A Town Board Meeting was held Monday, January 11, 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
Albert Deering, Highway Superintendent
Scott Searles, Deputy Highway Superintendent
Greg Darlington, Chief of Police

****

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

****

OPENING COMMENT

Supervisor Traver stated that the records should show the full Town Board present as well as Town Clerk Millious, Chief of Police Darlington, Highway Superintendent Deering and Deputy Highway Superintendent Searles.

****

AGENDA

- Public Announcement
  - H1N1 Flu Update
- Public Comment Period
- Approval of Minutes
  - Town Board Meeting, December 14, 2009
  - Town Board Workshop, December 22, 2009
- Old Business
  - Local Waterfront Revitalization Program Contract
  - Building Inspector / Code Enforcement Officer Request to Attend Association of Towns Annual Meeting
  - Local Law #3-09 re: Sewer Rents
- New Business
  - Onesquethaw-Coeymans Watershed Management Plan Work Group
  - Request by Sewer Treatment Plant Operator to Attend NYWEA Seminar
  - Computer Support for Town Offices
  - VFW Post #9594 Contract for Services
  - Town Prosecutor Request – Payroll Status
- Resolutions
  - Authorize Increase in Justice Court Petty Cash Fund
  - Appoint Freedom of Information Officer, Records Management Officer, Registrar of Vital Statistics
- Town Board Workshops/Meetings
  - Town Board Workshop, January 19, 2010, 6pm
  - Town Board Meeting, January 25, 2010, 7pm

****

PUBLIC ANNOUNCEMENT

H1N1 Flu Update

Supervisor Traver stated that as of December 10th, the 2009 H1N1 influenza vaccine became available to all New Yorkers aged 6 months and older who want to be vaccinated and continued by saying that there will a clinic Wednesday, January 20th from 3:30-7:00pm at the Guilderland Central High School cafeteria located at 8 School Road in Guilderland Center. He added that the clinics are by appointment only and you can go to the Albany County website at www.albanycounty.com/health for additional information.

****

PUBLIC COMMENT

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

****

APPROVAL OF MINUTES

Supervisor Traver stated that there were two sets of minutes for approval, a Town Board Meeting on December 14, 2009 and a Town Board Workshop on December 22, 2009.

Councilman Youmans stated that he would move that they table the minutes because he just received his copies and added that he would like them tabled until the next meeting so they have time to review them.

MOTION

On motion of Councilman Youmans, seconded by Councilman Boehm, to table the two sets of minutes until the next Town Board Meeting.
VOTE – AYES 5 – NAYS 0 – SO MOVED

****

OLD BUSINESS

Local Waterfront Revitalization Program Contract

Supervisor Traver stated that the contract for the Local Waterfront Revitalization Program, which was started by the previous Supervisor needed to be updated with his signature and Tax ID # and then asked for a motion to sign the contract.

MOTION

On motion of Councilman Youmans, seconded by Councilwoman Rogers, authorizing Supervisor Traver to execute all necessary documents in relation to the Town of Coeymans Local Waterfront Revitalization Program.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Building Inspector / Code Enforcement Officer Request to Attend Association of Towns Meeting

Supervisor Traver stated that he had a request from Larry Conrad, Building Inspector, regarding going to the Association of Towns Annual Meeting in February and added that he believes that all of the Town Board had also read it. He continued by asking the Town Board how they felt about the request.

Councilman Touchette stated that during the budget discussions last year they all agreed that there would be no participation by any Elected Officials and added that he was not aware that Larry somehow put into his budget the money to go to this meeting. He added that at this time, in these sorted economic situations that they find themselves, it is an unnecessary extravagance and he would also argue that he can get the training locally for reduced costs and concluded by saying that he would deny the request.

Councilwoman Rogers stated that they had a conversation about it and added that Henry had also wanted to go and in turn they decided that they would pay the registration fee only.

Councilman Touchette stated that he didn't remember that conversation.

Councilman Boehm stated that he is not just asking for the registration fee but is also asking for the room expense, which he recalls is fairly expensive and approximately $250.00 a night plus per diem for meals and added that from past experience he recalls that it is at least $1,000.00.

Councilman Youmans interjected that he does not know if he would classify it as an extravagance because he had gone for two years and gained valuable information. He added that it is an expense that they decided that they were not going to participate in and went on by saying that they have to be clear when they talk about Supervisor Traver going because he has offered to foot the bill himself, which is admirable and a different situation than the Town paying for someone to go and spend three nights in the New York Hilton. He concluded by saying that he tends to agree with Mr. Touchette because if they allow Mr. Conrad to go, then they are going to piece meal it together and other people are going to want to go and reiterated that they made the decision not to participate this year and concluded by saying that he is comfortable with that decision.

Supervisor Traver asked for a motion.

Councilman Touchette stated that he would move that they deny this year the request for expenditure of Town funds for any employees or officials from the Town of Coeymans to attend the Association of Towns Meeting at the Town's expense.

MOTION

On motion of Councilman Touchette, seconded by Councilman Youmans, denying the request for any employees or officials from the Town of Coeymans to attend the Association of Towns Meeting at the Town's expense.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Local Law #3-09 RE: Sewer Rents

Supervisor Traver turned this agenda item over to Councilman Touchette.

Councilman Touchette stated that there was a Public Hearing for Proposed Local Law #3-09 and there was no public comment and continued by saying that he recommends they adopt Local Law #3-09. He continued by reading the following:

Local Law #3 of 2009
Amending Article I, 'Sewer Rents' of Chapter 134
of the Code of the Town of Coeymans

Authority – This Local Law is adopted pursuant to Municipal Home Rule Law, Section 10.

BE ENACTED BY THE TOWN BOARD OF THE TOWN OF COEYMANS AS FOLLOWS:

1. Section 134-1 Purpose, is amended to read as follows:
   The purpose of this article is to establish a schedule of Sewer Rents and time for collection thereof for the Coeymans Hamlet Sewer District, Town of Coeymans, County of Albany, State of New York <u>and for users outside of the District that utilize the Town of Coeymans Hamlet Sewer System.</u>

2. Section 134-2 is amended by adding the following new paragraph:

C. Also including such other properties either within or outside the Town of Coeymans that utilize the Town of Coeymans Hamlet Sewer System.

3. Section 134-3 entitled, "Amount of rent to be determined annually,' is amended to read as follows:

The Town Board shall annually fix and determine by resolution the amount of the Sewer rent to be charged for each classification of ~~property~~ users within the Coeymans Hamlet Sewer District and for each classification of users outside the District that utilize the Town of Coeymans Hamlet Sewer in accordance with General Municipal Law, Section 452.

4. Section 134-3 entitled, "Payment schedule; late payments," is amended to read as follows:

Such sewer rents shall be payable annually in two installments: half of such Sewer Rent shall be payable on the first of January ~~1971~~ and the second installment shall be payable on the first day of July ~~1971 in~~ each year, beginning in the year 1971. In the event that said sewer rent is not paid within 30 days from the due date, ~~five~~ ten percent penalty shall be added to the charge imposed upon ~~the~~ real property. The Town Clerk shall annually file with the Town Board a statement showing the unpaid rates, charges and fees for the Coeymans Hamlet Sewer District and any out-of-district users, containing a brief description of the property against which such sewer rents were imposed, the names of the persons or corporations liable to pay for the same and the amounts chargeable to each. In the event that the fee and penalty shall not be paid prior to the levy of Town taxes, including taxes for special district purposes, then the Supervisor shall, pursuant to Section 198, Subdivision 1 (k), of the Town Law, transmit a statement of such delinquency to the County Legislature of the County of Albany, which shall levy the sums against the property liable therefore.

5. Severability – The invalidity of any clause, sentence, paragraph or provision of this Local Law shall not invalidate any other clause, sentence, paragraph or part thereof.

6. Repealed – All Local Laws or Ordinances or parts of Local Laws or Ordinances in conflict with any part of this Local Law are repealed.

7. Effective Date – This Local Law shall take effect upon filing in the office of the New York State Secretary of State or as otherwise provided by law.

Supervisor Traver asked for a second to pass Local Law #3-09, hearing none he moved to the next item on the agenda.

Supervisor Traver stated that it is not on the agenda and added that he was in receipt of a letter from Albany County regarding the re-levy of $141,634.00 and continued by saying that if the Town does not send a letter from himself to the County, they are going to hold back $141,634.00 from the 4th quarter 2009 sales tax. He went on by saying that he also has a letter from Albany County Legislator Clouse to confirm what was going on.

Councilman Touchette interjected that it is not what the letter says and continued by saying that the letter does not say anything about negotiations.

Supervisor Traver stated that it was noted in the conversations between himself and Jeff Neal and continued by reading the following excerpt:

"As noted in those conversations, the Town has confirmed that the sewer charge was not related to actual use or a pro-rata share for the specific tax mapped parcel where this $141,634.00 sewer charge currently appears."

Supervisor Traver continued by saying that it is 15 Mountain Road.

Councilman Boehm stated that there is one letter from Peter Clouse and another from Jeff Neal, Deputy Commissioner.

Councilman Touchette stated that there was no escape clause from Mr. Neal's letter.

Councilman Youmans stated that it does not say anything about holding $141,634.00 if they don't get a letter.

Councilman Touchette stated that Supervisor Traver had indicated that they will hold it.

Councilman Boehm inquired about Supervisor Traver's conversation with Albany County.

Supervisor Traver stated that it was a conversation with Anthony DiLella and added that he said if the Town did not send a letter by the 15th, they are going to be holding back the $141,634.00 sales tax money. He continued by saying that the letter has to show in good faith that the Town is working with the Village on the sewer negotiations.

Councilman Touchette stated that he does not see that in the letter and added that it might be what he said.

Councilwoman Rogers interjected that Supervisor Traver had called her right after his conversation with Mr. DiLella and told her what he had just said about the letter.

Councilman Boehm stated that the letter is from Jeff Neal but Supervisor Traver had spoken directly with Anthony DiLella.

Supervisor Traver asked the Board whether or not he should send the letter to Albany County.

Councilman Youmans asked Supervisor Traver if he had Peter Clouse's letter because he had not see it and then asked if he could see it.

Supervisor Traver gave the letter to Councilman Youmans.

Councilman Youmans read the following excerpt from the letter from Peter Clouse.

"I have been able to confirm that this proposed action will not take place until Friday, January 15, 2010. In light of this short timeframe the County would need to be made aware of any intended action by the Town to resolve this matter as soon as possible. I would encourage the Town Board to take any action that they deem appropriate to avoid the loss of some or all of this amount."

Councilman Youmans stated that it does not seem very clear to him.

Councilman Boehm stated that Supervisor Traver spoke to Anthony DiLella but got a letter from Jeff Neal and added that this is what's confusing him.

Councilwoman Rogers interjected that she would direct the Supervisor to respond to the letter just in case all they need to see is that the Town is trying for an Agreement.

Councilman Youmans stated that he would have no problem with Supervisor Traver drafting a letter stating that they are in a negotiating process with the Village of Ravena and expect closure on that matter shortly.

Councilman Boehm stated that he concurs with Councilman Youmans and added that based on conversations that they have had with Village Trustees he believes that they are fairly close and added that his question would be whether or not the letter is addressed to Jeff Neal or Anthony DiLella.

Supervisor Traver stated that he can call tomorrow and find out where to direct the letter and added that in turn he can advise the Board.

Councilman Youmans stated that the letter is from Jeff Neal and added that he would address the letter to him and copy to Anthony DiLella and Peter Clouse.

Councilman Touchette questioned being close to a resolution on it and what the terms of the resolution are.

Councilwoman Rogers stated that she does not think that it is a resolution but rather a negotiation and for right now it is just a response letter.

Councilman Touchette interjected that he would suggest that the only equitable Agreement that the Town Board should enter into would be one that would treat users within District the same as users outside the District and added that he thinks the simplest and most fair way to do it would be to determine what the budget for the Sewer District is and determine how many users and everyone pays the same. He continued by saying that he believes that they should be proactive in representing the Sewer District and proactive in moving forward and making those proposals to the Village rather than sitting back and waiting to see what the Village is going to offer to pay for the Town's services.

Councilwoman Rogers stated that she would still like Supervisor Traver to respond to the letter.

Supervisor Traver stated that they only have four days left and then asked for a second authorizing him to send the letter.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Boehm, authorizing Supervisor Traver to send a letter to Jeff Neal.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Supervisor Traver stated that another item not on the agenda was that he received a phone call from Charles Coons relative to the Coeymans Hollow Cemetery. He continued by saying that he would read his notes from the phone call and continued by outlining the conversation as follows:

- Cemetery is to be turned over to the Town.
- Charles Hite was engaged to do a survey last November.
- Mr. Coons provided three deeds to various parts of the cemetery; all were forwarded to Attorney for the Town Wukitsch.
- The Cemetery Association has approximately $13,000.00 that should be turned over to the Town when the cemetery is transferred as well as the cemetery seal that should go to either the Town Clerk or Historical Association.

Supervisor Traver stated that it was an update and added that they are still waiting for the survey from Mr. Hite.

Councilman Boehm inquired as to if Mr. Hite needs the deeds from Attorney for the Town Wukitsch.

Supervisor Traver stated that he does.

Councilman Boehm asked that Supervisor Traver contact Attorney for the Town Wukitsch and see that he gets copies to Mr. Hite so he can move forward.

Supervisor Traver stated that he would and added that they would be moving on to New Business.

Councilman Touchette interjected that he had requested that two items be placed on the agenda that somehow didn't make it and continued by asking if he could proceed with them.

Supervisor Traver stated that he could.

Councilman Touchette stated that the first one is to discuss the past due/delinquent Sewer Rents that the Village owes the Town and added that he would like to move that the Town Board authorize and direct Supervisor Traver to send an invoice to the Village of Ravena for all past due and delinquent Sewer Rents and request that they be paid within a reasonable period of time.

Supervisor Traver asked if there was a second, hearing none he asked Councilman Touchette to go on with his second item.

Councilman Touchette stated that his next item is regarding Rte. 143 and added that last December they received communication from Congressman Tonko's Office about possible uses for Federal stimulus money. He added that he had an e-mail exchange from someone in that office and Sean Shortel, District Director at Tonko's Office replied and continued by reading the following:

"We have passed on the Town's and Mr. & Mrs. Millett's concerns to New York State DOT for their consideration. We will also consider this project as we collect data from our recent mailing. Please keep us posted on the Town's needs and issues."

Councilman Touchette stated that he was going to suggest that they authorize Supervisor Traver to send a letter of support for the project to Congressman Tonko's Office and added that any constituents that have any feelings about this should contact his office as well because the more people to do it, the better off they are. He went on by saying that he believes that there is money available and Congressman Tonko could do something if he was so inclined and then reiterated that they try to do something.

Councilman Boehm stated that the issue was brought up before and added that they addressed letters to Congressman Tonko and Tim Gordon and there was no response.

Councilman Touchette stated that he talked to Tim Gordon last week and asked him to contact DOT because they seem to think that there were plans put together for it that were shelved 15 years ago. He continued by saying that he asked Tim Gordon to ask DOT if the plans still exist and if they do he believes that it would make it a shovel ready project and it would be something that would have a better chance of being funded.

Councilman Boehm interjected that he agrees and added that it makes sense because some of the areas on Rte. 143 by the golf course below Osterhout's where they have rough road signs the guide rail posts are pulled out and there is no support as well as Gedney Hill dumping out there with a limited sight distance in both directions. He concluded by saying that it is a recipe for disaster in that area.

Highway Superintendent Deering stated that he already sent letters to those people.

Councilman Boehm suggested that they each individually sign the letter as well as Highway Superintendent Deering and Deputy Highway Superintendent Searles. He added that with Highway Superintendent Deering and Deputy Highway Superintendent Searles background and knowledge of the local roads it might add some punch to it because it is his understanding that they have no plan to deal with it in the near future.

Councilwoman Rogers inquired as to if they applied for stimulus money for the road and whether or not there was a response.

Councilman Touchette stated that they did receive a letter from Congressman Tonko last year after the Millett's sent their correspondence which said to contact their office in January and added that this was a response.

Councilman Youmans stated that by all means they should send a letter and if they say no they should send another letter in February and added that it can't hurt to keep asking because added the squeaky wheel gets the grease.

Highway Superintendent Deering stated that they also were sent a petition with over 500 names and reiterated that he also sent a letter himself.

Councilman Touchette stated that they should keep the ball rolling rather than drop the ball and added that e-mails don't take very long to compose and send. He continued by saying that any of them respond to their constituents needs and the more people they hear from the better off they are.

Supervisor Traver stated that he would draft a letter and send it to Congressman Tonka.

****

NEW BUSINESS

Onesquethaw - Coeymans Watershed Management Plan Work Group

Supervisor Traver stated that he met with Marc Hafensteiner and Mr. Kapusta regarding the Onesquethaw-Coeymans Watershed Management Plan and added that there is a Work Group Meeting tomorrow night at 6:30pm at Bethlehem Town Hall. He continued by saying that Mr. Kapusta was present to address the Board and fill them in about what is going on.

Mr. Kapusta stated that on December 16th they met and discussed some of the issues and felt that the Town would benefit from improvements of the Onesquethaw Creek and they decided that some of the issues that affect the Town are flooding in the Miller Road area, which will be more with new development because the run-off will be increased, the water quality because kids swim in the creek and there is a lot of dumping in the creek that they want to eliminate all the way from the railroad, GE and cement plant, and storm water run-off, which goes in the creek. He continued by saying that they also want to support increased school district student involvement, who have done some studies on the creek and added that he wants the Town to support this and in turn they might be able to shed some light on what the issues are in the Town of Coeymans. He concluded by saying that they are open to any input from anyone, including the Town Board, who might have some ideas that they can add.

Supervisor Traver thanked Mr. Kapusta

Request by WWTP Operator to Attend NYWEA Training

Supervisor Traver stated that he was in receipt of a request from a Waste Water Treatment Plant Operator to attend a training course and continued by asking that Councilman Youmans discuss this topic.

Councilman Youmans stated that he discussed it with Operator John Lennon and Chief Operator Breedlove and had asked that they hold off on that request until they get the sewer squared away budgetarily. He added that they agreed to this and concluded by saying that hopefully it will come up again shortly.

Computer Support for Town Offices

Councilman Boehm stated that computer support for Town Hall was something that they as a Board did not discuss as a Board but rather individually between them when it became apparent when Mr. Canning told them that he would no longer be available to assist them with computer services. He continued by saying that they asked around a little bit and came up with Fred Palmer who lives on Deans Mill Road and in turn he presented them with a proposal and continued by reading the following:

Dear Town Board:

I am a life long resident of the Town of Coeymans, with over 30 years of computer experience.

OBJECTIVE

Provide Professional assistance related to maintaining the established computer network and personal computes located in Town Hall.

PROFESSIONAL FEES

Fee will be based on a rate of $70.00 per hour. Support calls are invoiced weekly. Fees are subject to change annually, effective January 1 of each year, based upon 30-day notice.

CLOSING

I appreciate the opportunity to provide computer consulting services to the Town of Coeymans. If the Town Board accepts the conditions of this proposal, please sign one copy and return it to me at the above address.

Sincerely,

Fred Palmer

Councilman Youmans stated that the rate is the same that they were paying Mr. Canning and continued by saying that he would move that they authorize Supervisor Traver to sign the agreement and send it back to him.

MOTION

On motion of Councilman Youmans, seconded by Councilman Boehm, authorizing Supervisor Traver to sign the agreement with Fred Palmer and send it back to him.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Councilman Boehm stated that he knows Fred Palmer personally and added that he is professional person and will do a good job for the Town.

Councilwoman Rogers inquired as to if he will be able to start as soon as possible to get them up and running.

Councilman Youmans stated that he is sure that he can.

Supervisor Traver stated that he wanted to let the Board know that there is a computer problem down at Nelson's building.

Chief Darlington interjected that it was addressed earlier in the day at no cost to the Town.

Councilman Youmans stated that he understands that there is a computer issue at the Highway Garage and added that he looked at a Purchase Order earlier in the day for $1,400.00 for a new computer. He continued by saying that he would recommend before they spend money on a new one, to have Fred look at it to see if there is any reviving it.

Deputy Highway Superintendent Searles interjected that the computer is seven years old.

Councilman Youmans stated that he works for a pretty big company and he works with a computer that is six years old and he works on it on a daily basis and added that it works beautifully.

Councilwoman Rogers stated that it stops and is slow.

Councilman Youmans stated that there is a reason that it stops and is slow and a computer guy can look at it and tell you if it is worth fixing or not. He continued by saying that before they spend $1,400.00 on a new one it makes sense to look at it.

Deputy Highway Superintendent Searles stated that when they met for the budget they brought it up and it was put in the budget to get a new computer.

Highway Superintendent Deering interjected that they were told to submit it for the first of the year.

Councilman Boehm stated that there is no sense in spending money for the sake of spending money and added that they should have it looked at to see if it can be fixed.

Councilman Youmans stated that they don't buy a new car because a wheel-bearing goes bad and added that they replace the wheel-bearing and continue to drive it for a while. He reiterated that he would not want to spend money on a new computer unless they knew the one that they had was no good and added that he does not know that. He continued by saying that maybe it is no good and they do need a new one but at this point he is not ready to say that.

Highway Superintendent Deering stated that he knew someone that traded in his car when the brakes wore out and added that the car was in good shape.

Councilman Youmans stated that in his car selling days he would have loved to have known that gentleman.

Councilman Boehm stated that he agrees with Councilman Youmans.

Councilman Touchette stated that they are in a precarious financial situation and apparently they are going to have to continue to subsidize the Sewer Plant because they have been approximately 18 months without Sewer Rents from the Village and added that he thinks that they should take every step that they can to save money.

Councilman Youmans reiterated that it should be looked at.

Councilwoman Rogers stated that she would hang on to the Purchase Order and continued by asking when they can have Mr. Palmer look at it.

Councilman Youmans stated that up until 10 minutes ago he didn't work for the Town and added that he will contact him shortly after they adjourn the meeting to check his availability.

Councilwoman Rogers stated that it sounded good and reiterated that she will hang on to the Purchase Order.

Chief Darlington inquired as to if it includes all Town offices.

Councilman Youmans stated that it is town-wide.

Chief Darlington stated that he just wanted it clarified.

Councilman Touchette inquired as to if it includes the Police server as well.

Chief Darlington stated that this is why he asked.

Councilman Youmans stated that the proposal states maintaining the established computer network and personal computers located in the Town Hall and continued by saying that he's sure if they ask him to go out to the Highway Department to look at a computer at the Highway Department he will be happy to do that.

Councilman Boehm interjected that they can amend the resolution to say all Town owned computers.

Councilman Youmans stated that it was not a resolution but rather a motion authorizing Supervisor Traver to sign the Agreement and added that he does not think that they need

to go that far because it's a Town owned computer, which covers it and reiterated that he wants him to look at it.

Supervisor Traver asked Chief Darlington if he had anything to add.

Chief Darlington stated that he would request it as well because it is a substantial cost savings compared to the one that they have.

Councilman Youmans interjected that $1,498.00 for a computer is a lot and added that he just saw a pretty nice one that was bought for $600.00. He continued by asking what they are looking at because $1,498.00 is pretty expensive.

Deputy Highway Superintendent Searles stated that it is the State Contract price from Dell and added that they could go to Walmart to get one if they had an account.

Councilman Boehm stated that the issue is that if they have someone qualified to repair it and if it can be fixed it should be done.

Councilman Youmans stated that they need to see if it is still good.

VFW Post 9594 Contract for Services

Supervisor Traver stated that he is in receipt of a voucher from the VFW regarding the yearly money that the Town gives them and continued by asking for a motion to authorize giving them $1,000.00

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Touchette, authorizing the payment of $1,000.00 to the VFW.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Councilman Youmans stated that he thinks it is important to point out that the VFW not only provides services to the veterans in our town but also to anyone in town who is recovering from illness or suffering from illness. He continued by saying that they have a sick room and bring medical supplies, hospital beds, wheelchairs, walkers and other medical equipment whether you are a veteran or not. He concluded by saying that they do a wonderful service to the people of our Town and added that he thanks them for it.

Councilman Boehm stated that he would echo what Councilman Youmans had said and added that they are important part of the community who do a good job and he is happy to give them $1,000.00.

Town Prosecutor Request – Payroll Status

Supervisor Traver stated that Secretary Lewandowski received a call from Town Prosecutor Greg Teresi asking about a retirement benefit and in turn informed him that the prior prosecutor as well as Attorney for the Town Wukitsch have been paid by voucher submission and are considered vendors not entitled to benefits. He continued by saying that she also pointed out that the appointment resolution states that payment would be made by monthly voucher submission and added that Mr. Teresi indicated that he is carried on payroll by the Village and wonders if this would be done for him with the Town so he can receive retirement credit. He went on by saying that he suggested that it be brought before the Board as well as informing the Board that he talked to the auditors earlier in the day and was advised that there are strict guidelines with regard to this.

Councilman Youmans stated that not only are there strict guidelines but if they in fact make him an employee and paid his retirement benefit; it would cost the Town more money. He added that he was not prepared to tell them the exact figure and continued by saying that in his opinion if it is 2 cents; it is too much more and concluded by saying that this is his position on it.

Councilman Touchette stated that the news media has made it abundantly clear over the past year or so that this is exactly the type of situation that does not qualify someone for retirement benefits.

Councilman Youmans stated that he was told by payroll in a quick conversation, that if he wants retirement credit for that time he can get it but he has to pay into it himself and continued by saying that he is not prepared to pay into it for him.

Supervisor Traver inquired as to if the Board wants to deny the request.

Collectively the Board agreed.

Highway Superintendent Deering stated that he does not see under New Business the new truck.

Councilwoman Rogers stated that there are two quotes one from Metro for $45,950.00 and Crossroads for $46,100.00 and continued by saying that there is only $150.00 between the two and as they had discussed before they are both the same with no extras added on.

Councilman Touchette stated that he thought they were going to actually investigate whether they were the same.

Councilman Youmans stated that it was made clear that they are not identical vehicles and added that the dump bodies on them are different.

Deputy Highway Superintendent Searles stated that they don't have the same vendor for dump bodies.

Councilman Youmans stated that they budgeted a truck and it's well established that the Highway Department needs a truck and added that there is no question there. He continued by saying that they are calling them bids but he does not believe that it is entirely accurate because they are quotes.

Collectively Highway Superintendent Deering and Deputy Highway Superintendent Deering interjected that they are quotes and not bids and State Contract prices.

Councilman Youmans stated that they are State Contract prices but there is a difference and added that this is a question that they will need to ask.

Deputy Highway Superintendent Searles stated that in looking at both there are different prices and Crossroads is giving lower prices on some of the items that they need on the truck and added that he's sure that they have to make a little money and this is probably why it is different prices.

Councilman Youmans stated that it is his understanding that with State Contract there is one vendor for a product.

Deputy Highway Superintendent Searles stated that it's not true with Ford and added that Van Bortel put in a quote and advised that their price would go up another $2,000.00 but they have not sent a new one in. He added that their original price was $49,315.00 and went on by saying that Crossroads and Metro beat that price.

Councilman Boehm inquired as to whether they budgeted for a 2010 or 2011 truck.

Deputy Highway Superintendent Searles stated that they budgeted for a 2010 truck but as they submitted from before the build out date for the 2010 was November 27th and added that it will now be a 2011 truck in 2010.

Councilman Youmans interjected that it is because they changed their engine configuration.

Deputy Highway Superintendent Searles stated that they changed the engine, transmission and added that Ford has completely redone the whole truck.

Councilman Youmans stated that it is probably a good thing that they get the newer version.

Deputy Highway Superintendent Searles stated that in talking to the dealer, if they order this truck this week they are looking at probably June before they get it.

Councilman Youmans stated that he wants to make sure that they are following the Procurement Policy that is already set. He continued by saying that by saying the prices are lower than State Contract, they are not necessarily State Contract and added that he does not think that because someone is saying that they are selling it lower than State Contract, that it obligates their need to follow the Procurement Policy, which to his knowledge means they need three bids and he believes that it means that they have to advertise for bids. He concluded by saying that he has to be sure that they are telling him the right thing.

Collectively Councilwoman Rogers and Highway Superintendent Deering stated that they don't think so.

Councilman Youmans stated that if it is the case it's fine because he would much prefer to see their business stay with the local dealership and reiterated that they do have policies and if this is not the policy he will let them know.

Deputy Highway Superintendent Searles stated that they would be getting off State Contract and added that Van Bortel is a State Contract but is higher

Highway Superintendent Deering stated that it was higher and two others beat the price.

Deputy Highway Superintendent Searles stated that there were two others so that makes three for the quotes and the others beat the State Contract so it would not have to go out to bid.

Councilman Youmans stated that he will be sure of it first thing in the morning.

Highway Superintendent Deering stated that this has happened before with State Contract.

Councilman Youmans stated that he has to be clear on it and added that within his two years here it is a fairly new process to him and added that he wants to make sure that they are following the Procurement Policy to the letter.

Deputy Highway Superintendent Searles asked how quick they will know.

Councilman Youmans stated that he can look as soon as the meeting ends.

Deputy Highway Superintendent Searles asked if they can get it signed then.

Councilman Youmans inquired as to which one signed

Councilman Touchette stated that he is asking if it can be signed after Councilman Youmans' review of the Procurement Policy.

Councilman Youmans stated that he believes that it is something that has to be done at a meeting.

Deputy Highway Superintendent Searles stated that he would not think that it had to be done at a meeting because the money is there.

Supervisor Traver interjected that he could sign the Purchase Order and then have two others sign it.

Collectively the Town Board agreed.

Councilwoman Rogers reiterated that she has the Purchase Order and added that she will leave it with Supervisor Traver and added that Councilman Youmans will look into the Procurement Policy after the meeting.

Councilman Youmans stated that he would suspect that everyone would want to make sure that they are following the Policy.

Councilwoman Rogers stated that if it is signed it will be in Highway Superintendent Deering's mail box in the morning.

Highway Superintendent Deering stated that if it is signed he will move forward and get it on order and they will have it sometime in the spring.

Councilman Boehm inquired as to if they are talking about the Crossroad quote.

Deputy Highway Superintendent Deering stated that they are.

Supervisor Traver asked for a motion.

Councilwoman Rogers stated that they don't need a motion for that.

Deputy Highway Superintendent Searles stated that he needs to sign the Purchase Order and the sheet from Crossroad's, which would be an order acceptance.

Supervisor Traver asked if there were any other New Business topics.

Highway Superintendent Deering stated that he had a request and added that the Board had gotten his letter requesting to reestablish the mechanic position which was abolished last year. He added that he is still saying that it is needed.

Supervisor Traver asked if there was any discussion from the Board.

Councilwoman Rogers asked if it was his request to hire a mechanic or take a driver and make that person the mechanic.

Highway Superintendent Deering stated that he has someone that put in for the position and added that there is no money in the budget for it because they took it out last year.

Councilman Touchette inquired whether he wants to move one of his men into a position that does not exist now and continued by asking if he would eliminate the position that this person is in now.

Highway Superintendent Deering stated that he wouldn't and added that he would like to keep that position. He continued by saying that the mechanic would be reestablished and the driver would be there as well.

Councilwoman Rogers inquired about the idea of paying him out of title if there is something that has to be done during the day and the Town's mechanic can't get there until after 3:00pm.

Highway Superintendent Deering stated that he does not know how it would work.

Deputy Highway Superintendent Searles stated that you would still have to put the mechanic's position back in to make it an out of title.

Highway Superintendent Deering stated that they can't pay one now because there is no mechanic title and added that the individual cannot be paid out of title because there isn't any and added that he does not know how it would go with the Board or the Union.

Supervisor Traver asked if there were any other comments.

Councilman Touchette interjected that they should take it under advisement.

Supervisor Traver asked if there was any other New Business.

Highway Superintendent Deering stated that he didn't hear what they were doing about the last topic.

Supervisor Traver and Councilwoman Rogers collectively stated that the Board is going to discuss it further.

Supervisor Traver stated that they were moving on to resolutions.

****

RESOLUTIONS

RES. #026-10 AUTHORIZE INCREASE IN JUSTICE COURT PETTY CASH FUND
On motion of Councilman Touchette, seconded by Councilwoman Rogers, the following resolution was APPROVED – AYES 4 – NAYS 0 – ABSTAIN 1 (Touchette) – SO MOVED

WHEREAS, the Justice Court has experienced difficulties making change for fines and surcharges which come due on court nights and during the weekday, and

WHEREAS, the Justice Court would like to increase the limit on the petty cash fund to eliminate these occurrences,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans hereby increases the Justice Court Petty Cash Fund from $88.00 to $200.00, effective immediately.

RES. #027-10 APPOINT FREEDOM OF INFORMATION OFFICER, RECORDS MANANGEMENT OFFICER, REGISTRAR OF VITAL STATISTICS
On motion of Councilman Boehm, seconded by Councilwoman Rogers, the following resolution was APPROVED – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the term of Diane Millious as Freedom of Information Officer, Records Management Officer and Registrar of Vital Statistics expired on December 31, 2009,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board, of the Town of Coeymans, does hereby reappoint Diane Millious as Freedom of Information Officer, Records Management Officer and Registrar of Vital Statistics for a term to expire on December 31, 2013.

****

TOWN BOARD WORKSHOPS/MEETINGS

- Town Board Workshop, January 19, 2010, 6pm
- Town Board Meeting, January 25, 2010, 7pm

****

ADDITIONAL COMMENTS

Supervisor Traver asked if there were any additional comments.

Councilman Boehm stated that he wanted to compliment Albert and Scott and asked that they pass it on to the Highway crew that they are doing an excellent job with the nuisance snow storms and keeping the roads clear especially the Stanton Road & Coons Road area.

Supervisor Traver asked if there were any other comments.

Town Clerk Millious stated that she wanted to remind everyone that the Town offices will be closed next Monday due to Martin Luther King Day.

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

****

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: 7:55pm

Respectfully Submitted, **APPROVED*:***

_____
Diane L. Millious, Town Clerk