quantity utilizing swales and a P-5 Pocket Pond.

All erosion and sediment control measures will be implemented prior to commencing excavation or grading as shown on the plans and will remain in operation until the projects' end.

WATER SUPPLY

Presently, a 12-inch water main, with fire hydrants, is located along the western side of White Church Road. This water main is in the Town of Poestenkill Water District. The intent is to connect to this main in the area of the proposed site entrance and install an 8-inch water main, hydrants and related appurtenances in a utility easement, in accordance with Town of Poestenkill standards, to be granted to

the Town of Poestenkill upon completion.

It is estimated that the peak average daily flow for the proposed development will be 110 gallons per day per capita (gpc) at 2.0 persons per dwelling unit (110 x 2.0 x 16 DU), for a total of 3,520 gallons per day (gpd). The water main will be installed at a minimum depth of 5 feet. The flow pressure and capacity of the existing interconnection mains will be investigated as part of the Project engineering design. Initial investigations indicate that the Project water demands will not have a significant impact on the Town's water system.

WASTEWATER DISPOSAL

There is no currently public wastewater disposal within a reasonable distance to the property. As such, the intent is to build an on-site wastewater treatment system that is to be owned and operated by the homeowner's association (HOA). Each housing unit will have a dedicated septic tank and the effluent will discharge to a community system. This on-site wastewater system will consist of a subsurface treatment system.

It is estimated that the average daily flow for the proposed development will be 110 gallons per day per capita (gpc) at 2.0 persons per dwelling unit (110 x 2.0 x 16 DU), for a total of 3,520 gpd. The total peak daily flow using a factor of two (2) is 7,040 gpd and the maximum peak flow using a factor of four (4) is 14,080 gpd or 9.8 gpm or 0.026 cfs.

ROADWAYS & TRANSPORTATION

The subject parcel has frontage on two (2) public roads. It is bordered by White Church Road (NYS Route 351) to the east and has frontage on Deer Creek Road to the south. As the point of access is proposed off of White Church Road, which is a main arterial, it is not anticipated that peak and off-peak vehicle trips will have an appreciable impact to the present traffic conditions of the neighboring community.

VISUAL & NOISE

Though visual and noise aspects are a concern, adjoining parcels of land that are presently developed support residential-type development. This development is comparable to the adjoining properties and should not have an appreciable impact relative to visual aesthetics and noise. The proposed development will decrease noise concerns in comparison to the current use.

SOLID WASTE DISPOSAL

Solid waste collection will be through the use of an independent and qualified refuse contractor. In 2006, the United States Environmental Protection Agency (USEPA) estimated that the national per capita garbage generation rate was 4.6 pounds per person per day. The recycling rate was 1.5 pounds per person per day. Therefore, the discard rate after recycling was 3.1 pounds per person per day. Assuming two persons per dwelling unit, on average, the total Project discard rate would be $(3.1 \times 2 \times 16) = 99$ pounds per day, or $1.5 \pm$ tons per month. The cart hauler services will be contracted with a private company. Based on the amount generated and type of use proposed, it is anticipated that the solid waste produced will have no appreciable impact on the community's existing services

ENVIRONMENTAL IMPACT

The intent of the applicants is to limit impact to the environment to the extent practicable. As such, the proposed PDD is modeled after what New York State Department of Environmental Conservation (NYSDEC) details as a "cluster development". The development will largely be constructed in areas that have been disturbed by the existing mine, while the remaining undisturbed areas will be retained as permanent, open space. The residents of the PDD will have access to this open space for congregating and recreational purposes. Vehicle access to the property is directed over the currently existing stream crossing, which will be widened to the minimum amount necessary to provide a right-of-way.

TOWN OF POESTENKILL

APPLICATION FOR REZONING

INSTRUCTIONS	<ol style="list-style-type: none">1. Type or print in black ink.2. Submit all maps, sketches, and attachments as requested below in triplicate.3. If application is for NP district, obtain, fill out and attach the "Natural Products Supplement" form.4. Submit completed application to the Town Clerk.
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I. GENERAL INFORMATION

- a) Applicant's Name: Kevin Kronau & Dale Kronau Phone: 518-283-6070
Applicant's Address:
PO Box 64
Poestenkill, NY 12140
- b) Property Owner: Kevin Kronau & Dale Kronau Phone: 518-283-6070
Owner's Address:
PO Box 64
Poestenkill, NY 12140
- c) If applicant or Owner retains an attorney, please provide name,
address and phone number of attorney:

Lawrence E. Howard, Esq
Shulman, Howard & McPherson, LLP
PO Box 1000
Averill Park, NY 12018

II. DESCRIPTION OF PROPERTY

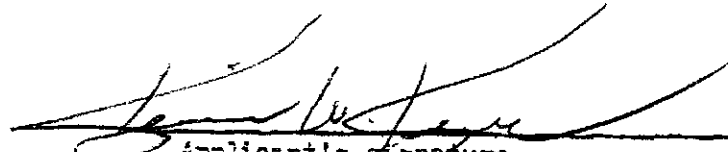
- a) Show accurately and clearly the location of the property on the attached Town map.

- b) Attach a second map of appropriate scale which clearly and accurately describes the property size and shape, topography, wetlands, vegetation, present uses and present structures. Also, indicate property owners of all neighboring parcels, and describe the present use of these parcels. This map should show the approximate size of all parcels in acres.

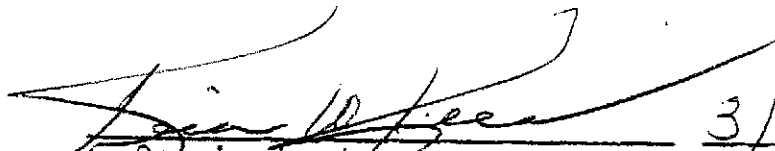
III. REZONING PROPOSAL

- a) This request is to change this property from
NP - Natural Products to R - Residential
(existing zone) (proposed zone)
- b) Attach a sketch map of the same scale as in II b), which demonstrates the feasibility of the proposed zone and resultant development in terms of topography, vegetation, possible uses and structures, circulation, parking, open space, etc.
- c) This request for rezoning will be evaluated in view of the "Purposes" of the "Land Use Ordinance" outlined in Part I, Section I. The applicant should attach any additional maps, sketches, plans, written explanation or any other information or documentation which he feels necessary to, or able to aid in, the thorough evaluation of this proposal. Some of the specific points which will be considered are as follows:
1. impact on surrounding uses
 2. impact on transportation system
 3. demand on public services
 4. appropriateness in view of natural features
 5. economic sensibility
 6. environmental impact

All statements made as part of this application are true to the best of my knowledge.


Applicant's signature

3/1/21
Date


Order's signature

3/1/21
Date

OFFER OF DEDICATION

THIS IRREVOCABLE OFFER OF DEDICATION made this ____ day of _____ 2021, from Sagebrook Associates, Inc. organized and existing under the laws of the State of New York, with offices located at 14 Abbott Drive, Poestenkill, NY 12140 (hereinafter referred to as "SAGEBROOK") to the Town of Poestenkill, a Municipal Corporation, having its offices at Poestenkill Town Hall 38 Davis Drive Poestenkill, NY 12140 hereinafter referred to as "POESTENKILL").

WITNESSETH

WHEREAS, SAGEBROOK is the owner of certain lands located within the Town of Poestenkill, County of Rensselaer and State of New York. more particularly described in a deed recorded in the Rensselaer County Clerk's Office on July 27, 2005 in Book 1904 of Deeds at Page 66, as shown on a map entitled, Quail Meadows Drive on a certain survey plat entitled "Quail Meadows Subdivision, Lands N/F of Sagebrook Associates, Inc.", prepared by Brian R. Holbritter, PLS, dated June 2007, last revised September 11, 2008 and filed in the Rensselaer County Clerk's Office in drawer 2009 as map 82.

WHEREAS, POESTENKILL. as a condition for the dedication to and acceptance of the roads and easements, has required SAGEBROOK to file with POESTENKILL a formal Irrevocable Offer of Dedication of the proposed subdivision roadways and easements as shown on said map and as described herein on SCHEDULE "A" ATTACHED HERETO;

WHEREAS, SAGEBROOK agrees to address the following conditions:

1. The roadway will be warrantied for a period not less than 3 years nor more than 6 years from the time of dedication and any corrections or repairs during that time will be by SAGEBROOK.
2. Any failures will be repaired by SAGEBROOK, as needed, or within a reasonable amount of time after being notified by POESTENKILL.
4. POESTENKILL will determine when the top course of pavement will be placed on Quail Meadows Drive. Current expectation is that it will be within the 6 year period.
5. Roadway monuments are on order and will be installed by the surveyor when they arrive.
6. A cash bond of \$ _____ will be held by the Town to cover the above items in the event that SAGEBROOK does not address them in a timely fashion.

NOW, THEREFORE, SAGEBROOK hereby irrevocably offers to grant, cede and convey to POESTENKILL all that tract, piece or parcel of land as is more particularly described in Schedule "A" annexed hereto. said parcel to be used as a public roadway or as utility easements, all as shown of the aforementioned subdivision map.

This Irrevocable Offer of Dedication shall continue indefinitely and may be accepted by of POESTENKILL at any time, it being the intent that this offer will be accepted at the Town Board's discretion.

IN WITNESS WHEREOF, KEVIN W. KRONAU has executed this Irrevocable Offer of Dedication as of the day and year first above written.

Sagebrook Associates, Inc.

By: KEVIN W. KRONAU

STATE OF NEW YORK)
COUNTY OF RENSSELAER) SS.:

On the _____ day of _____ 2021 before me, the undersigned, personally appeared KEVIN W. KRONAU personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within Instrument and he acknowledged to me that he executed the same in his capacity, and that by his signature on the Instrument, the individual or person upon behalf of which the individual acted, executed the Instrument.

NOTARY PUBLIC
Commission Expires:

SCHEDULE A

Fox Hen Drive

All that certain portion of a piece or parcel of land located in the Town of Poestenkill, County of Rensselaer, and State of New York, being shown as Fox Hen Drive on a certain survey plat entitled "Quail Meadows Subdivision, Lands N/F of Sagebrook Associates, Inc.", prepared by Brian R. Holbriiter, PLS, dated June 2007, last revised September 11, 2008 and filed in the Rensselaer County Clerk's Office in drawer 2009 as map 82 and being more particularly described as follows:

Beginning at a point in the northwesterly line of a town road known as Quail Meadow Drive at the intersection with the northeasterly line of a town road known as Fox Hen Drive, all as shown on the above-mentioned survey plat; thence running through lands now or formerly of Sagebrook Associates, Inc. as described in volume 1904 of deeds at page 66 and along the northeasterly, northerly and northwesterly line of said Fox Hen Drive the following seven (7) courses:

- 1) Along a curve which bears to the right having a radius of 25.00 feet, a length of 39.27 feet and a chord of North 66°30'00" West – 35.36 feet to a point;
- 2) North 21°30'00" West a distance of 166.39 feet to a point;
- 3) Along a curve which bears to the left having a radius of 410.00 feet, a length of 842.72 feet and a chord of North 80°23'00" West – 702.01 feet to a point;
- 4) South 40°44'00" West a distance of 545.52 feet to a point;
- 5) Along a curve which bears to the left having a radius of 275.00 feet, a length of 121.12 feet and a chord of South 28°07'00" West – 120.14 feet to a point;
- 6) Along a curve which bears to the right having a radius of 25.00 feet, a length of 25.93 feet and a chord of South 40°02'44" West – 24.78 feet to a point;
- 7) Along a curve which bears to the left having a radius of 60.00 feet, a length of 156.14 feet and a chord of South 05°05'00" East – 115.66 feet to a capped iron rod set;

Thence along the division line between lands of said Sagebrook Associates, Inc. (on the north) and lands now or formerly of Louis A. Hammond and Kelly Hammond as described in volume 7559 of deeds at page 327 (on the south) along a curve which bears to the left having a radius of 60.00 feet, a length of 112.34 feet and a chord of North 46°43'31" East – 96.64 feet to a capped iron rod set; thence running through the lands of said Sagebrook Associates, Inc. and along the southwesterly, southerly and southeasterly line of said Fox Hen Drive the following seven (7) courses:

- 1) Along a curve which bears to the left having a radius of 60.00 feet a length of 33.04 feet and a chord of North 22°41'29" West – 32.63 feet to a point;
- 2) Along a curve which bears to the right having a radius of 25.00 feet, a length of 25.93 feet and a chord of North 09°02'42" West – 24.78 feet to a point;
- 3) Along a curve which bears to the right having a radius of 225.00 feet, a length 99.10 feet and a chord of North 28°07'00" East – 98.30 feet to a point;
- 4) North 40°44'00" East a distance of 545.52 feet to a point;
- 5) Along a curve which bears to the right having a radius of 360.00 feet, a length of 739.95 feet and a chord of South 80°23'00" East – 616.40 feet to a point;
- 6) South 21°30'00" East a distance of 166.39 feet to a point;

- 7) Along a curve which bears to the right having a radius of 25.00 feet, a length of 39.27 feet and a chord of South 23°30'00" West – 35.36 feet to a point in the northwesterly line of for mentioned Quail Meadow Drive;

Thence running North 68°30'00" East along the northwesterly line of said Quail Meadow Drive a distance of 100.00 feet to the point or place of beginning. Containing 2.16± acres of land.

Quail Meadows Drive

All that certain portion of a piece or parcel of land located in the Town of Poestenkill, County of Rensselaer, and State of New York, being shown as Quail Meadows Drive on a certain survey plat entitled "Quail Meadows Subdivision, Lands N/F of Sagebrook Associates, Inc.", prepared by Brian R. Holbritter, PLS, dated June 2007, last revised September 11, 2008 and filed in the Rensselaer County Clerk's Office in drawer 2009 as map 82 and being more particularly described as follows:

Beginning at an existing iron rod found at the southeasterly corner of a parcel of land now or formerly of Robert K. Pattee and Penny P. Pattee as described on reel 994 of deeds at frame 161 and being in the easterly line of a town road known as Cathlie Drive and at the westerly terminus of above mentioned Quail Meadows Drive; thence running South 12°58'00" East along the westerly terminus of said Quail Meadows Drive and the easterly line of said Cathlie Drive a distance of 50.00 feet to a point; thence running through the lands now or formerly of Sagebrook Associates, Inc. as described in volume 1904 of deeds at page 66 and along the southerly line of said Quail Meadows Drive the following ten (10) courses:

- 1) North 76°19'00" East a distance of 24.40 feet to a point;
- 2) Along a curve which bears to the left having a radius of 155.00 feet, a length of 164.00 feet and a chord of North 46°00'30" East – 156.46 feet to a point;
- 3) North 15°42'00" East a distance of 232.22 feet to a point;
- 4) Along a curve which bears to the right having a radius of 225.00 feet, a length of 207.34 feet and a chord of North 42°06'00" East – 200.08 feet to a point;
- 5) North 68°30'00" East a distance of 182.83 feet to a point;
- 6) Along a curve which bears to the left having a radius of 395.00 feet, a length of 215.56 feet and a chord of North 52°52'00" East – 212.89 feet to a point;
- 7) North 37°14'00" East a distance of 69.87 feet to a point;
- 8) Along a curve which bears to the right having a radius of 375.00 feet, a length 164.16 feet and a chord of North 49°46'30" East – 162.86 feet to a point;
- 9) North 62°19'00" East a distance of 241.85 feet to a point;
- 10) Along a curve which bears to the right having a radius of 25.00 feet, a length of 37.28 feet and a chord of South 74°57'52" East – 33.92 feet to a point in the westerly line of a town road know as Weatherwax Road;

Thence running northerly along the westerly line of Weatherwax Road along a curve which bears to the right having a radius of 982.75 feet, a length of 97.62 feet and a chord of North 29°18'29" West – 97.58 feet to a point; thence running westerly through the lands of said Sagebrook

Associates, Inc. and along the northerly line of said Quail Meadows Drive the following ten (10) courses:

- 1) Along a curve which bears to the right having a radius of 25.00 feet, a length of 38.80 feet and a chord of South 17°51'28" West – 35.02 feet to a point;
- 2) South 62°19'00" West a distance of 239.02 feet to a point;
- 3) Along a curve which bears to the left having a radius of 425.00 feet, a length of 186.05 feet and a chord of South 49°46'30" West – 184.57 feet to a point;
- 4) South 37°14'00" West a distance of 69.87 feet to a point;
- 5) Along a curve which bears to the right having a radius of 345.00 feet, a length of 188.27 feet and a chord of South 52°52'00" West – 185.95 feet to a point;
- 6) South 68°30'00" West a distance of 185.68 feet to a point;
- 7) Along a curve which bears to the left having a radius of 275.00 feet, a length of 250.59 feet and a chord of South 41°48'04" West – 242.01 feet to a point;
- 8) South 15°42'00" West a distance of 232.22 feet to a point;
- 9) Along a curve which bears to the right having a radius of 105.00 feet, a length of 111.10 feet and a chord of South 46°00'30" West – 105.99 feet to a point;
- 10) South 76°19'00" West a distance of 23.78 feet to the point or place of beginning.
Containing 1.75± acres of land.

Redwing Court

All that certain portion of a piece or parcel of land located in the Town of Poestenkill, County of Rensselaer, and State of New York, being shown as Redwing Court on a certain survey plat entitled "Quail Meadows Subdivision, Lands N/F of Sagebrook Associates, Inc.", prepared by Brian R. Holbritter, PLS, dated June 2007, last revised September 11, 2008 and filed in the Rensselaer County Clerk's Office in drawer 2009 as map 82 and being more particularly described as follows:

Beginning at a point in the northwesterly line of a town road known as Fox Hen Drive at the intersection with the northeasterly line of a town road known as Redwing Court, all as shown on the above-mentioned survey plat; thence running through lands now or formerly of Sagebrook Associates, Inc. as described in volume 1904 of deeds at page 66 the following eleven (11) courses:

- 1) Along a curve which bears to the right having a radius of 25.00 feet, a length of 39.27 feet and a chord of South 85°44'00" West – 35.36 feet to a point;
- 2) North 49°16'00" West a distance of 200.88 feet to a point;
- 3) Along a curve which bears to the left having a radius of 275.00 feet, a length of 296.05 feet and a chord of North 80°06'26" West – 281.96 feet to a point;
- 4) South 69°03'00" West a distance of 139.62 feet to a point;
- 5) Along a curve which bears to the right having a radius of 25.00 feet, a length of 23.55 feet and a chord of North 83°57'57" West – 22.69 feet to a point;
- 6) Along a curve which bears to the left having a radius of 60.00 feet, a length of 301.53 feet and a chord of South 20°57'00" East – 70.59 feet to a point;
- 7) Along a curve which bears to the right having a radius of 25.00 feet, a length of 23.55 feet and a chord of North 42°03'57" East – 22.69 feet to a point;

- 8) North $69^{\circ}03'00''$ East a distance of 139.62 feet to a point;
- 9) Along a curve which bears to the right having a radius of 225.00 feet, a length of 242.22 feet and a chord of South $80^{\circ}06'26''$ East -- 230.69 feet to a point;
- 10) South $49^{\circ}16'00''$ East a distance of 200.88 feet to a point;
- 11) Along a curve which bears to the right having a radius of 25.00 feet, a length of 39.27 feet and a chord of South $04^{\circ}16'00''$ East -- 35.36 feet to a point in the northwesterly line of fore mentioned Fox Hen Drive;

Thence running North $40^{\circ}44'00''$ East along the northwesterly line of said Fox Hen Drive a distance of 100.00 feet to the point or place of beginning. Containing $1.01\pm$ acres of land.



Combined Real Estate Transfer Tax Return, Credit Line Mortgage Certificate, and Certification of Exemption from the Payment of Estimated Personal Income Tax

Recording office time stamp

See Form TP-584-I, Instructions for Form TP-584, before completing this form. Print or type.

Schedule A – Information relating to conveyance

Grantor/Transferor <input type="checkbox"/> Individual <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Estate/Trust <input type="checkbox"/> Single member LLC <input type="checkbox"/> Other	Name (if individual, last, first, middle initial) <input type="checkbox"/> check if more than one grantor Sagebrook Associates, Inc.	Social security number
	Mailing address 14 Abbott Dr	Social security number
	City State ZIP code Poestenkill NY 12140	Federal EIN 14-1733673
	Single member's name if grantor is a single member LLC (see instructions)	Single member EIN or SSN
Grantee/Transferee <input type="checkbox"/> Individual <input type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Estate/Trust <input type="checkbox"/> Single member LLC <input checked="" type="checkbox"/> Other	Name (if individual, last, first, middle initial) (<input type="checkbox"/> check if more than one grantee) Town of Poestenkill	Social security number
	Mailing address PO Box 210	Social security number
	City State ZIP code Poestenkill NY 12140	Federal EIN
	Single member's name if grantee is a single member LLC (see instructions)	Single member EIN or SSN

Location and description of property conveyed

Tax map designation – Section, block & lot (include dots and dashes)	SWIS code (six digits)	Street address	City, town, or village	County
	383800	Quail Meadows Dr, Fox Hen Dr, Redwing Ct	Poestenkill	Rensselaer

Type of property conveyed (check applicable box)

1 <input type="checkbox"/> One- to three-family house 2 <input type="checkbox"/> Residential cooperative 3 <input type="checkbox"/> Residential condominium 4 <input type="checkbox"/> Vacant land	5 <input type="checkbox"/> Commercial/Industrial 6 <input type="checkbox"/> Apartment building 7 <input type="checkbox"/> Office building 8 <input checked="" type="checkbox"/> Other <u>Roadway</u>	Date of conveyance <table style="border: 1px solid black; width: 100%;"> <tr> <td style="width: 33%; text-align: center;"> </td> <td style="width: 33%; text-align: center;"> </td> <td style="width: 33%; text-align: center;">2021</td> </tr> <tr> <td style="font-size: small; text-align: center;">month</td> <td style="font-size: small; text-align: center;">day</td> <td style="font-size: small; text-align: center;">year</td> </tr> </table>			2021	month	day	year	Percentage of real property conveyed which is residential real property <u>100</u> % (see instructions)
		2021							
month	day	year							

Condition of conveyance (check all that apply)

- | | | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| a. <input checked="" type="checkbox"/> Conveyance of fee interest

b. <input type="checkbox"/> Acquisition of a controlling interest (state percentage acquired _____ %) | f. <input type="checkbox"/> Conveyance which consists of a mere change of identity or form of ownership or organization (attach Form TP-584.1, Schedule F)

g. <input type="checkbox"/> Conveyance for which credit for tax previously paid will be claimed (attach Form TP-584.1, Schedule G)

h. <input type="checkbox"/> Conveyance of cooperative apartment(s) | i. <input type="checkbox"/> Option assignment or surrender

m. <input type="checkbox"/> Leasehold assignment or surrender

n. <input type="checkbox"/> Leasehold grant

o. <input type="checkbox"/> Conveyance of an easement

p. <input type="checkbox"/> Conveyance for which exemption from transfer tax claimed (complete Schedule B, Part III)

q. <input type="checkbox"/> Conveyance of property partly within and partly outside the state

r. <input type="checkbox"/> Conveyance pursuant to divorce or separation

s. <input type="checkbox"/> Other (describe) _____ |
| c. <input type="checkbox"/> Transfer of a controlling interest (state percentage transferred _____ %) | i. <input type="checkbox"/> Syndication

j. <input type="checkbox"/> Conveyance of air rights or development rights | |
| d. <input type="checkbox"/> Conveyance to cooperative housing corporation

e. <input type="checkbox"/> Conveyance pursuant to or in lieu of foreclosure or enforcement of security interest (attach Form TP-584.1, Schedule E) | k. <input type="checkbox"/> Contract assignment | |

For recording officer's use	Amount received Schedule B., Part I \$ _____ Schedule B., Part II \$ _____	Date received	Transaction number
-----------------------------	----------------------------------------------------------------------------------	---------------	--------------------

Schedule B – Real estate transfer tax return (Tax Law, Article 31)

Part I – Computation of tax due

1	Enter amount of consideration for the conveyance (if you are claiming a total exemption from tax, check the exemption claimed box, enter consideration and proceed to Part III) <input checked="" type="checkbox"/> Exemption claimed	1.	0	00
2	Continuing lien deduction (see instructions if property is taken subject to mortgage or lien)	2.		
3	Taxable consideration (subtract line 2 from line 1)	3.	0	00
4	Tax: \$2 for each \$500, or fractional part thereof, of consideration on line 3	4.	0	00
5	Amount of credit claimed for tax previously paid (see instructions and attach Form TP-584.1, Schedule G)	5.		
6	Total tax due* (subtract line 5 from line 4)	6.	0	00

Part II – Computation of additional tax due on the conveyance of residential real property for \$1 million or more

1	Enter amount of consideration for conveyance (from Part I, line 1)	1.		
2	Taxable consideration (multiply line 1 by the percentage of the premises which is residential real property, as shown in Schedule A)	2.		
3	Total additional transfer tax due* (multiply line 2 by 1% (.01))	3.		

Part III – Explanation of exemption claimed on Part I, line 1 (check any boxes that apply)

The conveyance of real property is exempt from the real estate transfer tax for the following reason:

- a. Conveyance is to the United Nations, the United States of America, the state of New York, or any of their instrumentalities, agencies, or political subdivisions (or any public corporation, including a public corporation created pursuant to agreement or compact with another state or Canada) a
- b. Conveyance is to secure a debt or other obligation..... b
- c. Conveyance is without additional consideration to confirm, correct, modify, or supplement a prior conveyance..... c
- d. Conveyance of real property is without consideration and not in connection with a sale, including conveyances conveying realty as bona fide gifts d
- e. Conveyance is given in connection with a tax sale..... e
- f. Conveyance is a mere change of identity or form of ownership or organization where there is no change in beneficial ownership. (This exemption cannot be claimed for a conveyance to a cooperative housing corporation of real property comprising the cooperative dwelling or dwellings.) Attach Form TP-584.1, Schedule F..... f
- g. Conveyance consists of deed of partition..... g
- h. Conveyance is given pursuant to the federal Bankruptcy Act h
- i. Conveyance consists of the execution of a contract to sell real property, without the use or occupancy of such property, or the granting of an option to purchase real property, without the use or occupancy of such property i
- j. Conveyance of an option or contract to purchase real property with the use or occupancy of such property where the consideration is less than \$200,000 and such property was used solely by the grantor as the grantor's personal residence and consists of a one-, two-, or three-family house, an individual residential condominium unit, or the sale of stock in a cooperative housing corporation in connection with the grant or transfer of a proprietary leasehold covering an individual residential cooperative apartment..... j
- k. Conveyance is not a conveyance within the meaning of Tax Law, Article 31, section 1401(e) (attach documents supporting such claim) k

*The total tax (from Part I, line 6 and Part II, line 3 above) is due within 15 days from the date conveyance. Please make check(s) payable to the county clerk where the recording is to take place. If the recording is to take place in the New York City boroughs of Manhattan, Bronx, Brooklyn, or Queens, make check(s) payable to the **NYC Department of Finance**. If a recording is not required, send this return and your check(s) made payable to the **NYS Department of Taxation and Finance**, directly to the NYS Tax Department, RETT Return Processing, PO Box 5045, Albany NY 12205-5045.

Schedule C – Credit Line Mortgage Certificate (Tax Law, Article 11)

Complete the following only if the interest being transferred is a fee simple interest.

I (we) certify that: (check the appropriate box)

1. The real property being sold or transferred is not subject to an outstanding credit line mortgage.
2. The real property being sold or transferred is subject to an outstanding credit line mortgage. However, an exemption from the tax is claimed for the following reason:
 - The transfer of real property is a transfer of a fee simple interest to a person or persons who held a fee simple interest in the real property (whether as a joint tenant, a tenant in common or otherwise) immediately before the transfer.
 - The transfer of real property is (A) to a person or persons related by blood, marriage or adoption to the original obligor or to one or more of the original obligors or (B) to a person or entity where 50% or more of the beneficial interest in such real property after the transfer is held by the transferor or such related person or persons (as in the case of a transfer to a trustee for the benefit of a minor or the transfer to a trust for the benefit of the transferor).
 - The transfer of real property is a transfer to a trustee in bankruptcy, a receiver, assignee, or other officer of a court.
 - The maximum principal amount secured by the credit line mortgage is \$3,000,000 or more, and the real property being sold or transferred is **not** principally improved nor will it be improved by a one- to six-family owner-occupied residence or dwelling.

Please note: for purposes of determining whether the maximum principal amount secured is \$3,000,000 or more as described above, the amounts secured by two or more credit line mortgages may be aggregated under certain circumstances. See TSB-M-96(6)-R for more information regarding these aggregation requirements.

- Other (attach detailed explanation).
3. The real property being transferred is presently subject to an outstanding credit line mortgage. However, no tax is due for the following reason:
 - A certificate of discharge of the credit line mortgage is being offered at the time of recording the deed.
 - A check has been drawn payable for transmission to the credit line mortgagee or his agent for the balance due, and a satisfaction of such mortgage will be recorded as soon as it is available.
 4. The real property being transferred is subject to an outstanding credit line mortgage recorded in _____ (insert liber and page or reel or other identification of the mortgage). The maximum principal amount of debt or obligation secured by the mortgage is _____. No exemption from tax is claimed and the tax of _____ is being paid herewith. (Make check payable to county clerk where deed will be recorded or, if the recording is to take place in New York City but not in Richmond County, make check payable to the **NYC Department of Finance**.)

Signature (both the grantor(s) and grantee(s) must sign)

The undersigned certify that the above information contained in schedules A, B, and C, including any return, certification, schedule, or attachment, is to the best of his/her knowledge, true and complete, and authorize the person(s) submitting such form on their behalf to receive a copy for purposes of recording the deed or other instrument effecting the conveyance.

Grantor signature	Title	Grantee signature	Title
Grantor signature	Title	Grantee signature	Title

Reminder: Did you complete all of the required information in Schedules A, B, and C? Are you required to complete Schedule D? If you checked e, f, or g in Schedule A, did you complete Form TP-584.1? Have you attached your check(s) made payable to the county clerk where recording will take place or, if the recording is in the New York City boroughs of Manhattan, Bronx, Brooklyn, or Queens, to the **NYC Department of Finance**? If no recording is required, send your check(s), made payable to the **Department of Taxation and Finance**, directly to the NYS Tax Department, RETT Return Processing, PO Box 5045, Albany NY 12205-5045.

Schedule D - Certification of exemption from the payment of estimated personal income tax (Tax Law, Article 22, section 663)

Complete the following only if a fee simple interest or a cooperative unit is being transferred by an individual or estate or trust.

If the property is being conveyed by a referee pursuant to a foreclosure proceeding, proceed to Part II, and check the second box under Exemptions for nonresident transferor(s)/seller(s) and sign at bottom.

Part I - New York State residents

If you are a New York State resident transferor(s)/seller(s) listed in Schedule A of Form TP-584 (or an attachment to Form TP-584), you must sign the certification below. If one or more transferors/sellers of the real property or cooperative unit is a resident of New York State, each resident transferor/seller must sign in the space provided. If more space is needed, please photocopy this Schedule D and submit as many schedules as necessary to accommodate all resident transferors/sellers.

Certification of resident transferor(s)/seller(s)

This is to certify that at the time of the sale or transfer of the real property or cooperative unit, the transferor(s)/seller(s) as signed below was a resident of New York State, and therefore is not required to pay estimated personal income tax under Tax Law, section 663(a) upon the sale or transfer of this real property or cooperative unit.

Signature	Print full name Kevin W. Kronau	Date
Signature	Print full name	Date
Signature	Print full name	Date
Signature	Print full name	Date

Note: A resident of New York State may still be required to pay estimated tax under Tax Law, section 685(c), but not as a condition of recording a deed.

Part II - Nonresidents of New York State

If you are a nonresident of New York State listed as a transferor/seller in Schedule A of Form TP-584 (or an attachment to Form TP-584) but are not required to pay estimated personal income tax because one of the exemptions below applies under Tax Law, section 663(c), check the box of the appropriate exemption below. If any one of the exemptions below applies to the transferor(s)/seller(s), that transferor(s)/seller(s) is not required to pay estimated personal income tax to New York State under Tax Law, section 663. Each nonresident transferor/seller who qualifies under one of the exemptions below must sign in the space provided. If more space is needed, please photocopy this Schedule D and submit as many schedules as necessary to accommodate all nonresident transferors/sellers.

If none of these exemption statements apply, you must complete Form IT-2663, *Nonresident Real Property Estimated Income Tax Payment Form*, or Form IT-2664, *Nonresident Cooperative Unit Estimated Income Tax Payment Form*. For more information, see *Payment of estimated personal income tax*, on page 1 of Form TP-584-I.

Exemption for nonresident transferor(s)/seller(s)

This is to certify that at the time of the sale or transfer of the real property or cooperative unit, the transferor(s)/seller(s) (grantor) of this real property or cooperative unit was a nonresident of New York State, but is not required to pay estimated personal income tax under Tax Law, section 663 due to one of the following exemptions:

- The real property or cooperative unit being sold or transferred qualifies in total as the transferor's/seller's principal residence (within the meaning of Internal Revenue Code, section 121) from _____ Date to _____ Date (see instructions).
- The transferor/seller is a mortgagor conveying the mortgaged property to a mortgagee in foreclosure, or in lieu of foreclosure with no additional consideration.
- The transferor or transferee is an agency or authority of the United States of America, an agency or authority of the state of New York, the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation, the Government National Mortgage Association, or a private mortgage insurance company.

Signature	Print full name	Date
Signature	Print full name	Date
Signature	Print full name	Date
Signature	Print full name	Date

DEED

THIS INDENTURE made as of the _____ day of _____, 2021, by and between:

SAGEBROOK ASSOCIATES, INC., a Domestic Business Corporation, with an address of 14 Abbott Drive, Poestenkill, NY 12140 party of the first part, AND

TOWN OF POESTENKILL a municipal corporation, with an address of PO Box 210 Poestenkill, NY 12140, organized under the laws of the State of New York, party of the second part.

WITNESSETH, that the party of the first part, in consideration of the ten (\$10.00) Dollars, paid by the parties of the second part, does hereby grant and release unto the parties of the second part, the heirs or successors and assigns of the parties of the second part forever, all

SEE SCHEDULE A

BEING a portion of lands described in a Deed from Hammond to Sagebrook Associates, Inc. dated July 26th 2005 and recorded in the Rensselaer County Clerk's Office on July 27, 2005 in Book 1904 of Deeds at Page 66.

THIS CONVEYANCE is made with the unanimous consent of Grantor's Board of Directors, in the due course of business and does not constitute a sale of all or substantially all of the assets of the Grantor herein.

TOGETHER with the appurtenances and all the estate and rights of the parties of the first part in and to said premises,

TO HAVE AND TO HOLD the premises herein granted unto the parties of the second part, their heirs and assigns forever.

AND the party of the first part covenant as follows,

FIRST the party of the first part are seized of said premises in fee simple, and have good right to convey the same;

SECOND, the parties of the second part shall quietly enjoy the said premises,

THIRD, the party of the first part will forever **Warrant** the title to said premises,

FOURTH, the party of the first part, in compliance with Section 13 of the Lien Law, covenant that the parties of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

SCHEDULE A

Fox Hen Drive

All that certain portion of a piece or parcel of land located in the Town of Poestenkill, County of Rensselaer, and State of New York, being shown as Fox Hen Drive on a certain survey plat entitled "Quail Meadows Subdivision, Lands N/F of Sagebrook Associates, Inc.", prepared by Brian R. Holbriiter, PLS, dated June 2007, last revised September 11, 2008 and filed in the Rensselaer County Clerk's Office in drawer 2009 as map 82 and being more particularly described as follows:

Beginning at a point in the northwesterly line of a town road known as Quail Meadow Drive at the intersection with the northeasterly line of a town road known as Fox Hen Drive, all as shown on the above-mentioned survey plat; thence running through lands now or formerly of Sagebrook Associates, Inc. as described in volume 1904 of deeds at page 66 and along the northeasterly, northerly and northwesterly line of said Fox Hen Drive the following seven (7) courses:

- 1) Along a curve which bears to the right having a radius of 25.00 feet, a length of 39.27 feet and a chord of North 66°30'00" West – 35.36 feet to a point;
- 2) North 21°30'00" West a distance of 166.39 feet to a point;
- 3) Along a curve which bears to the left having a radius of 410.00 feet, a length of 842.72 feet and a chord of North 80°23'00" West – 702.01 feet to a point;
- 4) South 40°44'00" West a distance of 545.52 feet to a point;
- 5) Along a curve which bears to the left having a radius of 275.00 feet, a length of 121.12 feet and a chord of South 28°07'00" West – 120.14 feet to a point;
- 6) Along a curve which bears to the right having a radius of 25.00 feet, a length of 25.93 feet and a chord of South 40°02'44" West – 24.78 feet to a point;
- 7) Along a curve which bears to the left having a radius of 60.00 feet, a length of 156.14 feet and a chord of South 05°05'00" East – 115.66 feet to a capped iron rod set;

Thence along the division line between lands of said Sagebrook Associates, Inc. (on the north) and lands now or formerly of Louis A. Hammond and Kelly Hammond as described in volume 7559 of deeds at page 327 (on the south) along a curve which bears to the left having a radius of 60.00 feet, a length of 112.34 feet and a chord of North 46°43'31" East – 96.64 feet to a capped iron rod set; thence running through the lands of said Sagebrook Associates, Inc. and along the southwesterly, southerly and southeasterly line of said Fox Hen Drive the following seven (7) courses:

- 1) Along a curve which bears to the left having a radius of 60.00 feet a length of 33.04 feet and a chord of North 22°41'29" West – 32.63 feet to a point;
- 2) Along a curve which bears to the right having a radius of 25.00 feet, a length of 25.93 feet and a chord of North 09°02'42" West – 24.78 feet to a point;
- 3) Along a curve which bears to the right having a radius of 225.00 feet, a length 99.10 feet and a chord of North 28°07'00" East – 98.30 feet to a point;
- 4) North 40°44'00" East a distance of 545.52 feet to a point;
- 5) Along a curve which bears to the right having a radius of 360.00 feet, a length of 739.95 feet and a chord of South 80°23'00" East – 616.40 feet to a point;
- 6) South 21°30'00" East a distance of 166.39 feet to a point;
- 7) Along a curve which bears to the right having a radius of 25.00 feet, a length of 39.27 feet and a chord of South 23°30'00" West – 35.36 feet to a point in the northwesterly line of for mentioned Quail Meadow Drive;

Thence running North 68°30'00" East along the northwesterly line of said Quail Meadow Drive a distance of 100.00 feet to the point or place of beginning. Containing 2.16± acres of land.

Quail Meadows Drive

All that certain portion of a piece or parcel of land located in the Town of Poestenkill, County of Rensselaer, and State of New York, being shown as Quail Meadows Drive on a certain survey plat entitled "Quail Meadows Subdivision, Lands N/F of Sagebrook Associates, Inc.", prepared by Brian R. Holbritter, PLS, dated June 2007, last revised September 11, 2008 and filed in the Rensselaer County Clerk's Office in drawer 2009 as map 82 and being more particularly described as follows:

Beginning at an existing iron rod found at the southeasterly corner of a parcel of land now or formerly of Robert K. Pattee and Penny P. Pattee as described on reel 994 of deeds at frame 161 and being in the easterly line of a town road known as Cathlie Drive and at the westerly terminus of above mentioned Quail Meadows Drive; thence running South 12°58'00" East along the westerly terminus of said Quail Meadows Drive and the easterly line of said Cathlie Drive a distance of 50.00 feet to a point; thence running through the lands now or formerly of Sagebrook Associates, Inc. as described in volume 1904 of deeds at page 66 and along the southerly line of said Quail Meadows Drive the following ten (10) courses:

- 1) North 76°19'00" East a distance of 24.40 feet to a point;
- 2) Along a curve which bears to the left having a radius of 155.00 feet, a length of 164.00 feet and a chord of North 46°00'30" East – 156.46 feet to a point;
- 3) North 15°42'00" East a distance of 232.22 feet to a point;
- 4) Along a curve which bears to the right having a radius of 225.00 feet, a length of 207.34 feet and a chord of North 42°06'00" East – 200.08 feet to a point;
- 5) North 68°30'00" East a distance of 182.83 feet to a point;
- 6) Along a curve which bears to the left having a radius of 395.00 feet, a length of 215.56 feet and a chord of North 52°52'00" East – 212.89 feet to a point;
- 7) North 37°14'00" East a distance of 69.87 feet to a point;
- 8) Along a curve which bears to the right having a radius of 375.00 feet, a length 164.16 feet and a chord of North 49°46'30" East – 162.86 feet to a point;
- 9) North 62°19'00" East a distance of 241.85 feet to a point;
- 10) Along a curve which bears to the right having a radius of 25.00 feet, a length of 37.28 feet and a chord of South 74°57'52" East – 33.92 feet to a point in the westerly line of a town road know as Weatherwax Road;

Thence running northerly along the westerly line of Weatherwax Road along a curve which bears to the right having a radius of 982.75 feet, a length of 97.62 feet and a chord of North 29°18'29" West – 97.58 feet to a point; thence running westerly through the lands of said Sagebrook Associates, Inc. and along the northerly line of said Quail Meadows Drive the following ten (10) courses:

- 1) Along a curve which bears to the right having a radius of 25.00 feet, a length of 38.80 feet and a chord of South 17°51'28" West – 35.02 feet to a point;
- 2) South 62°19'00" West a distance of 239.02 feet to a point;
- 3) Along a curve which bears to the left having a radius of 425.00 feet, a length of 186.05 feet and a chord of South 49°46'30" West – 184.57 feet to a point;
- 4) South 37°14'00" West a distance of 69.87 feet to a point;

- 5) Along a curve which bears to the right having a radius of 345.00 feet, a length of 188.27 feet and a chord of South 52°52'00" West – 185.95 feet to a point;
- 6) South 68°30'00" West a distance of 185.68 feet to a point;
- 7) Along a curve which bears to the left having a radius of 275.00 feet, a length of 250.59 feet and a chord of South 41°48'04" West – 242.01 feet to a point;
- 8) South 15°42'00" West a distance of 232.22 feet to a point;
- 9) Along a curve which bears to the right having a radius of 105.00 feet, a length of 111.10 feet and a chord of South 46°00'30" West – 105.99 feet to a point;
- 10) South 76°19'00" West a distance of 23.78 feet to the point or place of beginning.
Containing 1.75± acres of land.

Redwing Court

All that certain portion of a piece or parcel of land located in the Town of Poestenkill, County of Rensselaer, and State of New York, being shown as Redwing Court on a certain survey plat entitled "Quail Meadows Subdivision, Lands N/F of Sagebrook Associates, Inc.", prepared by Brian R. Holbritter, PLS, dated June 2007, last revised September 11, 2008 and filed in the Rensselaer County Clerk's Office in drawer 2009 as map 82 and being more particularly described as follows:

Beginning at a point in the northwesterly line of a town road known as Fox Hen Drive at the intersection with the northeasterly line of a town road known as Redwing Court, all as shown on the above-mentioned survey plat; thence running through lands now or formerly of Sagebrook Associates, Inc. as described in volume 1904 of deeds at page 66 the following eleven (11) courses:

- 1) Along a curve which bears to the right having a radius of 25.00 feet, a length of 39.27 feet and a chord of South 85°44'00" West – 35.36 feet to a point;
- 2) North 49°16'00" West a distance of 200.88 feet to a point;
- 3) Along a curve which bears to the left having a radius of 275.00 feet, a length of 296.05 feet and a chord of North 80°06'26" West – 281.96 feet to a point;
- 4) South 69°03'00" West a distance of 139.62 feet to a point;
- 5) Along a curve which bears to the right having a radius of 25.00 feet, a length of 23.55 feet and a chord of North 83°57'57" West – 22.69 feet to a point;
- 6) Along a curve which bears to the left having a radius of 60.00 feet, a length of 301.53 feet and a chord of South 20°57'00" East – 70.59 feet to a point;
- 7) Along a curve which bears to the right having a radius of 25.00 feet, a length of 23.55 feet and a chord of North 42°03'57" East – 22.69 feet to a point;
- 8) North 69°03'00" East a distance of 139.62 feet to a point;
- 9) Along a curve which bears to the right having a radius of 225.00 feet, a length of 242.22 feet and a chord of South 80°06'26" East – 230.69 feet to a point;
- 10) South 49°16'00" East a distance of 200.88 feet to a point;
- 11) Along a curve which bears to the right having a radius of 25.00 feet, a length of 39.27 feet and a chord of South 04°16'00" East – 35.36 feet to a point in the northwesterly line of fore mentioned Fox Hen Drive;

Thence running North 40°44'00" East along the northwesterly line of said Fox Hen Drive a distance of 100.00 feet to the point or place of beginning. Containing 1.01± acres of land.

FOR COUNTY USE ONLY

C1. SWIS Code _____
 C2. Date Deed Recorded _____
Month / Day / Year
 C3. Book _____ C4. Page _____



New York State Department of
Taxation and Finance
 Office of Real Property Tax Services
RP- 5217-PDF
 Real Property Transfer Report (8/10)

PRDPERTY INFORMATION

1. Property Location
 Redwing, Quail Meadows, Fox Hen
* STREET NUMBER * STREET NAME
 Poestenkill 12140
* CITY OR TOWN * VILLAGE * ZIP CODE

2. Buyer Name
 Town of Poestenkill
* LAST NAME/COMPANY FIRST NAME

3. Tax Billing Address
 Indicate where future Tax Bills are to be sent if other than buyer address(at bottom of form)
LAST NAME/COMPANY FIRST NAME

4. Indicate the number of Assessment Roll parcels transferred on the deed 3 # of Parcels OR Part of a Parcel (Only if Part of a Parcel) Check as they apply:
 4A. Planning Board with Subdivision Authority Exists
 5. Deed Property Size X 0.00 OR 0.00
* FRONT FEET * DEPTH * ACRES
 4B. Subdivision Approval was Required for Transfer
 4C. Parcel Approved for Subdivision with Map Provided

6. Seller Name
 Sagebrook Associates, Inc
* LAST NAME/COMPANY FIRST NAME

*7. Select the description which most accurately describes the use of the property at the time of sale:
 K. Public Service _____

Check the boxes below as they apply:
 8. Ownership Type is Condominium
 9. New Construction on a Vacant Land
 10A. Property Located within an Agricultural District
 10B. Buyer received a disclosure notice indicating that the property is in an Agricultural District

SALE INFORMATION

11. Sale Contract Date _____
 * 12. Date of Sale/Transfer _____
 *13. Full Sale Price 0.00
 (Full Sale Price is the total amount paid for the property including personal property. This payment may be in the form of cash, other property or goods, or the assumption of mortgages or other obligations.) Please round to the nearest whole dollar amount.
 14. Indicate the value of personal property included in the sale 0.00

15. Check one or more of these conditions as applicable to transfer:
 A. Sale Between Relatives or Former Relatives
 B. Sale between Related Companies or Partners in Business.
 C. One of the Buyers is also a Seller
 D. Buyer or Seller is Government Agency or Lending Institution
 E. Deed Type not Warranty or Bargain and Sale (Specify Below)
 F. Sale of Fractional or Less than Fee Interest (Specify Below)
 G. Significant Change in Property Between Taxable Status and Sale Date
 H. Sale of Business is included in Sale Price
 I. Other Unusual Factors Affecting Sale Price (Specify Below)
 J. None
 Comment(s) on Condition: _____

ASSESSMENT INFORMATION - Data should reflect the latest Final Assessment Roll and Tax Bill

16. Year of Assessment Roll from which information taken(YY) _____ *17. Total Assessed Value _____
 *18. Property Class 1 *19. School District Name Averill Park CSD
 *20. Tax Map Identifier(s)/Roll Identifier(s) (if more than four, attach sheet with additional identifier(s)) _____

CERTIFICATION

I Certify that all of the items of information entered on this form are true and correct (to the best of my knowledge and belief) and I understand that the making of any willful false statement of material fact herein subject me to the provisions of the penal law relative to the making and filing of false instruments.

SELLER SIGNATURE

SELLER SIGNATURE _____ DATE _____

BUYER SIGNATURE

BUYER SIGNATURE _____ DATE _____

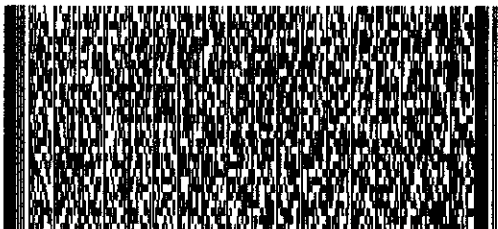
BUYER CONTACT INFORMATION

(Enter information for the buyer. Note: If buyer is LLC, society, association, corporation, joint stock company, estate or entity that is not an individual agent or fiduciary, then a name and contact information of an individual/responsible party who can answer questions regarding the transfer must be entered. Type or print clearly.)

Town of Poestenkill
* LAST NAME FIRST NAME
 (518) 283-5100
* AREA CODE * TELEPHONE NUMBER (Ex: 9696969)
 PO Box 210
* STREET NUMBER * STREET NAME
 Poestenkill NY 12140
* CITY OR TOWN * STATE * ZIP CODE

BUYER'S ATTORNEY

Casey Jack
LAST NAME FIRST NAME
 (518) 283-5100
AREA CODE TELEPHONE NUMBER (EX: 9696969)



BUFFALO, NY (WBFO) – The New York law that legalized cannabis allows local municipalities to restrict commercial sales, but time is running out for them to do so.

Possession and use of cannabis is now legal statewide, but retail sales are not expected to begin until next year. State regulators have to write the rules for how marijuana can be legally sold, but towns and cities can decide if they want commercial sales at all.



Gail Hepworth, center, co-owner with her sister of Hepworth Farms in Milton, N.Y., talks with employees as dried hemp is processed, Monday, April 12, 2021. Farmers dealing with depressed prices for plants that produce CBD extract are eager to take part in a statewide marijuana market expected to generate billions of dollars a year once retail sales start. They already know how to grow and process cannabis plants, since hemp is essentially the same plant with lower levels of THC, marijuana's active ingredient. Now they're waiting on rules that will allow them to switch seeds. (AP Photo/Seth Wenig)

Sarah Brancatell, legislative director for the New York State Association of Towns, said during a recent webinar that municipalities have a narrow window to ban commercial sales .

“The local law has to be adopted on or before Dec. 31, 2021. That’s coming up really quickly.” Brancarella noted. “It’s like a one or done shot. If you adopt it on Jan. 1, it has no effect.”

Any local law restricting cannabis sales must also be approved by voters in a direct referendum.

Municipalities do not have the power to overturn other provisions of the Marijuana Regulation and Taxation Act, such as legalizing the possession and personal cultivation of cannabis.

TOWN CLERK'S MONTHLY REPORT

Town of Poestenkill, New York

May 2021

To THE SUPERVISOR: Pursuant to Section 27, Subd. 1, of the Town Law, I hereby make the following statement of all fees and moneys received by me in connection with my office during the payment of

	Conservation Fees to the Town:		\$ 15.73
	Marriage License	2 @ \$ 7.50	\$ 15.00
	Marriage Certificate	2 @ \$10.00	\$ 20.00
A1255	Total Town Clerk Fees		\$ 50.73
			\$
A1289	Registrar		\$ 50.00
A2655	Minor Sales – Copies (certified copy) –		\$
A2544	Local Fee for Dogs –		216.00
A2115	Planning Board Fees - \$	ZBA Fees - \$35.24	\$ 35.24
A2555	Building Permits		\$ 865.00
A-2545	Peddlers Permit		\$ 50.00
2110	Water Benefit Charge		\$ 1168.38
A2720	Water Meter Fee -	\$ 825.00	
A2240	Misc. Water Charges -	\$180.00 (pool) \$250.00 (Water Tap)	
A2710	Water Permit Fee -	\$80.00	
1001	Water Billing -	\$3,730.46	
	TOTAL WATER CHARGES		\$ 6,233.84
	REVENUE TO SUPERVISOR		\$ 7,500.81
	Amount paid to State Comptroller for Games of Chance License		\$
	Amount paid to DEC for Conservation Licenses		\$ 269.27
	Amount paid to AG & Markets for fee for unsprayed/unneutered Dog program		\$ 51.00
	Amount paid to State Health Dept. for Marriage Licenses		\$ 45.00
	TOTAL DISBURSED		\$ 365.27
	Keith Hammond, Town Supervisor		\$
	TOTAL AMOUNT RECEIVED BY CLERK		\$ 7,866.08
	State of New York, County of Rensselaer, Town of Poestenkill, Susan Horton being duly sworn says that she is the Clerk of the Town of Poestenkill the foregoing is a full and true statement of all Fees and Moneys received by her during May. Fees the application and payment of which are otherwise provided by law subscribed and sworn to before me this 4th day of June 2021.		

Susan Horton



Town of Poestenkill

Assessor's Office

P.O. Box 210 38 Davis Drive

Poestenkill, NY 12140

518-283-5100 Ext. 101

TO: POESTENKILL TOWN BOARD

FROM:  Betsy Pinho, Assessor

RE: Assessor's Report May 2021

All Tentative Assessment Roll changes were processed. Assessment change letters were mailed to property owners. The dates that the Assessor sits with the Tentative Roll were stated on the change notices as well as posted in the Troy Record. The Tentative Roll is available in hardcopy for anyone to review and it is also available on the Town website.

The Board of Assessment Review (BAR), Grievance Night, was held on Tuesday, May 25th, from 5:00 pm to 9:00 pm. We had two stipulation agreements that were presented to the BAR members. We did not have any appointments or walk-ins. All Board of Assessment Review meeting items and forms were sent to the County for finalization. The Final Assessment Roll will be available July 1.

We continue to review and process new deeds as well as parcel splits and mergers. New construction documents and completed Building Permits received from the Building Inspector continue to be processed.

Our new Assessor Clerk, Michele Wait, started in May.

cc: Susan Horton, Town Clerk

**Town of Poestenkill
Office of the Water Department
P.O. Box 210
Poestenkill, NY 12140**

Memorandum

To: Town Supervisor- Keith Hammond

**Town Board Members – June Butler, David Hass, Harold Van Slyke,
Eric Wohlleber (Deputy Town Supervisor)
Town Attorney – Jack Casey**

From: Robert L. Brunet, P.E. - Water Manager / 811 Operations *RLB*

Date: June 9, 2021

RE: Monthly Activities (May)

OVERVIEW:

In both the Municipal Water District operations and the 811 operations all our requirements were either met or exceeded during this period, with only one concern. Our problem is the increase in lost water, the result of increased leakage. On the very positive side, our water test laboratory results were exceptionally good. We also found and repaired one water leak at 3 Blue Heron Way, thereby saving the Town approximately \$6,000 per year in lost water expenses, in this one leak alone. We are presently working with New York Leak Detection (NYLD) to determine other major leaks.

OUTSTANDING ITEMS UPDATES:

ITEM #1- UPDATE ON PFOAs & PFOSs:

I believe that the notices regarding PFOAs on our Town webpage have fully accomplished their purpose of calming the resident fears regarding this issue. During this period, I have had no further questions or comments regarding PFOAs from residents. (Attachment #6)

I have attached the latest status on the Hoosick Falls situation, FYI. I happen to agree with Judith Enck (former EPA Regional Administrator) and with other knowledgeable public health individuals who would recommend the Troy water alternative, but I believe that the “shortsighted approach of initial cost only” will

prevail, as opposed to “life-cycle” costs; this could also be the outcome with the Algonquin Middle School situation. (Attachment #3)

ITEM #2- UPDATE ON THE FEDERAL AND NEW YORK STATE MAXIMUM CONTAMINANT LEVELS (MCLs) FOR LEAD/COPPER (LCRR) AND THE TOWN'S RESPONSIBILITY AT THE RESIDENT'S HOME.

The Environmental Protection Agency (EPA) recently finalized the most significant Lead and Copper Rule Revision (LCRR) in two decades. While the rule is currently under final review (expected publication by July 1st), core components – such as a lead service line (LSL) inventory, replacement plan, public communications, and engagement with the public health community have consistently been part of any conversation about revisions to the LCR. It is noteworthy that President Biden recently included \$45 BILLION in his Infrastructure Plan specifically for “LEAD PIPE REPLACEMENT”. Furthermore, according to the April issue of WWD (Water & Wastewater Digest) Congress passed the American Rescue Plan, the COVID-19 relief package that included \$500 million for low-income water assistance and additional money for water and sewer infrastructure. This reinforces the points of concern which we have highlighted over the last several months regarding the Town's future responsibility in paying for the cost to replace the residents' lead pipes (also galvanized pipes) in their homes, which heretofore have been totally the homeowner's responsibility. President Biden also included an additional \$23 BILLION in his Infrastructure Plan for “Clean Drinking Water”. The WWD publication further detailed some of the new requirements placed upon our Poestenkill Municipal Water System. The publication states “LCRR places significant new “burdens” on water utilities, which the Association of State Drinking Water Administrators expects will require seven times the resources to stay compliant”. In our case, the additional “burden”, as mentioned previously, will be mostly research work and complex record keeping and reporting, (not economic), as required by the EPA. Although the workload will increase, I expect to be able to handle it without any additional help. According to the recent Water World LCRR Webinar, significant requirements of the LCRR include the development of an inventory, the required testing of all schools, required communications with the community, the establishment of new “Trigger Levels” for testing, and required additional testing techniques for residential homes. Again, I expect that the initial “financial impact” on Poestenkill will be minimal but the record keeping and reporting requirements will be substantial. I have already begun our work involvement. (Attachment #1)

As a result of my continuing study of the 409 page new EPA Lead / Copper Rule, I have absolutely no doubt that lead at a resident's home will become an increasingly important issue over time and one which will directly involve the town. It is also apparent that we will be required to establish a “Corrosion Mitigation Program”.

In past discussions I have voiced my opinion that the towns will be required to pay for customer owned lines to be replaced, pending the results of testing required by the new LCRR Law. This notion is clearly reinforced on page 65 of the 409 page EPA publication.

The following is the quote from page 65:

"EPA notes that while customer-owned lines are not under the direct control of the water systems, there are many actions the water system can take to influence the customers' behavior including educating the customer and providing financial assistance, such as loans or grants, to the customer (water systems are not required to bear the cost to replace the customer-owned portion). Moreover, the "ownership" status of LSLs is not necessarily static (e.g., it may change as a result of state law or regulations governing public utilities).

ITEM #3- UPDATE ON THE ALGONQUIN MIDDLE SCHOOL SITUATION:

Informal discussions are ongoing, but no firm decisions have yet been officially announced. My "opinion" is that they will select the Granular Activated Carbon (GAC) option due to lower initial cost and the shorter installation interval. I have discussed this with the RCDOH and the NYSDOH and they share my opinion.

SPECIAL NOTICE:

ITEM #1: We have frequent on-going verbal discussions with RCDOH and NYSDOH personnel and continue to have a very cordial and "good working" relationship with them. This quality teamwork significantly helps us, particularly during this period of major EPA activity and increased EPA and NYSDOH requirements. **For example, based upon our recent discussions and our requests, we were able to get a commitment from the NYSDOH to test 12 residents' wells (at the State's expense – approximately \$ 6,000 TO \$8,000 savings to Poestenkill) near the Algonquin Middle School to insure that our residents' wells are safe. We are continuing to work with Rich Elder (RCDOH) and Justin Deming (NYSDOH) on this project. The sample letter from the RCDOH to the 12 residents is being sent out. (Attachment #5)**

ITEM #2: As you know, Poestenkill obtains our water from Troy (from the Tomhannock Reservoir). It is comforting to know that the old 33 inch and 30 inch pipes from the reservoir to the Troy Water Plant are being replaced now by two new 36 inch pipes, at a cost of \$40 million. These two pipes were originally placed into service in 1906 and in 1914 respectively and are "ripe" for failure. The project is presently underway and is expected to complete in 18 to 24 months.

In the attached newspaper announcement Troy Mayor Madden said "This is an important day for the customers that rely on Troy water", noting Poestenkill in the announcement. (Attachment #2)

THIS MONTH'S CORNY HUMOR:

If your house doesn't have numbers on it, that's something you need to "ADDRESS".

MONTHLY WATER DISTRICT'S OPERATIONAL REPORT:

From an overall operational viewpoint everything is going quite well. Looking ahead I continue to stress that, in my opinion, and other than maintaining the safe quality of our water, the single most financial difficulty and necessary operational challenge we have in 2021 is finding and repairing the water leaks in our system; this is our major focus, as highlighted below:

GOOD NEWS - POESTENKILL SAVINGS: You have heard me repeatedly discuss our efforts and successes in leak locating over the last two years. I have just recently verified and approved payment of Troy's water bill to Poestenkill for the last **6 months**, totaling \$27,920 (8.15 million gallons). Last year's Troy's bill for **5 months** (before we found and fixed two leaks) was \$51,580 (15 million gallons). Our leak locating efforts saved Poestenkill \$23,610 from Troy alone (Annualized \$47,220). When Brunswick estimated savings of \$4,722 is added, the total ½ year savings is \$32,642. Annualized, this equates to \$65,284 spent on lost water, not accounting for our chemical treatment costs. The "bottom line" is that we must continue to concentrate on our leak locating efforts; we are still paying for poor contractor workmanship performed in 2010 and will for some time to come. In the last Town Board meeting you saw the video which highlights the dramatic effects of "corrosion" and "wear" on the copper service lines which the contractor drilled and installed "**through**" our culverts. We have found and repaired 2 such cases, but there are numerous others which we have yet to locate and repair or our lost water situation will deteriorate further

As mentioned above and at past Town Board meetings, our leak detection work in the past two years has saved Poestenkill significant dollars for water being "poured into the ground. This was largely the result of poor performance by the contractor and by the inspectors on the initial installations in 2010. The details of this specific type of leakage are important; the causes are improper original installations resulting in "**corrosion**" and "**wear**".

We have located and repaired two such cases, one at Ed's Repair Shop on Route 355, and the second, most recently, at 128 Main Street. Each of these water breaks was a situation where the **contractor installed the service line through a galvanized culvert pipe.** There are many other pending unidentified similar cases which are further deteriorating over time, and I want you to understand the causes, so that I have your support as I track down and repair these cases before they cause us **very significant other problems such as "reduced system pressure and pumped volume shortages" throughout the system**

Attachment #4 shows photos which I took at the 128 Main Street failure. In the right photo you can see that the copper service line to the curbstop **was drilled right through the culvert.** The corrosion at the point of contact between the two dissimilar metals caused the ½" hole in the pipe. This service line deterioration is further exasperated by very infinitesimally small movements of the pipe due to "water hammer" from the start/stop activities of the pumps. The photo on the left shows our service line replacement. Here, the line from the water "main" to the curbstop is properly placed over the culvert as it should be, not through it. The original installation contractor was taking "short cuts" by drilling through the culvert in what is known as a "horizontal bore" operation. Unfortunately, this type of failure is extremely difficult to locate, requiring expensive and specialized locating equipment. Furthermore, if the contractor had notified the 811 organization (as required by law 753) then the culvert's existence would have been marked out and the contractor would have been alerted to the culvert, and likely would have avoided the problem we are now faced with.

I completed the periodic total testing system re-calibration process on all our coliform testing apparatus to verify accuracy. Everything is good.

During this period, we had to modify our daily chlorine consumption to be in sync with the Troy and Brunswick chemical changes and the increased chlorine requirements due to the warmer temperatures.

One of our Pump House doors to the main pump room was broken and needed a rope to keep it open during our daily water operations. We were able to repair the unit ourselves, thereby saving the cost of a repairman; the problem was a defective commercial door opener mechanism on the top of the door.

One of our two LMI Chemical Injection Pumps became inoperable. We cleared an intake blockage and rebuilt the pump, replacing the diaphragm and the associated seals. Two weeks later, the other LMI pump began operating intermittently, not properly reacting to the 20 ma signal it receives from the Tigerflow computer. We also serviced this pump, unblocked a calcium buildup in the 4" high pressure line, and replaced the "foot valve" in the 30-gallon chemical tank. They are now both working properly. By performing these maintenance operations ourselves, rather than sending the pumps out for "rebuilding" we save the Town considerable expenses. This happens twice or three times a year.

Now that the weather has improved **new resident water installations have significantly increased**, both by homeowners and by contractors. During this period 11 new service line hookups have either been completed or are in progress. Also, noteworthy, is the fact that many homeowners are performing the installations themselves, thereby saving them significant dollars, at least \$2,000 each.

Taylor Kronau (Chip Kronau's son) has volunteered to paint some of the hydrants by using "venture crews" (older scouts). This offer is welcome, and we are supplying the materials (paint, brushes, etc.).

TRAINING:

During this period of COVID-19 various quality organizations have continued offering **free webinars** which we have been taking full advantage of. Some of these programs are sponsored by the **EPA**, some by the **DEC**, some by the **NYSDOH**, and others by **industry experts**. Additionally, participating in these seminars provides knowledgeable contacts for future reference in varied disciplines.

In May I attended "**free webinars**" appropriate to our ongoing operations. For these training sessions I received CEU hours for my **Grade C Water Operators License renewal**, and for my **NYS Professional License renewal**, and for other licenses which I hold. The free training webinars, normally 1 hour each, which I attended during this period are:

- May 3 – DEC – Paying For Drinking Water & Wastewater Projects**
- May 4 – EPA – Climate Change Impacts for Drinking Water**
- May 6 – AWWA – NYS Water and Wastewater NYS Virtual Legislative Forum**
- May 11 – GEOWEB – Modern Designing of Stormwater Channels**
- May 11 – INNOVYZE – Integrated SCADA Solutions For Distribution Systems**
- May 13 – EPA – Sources of Drinking Water – Natural Occurrence Risks**
- May 25 – AQUALIS – Sustainable Water Compliance Summit**
- May 25 – GEOSYSTEMS – Design Solutions for Dams and Spillways**
- May 26 – AQUAFIX – Stormwater Midge Flies: Kill Them Dead**
- May 26 – NoonPi - High Efficiency Boiler Exhaust Venting**
- May 26 – EPA – Leveraging the LCR to Accelerate LSL Replacement**
- May 27 – SWS – Permeable Pavements: Pros and Cons and Current Trends**
- June – 3 – EPA – EPA Tools & Resources Training Webinar**

SPECIAL NOTE REGARDING THE MAY 6TH LEGISLATIVE FORUM:

This 5/6/21 Legislative Forum was a 2-hour webinar hosted by the AWWA and NYSDOH and various regional agencies. The Forum highlighted Senator Todd Kaminsky's involvement in the NYS Senate Environmental Conservation Committee, as well as other involved legislators. There were over 400 attendees and the main subjects presented involved the two items which will effect Poestenkill and which we have recently been discussing, **#1 - PFOAs/PFOs and #2 - The New LCRR (Lead Copper Rule Revision)**. The operational heads of the municipal water systems for Buffalo and Rochester made important presentations and discussed the detailed impacts of these latest legislations on their operations. As we have discussed for Poestenkill, we are also planning for the required changes this year and the next several years, changes in required funding and operations.

I have attached the follow-up e-mail from the Forum, FYI. It is noteworthy that on page 2 of the attachment **they highlight only two "WATER CHALLENGES", Emerging Contaminants: #1-PFOAs and PFAS and #2-"Lead and Copper Rule Revisions (LCRR)"**. These are the two issues which we have been discussing in the last 6 months reports and are the two major issues facing Poestenkill for the next 3 to 4 years. **(Attachment #1)**

POESTENKILL MUNICIPAL WATER DISTRICT TESTING:

Each month, FYI, I review the details of our testing results which rely largely on our strict dedication to following procedures, thereby insuring safe water for our residents. This requires our seven day per week testing and maintaining the proper chemical balance in our system, regardless of the varying chemical input levels which we receive from Troy and Brunswick. All is well.

On 5/14/21 we received the test results from the Capital Region Environmental Laboratory for Total Coliform and E-Coli presence. The results were excellent; our water is "satisfactory".

RESIDENT ISSUES AND REQUESTS THIS PERIOD AND STATUS OF SPECIFIC ROUTINE WATER OPERATIONAL FUNCTIONS:

We are continuing to work with the developer and his Water Installer on the new **subdivision on School Road**. There are 4 homes which are being constructed, each with its own water line. These lots were never provided with curbstops and are not hooked up to the 12" main. They will therefore require **"Wet-Taps"**, a critical work process involving drilling into our 12" water main without turning off the water. I have met with the first developer (for 2 ½ School Street) and his water contractor to discuss what our standards are and what my inspection process will require; they understand, and I will be very carefully performing inspections for all 4 lots to insure quality installations, with no

negative impact on our existing system. **The “wet-tap” and the remainder of the installation for the 1st home (2 ½ School Street) was successfully completed. FYI, we received \$290 for this inspection work, \$250 for the unique wet-tap permit and \$40 for the normal permit for the remainder of our installation inspections.**

Well, now that swimming pool season is here, we will be filling pools if the resident is located near a fire hydrant. This program, started about 8 years ago, saves our residents many dollars, generally about \$800 for a small above ground pool and about \$2,000 for an in-ground pool. We generally schedule the pool fills for the weekends. Many of the same residents come back for refills each year. For example, on Sunday, 5/23, we refilled an above ground pool at 430 Route 355 for a “repeat” residential customer. We will be filling many other pools during the next 2 months.

We worked with a homeowner at 849 Rt. 351 who wanted to install his own water service line from his curbstop into his home. He chose a 1” PEX pipe and used all our other standard kits and meter. We performed the required 811 mark out and loaned the resident some of my personal equipment (not the Town’s) to perform pressure testing and flush the long line. He performed the work himself (saving very significant costs) and was very appreciative of our help. This is the type of service which we frequently provide for our residents, thereby saving them money and assuring that our standards are met.

We are working with other contractors and homeowners regarding new water service line installation requirements. These work functions include permit issuance, discussing our technical equipment requirements with the contractor, providing the necessary equipment to the owner, and performing the required inspections at each location to insure proper excavation depth, proper “rough” underground plumbing, the required 15 minute 100 psi static water pressure test, line flushing, and the Final Inspection required to insure that all Town and NYS installation requirements have been met. We then finalize the installations by formalizing the account information into our data bases for record and billing operations.

Successfully responded to weekend and nighttime emergency ACU calls to my cell regarding Pump Station problems needing immediate attention.

During this period, we began performing “selective hydrant flushing”. During the summer we will be earnestly implementing our annual flushing program. We coordinate this with the water usage requirements of both the Poestenkill Highway Department and the Poestenkill Fire Company.

Each month we have provided final billing information to realtors and their lawyers when the residents have sold their homes. Our procedure is significant in that it saves both the old owner and the new owner each about \$100, while at the same time allowing us to meet their urgent timeframes; it also insures that we get the new owner’s name and contact information for our records. The realtors have told us how much they appreciate our rapid response to their needs with no charge. We handled several of these closings in a short timeframe this period.

We performed the periodic inspections of our Water Tank on Hinkle Road, both the tank itself and the exterior ground area; all is well. We also mowed the grass and cut the weeds as part of our spring/summer exterior ground maintenance work at both the Tank and at our Pump Station.

We picked up required items from Tremont for the Water District operations.

Performed daily (24/7 - both physically and remotely) overall inspections of the Pump Station status to ensure operational performance. I periodically remotely (via phone) call the ACU at the pump station to monitor the station's performance, on a 24/7 basis. Paying attention to our "**PREVENTIVE MAINTENANCE**" programs is much more desirable than having to repair a problem after it has caused a severe and costly service interruption.

Documented the periodic high and low water meter readings at the underground metering vault pits (at Creek Road and Spring Avenue Extension) to be used in evaluating our water supply, usage, and leakage. These readings represent the volume of water supplied from Troy and Brunswick and are used in conjunction with other readings taken throughout the water system to identify problems and also to substantiate the billing which we receive from Troy and Brunswick every six months.

Our main operational focus, as mentioned earlier, is the **quality and safety** of the water supplied to our residents. I am happy to report that all our test results during these last two months were returned from the labs (with a copy automatically sent to the RCDOH) and all were "satisfactory". As a matter of fact, we did not miss any of our MCLs during all of 2020 and 2021.

Performed required NYSDOH functions for our system; for example, take daily (7 days per week) water pumping volume data at the Pump Station, add chlorine as required, and test water samples at Town Hall. This daily chemical test measures "Free Chlorine Residual "At Entry Point." and measures the Chlorine level as a deterrent to E-coli. This 7 days per week information is then entered onto the NYSDOH 360 Report daily, which is submitted to the RCDOH and the NYSDOH each month, along with the monthly Laboratory test results report.

Prepared and submitted required NYSDOH Monthly 360 Report and Lab reports to the RCDOH for May 2021. All our Town tests and the Laboratory test results for this period were satisfactory.

Cleaned various Valve Piping components at the Pump Station; this is an area requiring continuous routine maintenance and is critical to the proper chlorination process. The chlorination process, by its very nature, causes solidified calcium blockages in the lines and at discontinuity points in the system which must be periodically cleared, usually with CLR, and occasionally by component replacement. There are many potential trouble spots in the system which, when partially clogged, will reduce the LMI pump output efficiency and will affect the daily Chlorine Residual test results taken by us and submitted monthly to the RCDOH and NYSDOH.

We picked up 30 gallons of 12.5% sodium hypochlorite from Agway for daily use at the pump station in the chlorination process.

We performed the monthly maintenance functions on the large emergency generator located at the pump station; some of these functions involve running the generator for a period, exercising the batteries, and checking the output voltages for accuracy. We also performed the monthly operational tests on the portable 5 KW generator used for field emergency issues. Both generators are presently functioning well and are ready for emergency use, should we need them.

811 REPORT:

From an overall viewpoint everything continues to go quite well in the 811 operation. During this period we were very busy, receiving a total of (34) 811 tickets, largely pole replacements. All 811 Dig Safe daily requests (tickets) were received and responded to appropriately and in a timely fashion. Additionally, we received periodic audits and each has been excellent, with no late responses on our part.

The 811 tickets are initially generated by homeowners, utility companies, and by individual contractors. On each of these tickets I receive, mostly "ROUTINE" and some "EMERGENCY", I pull the respective Plats for the section of our water system. I next check our water records to determine if the location is connected to our system, and if so, what the routing of the service line is. I then call or meet with the Field Contact, discuss what they are planning to do. I visit the location and then I provide the details of our water system (and culvert pipe info) to the contractor, mark out the pipe locations when appropriate, and exchange telephone numbers with him and ask to be kept informed if he changes the schedule. This process must be completed within 48 clock hours or the Town would be fined and held accountable by the 811 organization in Syracuse. I then follow up (visit the work location) when the job is progressing to ensure that no problems occur.

We receive and must respond to the daily "Dig Safely Audits" (seven days/week) and we have continually met all our obligations. We also receive daily NYS DIG SAFELY notifications and other reports, verify accuracy, and respond as required. **I am continually involved with the 811 personnel to ensure adequate updates for the Poestenkill Exactix and the Corsetta 811 computer systems**

Now that the Winter is over, the power and communication companies are quickly replacing old poles and guy wires, a total of 14 during this period. The following 811 Mark-out Requests exemplify the types of other requests which we received: Sign (NYSDOT), In Ground Pool, Planting Trees, Culvert work, Stump Grinder, Invisible Fence, Installing Electric Service, Burying Cables, Foundations, Additions, Retaining Wall, New Driveway, Fence, Walkway, New Water Service installations, etc.

New York Section



New York State Water and Wastewater Virtual Legislative Forum

Thank you for joining us for our
NYSC Water and Wastewater
Legislative Forum!

Nearly 400 attendees, including countless elected officials, joined the New York Section of the American Water Works Association (NYSAWWA), the New York Rural Water Association (NYRWA), and the New York Water



Environment Association (NYWEA), to celebrate Drinking Water Week at our Joint Legislative Forum!

Our Joint Legislative Forum had a wonderful agenda that included a special welcome from: **Senator Todd Kaminsky**, NYS Senate Environmental Conservation Committee and **Assemblyman Steven Englebright**, NYS Assembly Chair on Environmental Conservation.

Other agenda items included: Water Challenges: PFOA/PFOS, Emerging Contaminants – Residuals and Nutrients, Revised Lead & Copper Rule, Funding Priorities – State & Federal, COVID19 Impacts and Q&A and Discussion with Members.

ATTACHMENT #1



2021 New York State Joint Water and Wastewater Virtual Legislative Forums Water and Wastewater Utility Challenges

Actions Requested:

- **Provide grants and financial assistance for utilities to remove lead service lines and treat for emerging compounds such as Per- and Polyfluoroalkyl substances (PFAS) and 1,4-Dioxane.**
- **Prioritize water and wastewater infrastructure financing.**
- **Utilize the sponsor agencies as key resources for guidance on water and wastewater issues.**

Water Challenges

Emerging Contaminants: PFAS & 1,4-Dioxane

- Recently, two PFAS, PFOA and PFOS, and 1,4-Dioxane were regulated in NY drinking water. Both PFAS and 1,4-Dioxane are highly resistant to degradation and are not removed during conventional water and wastewater treatment processes. Although, PFOA and PFOS are effectively removed by Granular Activated Carbon (GAC) filters, their replacement compounds (short-chain PFAS) featuring similar toxicity, are not removed as effectively by GAC. In case of 1,4-Dioxane, expensive advanced oxidation processes are required to remove it from waters.

Lead and Copper Rule Revisions (LCRR)

- Given the extremely complex regulatory structure of the LCRR, water systems are facing a tremendous burden in understanding its requirements and implementing successful strategies to ensure compliance. We ask that legislators keep this in mind when considering other legislation on lead in drinking water and reach out directly to the Section for input on how any proposed legislation could negatively impact compliance with the LCRR.

Wastewater Funding Priorities - State & Federal

- Nutrients of concern, Phosphorous and Nitrogen, often require very expensive tertiary treatment process in water resource recovery facilities. These issues yield TMDL and tertiary treatment programs, which create huge and complex financial burdens on public utilities. The water sector needs grants and forgivable loans. Water and wastewater local stakeholders typically must meet at least 75 to 80% of costs for compliance. The financial burden on local communities is enormous.

TROY TREATMENT PLANT IMPROVEMENTS TO RESERVOIR

Troy supplies water to its 50,000 residents, as well as adjacent communities in Brunswick, East Greenwich, Hillman, Mendon, North Greenwich, Fosterhill, Henssler, Schaghticoke and Watford.

Replacement of the transmission mains between the reservoir and water treatment plant is one of the most consequential and important infrastructure projects the city has undertaken since the water treatment plant was built over a century ago. Midden

Figure 2: see WATER B2

The \$4.1 million project will reduce age-related pipe failures and improve

reservoir to the water treatment plant in 24 months is finish to connect the

on Northern Drive. The new pipelines will replace a 38-inch riveted steel

in an installed in 1906, and a 40-inch cast iron main put in service in 1974.

"This is an important day for the customers that rely on Troy water,"

said Mayor Patrick Madden at the construction site off Old Mill Hill Road,

which was surrounded by piles of dirt and debris from pipe that will form

the new mains.

\$40 million project set

to replace water mains that

at Troy, Tenn. (www.troytn.com)

By Kenneth C. Crowe II

Troy

The city is spending nearly \$40 million to build a 38-inch main water main

to the Troy water reservoir in February. The project means that there have

been no leaks for more than a century. The city officials said they are

concerned about a sudden break due to their

WATER

CONTINUED FROM B1

said.

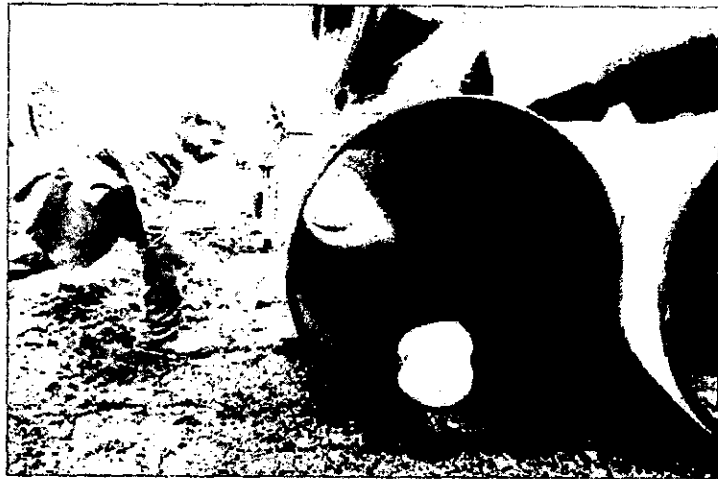
The treatment plant opened 55 years ago this week with a dedication ceremony attended by then Gov. Nelson Rockefeller.

Troy knows how devastating a water main break can be. Madden was in office less than a month in January 2016 when the 110-year-old 23-inch riveted steel main at 125th Street and Fifth Avenue in Lansingburgh cracked. It cost \$2.7 million to replace 3,700 feet of pipe with a new iron main.

Public Utilities Superintendent Chris Wheland said losing a major main is a continuing nightmare.

"We haven't gotten rid of the old pipes yet. I'm keeping my fingers crossed," Wheland said.

"It's been 10 years in the making," Wheland said about pulling together the financing, engineering,



Paul Buckowski / Times Union

Chris Wheland, public utilities superintendent, spray paints his initials on one of the new pipes Monday in Troy.

right-of-ways and planning for the project.

Each section of pipe to be installed will be 18 feet long and weigh 4,000 pounds. The two pipes will each cover about four miles to reach the Tomhannock Reservoir. The new mains will be able to handle 42 million to 45 million gallons of water per day, compared to the current capacity of about 32 million to 35 million gallons.

A \$10 million Intermunicipal Water Infrastructure Grant, and \$29.34 million in financing from the state Environmental Facilities Corp., are funding the project.

The two early 20th century water mains will stay in the ground and go unused after the new lines are operating. Wheland said the old mains will probably be forgotten in the future after their use is discontinued.

HOOSICK

CONTINUED FROM PAGE 2

edict substances such as Teflon, and the area around Hoosick Falls was once known as Teflon Alley.

The area near the factories has been declared a state Superfund site and the firms, through an agreement with the state, built the treatment plant and studied long-term options.

Cost of using the wells is estimated at \$37 million, which would be paid by the companies.

While it wasn't immediately clear what the village's consensus on the proposal was, there were concerns about using the wells rather than the reservoir.

"The most health protective option is to use a surface water source, such as

the Tomhannock Reservoir or another surface water source," wrote Judith Enck, a former EPA regional administrator. She believes the existence of nearby PFOA contamination in the first place should rule out groundwater. The DEC's report though, notes that the proposed wells would be more than a mile away from the village and are "upgradient" or above the level of contamination in another portion of the water table.

They would also install "sentinel" or test wells to watch for potential contaminants.

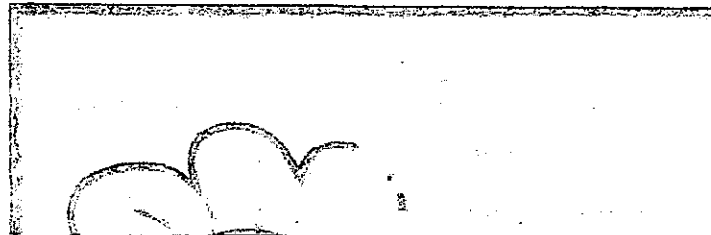
Using the Tomhannock

could be more complicated, since the reservoir is about 13 miles away and would cost an estimated \$34.5 million, according to earlier reports.

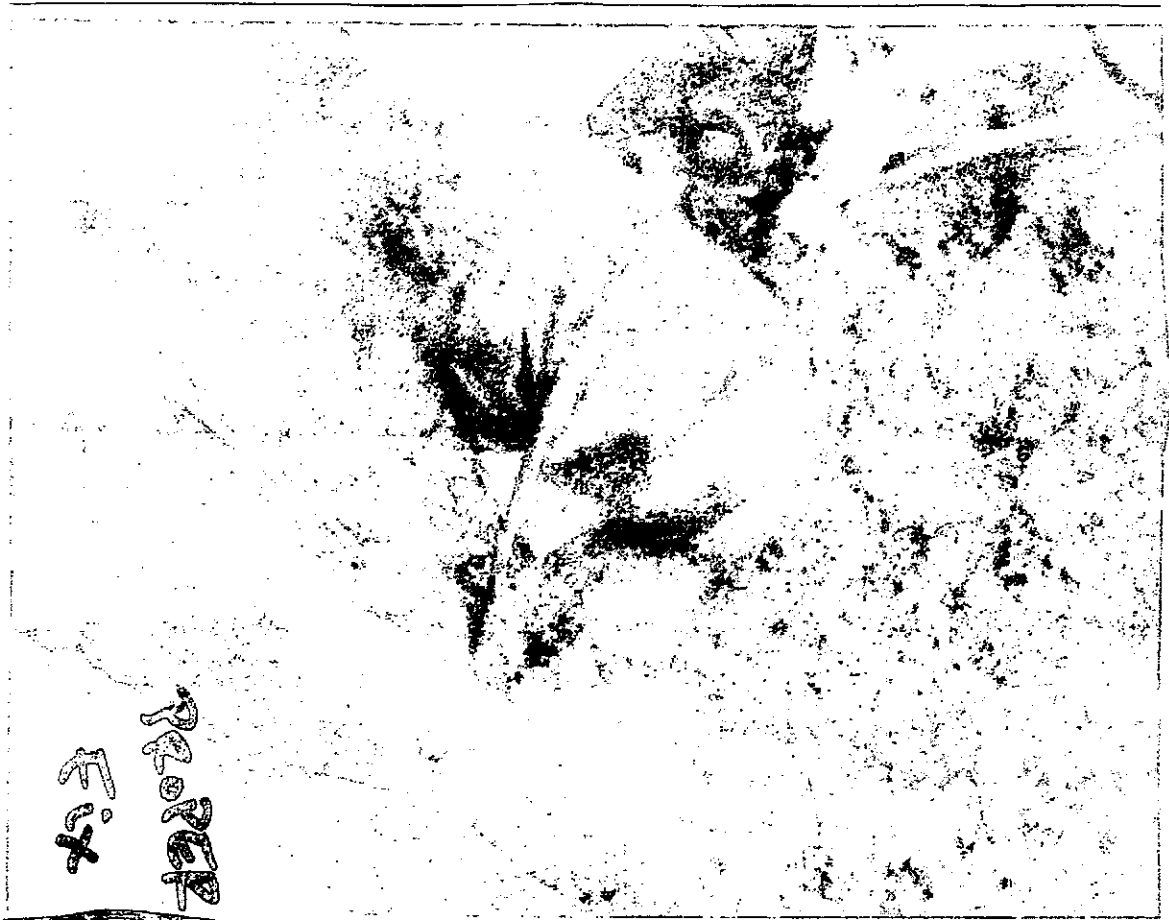
Hoosick Falls Mayor Rob Allen said he hasn't studied the latest proposal. But he said he and others were encouraged that the recommendations included continued use of the charcoal filters, an idea that wasn't in the earliest proposals.

"That's a big deal," he said.

Ultimately, because it involves a state Superfund site, the DEC will make the final determination which option is best, said Allen.



ATTACHMENT #3



ATWMA 11

RENSSELAER COUNTY DEPARTMENT of HEALTH

Steven F. McLaughlin
County Executive

Mary Fran Wachunas
Public Health Director



May 20, 2021

Home owner
Address
City, State, Zip

Re: Offer to test water supply for PFAS compounds

Dear Resident;

The Rensselaer County Department of Health (RCDOH), New York State Department of Health (NYSDOH), and New York State Department of Conservation (NYSDEC) are partnering to offer drinking water well testing in the area of the Algonquin Middle School. This sampling will be for several per- and poly(fluoralkyl) substances (PFAS), and will be of no charge.

You are receiving this letter given your location to the school. As you may be aware, previous sampling at the middle school detected the presence of PFAS. This sampling will be used to determine whether these chemicals are present in your drinking water.

This testing will include the collection of one or more samples from a kitchen faucet or an outdoor spigot. This sampling will be conducted by representatives of one of the partnering agencies and be submitted to a NYS certified laboratory for analysis. Once the analysis is complete and the results have been validated, the RCDOH will provide you with a copy of the laboratory report.

Our goal is to perform this sampling late spring or early summer. If you are interested in participating and having your well tested, please contact Richard Elder at the Rensselaer County Department of Health at 518-270-2632. Once we have confirmed all of our sampling locations, you will be contacted to schedule a specific date and time of sampling.

We ask that you respond within 10 days of receipt of this letter to confirm your interest in participating in this sampling program. If you have questions or concerns please feel free to contact me. Thank you in advance for your cooperation.

Sincerely,

Richard Elder
Environmental Health Director
Rensselaer County Department of Health

NED PATTISON RENSSELAER COUNTY GOVERNMENT CENTER
TROY, NEW YORK 12180 (518)270-2626 FAX (518)270-2638

ATTACHMENT #5

Town Of Poestenkill



COMMUNITY

Latest News

Search Website:

Update On Algonquin Middle School Water Tests:

From Bob Brunet – Poestenkill Water Manager

In our last update we quoted numerous NYSDOH statements which reassured us that the school's water "does not pose a significant health risk" and "Your water continues to be acceptable for all uses". I stated that "even though the school's test results are barely above the MCL, the school is taking action which will improve the water quality". We have stayed involved in this issue and believe that the school is close to deciding which remedial option will best fit their needs. We will keep you informed.

During the timeframe since our last update, Supervisor Keith Hammond, Deputy Town Supervisor Eric Wohlfeber, and I have been actively working with the RCDOH and the NYSDOH to further insure that the wells nearby the school are providing safe water for our residents. As a result of this activity we have recently received a commitment from Justin Deming, Chief, Regions 4, 5 & 8 -NYSDOH, Bureau Of Environmental Exposure Investigation, that the State, with our involvement and the involvement of the RCDOH, will test at least 12 home wells in the area to reinforce that the water is safe to consume. This Bureau is the responsible agency which looks into potential exposures to chemicals in the environment.

As always we will keep close to this issue and will notify you of results.

This is a follow-up to our February 27, 2021 report on the situation involving the Algonquin Middle School water tests. There has been aggressive action involving various organizations, the Algonquin School personnel, the Rensselaer County Health Department (RCDOH), The New York State Department of Health (NYSDOH), the Capital Region Environmental Laboratory (OREL), and the Town of Poestenkill organization, including the Town Supervisor, the Town Board, and the Poestenkill Water Manager. As this team continues, we will post the latest status on this website. But now we want to hopefully alleviate some anxiety by presenting PFOA facts regarding our situation from the NYSDOH. This information was provided in the NYSDOH

ATTACHMENT # 6



TOWN OF POESTENKILL

38 Davis Drive, P.O. 210
Poestenkill, NY 12140

Office of the
Building Inspector
Code Enforcement Officer

MEMORANDUM

To: Town Supervisor – Keith Hammond

Town Board Members- June Butler, David Hass, Harold VanSlyke

Eric Wohlleber (deputy Town Supervisor)

Town attorney – Jack Casey

From: Tracy Church Code Enforcement/ Building Inspector

Date: June 10, 2021

RE: May/June 2021 Report

OVERVIEW:

Request's for building permits continue to be steady, the 3rd phase of Quail Meadows (Redwing Court) has begun to build, there are 2 new homes under construction in this phase and many inquiries have been answered. The situation on Lynn Road #160 continues to be a source of complaints, we are continuing to attempt open dialog however the owner/ operator continues to defy all orders and has ignored all efforts to enforce the Cease and Desist. Has not applied for a Special Use Permit as required and is now in the courts system, Jack Casey is representing the Town in this matter. Continued request's for inspections (Building Permits/ Certificates of Occupancy)have been promptly scheduled, performed and documented . The Sand Lake situation continues to be very active and has been scheduled for their Planning/ Zoning Boards to hopefully get some resolution to that very difficult case. May 18, a call was received by this office regarding a situation on Jones Road, the complaint was from a Tara Kelly with concerns about the culvert possibly being damaged by recent heavy truck traffic as well as concerns about possible reckless driving with children playing nearby. I had informed Tara Kelly that the culvert was a Highway Dept. or possibly a County or State issue, and that any concerns related to traffic or possible recklessness would have to be handle by a Law Enforcement agency, and that we are not trained or equipped to address these types of complaints, Clarity is very important. The building/code enforcement office has been in contact with the Department of State with a request to assist with a complex code question regarding a builder's need to get a Certificate of Occupancy w/o necessary railings from a second floor door lacking a landing due to the prospective owners requesting to hold off on the proposed deck do to current inflated building materials costs. a solution was approved by the Engineers at the DOS, as a result the certificate of occupancy has been issued. The mandated continuing training for Code Officials is current

and ongoing. June 8, 2021, 911 request for Code Enforcement to #5 Lochvue drive for a structure fire resulting from a lightning strike. The quick response from a neighbor contained the fire until the Fire department arrived limited the damage to minimal. We assisted with getting a Licensed electrician to evaluated the electrical wiring, as a result the affected circuits were isolated and the main power was restored allowing the family to re occupy the home , with the agreement that the electrical circuits affected would be restored and a satisfactory inspection by The Underwriters would be presented. The Town of Poestenkill will continue to be represented in a polite, efficient and professional manner.

Respectfully submitted

Tracy Church

A handwritten signature in black ink that reads "Tracy Church". The signature is written in a cursive style with a large, sweeping initial "T".

Building Inspector/ Code Enforcement Official

Michelle Asquith

From: Bob Guyer <straydawg302@gmail.com>
Sent: Thursday, June 10, 2021 2:12 PM
To: Michelle Asquith
Subject: RE: report

Dog control Reoports

Dogs running at large - 6

Cat auto call -1

Rooster complaint - 1

Just some Info for the town - I had my garage shop approved by the department of Agriculture and markets. I held a dog I picked up last month and was able to find the owner and return the dog to her. The fees are very high now for dog owners to get their dogs back from the Humane Society. \$200.00 just for one night's stay. I do this to help people out as long as they are not repeat offenders. It also keeps the cost down to the town if the people can't afford to get their dog back the humane society charges the town. It's a win win

Bob Guyer

Sent via the Samsung Galaxy S20 Ultra 5G, an AT&T 5G smartphone

----- Original message -----

From: Michelle Asquith <secpoest@nycap.rr.com>
Date: 6/10/21 12:49 PM (GMT-05:00)
To: 'Bob Guyer' <straydawg302@gmail.com>
Subject: report

Hello,

Can you shoot me your report today thanks.

Michelle

Town of Poestenkill
Office of the Highway Superintendent
P.O. Box 210
Poestenkill, NY 12140
(518)283-4144

To: Town Supervisor- Keith Hammond
Town Board Members- Butler, Wohlleber, Hass, Van Slyke

From: Highway Superintendent- David (DJ) Goyer

Date: June 9th, 2021

RE: Highway Activities
May 13th, 2021- June 9th, 2021

1. During the middle of May we finished up the remaining dirt roads with grading and raking operations. The last three roads that we shaped up and graded in were Banner Hill rd. Cropsey rd. and legenbauer rd. I spent majority of the time training Vito on how to run the York rakes and get him comfortable with the process. He did an excellent job and picked it up quickly.
2. We borrowed the culvert flushing jet trailer from rensselaer county highway. We used it for a couple days clearing and flushing a list of culverts I had that needed to be worked on. Shared services program that we have with local municipalities works well to save the town time and money trying to purchase or rent equipment like this when we have it next door at our disposal.
3. I had our newest employee Rocco at the shop for a couple days washing/cleaning up the towns three fuel storage tanks prepping them for paint. Once that was done, he re painted all three tanks. I ordered new placards and identification labels and once dry we installed them onto the

tanks. World of difference this made, they look great! Its also a must do to keep DEC satisfied with our bulk storage under the towns Petroleum Bulk Storage Certification.

4. The crew continued ditching Snake hill rd. and down into Heather Ridge rd. development. Re shaped all ditch lines and performed shoulder repairs in many sections.
5. The weather turned earlier then in years past which allowed the shoulders to grown up sooner with grass, so we started the 2021 mowing season a couple weeks earlier then in years past. I have Dave Ruppert on the mowing tractor this year, which is his second year running the tractor. He is getting comfortable on the tractor now and has been doing an excellent job mowing! We mowed school street first so it would be cleaned up for the Memorial Day parade. Then we head throughout the village on our normal route with tractor. The tractor did break down one day so far with a small head gasket leak, I added some stop leak to coolant system to attempt to stop it. It seems to have worked for now, my hopes are to get through the season and repair it this fall.
6. A couple of the guys and I spent two days installing the veteran's banners and flags throughout town! This takes time to do but we enjoy doing it every year! Its awesome to see the pride this town has for their veteran's. Small town America at its finest!
7. I submitted the towns final draft of the Bridge-NY grant application. We will not hear back from NYS until around November with a verdict on this grant. Its my opinion that if we do not get the funding from this grant then we need to starting budgeting for a replacement of this concrete culvert. Its old, showing major fatigue, and if this fails, we will have real problem on our hands. Reichard farm rd. is a dead end with all houses on other side of the creek.
8. Truck 116 was brought to zwack's for the new sander installation. They made quick work of it, and we had truck back with sander in a week! Looks great and will serve the town well for many years!
9. Started replacing metal culverts with new plastic pipes ahead of the 2021 paving season.
10. The crew has been out with the hotbox trailer patching holes and fixing up roads as well.

11. We have been out picking up leaf bags periodically throughout the month as well. Depending on the weather and workload, I try to get around town once a week grabbing bags from residents.
12. I went up on plank rd. with rensselaer county highway and helped them perform road prep ahead of paving. We used our skid steer and milling head to cut the rebates at start/finish spots on the road as well as all the blacktop driveways on the road. This creates a smooth transition once the final pave is done where it meets the existing blacktop.
13. We had a willow tree come down with power wires on school street after thunderstorm hit town. Luckily, it came down in between the entrances of the elementary school, so it did not hinder morning drop off too much. National grid arrived quickly given the circumstances and we got road back open in roughly an hour.
14. The crew was up on Hicks Pond rd. cutting down a handful of dead ash trees that were in jeopardy of coming down, one of which did have part of the treetop come down during storm. Work went well and got everything cleaned up before they became a hazard.
15. We had two trucks hauling blacktop for rensselaer county for a few days on the Plank rd. and Oak Hill rd. paving project
16. We have been updating and replacing numerous street signs this month since my order of new road signs finally came in.

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