

TOWN BOARD MINUTES  
TOWN OF POESTENKILL  
TOWN BOARD MEETING

June 17, 2021

(Not approved at time of distribution)

ROLL CALL AS FOLLOWS

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

NON-VOTING MEMBERS

Susan Horton, Town Clerk  
Jack Casey, Town Attorney

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

Supervisor Hammond stated that the Presentation portion of tonight's meeting would be held first. Mr. Steven Gordon, Senior Account Manager, National Business Technologies, presented, as a result of their prior on-site evaluation on the Poestenkill IT systems, their evaluation results and their proposal for an improved and more up-to-date system. Mr. Gordon was asked by Supervisor Hammond what the cost of their proposal would be. Mr. Gordon stated that the detailed costs were included on page 7 of their Proposal for IT Services, amounting to \$954.12 per month, slightly over \$12,000 per year. Supervisor Hammond thanked Mr. Gordon for the report.

Continuation – Notice of Public Hearing for Updating the Application for Driveways –  
There were no comments this Public Hearing was closed at 7:20 p.m.  
The Affidavit of Publication is available for review at the Town Clerk's Office.

Public Comment Period – Supervisor Hammond opened the floor for the Public Comment Period. Mr. L. King, Town Resident discussed the long-term disruptive situation caused by Jake Brakes on trucks in Poestenkill, particularly on Plank Road, Snake Hill Road, and on Route 351. He stated that these trucks frequently did not have mufflers, thereby further exasperating the problem. He stated that this has been a long-term problem, disrupting the quiet ambiance, frequently during an outdoor barbecue or other situation where the residents want a quiet, peaceful time. After a discussion involving several Town Board members and the residents it was recognized that the town is very limited in what action they can take but would pay particular attention to the situation and report the situation to the Sheriff's Department.

S. Bidwell, Town Resident briefly discussed the PDD project and stated that he was displeased with the dirt and mud from Kevin Kronau's project coming down the hill onto his property and potentially affecting his well and septic system. He asked that Supervisor Hammond abstain himself from the voting on the PDD. He then provided photographs to Supervisor Hammond of the dirt situation coming onto his property. It was stated that the PDD project would be further reviewed in the "Discussion items" portion of the meeting.

When everyone was given the opportunity to speak, the public comment period of this meeting was closed at 7:35 p.m.

Motion by Butler, seconded by Hass and an oral vote of 3 ayes, 1 nay with Councilman Van Slyke abstaining to amend the Town Clerk's minutes of May 20, 2021.

Councilman Wohlleber was displeased that the minutes of the May 20<sup>th</sup> meeting did not include his full report. A lengthy discussion of the various Town Board members opinions ensued. Some felt that a verbatim representation of the dialog was not appropriate if the main points were conveyed. Councilman Wohlleber did not agree with this perspective and requested that the minutes be "amended" to reflect his exact words at the May 20<sup>th</sup> meeting.

Supervisor Hammond said that Eric's request to have the minutes amended would be honored.

\*You will find attached to these minutes, the amendments to the May 20<sup>th</sup> meeting.

#### Liaison Reports:

Planning Board – Town Board members had copies of the Planning Board's meeting of May 4, 2021, and L. Burzesi, Planning Board Member elaborated on the meeting.

Zoning Board – Town Board members had copies of the Zoning Board of Appeals meeting of May 11, 2021, and T. Hoffay ZBA Member elaborated on the meeting.

Fire Company – Town Board members had copies of the Fire Company's May 2021 report. D. Basle, Asst. Chief informed the Board of an injury at the Barberville Falls that the Fire Company responded to.

Library – M. McClellan reported on the library's current activities. The library is now allowing in person visits from the community. She also stated there will be a 20-year celebration for the Library on September 18<sup>th</sup>.

Youth Advisory Board- T. Buker, Youth Director reported on Summer Camp registration. She stated that camp is almost at full capacity. Summer Camp will be held from July 12<sup>th</sup> – August 13<sup>th</sup>.

CAC- It was stated that the next meeting would be held in July.

Correspondence: Memo dated May 28, 2021, from Charter Communications regarding the upcoming changes to their service.

#### Discussion Items:

Robert Brunet – Public Health Coordinator – Robert Brunet discussed the reasons why the functions of a Public Health Coordinator should be assigned to the Water Manager. Motion by Supervisor Hammond, seconded by Councilman Van Slyke to appoint Robert Brunet the Public Health Coordinator for the Town of Poestenkill. This position will be merged with his current duties as Water Manager.

Abandoned Building Legislation – The discussions continued from the last Town Board meeting with Councilman Wohlleber reviewing how other towns have been successful with this approach. He then discussed some of the successes which Poestenkill had, including the burned-out home on Plank Road which the Town had torn down and which has since been sold and will shortly be built upon, thereby improving the Town, and also generating tax revenues. It was stated that the town had many local laws in place to aid the Code Enforcement Officer addressing these issues. Each Town Board member had opinions on the subject and Supervisor Hammond decided that the town would establish a "workshop" to consider all aspects of Councilman Wohlleber's proposal and would make recommendations.

Dedication of Quail Meadow Subdivision –

This will be voted on during the Action portion of tonight’s meeting.

Cannabis Local Law – The New York State law that legalized cannabis allows local municipalities to restrict commercial sales. Possession and use of cannabis are now legal statewide but retail sales are not expected until next year. State regulators have to write the rules for how marijuana can be legally sold, but towns and cities can decide if they want commercial sales at all. The local laws have to be adopted on or before December 31, 2021. Any local law restricting cannabis sales must be approved by voters in a direct referendum. This issue was briefly discussed, and any future action was deferred to future Town Board meetings.

PDD – White Church Road – Mr. Matthew Bond, P.E., Barber Engineering, representing Kevin and Dale Kronau, addressed the Town Board members on the proposed Planned Development District (PDD) of 8 Town Houses (2) units each on 8.68 acres. The discussion continued from those items highlighted at last month’s meeting with numerous questions asked by the Town Board members and others in the audience regarding the following issues:

- The access road to Route 351
- The Stormwater plans
- The proposed Homeowner’s Association (HOA)
- The proposed Cluster Septic Field
- The proposed density of 8 Townhouses, 2 units each
- The square footage of each unit
- DOT and RCDOH issues and details
- The status of the questions asked in Tom Fields’, P.E., review of the project
- The implementation of Local Law (Drainage Districts), as used in both the Quail Meadow and the Lochvue subdivisions, in lieu of HOA’s
- Responses to the questions presented to the Planning Board by residents
- The specific status of the stormwater design as required in the New York State Stormwater Design Manual, with particular emphasis on the “contain the drainage on the plot”, rather than the “retention pond” approach

Supervisor Hammond requested that Kevin Kronau come to the next Town Board meeting with answers to questions which were asked.

Action Items:

LOCAL LAW #3-2021 – RESOLUTION OF THE TOWN BOARD OF THE TOWN OF POESTENKILL, NEW YORK, TO ENACT A LOCAL LAW REQUIRING AN APPLICATION BE FILED TO CONSTRUCT DRIVEWAYS. NOW BE IT THEREFORE ENACTED, that the Zoning Ordinance of the Town of 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 section 150-19a to provide:150-19a – Application to Construct Residential Driveways.

AND BE IT FURTHER ENACTED that this local law shall become effective immediately.

MOVED BY: Councilman Hass

SECONDED BY: Councilman Wohlleber

## VOTED UPON AS FOLLOWS:

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

RESOLUTION #7-2021 –RESOLUTION OF THE TOWN BOARD OF THE TOWN OF POESTENKILL, NEW YORK, HONORING ADAM JOSEPH FILM ON HIS EARNING THE RANK OF EAGLE SCOUT. NOW BE IT THEREFORE RESOLVED that the Town Board of the Town of Poestenkill pause in its deliberations to Congratulate Adam Joseph Film, an exemplary young man on his impressive achievement, and to wish him every success in his studies, in his community involvement and in any leadership position his career might offer.

MOVED BY: Councilwoman Butler

SECONDED: Councilman Hass

## VOTED UPON AS FOLLOWS:

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

RESOLUTION #8-2021 – RESOLUTION OF THE TOWN BOARD OF THE TOWN OF POESTENKILL, NEW YORK, HONORING DYLAN ROBERT BUBIE ON HIS EARNING THE RANK OF EAGLE SCOUT. NOW BE IT THEREFORE RESOLVED that the Town Board of the Town of Poestenkill pause in its deliberations to Congratulate Dylan Robert Bubie, an exemplary young man on his impressive achievement, and to wish him every success in his studies, in his community involvement and in any leadership position his career might offer.

MOVED BY: Councilwoman Butler

SECONDED BY: Councilman Hass

## VOTED UPON AS FOLLOWS:

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

RESOLUTION #9-2021 – RESOLUTION OF THE TOWN BOARD OF THE TOWN OF POESTENKILL, NEW YORK, HONORING ERIC MICHAEL BLOSTEIN ON HIS EARNING THE RANK OF EAGLE SCOUT. NOW BE IT THEREFORE RESOLVED that the Town Board of the Town of Poestenkill pause in its deliberations to Congratulate Eric Michael Blostein, an exemplary young man on his impressive achievement, and to wish him every success in his studies, in his community involvement and in any leadership position his career might offer.

MOVED BY: Councilwoman Butler

SECONDED BY: Councilman Hass

## VOTED UPON AS FOLLOWS:

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

RESOLUTION #10-2021 – RESOLUTION OF THE TOWN BOARD OF THE TOWN OF POESTENKILL, NEW YORK, HONORING ALEX BENJAMIN COOPER ON HIS EARNING THE RANK OF EAGLE SCOUT. NOW BE IT THEREFORE RESOLVED that the Town Board of the Town of Poestenkill pause in its deliberations to Congratulate Alex Benjamin Cooper, an exemplary young man on his impressive achievement, and to wish him every success in his studies, in his community involvement and in any leadership position his career might offer.

MOVED BY: Councilwoman Butler

SECONDED BY: Councilman Hass

## VOTED UPON AS FOLLOWS:

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

RESOLUTION #11-2021 – RESOLUTION OF THE TOWN BOARD OF THE TOWN OF POESTENKILL, NEW YORK, HONORING MATTHEW CHARLES HARMER ON HIS EARNING OF THE RANK OF EAGLE SCOUT. NOW BE IT THEREFORE RESOLVED that the Town Board of the Town of Poestenkill pause in its deliberations to Congratulate Matthew Charles Harmer, an exemplary young man on his impressive achievement, and to wish him every success in his studies, in his community involvement and in any leadership position his career might offer.

MOVED BY: Councilwoman Butler

SECONDED BY: Councilman Hass

## VOTED UPON AS FOLLOWS:

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

Approval of Dedication of Quail Meadows – Supervisor Hammond recused himself.

IN THE MATTER OF THE CONSENT OF THE TOWN BOARD OF THE TOWN OF POESTENKILL TO THE DEDICATION OF QUAIL MEADOWS (Sagebrook Associates, Inc.) AS A TOWN HIGHWAY (Phase II and Phase III). It is hereby given to the Town Superintendent of Highways of the Town of Poestenkill to make an order laying out the lands described in said dedication, dated the 17<sup>th</sup> Day of June 2021, for highway purposes in accordance with provisions of Section 171 of the Highway Law and other statutes applicable thereto.

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: ABSTAIN

Reports:

Supervisor's Report- Supervisor Hammond reported that the Town of Sand Lake is offering Poestenkill residents a chance to receive a beach pass to their Town Beach. Twenty-Five passes will be allotted on a lottery system which will be drawn at the Sand Lake Town Office on Thursday, June 18<sup>th</sup>. Families will pay \$50.00 per pass. He also stated that he has been receiving calls from unhappy neighbors.

Town Attorney's Report – Mr. Casey reported on the matters that he worked on since the last Town Board meeting which included the Commercial Wood Processing issues, Resolutions prepared for tonight's meeting and Abandoned Building Legislation.

Town Clerk's Report – Motion by Butler, seconded by Hass and an oral vote of 5 ayes to accept the Town Clerk's report of May 2021. The total amount received in the Clerk's office was \$7,866.08 and of that amount \$7,500.81 was remitted to the Supervisor.

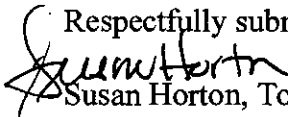
Town Board members had copies of the Building Inspector/Code Enforcement Officer's written report. There were also reports from the Assessor, DCO, 811 report, Water report and the Highway Dept. report. R. Brunet, Water Manager stated that everything was going very well. He said that because of our leak locating efforts, we have saved significant "lost water" costs but that this leak detection effort is his biggest challenge this year.

Payment of Bills:

Motion by Hass, seconded by Butler and an oral vote of 5 ayes to pay Warrant #14 -2021 in the amount of \$28,947.90. Motion by Hass, seconded by Butler and an oral vote of 5 ayes to pay Warrant #15-2021 in the amount of \$5417617.

Motion by Hass, seconded by Wohlleber, and carried to enter into Executive Session at 9:15 p.m. to discuss a legal issue with no votes taken. Motion by Wohlleber, seconded Van Slyke to exit the Executive Session at 9:35 p.m. and immediately adjourn this meeting.

Respectfully submitted,

  
 Susan Horton, Town Clerk

**AMENDING MINUTES of May 20, 2021**

At the Town Board meeting on June 17, 2021, Councilman Wohlleber wanted the minutes of May 20 2021, corrected. He wanted Councilman Hass's statement on page 3, paragraph 1 of the minutes "He also stated that this was the biggest overreach of government that he has ever seen; this viewpoint was strongly supported by many of the residents in attendance" deleted. The Board approved his request on a vote of 4 ayes with Councilman Van Slyke abstaining.

Thank you,

Susan Horton, Town Clerk