

TOWN BOARD MINUTES  
TOWN OF POESTENKILL  
TOWN BOARD SPECIAL MEETING  
September 21, 2022  
(Not approved at time of distribution)

ROLL CALL AS FOLLOWS

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

NON-VOTING MEMBERS

Susan Horton, Town Clerk  
Andrew Gilchrist, Attorney

Supervisor Hammond opened the meeting with the Pledge of Allegiance at 6:00 p.m. The purpose of tonight's meeting was to discuss pending litigation in the matter of Hitchcock v. Town of Poestenkill et al.

Supervisor Hammond immediately opened the floor for any public comments. P. Wing, town resident briefly outlined the sections of the code 150-18, 150-29, 150-39 he felt that was relevant before the the Board made their decision. R. Wager, town resident wanted to know where the money was coming from to pay this proposed settlement. Supervisor Hammond stated that it would all be covered by the Town's insurance company. Councilman Hass explained how settlements worked with our Town's insurance company. Councilwoman Butler stated that the Town's insurance company was backing us up at this point and felt that a settlement was in the best interest of the residents. Councilman Wohlleber felt that the Town was getting nothing out of this Agreement and for those residents living around Mr. Hitchcock's wood processing operation it would lower their property value.

A Resolution was offered by Councilwoman Butler, seconded by Councilman Van Slyke and an oral vote of 3 ayes and 2 nays to approve a settlement of the Hitchcock litigation upon terms and conditions of a proposed settlement agreement.

RESOLUTION #23-2022 – RESOLUTION APPROVING SETTLEMENT OF LITIGATION CAPTIONED Joseph Hitchcock v. Town of Poestenkill et al., CASE NO.1:21-cv-00758

WHEREAS, the Town Board finds that such terms and conditions of such proposed Settlement Agreement, which will fully resolve and settle all claims in the Litigation, to be just, reasonable, and in the best interest of the Town.

MOVED BY: Councilwoman Butler

SECONDED BY: Councilman Van Slyke

VOTED UPON AS FOLLOWS:

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

Motion by Councilwoman Butler, seconded by Supervisor Hammond and an oral vote of 5 ayes to enter into Executive Session at 6:10 p.m. to discuss a personnel issue with no votes taken. Motion by Supervisor Hammond, seconded by Councilwoman Butler and carried to exit Executive Session at 6:20 p.m. and re-enter the regular scheduled meeting.

The Board briefly discussed the process of the proposed PDD (Senior Housing) which will be discussed at the next Town Board meeting.

Motion by Supervisor Hammond, seconded by Councilman Wohlleber and carried to adjourn this meeting at 6:45 p.m.

\*The full version of this meeting can be seen via live stream. This link is available on our website.

Respectfully submitted,

Susan Horton, Town Clerk