

TOWN BOARD MINUTES
TOWN OF POESTENKILL
TOWN BOARD MEETING
September 16, 2021

ROLL CALL AS FOLLOWS

Councilwoman Butler	Present
Councilman Hass	Present
Councilman Van Slyke	Present (via Zoom)
Councilman Wohlleber	Present
Supervisor Hammond	Absent

NON-VOTING MEMBERS

Susan Horton, Town Clerk
Jack Casey, Town Attorney

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

Councilman Wohlleber opened the meeting with the Pledge of Allegiance and informed the audience that Supervisor Hammond was absent due to the death of his father. Our thoughts and prayers are with the Hammond family during this difficult time. Councilman Wohlleber suggested that if any audience members had questions regarding PFOA's to hold their comments until after R. Brunet, Water Manager gave his report on that issue. With that said, Councilman Wohlleber open the floor for all other comments at 7:05 p.m.

Public Comment Period - S. Bidwell and another Deer Creek resident strongly stated their objections to the PDD Proposal. Briefly listed are some of their objections:

- Objections to the cluster septic field concept and the possible negative impact on nearby wells.
- Mr. Bidwell stated that the Planning Board hired, at the town's expense, a professional engineering concern to study and report on the proposed PDD. T. Fields, Engineer for the town sent a written report to the Planning Board Chairman siting many issues which needed to be addressed before the proposal was advanced.
- Mr. Bidwell stated that he had other concerns regarding the proposed PDD which included the road access to route 351 and the lack of a DOT report.
- The stormwater management pond issue, as stated in Mr. Field's report.
- The use of a homeowner's association was questioned, and T. Field's report questioned the acceptability of a HOA by the RCDOH.

T. Buker, Planning/Zoning Clerk commented on the process. She said that this detail does not all have to be addressed right now, at this step. She said that the PDD would require a Zoning change to make the area residential. She said that if the Zoning change was approved then the proposal would go to the Planning Board as a Major Subdivision application. She stated that the issue on the table right now was to vote on establishing a public hearing regarding the proposed zoning change. At this point Mr. Bidwell again stated that the town paid Mr. Fields to perform his evaluation of the project and that the town needs to get answers to those specific issues before proceeding. Councilwoman Butler commented that the proposal was now in the "concept phase". R. Brunet wanted it clearly stated in the minutes that if the proposed PDD got to the major subdivision application stage, that they would be required, in accordance with Local Law 111 to establish a "Drainage District" as was done with Quail Meadows. Mr. Kronau concurred.

B. Burrige, town resident very strongly expressed her negativity toward the concept in Poestenkill. she said that she did not want to see her town turned into what some other towns have become. She said that once we went down this road there was no going back, and others will want to do the same thing.

More comments on this PDD are included in the discussion portion of tonight's meeting.

B. Burrige discussed her concerns over the continuous problem of helicopters flying very low over her house with the loud noise. Residents gave several possible reasons for this issue. Councilman Wohlleber said he would contact the owner of the airport and report back to the Board.

Motion by Hass, seconded by Wohlleber and an oral vote of 4 ayes to accept the Town Clerk's minutes of the August 19, 2021, as written.

Presentations: none

Liaison Reports:

Planning Board – T. Russell reported that the September 7th meeting was cancelled. He also reported that the Planning Board is still waiting on information from the DEC.

Zoning Board – P. Jamison reported, due to lack of agenda items the September 14th meeting was cancelled.

Fire Company – Town Board members had copies of the Fire Co. August 2021 report. D. Basle, Assistant Chief reported there will be a drill held on Sunday, September 19th at 9 a.m. on Dodge City Way.

Library –E. Gresens reported on the activities at the library. He stated that the September 11th Market Day was a success and wanted to mention that the library will be celebrating their 20th Anniversary with a celebration being held on Saturday, September 18th from 1-3 p.m. at the library. E. Gresens also stated that mask must be worn when entering the library.

Youth Advisory Board- T. Buker, Youth Director reported that the Halloween Parade will be held on October 30th.

CAC- There was no meeting for CAC.

Correspondence:

Charter Communications- Memo dated August 27, 2021, explaining about new programming services.

Discussion Items:

Kronau PDD – M. Bond, Engineer for the Proposed PDD provided a brief review of the proposal being an 8-lot development on 8 ½ acres providing 16 residential units. Mr. Bond was questioned about specifics, including soil testing and NYSDOT acceptance of the plan. He was questioned by Councilman Wohlleber about whether the DOT had filed a report and that he would like to see it. Mr. Bond said that they (DOT) were positive towards it in an introductory response but that there was no formal decision or report given. Mr. Bond responded to a question about the how much land would be “disturbed”, and he informed the Board that it would be about 1 acre. The question of the water supply was discussed, and Mr. Kronau stated that they would be connecting to the Town's Municipal Water System. Other questions were asked about the ability to connect into the Municipal Water System for Deer Creek. R. Brunet, Water Manager provided an overview of the alternatives under which this could be accomplished. Councilman Wohlleber indicated that the vote to authorize a Public Hearing for the proposed PDD would be taken during the Action items portion of tonight's meeting.

PFOA Update – R. Brunet, Public Health Coordinator, presented information regarding two main topics, the various organizations involved and their responsibilities, and the latest status of information. This included the RCDOH, the DEC, the Capital Region Environmental Laboratory, and the EPA. He said that Poestenkill is working in coordination with these organizations and interfacing with our residents to keep them informed. Testing of wells was a major topic and Mr. Brunet updated the group and said that they should also review the Town’s website for the latest information. Councilman Wohlleber discussed the fact that the lab would be providing Poestenkill with a reduction in testing cost per location from \$500 to \$350. Councilman Wohlleber stated that later in the meeting he would be proposing a vote that the town help residents who do not want to wait for the RCDOH to test their wells. R. Brunet discussed our involvement with the RCDOH, the NYSDOH and the DEC to determine the cause. He said that it is critical that the source of the problem be determined and urged the residents to share the town’s determination to keep pressure on the responsible agencies.

State Audit - T. Buker, acting Bookkeeper reported on the progress of the State Auditor. She reported that there are policies that will have to be reviewed and updated as per the Auditor. The town will be given a report when the audit is completed.

Library Agreement – This will be discussed during Executive Session.

Chickens – Councilman Wohlleber is concerned that the town spent a lot of time on this issue regarding the Vosburg Rd. resident’s complaint. He said that this issue will come up again and his answer to the problem would be to simply add “crowing hens” to the Code. This will be voted on during tonight’s Action Items.

Live Stream Install – Councilman Wohlleber spoke regarding having Live Stream during our Town Board meetings, Planning Board/ZBA Meetings. Councilman Wohlleber stated he brought this issue up in January of 2020. He would like to have the meetings video taped live at the meetings and recorded on our website for residents to watch. He also stated he received (3) proposals, met with a company willing to do the work within the budgeted amount of \$3,000. However, this does not include the electrical work that is needed. Councilman Hass stated that he is willing to have his sons work on this project without any cost to the town. This item will be voted on during the Action Item portion of tonight’s meeting.

Engineer Proposal – Town Board members had copies of the resume for Wayne E. Bonesteel, PE from Colliers Engineering & Design. The current Town Engineer will be retiring at the end of the year and the town will be looking for a new Town Engineer. This item will be addressed at the October Town Board Meeting.

Alarm System – Town Hall and Highway - this will be discussed during Executive Session.

Digital Records Management - Councilman Van Slyke main concern was the level of storage of paper documents. He reminded the Board that during Hurricane Irene the water level was very close to town hall and feels the town should be proactive when it comes to securing our town records.

Action Items:

Approval of Emma Herrington – Motion by Hass, seconded by Butler and an oral vote of 4 ayes to hire Emma Herrington at the rate of \$15.00 per hour for 5 hours per week to assist Tiffany Buker with her duties.

RESOLUTION #13-2021 -RESOLUTION OF THE TOWN BOARD OF THE TOWN OF POESTENKILL, NEW YORK, HONORING AND THANKING MARGIE MORRIS FOR HER SELFLESS SERVICE TO THE POESTENKILL COMMUNITY. NOW, LET IT THEREFORE BE RESOLVED that the Town Board of the Town of Poestenkill does hereby thank and honor Margie Morris and we wish her the best of luck in her well-earned retirement.

MOVED BY Councilman Wohlleber

SECONDED BY Councilman Van Slyke

VOTED UPON AS FOLLOWS:

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

Approval to Purchase Water Meters – Motion by Councilman Hass, seconded by Councilwoman Butler and an oral vote of 4 ayes to authorize the purchase of 32 water meters from E.J.Prescott in the amount of \$6,400.00.

*Please note that the following two resolutions are out of order

Proclamation – National Society Daughters of the American Revolution - National Constitution Week - RESOLUTION #17-2021 – IT IS THE PRIVILEGE AND DUTY OF THE AMERICAN PEOPLE TO COMMENORATE THE ANNIVERSARY OF THE DRAFTING OF THE CONSTITUTION OF THE UNITED STATES OF AMERICA WITH APPROPRIATE CEREMONIES AND ACTIVITIES; and

WHEREAS Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17-23 as “Constitution Week” and urge all citizens to study the constitution and reflect on the privilege of being an American with all the rights and responsibilities which that privilege involves.

MOVED BY: Councilwoman Butler

SECONDED BY: Councilman Wohlleber

VOTED UPON AS FOLLOWS:

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

Proclamation – National Society Daughters of the American Revolution – National American Indian Heritage Month – RESOLUTION #18-2021 – THE TOWN BOARD OF THE TOWN OF POESTENKILL DOES HEREBY PROCLAIM NOVEMBER 2021 AS NATIONAL AMERICAN INDIAN HERITAGE MONTH, IN THE TOWN OF POESTENKILL AND URGE COMMUNITY CELEBRATIONS AS WELL AS CULTURAL, ARTISTIC, EDUCATIONAL, AND HISTORICAL ACTIVITIES.

MOVED BY: Councilman Wohlleber
 SECONDED BY: Councilman Van Slyke

VOTED UPON AS FOLLOWS:

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

Approval of Live Stream Install – Town Board members voted on approval of an RFP not to exceed \$3,000 for the wiring work needed for Live Stream in the Town Hall. The vote being two ayes and 2 nays, the vote did not pass.

MOVED BY: Councilman Wohlleber
 SECONDED BY: Councilman Van Slyke

VOTED UPON AS FOLLOWS:

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

Thank you letter to Ambulance Services for Quick Responses - The Town Board approved a letter of appreciation to be sent to several local Fire Companies for their quick response to a recent incident in our town.

Water test funding – Councilman Wohlleber reviewed the reduced testing cost of \$350 and said that he would like the town to pick up a portion of that cost so that the residents' costs would be reduced. He proposed that the Board vote to help the residents who did not want to wait and see if the RCDOH would test their wells. He proposed that the town set aside money to pay for \$150 of the \$350 cost and took a vote. The result being 2 ayes and 2 nays, the vote did not pass.

MOVED BY: Councilman Wohlleber
 SECONDED BY: Councilman Van Slyke

VOTED UPON AS FOLLOWS:

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

PDD Public Hearing Approval - The Board voted to approve the Public Hearing on the Proposed PDD. The vote being 2 ayes and 2 nays, the vote did not pass.

MOTION BY: Councilwoman Butler
 SECONDED BY: Councilman Hass

VOTED UPON AS FOLLOWS:

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

After the vote was taken and did not pass, there was a discussion between Councilman Wohlleber and Mr. Kronau. Mr. Kronau was under the impression that Councilman Wohlleber was in favor of the Public Hearing for the Proposed PDD and was surprised by his vote.

Reports:

Supervisor's Report- Supervisor Hammond was absent.

Town Attorney's Report – Mr. Casey reported on the matters that he worked on since the last Town Board meeting which included the resolutions for tonight's meeting and some issues which will be discussed in tonight's Executive Session.

Town Clerk's Report – Motion by Butler, seconded by Wohlleber and an oral vote of 4 ayes to accept the Town Clerk's report of August 2021. The total amount received in the Clerk's office was \$7,663.29 and of that amount \$3,433.18 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/Public Health Coordinator and the Highway Dept. report.

BUDGET TRANSFERS -

RESOLUTION #14 of 2021 - IN THE MATTER OF THE TRANSFER OF CERTAIN HIGHWAY BUDGET FUNDS. RESOLVED, that it is hereby authorized and directed as follows:

That the sum of \$50,000 be transferred to Highway Budget Fund line item 25110.1 (General Repairs) from General Budget Fund line item 15010.1 (Highway Superintendent).

That the sum of \$17,385 be transferred to Highway Budget fund line item 25112.2 (Improvements 2) from Highway Budget line item 2-2665 (Sale of Equipment).

MOVED BY Councilman Wohlleber

SECONDED BY Councilwoman Butler

VOTED UPON AS FOLLOWS:

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

RESOLUTION #15-2021- IN THE MATTEER OF THE TRANSFER OF CERTAIN GENERAL BUDGET FUNDS. RESOLVED, that it is hereby authorized and directed as follows:

That the sum of \$12,200 be transferred to General Budget fund line item 13620.1 (Code Enforcement) from 13620.11 (Code Enforcement Clerk) in the amount of \$10,200 and 18389.1 (MS4) in the amount of \$2,000.

MOVED BY Councilman Wohlleber
 SECONDED BY Councilwoman Butler

VOTED UPON AS FOLLOWS:

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

RESOLUTION #16-2021- IN THE MATTER OF THE TRANSFER OF CERTAIN WATER BUDGET FUNDS. RESOLVED, that it is hereby authorized and directed as follows:

That the sum of \$6,400 be transferred from Water Budget fund line item 1990.4 (Contingency) to Water Budget fund line item 8310.2 (Billing Equipment)

MOVED BY Councilman Wohlleber
 SECONDED BY Councilwoman Butler

VOTED UPON AS FOLLOWS:

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

Payment of Bills:

Motion by Hass, seconded by Butler and an oral vote of 4 ayes to pay Warrant #20-2021 in the amount of \$65,306.78. Motion by Hass, seconded by Butler and an oral vote of 4 ayes to pay Warrant #21-2021 in the amount of \$7,515.97.

Motion by Hass, seconded by Wohlleber and carried to enter into Executive Session at 9:50 p.m. to discuss a legal issue/personnel issue with no votes taken. Motion by Hass, seconded by Wohlleber to exit the Executive Session at 10:40 p.m. and immediately adjourn this meeting.

Respectfully submitted,

Susan Horton, Town Clerk