

**Town Board**

**Documents**

**LOCAL LAW  
STANDARDS FOR DRIVEWAYS AND PRIVATE ROADS**

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**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**

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**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 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 - Standards for 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. Standards
  - a. Residential Driveway- 12' travelled width, 3' wide shoulder on each side and if a driveway runs transverse to a slope, a 3' wide and 1' deep (minimum) drainage swale between the shoulder and existing grade on

the uphill side (see residential driveway). Maximum grade may not exceed 15% (15' rise per 100' of length)

- b. Private Road- same as residential driveway but travelled width must be a minimum of 16' (see private road detail). Maximum grade may not exceed 12 percent (12' rise per 100' of length).
- c. All trees must be limed to a height of 16' above ground elevation over the entire width of a residential driveway or private road (travelled portion and shoulder) to allow free passage of vehicles.
- d. Space must be provided on a lot sufficient to construct, at a minimum, a "T" type turnaround at the end of the residential driveway or private road. The type of turnaround to be constructed, if any, will be at the sole discretion of the Town of Poestenkill Planning Board and will be based on such factors as length, grades, and the surrounding topography of the residential driveway or private road.
- e. All residential driveway or private road construction will be "in accordance with the Street and Roadway Ordinance of the Town of Poestenkill and the New York State Department of Transportation Manual - Policy and Standards for Entrances to State 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.

Approved as to form by  
John T. Casey, Esq., Town Attorney

TOWN BOARD MINUTES  
TOWN OF POESTENKILL  
TOWN BOARD MEETING  
April 15, 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.

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

Supervisor Hammond opened the floor at 7 p.m. for the Public Hearing on the proposed "RESOLUTION OF THE TOWN BOARD OF THE TOWN OF POESTENKILL, NEW YORK, ENACTING A LOCAL LAW TO CONFER GRANDFATHER STATUS TO CERTAIN EXISTING COMMERCIAL WOOD OPERATIONS AND TO REQUIRE A SPECIAL USE PERMIT FOR NON-GRANDFATHERED COMMERCIAL WOOD OPERATIONS AND ANY FUTURE COMMERCIAL WOOD OPERATIONS IN R, RA, RRI, RR2, AND CL1 DISTRICTS". This Public Hearing was the result of numerous meetings on this subject originally precipitated by a complaint against the commercial wood processing operations by Town resident, J. Hitchcock. These meetings involved the Planning Board, Zoning Board of Appeals, and the Town Board. As in the past meetings, there were many comments and discussions both for and against the details of the resolution. Many individuals contributed to these discussions, including representatives from each Board, from Mr. Hitchcock's lawyer, and from the Town residents representing various Town geographic areas. Some of the important discussion items that were expressed at the meeting included:

- Why is Mr. Hitchcock being singled out?
- Why couldn't Mr. Hitchcock just have been "grandfathered"?
- Will this proposed Resolution be the same for all areas of Poestenkill and not just for the Rensselaer Plateau?
- What is the difference between a Commercial Wood Operation and Private Wood Operation?
- Will this Resolution impact the pending Article 78 lawsuit?
- What would be the set hours of operation and what would be the decibel noise level of the operation?

Detailed responses from Jack Casey, Town Attorney, and Supervisor Hammond included the following:

- Based upon the many various meetings a committee was formed to make recommendations for the resolution and these were included in the resolution.
- The resolution was developed to fill an existing void in Town laws on this subject and was designed to help all residents, both those involved in this type of enterprise in the past and in the future.
- There was a strong feeling that by allowing the residents to apply for a SUP, that this procedure would provide a properly structured approach to resolve situations in a consistent manner with other Town codes.

S. Valente, Town resident thanked Supervisor Hammond for trying to do the right thing with this Resolution and added that the correct wording in this Resolution is critical.

Supervisor Hammond stated that this issue has taken much longer than beneficial for the Town and that he would like to see a vote on the resolution, recognizing that additional changes could be made in the future, if warranted. There being no further comments, this Public Hearing was closed at 7:50 p.m. This resolution will be voted on during the Action Items portion of tonight's meeting.

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

Supervisor Hammond opened the second 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 - Town Board members did not have the correct paperwork on this subject therefore, this Public Hearing will remain open until next month's Town Board meeting.

Public Comment Period - P. Jamison, Zoning Board of Appeals member thanked Supervisor Hammond and Board members for addressing this law. However, he recommended that going forward, documentation is key in tracking. T. Jacangelo, Town resident thanked the Town Board members on a "Great Job" regarding the ambulance vote. She said that the Town's approach was excellent in that the residents "got a voice" regardless of which side you were on.

Motion by Hass, seconded by Butler and an oral vote of 5 ayes to accept the Town Clerk's minutes of March 18, 2021 meeting as written. Motion by Butler, seconded by Hass and an oral vote of 5 ayes to accept the Town Clerk's minutes of March 31, 2021 as written.

#### Liaison Reports:

Planning Board –Town Board members had copies of the Planning Board's meeting of March 2, 2021. J. Briggs, Planning Board member elaborated on the meeting. Mr. Briggs also stated that there was a discussion on the upcoming update to the Comprehensive Plan.

Zoning Board – Town Board members had copies of the March 9, 2021 meeting. F. Burzesi, Chairman elaborated on the meeting. He also thanked P. Jamison for serving as past Chairman of the Zoning Board.

Fire Company – Town Board members had copies of the Fire Co. March 2021 report. D. Basle reported that D & D Power Company will be parking their trucks in the parking lot of the Fire Co. for a couple months while poles and hardware are replaced throughout the Town.

Library – L. Lundgren reported on the activities at the Library. She informed the Board that the Library will be celebrating their 20<sup>th</sup> year Anniversary. She also stated that Margie Morris will be retiring as Director of the Library after 20 years of Service. Margie has done a wonderful job as Director for over 20 years, and we thank her for her years of Service.

Youth Advisory Board- T. Buker, Youth Director updated the Board on the progress of Summer Camp. She also stated that Chip Kronau volunteered to sponsor two campers for Summer Camp.

CAC- There was no meeting this month.

Correspondence: Letters dated April 2, 2021 and April 5, 2021 informing residents about programming changes that will affect subscribers.

**Discussion Items:**

**Timeline for PDD** – T. Russell stated in the current code when a PDD comes through the Town Board and is passed on to the Planning Board they only have 60 days to make a decision. He felt that this requirement is not sufficient based upon the back-and-forth time required for concerns to be addressed. Supervisor Hammond stated that this 60-day interval has been in effect even when he was on the Planning Board back in 1980. He further suggested that the Planning Board might obtain a “mutual” agreement with the applicant for an extension and if not agreed to then the Planning Board could deny the approval due to insufficient satisfaction of their concerns.

**Speed Limits** – T. Russell asked that the speed limit on Snyder’s Corners Road and Weatherwax Road be lowered. He feels it is very unsafe for town residents since there are no sidewalks, and they are walking on the shoulder of the road and cars are speeding on these two roads. Town Board member D. Hass explained the process that had been done in previous years to request the state to lower the speed limit. Previously, road studies were done, and it was determined that there was no need to decrease the speed limit. However, Supervisor Hammond stated he would reach out to the state and county about the process and another study being done.

Councilman Wohlleber spoke before the Local Law regarding wood processing was put up for a vote. He addressed Supervisor Hammond and stated that he realizes Councilwoman Butler worked very hard on this Resolution, listening to everyone’s views and he appreciates all her work in doing so. He also stated; “I would have to argue along the same lines as Mr. Hitchcock’s Attorney. That we (the Town) are in a sense applying this law to one person and one property. But I would argue we are doing it for their benefit. I feel this Legislation is both too prescriptive and vague and there is too much that we are not addressing. I suggested we wait until after the Article 78 was determined but the Board decided to go forward tonight, and my concern is that this Resolution will play a part in the decision of the Article 78 and that’s why he would be voting no on it”.

**Action Items:**

**LOCAL LAW #2-2021 – RESOLUTION OF THE TOWN BOARD OF THE TOWN OF POESTENKILL, NEW YORK, ENACTING A LOCAL LAW TO CONFER GRANDFATHER STATUS TO CERTAIN EXISTING COMMERCIAL WOOD OPERATIONS AND TO REQUIRE A SPECIAL USE PERMIT FOR NON-GRANDFATHERED COMMERCIAL WOOD OPERATIONS AND ANY FUTURE COMMERCIAL WOOD OPERATIONS IN R, RA, RRI, RR2 and CLI DISTRICTS**

**MOVED BY:** Councilwoman Butler  
**SECONDED BY:** Councilman Hass

**VOTED UPON AS FOLLOWS:**

Councilwoman Butler	YES
Councilman Hass	YES
Councilman Van Slyke	YES
Councilman Wohlleber	NO
Supervisor Hammond	YES

**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.

Appointment of Tiffany Buker – Motion by Councilman Wohlleber, seconded by Councilman Van Slyke and carried to appoint Tiffany Buker Planning and Zoning Board of Appeals Clerk. Term to expire 12-31-2021.

Reports:

Supervisor's Report- Supervisor Hammond said that he was working with Sand Lake to see if he can get passes (perhaps 100) for swimming at the Sand Lake Beach this summer. He stated that the Town has an opportunity for \$490,000 from the Covid-19 grant and that Tiffany and Michelle would be working with him on this.

Town Attorney's Report – Jack Casey, Town Attorney stated that he has been very busy this month in the required work for the Wood Processing Resolution and related matters. He specifically wanted to compliment Sue and Tiffany on their outstanding work associated with the ambulance election.

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 March 2021. The total amount received in the Clerk's office was \$4,082.88 and of that amount \$3,880.12 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.

Payment of Bills:

Motion by Hass, seconded by Wohlleber and an oral vote of 5 ayes to pay Warrant #10-2021 in the amount of \$579.25. Motion by Hass, seconded by Butler and an oral vote of 5 ayes to pay Warrant #11-2021 in the amount of \$68,287.74.

Motion by Butler, seconded by Hass and an oral vote of 5 ayes to exit to Executive Session at 8:30 p.m. to discuss a personnel issue with no votes taken. Motion by Van Slyke, seconded by Wohlleber and carried to exit from Executive Session at 9:15 p.m. and immediately adjourned this meeting.

Respectfully submitted,

Susan Horton, Town Clerk

May 1, 2021

Re: Charter Communications – Upcoming Changes

Dear Municipal Official:

Spectrum Northeast, LLC, locally known as Spectrum, is noticing its customers that on or around June 1, 2021, Living Faith, located on Spectrum Channels 472 and 496, will rebrand to Bull Dog Shopping Network on the channel lineup serving your community.

For a complete channel lineup, visit [www.spectrum.com/channels](http://www.spectrum.com/channels).

If you have any questions about this matter, please feel free to contact me at 518-640-8575 or via email at [kevin.egan@charter.com](mailto:kevin.egan@charter.com).

Sincerely,



Kevin Egan  
Director, Government Affairs  
Charter Communications



**From:** Andalora, Catherine A <Catherine.Andalora@charter.com> on behalf of Egan, Kevin R <Kevin.Egan@charter.com>  
**Sent:** Sunday, May 02, 2021 9:13 AM  
**Subject:** [EXTERNAL] Charter Communications Upcoming Changes (6.2.21rate)ke-eny



May 2, 2021

Re: Charter Communications – Upcoming Changes

Dear Municipal Official:

At Spectrum Northeast, LLC (“Spectrum”), we continue to enhance our services in order to offer more entertainment and communication choices, and to deliver the best value to our customers. We are committed to offering our customers products and services we are sure they will enjoy.

Programming fees charged by TV networks we carry are the greatest single factor in higher cable prices, and continue to rise. Despite our best efforts to control these costs, this has resulted in a change in the rates we charge our customers.

Effective on or after May 2, 2021, customers are being noticed via bill message of the following monthly pricing changes, which will take effect on or after June 2, 2021. Customer promotional rates will not change until the end of the promotion period.

<b>Services/Products/Equipment</b>	<b>Pricing Adjustment</b>
Broadcast TV Surcharge	Will increase by \$1.54. This reflects the costs incurred from local Broadcast TV Stations.
Seasonal Broadcast TV Surcharge	Will reduce by \$6.45.
Spectrum Receiver/Digital Adapter	Will increase by \$1.00 per receiver/adapter.
Spectrum TV Select	Will increase by \$3.00.
Spectrum TV Silver	Will increase by \$8.00*.
Spectrum TV Gold	Will increase by \$8.00*.
Latino Tier	Will increase by \$1.00.

\* Except certain grandfathered/Active packages where increase is \$3.00.

We remain committed to providing an excellent experience for our customers in your community and in each of the communities we serve. If you have any questions about this matter, please feel free to contact me at 518-640-8575 or via email at [kevin.egan@charter.com](mailto:kevin.egan@charter.com).

Sincerely,

Kevin Egan  
Director, Government Affairs  
Charter Communications

May 4, 2021

Re: Charter Communications – Upcoming Changes

Dear Municipal Official:

This letter will serve as notice that Spectrum Northeast, LLC, ("Spectrum"), is making changes to our channel lineup for all customers. On or around June 1, 2021, iN Demand HD currently carried on channel 952 will be dual illuminated on channel 2100 and iN Demand SD currently carried on channel 954 will be dual illuminated on channel 2101 in the channel lineup serving your community.

For a complete channel lineup, visit [www.spectrum.com/channels](http://www.spectrum.com/channels).

If you have any questions about this matter, please feel free to contact me at 518-640-8575 or via email at [kevin.egan@charter.com](mailto:kevin.egan@charter.com).

Sincerely,



Kevin Egan  
Director, Government Affairs  
Charter Communications

May 14, 2021

Re: Charter Communications – Upcoming Changes

Dear Municipal Official:

This letter will serve as notice that effective on or around June 15, 2021, Spectrum Northeast, LLC, ("Spectrum"), is making changes to its Spectrum TV Choice package. With the Spectrum TV Choice package a **new** customer can pick up to 15 networks (previously 10 networks) out of 75 available networks (in addition to SPP Basic). The new package will allow customers to pick more channels from a different list of networks, including one (1) regional sports network, where available. Pricing for new Spectrum TV Choice 15 package will increase by \$5.00 for **new** customers. Existing Spectrum TV Choice customers will be grandfathered with no changes made; however, customers may upgrade into the new Spectrum TV Choice 15 package.

Spectrum Northeast, LLC ("Spectrum"), is making its customers aware that on or around June 30, 2021, Newsy will discontinue its service and Spectrum will drop Newsy, channel 224 from the channel lineup serving your community.

For a complete channel lineup, visit [www.spectrum.com/channels](http://www.spectrum.com/channels).

If you have any questions about this matter, please feel free to contact me at 518-640-8575 or via email at [kevin.egan@charter.com](mailto:kevin.egan@charter.com).

Sincerely,



Kevin Egan  
Director, Government Affairs  
Charter Communications



**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

Minutes of  
PLANNING BOARD MEETING

06 APRIL 2021

POESTENKILL FIRE HALL 7:00 PM

Recorded by H.V. Teal, Sec'y

Members present: J. Briggs, W. Daniel, D. Heckelman, T. Russell,  
S. Valente, H. Teal, R.Ryan Esq

Members absent: L, Burzesi, V.Spring

7:04 Call to order; Pledge of Allegiance; member intro by  
Chairman Heckelman.

THERESA QUELL 2 LOT MINOR SUBDIVISION:

7:05 Member Russell reads Public Notice

SEQR review:

7:10 Motion for Negative Declaration:

Motion by Member Valente; seconded by Member Teal

Voted/ carried 6-0-0

PUBLIC COMMENTS:

No public comments in favor of the action.

7:11 Mr. and Mrs Eric Miorin, neighboring landowners,  
expressed their concerns about:

A. private ownership of the power line in the area. They  
mentioned an existing related legal action involving  
the Public Service Commission.

B. Additional traffic potentially created by the proposed subdivision, and that the current roadway is privately owned with no provision for maintenance.

The Applicant clarified that neither private power nor the private roadway will be used by the subdivided lot; and that an existing roadway will be used for access to the State Highway.

7:18 MOTION to APPROVE SUBDIVISION:

Motion by Member Daniel; seconded by Member Russell

Voted/ carried 6-0-0

PUBLIC COMMENT PERIOD: No comments; period closed.

MARCH MEETING MINUTES

7:19 Motion to accept as written

Motion by Member Briggs; seconded by Member Daniel

Voted/carried 5-0-1; Member Russell abstaining.

OLD BUSINESS:

SHUHART PROJECT:

The Applicants are waiting for input from their engineers.

No further action by the Planning Board at this time.

NEW BUSINESS:

PROPOSED KRONAU PDD:

The Board viewed and briefly discussed a conceptual

Plat for a potential PDD adjacent to NY 351.

No application has been submitted at this date.

REPLACEMENT ZBA/PLANNING BOARD CLERK:

Chairman Heckelman advised the Board that Tiffany Buker  
Has been selected to serve as our Board Clerk.

TOWN COMPREHENSIVE PLAN REVIEW:

Member Briggs updated the Board on the status of this  
project. Topics included:

- A. Request for Board members to participate and contribute;
- B. A public meeting;
- C. Project updates via the town website;
- D. Incorporation of the recent Natural Resources Inventory;
- E. Request for inputs from outside the committee

8:11 MOTION TO ADJOURN

Motion by Member Russell; seconded by Member Valente

Voted/carried 6-0-0



## **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**

### **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  
(518) 283-7550 Fax

### Zoning Board of Appeals

#### ZONING BOARD OF APPEALS

April 13, 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 7:08 pm with the Pledge of Allegiance.

Public Hearing:

Ronald Levesque

Area Variance- Setbacks

124.-10-2

1539 Spring Ave Ext

Chairman Burzesi read the public notice for Mr. Levesque. Mr. Levesque explained his project that he is requesting area variance. Discussion was had about which setback numbers should be used with the shape of the property. The consensus of the board was for the same numbers to be used. Discussion continued about the requirements for open space requirement and max lot coverage requirement. ZBA member, Paul Jamison, asked about access to the back part of the building and the space to get a driveway in. Mr. Levesque stated the driveway would be minimally used and for trucks, cars, motorcycles and ATVs and the use would be more for storage than anything else. A town resident asked about the driveway and accessibility for emergency vehicles. Discussion had about the closeness to the road and making it so emergency vehicles could access it. Mr. Levesque stated that the Building Inspector is aware of the complete plans and his only concern is the setback.

With no other comments or questions, a motion to close the public hearing was made by ZBA member Kevin McGrath and seconded by Paul Jamison.

Motion made by Chairman Burzesi to approve the requested variance as amended to allow an area variance to allow an addition, with a side setback of nine feet, where the minimum side setback is twenty five feet; a rear setback of nine feet, where the minimum setback is fifty feet; a front setback of twenty five feet, where the minimum set back is fifty feet and a maximum building coverage of twenty percent, where ten percent is required by code, seconded by ZBA member Nicole Heckelman.

All voting members completed the Area Variance Findings and Decision form for this application.

After considering all of the mandatory area variance factors, **Board Member McGrath** voted to **approve** the variance giving the following reasons for this decision:

- 1) *Whether an undesirable change would be produced in the character of the neighborhood or detrimental to nearby properties.* – No
- 2) *Whether the benefit sought by the applicant can be achieved by a feasible alternative to the variance.* – No
- 3) *Whether the requested variance is substantial.* – Yes
- 4) *Would the variance have an adverse impact on the physical or environmental conditions in the neighborhood?* – No
- 5) *Whether the alleged difficulty was self-created. This fifth argument is not in and of itself grounds for denial.* – Yes

After considering all of the mandatory area variance factors, **Board Member Jamison** voted to **approve** the variance giving the following reasons for this decision:

- 1) *Whether an undesirable change would be produced in the character of the or detrimental to nearby properties.* – Other properties are not especially close. Concern is that it looks like a commercial structure rather than a residential one.
- 2) *Whether the benefit sought by the applicant can be achieved by a feasible alternative to the variance.* – This seems like a reasonable way to achieve the benefit of adding storage space.
- 3) *Whether the requested variance is substantial.* – Yes it is very substantial, double the building coverage limit and 750% of the side setback requirement
- 4) *Would the variance have an adverse impact on the physical or environmental conditions in the neighborhood?* – No apparent environmental impact.
- 5) *Whether the alleged difficulty was self-created. This fifth argument is not in and of itself grounds for denial.* – Yes, the difficulty is self created.

After considering all of the mandatory area variance factors, **Chairman Burzesi** voted to **approve** the variance giving the following reasons for this decision:

- 1) *Whether an undesirable change would be produced in the character of the neighborhood or detrimental to nearby properties.* – No, revitalizing property should make it better.
- 2) *Whether the benefit sought by the applicant can be achieved by a feasible alternative to the variance.* – No, applicant tried to get lot line adjustment.
- 3) *Whether the requested variance is substantial.* – Yes variance is substantial
- 4) *Would the variance have an adverse impact on the physical or environmental conditions in the neighborhood?* – No project should not have adverse effects.
- 5) *Whether the alleged difficulty was self-created. This fifth argument is not in and of itself grounds for denial.* – Yes but applicant tried to resolve via lot line.

After considering all of the mandatory area variance factors, **Member Heckelman** voted to **approve** the variance giving the following reasons for this decision:

- 1) *Whether an undesirable change would be produced in the character of the neighborhood or detrimental to nearby properties.* – No, Mr. Levesque wants to improve property.

- 2) *Whether the benefit sought by the applicant can be achieved by a feasible alternative to the variance.* – No, the land has a distinctive shape and he must work within those boundaries.
- 3) *Whether the requested variance is substantial.* – Yes, substantial due to code
- 4) *Would the variance have an adverse impact on the physical or environmental conditions in the neighborhood?* – No he is trying to improve appearance of the property and land.
- 5) *Whether the alleged difficulty was self-created. This fifth argument is not in and of itself grounds for denial.* – Yes it is self created due to the shape of the property.

After considering all of the mandatory area variance factors, **Board Member Hoffay** voted to **approve** the variance giving the following reasons for this decision:

- 1) *Whether an undesirable change would be produced in the character of the neighborhood or detrimental to nearby properties.* – No, property should be enhanced.
- 2) *Whether the benefit sought by the applicant can be achieved by a feasible alternative to the variance.* – No limited lot size
- 3) *Whether the requested variance is substantial.* – Yes, given the limited lot size.
- 4) *Would the variance have an adverse impact on the physical or environmental conditions in the neighborhood?* – No, I see no adverse impact
- 5) *Whether the alleged difficulty was self-created. This fifth argument is not in and of itself grounds for denial.* – Yes by proposing to enlarge the existing structure.

Chairman Burzesi polled the members for their responses. Variances approved by a vote of five (5) ayes, zero (0) nays and zero (0) abstentions.

*Resolution: Area Variance granted.*

Thomas Capparella  
124.-10-2

Area Variance- Setbacks  
1539 Spring Ave Ext

A preliminary discussion about the application for area variance by Mr. Capparella at 53 Abbott Drive was held between the board and the application who is seeking to build a detached garage close to the property line.

*Resolution: Public Hearing scheduled for May 11<sup>th</sup> at 7pm conditional on obtaining a building permit denial from the CEO. Motion made by Member Jamison, seconded by Heckelman and carried 5-0.*

Organizational:

Meeting minutes were approved after the amendment of the spelling of Nicole's last name to Heckelman. Motion made by Member Jamison, seconded by Member McGrath and carried by 5-0.

Member Heckelman asked about the online courses and if they were set up like they were in previous year. Other members were going to check to see if they had anything.

There being no further business, a motion to adjourn the meeting was made by Member Jamison, seconded by Member Heckelman and was approved by five (5) ayes, zero (0) nays and zero (0) abstentions. The meeting was adjourned at 8:30 pm.

Respectfully submitted,

Tiffany Buker, ZBA Clerk

**Poestenkill Fire Company**  
**Custom Summary Report**  
April 2021

	<u>Apr 21</u>
<b>Income</b>	
Transfer From Town Checking	-40,000.00
<b>Total Income</b>	<u>-40,000.00</u>
<b>Gross Profit</b>	-40,000.00
<b>Expense</b>	
<b>Building Fuel (heating)</b>	
East Poestenkill (propane)	404.95
Main Station (Propanel)	912.28
<b>Total Building Fuel (heating)</b>	<u>1,317.23</u>
<b>Building Maintance</b>	
Refuse	71.55
<b>Total Building Maintance</b>	<u>71.55</u>
<b>Donation</b>	400.00
<b>Electric</b>	
East Poestenkill	22.70
Main Station	21.02
<b>Total Electric</b>	<u>43.72</u>
<b>Equipment</b>	
Nsw Equipment	2,524.42
Repair & Maintance	35.94
<b>Total Equipment</b>	<u>2,560.36</u>
<b>Fire Trucks</b>	
Fuel	947.67
Repair & Maintance	46.44
<b>Total Fire Trucks</b>	<u>994.11</u>
<b>Funerals</b>	137.50
<b>Internet &amp; Phone</b>	114.03
<b>Medical Supplies</b>	734.47
<b>Physicals</b>	120.00
<b>Solar</b>	491.78
<b>Town Water</b>	46.45
<b>Total Expense</b>	<u>7,031.20</u>
<b>Net income</b>	<u><u>-47,031.20</u></u>

---

**Kevin Kronau White Church Road PDD**

3 messages

**Thomas Field** <TField@ryanbiggs.com>

Tue, May 4, 2021 at 3:45 PM

To: "pzclerk@poestenkillny.com" &lt;pzclerk@poestenkillny.com&gt;

Cc: tom russell &lt;reliablerehabsolutions@gmail.com&gt;, "heckdon5@netzero.net" &lt;heckdon5@netzero.net&gt;, "Kevin Kronau (kkronau100@gmail.com)" &lt;kkronau100@gmail.com&gt;, "design@bbreng.com" &lt;design@bbreng.com&gt;, Jack Healy &lt;JHealy@ryanbiggs.com&gt;

Dear Chairman Heckelman,

I am forwarding my review of the packet submitted for the Kronau White Church Road PDD. At this point, my review is not deeply technical as there is little actual engineering submitted. My review focuses on the constructability of the project. Since the site is to be rezoned for the PDD, it seems prudent to verify the overall ability of the site to support the project as early as possible and before the parcel is rezoned. My comments follow:

1. The stormwater management pond shown cannot be constructed as shown without runoff from the site crossing over the creek. Further, the NYS stormwater design manual encourages treatment of stormwater – particularly in a residential setting - to be accomplished on each lot. A large stormwater management pond as shown is discouraged by the regulations. This also minimizes the amount of responsibility the Town must take on with a Drainage District. The site appears to be well drained gravel so this seems to be easily accomplished.
2. The existing large culvert under the current access drive will need to be replaced. Drainage calculations will be needed to support the size and type but it should be no smaller than the 60" culvert that crosses Rt. 351.
3. The project road from Rt. 351 will need a DOT permit. The sight distance seems adequate but should be verified with them. I recommend the developer have an early blessing from DOT since without the access, the project would need to be accessed via Deer Creek.
4. The entry drive has a very steep grade once past the creek. This will need further analysis in design to make sure the slope meets town standards.
5. The proposal shows 2.5' setback between sides of the properties. This could result in a 5' separation between buildings which may not be permitted by the Fire Code. This should be checked by the designer and verified with the Code Enforcement Officer.
6. Roadside pullouts for fire truck access to hydrants will be necessary.
7. The wastewater system is proposed to be managed by a Homeowners' Association and utilizing a common disposal area. I recommend at least a preliminary site evaluation with the Rensselaer County Health Department be made to demonstrate that the site can support a community system prior to rezoning. The site is quite pervious and may need special treatment to reduce high infiltration rates to acceptable levels. Additionally, the use of a Homeowners' Association may need the approval of the RCHD.

8. The gravel bank behind the first lot on the right going in is quite steep. The stability of the bank and the proximity of the toe of the slope to the rear of the house is of concern. This should be evaluated by the designer and a geotechnical engineer..
  
9. As the site is currently a permitted mine, DEC may need approval of the plan since it is proposed as the reclamation plan.
  
10. The project narrative stipulates that the remaining area of the project will remain undeveloped as common space. It is unclear who will own, and thus pay taxes, on this acreage.

I look forward to being able to assist in greater detail as the project develops. In the meantime, please feel free to call me if you have any questions on the above.

Thomas H. Field III, P.E. | Senior Associate

**RYAN BIGGS | CLARK DAVIS**

ENGINEERING & SURVEYING, D.P.C.

257 Ushers Road | Clifton Park, NY 12065

p 518 406.5506 ext 309 | c 518 610 3698

website | blog | company linkedin | connect with me on linkedin

*Certified WBE in NY & MA*

---

tom russell <reliablerehabsolutions@gmail.com>  
To: Thomas Field <TField@ryanbiggs.com>

Tue, May 4, 2021 at 6:37 PM

**Good Evening Tom -**

**Thank you very much for your most informative and insightful E/mail. We will keep you updated. Thanks again for getting this info to us prior to the Meeting. Tom R.**

[Quoted text hidden]

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tom russell <reliablerehabsolutions@gmail.com>  
To: rlbrunet@cisbec.net

Wed, May 5, 2021 at 11:37 AM

**Hi Bob -**

**Tom Field's E/mail for your review. Thank you. Tom R.**

[Quoted text hidden]



May 10, 2021

**A LOCAL LAW ESTABLISHING A REGISTRY FOR VACANT BUILDINGS AND PROPERTY MAINTENANCE REQUIREMENTS FOR LOTS CONTAINING A VACANT BUILDING.**

**LOCAL LAW NO. # OF THE YEAR 2021**

**A LOCAL LAW ESTABLISHING A REGISTRY FOR VACANT BUILDINGS AND PROPERTY MAINTENANCE REQUIREMENTS FOR LOTS CONTAINING A VACANT BUILDING**



## **Section 1**

### **Title**

This law local shall be referred to as “A local law Establishing a Registry for Vacant Buildings and Property Maintenance Requirements for Lots Containing a Vacant Building.”

## **Section 2**

### **Purpose and Intent**

It is the finding of the Town Board that buildings which remain vacant and are not properly secured and maintained are unsightly, unsafe and have a negative effect on the surrounding community. This is particularly troublesome in residential and commercial neighborhoods. Unfortunately, many buildings, once vacant, remain that way for years. This has a negative impact on neighbors the in many ways, not the least of which is the devaluation of property and limits the ability to sell their homes at full market value. The purpose of this local law is to establish a program for identifying and registering vacant and abandoned buildings, and to establish certain property maintenance requirements for lots containing vacant buildings to promote the health, safety, and welfare of the community.

## **Section 3**

### **Definitions**

BRUSH – Uncultivated woody shrubs and immature trees

EMERGENCY SITUATION – Where the condition of a building, structure or any part thereof is an imminent, immediate and substantial danger to the health or safety of occupants, emergency responders and/or the general public. Such condition includes, but are not limited to, fire hazards, falling or dilapidated buildings, structures or any part thereof, loss of significant water, heat, ventilation or lack of sanitary conditions

CODE ENFORCEMENT OFFICER – The duly authorized Town of Poestenkill Code Enforcement Officer, or designated persons from that office.

GRASS – Herbaceous ornamental plants intended to be periodically cut close to the ground for establishment of a lawn or ground covering. Grass may also be used for ground covering for the establishment of drainage swales, flood routes or water detention basins.

**OWNER** – The person, persons or entity shown to be the owner or owners on the records of the Assessor’s Office of the Town of Poestenkill, those identified as the owner or owners on a vacant building registration form, a mortgagor in possession, or an assignee of rents, receiver, executor, administrator, trustee, lessee, other person, firm or corporation in control of the premises. Any such person will have joint and several obligations for compliance with the provisions of this chapter.

**UNOCCUPIED** – A building is considered unoccupied when it lacks the habitual presence of human beings. Evidence of a lack of occupancy may include, but shall not be limited to, one or more of the following conditions:

- A. Overgrown or dead vegetation;
- B. Accumulation of newspapers, circulars, flyers or mail;
- C. Past due utility notices, disconnected utilities not in use;
- D. Accumulation of trash, refuse or other debris;
- E. Absence of window coverings such as curtains, blinds or shutters;
- F. One or more boarded, missing or broken windows;
- G. The building is open to casual entry or trespass; and/or
- H. The building appears structurally unsound or has any other condition that presents a potential hazard or danger to the safety of persons.

A building shall not be deemed unoccupied if:

- A. It is undergoing construction, renovation or rehabilitation that is proceeding diligently to completion;
- B. It is occupied on a seasonal basis, but otherwise secure; and/or
- C. It is secure, but it is the subject of a probate action or the estate proceeding, action to quiet title or other ownership dispute.

**VACANT BUILDING** – A building that is unoccupied.

**WEEDS** – Wild, useless and generally undesirable plants growing wild at random and inappropriate locations, including growing on cultivated ground to the exclusion or injury of grass or a desired agricultural crop.

## Section 4

### Vacant Building Registry

#### A. Establishment of Registry

Pursuant to the provisions of this local law, the Town shall establish a registry cataloguing each registrable property within the Town, containing the information required by this Local law.

#### B. Registration Procedure and Requirements

1. **Within ninety (90) days after the effective date of this** local law, the owner of any vacant building on the effective date of this local law shall file with the Code Enforcement Officer a registration form and pay the required registration fee set forth in Section 4.C, of this Local law. The owner of any building which becomes vacant after the effective date of this local law shall file with the Town a registration form and pay the required registration fee set forth in Section 4. C, of this Local law within thirty (30) days after the building becomes a vacant building. Such registration form shall be furnished by the Town and shall set forth the following information, in addition to other information required by the Code Enforcement Officer:
  - A) Name, principal residence address, principal business address, telephone number and e-mail address of all owners of the vacant building.
  - B) If the owner is other than a natural person, the information required by this Section for the individual(s) who are vested with the day-to-day control of the management and operations of the owner.
  - C) The address, including street name and number, of the vacant building.
  - D) Descriptive information about the vacant building.
  - E) If applicable, the name of owner's agent, with the agent's principal residence address, principal business address, phone number(s) and e-mail address.
  - F) The type(s) of any fire protection system(s) located in the building.
  - G) The type and amount of material in the building considered hazardous by the New York State Department of Environmental Conservation, New York State Department of Transportation, United States Environmental Protection Agency, and/or the National Fire Protection Association.

that such disclosure would constitute an unwarranted invasion of personal privacy. The Town Clerk shall institute strict policies to ensure that such information is available only to Town Personnel engaged in the enforcement of the provisions of this Local law and, in emergency situations, to members of law enforcement, the fire service, emergency medical services, and public utility companies.

## **Section 5**

### **Property Maintenance Requirements for Lots Containing Vacant Buildings**

#### **A. Duty to Keep Properties Containing a Vacant Building Free of Brush, Grass and Weeds and Town's Authority to Remove**

1. The owner of any lot containing a vacant building located in the Town of Poestenkill shall cut, trim or remove brush, grass or weeds upon said property. Specifically, brush, grass or weeds shall not be permitted to grow to a length of ten (10) or more inches within fifty (50) feet of any vacant building or other structure located upon such lot. The requirement to cut, trim or remove brush, grass or weeds shall include all dead, damaged or diseased trees or shrubs which present any hazard to life or property, but shall not otherwise include:
  - Mature trees;
  - Cultivated shrubs; and/or
  - Brush growing in areas of land that is heavily forested.
2. In the event that the owner of a lot containing a vacant building shall fail to cut, trim or remove brush, grass or weeds from said property as provided herein, the Town shall have the authority, as provided for herein, to enter upon such property and cut, trim or remove said brush, grass or weeds. The cost and expense of such action shall be assessed against the property and a lien established in the manner provided hereinbelow.
3. All items of the Property Maintenance Code of New York State are to be enforced by the Code Enforcement Officer. Additionally, the items mentioned in the remainder of Section 5 are to be adhered to, as detailed in this law". All other appropriate laws of the NYS Uniform Code are to be followed. Nothing in this law is to replace other existing or future NYS Codes.

H) The name of the person or entity responsible for maintain the building and parcel upon which building is located, including responsibility for compliance with the NYS Property Maintenance Code.

2. It shall be the responsibility of the owner to register any change address, agent or any other registration information, which occurs after the filing of the registration form, within sixty (60) days of the date of change by filing written notice of such change with the Code Enforcement Officer. For purposes of this section, a post office box shall not be accepted as the owners of agent's address. The vacant building intended to be registered shall not be accepted as the owner's or agent's address. The owner shall specify the address to which all notices, violations and invoices for fees are to be delivered.
3. If an owner's principal place of business is not located within Rensselaer County, or the owner's principal place of residence is not located in Rensselaer County, the owner must designate on the registration form an agent who resides in Rensselaer Country. Such agent shall have all necessary authority to make decisions on the owner's behalf regarding the management and maintenance of any vacant building owned by the owner, and by designating such agent on the registration form, owner shall be stopped from denying such authority. The registration form shall further designate the owner's agent as the agent upon whom service of legal process and all notices may be served or delivered.
4. Within thirty (30) days following the date of transfer of the legal or equitable title to any vacant building required to be registered by this local law, the new owner shall file with the Code Enforcement Officer a new registration form.

### **C. Fees for Vacant Building Registration**

The fee schedule set forth below shall apply for vacant building registrations as required herein. The fee schedule may hereafter be amended from time to time by resolution of the Town of Poestenkill Town Board.

Fee Outline

Properties shall have an annual registration fee of \$250, plus the following additional fee to be determined by building square footage:

Property Size	Year 1	Year 2	Year 3	Year 4	Year 5 and Additional Years
Less than 1,500 sq. ft.	\$500	\$1,000	\$1,500	\$2,500	\$3,500
1501-3000 sq. ft.	\$1,000	\$1,500	\$2,500	\$3,500	\$5,000
3001+ sq ft	\$1,500	\$2,000	\$3,000	\$6,000	\$10,000

**D. Assessment of Unpaid Registration Fees**

The Code Enforcement Officer shall file annually, on or before the first day of September, with the Town Board a statement showing the unpaid registration fees for any vacant building with a brief description of the property upon which the fees were incurred and the name of the property owner. Such unpaid fees shall be reported by the Town Board to the Assessor of the Town as an amount to be liened and assessed against each such parcel on which a vacant building is located, and such amount so assessed shall constitute a lien and charge on the property on which it is levied until paid or otherwise satisfied or discharged and shall be collection of real property taxes of the Town.

**E. Exemptions**

A building which has suffered fire damage or damage caused by extreme weather conditions shall be exempt from the registration requirement period for a period of ninety (90) days after the date for the fire or extreme weather event of the property owner submits a request for exemption in writing to the Enforcement Officer. This request shall include the following information supplied by the owner:

1. A description of the premises;
2. The names and addresses of the owner or owners;
3. A statement of intent to repair and reoccupy the building in an expedient manner, or the intent to demolish the building.

**F. Registry Exempt from Disclosure**

Under New York State Public Officers Law 87, the vacant property registry (as established by this Local law) and all vacant property registration forms shall be exempt from disclosure under the Freedom of Information Law on the grounds

## **B. Notice to Maintain Property**

1. If the Code Enforcement Officer shall find brush, grass or weeds upon property containing a vacant building located in the Town of Poestenkill in excess of the height restrictions listed above, the Code Enforcement Officer may make an order, directing notice to be served upon the owner of said property as shown by the records of the Office of the Assessor of the Town.
2. The notice shall contain a general description of the property containing a vacant building, a statement of the particulars with regards to the condition of the property and an order requiring the cutting, trimming or removal of brush, grass or weeds. The notice shall specify a time, not less than ten (10) days after the service thereof, within which the owner served with such notices must complete the cutting, trimming or removal of brush, grass or weeds from the property as specified in the notice. The notice shall state that, in the event that the condition on the property is not eliminated within the time specified in the notice, the Town shall undertake to enter the property to cut, trim or remove brush, grass or weeds and assess the cost of same against the property.
3. The notice may be served either personally or by regular and certified mail, addressed to the property containing a vacant building where the brush, grass or weeds are located as shown by the records of the Office of the Assessor of the Town. Service of the notice by mail shall be deemed completed on the day to which the mailing will have been accomplished.

## **C. Failure to Comply with Maintenance Notice**

Upon failure of the owner of the property containing a vacant building to comply with the notice within the time provided therein, the Code Enforcement Officer, or other such official of the Town as may be designated by the Code Enforcement Officer shall provide such labor and materials as are necessary for cutting, trimming or removal of brush, grass or weeds and shall cause such work to be performed to complete the cutting, trimming and removal of such brush, grass or weeds from the property. The Town shall keep records of the cost of such work.

#### **D. Billing Notice**

Should the cutting, trimming and removal of brush, grass or weeds from the property be performed by the Town or the Town's contractor, the Town shall serve a billing notice on the owner of such property, as identified on the Town's most recent assessment roll, setting forth the cost of such work together with an additional administrative fee of \$100 for costs of inspection and other incidental costs associated with abating the condition, to be added to the total costs of the work.

#### **E. Assessment of Costs and Expenses**

Should the owner of the property containing a vacant building fail to comply with the billing notice within the time provided therein, all costs and expenses incurred by the Town in connection with the cutting, trimming and removal of brush, grass or weeds from the property, plus an administrative fee of \$100, shall be assessed against the land on which said brush, grass or weeds were located. An itemization of such costs shall be provided to the Town Board by the Code Enforcement Officer. The total costs and expenses shall then be determined by the Town Board, plus an administrative fee of \$100, and shall be reported by the Town Board to the Assessor of the Town as an amount to be liened and assessed against the property, and the expense so assessed shall constitute a lien and charge on the property on which it is levied until paid or otherwise satisfied or discharged and shall be collected in the same manner and subject to the same rules, penalties and charges as apply to the collection of real property taxes of the Town. That portion of said collected funds which shall represent costs and expenses incurred by any department of the Town with regard to alleviating the condition shall be returned to that department's operational budget.

#### **F. Property Maintenance Requirement Not Exclusive**

The property maintenance requirements set forth in the local law are in addition to all other property maintenance requirements imposed by any other State or local law, code, rule or regulation, and shall not be deemed to replace or amend any such other law, code, rule or regulation be in lieu thereof.

### **Section 6**



## **Penalties for Offenses**

- A. A violation of any provision of this local law shall be an offense punishable by a fine not to exceed \$1,000 and an imprisonment for a term not to exceed 15 days, or both. For purposes of this local law, each week's continued existence of a violation shall constitute a separate violation. For purposes of the proceeding sentence, a "week" shall constitute and period of seven consecutive days.
- B. The Code Enforcement Officer or a representative designated by the Code Enforcement Officer, as the case may be, is hereby authorized to issue appearance tickets pursuant to the Criminal Procedure Law in the enforcement of this local law.
- C. No remedy or penalty specified in this section shall be the exclusive remedy or remedy available to address any violation of this Local law, and each remedy or penalty specified in this section shall be in addition to, and not in substitution for or limitation of, any other remedies or penalties otherwise available under applicable law. Any remedy or penalty specified in this section may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any other remedy or penalty specified in any other applicable law.

## **Section 7**

### **Applicability in Relation to Sections 1308 and 1310 of the New York Real Property Actions and Proceedings Law**

This local law shall not apply to impose duties, liabilities or obligations upon any state or federally chartered bank, savings bank, saving and loan association or credit union (collectively referred to in this section as a "lending institution") which is covered by preemptions of local regulation stated within sections 1308 and 1310 of the New York Real Property Actions and Proceedings Law. However, the provisions of this local law shall apply to such lending institutions to the extent not expressly preempted by Sections 1308 and 1310 of the Real Property Actions and Proceedings Law. This local law shall be reconciled with, and applied consistent with, Sections 1308, 1309, 1310 of the Real Property Actions and Proceedings Law to the fullest extent possible, including, but not limited to, the cumulative exercise of rights and remedies by the Town against lending institutions to the extent allowed by those statutory sections, and this local law shall not be viewed as, or deemed to be, an election of remedies in lieu of rights afforded to the Town under those statutory sections.

## **Section 8**

### **Severability**

If any clause, phrase, sentence, paragraph, section, or part of this local law is adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this local law, but shall instead be confined in its operation to the clause, phrase, sentence, paragraph, section, or part directly involved in the controversy in which such judgment shall have been rendered.

## **Section 9**

### **Effective Date**

The local law shall take effect upon its filing with the Secretary of State.



## VACANT BUILDING REGISTRATION FORM

Owner Information (If owner(s) is/are not individual, please see Section 2)

a. First, middle, last name:

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b. Residence address (PO Boxes are not acceptable)

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c. City/Town, State, Zip Code

---

d. Mobile number

---

e. Work number

---

f. Home number

---

g. Email address

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**Non-Individual Owner Information**

If the owner is a business entity, provide legal name and contact information. Also provide additional names and contact information for each officer, director and/or partner with an ownership of 10% or greater.

a. Business Name

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b. Business Address (PO Boxes are not acceptable)

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c. Business Telephone Number

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If an estate, the name, business, residence, and email addresses and telephone number of the executor.

a. Executor Name

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b. Executor Address (PO Boxes are not acceptable)

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c. Executor email address

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d. Executor Telephone number

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**If a trust, provide contact information**

a. Trustee Name

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b. Trustee Business/Residence Address (PO Boxes are not acceptable)

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c. Trustee Email Address

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d. Trustee Telephone Number

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If an unincorporated association, please provide contact information

a. Officer Name

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b. Officer Business/Residence Address (PO Boxes are not acceptable)

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c. Officer Email Address

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d. Officer Telephone Number

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Property Description (Description of Property, including Street Address, Parcel Size, Number and Size of Structures, Structure Type, Number of Units, etc.)

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**Payment**

The initial registration fee currently due is \$250. An additional annual fee will be charged determined by building square footage and length of vacancy. The fee will be due on the first of every year.

<b>Property Size</b>	<b>Year 1</b>	<b>Year 2</b>	<b>Year 3</b>	<b>Year 4</b>	<b>Year 5 and Additional Years</b>
Less than 1,500 sq. ft.	\$500	\$1,000	\$1,500	\$2,500	\$3,500
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3001+ sq ft	\$1,500	\$2,000	\$3,000	\$6,000	\$10,000

**Name of Property Owner's Agent (agent MUST be designated in Rensselaer County)**

a. First, Middle, Last name

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b. Residence Address (PO Boxes are not acceptable)

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c. Business Address (PO Boxes are not acceptable)

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---

d. Mobile Phone Number

---

e. Work Phone Number

---

f. Home Phone Number

---

g. Email Address

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**Name of person or entity responsible for maintaining the property (if not owner or agent)**

a. First, middle, last name

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b. Residence Address (PO boxes are not acceptable)

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---

c. Business Address (PO boxes are not acceptable)

---

---

d. Mobile phone number

---

e. Work phone number

---

f. Home phone number

---

g. Email address

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Fire protection (Any type of fire protection system(s) located in the building)

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Hazardous material (type and amount in the vacant building considered hazardous by the NYS DEC, NYS DOT, US EPA and/or the National Fire Protection Association)

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Signature(s)

I do hereby certify that all statements made by me in this vacant building registration are true and correct to the best of my knowledge, information and belief and further, I understand that in the event that I have knowingly and willfully made any false statements, I will be liable for punishment in accordance with all applicable laws and statues:

Name (Print): \_\_\_\_\_

Signature: \_\_\_\_\_

Title: \_\_\_\_\_

**Definitions**

BRUSH – Uncultivated woody shrubs and immature trees

EMERGENCY SITUATION – Where the condition of a building, structure or any part thereof is an imminent, immediate and substantial danger to the health or safety of occupants, emergency responders and/or the general public. Such condition includes, but are not limited to, fire hazards, falling or dilapidated buildings, structures or any part thereof, loss of significant water, heat, ventilation or lack of sanitary conditions

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- C. Past due utility notices, disconnected utilities not in use;
- D. Accumulation of trash, refuse or other debris;
- E. Absence of window coverings such as curtains, blinds or shutters;
- F. One or more boarded, missing or broken windows;
- G. The building is open to casual entry or trespass; and/or
- H. The building appears structurally unsound or has any other condition that presents a potential hazard or danger to the safety of persons.

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- A. It is undergoing construction, renovation or rehabilitation that is proceeding diligently to completion;
- B. It is occupied on a seasonal basis, but otherwise secure; and/or
- C. It is secure, but it is the subject of a probate action or the estate proceeding, action to quiet title or other ownership dispute.

**VACANT BUILDING** – A building that is unoccupied.



Town of Poestenkill  
38 Davis Dr  
PO Box 210  
Poestenkill NY 12140  
(518)283-4144  
(518)283-7550 fax

## Application for Driveway

Permit Fee \$ \_\_\_\_\_

Applicant Name (print): \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Property Location (plot plan with proposed driveway location sketch attached):  
\_\_\_\_\_  
\_\_\_\_\_

- 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.
- 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.
- Driveway culvert if required shall be a minimum diameter of 15" with a minimum of 12" coverage.
- Please note driveways entering from County or State highways need approval of their respective engineers.
- 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. By signing this document the applicant agrees to bear all associated repair costs or as determined by the Town Superintendent of Highways.

Applicant Signature: \_\_\_\_\_

**Initial Approval:**  Granted  Not Granted

Highway Superintendent: \_\_\_\_\_ Date: \_\_\_\_\_

**Final Approval:**  Granted  Not Granted

Highway Superintendent: \_\_\_\_\_ Date: \_\_\_\_\_

At a duly convened meeting of the Town Board of the Town of Poestenkill in the County of Rensselaer conducted at the Poestenkill Town Hall at 7:00 P.M. on May 20,2021.

**RESOLUTION NO. \_\_\_ OF THE YEAR 2021**

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**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)**

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**WHEREAS**, New York State towns and villages are required to conduct an annual audit and review of the justice court records of the municipality as such records are presented by the local court justices in accordance with §2019-a of the Uniform Justice Court Act; and

**WHEREAS**, as evidenced by her written report dated and submitted to the Poestenkill Town Board on December 19, 2019, on December 4, 2019 Poestenkill bookkeeper Michelle Asquith on behalf of the Poestenkill Town Board conducted such an audit of the Poestenkill Town Justice Court financial records for the calendar year 2019; and

**WHEREAS**, said audit report has been received and the findings contained therein have been reviewed by the Poestenkill Town Board and, while certain minor discrepancies were noted in the report, no major issues have been found to exist;

**NOW, LET IT THEREFORE BE RESOLVED**, that the Town Board of the Town of Poestenkill hereby approves and adopts said audit report for the calendar year 2019; and it is further

**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:

Prepared and approved as to form by:  
Michelle Asquith, Bookkeeper

SECONDED BY:

VOTED UPON AS FOLLOWS:

Councilwoman June Butler: \_\_\_\_\_

Councilman David Hass: \_\_\_\_\_

Councilman Harold Van Slyke: \_\_\_\_\_

Councilman Eric Wohlleber: \_\_\_\_\_

Supervisor Keith Hammond: \_\_\_\_\_

At a duly convened meeting of the Town Board of the Town of Poestenkill in the County of Rensselaer conducted at the Poestenkill Town Hall at 7:00 P.M. on May 20, 2021

**RESOLUTION NO. \_\_ OF THE YEAR 2021:**

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF POESTENKILL, NEW YORK, HONORING VICTORIA BUBIE ON HER EARNING THE RANK OF EAGLE SCOUT**

**WHEREAS**, Scouts BSA offers educational and recreational opportunities for young men and women, teaching them achievement and leadership skills; and

**WHEREAS**, Victoria Bubie, a 19-year-old Poestenkill resident who now attends Hudson Valley Community College, joined the Boy Scouts of America in a Scouts BSA Troop for Girls, and has advanced in the program, earning 30 merit badges and the Eagle Scout Rank; and

**WHEREAS**, Victoria Bubie earned the Girl Scout Girl Award, equivalent of the Eagle Scout Rank; and

**WHEREAS**, Victoria Bubie is one of the first 1,000 young women to earn this distinction since 2019 when Scouts BSA first welcomed girls into the program; and

**WHEREAS**, Victoria Bubie served as a leader in Scouts BSA Troop 3357G, sponsored by the Rotterdam Elks Club; and

**WHEREAS**, Victoria Bubie planned and carried out a community service operation by building and organizing a storage shed for the Poestenkill Town Youth Commission to use for its summer day camp program;

**NOW BE IT THEREFORE 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: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

VOTED UPON AS FOLLOWS:

Councilwoman June Butler: \_\_\_\_\_

Councilman David Hass: \_\_\_\_\_

Councilman Harold Van Slyke: \_\_\_\_\_

Councilman Eric Wohlleber: \_\_\_\_\_

Supervisor Keith Hammond \_\_\_\_\_

Prepared and approved  
as to form by:  
John Casey, Esq.,  
Town Attorney

TOWN CLERK'S MONTHLY REPORT


Town of Poestenkill, New York

April 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:		\$ 13.80
Marriage License	3 @ \$ 7.50	\$ 22.50
Marriage Certificate	3 @ \$10.00	\$ 30.00
A1255	Total Town Clerk Fees	\$ 66.30
A-2545	Peddler's Permit	\$ 50.00
A1289	Registrar	\$ 30.00
A2655	Minor Sales - Copies (certified copy) -	\$ 10.00
A2544	Local Fee for Dogs -	168.00
A2115	Planning Board Fees - \$ ZBA Fees - \$40.00	\$ 40.00
A2555	Building Permits	\$ 2202.00
A-2510	Junkyard License	\$ 150.00
2110	Water Benefit Charge	\$ 2823.60
A2720	Water Meter Fee - \$1100.00	
A2240	Misc. Water Charges -	
A2710	Water Permit Fee - \$ 120.00	
1001	Water Billing - \$18,900.50	
TOTAL WATER CHARGES		\$22,944.10
REVENUE TO SUPERVISOR		\$25,660.40
Amount paid to State Comptroller for Games of Chance License		\$
Amount paid to DEC for Conservation Licenses		\$ 236.20
Amount paid to AG & Markets for fee for unsprayed/unneutered Dog program		\$ 40.00
Amount paid to State Health Dept. for Marriage Licenses		\$ 67.50
TOTAL DISBURSED		\$ 343.70
Keith Hammond, Town Supervisor		\$
TOTAL AMOUNT RECEIVED BY CLERK		\$26,004.10
<p>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 April.                  Fees the application and payment of which are otherwise provided by law subscribed and sworn to before me this 6th day of May 2021.</p> <p><i>Susan Horton, Town Clerk</i></p>		

TO: RENSSELAER COUNTY BUREAU OF FINANCE

 FROM: POESTENKILL TAX COLLECTOR

DATE: APRIL 5, 2021

RE: COLLECTIONS

JANUARY 2021 COLLECTIONS  
\$3,669,243.11

FEBRUARY 2021 COLLECTIONS  
\$87,607.10

MARCH 2021 COLLECTIONS  
\$172,482.09

TOTAL COLLECTED  
\$3,929,332.30



# 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 April 2021

All Tentative Roll changes were processed. The County provided printed copies and an electronic version of the Tentative Roll. The County also provided the assessment change notice letters, which were mailed to property owners. The dates that the Assessor sits with the Tentative Roll are 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.

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.

The Board of Assessment Review, Grievance Night, will be held on Tuesday, May 25<sup>th</sup>, from 5:00 pm to 9:00 pm. We have begun preparations for Grievance Night. Residents have started calling regarding their assessment change notice letters. We continue to work with residents and answer their questions regarding assessed values. The Assessor will be available to meet with residents as needed.

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: May 13, 2021

RE: Monthly Activities (April - May)

**OVERVIEW:**

In both the Municipal Water District operations and the 811 operations all our requirements were either met or exceeded during this period. without any major problem. On the very positive side, our water test laboratory results were exceptionally good. We also located and repaired one water leak at 3 Blue Heron Way, thereby saving the Town approximately \$6,000 per year for lost water costs to Troy and Brunswick.

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The following recommendation regarding establishing a “Public Health Coordinator” responsibility (a job function, not a separate position) for Poestenkill is described in the following “CONSIDERATION” item. This suggestion is prompted by recent approaches by the EPA and the Biden administration and significantly more Federal Government requirements to come in the future. Today, there is no “singular focal point” in Poestenkill for these types of issues, regarding PFOAs, PFOSs, Lead, Copper, and several thousand other contaminants. If you find it appropriate, I suggest that you officially assign these responsibilities to a singular person for coordination with governmental agencies and within the Town. A current example of this need is the recent request from Justin Deming, Chief, Regions 4, 5 & 8 -NYSDOH, Bureau Of Environmental Exposure Investigation. This Bureau looks into potential exposures to chemicals in the environment. They are currently working with the RCDOH and the NYSDEC to evaluate drinking water near the Algonquin Middle School. I am handling this situation with them presently. This

effort is the outgrowth of my prior discussions with Rich Elder- Director - NYSDOH regarding our testing of private wells near the Algonquin Middle School, in which Rich agreed that he would attempt to get the State to perform the testing thereby saving Poestenkill considerable costs (estimated at \$6,000 to \$8,000). This approach was successful, and Justin told me that New York State will be testing 12 private residences' wells near the school, at their expense. Justin is also fully supportive of the "Public Health Coordinator responsibility" concept for Poestenkill.

**FOR YOUR "CONSIDERATION":**

There are three outstanding items which are updated in this report. It should be noted that all three of these items are only minimally associated with the Municipal Water District. Rather, they significantly involve Public Health issues that are "town-wide" and are in response to rapidly changing EPA Federal mandates requiring "town-wide" policy decisions, procedures and commitments. I suggest that we consider establishing a focal point for these types of issues (LCRR, PFOA, PFOS, ETC.) which will have an increasing "Town-wide" impact, not just an impact on the Water District. We might consider appointing a "Public Health Coordinator" for Poestenkill, whose prime responsibilities would be coordination with Federal, State, and County organizations and with other organizations within Poestenkill, as appropriate, specifically for these types of issues-(not COVID-19). This Town workload volume will significantly increase and the involvement is largely research and recordkeeping oriented along with significant testing and implementation of EPA mandates, as I have discussed in my monthly reports for the last six months. This recommendation is not intended to establish a new position, but rather to clearly establish the Town "responsibilities" at one focal point.

**OUTSTANDING ITEM UPDATES:**

**ITEM #1- UPDATE ON PFOAs & PFOSs:**

I believe that the notice regarding PFOAs on our Town webpage has fully accomplished its purpose of calming the resident fears regarding this issue. from residents.

Additionally, we are working with Jason Deming of the NYSDOH, Bureau Of Environmental Exposure Investigation, to perform testing of residents' wells near the Algonquin Middle School.

In the 4/6 issue of the Albany Times Union Senator Kirsten Gillibrand discussed her pending legislation designed to aid those individuals poisoned by toxic chemicals such as PFOAs. Senator Schumer is also putting his full support behind holding companies accountable for the PFOA fallout. (Attachment #1)

Seven years after the problems first emerged in Hoosick Falls state health and environmental officials have settled on drilling two new wells and using carbon activated filtration. This was one of five proposals, one of which included hooking into Troy's municipal system to provide permanent safe water to the residents. (Attachment #3)

It is noteworthy that the U.S. Senate passed the Drinking Water and Wastewater Act of 2021 on April 29<sup>th</sup> for more than \$35 Billion for water resource development; the bill passed by a vote of 89 – 2. This will impact us regarding the PFOA/PFOS and the LCRR issues in 2021 and beyond.

**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.**

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 commitment 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 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 human resources to stay compliant". In our case, the additional "burden", as mentioned previously, will be mostly research work and complex record keeping and reporting, 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, and the establishment of new "Trigger Levels", requiring additional techniques for residential homes. I expect that the initial financial impact on Poestenkill will be minimal. I have already begun our work involvement. (Attachment #2)

Other than the fact that I believe we will be able to handle this situation with minimum disruption, I think that it is important that you understand the issue and have therefore included the following paragraphs (repeated from last month's report) for your reference. We will see much more of this on the TV and in the papers in the coming year.

This LCRR (Lead and Copper Rule Revision) issue will probably be the most complex and time-consuming responsibility in my operations in 2021 and 2022, mostly inventory research work on our part for every water line and complex record keeping files and reports required by the EPA. In the longer term I am concerned with the "approach" which the EPA is taking, as discussed in my evaluation of the 409 page draft document of the LCR published by the EPA. It will definitely place a very significant financial burden on the Town and bears very close ongoing scrutiny so that the Town can make intelligent decisions with both the new law and the Town's future expenses in mind.

Since my last monthly report on the subject, Rich Elder (RCDOH Director) has been contacted by the NYSDOH (Maxwell Ferris) and Max stated "As of now, the Department has no updates to the Lead and Copper Rule (LCR) revisions: however, it is known that implementation of the Rule will require all Federally defined systems to develop a Lead Service Line (LSL) inventory or demonstrate absence within the first three years of final rule publication." Max went on to state "Lead service line replacement is not a simple task" and he recommended an upcoming webinar which I will be participating in.

We have discussed the Town's potential financial involvement in helping the residents cover the costs associated with home plumbing replacements. As I have stated, the EPA ruling puts significant emphasis on equipment replacement in the Towns' residents' homes, even if there is no LSL (lead service line) existing, including the homes' internal plumbing.

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 and one which will directly involve the town. This is reinforced by the recent legal charges brought against nine people including Governor Rick Snyder in Flint, Michigan. The charges stated "The corrosive water wasn't treated properly, a misstep that freed lead from old plumbing and into homes". I am carefully monitoring the overall lead situation and will keep you informed. It is also apparent that we will be required to establish a "corrosion mitigation program".

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

Informal discussions are ongoing, but no firm decisions have yet been made. However, my "opinion" is that they will select the Granular Activated Carbon (GAC) filtration option because of the lower initial cost with a quick and easily implemented schedule.

#### THIS MONTH'S CORNY HUMOR:

My dog likes to trick me when we're playing fetch. Whenever she's about to give me back the stick, she takes off running again. The vet warned me she's a Labrador Deceiver.

### MONTHLY WATER 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.

GOOD NEWS: During this period we were able to find and repair a leaking curbstop at 3 Blue Herron Way. We estimate that we were losing about 3,300 gallons per day, costing the Town about \$ 6,022 annually. We have a lot more leak locating to do this year! FYI, according to the Master Meter Company publication, a 1/8" leak would cause 100,000 gallons monthly water loss, thereby costing the Town \$6,000 per year.

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

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. We 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 once or twice a year.

On Saturday, 5/8/21 we worked on the 12" main street valve riser housing pipe and cap on Hinkle Road which was damaged during the winter months rendering the valve inoperable, probably by a snow plow. This work required digging a 4' deep hole around the 6" riser pipe and then straightening out and repairing the riser pipe and cap. Again, by performing this work ourselves we saved the Town the expense of a contractor, likely \$1,500 (Attachment #4).

Now that the weather has improved new resident water installations have significantly increased, both by homeowners and by contractors. During this period 12 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.

## **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 in varied disciplines.

In April 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:

- April 1 – Benefits of Urban LID Upstream Treatment**
- April 6 – Disinfection Challenges and Opportunities – Part 1**
- April 6 – Things to Know About HSS connections (Hollow Structural Steel)**
- April 8 – ONYX Valve Company– ONYX Valve Seminar**
- April 13 – EPA – Climate Change Impacts for Drinking Water – Part 1**
- April 13 – Geo Systems – Permanent Stabilization for Roads and Bridges**
- April 14 – Bio Clean – Combining School Construction & Municipality LIDs**
- April 15 – EPA - Climate Change Impacts for Drinking Water – Part 2**
- April 21 – EPA – EPA Tools & Resources Webinar**
- April 21 – Stormwater BMP Maintenance Programs, From Pilot to Practice**
- April 22 – System-Wide Pressure Monitoring with Low-Resolution Data**
- April 22 – SWS – (Two Presentations) – Interactive Green Infrastructure**
- April 20 – EPA - Climate Change Impacts for Drinking Water – Part 3**
- April 20 – Truby Achievements – Informal Leadership Learning**
- April 21 – Stormwater BMP – BMPs From Pilot To Practice**
- April 21 – EPA – Tools and Resources Webinar**
- April 22 – SWS – Webinar Fest Series – Hydrology for Green Infrastructure**
- April 22 – Water World – System-Wide Pressure Monitoring**
- April 27 – 3M – Setting a Wet Reflective Paving Marking Specification**

**April 27 – Geo Systems – Designing Sustainable Landfills Using 3D Soil**

**April 27 – GWW – Strategies for Water Continuity, Ensuring Health & Safety**

**April 28 – Aquafix – The Pursuit of Better Grease Control**

**April 28 – Water World – The Latest Information on Preparing For The LCRR**

**April 29 – EPA -Preparing for Supply Chain Disruptions**

Additionally, I recently received the certificate from the EPA certifying my completion of the three-part program entitled **“BUILDING RESILIENCE and ADOPTING to CLIMATE CHANGE IMPACTS FOR DRINKING WATER and WASTEWATER UTILITIES”**

#### **POESTENKILL MUNICIPAL WATER DISTRICT TESTING:**

Each month I review our testing results which rely largely on our strict dedication to 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.

This month's reports were unique because of the significant NYSDOH testing requirements which will dictate our total 2021 Annual Water Quality Report performances. **We were required to test for Nitrates , Coliform , THMs (Total Trihalomethanes) and HAA5 (Total Haloacetic Acids) and all their biproducts (Bromodichloromethane, Dibromochloromethane, Bromoform, Dibromoacetic Acid, Monobromoacetic Acid, Monochloroacetic Acid, and Trichloroacetic Acid).** All of Our test results were **significantly better than every MCL for all 20 individual contaminants.** As discussed in the past, this excellent performance will result in less future testing requirements in Poestenkill, **thereby saving us significant operational testing costs.** These test results include the NYSDOH **annual** requirement for Nitrates, the **monthly** requirement for Total Coliform, and **(2) quarterly** requirements for all the remaining contaminants.

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

We completed taking the second quarter billing readings for all meters in our system. The process went smoothly, and the data was provided to Sue Horton for her processing and sending out the bills. As always, we analyzed the printouts for indications of resident water leakage such as leaky toilets. We then worked with the residents to help isolate and repair their problems. According to the Global Water Works **“It is common for 10-20% of toilet flappers to leak”**. Furthermore, if the leak flows @ 1/4 gpm then the annual cost to the resident for this leak is **OVER \$600.**

We are working 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 developer 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 to insure quality installations with no negative impact on our existing system.

We worked with a homeowner at 137 Weatherwax Road (Bob Moss) who wanted to install his water service line, a 400' installation from his curbstops to his home. Because of the length of the line, he was required to use a 1" service line conduit and other atypical connecting equipment which we provided. He chose PEX and used all our other standard kits and meter. He was very appreciative of our help and the new installation was completed successfully.

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.

We helped one contractor locate the resident's curbstops for his water service installation and we are presently working with another new home contractor who covered over the curbstops with at least two feet of fill; he cannot find the curbstops and we are scheduling a second visit to help him.

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 June 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 and the exterior area; all is well. We also began the spring/summer exterior ground maintenance work necessary.

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. Our "**PREVENTIVE MAINTENANCE**" programs are much more desirable than having to repair the problem after it has caused a service interruption.

Documented the periodic high and low 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. This quality performance is not "accidental"; it is because of dedication and vigilance to all required standards, without taking "shortcuts".

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 test measures "Free Chlorine Residual At Entry Pt." and measures the Chlorine level as a deterrent to E-coli. This 7 days per week information is then entered into 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 April 2021. All our Town tests and the Laboratory test results for this period were satisfactory. We completed and received the test results for our 1<sup>st</sup> quarter (required by the NYSDOH) tests for THMs (Total Trihalomethanes) and HAA5 (Total Haloacetic Acids) and all their biproducts (Bromodichloromethane, Dibromochloromethane, Bromoform, Dibromoacetic Acid, Monobromoacetic Acid, Monochloroacetic Acid, and Trichloroacetic Acid). These are critical tests because they are key components of our Annual Water Quality Report for 2021. These tests were taken at The Town Hall and also at the Fire Company, as directed by the RCDOH. I am pleased to inform you that our test results were significantly better than the MCL requirement. Specifically, our THMs tested at 41.0 ppm compared to the MCL of 80.0 ppm and our HAA5 tested at 26.3 ppm compared to a MCL requirement of 60 ppm. We also took the 2<sup>nd</sup> quarter**

**required tests and have just received the lab results. Once again they were all better than the MCLs, thereby positioning us well for another excellent year of test results in 2021. Specifically, our THMs tested at 53.6 ppm compared to the MCL of 80.0 ppm and our HAA5 tested at 51 ppm compared to a MCL requirement of 60 ppm, and all their biproducts (Bromodichloromethane, Dibromochloromethane, Bromoform, Dibromoacetic Acid, Monobromoacetic Acid, Monochloroacetic Acid, and Trichloroacetic Acid) 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 20 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 811 viewpoint everything continues to go quite well. During this period we received a total of (28) 811 tickets. 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.**

I attended the annual 811 training entitled **"NYS Code Rule 753 and Safe Digging Practices"**, a requirement for the **"Certified Excavator Program"**. Also worked with the 811 personnel to update the Poestenkill profile for the Exactix and the Corsetta 811 computer systems.

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 tickets and other reports, verify accuracy, and respond as required.

**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. We work with the utilities on every one of these pole replacements to insure no problems occur. The following 811 Mark-out Requests exemplify the types of other requests which we received this period: Sign (NYSDOT), In Ground Pool, Stump Grinder, Invisible Fence, Installing Electric Service, Burying Cables, Foundations, Additions, Retaining Wall, Driveway, Fence, Walkway, New Water Service installations, etc.**

REGISTRATION FOR POLICE

## Gillibrand floats PFOA bill

### Legislation would give courts a way to probe victims with medical monitoring

By Pete DeMola

Hosack Falls

Legislation proposed by U.S. Sen. Kirsten Gillibrand, D-N.Y., would create a medical monitoring database designed to aid those poisoned by toxic chemicals — from firefighters to residents of Hosack Falls sheltered by a contaminated water supply.

### MONITOR

By Pete DeMola

Sen. Gillibrand will discuss the proposal.

The lawmaker's proposal would provide legal pathways for courts to award medical monitoring expenses for victims of "significant" exposures to hazardous drinking water supplies.

Those eligible to join the registry include those with potential litigation related to PFAS exposure, including a new military base and Superfund site in Hosack Falls.

Hundreds of residents in the village of Hosack Falls lived for years with dangerous levels of public drinking water supplied from a contaminated municipal water supply, which was located in an abandoned plant phased for the parking lot. The vast majority of the homes in the village need heating oil and propane products, which are piped to the village water system in the hot spots in Hosack Falls. In a former village where families died of cancer, it took until February 2012 for the village water system to be fully transitioned to a new full capacity granular activated carbon filtration system (GAC) the state purchased at the time. The state and Honeywell acquired the factory under different corporation.

medical monitoring to pay for the removal of

The crisis opened a new conversation possible PFAS, or per- and polyfluorinated substances, which from the Toxic Substances plant in nearby Deerpark. A Gillibrand system would place on that small town municipal system, and the residents were tested.

"The initial risk factor of this," said Kathy Margo, a mother of three whose young daughter had elevated levels of chemicals in her blood stream despite being born years ago after Margo stopped drinking the water. "My children are entitled to it."

Children in the PFAS class have been linked in studies to kidney and liver cancer and other diseases.

Margo suffers from thyroid disease, and said her other daughter has developed similar issues.

Fallout from the discovery of PFAS in the Hosack Falls water supply erupted into a war of finger pointing between local, state and federal agencies after scientists returned in late 2015 about why it took so long 11 months before residents were notified to stop drinking from the village's contaminated wells.

PFAS-related diseases can also take years to develop, which is why medical monitoring is critical, participants said, particularly among children and adolescents.

"Families should not have to spend years fighting for something as simple and necessary as medical monitoring, and yet



Hosack Falls' General Supervisor Patrick Daley speaks during a roundtable Monday at Hosack Falls. Albany County U.S. Sen. Kirsten Gillibrand announced legislation to create a medical monitoring database for people exposed to toxic and persistent pollutants.

ATTACHMENT #1



Sen. Kirsten Gillibrand, Albany County, N.Y., speaks Monday at Hosack Falls. Gillibrand announced legislation to create a medical monitoring database for people exposed to toxic and persistent pollutants.

proposal would create a medical monitoring database for victims of "significant" exposures to hazardous drinking water supplies.

Courts could award medical monitoring as a result of "significant" exposure. The bill has collected an estimated \$100 million in funding for PFAS-related medical monitoring for drinking water with PFAS exposure.

Rep. Montague is an Albany County legislator in the House of Representatives.

Exposure to contaminants for the pollution would be required to absorb the costs, Gillibrand said, and the bill will also include funding for PFAS-related research.

Gillibrand acknowledged that the pollution cleanup and legislation will be a long fight, and she called on lawmakers to be persistent in their advocacy.

The lawmaker recently launched the group to Westchester, N.Y., to speak on a recent trip around the pollution cleanup.

Exposure to contaminants in a national issue and led to Hosack Falls, noted Gillibrand, who said to visit with Sen. and other Sen. Shelley Moore Capito, a Republican, to support of the bill.

"The good news," Gillibrand said, "is that there is something the federal administration is doing to do."

that is exactly what happens without the guarantee of safety, said Hosack Falls Mayor Bob Allen.

The legislation would create a national registry designed to update them here on latest developments in medical research and treatments, which is critical in staying on top of illnesses that are not widely understood and often undiagnosed, Gillibrand said.

"This is an uncharted territory," Gillibrand said.

The risk to public health from the contaminants is comparable to that of US soldiers exposed to burn pits or Iraq used to destroy waste and then of their

responsible of the Sept. 11 attacks, Gillibrand said, and the bill is designed to reflect federal legislation adopted to help the first.

"If you don't invest in monitoring, it'll be worse forever," Gillibrand said, the thousands of residents elected officials and activists.

Many residents on the municipal supply system are reliant on the carbon treatment water to clean their water of PFAS. Yet even though the water is filtered, many residents continue to call for a permanent water supply that doesn't require filtration technology.

Residents and activists

behind the legislation. Lorenz Hosack, co-chair of the Hosack Area Community Participation Work Group, said that thousands of toxic exposure have repeatedly demanded two things: stopping toxic PFAS exposure and medical monitoring for their contaminated families.

"I was very happy to be a part of this and very happy to see the bill come together," Hosack said, who said she will be at the bill after years of discussion with residents.

"It's your stance that has motivated me," Gillibrand said.

Heckler, the resident who discovered and re-

# WWD

## WATER & WASTES DIGEST

# TEXAS GOES DARK

Winter storm blackouts stress water  
utility resilience, p. 06

Special Section: ASCE Report Card p. 18

Utility Management p. 14

(ATTACHMENT #2)





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**SCRANTON GILLETTE COMMUNICATIONS INFRASTRUCTURE T&E**



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# This is Water's Moment

The news cycle for the water industry for March was brimming with talking points, and major events that will shape the industry for quite some time.

First, the American Society of Civil Engineers released the 2021 Infrastructure Report Card. The overall score for U.S. infrastructure was a C-, the first time the overall grade for infrastructure has been in the C range in 20 years. But that doesn't tell the full story for individual sectors. Drinking water earned a C-, wastewater earned a D+ and storm water, in its first year, earned a D. Check out more details on page 18.

Second, two U.S. EPA Action Notices delayed the publishing and effective dates of the Lead & Copper Rule Revision (LCRR). As mentioned in the last issue of WWD, the LCRR is coming, but the way it would look was uncertain. With these delays, the EPA will initiate a new public comment period and likely a stricter final rule. More information can be found on page 32.

Third, the U.S. Senate confirmed Michael Regan as the U.S. EPA director. In his first week, his social media accounts and press releases highlighted conversations about water infrastructure with government officials and leaders. This paints an optimistic picture for the future of the water industry, especially with former US Water Alliance CEO Radhika Fox now among the top brass of the U.S. EPA Office of Water.

That optimism was further fueled by Congress passing 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. Not to mention, the Senate Environment & Public Works committee held a hearing on water infrastructure funding March 17, which stressed a need for more funding.

Lastly, the U.S. EPA published the Fifth Unregulated Contaminant Monitoring Rule (UCMR 5) in the Federal Register. The UCMR 5 includes sampling rules for 29 PFAS and for lithium as well as analytical methods, all of which are open for public comment through May 10.

During the ASCE Infrastructure Report Card live stream reveal, Fox was part of a panel discussing water partnerships that work, and one quote really stood out from what she said: "This is water's moment. We are hitting a tipping point where we've got to make an investment in the next generation of infrastructure."

And when you look at all the things moving at the federal level, it's hard to argue she is wrong. This is water's moment. Let's get to work.

*Robert J. Crossen*

Bob Crossen | Senior Managing Editor  
 bcrossen@sgcmail.com

WWD covered these news items in real time on Twitter (follow @WWDmag and @BCrossen) and with posts on the WWD website. Make sure to visit wwdmag.com for daily news items and sign up for the weekly newsletter (wwdmag.com/subscribe) to stay informed on the latest industry news, trends and commentary from industry leaders.

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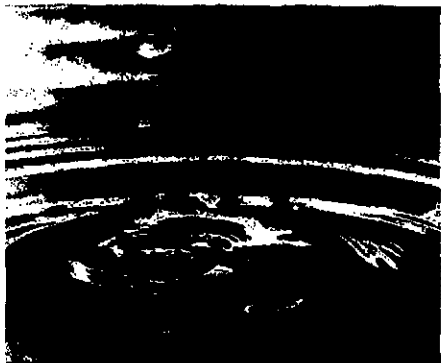
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# AWWA to Host All Virtual ACE21

The American Water Works Association (AWWA) announced its 2021 Annual Conference and Exposition (ACE21) will be an all virtual event June 14 to 17.

Registration for ACE21 All Virtual opened Mar. 16 at 1 p.m. MT.

In a letter to members, AWWA President Melissa Elliott and CEO David LaFrance said ACE21 All Virtual will be a top-tier virtual experience that will be informative, impactful and engaging for everyone involved.



"We're especially appreciative of the efforts of volunteers, presenters, exhibitors and sponsors who put so much work into the planned event in San Diego and who are now making ACE21 All Virtual an outstanding experience," said

LaFrance in the letter.

According to the letter, the ACE21 All Virtual professional program will feature more than 80 hours of learning in six professional tracks. Attendees will interact with presenters and one another through the ACE21 online platform.

AWWA made the decision to move to ACE21 All Virtual following a thorough evaluation of member travel limitations and public health circumstances, as the conference was originally scheduled for Jun. 13 to 16 in San Diego, California. Since mid-March, the San Diego Convention Center had remained closed and there was no indication it would be open for an event the size of ACE21 by June.

Details on hotel and airline cancellations, refunds, and exhibit and sponsorship questions can be found on the ACE website. Next year's ACE will be hosted in San Antonio, Texas, in June 2022. **WWD**

# EPA Action Notices Delay LCRR Effective Dates

The U.S. EPA has revealed two action notices it sent to the U.S. Office of Management & Budget regarding the Lead & Copper Rule Revision (LCRR) March 5.

In a press release March 10, EPA announced a proposed extension to the effective date of the LCRR to seek further public input. The two action notices were posted as part of achieving that goal. Below follows verbatim language from the EPA press release:

"The first action, which was signed on March 9, 2021, and sent to the Federal Register for publication, is a final rule that announces an extension of the effective date for the revised LCR from March 16, 2021 until June 17, 2021. The purpose of this additional time is to enable EPA to take public comment on a second action that would provide a longer extension of the effective date and for EPA to undertake its review of the rule in a deliberate and thorough manner consistent with the public health purposes of the Safe Drinking Water Act, President Biden's Executive Order on Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis, the President's Chief of Staff's Regulatory Freeze Pending Review Memorandum, and in consultation with affected stakeholders.

"The second action that was signed proposes to extend the effective date until December 16, 2021 and also proposes a corresponding extension of the revised LCR's compliance deadline to September 16, 2024. This action would ensure that drinking water systems and primacy states continue to have the full three years provided by the Safe Drinking Water Act to take actions needed to assure regulatory compliance. EPA is seeking comment on this proposal for 30 days after it publishes in the Federal Register."

WWD published an article in the March 2021 issue of the magazine and online about what the LCRR contains. While uncertainty surrounded the future of the rule, editors and industry experts all agreed that preparing for the broad strokes is a prudent use of utility time leading up to the rule's effective date.

Additionally, WWD conducted a video interview with Erica Walker, senior director of services for 120Water, about how to prepare for the LCRR which can be viewed at [bit.ly/wwdwalker](https://bit.ly/wwdwalker). **WWD**

# 120Water Assists Utilities in Complying with LCRR

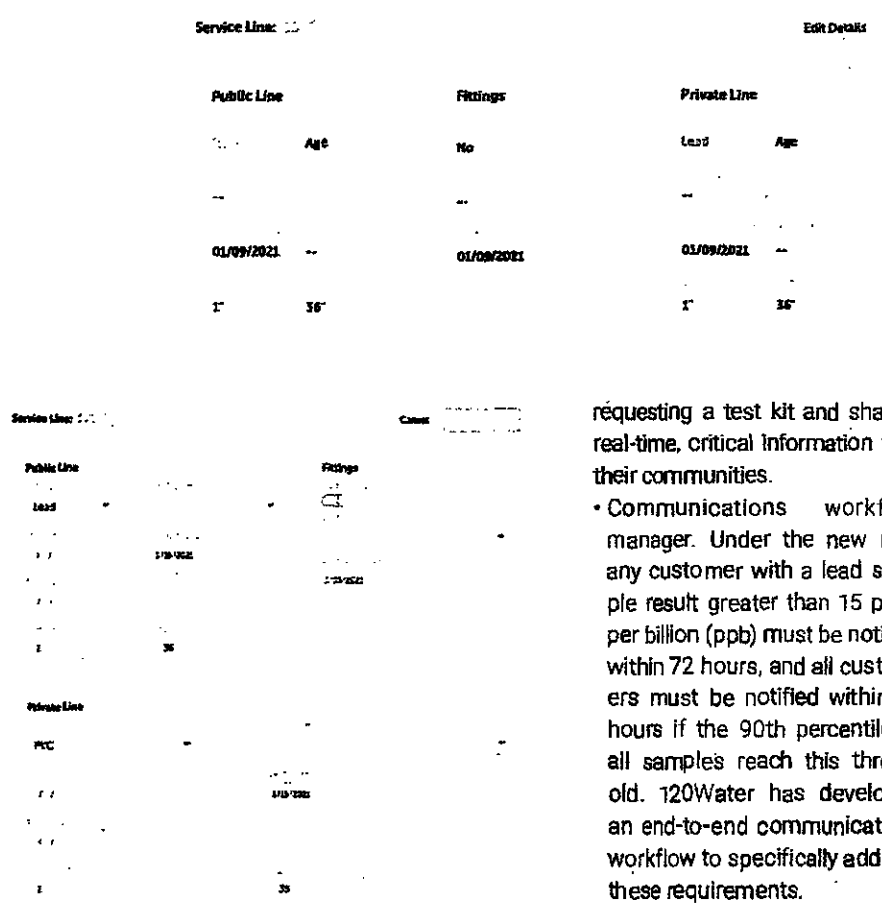
120Water released new capabilities to its platform that are designed to help state regulators and utilities comply with the Lead & Copper Rule Revisions (LCRR) released by the EPA.

The LCRR revisions fundamentally change how utilities test for and remediate lead in drinking water, report and share the prevalence of lead service lines, and significantly shorten the timeline for notifying residents if lead has been detected in their drinking water.

"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," said Megan Glover, CEO of 120Water in a press release. "Digital water solutions like 120Water significantly reduce the burden by automating some of the most challenging aspects of compliance."

According to a press release, key enhancements to the 120Water LCRR solution include:

- Simplified reporting on public vs. private service lines. LCRR requires utilities to maintain an inventory of materials used in both the public and private portions of water service lines within their service area. This inventory must be submitted to the EPA either annually or triennially. 120Water's Lead Service Line Reporting enables water utilities and related agencies



to inventory, visualize and categorize the composite materials of service lines in their system, and then report and export this information.

- Public transparency dashboard. Utilities are required to present lead service line inventory to the public, yet less than 13% of them currently have the capability to do so, according to an industry survey conducted by 120Water. 120Water developed a public transparency dashboard that sits on top of the new service line capabilities and makes it easy for utilities to comply with this requirement. Utilities can link to the dashboard from their website, allowing residents to search for an address and determine the materials that make up both the public and private sides of their water pipes. Utilities can also use the dashboard to communicate information around Lead Reduction programs, such as

requesting a test kit and sharing real-time, critical information with their communities.

- Communications workflow manager. Under the new rule any customer with a lead sample result greater than 15 parts per billion (ppb) must be notified within 72 hours, and all customers must be notified within 24 hours if the 90th percentile of all samples reach this threshold. 120Water has developed an end-to-end communications workflow to specifically address these requirements.

120Water is also launching a new LCRR Compliance Assessment, a one-time consulting engagement to help utilities evaluate their current level of preparedness for LCRR and identify both near-term and long-term steps needed to comply with the new EPA regulations. More information, including an interactive quiz to quickly determine overall LCRR readiness, can be found at [120water.com/lead-and-copper-rule](https://120water.com/lead-and-copper-rule).

"Several communities have already been using various solutions of the 120Water Platform to execute programs that are now core aspects of the LCRR," Glover added in the press release. "Our platform capabilities have been in front of many of the changes in the rule, including new guidance on 1st and 5th liter draws for any home served by an LSL, and sampling in schools and daycares."

The company demonstrated the new additions to its end-to-end LCRR solution during a live webinar on Mar. 3, 2021. **WWD**



# State recommends use of well water for Hoosick Falls

*Expense, estimated at \$9.7 million, would be borne by companies*

**By Rick Karlin**

*Hoosick Falls*

Seven years after problems first emerged, state health and environmental officials have settled on a proposal for a new municipal water system here — looking to use two new wells south of town.

The proposal was one of five options, including looking into Troy's municipal system or tapping the Tomhannock Reservoir, that were raised 18 months ago as planners searched for a permanent new water source.

Hoosick Falls residents and others can review and comment on the proposal through June 4.

Under the current proposal the wells, which are currently test

## How to comment

■ Comments on the plan, known as a Proposed Remedial Action Plan, or PRAP, can be submitted by mail to Ian Beilby, Project Engineer, NYS DEC, 625 Broadway, Albany NY, 12233-7013, or by email to hoosick-watersupply@dec.ny.gov.

■ Also, DEC is holding a virtual public meeting/presentation on May 13 to provide the public with an opportunity to learn more about the PRAP, ask questions, and provide comments. For additional information about the PRAP and additional ongoing efforts underway to ensure the protection of public health and the environment, visit <https://www.dec.ny.gov/chemical/108791.html>

wells, would be made permanent with the water being treated by the village's granulated active charcoal filter. That should take care of potential impurities in the

water. An existing well in the village would continue to operate to provide redundancy.

"We encourage the community to review the plan released today and share feedback," state Environmental Commissioner Basil Seggos said with the plan's release on Wednesday.

Hoosick Falls was thrown into crisis and headlines back in 2016 with the discovery of PFOA or perfluorooctanoic acid in the village's drinking water. It came from spills from nearby factories operated by Saint Gobain and Honeywell International Corp.

PFOAs are a variety of PFAS, (per- and polyfluoroalkyl substances that are drawing increased scrutiny over worries that they could cause thyroid damage as well as cancers and other health problems.

PFOA is a component of non-Please see **HOOSICK C3**

(ATTACHMENT # 3)

# HOOSICK

▼ CONTINUED FROM C2

stick 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 \$9.7 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.



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ATTACHMENT #4



## TOWN OF POESTENKILL

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

Office of the  
Building Inspector  
Code Enforcement Officer

### MEMORANDEM

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: May 13, 2021

RE: April/May 2021 report

#### OVERVIEW:

The Building Department/ Code Enforcement office has remained open for business, we have been answering inquiries and issuing building permits at an increased rate. Building permits for swimming pools and decks are increasing. New home construction and new construction continues to be steady, including all necessary inspections, certificate of occupancy final inspections that follow. The required MS-4 reports have been submitted to the department of State. The VFW post located on Veterans way in the hamlet have applied for and received an operating permit for Santores World Famous Fireworks to put on a fireworks display on May 30, 2021 @ 6:00 P.M. at the parade grounds adjacent to the VFW post, emails should have been received by all board members regarding this event. We continue to follow-up with 8 Heritage Rd. regarding a project that has not met the necessary requirements for a final inspection for a construction project resulting in a Certificate of Occupancy request being denied by this office, both parties are currently engaged in a legal issue as a result. The situation involving complaints regarding the accumulation of abandoned automobiles, rubbish, junk in general, and various property maintenance issues at 14 Dennis Road has resumed in the Town Court system and will continue to be monitored until a satisfactory result for The Town of Poestenkill is achieved. Recent complaints regarding several properties on Snyders Corner Road involving similar conditions is being addressed and we are beginning to see positive results as well, these properties will also be monitored regularly until satisfactory results are achieved. The situation that we have been asked to follow in The Town of Sand Lake, 28 Stone camp Way, continues to be visited and ongoing complaints are being defused to allow for the project to possibly resume and continue to completion, reports have been forwarded to The Town of Sand Lake supervisors office. Occupancy loads have been calculated and posted at the new Mess Hall location on Route 66 as to allow for the owners to use larger areas within their building as the COVID restrictions

are gradually being reduced. The requested Body Camera has been put into service and has served well during recent code enforcement encounters, Tiffany is currently assisting with the data storage aspects onto a stable and transferable source. Site visit requests for the assessor's office have been performed as needed, 180 Algonquin Beach Road project has resumed as per provisions through the Army Corps of Engineers as well as the DEC. the necessary SWPPP is now located in an appropriate weatherproof container on site. Jack Casey has been very helpful and very involved in several current situations. On Saturday April 24 we received numerous complaints regarding activity at 160 Lynn Road regarding the processing operation, a site visit was initiated, the mill was documented to be back on site and in full operation which had been previously ordered to Cease and Desist, the conversations between myself and the operators did not go well resulting in a request to the NYSP to visit the site. On May 2<sup>nd</sup>, 2021 with the Rensselaer County Sheriffs office present, an appearance ticket for (Violation of a Cease and Desist, Non-Conforming Use) was issued. This encounter did not go well either. A May court date has been set. Jack Casey Town Attorney will be prosecuting this case. We will continue to document and provide as requested all information regarding these issues. The Town of Poestenkill will continue to be represented by this office in a polite, efficient and professional manner.

Respectfully submitted

Tracy Church

## Michelle Asquith

---

**From:** Bob Guyer <straydawg302@gmail.com>  
**Sent:** Monday, May 10, 2021 12:12 PM  
**To:** Michelle Asquith  
**Subject:** RE: monthly Report

Dog control calls

Dogs running at.large -4  
Barking complaints -1

Other - Rooster complaint - 1

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:** 5/10/21 11:15 AM (GMT-05:00)  
**To:** waterpoest@nycap.rr.com, 'Tracy Church' <tchurch@poestenkillny.com>, 'David Goyer DJ' <dgoyer@poestenkillny.com>, 'Betsy Pinho' <bpinho@poestenkillny.com>, 'Bob Guyer' <straydawg302@gmail.com>  
**Subject:** monthly Report

Please email monthly reports by Thursday.

**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:** May 12<sup>th</sup>, 2021

**RE:** Highway Activities  
April 9<sup>th</sup>, 2021 – May 12<sup>th</sup>, 2021

1. We spent the middle part of April sweeping the remaining roads in the outskirts of the village. We have not had much luck during these weeks of early April with rain, so I bought tires for our old water trailer and used a gravity fed sprayer on the rear to wet the roads ahead of the sweepers. This helped get us ahead on sweeping so that we could move on to other projects sooner.
2. Our bridge NY rough draft application for Reichard Farm Rd was turned in on April 14<sup>th</sup>, this was the deadline for the rough draft. We receive extra scoring points for turning that in and it also helped give me feed back for changes before the final draft is due in June.
3. Spent Friday the 16<sup>th</sup> cutting up trees and limbs due to the four inches of snow we got in east Poestenkill at the top of fifty-six road. We plowed some wet snow and cleaned up all trees including chipping brush.
4. Brought our small roller trailer in the shop and over-hauled it with new deck boards and new lights to get it fully functional for summer season.

5. We started stripping plow trucks of all plowing equipment and sanders slowly throughout the month starting with the village trucks. We always do the mountain trucks last because often mother nature holds on a little longer in that section of town.
6. We picked up the new woodchipper from the dealer a few days before the start of spring clean-up. This was good because it gave me time to get familiar with it and train all the employees on the equipment. Incredibly pleased with this machine!
7. We fixed some plow damage and repaired the shoulder of liberty lane and I was pleased with the outcome on that job.
8. The last week of April was the towns brush pick-up week and it went extremely well. The new chipper worked great and increased the area we could cover in one day. I also feel that the flier helped get the word out because almost every resident that had brush had it out prior to Monday. This saved us from having to make endless trips on the same roads as we always had to in years past.
9. Had a crew take the vacuum truck to lower Weatherwax and clean all basins, drains, and gutters in the development to clean up from the winter sand and leaves falling.
10. Since the weather for the first week of May was mostly rain, we could not grade dirt roads, so we just patched the holes to temporarily fix the roads. The weather was finally dry the second week of May, so we started grading dirt roads, adding gravel, and raking them in nicely. They all came out well.
11. We have been out working with the gradall on numerous roads. Cut some shoulders on Flint Dr. to alleviate water run-off issues and lower shoulder to the road elevation. We have also been on snake hill ditching numerous sections of the road and fixing a few culverts that needed to be repaired.
12. All trucks have had a full service and have been inspected, as well as all our equipment has been serviced ahead of the summer months work.



At a duly convened meeting of the Town Board of the Town of Poestenkill conducted at the Poestenkill Town Hall at 7:00 P.M. on 20th day of May 2021.

**RESOLUTION NO. \_\_\_\_\_ OF THE YEAR 2021**

---

**IN THE MATTER OF THE TRANSFER OF CERTAIN GENERAL BUDGET FUNDS**

---

**WHEREAS**, the Town bookkeeper has advised that it has become necessary to effect various General Fund budget transfers in order to properly fund certain Town expenses;

**NOW, LET IT THEREFORE BE**

**RESOLVED**, that it is hereby authorized and directed as follows:

That the sum of \$2673.79 from General Fund Budget line item 11990.4 (Contingent 4) be transferred to General Fund budget line item 119104(Insurance 4) in a sum of \$2673.79.

MOVED BY: \_\_\_\_\_

Prepared and approved as to form by:  
Michelle Asquith

SECONDED BY: \_\_\_\_\_

VOTED UPON AS FOLLOWS:

Councilwoman June Butler: \_\_\_\_\_

Councilman David Hass: \_\_\_\_\_

Councilman Harold Van Slyke: \_\_\_\_\_

Councilman Eric Wohlleber: \_\_\_\_\_

Supervisor Keith Hammond: \_\_\_\_\_