

**A Town Board Meeting was held Monday, January 25, 2010, at 7:00pm at Town Hall, 18 Russell Avenue, Ravena, New York**

**PRESENT:** Henry C. Traver, Supervisor  
Dawn Rogers, Councilwoman  
Thomas A. Boehm, Councilman  
James C. Youmans, Councilman  
Richard N. Touchette, Councilman

**ALSO PRESENT:** Diane L. Millious, Town Clerk  
David Wukitsch, Attorney for the Town  
Greg Darlington, Chief of Police  
Albert Deering, Highway Superintendent (arrived late)

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Supervisor Traver opened the meeting and led the Pledge of Allegiance.

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### **OPENING COMMENT**

Supervisor Traver stated that all members of the Town Board were present as well as Town Clerk Millious, Attorney for the Town Wukitsch and Chief of Police Darlington and continued by giving an overview of the agenda.

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### **AGENDA**

- Public Announcement
  - H1N1 Vaccination Clinic
- Public Comment
- Approval of Minutes
  - Town Board Meeting, December 14, 2009
  - Town Board Workshop, December 22, 2009
  - Public Hearing, December 28, 2009 – 6:20pm
  - Public Hearing, December 28, 2009 – 6:40pm
  - Town Board Meeting, December 28, 2009
- Supervisor Report – December 2009
- Department Reports
  - Building Department, December 2009
  - Sewer Department, December 2009
  - Town Clerk, December 2009
- Old Business
  - Local Law to Limit Personal Liability for Town Board, Planning Board & Zoning Board of Appeals
  - Award In-Car Video System Bid
  - Estimate for Repair of Police Department Water Damage
  - Onesquethaw-Coeymans Watershed Management Plan Work Group
  - Purchase of Highway Department Vehicle
  - Suggested Street Name Change for 911 Emergency Purposes
- New Business
  - Authorization to Sign Milton Cat Customer Service Agreement
  - Alcove Preservation Association Contract for Services
  - Ravena-Coeymans Historical Society Contract for Services
  - Request for Chief WWTP Operator to Attend NYWRA Seminar
- Resolutions
  - Authorize Police Department to Purchase Police Officer Scheduling System Software
  - Appoint Task Force Committee to Determine Fire & Security for Town Hall
  - Approve January 2010 Abstract

- Correspondence
  - Albany County Executive
- Town Board Workshops/Meetings
  - Town Board Meeting, February 8, 2010, 7pm
  - Town Board Workshop, None Scheduled
  - Town Board Meeting, February 22, 2010, 7pm

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**PUBLIC ANNOUNCEMENT**

Supervisor Traver stated that there will be an H1N1 Vaccination Clinic at Bethlehem High School, 700 Delaware Avenue in Delmar on Sunday, February 7<sup>th</sup> from 11:00am to 2:00pm. He continued by saying that pre-registration is required and it is open to all residents of Albany County.

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**PUBLIC COMMENT**

Supervisor Traver invited the public to comment at this time, hearing none he moved to the next item on the agenda.

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**APPROVAL OF MINUTES**

Supervisor Traver stated that there were minutes for Town Board approval, a Town Board Meeting on December 14<sup>th</sup>, a Town Board Workshop on December 22<sup>nd</sup>, two Public Hearings on December 28<sup>th</sup> and a Town Board Meeting on December 28<sup>th</sup>. He continued by asking for a motion to approve the minutes.

**MOTION**

On motion of Councilwoman Rogers, seconded by Councilman Boehm, the Town Board Minutes were approved as presented.

VOTE – AYES 5 – NAYS 0 – SO MOVED

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**SUPERVISOR’S REPORT – DECEMBER 2009**

Supervisor Traver continued by giving the Supervisor’s Report for December 2009.

<b>FUND</b>	<b>BAL. FWD.</b>	<b>RECEIPTS</b>	<b>DISBURSE.</b>	<b>BALANCE</b>
<b>General</b>	<b>\$225,951.47</b>	<b>\$190,360.43</b>	<b>\$197,155.23</b>	<b>219,156.67</b>
<b>Part-Town</b>	<b>\$208,906.21</b>	<b>\$ 1,742.50</b>	<b>\$ 12,237.24</b>	<b>\$198,411.47</b>
<b>Highway</b>	<b>\$ 65,732.00</b>	<b>\$ 87,310.48</b>	<b>\$ 39,460.83</b>	<b>\$113,581.65</b>
<b>Bridge Const.</b>	<b>\$ 54,346.29</b>	<b>\$300,340.66</b>	<b>\$ 43,638.36</b>	<b>\$311,048.59</b>
<b>Sewer</b>	<b>\$ 36,901.40</b>	<b>\$ 108.63</b>	<b>\$ 22,245.09</b>	<b>\$ 14,764.94</b>
<b>Special Water</b>	<b>\$ 2,133.02</b>	<b>\$ .63</b>	<b>-0-</b>	<b>\$ 2,133.65</b>
<b>Police Forf.</b>	<b>\$ 3,419.05</b>	<b>\$ 1.16</b>	<b>-0-</b>	<b>\$ 3,420.21</b>
<b>Trust &amp; Agency</b>	<b>\$ 13,458.30</b>	<b>\$218,322.32</b>	<b>\$220,742.54</b>	<b>\$ 11,038.08</b>

<b>Capital Proj.</b>	<b>\$ 43,872.22</b>	<b>\$ 13.00</b>	<b>\$ 664.80</b>	<b>\$ 43,220.42</b>
<b>Section 8 - HUD</b>	<b>\$137,506.94</b>	<b>\$ 77,612.78</b>	<b>\$ 34,639.00</b>	<b>\$180,480.72</b>
			<b>Total Rec. Bal</b>	<b>\$1,097,256.40</b>

<b>SAVINGS ACCOUNTS</b>	<b>COLLATERAL</b>	<b>FDIC COV.</b>	<b>COLLATERALIZED</b>
	<b>COVERAGE</b>		
Unemployment	\$ 4,054.84	Greene County	\$250,000.00 \$1,586,576.84
Grove Cemetery	\$ 40,669.91	National Bank	\$250,000.00 \$ 377,717.09
Sewer Dedicated	\$ 6,290.59		
Total	\$51,015.34		

Supervisor Traver continued by saying that the Town received its 4<sup>th</sup> quarter sales tax revenue in the amount of \$435,760.00, which is approximately \$69,000.00 over what they were budgeted from last year. He then asked for a motion to approve the report.

**MOTION**

On motion of Councilman Boehm, seconded by Councilwoman Rogers, the Supervisor’s Report was accepted as presented.

VOTE – AYES 5 – NAYS 0 – SO MOVED

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**DEPARTMENT REPORTS**

**Building Department – December 2009**

Supervisor Traver asked that Councilwoman Rogers give the Building Department Monthly Report for December 2009.

Councilwoman Rogers continued by giving the report.

Supervisor Traver asked for a motion to approve the report.

**MOTION**

On motion of Councilman Youmans, seconded by Councilman Boehm, the Building Department Monthly Report was accepted as presented.

VOTE – AYES 5 – NAYS 0 – SO MOVED

**Sewer Department – December 2009**

Supervisor Traver asked that Councilman Youmans give the Sewer Department Monthly Report for December 2009.

Councilman Youmans continued by giving the report.

Supervisor Traver asked for a motion to approve the report.

**MOTION**

On motion of Councilwoman Rogers, seconded by Councilman Boehm, the Sewer Department Monthly Report was accepted as presented.

VOTE – AYES 5 – NAYS 0 – SO MOVED

Councilman Youmans stated that the Town was presented with an Agreement by the Village of Ravenna pertaining to the Intermunicipal Sewer Agreement, which has been forwarded to Attorney Haffner who is reviewing it. He continued by saying that Attorney

Haffner indicated that it will be 1-2 weeks before he has anything to share with them and added that things seem to be progressing well. He went on by saying that he would also note that the Town has been paid \$156,000.00 for the UV Project and they are currently reviewing some bills with the Village of Ravenna to get payment on those as well and concluded by saying that it seems to be looking in a positive direction from his perspective.

**Town Clerk – December 2009**

Supervisor Traver asked that Town Clerk Millious give the Town Clerk Monthly Report for December 2009.

Town Clerk Millious continued by giving the report.

Supervisor Traver asked for a motion to approve the report.

**MOTION**

On motion of Councilwoman Rogers, seconded by Councilman Touchette, the Town Clerk Monthly Report was accepted as presented.

VOTE – AYES 5 – NAYS 0 – SO MOVED

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**OLD BUSINESS**

**Local Law to Limit Personal Liability for Town Board, Planning Board & Zoning Board of Appeals**

Supervisor Traver asked that Councilman Touchette address this topic.

Councilman Touchette stated that the members of the Zoning Board of Appeals are concerned that they may be personally liable for some of their actions and in turn spoke with Attorney for the Town Wukitsch about a remedy for this. He then asked Attorney for the Town Wukitsch to explain it.

Attorney for the Town Wukitsch stated that the subject is indemnity, which means holding someone harmless for acts that they perform as a Public Official and added that if a Public Official is performing a public duty, such as voting on a resolution, approving a subdivision, etc. and is sued individually as a result of the action, the concept of indemnity protects them and holds them harmless for acts performed within the scope of their public duties. He continued by saying that he did a little research and also spoke with prior Town Attorney Rotello because when he looked in the Code Book there was no written indemnity section and added that it was Attorney Rotello's belief that it was unnecessary because under Common Law there are case law court decisions, which hold to the same effect that if you are performing a public duty and in turn sued, you should be protected from individual liability. He went on by saying that he doesn't really agree with that and added that it may be true in practice but there is a State statute which specifically says that a municipality can pass a Local Law providing indemnification to its Board Members and added that it would be his recommendation that given that State statute is on the books, which is in effect an enabling law, which enables you to pass a Local Law to that effect, he would encourage the Board to pass a Local Law providing protection for individual liability. He concluded by saying that he can have a draft to them within the week and they can introduce it at the next meeting.

Councilman Boehm inquired as to if it is for all public council as well as Zoning and Planning.

Attorney for the Town Wukitsch stated that it would be.

Councilman Touchette inquired as to if employees are already indemnified.

Attorney for the Town Wukitsch stated that they would already be indemnified and added that this is more for if a law suit is commenced against the ZBA for denial of a permit or a Planning Board suit for denying a subdivision and those types of acts.

Councilman Touchette asked about the example of the Chief of Police being sued for something that happened in the Police Department and continued by asking if he already would be indemnified.

Attorney for the Town Wukitsch stated that he would have insurance protection as well as having the same Common Law protection. He continued by saying that the State Law, the enabling law, talks specifically about ZBA, Town Board and Planning Board members, which it is geared towards.

Chief Darlington stated that it is his understanding that Law Enforcement can also be indemnified under that and added that he knows that the City of Albany indemnifies their Police Chief and Law Enforcement personnel and continued by saying that they have to have that special indemnity law on the books.

Attorney for the Town Wukitsch inquired as to if they want him to make it as broad as possible to cover everyone.

Councilman Touchette stated that it is a good idea.

Attorney for the Town Wukitsch stated that he would see how broad it could be and in turn give them the broadest version of the law and get it to them within the week.

Councilman Touchette thanked Attorney for the Town Wukitsch.

### **Award In-Car Video System**

Supervisor Traver asked that Chief Darlington talk about the bid for the in-car video system.

Chief Darlington stated that three bids were received and out of those one company gave an Option A and Option B. He continued by saying that his hopes and intention were to review the bids earlier in the day and have a recommendation for the Board but unfortunately Mother Nature didn't cooperate and allow that to happen. He went on by saying that he was requesting that the Board table it until the next meeting so he can have the opportunity to review the bids.

### **MOTION**

On motion of Councilman Youmans, seconded by Councilman Boehm, to table any action on awarding the bid pending the Chief's further examination of the bids.

VOTE – AYES 5 – NAYS 0 – SO MOVED

Chief Darlington thanked the Town Board.

### **Estimate for Repair of Police Department Room Water Damage**

Supervisor Traver stated that he spoke with Bernie Teriele earlier in the day relative to the repair in the Detective's Office and added that Councilman Boehm had wanted more of a breakdown of the \$950.00 estimate. He continued by saying that he was advised that \$400.00 would be for material and \$550.00 for labor to retile the floor and fix the hole in the wall. He added that Nelson's crew is working on getting the floor ready for the new floor.

Chief Darlington stated that if it wasn't completed by Nelson's crew, Bernie had said that he would finish it himself in the morning and get the new floor laid.

Councilman Youmans inquired as to if it makes sense to do it without having the water problem solved first.

Chief Darlington stated that they are putting down a tile floor.

Councilman Youmans inquired as to if it would be affected by water.

Chief Darlington stated that with the minimal amount of water that they have been getting, just diverting the roof water seems to be helping.

Councilman Youmans interjected that if there was not a lot of water today, it was a pretty good indicator and added that with the catch basins and digging and if they fix where the sand bags are piled along with diverting the water from the gutters maybe it will solve most of their problems once they fix it with black top where the sand bags are. He added that he is glad that they are putting down tile and not more carpet to get ruined and then inquired as to if this might be something that will be covered by insurance.

Supervisor Traver stated that it was brought up and added that he can call and check tomorrow and added that he believes that the deductible is \$1,000.00.

### **Onesquethaw-Coeymans Watershed Management Work Group**

Supervisor Traver stated that there will be a Onesquethaw-Coeymans Watershed meeting on February 3, 2010, 6:30pm at the Bethlehem Town Hall. He continued by saying that he went to the last meeting and so did Joe Kapusta and added that it was very interesting and they are trying to give as much input as they can.

Councilman Touchette inquired as to what type of input he is making on behalf of the Town.

Supervisor Traver stated that on behalf of the Town he and Mr. Kapusta talked about the storm run-off and how it can be diverted as well as retention ponds and added there was also information from Hudson River Waterway about some grants. He continued by saying that they also talked about development along the creeks and in Bethlehem they implemented that anything over an acre that is disturbed around a creek has to have a retaining system until all of the vegetation is brought back up.

Councilman Touchette stated that a lot of that is already included in the Comprehensive Plan.

### **Purchase of Highway Department Vehicle**

Supervisor Traver asked that Councilman Youmans discuss the purchase of a Highway Department vehicle.

Councilman Youmans stated that when they last met they had a State Contract price as well as two quotes from other dealers that was less than the State Contract price and added that the prevailing thought seemed to be that since the local dealer came in at a lower price, that they could go ahead and buy it. He went on by saying that in reviewing the Procurement Procedure, which was adopted on April 27, 1998, it clearly states that all purchases of supplies or equipment which will exceed \$10,000.00 in a fiscal year or public works over \$35,000.00 shall be formally bid pursuant to General Municipal Law Paragraph 103, which he has a copy of. He continued by saying that his suspicion that they can't just go ahead and buy it because it is lower than State Contract is correct and added that he has confirmed it with the State Comptroller's Office and added that in reading through General Municipal Law Section 103 it says that they have to advertise it in their Official Newspaper and take bids, which he recommends they do. He went on by saying that he does not know how many dealerships monitor the News Herald for bids on equipment for municipalities and added that they already have an informal quote, a price that is lower than the State Contract price as well as some of the specs on the truck on the State Contract were not correct, such as the dump body. He concluded by reiterating that it is his recommendation that they go ahead with the bid process and move forward to get the truck replaced as soon as possible.

Councilwoman Rogers stated that Highway Superintendent Deering arrived late and continued by telling him that they were talking about a new truck and added that they have to advertise it in the News Herald, even if they only get one bid.

Highway Superintendent Deering inquired about having to do it even if they have a State Contract bid.

Councilwoman Rogers stated that they do.

Highway Superintendent Deering stated that it is what they did with the loader and added that Van Bortel, which is the State Contract quote, is higher than the other two and added that if they want to buy the one on State Contract it is \$51,000.00.

Attorney for the Town Wukitsch stated that they can go under the State Contract and not have to do the bidding process and added that there is nothing forcing you to go under the State Contract because if you think you can get a better deal somewhere else, the proper way to do it is to put it out to bid. He reiterated that there is nothing forcing you to buy under State Contract.

Councilman Youmans interjected that just because they have a price that is lower than State Contract does not mean that they can purchase it anyway.

Highway Superintendent Deering stated that there are two.

Councilman Youmans stated that it does not matter if they have 12, you can't just take the lower price and reiterated that all purchases of supplies or equipment that will exceed \$10,000.00 in a fiscal year or public works over \$35,000.00, shall be formally bid pursuant to General Municipal Law Paragraph 103.

Attorney for the Town Wukitsch interjected that if they decide that they want to take it off State Contract, it will excuse that requirement but if you decided you don't want to buy it off State Contract then you have to put it out to bid.

Councilman Youmans stated that since they already have prices that are lower than State Contract he does not think that there is anyone there that wants to take that route and added that he does not believe that it is going to be a time consuming issue.

Councilman Boehm suggested that they make a motion to authorize the Town Clerk to advertise the bid as soon as possible to get it moving.

## **MOTION**

On motion of Councilman Boehm, seconded by Councilwoman Rogers, authorizing Town Clerk Millious to advertise for the bid in the News Herald.

**VOTE – AYES 5 – NAYS 0 – SO MOVED**

Councilman Youmans stated that Town Clerk Millious should get the specifications from Highway Superintendent Deering.

Highway Superintendent Deering stated that he has them and added that the one off State Contract was Van Bortel for \$53,502.00 and the two lowest were within \$150.00 of each other with one of them being Crossroads.

Town Clerk Millious stated that with a bid, sometimes there is a bidders list that they can mail an application and notice to.

Councilman Youmans interjected that it would be nice if they were allowed to buy it from the local dealer who is paying taxes and employing local people but they can't do that because of the law. He added that as a guy selling cars in the Town of Coeymans for 15 years it was pretty frustrating when he had Jeep Cherokees coming out of his ears and the Police Department was buying them from Warnock Dodge in New Jersey, which was a dealer that wasn't even in the state that they were giving a State Contract to. He

continued by saying that his feeling was that it was cheaper to buy in New Jersey because they were not getting taxed like we are in New York and went on by saying that it does not surprise him the way the Government seems to be in New York that the State Contract price is higher than what you could get it from the local dealer for and that any municipalities would go ahead and buy it that way. He concluded by saying that he applauds Highway Superintendent Deering for getting other prices and finding out that it was not the best deal and added that now it is a matter of crossing the t's and dotting the legal i's to make sure when the Comptroller looks at it, he says that they did it properly.

#### **ADDITIONAL OLD BUSINESS**

Supervisor Traver stated that he drafted letters to Congressman Tonko and Assemblyman Gordon, regarding the disrepair of Route 143 and added that he is trying to get some assistance to get it redone.

Councilman Boehm stated that this was a topic that originally was brought up by Councilman Touchette and added that it is something that they need to stay on top of because the condition of the road has not improved and added that it is an opportunity for all of them to sign the letters and have Supervisor Traver send them out the next day.

Chief of Police Darlington stated that he wanted to note that they have gone through front-ends on the Police cars like crazy and added that they have been replacing at least two a year.

Councilman Boehm stated that the guard rails are literally listing and there is no shoulder as well as Gedney Hill dumping out there and added that it is a disaster waiting to happen.

Councilman Youmans interjected that it is important to note that it is a State road over which Mr. Deering has no jurisdiction and added that if the Town's crew did it would not be in the shape that it is in.

Councilman Boehm stated that the Town roads are in much better shape and added that the State can take lessons from the Town of Coeymans.

Councilman Boehm continued by asking Councilman Youmans about the televised Town Board Meetings with Mid-Hudson Cable.

Councilman Youmans stated that the meetings are televised on Channel 11, on Friday nights at 7:00pm and added that there is usually a week's delay. He continued by saying that he was sorry for the confusion because originally he was told that it would be Thursday nights but it is Friday nights.

Highway Superintendent Deering stated that back in 2008-2209 they missed the warranty on a piece of equipment.

Attorney for the Town Wukitsch interjected that the Challenger tractor had a one-year parts and service warranty attached to it and added that the one-year expired in August 2008 and the actual problem occurred after that date and it was out of warranty when the problem arose. He continued by saying that the parties making the repair were under the impression that it was warranted and as most companies trying to cut costs they came back and said the Town owes \$3,500.00 for repairs and added that the company is Stevenson Equipment. He went on by saying that he had probably 15 discussions with the representative from Stevenson Equipment who said they were going to sue the Town unless he is repaid the \$3,500.00 that was incurred in the repair. He concluded by saying that they are looking for direction from the Town Board in terms of what they want to do and the options are 1. To say no, you repaired it, too bad and let them do what they need to do. 2. Try to compromise and split the difference or 3. Pay the full amount.

Councilman Touchette inquired as to if Stevenson was the company that they bought the equipment from.

Highway Superintendent Deering stated that they were.

Councilman Touchette inquired as to whether it was taken back to them and were told that it would be done under warranty.

Highway Superintendent Deering stated that Southworth did the repair.

Councilman Touchette inquired as to if Southworth thought it would be covered under warranty.

Attorney for the Town Wukitsch stated that Southworth thought it would be covered under warranty for the repair.

Highway Superintendent Deering interjected that all of the sudden it was denied because it missed the warranty time by 3 weeks.

Attorney for the Town Wukitsch stated that the warranty expired at the time that the repair was needed.

Councilman Youmans stated that it seems fairly clear to him.

Councilman Touchette inquired as to if it was under warranty when it failed.

Attorney for the Town Wukitsch stated that it was out of warranty when it failed by a few weeks.

Councilman Touchette stated that he feels as though it is money that they should pay them.

Attorney for the Town Wukitsch stated that he will work with it with the Board's direction.

Supervisor Traver interjected that they should try to get a compromise because it was so close to the warranty time.

Councilman Youmans stated that his only question is that if it was not a warranted repair, would it have been only \$1,500.00 and added that it may have reached \$3,500.00 because they thought it was under warranty. He added that if \$3,500.00 is a fair price for the work that was performed then they clearly owe it and should not try to get them to compromise because right is right and wrong is wrong.

Attorney for the Town Wukitsch stated that the only thing is that they entered into the repair with the understanding that it was covered and Highway Superintendent Deering might not have repaired it if he knew that he was going to be saddled with the full amount of the repair bill.

Councilman Youmans inquired as to if they were told that it would be covered.

Attorney for the Town Wukitsch stated that everyone started under the assumption that it was going to be covered and added that it was only after someone read the fine print at Stevenson that they took the position that it was out of warranty.

Councilman Boehm asked Attorney Wukitsch to act on behalf of the Town to see if there is some kind of compromise that they can work out.

Councilwoman Rogers asked Highway Superintendent Deering how much business the Town gives Stevenson.

Highway Superintendent Deering stated that it is where he has to get parts for the tractor.

Councilwoman Rogers inquired as to if he has to get it from Stevenson.

Highway Superintendent Deering stated that it is the only place that he can get the pump.

Councilman Boehm asked that Attorney for the Town Wukitsch report back to them.

**Suggested Street Name Change for 911 Emergency Purposes**

Supervisor Traver stated that Councilman Touchette had asked for this agenda item and continued by asking that he talk about it.

Councilman Touchette stated that this was brought to his attention by Bill Bruno and added that he was in the audience and continued by asking that he give them some background on it.

Mr. Bruno stated that he actually heard about it from Larry Conrad and added that Chief Darlington may know something about it and added that Larry had mentioned that there was issue with the County medics with responding to the Town of Coeymans because there is a Main Street in the Village of Ravena and the Hamlet has a Main Street. He went on by saying that Larry had mentioned that there was some talk about changing the name of Main Street in the Hamlet and continued by saying that he does not know where this is headed but if it is going to happen there should be some input from the people who live on the street as well as the responders, a member of the Coeymans Fire Company and a member of the Board of Fire Commissioners to discuss how it is going to be done or if it should be done at all. He added that back in 1993 they had the opportunity to change the name of roads in Town when they did the 911 numbering system and continued by saying that they did make some changes but elected not to change Main Street in Coeymans. He went on by saying that he does not believe that there has been an issue with local responders to calls on Main Street Coeymans or Main Street Ravena and added that it has to do with out-of-town responders coming into Town and not being able to differentiate between the two. He concluded by saying that he brought it to Councilman Touchette's attention to see where it is headed and added that if it is going to happen, he is curious as to what the process will be as well as being a property owner on the street who would like to be involved.

Councilwoman Rogers stated that she spoke with Larry Conrad and added that it came up about six months ago when Highway Superintendent Deering came to them with his road list and they were making sure of the names of the road. She continued by saying that this is when the subject came up about changing Main Street Coeymans because there is a Main Street Ravena and added that they authorized him to check it out. She concluded by saying that only a certain section is Main Street because at both ends it is River Road.

Mr. Bruno stated that he's not sure what New Baltimore calls it on their end and added that Main Street Coeymans begins at the County line.

Councilwoman Rogers stated that she believes at Cynthia Kunz's it becomes River Road.

Mr. Bruno stated that it is from the Town of Coeymans line, which is across the bridge and travels north to just south of the bridge over the Coeymans creek and added that he knows this because he did the numbering at that time and he was the Fire Chief. He continued by saying that the locals never called it River Road to his knowledge and they call it 144 but it is referred to as River Road in the Town of Bethlehem and went on by saying that in the CAD system as far as 911 they have aka names for it. He added by saying that another thing that they did in 1993 when they addressed the Town of Coeymans, there were some guidelines and they addressed roads south to north and east to west unless it was a dead-end, meaning that a low number would happen on the southern end of town and increase in numbers as you went north. He continued by saying that the Town of Bethlehem numbered their town roads prior to the 1993 911 project and they did it just the opposite because they were not aware of the process and went on by saying that on Rte 9W and River Road the numbers increase as you travel south and in the Town of Coeymans it is just the opposite. He concluded by saying that he understood from Larry that there is some interest and concern about this.

Councilwoman Rogers stated that there has been nothing done as far as the change and added that it is still under review.

Councilman Touchette inquired as to who has the authority to change the name of a road and whether or not the Town has jurisdiction.

Councilwoman Rogers stated that she didn't believe so.

Highway Superintendent Deering stated that he didn't know.

Attorney for the Town Wukitsch stated that he was not sure and added that he thinks the Town has the right to name town roads.

Councilman Youmans interjected that it is a State road.

Attorney for the Town Wukitsch stated that the Town would not have any power to change the name.

Councilman Touchette stated that someone else could change the name without the Town's approval.

Councilman Youmans stated that the State calls it 144 and the Town calls it Main Street.

Mr. Bruno stated that with most State highways, when they are in a Town or Village, there is a local name for it and he guesses that the town does the local component but as far as the State is concerned it is a State road.

Attorney for the Town Wukitsch stated that it is not binding on the State.

Mr. Bruno stated that if the Town Board is going to pursue it and the name is going to change, he would like to do what they did in Bethlehem and have those who live on the street weigh in on the process and added that before they go through all the work of doing it he would like to talk about the issues with Brian Wood from Albany County and Chief Darlington to see if they can work around it. He reiterated that if they are going to make a name change the most prudent thing to do would be to involve the people who live on the street and talk about how they can do it. He concluded by saying that he communicated to Councilman Touchette that personally he does not believe that it should become an extension of River Road and added that it should have its own distinct name for the Hamlet of Coeymans.

Supervisor Traver stated that he believes that Albany County should be able to correct the problem because there are several Main Streets in the County.

Chief Darlington agreed and added that there are many repeated road names. He continued by saying that it seems to be a problem for people that are not from the community and the outside responders responding in and added that if they say Main Street Coeymans, it is Coeymans and Main Street Ravena is Ravena.

Councilman Youmans stated that there were qualified people in the room to comment on it and continued by asking Chief Darlington, Mr. Bruno or Supervisor Traver who was a dispatcher for 20 years, if they ever encountered an issue with it.

Supervisor Traver stated that it was only with the County medics and added that there never was an issue with the Town's responders.

Chief Darlington stated that there is only a problem if the County dispatch is not specific and added that it should come up on their computer whether it is Coeymans or Ravena just by the phone number. He continued by saying that if it is a cell call they need to know to ask the specifics as to whether it is Main Street Coeymans or Main Street Ravena. He concluded by saying that even if it says it on the CAD, they confirm it and ask.

Supervisor Traver stated that the issue is when there is a medic coming into Town.

Mr. Bruno stated that he has listened to some of the calls and added that often times when they send a County resource into the Town, no matter where it is they say the Town of Coeymans and added that for the dispatchers at the County level this is something that they need to be made aware of as far as two Main Streets in two distinct communities.

Chief Darlington interjected that they don't seem to have a problem with Whitbeck Road and added that there are two of those.

Supervisor Traver thanked Mr. Bruno and continued by asking if there were any other Old Business topics.

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**NEW BUSINESS**

**Authorization to Sign Milton Cat Customer Service Agreement**

Supervisor Traver stated that there is an annual contract to maintain the generator at the Highway Department and continued by asking if the Board would authorize him to sign it.

Councilman Youmans stated that it is something that they have done for the past couple of years that he has been on the Board and added that it has turned out to be a good thing on several occasions.

Highway Superintendent Deering stated that they have had the contract ever since it has been at the Highway Garage.

Councilman Youmans inquired as to whether or not the Service Agreement includes any maintenance and if they come and service it for the price.

Supervisor Traver and Highway Superintendent Deering stated that it is serviced twice a year for the price.

**MOTION**

On motion of Councilman Youmans, seconded by Councilwoman Rogers, authorizing Supervisor Traver to sign the Service Agreement with Milton Cat.  
VOTE – AYES 5 – NAYS 0 – SO MOVED

**Alcove Preservation Association Contract for Services**

Supervisor Traver stated that he has a voucher from Alcove Preservation Association for a Contract for Exchange of Services for \$1,000.00 and continued by saying that it is an ongoing arrangement that they have with them and pay it every year and then asked for a motion.

**MOTION**

On motion of Councilman Youmans, seconded by Councilman Boehm, authorizing Supervisor Traver to sign the Contract for Exchange of Services with the Alcove Preservation Association for \$1,000.00  
VOTE – AYES 5 – NAYS 0 – SO MOVED

Councilman Boehm interjected that Mr. Tom Sweeney does an excellent job out there with the stone work and preserving the heritage of the Valley Mill Park and continued by saying that he believes that eventually they plan on turning it over to the Town of Coeymans.

**Ravena-Coeymans Historical Contract for Services**

Supervisor Traver stated that he also has a voucher for Ravena-Coeymans Historical Society for the same thing, presented by Ralph Bianche and continued by asking for a motion authorizing him to sign the Contract for Exchange of Service.

**MOTION**

On motion of Councilman Boehm, seconded by Councilwoman Rogers, authorizing Supervisor Traver to sign the Contract for Exchange of Service with the Ravena-Coeymans Historical Society for \$1,000.00.

VOTE – AYES 5 – NAYS 0 – SO MOVED

Councilman Boehm stated that it is another organization that is good for the community.

**Request for WWTP Chief Operator to Attend NYRWA Seminar**

Councilman Youmans stated that he has a request from Chief Sewer Operator Breedlove to attend a training seminar in Ghent, NY, for \$15.00 and added that he is going to drive his own vehicle. He continued by offering a motion.

**MOTION**

On motion of Councilman Youmans, seconded by Councilman Boehm, authorizing Chief Operator Breedlove to attend the training in Ghent, NY for a cost of \$15.00.

VOTE – AYES 5 – NAYS 0 – SO MOVED

Councilman Boehm inquired as to whether he is taking his own vehicle or a Town vehicle.

Councilman Youmans interjected that it says his own vehicle and added that he does not believe that he typically puts in for mileage but is within his rights to do so. He added that he will talk to him and tell him to take the Sewer truck.

Councilman Boehm stated that it made sense.

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**RESOLUTIONS**

**RES. #028-10 AUTHORIZE POLICE DEPARTMENT TO PURCHASE POLICE OFFICER SCHEDULING SYSTEM SOFTWARE PROGRAM**

On motion of Councilman Youmans, seconded by Councilman Boehm, the following resolution was APPROVED – AYES 5 – NAYS 0 – SO MOVED

**WHEREAS**, the Chief of Police is desirous of streamlining the Police Department's payroll collection and accountability methods, and

**WHEREAS**, the current method of payroll reporting for the Police Department is inefficient and time consuming for both the Department and Payroll Unit, and

**WHEREAS**, Empire Software Solutions has presented a demonstration of their Police Officer Scheduling System for the Town Board at a recent Workshop, and

**WHEREAS**, the Town Board agrees that this program would be of benefit to the Police Department and Payroll Unit thereby alleviating most payroll difficulties now being incurred,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Coeymans hereby authorizes Chief Darlington to purchase the Empire Software Solutions Police Officer Scheduling System Program at the cost of \$3,300.00.

Councilman Boehm stated that he wanted to give Chief Darlington an opportunity to comment on it and added that he along with Councilman Youmans had met with Chief Darlington about the Program and agreed that it is a great thing.

Chief Darlington stated that they discussed at the Workshop reaching out to a couple of police agencies that are currently using the system and added that he reached out to the Village of Scarsdale and City of Poughkeepsie and they are extremely happy with the system. He continued by saying that the system is less time consuming and there is less paperwork and went on by saying that currently when they do Section 8 investigations they have to track their time in order for Section 8 to reimburse them for the hours that they put into it and this system will do it automatically. He concluded by saying that he believes that the system will be a great asset and will make things easier.

Councilman Boehm interjected that given the large number of part-time officers he believes it will be a great help.

Councilman Youmans stated that not only will it make things a lot easier and more efficient but it will also save money in a number of different forms such as spending \$500.00 a year for timecards, which they will no longer need as well as the time savings in the payroll processing and scheduling, which will eliminate grievances when they don't call in the right guy. He concluded by saying that it is a money saver and he does not want people to think that they are spending \$3,300.00 just to make someone's life easier.

Councilman Boehm stated that they took a solid look at it and determined that it will be a big help. He continued by saying that the only question that he has is that there was a \$500.00 annual software fee that is not included in the resolution.

Supervisor Hotaling stated that it is not for the first year.

Chief Darlington stated that it is \$500.00 a year after the first year.

**RES. #029-10 APPOINT TASK FORCE COMMITTEE TO DETERMINE FIRE & SECURITY SYSTEM FOR TOWN HALL**

On motion of Councilwoman Rogers, seconded by Councilman Boehm, the following resolution was APPROVED – AYES 5 – NAYS 0 – SO MOVED

**WHEREAS**, the recent devastating fire in the Town of Ashland, NY has pointed out the need for municipalities to review the fire protection for their office and records, and

**WHEREAS**, the Town of Coeymans Town Hall building does not have an automatically activated sprinkler or alarm system, and

**WHEREAS**, the subject of office security also would be an issue, and

**WHEREAS**, the Town Board is desirous of appointing a Task Force Committee to investigate the needs for such fire and security protection at Town Hall,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Coeymans does hereby appoint Chief Darlington, William Bruno, Brian Dunican, Sr., Town Clerk Diane Millious, and Sante DeBacco to such Committee charged with the responsibility of determining these needs and reporting back to the Town Board with their recommendations for a fire and security protection system.

**BE IT FURTHER RESOLVED**, that the Committee should additionally report recommendations and suggestions for any immediate temporary action, should it be so warranted, to protect Town Hall and its occupants from these hazards.

Councilman Boehm stated that this was something that he introduced at the Workshop and added that he along with Code Enforcement Officer Conrad took a tour of Town Hall and they discussed that there was not a centralized fire protection system in Town Hall. He continued by saying that there is a 24 hour police operation but if a fire breaks out in

the bathroom there is no way of detecting it and added that given the current circumstances in Ashland where they lost some records, because the Court, Town Clerk, Business Office, Supervisor, Police, Assessor and Building Departments are all in one building and there is no uniform system, he believes that there is a real need to upgrade their protection so they don't put personnel or the Town's records in danger. He concluded by saying that with the Board's permission he would like to act as the liaison with the Task Force as they move forward.

Collectively the Town Board agreed.

**RES. #030-10 APPROVE JANUARY ABSTRACT**

On motion of Councilman Boehm, seconded by Councilwoman Rogers, the following resolution was APPROVED – AYES 5 – NAYS 0 – SO MOVED

<b>FUND</b>	<b>VOUCHER #</b>	<b>AMOUNT</b>
<b>GENERAL (A)</b>		
General Pre-Pay	1-6,168	\$153,679.51
General	23-89	\$295,636.20
	<b>General Total</b>	<b>\$449,315.71</b>
<b>PART-TOWN (B)</b>		
Part-Town Pre-Pay	7-10,169	\$ 9,805.28
Part-Town	90-96	\$ 9,403.96
	<b>Part-Town Total</b>	<b>\$ 19,209.24</b>
<b>HIGHWAY (D)</b>		
Highway Pre-Pay	11-14,170	\$ 37,180.27
Highway	97-152	\$ 88,425.86
	<b>Highway Total</b>	<b>\$125,606.13</b>
<b>SEWER (SS)</b>		
Sewer Pre-Pay	15-18,171	\$ 13,274.21
Sewer	153-166	\$ 27,873.50
	<b>Sewer Total</b>	<b>\$ 41,147.71</b>
<b>CAPITAL PROJ. (H34)</b>		
Cap. Proj. Cemetery Grant	167	\$ 24,025.00
	<b>Cap. Proj. Total</b>	<b>\$ 24,025.00</b>
	<b>Total for all Funds</b>	<b>\$659,303.79</b>
<b>TRUST &amp; AGENCY (TA)</b>		
Trust & Agency Pre-Pay	19-22	\$216,519.37
	<b>Trust &amp; Agcy. Tot.</b>	<b>\$216,519.37</b>

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**CORRESPONDENCE**

**Albany County Executive**

Supervisor Traver stated that he was in receipt of a letter from Albany County and continued by reading the following:

Dear Supervisor Traver,

As you may be aware the Albany County representative to the Hudson River Valley Greenway Council has just stepped down. I am seeking your assistance to identify interested candidates to become the County representative and represent the needs and interests of all the communities adjacent to the Hudson River.

As the head of a river front municipality, I ask that you please submit to my office the name and resume of an individual you feel would best represent Albany County on the Hudson River Valley Greenway Communities Council. I request that you please submit the requested information by February 26, 2010. I have attached a copy of the Greenway Council section from the Hudson Valley Greenway Act for you information.

Please do not hesitate to contact Elizabeth Staubach in my office if you have any questions or wish to discuss this matter further. I thank you in advance for your assistance and cooperation.

Sincerely,

Michael G. Breslin

Supervisor Traver stated that if anybody knows of anyone in the community that might be interested in doing this he would ask that they submit their name and resume to Albany County.

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#### **TOWN BOARD WORKSHOPS/MEETINGS**

- Town Board Meeting, February 8, 2010, 7pm
- Town Board Workshop – None Scheduled
- Town Board Meeting, February 22, 2010, 7pm

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#### **ADDITIONAL COMMENTS**

Supervisor Traver asked if there were any other comments.

Councilman Boehm stated that he spoke with the Assessor earlier in the evening and added that he would like to schedule for the February 8<sup>th</sup> Meeting, under public announcements, for her to go over regarding veterans, senior citizens, STAR and agricultural exemptions and to review them for any residents that might be interested in filing for those exemptions.

Collectively the Town Board agreed.

Supervisor Traver asked if there were any other comments.

Councilman Youmans stated that last Wednesday night he attended a portion of the Zoning Board of Appeals Meeting regarding the Russian Church of Albany and their desire to have a retreat center on Blodgett Road. He continued by saying that it was an extremely full house and there was standing room only in the back and added that after watching the Zoning Board of Appeals listen to everyone's concerns in a diplomatic way, he wanted to take his hat off to them because for some it was very emotionally charged. He went on by saying that he has not spoken to any members of the Board and he does not have any feeling about which way they go with it and concluded by saying that he can assure that after watching them deliberate and listen, whatever decision that they come to will be the right one and added that he wanted to thank them for what they go through.

Supervisor Traver asked if there were any other comments.

Chief Darlington stated that he wanted to thank Highway Superintendent Deering and his crew for their help earlier in the day and added that they put in several calls to the State Department of Transportation regarding the Route 143 flooding and added that he does not believe that they ever showed up and continued by saying that Albert and his crew put up cones to help with traffic. He went on by saying that another thing is the Hannacroix Creek FEMA Project, which he does not know where they stand with it and added that he knows that there was a meeting in November and discussion about it and then asked Councilman Touchette if he was heading it up.

Councilman Touchette stated that they are awaiting the final recommendation from Jim Huston with C.T. Male.

Chief Darlington asked Councilman Touchette if he knew anything about it because their time for getting into the creek is limited.

Councilman Touchette stated that he would get in touch with him in the morning.

Supervisor Traver asked if there were any other comments.

Highway Superintendent Deering stated that Green Lane was flooded and added what they were doing there was not going to solve the problem. He went on by saying that they took some pictures of the problem and added that the problem is on Sycamore property and not Town property where it was flooded.

Supervisor Traver stated that there are a lot of problems with the creek out there and added that maybe they should have the Army Corps of Engineers take a look at it.

Highway Superintendent Deering interjected that this problem was not the main creek and added that it is the stream that goes through the golf course by the second bridge and added that there is about 100 feet where the water goes all over the place.

Supervisor Traver stated that there is a lot of flooding from the Hannacroix Creek, which has caused a lot of damage.

Councilman Touchette interjected that he would brief him on what they have been doing for the past three years.

Councilman Youmans stated that it involves a Fluvial Geomorphologist.

Supervisor Traver asked if there were any other comments, hearing none he asked for a motion to adjourn the meeting.

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**ADJOURNMENT**

**MOTION**

On motion of Councilwoman Rogers, seconded by Councilman Boehm, the Town Board Meeting was adjourned.

VOTE – AYES 5 – NAYS 0 – SO MOVED

Time 8:03pm

*Respectfully Submitted,*

**APPROVED:**

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*Diane L. Millious, Town Clerk*