

TOWN BOARD MINUTES
TOWN OF POESTENKILL
March 9, 2023
(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
Andrew Gilchrist, Attorney

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

Supervisor Hammond opened the meeting with the Pledge of Allegiance at 7:00 p.m. and immediately opened the floor for the two Public Hearings on the agenda tonight.

PUBLIC HEARING

Introductory Local Law #1-2023 – A local law amending section 200-3 of the town code of the Town of Poestenkill concerning the eligibility for the senior citizens tax exemption in the Town of Poestenkill.

There were no public comments at this time.

Introductory Local Law #2-2023 – A local law providing for a partial tax exemption upon real property based upon the owner’s volunteer membership in the Poestenkill Fire Company pursuant to section 466-a of the real property tax law. L. Basle, Fire Co. asked when this exemption would be effective. Supervisor Hammond stated it would go into effect January 2024. There being no further comments on either of these Public Hearings, this Public Hearing was closed at 7:40 p.m.

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

Motion by Hass, seconded by Van Slyke and an oral vote of 5 ayes to accept the Town Clerk’s minutes of the February 9, 2023, as written.

Motion by Hass, seconded by Butler and an oral vote of 4 ayes (Wohlleber abstained) to accept the Town Clerk’s minutes of the February 23, 2023, as written.

Public Comment Period -

Dog Kennel -

There was significant discussion involving the Waste Management Facility Proposed by Supervisor Hammond for use as a Dog Kennel. The Town Board addressed Supervisor Hammond’s proposal but many of the audience residents had significant problems with it. Among these were concerns of the loud barking of dogs in the residential area, the financial viability of the overall proposal, and the issue of liability to the Town. Supervisor Hammond proposed that the kennel would be available for use by other towns in Rensselaer County. There were questions regarding the legal issues of the facility being run by the Town (a Governmental Agency), what modifications would be required in the facility and at what cost, potential water

problems, and other issues. Resident M. Gibbons, who lives nearby, said that he had talked to many other people and that they had similar concerns. He said that there were other available buildings, citing locations in Sand Lake and other Rensselaer County areas. He said that he did not think that Supervisor Hammond's investigation went far enough and that there were other options which need to be explored.

Correspondence -

Charter Communications - Memos dated February 28, 2023 and March 1, 2023, regarding upcoming program changes to Spectrum customers.

Electronics Recycling Event – Electronics Recycling Event sponsored by the Rensselaer County Legislature and The Environmental Management Council will be held on Saturday, March 25th from 9:30 a.m. – 1:00 p.m. This event will be held in Troy at the Rensselaer County Office Building, 1600 7th Avenue. Held in the parking lot (accessed off Congress Street). For more information you can call (518) 874-1001.

Liaison Reports:

Planning Board – Board members had copies of the February 7, 2023, meeting in their packets. T. Russell, Planning Board Chairman reported on the agenda items. T. Russell stated that a consultant would be an asset while trying to work on the Comprehensive Plan. Supervisor Hammond requested that T. Russell obtain some quotes and the Board would entertain the proposal for a consultant to work on the Comprehensive Plan.

Zoning Board – There was no ZBA meeting.

Fire Company – Town Board members had copies of the Fire Co. report of February 2023, in their packets. D. Basle reported on the number of calls the Fire Company received for the month of February.

Library – S. Pattenaude, Trustee of the library reported on the activities at the library. Susan reported that the regular programs at the library are well attended and listed the upcoming programs that will be held at the library. For a full listing of events, visit the website at poestenkilllibrary.org.

Youth Advisory Board – T. Buker, Youth Director, gave an update on the status of Summer Camp.

CAC – There was no CAC meeting.

Discussion Items:

Dog Kennel -

There was a lengthy discussion involving members of the Board and residents during the Public Comment period of tonight's meeting. Comments ranged from noise ordinance to whether the Waste Management building could be used as a kennel under its current PDD status. All of these questions were answered by Board members and Town Attorney, A. Gilchrist.

Roof at Town Hall – There was a discussion on the repairs necessary on the Town Hall roof. Supervisor Hammond stated that the Town has received four quotes to repair the roof. Councilwoman Butler has reviewed these quotes and said that comparing them was difficult.

This difficulty is further compounded by the roof's multiple gables and questions regarding the chimney. Other items were addressed by Board members including financing. It was determined that a Special Meeting was needed and set the date for March 23rd at 6 p.m.

Hallway at Town Hall – Town Board members discussed the on-going issue of the draft, located at the front entrance to the Town Hall. It was decided by Board members for Councilman Van Slyke to get quotes for a new exterior front door and report his findings to the Board.

Street Lights – There was a lengthy discussion by Town Board members and A. Gilchrist, Town Attorney and also by resident Lee King. Those discussions focused on aspects of the original National Grid proposal, including options of programable lighting, installation contracts, and funding alternatives for “up front” capitalization costs and financing. A. Gilchrist said that, in his experience, the Town would financially benefit in the long run but that he was concerned with the “up front” funding. He said that the Town needed to prepare an official letter to National Grid, including aspects of purchasing the lights (not the poles) and also addressing the “Special Services Agreement”. Dave Hass suggested that the Town look into other companies concerning items in the undertaking. Supervisor Hammond said that we had plenty of time and that there was no need to rush into this now. He said we needed to look into the agreement further for clarification and had more work to do.

Action Items:

Senior Citizen Tax Exemption – Resolution #6-2023 ADOPTING LOCAL LAW #1-2023 OF THE TOWN OF POESTENKILL. NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Poestenkill in regular session duly convened as follows:

Introductory Local Law #1-2023 of the Town of Poestenkill be and hereby is adopted as Local Law #1-2023 of the Town of Poestenkill.

Local Law #1-2023 of the Town of Poestenkill shall be filed in the office of the New York State Department of State in compliance with all applicable legal requirements, and the Town Clerk is hereby directed to cause such filing to be completed.

MOVED BY: Councilman Wohlleber
 SECONDED BY: Councilman Hass

VOTED UPON AS FOLLOWS:

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

Firefighter Property Tax Exemption – Resolution #7-2023 ADOPTING LOCAL LAW #2-2023 OF THE TOWN OF POESTENKILL. NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Poestenkill in regular session duly convened as follows:

Introductory Local Law #2-2023 of the Town of Poestenkill be and hereby is adopted as Local Law #2-2023 of the Town of Poestenkill.

Local Law #2-2023 – A LOCAL LAW PROVIDING FOR A PARTIAL TAX EXEMPTION UPON REAL PROPERTY BASED UPON THE OWNER’S VOLUNTEER MEMBERSHIP IN THE POESTENKILL FIRE COMPANY PURSUANT TO SECTION 466-a OF THE REAL PROPERTY TAX LAW.

MOVED BY: Councilwoman Butler
 SECONDED BY: Councilman Hass

VOTED UPON AS FOLLOWS:

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

Procurement Policy - RESOLUTION #8-2023 – RESOLUTION ADOPTING THE TOWN OF POESTENKILL PROCUREMENT POLICY AS UPDATED AND AMENDED. The Town Board of the Town of Poestenkill hereby adopts the Town of Poestenkill Procurement Policy, as updated, and amended, in the form attached hereto and made a part hereof as Schedule “A,” and which shall be included in the Town of Poestenkill official policies.

MOVED BY: Supervisor Hammond
 SECONDED BY: Councilman Hass

VOTED UPON AS FOLLOWS:

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

Investment Policy – RESOLUTION #9-2023 – RESOLUTION ADOPTING THE TOWN OF POESTENKILL WRITTEN INVESTMENT POLICY AS UPDATED AND AMENDED. The Town Board of the Town of Poestenkill hereby adopts the written Investment Policy of the Town of Poestenkill, as updated and amended, in the form attached hereto and made a part hereof as Schedule “A,” and which shall be included in the Town of Poestenkill official policies.

MOVED BY: Councilwoman Butler
 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

Purchase of F2690 Kubota Tractor – Supervisor Hammond stated that he would like to move forward with purchasing this tractor to ensure that the Town’s sidewalks and maintenance of town owned properties are more easily taken care of. However, the Highway Superintendent stated that this was not on State Contract and would have to be bid out and the tractor would be projected to arrive in a year. The Highway Superintendent stated his concern with a potential law of liability of homeowners who have sidewalks, and that he would rather take the responsibility

of clearing them. Supervisor Hammond agreed with the highway Superintendent's statement. A lengthy discussion ensued, and it was decided that the Superintendent would continue looking at other options and report back to the Board.

Road Specifications – Introductory Local Law - Supervisor Hammond introduced proposed Local Law #3-3023 – A LOCAL LAW AMENDING SECTION A240-12 (E) OF THE TOWN CODE OF THE TOWN OF POESTENKILL – Upon recommendation of the Town Highway

Superintendent, and in furtherance of promoting public health and safety, the Town Board initially thought to amend such design criteria to increase the required total driving lane width to not less than twenty-four (24) feet, inclusive of two twelve-foot travel lanes. Upon further recommendation of the Town Highway Superintendent, the total roadway width of twenty-eight (28) feet shall be maintained, thereby reducing the minimum width within the total roadway accordingly.

A public hearing on this proposed law will be held on April 13th at 7:00 p.m.

Reports:

Supervisor's Report- Supervisor Hammond reported that it was a busy month. He has met with the Park's Committee. He stated that DJ and his Highway crew worked very hard clearing a section of the baseball field in hopes that a space can be used for residents to gather.

Town Attorney's Report – A. Gilchrist, Town Attorney, along with routine matters he has been working with Supervisor Hammond on the current Kennel issue. He has also been working with the Assessor's office.

Town Clerk's Report – Motion by Hass, seconded by Butler and an oral vote of 5 ayes to accept the Town Clerk's report of February 2023. The total amount received in the Clerk's office was \$5,782.55 and of that amount \$5,732.93 was remitted to the Supervisor. Town Board members had copies of the Building Inspector/Code Enforcement Officer's written report. There were also reports from the Assessor, DCO, 811 report, Water report and the Highway Dept. DJ Goyer, Highway Superintendent stated that there will be a brush pickup the week of April 24 – April 28th.

Payment of Bills:

Motion by Hass, seconded by Butler and an oral vote of 5 ayes to pay Warrant #05-2023 in the amount of \$61,160.18. Motion by Hass, seconded by Supervisor Hammond and an oral vote of 5 ayes to pay Warrant #06-2023 in the amount of \$25,655.87.

Motion by Councilman Hass, seconded by Supervisor Hammond and carried to enter into Executive Session at 9:20 p.m. to discuss a personnel issue with no votes taken. Motion by Supervisor Hammond and seconded by Councilman Van Slyke and carried to exit Executive Session at 9:40 p.m. and immediately adjourn this meeting.

Respectfully submitted,

Susan Horton, Town Clerk

