

TOWN BOARD MINUTES
TOWN OF POESTENKILL
TOWN BOARD MEETING

March 18, 2021

Not approved at time of distribution)

ROLL CALL AS FOLLOWS

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

NON-VOTING MEMBERS

Susan Horton, Town Clerk
Jack Casey, Town Attorney

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

Supervisor Hammond stated that the Presentation portion of tonight's meeting would be held first.

Presentation – Mr. Matthew Bond, P.E., Barber Engineering, representing applicants Kevin and Dale Kronau, presented an overview of the proposed Planned Development District (PDD) on White Church Road. The proposal is for a total of 16 Town Houses on 8.68 acres which are presently zoned as a Natural Products District (NP). Mr. Bond discussed the fact that they would be connected to the Water District and the road entrance would be onto White Church Road. The Town Board members had copies of detailed documents, including the Project Narrative, Rezoning Application, Survey, and Sketch Plan. Mr. Bond appreciated the Town Board's time and requested that the proposed Planned Development District be considered. This will be discussed at a later date.

Supervisor Hammond opened the Public hearing on the proposed Zoning change with respect to Commercial Wood Operations at 7:05 p.m. Mr. P. Wing, Town resident and neighbor of Mr. Hitchcock, addressed the audience and read a prepared document which referred to various types of wood processing situations near his home. Numerous audience members made comments regarding their opinions, both in favor of and against, wood processing operations which had operated for a long time in the Town. Mr. Hitchcock's attorney, Ms. Mandel-Clemente addressed the group and asked several questions regarding the circumstances under which a resident could operate a wood processing function. The points being made by Ms. Mandel-Clemente as well as the other speakers were largely a repeat of points made at the various Planning Board and Zoning Board meetings. Supervisor Hammond stressed that he and the Town Board members were trying to meet the requirements of both the long term and the newer residents while still meeting the legal Town Zoning requirements and that he thought that the Resolution of the Town Board to Confer Grandfather status to certain existing commercial wood lots would accomplish this. If passed it would make it possible for Mr. Hitchcock to come before the Planning Board and request a SUP (Special Use Permit) and hopefully meet his requirements. There being no further comments, this Public Hearing was closed at 7:35 p.m.

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

Public Comment Period – Before opening the floor for Public Comments Supervisor Hammond asked that when stating your concerns to please be courteous and neighborly. Many residents voiced their opinions on the Ambulance Special Election and further questioned the Board regarding the upcoming vote on March 30th. During these discussions, the subject matter largely covered the same information of numerous past Town Board meetings as well as the published opinions of the need for the District. Largely, the discussions were emotional and “heated.” Supervisor Hammond and the other Town Board members, including Jack Casey, Town Attorney, conveyed their messages that:

- Many town residents, (particularly during the last election period) stated their strong desire for better ambulance service.
- The vote on March 30th was in response to the residents wishes, and that the vote only authorized the establishment of the Ambulance District.
- If the Ambulance District was approved, then further studies would be undertaken and based on the outcome of those studies any proposal would be put up for vote in November.
- Supervisor Hammond stressed that he wanted all the residents to be able to voice their opinion by their votes. Jack Casey, Town Attorney, reviewed the laws requiring the requirements to be able to vote, namely that you be an owner; he stated that absentee votes are not permitted.

Town resident, L. Gregware wanted it noted that she was upset with the “Zoom” portion of tonight’s meeting, as it was not working properly. When everyone was given the opportunity to speak, the public comment period of this meeting was closed at 8:20 p.m.

Motion by Butler, seconded by Hass and an oral vote of 5 ayes to accept the Town Clerk’s Amendment to the minutes of January 7, 2021, as written. Motion by Butler, seconded by Hass and an oral vote of 5 ayes to accept the Town Clerk’s minutes of February 10, 2021, as written. Motion by Butler, seconded by Hass and an oral vote of 5 ayes to accept the Town Clerk’s minutes of February 18, 2021, as written.

Liaison Reports:

Planning Board – Town Board members had copies of the Planning Board’s meeting of February 2, 2021 and T. Russell; Planning Board Member elaborated on the meeting.

Zoning Board – Town Board members had copies of the Zoning Board of Appeals meeting of February 9, 2021 and P. Jamison; ZBA Member elaborated on the meeting.

Fire Company – Town Board members had copies of the Fire Company’s February 2021 report.

Library – E. Gresens reported on the Library’s current activities. The Library is now allowing in person visits from the community. He also stated that a “Free” Library (station) will be erected on Legenbauer Road for the community to enjoy.

Youth Advisory Board- T. Buker, Youth Director said that Summer Camp registration is going well. She also stated that the Town of Sand Lake will be joining our Town for Summer Camp and feels it will be good for everyone.

CAC- No Meeting

Correspondence: Memo dated March 1, 2021 from Charter Communications regarding the upcoming changes to their service.

Discussion Items:

Annual Drinking Water Report – Town Board members had copies of the Annual Drinking Water Quality Report for 2020 prepared by R. Brunet, Water Manager. Mr. Brunet explained to the Board and Town residents the purpose of his report.

Application for Driveway entrance to Town Highway or Street – DJ Goyer, Highway Superintendent stated to the Board that he would like to update the application for Driveway entrance to Town Highway or Street. He would like better specifications as there are some issues with newer driveways. J. Casey, Town Attorney will update this application with the Highway Superintendent, and this will be brought to a Public Hearing at the April 15th meeting at 7 p.m.

Town of Poestenkill Gravel Mine Renewal - Town Board members had copies of the Mine Permit renewal proposals from Highway Superintendent, DJ Goyer for their review.

Lot line Adjustment – R. Brunet expressed to the Board and Town residents how important the changes to the Lot Line Adjustment Law is. This will be voted on during the Action items of tonight's meeting.

Public Employer Health Emergency Plan for the Town of Poestenkill -

M. Hass, Town resident who has volunteered to update this document is working to finalize this document and will forward it to Town Board members.

Updating of 2002 Town of Poestenkill Emergency Plan – T. Buker, Deputy Town Clerk will be finalizing this document and will forward the completed version to Town Board members for their review. Going forward this document will be updated on a yearly basis.

Funding from the State – Supervisor Hammond stated through the Coronavirus Relief Fund, the CARES Act, the Town of Poestenkill will be receiving funds. Supervisor Hammond does not know at this time what the amount will be.

Comprehensive Plan Review – Town Board members had copies of the updated outline of the proposed approach to the review and update of the 2006 Comprehensive Plan prepared by J. Briggs, Planning Board Member.

Ambulance district updates - J. Casey, Town Attorney addressed the audience about the procedures that will be in place for the Special Election. He also answered questions from Town residents about their concerns.

Action Items:

RESOLUTION #2-2021 –RESOLUTION OF THE TOWN BOARD OF THE TOWN OF POESTENKILL, NEW YORK, CORRECTING A TYPOGRAPHICAL ERROR IN THE DECEMBER 17, 2020 RESOLUTION CALLING FOR A PUBLIC REFERENDUM FOR THE ESTABLISHMENT OF AN AMBULANCE DISTRICT PURSUANT TO TOWN LAW ARTICLE 12-A.

Whereas, the MPR filed August 13, 2020 correctly recited the estimated cost computation for a home assessed at \$150,000 not \$225,000; and Whereas, the correct language for Paragraph 9 of the December 19, 2020 Resolution should read “the expected average annual cost to the Typical Property (as defined by Town Law) in the proposed District (which is a single-family home with

an assessed value of \$150,000) during the first year will be approximately \$85.18,” Resolved, such provision in Paragraph 9 of the December 17, 2020 Resolution be so amended to conform with the MPR.

MOVED BY: Councilman Hass
 SECONDED: Councilwoman Butler
 VOTED UPON AS FOLLOWS:
 Councilwoman Butler YES
 Councilman Hass YES
 Councilman Van Slyke YES
 Councilman Wohlleber YES
 Supervisor Hammond YES

IN THE MATTER OF ADOPTING LOCAL LAW #1-2021 – AMENDING POESTENKILL TOWN ORDINANCES PROVIDING FOR LOT LINE ADJUSTMENTS. Resolved, that Chapter 195-195-2 of the Poestenkill Town Code be and hereby is amended to eliminate the one-acre requirement and to delete the word “minor” as it relates to “boundary problems.”

MOVED BY: Supervisor Hammond
 SECONDED BY: Councilman Van Slyke
 VOTED UPON AS FOLLOWS:
 Councilwoman Butler YES
 Councilman Hass YES
 Councilman Van Slyke YES
 Councilman Wohlleber YES
 Supervisor Hammond YES

Library Lease and Service Agreement-Motion by Hass, seconded by Van Slyke and carried to approve the Library Lease and Library Service Agreement for the year 2021.

Veterans Service Agreement- Motion by Hass, seconded by Van Slyke and carried to approve the 2021 Veteran’s Service Agreement.

Senior Service Agreement – Motion by Wohlleber, seconded by Van Slyke and carried to authorize the approval of the Poestenkill Senior Service Agreement for 2021.

RESOLUTION #3-2021 – IN THE MATTER OF THE CONSENT OF THE TOWN BOARD TO AMEND THE AGREEMENT BETWEEN THE TOWN AND THE TOWN OF POESTENKILL HIGHWAY SUPERINTENDENT REGARDING REPAIRS TO QUAIL MEADOW DRIVE

MOVED BY: Councilman Hass
 SECONDED BY: Councilman Wohlleber
 VOTED UPON AS FOLLOWS:
 Councilwoman Butler YES
 Councilman Hass YES
 Councilman Van Slyke YES
 Councilman Wohlleber YES
 Supervisor Hammond ABSTAIN

Reports:

Supervisor's Report- Supervisor Hammond said that tonight's meeting was extensive, however, he wanted to briefly discuss the Algonquin Middle School's water situation which he and Robert Brunet, Water Manger have been involved in. Supervisor Hammond said that the Algonquin School is very interested in connecting to the Poestenkill Municipal Water System and asked Mr. Brunet to briefly address the subject. Mr. Brunet reviewed the progress and stated that he had posted on the Town website information provided by the NYSDOH which is designed to alleviate many of our residents' concerns because of the very low PFAS test results at the school. Specifically, the statements which the NYSDOH provided.

1. The MCL is set well below levels known or estimated to cause health effects.
2. Consuming drinking water with PFAS at or somewhat above the MCL does not pose a significant health risk.
3. Your water continues to be acceptable for all uses.
4. At the level of PFAS detected in your water, exposure from drinking water and food preparation is well below PFOA exposures associated with health effects.

He assured the residents that both he and Supervisor Hammond are staying very close to the subject and would keep the residents notified. Mr. Brunet briefly described the water hookup plan if the school wants to move ahead.

Supervisor Hammond then asked Mr. Brunet to address the recently published Poestenkill 2020 Annual Water Quality Report. Mr. Brunet stated that the 2020 Annual Water Quality Report was recently approved for distribution by the RCDOH. He said that Poestenkill can be proud that in over 80 contaminates tested during 2020 we had zero missed objectives (MCLs). He stated that because of these fine results the reduced amount of testing required this year would be saving Poestenkill about \$1,200 per month.

Town Attorney's Report – Mr. Casey reported on the matters that he worked on since the last Town Board meeting which included working on the Special Election which will be held on Tuesday, March 30th. He worked on preparing the Resolutions for tonight's Board meeting and worked on the legal notice for the Commercial Wood Processing Operations. Mr. Casey will be meeting with S. Horton, Town Clerk and T. Buker, Deputy Town Clerk to finalize the procedures for the Special Election.

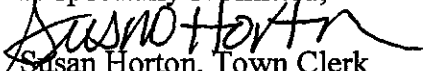
Town Clerk's Report – Motion by Wohlleber, seconded by Van Slyke and an oral vote of 5 ayes to accept the Town Clerk's report of February 2021. The total amount received in the Clerk's office was \$2,227.17 and of that amount \$2,124.71 was remitted to the Supervisor. Town Board members had copies of the Building Inspector/Code Enforcement Officer's written report. There were also reports from the Assessor, DCO, 811 report, Water report and the Highway Dept. report. Superintendent Goyer stated that Poestenkill's Spring Clean Up will take place April 26th – April 30th. M. Asquith, Town Bookkeeper updated the Board on the Town's Financial Status which she reported was in very good standing. The Board approved the transfer of \$100,000 from the (MMA) Account to the Town's Interest-Bearing Savings Account.

Payment of Bills:

Motion by Hass, seconded by Butler and an oral vote of 5 ayes to pay Warrant #8 -2021 in the amount of \$1,198.00. Motion by Hass, seconded by Butler and an oral vote of 5 ayes to pay Warrant #9 -2021 in the amount of \$57,391.35.

Motion by Hass, seconded by Wohlleber, and carried to enter into Executive Session at 8:58 p.m. to discuss a personnel issue and to discuss the ambulance ballot with no formal vote taken. Motion by Wohlleber, seconded Van Slyke to exit the Executive Session at 9:35 p.m. and immediately adjourn.

Respectfully submitted,


Susan Horton, Town Clerk