

TOWN BOARD MINUTES
TOWN OF POESTENKILL
March 14, 2024
(Not approved at time of distribution)

ROLL CALL AS FOLLOWS

Councilwoman Butler	Present
Councilman Hass	Present
Councilman Burzesi	Present
Councilman Wohlleber	Present
Supervisor Russell	Present

NON-VOTING MEMBERS

Susan Horton, Town Clerk
Andrew Gilchrist, Attorney

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

Supervisor Russell opened the meeting with the Pledge of Allegiance. He stated that there was a full agenda tonight which included two Public Hearings. He asked that comments be limited to three minutes so we could get through the agenda. Motion by Hass, seconded by Butler and carried to open Public Hearing #1-2024 at 7:00 p.m. Supervisor Russell stated that the first item on the agenda was the Public Hearing on proposed Local Law #1-2024 entitled “Local Law Amending Section 220-26(D) of Chapter 220 of The Code of The Town of Poestenkill”. Supervisor Russell read the Notice of Public Hearing into the record. He further stated that Section 220-26(D) of the Town Code allows water billing based on estimated water consumption only for one billing period. The Town Board seeks to allow the issuance of water bills based on estimated water consumption for more than one billing period. Motion by Hass, seconded by Butler and carried to close Public Hearing #1-2024 at 7:05 p.m.

*The Affidavit of Publication is available for review at the Town Clerk’s office.

Motion by Hass, seconded by Butler and carried to open Public Hearing #2-2024 at 7:15 p.m. entitled “A Local Law Providing for the Defense and Indemnification of Officers and Employees of the Town of Poestenkill.” Supervisor Russell read the Notice of Public Hearing into the record. The purpose of this proposed law is to provide legal and financial protection to those individuals who serve the Town of Poestenkill as municipal officers, appointees, and employees, from losses which might result from legal actions which may be brought against them in their individual capacities for acts or missions undertaken while in the performance of their official duties and responsibilities. Motion by Hass, seconded by Bulter and carried to close Public Hearing #2-2024 at 7:30 p.m.

*The Affidavit of Publication is available for review at the Town Clerk’s office.

PUBLIC COMMENT PERIOD –

J. Butler – Councilwoman recommended that the Eastwick Newspaper be considered for the Newspaper of Record for the Town, as the Advertiser is no longer available for many residents. Supervisor Russell stated that many Municipalities use The Eastwick for advertising. This will be discussed further and if the Board decides to use The Eastwick, an amendment to the Organizational minutes will be needed to state that The Eastwick Newspaper is the Town’s Newspaper of Record.

Farmer's Market – Councilman Hass stated that there is a good chance that there will be no Farmer's Market held this summer. He will update the Board with more information when it becomes available.

TOWN CLERK'S MINUTES -

Motion by Councilman Hass, seconded by Councilwoman Butler and carried to accept the Town Clerk's minutes of February 22, 2024, as written.

CORRESPONDENCE –

Charter Communications – Memo dated February 27, 2024, from Charter Communications explaining their upcoming programming changes.

Rensselaer County Paint Recycling Event – There will be a Paint Recycling event held on Saturday, April 6th from 9 a.m. – 1 p.m. at Hudson Valley Community College. This event is open to all Rensselaer County residents, registration required. You can register at:

<https://circular.eco/event/rensselaer-paint-recycling-event>

National Grid – Letter dated March 4, 2024, updating their metering infrastructure. Smart meters technology will improve service and reliability while giving customers more control over energy usage. For more information about Smart Meter Program visit www.nationalgridus.com/Upstate-NY-Home/Smart-Meters/.

LIAISON REPORTS -

Planning Board – Town Board members had copies of the February 6, 2024, meeting minutes in their packets. J. Briggs, Planning Board member reported on the March 5th agenda items.

Zoning Board – T. Hoffay, ZBA member reported that due to a lack of agenda items, the February meeting was cancelled as well as the March meeting.

Fire Company – Town Board members had copies of the February 2024 report in their packets. D. McIntyre, Fire Chief reported on the number of calls the Fire Co. received for the month. He also spoke in length on the new OSHA regulations, which will increase the administrative workload of the Fire Company. He also reminded the public that the “Burn Ban” is in effect from March 16th – May 14th.

Library – M. McLaren reported that circulation, which is physical items (DVD's, books, etc.) was 2,182. Total visits to the library for the month of February was 748. Upcoming events include Mini Magicians which will be held on March 18th and Seed Swap & Soil Testing which will be held on March 27th at 6 p.m. For a complete listing of events visit poestenkilllibrary.org.

Youth Advisory – Supervisor Russell read a statement prepared by K. Horton, Youth Director. Kara stated that this month we have continued to process camp registrations and have begun booking field trips. We have about 50 campers enrolled at this time. She has planned the first Town event – the Easter Egg Hunt! This will be held on March 24th at the VFW from 11 a.m. – 1:00 p.m. which will be held outdoors. A rain date is scheduled for Saturday, March 30th at 8:30 a.m. We have about 55 kids registered for the hunt! Stewarts has donated free ice cream coupons as a final prize for each child participating. This should be a fun-filled day!

CAC – Jeff Briggs stated that it was his understanding there were new CAC members and suggested that a meeting be scheduled. E. Wohlleber stated that he will reach out to the members and schedule a meeting.

DISCUSSION ITEMS -

Paul Plante – Ethics Board review request – Town Board members had copies of an informational packet sent by P. Plante, town resident requesting that the Ethics Board review one of the Town’s employees. According to Chapter 28 of the Town Code, residents cannot request an advisory opinion.

Shuhart’s Planned Development District – SEQR hearing determination – Wayne Bonesteel, Town Engineer reviewed the SEQR Full Environmental Assessment Form, Part 2 line by line. He stated his views on each line item. The next step will be for the Town Board to discuss line 17 – Consistency with Community Plan and line 18 – Consistency with Community Character at the next town board meeting scheduled for March 28th.

Town Park – discussion by Olivia Karis & Jeff Briggs - Olivia Karis and Jeff Briggs spoke on behalf of the Citizens Community to work on the proposed Town Park Project. They presented possible options on Town property adjacent to the Twin Town baseball field. Some possibilities include a bandstand, picnic tables, and walking trail. This discussion will continue at a later date.

Michele Wait – 16 Todd Drive – M. Wait explained while processing deeds she came across a property that is assessed in both North Greenbush and Poestenkill. She contacted North Greenbush Assessor and explained the situation. It was agreed that the property can be totally assessed in Poestenkill if the property owner was agreeable. The property owner was agreeable so going forward the property will be assessed in Poestenkill. The other issue is that this property is hooked up to the North Greenbush water system. It was determined that this too is not a problem and will continue to be billed by North Greenbush water department.

Poestenkill revised Schedule of Fees – A. Gilchrist, Town Attorney will finalize draft including special events, permits/registrations into the Code and bring it back to the Board at the next Town Board meeting. Also included in the Schedule of Fees will be the charge for filling a pool, driveway permit fee and generator fee. This will be discussed at the next Town Board meeting as well.

Poestenkill Health Emergency Plan – Board members had copies of the Poestenkill Health Plan prepared by Councilwoman Butler. There is one item that needs to be removed from the Health Plan and that is the five days that were given when someone became ill with Covid.

Update on new Veteran’s Memorial – The Town Board will continue to discuss the ways to fundraise in order to pay for the new Veteran’s Memorial.

Draft hiring revision proposals by Eric Wohlleber – E. Wohlleber gave his thoughts on how the hiring process for the Town should be. He stated that there should be a uniform hiring process in place. He feels all Department Heads should have a job description for each position describing their duties in place.

Employee Handbook – Councilwoman Butler updated the Board on some very important items in the Employee Handbook, such as firearms (while working) and married couples being on different Boards but discussing confidential information between them. This will be addressed in the Employee handbook.

Flag replacement update – Town Hall Meeting Room - Supervisor Russell thanked DJ Goyer, Highway Superintendent, for ordering a new flag for Town Hall.

ACTION ITEMS –

Local Law #1-2024 – Resolution #6-2024 – Adopting Local Law #1-2024 of The Town of Poestenkill. Now, Therefore, Be It Resolved by the Town Board of the Town of Poestenkill in regular session duly convened as follows:

Introductory Local Law #1-2024 of the Town of Poestenkill be and hereby is adopted as Local Law #1-2024 of the Town of Poestenkill.

Local Law #1-2024 – Amending Section 220-26(D) of Chapter 220 of the Code of The Town of Poestenkill. Many water meters in the Town of Poestenkill are in a state of disrepair and require maintenance. Parts required for maintenance of such meters have become difficult to obtain in a timely manner. Section 220-26(D) of the Town Code, only currently allows water billing based on estimated water consumption only for one billing period. The Town Board seeks to allow the issuance of water bills based on estimated water consumption for more than one billing period. In future periods under emergency situations bills can be estimated with Board approval.

MOVED BY: Councilman Wohlleber

SECONDED BY: Councilman Hass

VOTED UPON AS FOLLOWS:

Councilwoman Butler	YES
Councilman Burzesi	YES
Councilman Hass	YES
Councilman Wohlleber	YES
Supervisor Russell	YES

Local Law 2-2024 – Resolution #7-2024 – Adopting Local Law #2-2024 of the Town of Poestenkill. Now, Therefore, Be It Resolved by the Town Board of the Town of Poestenkill in regular session duly convened as follows:

Introductory Local Law #2-2024 of the Town of Poestenkill be and hereby is adopted as Local Law #2-2024 of the Town of Poestenkill.

Local Law #2-2024 – A Local Law Providing for The Defense and Indemnification of Officers and Employees of The Town of Poestenkill. This law provides defense and indemnification protection to officers and employees of the Town of Poestenkill in connection with civil actions or proceedings arising out of acts or omissions which occur while the officer or employee is acting within the scope of his or her public employment.

MOVED BY: Councilman Hass

SECONDED BY: Councilman Burzesi

VOTED UPON AS FOLLOWS:

Councilwoman Butler	YES
Councilman Burzesi	YES
Councilman Hass	YES
Councilman Wohlleber	YES
Supervisor Russell	YES

REPORTS –

Supervisor's Report – Supervisor Russell stated he spoke with Congresswoman Elise Stefanik, Senator Gillibrand and Senator Schumer's offices regarding funding for Water District #2. He also spoke with Rich Crist from Rensselaer County regarding funding for Water District #2. He informed the Board that Lee Audio installed the new security camera, and everything is now up and running smoothly.

Town Attorney's Report – A. Gilchrist, Town Attorney reported that aside from routine matters, he has been working with Tracy Church on some Code Enforcement matters and with the Highway Department on some legal issues.

Town Clerk's Report - Motion by Hass, seconded by Supervisor Russell and an oral vote of 5 ayes to accept the Town Clerk's report of February 2024. The total amount received in the Clerk's office was \$8,850.80 and of that amount \$8,820.80 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 Dept., and the Highway Department. DJ Goyer, Highway Superintendent stated that the Town's Spring Clean up will take place from April 15th – April 19th.

Payment of Bills:

Motion by Hass, seconded by Butler and an oral vote of 5 ayes to pay Warrant #10-2024 in the amount of \$38,281.26. Motion by Hass, seconded by Burzesi and an oral vote of 5 ayes to pay Warrant #11-2024 in the amount of \$516.00. Motion by Hass, seconded by Supervisor Russell and an oral vote of 5 ayes to pay Warrant #12-2024 in the amount of \$58,436.09.

PUBLIC COMMENT –

Terri Kersch, town resident informed the Town Board and members of the audience that there will be a "Meet and Greet" with town officials (T. Russell, S. Horton, DJ Goyer). There will be two events, the first will be held Saturday, March 16th from 10-11 a.m. at the First Baptist Church in East Poestenkill and the second event will be held on March 19th from 6 – 7 p.m. at the Evangelical Lutheran Church in Poestenkill.

Greg Pattenaude, town resident, stated that it was very important that the residents get the facts regarding Water District #2 beforehand. It is imperative they are given the information, such as pricing and location, so they can make their decision.

Motion by Councilman Hass, seconded by Supervisor Russell and carried to enter into Executive Session at 10:05 p.m. to discuss a potential legal issue with no votes taken. Motion by Councilman Burzesi and seconded by Supervisor Russell to exit Executive Session at 11:25 p.m. and immediately adjourned this meeting.

Respectfully submitted,

Susan Horton, Town Clerk

