

TOWN BOARD MINUTES  
TOWN OF POESTENKILL  
NOVEMBER 10, 2022  
(Not approved at time of distribution)

ROLL CALL AS FOLLOWS

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

NON-VOTING MEMBERS

Susan Horton, Town Clerk  
Andrew Gilchrist, Town Attorney

Supervisor Hammond opened the meeting at 7 p.m. with the Pledge of Allegiance and invited the public to make any brief comments and/or to request information at this point or to reserve time for when the particular item was being discussed. L. Basle, town resident asked Supervisor Hammond the total cost of the Article 78 brought to the Town by Mr. Hitchcock. Supervisor Hammond explained to Mr. Basle that the cost to the Town was nothing. The Town's insurance company paid for everything, therefore, costing the residents nothing. D. Basle, Asst. Chief asked how the remaining Covid Relief money will be spent. Supervisor Hammond stated there was still about \$293,000 left. There are several ideas on what the money should be used for, and Supervisor Hammond would like a new roof to put on the Town Hall; he is also looking into replacing the current streetlights in Town with LED Street lights. Supervisor Hammond obtained a proposal from Real Term Energy Company and is looking into this project. Councilman Wohlleber asked if a portion of the remaining Covid monies could be used towards the water district expansion, perhaps \$100,000? Supervisor Hammond said that we were still looking into new projects and that we had plenty of time, up to 5 years, to decide. He said that we should not rush and that it is important that the town use the money wisely.

R. Bingham, Dennis Rd. resident stated that for many years he and his son along with other neighbors have endured a residence located on Dennis Road which is very unsightly with clutter and cars. Supervisor Hammond understands the issues with this resident and the Town is working along with the Town Attorney to remedy this issue.

G. Pattenaude, town resident thanked the Board for securing the State Grant (3.32 million dollars), which will be used for the proposed Water District #2.  
When everyone was given the opportunity to speak, the Public Comment period was closed.

Motion by Butler, seconded by Hass and an oral vote of 4 ayes, 1 absent to accept the Town Clerk's minutes of October 13, 2022, as written. Motion by Butler, seconded by Hass and an oral vote of 3 ayes (1) Van Slyke absent (1) Wohlleber did not attend this meeting, to accept the Town Clerk's minutes of October 14, 2022, as written. Motion by Butler, seconded by Hass and an oral vote of 4 ayes, 1 absent to accept the Town Clerk's minutes of October 27, 2022, as written.

**PRESENTATIONS –**

LED Street Light Conversion –

Steve Harriman, Director, Real Energy-Client Initiatives, presented the "Proposal to the Town of Poestenkill" regarding LED Streetlight conversion. He said that the Town could take over ownership of the streetlights from National Grid and would save ongoing expenses by utilizing

the “Turnkey Conversions” services of his Real Term Energy Company. He described two options for the Town’s consideration.

- A completed LED upgrade equipped with standard photocells, and
- A complete LED upgrade equipped with “Smart Controls.” Councilman Hass led the Town discussions, inquiring about such items as future maintenance considerations, costs, and payback periods. Supervisor Hammond thanked Mr. Harriman for the presentation and said that the Town would study his proposal.

### **CORRESPONDENCE**

Charter Communications – Memos dated October 21<sup>st</sup> and October 28, 2022, from Charter Communications explaining their programming and upcoming changes.

### **LIAISON REPORTS:**

Planning Board–Town Board members had copies of the minutes of the October 4, 2022, meeting. T. Russell, Chairperson reported on the agenda items. T. Russell asked if there should be a temporary moratorium on someone coming in front of the Planning Board to open a Cannabis business. Supervisor Hammond stated that it is not an allowed use and whoever came in front of the Planning Board would have to apply for a SUP (Special Use Permit). T. Russell also thanked T. Buker for highlighting the “Hazardous Waste Program” which will be held on Saturday, November 19<sup>th</sup> at Waste Management, located on Rt. 351 & 66.

Zoning Board–Town Board members had copies of the minutes of the October 18, 2022, meeting.

Fire Company – D. Basle reported that the Fire Company’s new truck has arrived but will not be in service for at least a month. Town Board members had copies of the Fire Company’s report for October 2022, in their packets.

CAC– no meeting

Library–L. Lundgren spoke on the recent activities at the library which included a caregiver’s program for elders. L. Lundgren reported that there is a calendar of all programs which is available on the library’s website. A special thank you to Tracy Church, Harold Van Slyke and Doug McLaren for all their help with the roof and cement work at the library.

Youth Advisory Board– T. Buker, Director stated that the Halloween Parade was very successful. She also mentioned that there were two vacancies on the Youth Advisory Board.

### **Discussion Items –**

Shuhart PDD – A. Gilchrist, Town Attorney updated the Board on the PDD process. Letters were sent to other agencies, and the 30 days to respond deadline has not surpassed.

Town Park – Supervisor Hammond plans to meet with Twin Town Little League and the Park Committee over the next few months. Town resident, Olivia Karis said that some of the residents had met and had suggestions based upon residents’ input in regard to a Town Park. She made reference to the study and resident survey performed in 2012 and said that she and her group had a report available and would work with the Town Board on this if requested. Supervisor Hammond discussed the significant progress which has been made regarding the basketball court for the Town, benefitting from contributions from Town businesses and residents.

Councilman Wohlleber discussed the available land for the proposed park, specifically involving parking, a potential pavilion, and space for other activities. The study of this important undertaking will continue.

Schedule of Fees – No changes were suggested since the last town board meeting. A. Gilchrist, Town Attorney suggested removing the fees from the Town Code as a local law and having them approved as a Resolution at the Organizational Meeting. A workshop will be set up for the schedule of fees after the first of the year.

Policies – T. Buker provided a list of policies that need to be reviewed or created. The Town Board decided to review policies already created at the Organizational Meeting and then over the next year establish policies as suggested best practice during the audit by New York State.

Local Law for Tax Exemption – A. Gilchrist, Town Attorney will be bringing local laws forward in the coming months for tax exemptions that are currently in place.

Shared Services – Planner- The Town of Sand Lake has reached out to the Town of Poestenkill about sharing the service of a “Town Planner.” Supervisor Hammond will follow up with this item regarding the cost and report back to the Board.

Noise Law Resolution – Councilman Wohlleber made the motion for this subject to go to Public Hearing. There being no second motion, this subject was recessed.

Records Room – Councilman Van Slyke will report on this at the next town board meeting in December.

#### **ACTION ITEMS:**

RESOLUTION #28-2022 -The Town Board hereby approves the preliminary budget for the Town of Poestenkill fiscal year 2023, as amended, as the final budget for such fiscal year, and directs that certified a copy of such final budget be filed with the Office of the New York State Comptroller as required by law. Motion by Hass, seconded by Butler to accept the 2023 Preliminary Budget as amended and discussed this evening as the final adopted budget for 2023.

#### **VOTED UPON AS FOLLOWS:**

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

RESOLUTION #29-2022 – The Town Board of the Town of Poestenkill hereby authorizes the purchase of a new 2023 International Model CV515 4 by 4 with a stainless-steel combination dump body/sander, plow, wing, and all necessary hydraulics and attachments as set forth in the written proposal issued by AT Hoosick LLC (Allegiance Trucks), dated November 7, 2022, in an amount not to exceed one hundred sixty-seven thousand four hundred twenty-seven and no cents (\$167,427.00).

MOTION BY: Supervisor Hammond

SECONDED BY: Councilwoman Butler

VOTED UPON AS FOLLOWS:

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

RESOLUTION #30-2022 – The following transfers are made to the 2022 Budget:

FROM	TO	AMOUNT
DA-5142.1 Snow	DA-5110.1 General Repairs	\$106,569.02
DA-5130.2 Machinery	DA-5130.4 Machinery	\$ 14,079.03
A-1990.4 Contingent	A-1910.4 Insurance	\$ 32.91
A-1990.4 Contingent	A-5182.4 Street Lights	\$ 3,894.71
W-1990.4 Contingent	W-8310.2 Billing Equipment	\$ 1,584.89
W-1990.4 Contingent	W-8320.41 Electricity	\$ 3,404.78

Increase appropriation DA 5120.2 Bridges in the amount of \$17,500 by appropriating the Highway Fund Balance DA 599 in the amount of \$17,500 for the Legenbauer Rd. Bridge Repair as approved by Resolution #26-2022.

MOTION BY: Supervisor Hammond

SECONDED BY: Councilman Wohlleber

VOTED UPON AS FOLLOWS:

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

#### REPORTS:

Supervisor's Report – Supervisor Hammond reported that he has been very busy this month with the installation of the basketball courts that are going in on the Twin Town Fields in Poestenkill, all of which was donated by local businesses. He reported that the Town was awarded 3.32 million dollars in state funding from the WIIA grant to help with the proposed Water District #2. Supervisor Hammond reported that Senator Daphne Jordan honored the Town with a Proclamation recognizing the Town of Poestenkill as a Purple Heart Community.

Town Attorney's Report– A. Gilchrist reported that has been a tough month for him. However, he did report that the Hitchcock formal withdrawal was filed in North Greenbush.

A motion was made by Councilwoman Butler, seconded by Wohlleber and an oral vote of 4 ayes to accept the Town Clerk's report for the month of October 2022. The total amount collected in the Town Clerk's Office for the month was \$25,672.88 and of this amount, \$24,269.22 was remitted to the Supervisor. Reports from the Assessor, Building Inspector/Code Enforcement, Water Report and Highway Department were in Town Board members packets.

R. Brunet, Water Manager, stated that in each of his responsibilities, the Municipal Water District, the 811 operations, and the Public Health Coordination, all the objectives under our control were either met or exceeded this period. He said that he also wanted to update the Town Board on two important items:

- Poestenkill Landfill – Consent Decree:

In November 2021, the Town assumed responsibility from Ryan Biggs/Clark Engineering for the Poestenkill Landfill Consent Decree required testing, thereby saving the Town approximately \$3,000 per year ongoing engineering costs. We have just successfully completed our Landfill Consent Decree requirements for 2022 and met all our obligations with the EPA and the DEC. It is noteworthy that we were able to obtain DEC's concurrence this year with our proposed reduction in testing requirements in 2022 and all future years; this will help reduce 2023 and future ongoing town testing expenditures. Bob plans to propose further reductions in our testing schedule during 2023 to further help reduce future ongoing town costs.

- 2023 EPA and DEC Increased Testing Requirements:

Bob wanted the Town Board to know that the Town's testing requirements are significantly higher than in the past due to the PFAS compounds Unregulated Contaminant Monitoring Rule (UCMR 5) and the new "Lead-Copper Rule Revision (LCRR). He said that this is not expected to increase testing costs to the Town since the DEC and the EPA will be paying for these new tests. However, there will be a significant additional administrative work requirement on his organization which he expects to be able to handle.

Motion by Hass, seconded by Wohlleber and an oral vote of 4 ayes to pay Warrant #21-2022 in the amount of \$84,316.25. Motion by Hass, seconded by Wohlleber and an oral vote of 4 ayes to pay Warrant #22-2022 in the amount of \$148,873.01.

Motion by Councilwoman Butler, seconded by Councilman Wohlleber and oral vote of 4 ayes to adjourn this meeting at 9:00 p.m.

Respectfully submitted,

Susan Horton  
Town Clerk

