

A Town Board Meeting was held February 9, 2009 at 7:00pm at Town Hall, 18 Russell Avenue, Ravena, New York

PRESENT: Ronald K. Hotaling, Jr., Supervisor
Dawn Rogers, Councilwoman
Thomas A. Boehm, Councilman
James C. Youmans, Councilman
Richard N. Touchette, Councilman

ALSO PRESENT: Diane L. Millious, Town Clerk
Greg Darlington, Chief of Police
Albert Deering, Superintendent of Highways (arrived late)

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

AGENDA

- Presentation
 - Tax Levy Checks to Fire Companies
- Public Comment Period
- Approval of Minutes
 - Town Board Meeting, January 12, 2009
 - Town Board Workshop, January 20, 2009
- Old Business
 - Court Renovations
- New Business
 - Request for Sewage Treatment Operator to Attend Training Course and Reimbursement for Associated Charges
 - Request to Attend NYS Building Officials Conference
 - Request Reimbursement for Lunch & Mileage for Town Clerk Quarterly Meeting
 - Request for Extended Warranty for Police License Plate Reader
 - Contract for Services, Ravena-Coeymans Historical Society
 - Contract for Services, Senior Projects of Ravena
- Resolutions
 - Establish Shared Service Item in A Fund for Gasoline
 - Establish Capital Project Fund for Sidewalks
 - Amend 2009 Budget, Attorney for the Town
 - Amend 2009 Budget, General Fund
- Correspondence
 - Albany County Legislature & Albany County Executive
- Town Board Workshops/Meetings
 - No Workshop, Association of Towns Annual Conference
 - Public Hearing, February 23, 2009, 6:30pm
 - Town Board Meeting, February 23, 2009, 7pm

OPENING COMMENT

Supervisor Hotaling stated that the record should reflect a full Town Board present in addition to Town Clerk Millious and Police Chief Darlington and added that Highway Superintendent Deering will be showing up at some point during the meeting. He continued by saying that he would like to make a formal presentation of the tax money for the two Fire Districts that Town Clerk Millious and her staff collect for.

PRESENTATION

Tax Levy Checks for Fire Companies

Supervisor Hotaling invited members of the Coeymans and Coeymans Hollow Fire Districts to join him for the presentation and continued by saying that the Town Board does not create a budget for the Fire Districts. He went on by saying that they follow their own process, which was recently amended by State Law to provide for a Budget Hearing separate and apart and in turn the budget is submitted to the Town, which is advertised by Town Clerk Millious. He added that they have their Budget Hearing just like they have in Town Government and once it is established as a budget the Town does the collection of taxes. He continued by presenting to the Coeymans Fire District a check in the amount of \$325,375.00 and to the Coeymans Hollow Fire District a check in the amount of \$261,950.00 for their tax warrants. He concluded by saying that he is sure that they will put the money to good use for fire protection services for those that they represent.

PUBLIC COMMENT

Supervisor Hotaling invited the public to comment at this time.

Ms. Sylvia Lawler stated that she lives in the Hamlet of Coeymans and added that she has two comments not directly related. She added that the first has to do with the noise at the Port of Coeymans and went on by saying that on Monday, Tuesday and Wednesday of last week it was at times as loud as a monster truck rally at her property. She continued by saying that Code Enforcement Officer Conrad and Councilman Youmans went down to the Port one time and reported back to Supervisor Hotaling that there was normal heavy equipment activity. She added that it may have been the reflective quality of the water that created abnormal noise to the point of her having to leave her house on Monday and Tuesday to work elsewhere and continued by saying that she does not know what the resolution to the problem was going to be. She went on by saying that on Thursday, Friday and earlier in the day there was the sound of heavy equipment but it was not bothersome and reiterated that the noise on Monday and Tuesday was very different and not at an acceptable level. She added that for 23 years she has lived between a marina and a boat club, with noise coming from both but not once has she complained because it was what she considered within normal activity but the noise at the Port was abnormally loud & crashing. She continued by saying that her other comment has to do with Councilman Youmans mentioning at a Board meeting a memo that had been sent from Attorney for the Town Wukitsch to the Town Board that explained his interpretation of the scrap metal concern and why it did not fall under the law that prohibits the importation of trash. She went on by saying that under the Freedom of Information Law she had requested the memo so she could see what his reasoning was and she was advised that his comment was that it was privileged attorney/client material, which she understands. She added that because the Town is the client, they would be able to waive it and allow people to read Attorney Wukitsch's memo or he could paraphrase it so they could understand his reasoning. She concluded by saying that she had another commitment and had to leave the meeting and then thanked the Town Board.

Supervisor Hotaling asked if there were any additional comments.

Mr. Bob Temple stated that he lives on Tracey Road and added that on January 28th he was involved in an accident with a Town vehicle, a snow plow, on Biers Road and added that he was headed downhill in a northerly direction with the plow coming southbound with the front plow and wing plow down. He added that in order to avoid a mail box the truck swung out to go around it, which gave him the option of either hitting the plow or going in the ditch. He continued by saying that he went in the ditch and the driver never stopped and in turn he phoned some friends to help him get his truck out and soon after went to the Police Department to make a report and was told that because the police were not called to the scene he had to fill out the report by himself. He went on by saying that he had made numerous visits to the Highway and Police Departments and it seems like no one seems to want to help him and added that he feels like a victim because he does

not know what else he could have done in that case and continued by saying that he knows that Supervisor Hotaling is aware of it because Chief Darlington has said that he had spoken to him about the incident.

Supervisor Hotaling stated that at the time of the incident he was not in Town but subsequent to his return he became aware of it.

Mr. Temple stated that no one will give him the drivers name because of some kind of privacy issue and added in the Vehicle and Traffic Manual and in talking to DMV legal he is entitled to his name but the response that he gets from the Police Department and Highway Department is that they are waiting to hear back from the Attorney for the Town.

Supervisor Hotaling asked Chief Darlington if he had heard from the Attorney for the Town.

Chief Darlington stated that his understanding from Deputy Highway Superintendent Searles was that Attorney for the Town Wukitsch has advised not to release the name.

Supervisor Hotaling stated that for the record he did not make contact with the plow but it did force him off the road and continued by asking Mr. Temple if in his opinion the driver knew that he was there.

Mr. Temple stated that he does not know how he could not know and added that when he was at the Highway Department during one visit he had a tape measure with him and the plow in the front is 12'6" and the wing plow is 11' and added that the footage on Biers Road is not that wide. He continued by saying that Highway Superintendent Deering had advised him that it is alright to run a one man truck because of training that you go through to be approved and concluded by saying that he thinks that there is some kind of responsibility there.

Supervisor Hotaling stated that he understands and wanted Mr. Temple to clarify that because the police didn't respond he is trying to fill out a complete accident report to submit.

Mr. Temple stated that it is part of his goal and added that he was advised by the Police Department that they were going to investigate it because a Town vehicle was involved. He continued by saying that he asked about leaving the scene because it is clear when he spoke with DMV legal that he is required to stop and added that he didn't have to make contact with his vehicle and went on by saying that it only has to cause the accident.

Supervisor Hotaling asked Chief Darlington if there is an on-going investigation.

Chief Darlington stated that one of the things that he explained to Mr. Temple is that one of the problems is that they were not directly called there so he has no proof that there was any other vehicle.

Supervisor Hotaling inquired as to if Highway Superintendent Deering was aware that there might have been an incident on Biers Road.

Highway Superintendent Deering stated that he was told that there was an incident.

Supervisor Hotaling inquired as to who told him.

Highway Superintendent Deering stated that it was his Deputy.

Supervisor Hotaling inquired as to if he was of reasonable opinion that an incident did occur.

Highway Superintendent Deering stated it is what he was told.

Supervisor Hotaling asked that he initiate an investigation to try and determine the source and cause that can be made part of an accident report and continued by asking if it is possible for Chief Darlington to put together an accident report based on the results of the investigation or if he would pass on the information to Mr. Temple to put in a report.

Chief Darlington stated that he had suggested to Mr. Temple that he present it to his insurance company and in turn his insurance company would put in a claim to the towns. He continued by saying that meanwhile they would do an internal investigation as to the cause.

Supervisor Hotaling stated that he does not believe that any of them sitting there would not take responsibility if they were the cause of something to happen and added that they should do what they can to facilitate, while protecting whatever rights that the Attorney for the Town seems to be concerned about with regard to the operator of the vehicle.

Highway Superintendent Deering stated that he talked with Attorney for the Town Wukitsch because Mr. Temple wanted the driver's license.

Mr. Temple interjected that he wanted the information that was required for the report.

Highway Superintendent Deering stated that he was advised by the Attorney for the Town not to give out any personal information.

Supervisor Hotaling stated that he was not part of the conversation and added that he would have to speak with Attorney Wukitsch about his opinion and continued by saying that he does not attend the first Board Meeting of the month but rather the second meeting. He went on by saying that he can't understand what Attorney for Town Wukitsch's position was by talking to the Chief and Highway Superintendent. He concluded by saying that one thing that he can be certain is that to the extent possible, if Highway Superintendent Deering is of the opinion having been told by his Deputy that an incident was likely to have occurred at that location at that time, it is clear that he would like the Police Department to do what they can to get as much information possible and in turn it will give him or the Town Board an opportunity to talk more with Attorney Wukitsch to find out what and under what circumstances information can be released.

Mr. Temple stated that the Police Department was well aware of the accident and added that on the first day he spoke with Sgt. Westphal and in turn he spoke with Highway Superintendent Deering's Deputy. He added that it seems that they don't want to help him out because it is a Town vehicle and continued by saying that he was instructed to call him later that day and he would give him the vehicle information and the driver information. He continued by saying that he left a message and never got a return call and his calls are never returned and he doesn't get anything back unless he goes in person.

Supervisor Hotaling stated that he believes that there is an obligation on the part of any operator of any vehicle that when it is involved in an accident or perceived to be involved in an accident, there is an obligation to report it to not only to his office but the Police Department as well so they can perform routine and necessary tasks associated with putting together information about an accident or an alleged accident. He concluded by saying that he does not believe that there is any problem with moving forth an investigation and reiterated that he does not know the extent to which Attorney for the Town Wukitsch is relying upon for privacy of personal information for that and added that he will need to know more of his opinion before he would tend to embrace it.

Mr. Temple stated that he didn't have much knowledge about that himself and added that this is why he went to DMV legal and according to the Attorney that he spoke with there; he is entitled to that information.

Highway Superintendent Deering interjected that it happened during a snowstorm.

Supervisor Hotaling stated that Mr. Temple had explained that it was during a time that the road was being cleared with both plows down and the driver was attempting to go

around a mailbox. He then asked Highway Superintendent Deering if this is what he heard as well.

Highway Superintendent stated it was and added that he was trying to go around the mailbox because it has been hit before.

Mr. Temple stated that he didn't know why Highway Superintendent Deering had mentioned that it was during a snowstorm.

Supervisor Hotaling stated that he didn't think that he had heard it initially and added that he came in after the initial part of Mr. Temple's presentation when he said it was during a snow storm on the 28th.

Mr. Temple interjected that it is clear in the V&T book that even during a snowstorm he is entitled to half of the road and reiterated that the driver certainly did not give it to him. He continued by saying that he does not know how many hours the driver had put in and added that he knows that they work pretty hard when it snows like that and went on by saying that he does not know if he was tired or what went on but he did not stop and kept on going up the road.

Supervisor Hotaling stated that he cannot speak to who gets what portion during a snowstorm and added that in speaking for himself and for the Board they are not opposed to having whatever information that can be released, developed and made accessible to him. He continued by saying that they clearly understand as well as the Department Heads understanding that the obligation is that when an incident occurs with a Town vehicle, it is immediately reportable to someone and added that when something like this occurs, generally speaking there is at least one other side of the story and sometimes an adversarial position with regard to who gets repairs made to what and under what circumstances. He added by saying that they have gone through this in the past and went on by saying that there are some strange laws and some case law that seems to lie on the side of the municipality in terms of their ability to not be impugned and held responsible. He concluded by saying that he is speaking with regard to past experience and added that it does not excuse the fact that they should be investigating every incident and based on his request they will do their best to comply with it.

Mr. Temple stated that he understands what he had said and added that Highway Superintendent Deering had pretty much said the same thing when he spoke with him. He continued by saying that he had also said that a snowplow is an emergency vehicle and DMV legal said that they are not but rather hazard vehicles.

Supervisor Hotaling interjected that they are emergency vehicles during a snowstorm.

Mr. Temple stated that emergency vehicles are required to have at least one flashing red light and not an amber light and added that he wanted to get back to leaving the scene. He continued by saying that he would think that the Police Department would interview him and the driver of the snowplow but no one has talked to him and he does not know if they interviewed the other driver. He concluded by saying that he does not know what is going on and this is why he is at the meeting.

Supervisor Hotaling stated that he believes that he has made it clear that the Police Department will be discussing it with the Highway Department to try and put together what happened and added that Highway Superintendent Deering had said that based on a report from his Deputy he is reasonably certain that an incident occurred at that location on that particular day. He concluded by saying that he has asked to have an investigation initiated to determine what happened and under what circumstances and added that he cannot speak to what happened over the last 10 days.

Mr. Temple stated that he understands that and added that as far as turning it in to his insurance company, his truck is 13 years old and he doesn't even have collision on it and he was advised to go to the Town.

Councilman Boehm inquired as to how much damage was done.

Mr. Temple stated that most of the damage was to the plow and it is about \$3,000.00 with the front end repairs, which was \$600.00 and already fixed.

Supervisor Hotaling stated that this will be part of his statement

Mr. Temple inquired as to if they will be able to ascertain how many hours the driver was working at the time of the incident.

Supervisor Hotaling stated that he would imagine that they would be able to and added that he does not know if it will be part of the investigation because he is not leading the investigation. He continued by saying that he is on behalf of the Board directing the Police Department to investigate what took place.

Supervisor Hotaling asked if anyone else had anything to add, hearing nothing he asked if anyone else wished to make a public comment, hearing none he moved to the next item on the agenda.

APPROVAL OF MINUTES

Supervisor Hotaling stated that there were two sets of minutes for Town Board approval, a Town Board meeting on January 12th and a Workshop on January 20th. He asked if everyone had an opportunity to review them and if so they would be entertaining a motion.

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, the minutes were accepted as presented.

APPROVED – VOTE 5 – NAYS 0 – SO MOVED

OLD BUSINESS

Court Renovations

Supervisor Hotaling stated that originally there was going to be a presentation from the Court with regard to the renovations that have been suggested as a result of not only this year's grant but also some left over money from last year. He continued by saying that the Court is the last remaining section to be renovated and renovations have been done in piece meal and it was started prior to his arrival in 2004. He added that they have now received a plan and quote to add to the plans and quotes that were done previously and in turn the Court has asked that the Town Board take a look at it and move forward with approving the lowest responsible bidder with a responsible plan for renovations. He went on by asking that the Board take into consideration what they had received as well as him attempting to provide them with previous plans and estimates that were done at the initial stages of application for the grant and hopefully by the next meeting they will be able to make a judgment as to who they should award the project to.

Councilman Boehm inquired as to if it went out for bid.

Supervisor Hotaling stated that his understanding is that there were two previous quotes and added that with the newest one they have three. He continued by saying that it has been a while and he will pull the other two together and give them to the Board as soon as possible to see if they are apples to apples.

Councilman Youmans interjected that the only one that he has seen is the one that was in his mail box prior to the meeting.

Supervisor Hotaling stated that he understands that and reiterated that there were a couple that occurred many months ago in last year's application. He continued by saying that he will get them all together and they can let him know if they want to put it on the agenda for the next meeting on February 23rd.

Councilman Touchette inquired as to if it addresses the security issues that were brought up in the audit by the Court Administration.

Supervisor Hotaling stated that he knows that they recommended that a metal detector be installed, which is not part of the renovation. He continued by saying that it does not address the issues and they will be additional costs that may have been part of the larger grant in terms of equipment costs.

Councilwoman Rogers interjected that this is just for construction.

Supervisor Hotaling stated that there were two components, one for security equipment and one for the reconstruction of the space itself he then asked that Councilwoman Rogers contact Judge Reilly the following day to see if she can get a handle on it.

Supervisor Hotaling asked if there were any additional Old Business topics that anyone wanted to raise, hearing none he moved to the next item on the agenda.

NEW BUSINESS

Request for Sewage Treatment Operator to Attend Training Course and Reimbursement for Associated Charges

Supervisor Hotaling stated that he was in receipt of a request on the part of Chief Operator Breedlove to have the Board authorize the training courses for Keith Geraldson, who was hired as a provisional Waste Water Treatment Plant Trainee. He added that he has taken and passed the Civil Service Exam, which makes him no longer provisional and went on by saying that he is now required to take some courses in a certain amount of time to elevate him to a Treatment Plant Operator, which is similar to what Mr. Lennon did approximately one year ago. He continued by that it is a request to attend Basic Operations, March 2 – March 13, Basic Laborer, March 30 – April 3, and Activated Sludge, April 6 – April 9 and added that the costs were included for their review, which is \$2,025.00 for the courses, \$1,235.00 for the hotel as well as a similar arrangement that they did for Mr. Lennon for a food allowance, tolls and fuel. He then asked for a motion to authorize the registration and payment for the courses and set up an arrangement for food, tolls and fuel.

Councilman Boehm inquired as to if he would take his own vehicle.

Supervisor Hotaling stated that Mr. Lennon drove the WWTP truck and added that a similar option will be available.

Councilman Youmans stated that he knows that they are obligated to send Mr. Geraldson for the training and continued by asking if there is a time frame that it must be done in.

Supervisor Hotaling stated that he didn't know and added that he wanted to say a year but can not be certain.

Councilman Youmans stated that he is coming up on a year.

Supervisor Hotaling stated that they are offered at other times but usually at the same location and added that getting it over with sooner may be better than later.

Councilman Youmans stated that he is probably right and continued by offering a motion.

MOTION

On motion of Councilman Youmans, seconded by Councilman Boehm, authorizing Keith Geraldson to attend the training courses for a cost not to exceed \$2,025.00 for the three courses and \$1,235.00 for the hotel as well as a pier diem for each day.

APPROVED – VOTE 5 – NAYS 0 – SO MOVED

Supervisor Hotaling stated that the vouchers for the registration and hotel charges will be authorized for a pre-pay.

Request to Attend NYS Building Officials Conference

Supervisor Hotaling stated that he was in receipt of a request for Building Officials training and added that Mr. Conrad and Mr. Cashin are requesting Town Board approval to attend a training seminar sponsored by NYS Building Officials Conference NYSBOC. He continued by saying that it will be held at the Italian-American Community Center, Friday, February 20th for a course entitled “Energy Code Update – What You Really Need to Know” and went on by saying that it will give each of them 3 credit hours of necessary CLE’s. He added that they have to have a certain number of CLE’s, which they will be getting some of at the Association of Towns Conference and the additional 3 will be vital as well. He concluded by saying that it is a meager \$30.00 per person and they will be taking the Building Department vehicle for transportation and then asked if there was any further discussion or a motion.

Councilman Touchette inquired as to how many hours of training are required.

Supervisor Hotaling stated that he believes that it is 20 something and added that the majority is obtained at the Association of Towns Conference as well as NYSBOC, Association of Towns and Department of State sponsoring courses.

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, authorizing attendance for Larry Conrad and John Cashin to attend the NYSBOC training on February 20th.

APPROVED – VOTE 5 – NAYS 0 – SO MOVED

Request for Lunch & Mileage for Town Clerk Quarterly Meeting

Supervisor Hotaling stated that Town Clerk Millious has requested to attend a quarterly meeting of the Town Clerk’s Association and added that the last one for 2008 is a critical one because it has the election of officers for 2009 and went on by saying that there was a snow storm and it was postponed. He continued by saying that it was rescheduled to February 13th and Town Clerk Millious may be in the running for a presidential nomination for this organization for next year, which will be a nice thing. He concluded by saying that Ms. Millious is requesting permission to attend the meeting to include the election of officers as well as requesting reimbursement for the luncheon and mileage and then asked if there were any other comments or motion to move.

MOTION

On motion of Supervisor Hotaling, seconded by Councilman Youmans, authorizing her attendance as well as reimbursement for the lunch and mileage.

APPROVED – VOTE 5 – NAYS 0 – SO MOVED

Supervisor Hotaling asked Town Clerk Millious if she were asked to be President if she would serve.

Town Clerk Millious stated that she would and added that she is currently Vice President and prior to that she was secretary. She continued by saying that being Vice President usually means that you will be President.

Supervisor Hotaling wished her good luck.

Request for Extended Warranty for Police License Plate Reader

Supervisor Hotaling stated that the Police Chief has requested an extended warranty for the license plate reader and continued by asking that Chief Darlington talk about the request as well as what the reader does and how effective it has been.

Chief Darlington stated that the license plate reader is currently on one vehicle and added that it reads license plates and can read up to 900 plates per second. He continued by saying that it has been a very useful tool with picking up suspended driver's licenses wanted persons, suspended plates and stolen plates and added that they can put a plate number in and if the vehicle passes that car it alerts the officer. He went on by saying that there were two cases where they were able to locate vehicles for the Town of Bethlehem and concluded by saying that it is a useful tool and they average 10-15 suspensions per month.

Supervisor Hotaling asked that he talk about the extended warranty and how long the Police Department has had the reader.

Chief Darlington stated that they have had it approximately a year and a half and added that the cost of it is in excess of \$26,000.00 and continued by saying that the magnets that hold it on are weakening, which makes the camera stop reading plates because the camera is not positioned properly. He went on by saying that the software has not been updated and in looking at the current cost for service calls at \$125.00 per hour with a four hour minimum plus parts, to bring the plate reader up to date it will probably exceed the cost of the warranty alone and if anything malfunctions or any thing happens in the meantime it will be covered by the warranty.

Supervisor Hotaling stated that there does not appear to be a monetary benefit in purchasing the two year as opposed to the one year.

Councilman Youmans stated that they might only get one shot at it and added that if they buy the one year this year they might not sell them a one year next year.

Chief Darlington stated that he was not aware of that.

Councilman Youmans stated that it would be a good thing to know because they might buy a one year this year and be told that they can't buy another year.

Supervisor Hotaling inquired as to if there are legitimate software updates and if the efficiency has improved or if it is just to keep it up to date.

Chief Darlington stated that it is to keep it up to date as well as improve the efficiency of how it performs.

Supervisor Hotaling stated that he is only looking for one year at this point and continued by asking if Chief Darlington sees them keeping it in service for two more years.

Chief Darlington stated that he does and added that it is his understanding that the Albany County Stop DWI will be purchasing them a second one.

Supervisor Hotaling stated that they got this one with a grant and added that they got approximately \$22,000.00.

Chief Darlington interjected that it was paid in full by the grant.

Supervisor Hotaling inquired as to whether Stop DWI will be dealing with the same vendor.

Chief Darlington stated that it is his understanding that it will be the same vendor.

Supervisor Hotaling stated that it will be the same equipment from the same vendor and added that it might make sense to go for the two year warranty.

Councilman Youmans interjected that a service call is a minimum of 4 hours at \$125.00 per hour, which is \$500.00 just to put new magnets in.

Chief Darlington stated that there would also be travel time charges and added that he doesn't know if there is a service rep locally.

Supervisor Hotaling stated that it is a piece of equipment that is paid off and it generates a reasonable level of revenue to the Town.

Councilman Youmans inquired as to whether it picks out people that don't have insurance.

Chief Darlington stated that it does for plates that are suspended for insurance not in effect.

Councilman Youmans interjected that it is a serious issue.

Supervisor Hotaling stated that it might become more serious as the economy continues to sour and then asked what the Town Board wished to do.

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, authorizing the Police Chief to purchase a two year extended warranty in the amount of \$1,770.00.
APPROVED – VOTE 5 – NAYS 0 – SO MOVED

Chief Darlington stated that he will look into whether or not the police forfeitures would be able to be used for that rather than take it out of the General Budget.

Supervisor Hotaling stated that he had signed the purchase order for one year but would adjust it to reflect two years.

Contract for Services – Ravena/Coeymans Historical Society

Supervisor Hotaling stated that the budget sets forth an opportunity for funding for a contract with the Ravena Coeymans Historical Society on an annual basis for \$1,000.00 and has either or is due to expire. He added that the Historical Society will continue to meet the Town's needs in preservation and protection of their local history through a variety of efforts that are attached to the contract. He went on by saying that the Society needs financial support to assist them in doing that and then asked for approval of the contract and authorization for him to sign it.

MOTION

On motion of Councilman Boehm, seconded by Councilman Touchette, authorizing that they enter into a contract with Ravena-Coeymans Historical Society in the amount of \$1,000.00
APPROVED – VOTE 5 – NAYS 0 – SO MOVED

Contract for Services – Senior Projects of Ravena

Supervisor Hotaling stated that it is also time to renew the contract with Senior Projects of Ravena in the amount of \$6,000.00, which has been the same amount for the past several years. He continued by saying that it serves as an Emergency Shelter for the Town of Coeymans residents, with the ice storm in December serving as an example as well as providing a venue for Defensive Driving classes and being a center for Town Government to use as a training facility. He went on by saying that a few weeks ago it served as a Point of Dispensing, where in an emergency medication would be administered to the community and Albany County Health Department used the facility to administer flu shots. He continued by saying that they also provide Income Tax Services to all residents as well as recreation, congregate dining, home delivered meals, social activities and transportation to all residents 60 years of age or older. He concluded

by saying that he thinks it is a worthy cause and it sounds like a lot of money but they provide a lot of services. He then asked for a motion authorizing the contract.

MOTION

On motion of Councilman Youmans, seconded by Councilwoman Rogers, authorizing Supervisor Hotaling to enter into a contract in the amount of \$6,000.00 with Senior Projects of Ravena.

VOTE – AYES 5 – NAYS 0 – SO MOVED

Supervisor Hotaling asked if there were any additional New Business topics, hearing none he moved to the next item on the agenda.

RESOLUTIONS

Supervisor Hotaling stated that in the past fuel has been paid for by various departments on their own and added that the first resolution is an effort to consolidate it under one umbrella into a Fuel Fund for gasoline. He continued by saying that the resolution is to move the money that was in other areas of the budget and put in one account and then asked that Councilman Touchette read the resolution.

RES. #37-09 AMEND 2009 BUDGET FOR GASOLINE

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

WHEREAS, the Town of Coeymans is desirous of establishing a shared service line item for the use of gasoline in the “A” fund, and

WHEREAS, the Town of Coeymans is required to create a budget for the source of use of funds for gasoline activities, and

WHEREAS, the 2009 Budget does not provide for the funds for the shared services purchase of gasoline, and

WHEREAS, the Town Board of the Town of Coeymans does hereby establish line item A1640.4, Central Garage Account,

NOW, THEREFORE, BE IT RESOLVED, that the 2009 Budget be amended as follows:

- Decrease line item A1355.4 by \$ 1,000.00
- Decrease line item A3120.4 by \$43,000.00
- Decrease line item A8510.4 by \$14,000.00
- Increase line item A1640.4 by \$58,000.00

Supervisor Hotaling reiterated that it consolidates the money into one central garage account for fuel purchases, which will make it easier to keep track and appropriate.

Supervisor Hotaling stated that the following resolution is to create a Capital Project for the upgraded sidewalks and added in the past they have been successful in doing this with the assistance of the Highway Department and Beautification Department. He continued by saying that last year there was not an opportunity to do that but there were funds available for it and added that the resolution will capture those funds from last year and combine them with the funds for this year, which will create a Capital Project that they can maintain some funding in for the Highway and Beautification Departments to work together on upgrading the sidewalks.

RES. #38-09 AMEND 2009 BUDGET FOR SIDEWALKS

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

WHEREAS, the Town of Coeymans desires to upgrade sidewalks, and

WHEREAS, the Town of Coeymans desires to create a Capital Project Fund for the upgrade of sidewalks, and

WHEREAS, that Capital Project is known as Capital Project H-32,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans establishes a Capital Project H-32 for the upgrade of sidewalks, and

BE IT FURTHER RESOLVED that the 2009 Budget “B” Fund be amended as follows:

Increase Transfer Out	B9901.0	\$20,000.00
Decrease Sidewalks	B5410.4	\$10,000.00
Increase Appropriated Fund Bal.	B599	\$10,000.00

Supervisor Hotaling stated that his budget reflected a .1 for attorney personal services and added that at one point they had a Town Attorney, Mr. Rotello, who actually was an employee of the Town. He continued by saying that the budget did not reflect the change over to Attorney for the Town, who is hired contractually and Attorney for the Town Wukitsch was paid on quarterly vouchers. He went on by saying that it was his error in the budget and this is a correction of that and then asked that Councilwoman Rogers read the resolution.

RES. #39-09 AMEND BUDGET FOR ATTORNEY FOR THE TOWN COMPENSATION

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

WHEREAS, the Town of Coeymans has hired an Attorney for the Town”, and

WHEREAS, the Town of Coeymans has allocated funds in line item A1420.1 for a Town Attorney, and

WHEREAS, the Attorney for the Town cannot receive compensation as a payroll employee, and

WHEREAS, the Attorney for the Town must be paid by voucher,

NOW, THEREFORE, BE IT RESOLVED, that the 2009 Budget be amended as follows:

Decrease Attorney Personal Services	A1420.1	\$20,000.00
Increase Attorney Contractual	A1420.4	\$20,000.00

Councilman Boehm stated that it is not really an increase.

Supervisor Hotaling stated that budgetarily they are reducing .1 by \$20,000.00 and increasing .4 \$20,000.00, which is a wash.

Supervisor Hotaling stated that he wanted to congratulate the Board in his absence at the last meeting to follow through with the first step in trying to achieve some savings in these very uncertain times of economic stress for everyone including those of them who are in Municipal Government trying to do the best they can with ever decreasing revenues without having an increase in tax rates. He continued by saying that the effort at the last meeting was to freeze all .2 equipment purchases, which means that any pieces of equipment that were approved budgetarily for 2009 are frozen and will not be authorized for purchase unless and until there is an individual request and a determination is reached by the Town Board to authorize the purchase. He went on by saying that they suffered a substantial 7.5% reduction in sales tax revenue for the fourth quarter of 2008 consistent with what the projections were and added that he has worked with Internal Control Officer Purinton and identified areas in the General Fund that are non-essential to

the operation of the Town and in turn they are acknowledging the projected shortfalls from sales tax revenue, mortgage tax revenue and the like. He concluded by saying that substantial pieces of revenue that at one point they could anticipate on, they do not believe are going to materialize at the level of which they have enjoyed in the past and he has identified in excess of \$100,000.00 that they are going to remove from the appropriations of the budget to balance off what they believe to be the decrease in revenues and then asked that Councilman Youmans read the resolution.

RES. #40-09 AMEND 2009 BUDGET TO LIMIT NON-ESSENTIALS

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

WHEREAS, the Town of Coeymans has reduced its 2009 estimate of the County Sales Tax distribution based on actual receipts and estimates from the County, and

WHEREAS, the Town of Coeymans desires to limit the use of appropriated fund balance to the amount estimated in the 2009 Budget, and

WHEREAS, the Town of Coeymans has identified certain budget items that are considered non-essential to the operations of the Town and will not impair services already provided or increase public safety risks to the Town residents,

NOW, THEREFORE, BE IT RESOLVED, that the 2009 Budget for the General Fund A be amended as follows:

Decrease A1440.4 Engineer Contractual	\$ 25,000.00
Decrease 1450.4 Elections Contractual	\$ 28,000.00
Decrease A1460.4 Records Management Contractual	\$ 6,500.00
Decrease A1660.4 Central Storeroom Contractual	\$ 7,500.00
Decrease A1930.4 Judgments Contractual	\$ 20,000.00
Decrease A 1989.4 Other Governmental Support Cont.	\$ 6,000.00
Decrease A3120.1 Law Enforcement Personal Services	\$ 17,500.00
Decrease A7550.4 Celebrations Contractual	\$ 7,500.00
Decrease A8810.2 Cemeteries Personal Services	\$ 1,250.00
Decrease A3020.1 Communications Personal Services	\$ 4,000.00
Decrease A8160.1 Refuse & Garbage Personal Services	\$ 3,400.00
Decrease A5031 Transfers in from B Fund	\$126,650.00

Supervisor Hotaling stated that as Internal Control Officer Purinton has described it, they are gone from the budget and added that it does not mean that if revenues match up to what they anticipated they can pick and choose from what they believed to be non-essentials and add them later on in the year. He went on by saying that it was reported to him that there are some members of the public that are concerned with the Town Board doing this and added that he would say that it is prudent government taking into account what they are about to anticipate in 2009 and perhaps beyond. He continued by saying that it is time for governments such as ours to take a look at, even if it is one day to the next, to make the efficiency changes that they have to do in order to preserve the precious tax free sources and tax dollars that they have and not increase the burden on their tax payers and added that he does not see it as an error in budgeting but rather a budget being the best estimate, which is an ever revolving day to day thing. He concluded by saying that he didn't know if the Town Board had heard the same comments about changing the budget and added that he hopes that the Board shares his opinion.

Councilman Boehm stated that he didn't hear any specific comments and added that they have to keep the flexibility and react accordingly. He continued by saying that with the circumstances he believes that it is prudent to do it at this time.

Supervisor Hotaling stated that the Senate decreased by 39 million dollars the amount of money that is going to go to the State to help them balance their budgets and added that State Governments are waiting for something to come in to help them balance their budgets and they should have to do the same thing that Local Governments are doing day to day, which is living within their means. He concluded by saying that this is his

personal comment and added that hopefully the message will resound throughout governments all around and then asked if anyone else wished to comment.

Councilman Touchette stated that they can hope that the revenues come back up to the budgeted level and added that this is what everyone hopes for. He added that until that happens they have to take a look at where they can reduce the revenues.

Councilman Youmans stated that he wanted to thank Supervisor Hotaling for his leadership on this.

CORRESPONDENCE

Albany County Legislature & Albany County Executive

Supervisor Hotaling stated that earlier in the day he received a correspondence that is budget and revenue related and added that about a year ago they were asked by the County Executive to consider whether or not they would recommend the continuation of the additional 1% sales tax in Albany County and the history is that since 1992 Albany County has been authorized to collect an additional 1%. He continued by reading the following excerpt from the letter.

“In 2008 the provision generated more than \$23.7 million in revenue for cities, town and villages of Albany County. The authorization for the collection of this revenue will, by state law, expire November 30, 2009.”

Supervisor Hotaling stated that he was reading a letter from County Executive Breslin and added that attached to the letter was a fact sheet showing that the Town of Coeymans alone received an additional 1% sales tax for 2008 and it generated \$477,033.00 in sales tax revenue for the Town and in the Village of Ravena it generated \$180,160.00 of revenue that would not have been shared with both the Town and Village. He added that in their projection for 2008 it was 1.7 million dollars that the projected sales tax revenue would be and they hit that number even though there was a 7.5% reduction in the fourth quarter. He continued by saying that they were conservatively estimating it at 1.7 million and because of the 7% reduction they were still able to come within a couple thousand dollars of the goal and added that the absence of 1% sales tax beyond 2009 would have a significant impact, in the Towns case almost ½ of a million dollars of that 1.7 million dollar revenue. He went on by saying that he would recommend that the Board consider embracing a Home Rule request in order to extend the authorization beyond its current expiration date to continue that and added that a 1% sales tax revenue is not as regressive as property taxes are as well as something that will be shared with all residents of Albany County who will reap the benefit proportionally. He concluded by saying that he would open it up for discussion to see whether or not it is appropriate for them to write back Chairman Hotaling of the Albany County Legislature and County Executive Breslin with their recommendation.

Councilman Youmans stated that with the last agenda item it is a no-brainer.

Supervisor Hotaling stated that no one wants to continue this but with the overall scheme of things a continuation of a 1% sales tax revenue is a lot better than the alternative that some municipalities are going to have to seek and explore this year and next. He then asked if the general consensus is that he write back to them and ask that they enact the Home Rule request.

Collectively they agreed that it was.

TOWN BOARD WORKSHOPS/MEETINGS

- No Workshop, Association of Towns Annual Conference

- Public Hearing, February 23, 2009, 6:30pm
- Town Board Meeting, February 23, 2009, 7:00pm

ADDITIONAL COMMENTS

Supervisor Hotaling asked if there were any additional comments.

Councilman Boehm asked Highway Superintendent Deering how the salt situation is and whether or not it is working out with the County with an adequate supply.

Supervisor Hotaling stated that there was a meeting with the County asked that Highway Superintendent Deering summarize their meeting.

Highway Superintendent Deering stated that there is adequate salt and added that he had met with the County and they are going to come up with different sheets in order to keep track of it. He added that he was told that there will be an adequate supply of salt and sand.

Supervisor Hotaling stated that they were advised that if they were to run out of salt at the Coeymans division, they would have the opportunity to go somewhere else to get it.

Highway Superintendent Deering stated that it was true and added that it has happened before. He continued by saying that he still wants his own salt shed and the Town of New Baltimore constructed their own for about \$23,000.00 and added that there is a 50/50 grant for a salt shed. He continued by saying that he had also called Assemblyman Tim Gordon to see if there was anything out there because Internal Control Officer had asked that he do that and added that he has not heard back from him.

Supervisor Hotaling asked if his equipment was ready to go if there is another storm.

Highway Superintendent Deering stated that it is.

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

ADJOURNMENT

MOTION

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

VOTE – AYES 5 – NAYS 0 – SO MOVED

Time – 8:06pm

Respectfully Submitted,

APPROVED:

Diane L. Millious, Town Clerk