A Town Board Organizational Meeting was held Monday, January 01, 2008, at 10:00am 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

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

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TOWN OF COEYMANS
ORGANIZATIONAL MEETING
NOTICE

NOTICE IS HEREBY GIVEN that the Organizational Meeting of the Town Board of the Town of Coeymans has been scheduled for Tuesday, January 01, 2008, at 10:00am.

The Meeting will be held at Town Hall, 18 Russell Avenue, Ravena, N.Y.

By Order of the Town Board
of the Town of Coeymans
Diane L. Millious
Town Clerk

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SUPERVISOR'S OPENING COMMENT

Supervisor Hotaling stated that the record should reflect that there was a full Town Board in addition to Town Clerk Millious and continued by welcoming Councilman Richard Touchette to his first meeting in addition to a fresh welcome to Councilman James Youmans who joins them on the 2008 Town Board having been sworn in the day prior.

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RESOLUTIONS

Supervisor Hotaling stated that there were approximately 30 resolutions to go through, which will develop the organizational structure for 2008 and continued by asking that Councilman Boehm offer the first resolution.

RES. #001-08 ESTABLISH TOWN BOARD MEETING DATES FOR 2008
On motion of Councilwoman Boehm, seconded by Councilwoman Rogers, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby set the following dates for Town Board Meetings for 2008. Please note that Town Board meetings start at 7:00 P.M.

January	1st	(Organizational)	June	23rd
January	14th		July	28th
January	28th		August	25th
February	11th		September	8th

February	25th		September	22nd
March	10th		October	14th **
March	24th		October	27th
April	14th		November	10th
April	28th		November	24th
May	12th		December	08th
May	27th *		December	22nd
		Moved to Tuesday for: *Memorial Day **Columbus Day		

RES. #002-08 ESTABLISH TOWN BOARD WORKSHOP MEETING DATES FOR 2007
On motion of Supervisor Hotaling, seconded by Supervisor Councilman Touchette, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, it has been determined that one Town Board Workshop meeting per month is deemed necessary,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board establishes the following dates in 2008 as Workshop Meetings. These meetings will take place on Tuesday evenings, commencing at 6:00 P.M.

January	22nd	July	22nd
February	--	August	19th
March	18th	September	16th
April	15th	October	21st
May	20th	November	18th
June	17th	December	16th

RES. #003-08 ESTABLSIH PLANNING BOARD MEETING DATES FOR 2008
On motion of Councilwoman Rogers, seconded by Supervisor Hotaling, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby set the following dates for the Planning Board Meetings for 2008. Please note that Planning Board Meetings start at 7:00 P.M.

January	7th	July	7th
February	4th	August	4th
March	3rd	September	2nd *
April	7th	October	6th
May	5th	November	3rd
June	2nd	December	1st

* Labor Day Observed

RES. #004-08 ESTABLSISH ZONING BOARD OF APPEALS MEETING DATES FOR 2008
On motion of Councilman Youmans, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby set the following dates for the Zoning Board of Appeals meetings for 2008. Please note that Zoning Board of Appeals meetings start at 7:00 P.M.

January	16th	July	16th
February	20th	August	20th
March	19th	September	17th
April	16th	October	15th
May	21st	November	19th
June	18th	December	17th

RES. # 005-08 ESTABLISH DATES OF HOLIDAY OBSERVANCE FOR 2008
On motion of Councilman Touchette, seconded by Supervisor Hotaling, the following resolution was APPROVED – VOTE – AYES 5 – NAYES 0 – SO MOVED

BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby set the following Holidays for 2008 for employees not covered by union contracts. Holiday schedules for covered employees are pursuant to active agreements in force.

January	1st	New Year's Day
January	21st	Martin Luther King Day
February	18th	President's Day
May	26th	Memorial Day
July	04th	Independence Day
September	01st	Labor Day
October	13th	Columbus Day
November	04th	Election Day
November	11th	Veteran's Day
November	27th	Thanksgiving Day
November	28th	Day after Thanksgiving
December	25th	Christmas Day

RES. #006-08 AUTHORIZE SUPERVISOR TO EXECUTE AGREEMENTS WITH CONTRACTUAL EMPLOYEES, CSEA & COUNCIL 82
On motion of Councilman Boehm, seconded by Councilwoman Rogers, the following resolution was APPROVED – VOTE – AYES 5 – NAYS O – SO MOVED

BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby authorize Supervisor Ronald K. Hotaling, Jr. to execute all agreements between the Town of Coeymans and contractual employees, CSEA and Council 82.

RES. #007-08 DESIGNATE DEPOSITORY OF FUNDS
On motion of Supervisor Hotaling, seconded by Councilman Touchette, the following resolution was APPROVED – VOTE – AYES 5 – NAYS O – SO MOVED

BE IT RESOLVED, that the Town Board of the Town of Coeymans, pursuant to Town Law, Section 64 (1), 20 and 35 that National Bank of Coxsackie, Key Bank, First Niagara, Citizens, or any other bank or depository authorized by the State of New York, be designated as the depository of all funds of the Town of Coeymans. In addition, the Town Board directs that all Town officials responsible for monies are hereby required to deposit said monies into said depository.

RES. # 008-08 ADOPT INVESTMENT POLICY
On motion of Councilwoman Rogers, seconded by Supervisor Hotaling, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the Town of Coeymans has previously adopted a "Model Investment Policy" supplied by the State Comptroller's office on April 29, 1996, and

WHEREAS, all towns must adopt an investment policy according to the State Comptroller's office, and General Municipal Law, and

WHEREAS, that "Investment Policy" shall be reviewed on an annual basis and shall be adopted at the Annual Organizational Meeting, and

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby adopt the amended "Investment Policy" for the year 2008.

RES. # 009-08 AUTHORIZE PAYMENT IN ADVANCE OF AUDIT OF CLAIMS
On motion of Councilman Youmans, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby authorize the payment in advance of audit of claims for public utility services, telephone, postage, freight and express charges, lease and maintenance agreements, and any other prepayments that would result in penalties against the Town of Coeymans. In addition, all payroll and employee benefits payable and due at specific times.

RES. #010-08 DESIGNATE OFFICIAL NEWSPAPER
On motion of Councilman Touchette, seconded by Councilwoman Rogers, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

BE IT RESOLVED, that the Town Board of the Town of Coeymans pursuant to Section 64, Subdivision 11 of the Town Law, designates *The News Herald*, a newspaper regularly published in the Town of Coeymans, County of Albany, the official newspaper of the Town of Coeymans.

RES. #011-08 APPOINT ADMINISTRATOR OF ACCESS
On motion of Councilman Boehm, seconded by Councilman Touchette, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the Town Board of the Town of Coeymans, does hereby have an agreement with Mid-Hudson Cablevision to provide public access programming directly from the Town Building located at 18 Russell Avenue, Ravena, New York.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby appoint William Horton as the Administrator of Access for the purpose of coordinating, programming, and overseeing individuals involved in the telecasting of approved programs, to serve without remuneration.

RES. #012-08 SET MILAGE RATE
On motion of Supervisor Hotaling, seconded by Councilman Youmans, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

BE IT RESOLVED, that the Town Board of the Town of Coeymans, pursuant to Section 102, Subdivision 1 of the Town Law, establishes the rate of 50.5 cents per mile for the authorized use of personal vehicles by town employees in performance of their duties.

RES. #013-08 AUTHORIZE PREFERENTIAL PRE-REGISTRATION RATE FOR ASSOCIATION OF TOWNS CONVENTION
On motion of Councilwoman Rogers, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the Association of Towns has developed an in-office pre-registration procedure for the 2008 Annual Meeting, and

WHEREAS, the Association of Towns has offered a preferential pre-registration rate of $100 per person, and

WHEREAS, the Town Board of the Town of Coeymans has authorized by previous motion December 26, 2007 the Supervisor to take advantage of the preferential pre-registration rate of $100 per person,

NOW, THEREFORE, BE IT RESOLVED, that all Elected Officials and employees specifically authorized by the Town Board may attend the Association of Towns Convention in New York City, February 17-20, 2008, and that Town will reimburse them at a per diem of $75 per day.

RES. #014-08 APPOINT DELEGATE & ALTERNATE FOR ASSOCIATION OF TOWNS CONVENTION
On motion of Councilman Youmans, seconded by Supervisor Hotaling, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby appoint Supervisor Ronald K. Hotaling, Jr. as Delegate for the Town of Coeymans at the Association of Towns Convention, February 17-20, 2008, and Councilwoman Dawn Rogers as an alternate.

RES. #015-08 RE-APPOINT ZONING BOARD OF APPEALS MEMBER
On motion of Councilman Touchette, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby reappoint Kerry Marsh as a member of the Zoning Board of Appeals to a term to expire on December 31, 2012.

RES. #016-08 APPOINT ZONING BOARD OF APPEALS CHAIRMAN
On motion of Councilman Boehm, seconded by Supervisor Hotaling, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the Town Board of the Town of Coeymans does hereby reappoint Kerry Marsh as chairman of the Zoning Board of Appeals to a term to expire on December 31, 2008.

RES. #017-08 APPOINT PLANING BOARD CHAIRMAN
On motion of Supervisor Hotaling, seconded by Councilwoman Rogers, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby appoint Peter Foronda as Chairman of the Town of Coeymans Planning Board. This appointment is effective immediately and will expire on December 31, 2008.

RES. #018-08 APPOINT PLANNING BOARD MEMBERS
On motion of Councilwoman Rogers, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the Planning Board has been working with a shortage of members due to the departure of Laurie Felter and Winthrop Irwin, and

WHEREAS, Chairman Foronda is desirous of filling these positions to maintain membership of the Board at seven members and completing the terms of office for the two vacant positions,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans, does hereby appoint Willing Brown to the Planning Board with a term to expire December 31, 2012 and Mr. Ernest Quinto with a term to expire December 31, 2011.

RES. #019-08 APPOINT ZONING BOARD COUNSEL
On motion of Councilman Youmans, seconded by Supervisor Hotaling, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby appoint Aline Galgay, Esq. to serve as legal counsel to the Zoning Board of Appeals for a yearly fee of $6,000 payable by monthly voucher submission. In addition, and for the duration of committee developing the revised Zoning Ordinance, Ms. Galgay will be compensated $150 per meeting to head that effort.

RES. #020-08 APPOINT CIVIL DEFENSE DIRECTOR
On motion of Councilman Touchette, seconded by Councilwoman Rogers, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby appoint William Bruno as the Civil Defense Director for the Town of Coeymans, and

Chairman of the Town Emergency Management Committee, for a term to expire on December 31, 2008. Compensation for this position is $1,500 per year.

RES. #021-08 APPOINT TOWN HISTORIAN
On motion of Councilman Boehm, seconded by Supervisor Hotaling, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby appoint Marvin Wolfe Town Historian for the Town of Coeymans, for a term to expire on December 31, 2008. Compensation for this position is $600 per year.

RES. #022-08 APPOINT MARRIAGE OFFICER
On motion of Supervisor Hotaling, seconded by Councilman Youmans, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby appoint Marvin Wolfe as Marriage Officer for the Town of Coeymans with the responsibilities as determined by Town Law. This appointment expires December 31, 2008.

RES. #023-08 APPOINT ETHICS BOARD
On motion of Councilwoman Rogers, seconded by Councilman Touchette, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the Town Board is advised that the terms of office for the members of the Ethics Board expire December 31, 2007, and

WHEREAS, the Town Board wishes to continue the work of the Ethics Boards,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby reappoints Mark Principato, Sean Parker and Jeff Sorensen to the Ethics Board with term expiring December 31, 2008

RES. #024-08 APPOINT EMERGENCY MANAGEMENT COMMITTEE
On motion of Councilman Touchette, seconded by Supervisor Hotaling, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the Town of Coeymans, Village of Ravena, Emergency Management Committee has an Emergency Management Plan to be implemented at the time of specific incidents of events which may result in severe or extensive damage, loss of property, casualties, deaths and/or disruption of the normal everyday routine of our specific geographic area, and

WHEREAS, the success of this plan depends on the cooperation and coordination of a number of individuals and organizations,

NOW, THEREFORE, BE IT RESOLVED, that the following will be participating and contributing agencies: Coeymans Fire Company, Coeymans Hollow Fire Corporation, Town of Coeymans Police Department, Ravena Hose Company, Ravena Rescue Squad, and

BE IT FURTHER RESOLVED, that the Committee shall consist of the following for a period ending December, 31, 2007:

Bill Bruno, Committee Chairman
Mark Deyo, Coeymans Fire Company #1
Steven Payne, Coeymans Hollow Volunteer Fire Corporation
Chief Greg Darlington, Coeymans Police Department
Brian Dunican, Jr. Ravena Hose Company
Sherle Slingerland, Ravena Rescue Squad
Jack Bailey, Ad Hoc Member

RES. #025-08 APPOINT PROSECUTOR FOR TRAFFIC TICKETS
On motion of Councilman Youmans, seconded by Councilman Touchette, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby appoint Martin Burke, Esq. to serve as Prosecutor for Town related matters as follows:

$5,200 per year – Traffic tickets issued by Town of Coeymans Police Officers to the Town of Coeymans Court.

$5,200 per year – Traffic tickets issued by New York State Police to Town of Coeymans Court.

$2,400 per year – Town Code/Penal Law trial matter

$2,400 per year – Traffic tickets issued by Town of Coeymans Police Officers to Village of Ravena Court.

Total $15,200

These services shall be payable by monthly voucher submissions by Mr. Burke.

RES. 026-08 APPOINT BINGO INSPECTOR
On motion of Councilman Boehm, seconded by Councilman Youmans, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the Town of Coeymans is in need of a Bingo Inspector to ensure that games being run in the Town are in compliance with New York State regulations,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby appoint Edward J. Domanico as Bingo Inspector, effective immediately, at the yearly rate of $2,600, with a term to expire December 31, 2008.

RES. #027-08 APPOINT DEPUTY TOWN CLERK
On motion of Supervisor Hotaling, seconded by Councilwoman Rogers, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, Town Clerk Diane Millious pursuant to Chapter 280 of the Laws of 2007, which became effective on July 18, 2007, desires to appoint an individual to the First Deputy Position, and

WHEREAS, Lucinda Vatalaro has served as Deputy Clerk for several years,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby acknowledges the Town Clerk's appointment of Lucinda Vatalaro as First Deputy Town Clerk. This appointment is for a term to expire on December 31, 2008.

RES. #027 V-08 AUTHORIZE UNDERTAKING
On motion of Councilwoman Rogers, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, Public Officers Law Section II and Town Law Section 25 require that the Supervisor, Town Clerk, Justices, Superintendent of Highways and such other officers and employees as the Town Board may identify, execute and file in the office of the Town Clerk, County Clerk and/or the Office of Court Administration, as appropriate, an official undertaking conditioned for the faithful performance of their duties, and

WHEREAS, the Town Board has determined that a surety company authorized to transact business in the State of New York should execute the aforementioned undertaking and the expense thereof shall be an authorized charge against the Town,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board directs the acquisition of such undertaking pursuant to the above stipulations

RES. #028-07 AUTHORIZE 2008 EMPLOYEES
On motion of Supervisor Hotaling, seconded by Councilwoman Chmielewski, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the Town Board has previously approved the 2008 Annual Budget for the Town of Coeymans, and

WHEREAS, that budget included appropriations for personal services for contractual and non-contractual employees,

NOW, THEREFORE, BE IT RESOLVED, the Town Board of the Town of Coeymans authorizes the following employees for 2008, in accordance with labor contracts in effect and budgeted amounts for positions outside the scope of negotiated contracts. (See attached list)

NAME	POSITION	ANNUAL PAY PERIODS	RATE/HR. OR SALARY
R. K. Hotaling, Jr.	Supervisor	26	1,730.77
M. Lewandowski	Confidential Secretary	26	1,153.85
R. Puckett	Bookkeeper	26	15.00
S. Fitch	Clerk 1 p/t	26	13.91
D. Purinton	Internal Control Officer	26	100.00
G. Bullock	Clerk 1 p/t	26	12.50
D. Rogers	Councilperson	26	461.54
T. Boehm	"	26	461.54
J. Youmans	"	26	461.54
R. Touchette	"	26	461.54
(Vacant)	Town Attorney	26	769.23
G. Dardani	Justice	26	673.08
K. Reilly	"	26	673.08
L. Eissing	Court Clerk f/t	26	21.84
(Vacant)	"	26	13.91
D. Millious	Town Clerk	26	1,557.70
L. Vatalaro	Deputy Town Clerk	26	18.09
B. Lyons	Clerk p/t	26	11.99
(Vacant)	"	26	11.99
L. VanValkenburg	Assessor	26	1,039.93
D. DeRose	Clerk p/t	26	12.59
R. Sevilla	Assessment Aide p/t	26	10.85
S. Zielonko	Assessment Aide p/t	26	10.85
D. Crowley	Youth Services Director	26	12.00
L. Breedlove	Chief Sewer Plant Opr.	26	22.85
J. Lennon III	Sewer Plant Trainee	26	15.52
(Vacant)	Sewer Plant Trainee	26	14.89
A. Deering	Superintendent	26	1,923.08

S. Searles	Deputy Highway Sup.	26	20.16
D. Wilber	Mechanic	26	18.51
G. Stevens	Equipment Opr. II	26	19.32
E. Barrett	Equipment Opr. I	26	17.76
G. LaMountain	“	26	17.83
D. Merrill	“	26	17.36
T. Bennett	“	26	16.14
D. VanAlstyne	“	26	16.47
M. Coons	“	26	16.47
L. Southwick	“	26	16.14
Ella Russo	Clerk 1 p/t	26	10.97
G. Darlington	Police Chief	26	2,713.15
D. LaMountain	Sr. Telecommunicator & Confidential Secretary	26	19.95
D. Contento	Sergeant	26	26.83
J. Albert	Police Officer f/t	26	24.39
C. Alberts	“	26	18.32
M. VanEps *	“	26	20.16
N. Westfall *	“	26	20.16
T. Polverelli *	Police Officer p/t	26	16.66
G. DeLuca	“	26	19.04/20.95
J. Dunn	“	26	19.04/20.95
R. Griffith	“	26	19.04/20.95
S. Prokrym	“	26	19.04/20.95
B. Rinaldi	“	26	19.04/20.95
G. Rivituso	“	26	19.04/20.95
K. Thompson	“	26	16.66
B. McMullen	“	26	16.66
J. Gallegher	“	26	16.66
J. Myers	“	26	16.66
J. Weddell	Academy/PO/pt	26	15.14
J. Tucker	Telecommunicator f/t	26	19.42
M. VonSchenk	“	26	19.12
K. Babcock	Telecommunicator p/t	26	17.84
R. Cross	“	26	16.50
J. D Ambrosio	“	26	17.84
S. Hennessey	“	26	16.50
B. Dunican	“	26	17.84
Randy Hotaling	“	26	17.84
Richard Hotaling	“	26	17.84
K. Kearney	“	26	17.84
F. McDonagh	“	26	16.50
S. Searles	“	26	17.84
H. Traver	“	26	17.84
H. Traver/J. Shear	DCO p/t	26	10.15
L. Conrad	Bldg. Inspector/CEO	26	1,815.58
J. Weidman	Bldg. Inspector p/t	26	17.08
J. Cashin	“	26	17.08
S. DeBacco	Asst. Bldg. Inspector p/t	26	17.08
C. Barger	Clerk 1	26	13.91

N. Perry	Parks & Recreation Maintenance Supervisor	26	20.36
D. Mergendahl	Laborer	26	16.86
T. Plath	"	26	16.92
J. Hoose	"	26	13.50
E. Domanico	Bingo Inspector	12	216.67
W. Bruno	Civil Defense Director	12	125.00
M. Wolfe	Town Historian	12	50.00
S. Zielonko	Cemetery Services Coordinator	26	100.00
P. Foronda	Planning Board Chair	12	100.00/50.00
C. Kunz	Planning Board Vice Chair	12	90.00/45.00
D. Ross	Planning Board Member	12	80.00/40.00 Per Mtg/Wkshop
W. Brown	"	12	80.00/40.00 Per Mtg/Wkshop
E. Quinto	"	12	80.00/40.00 Per Mtg/Wkshop
J. Kapusta	"	12	80.00/40.00 Per Mtg/Wkshop
K. Marsh	Zoning Board Chair.	12	125.00 per mtg.
M. Pape	Zoning Board Member	12	75.00 per mtg.
P. Brown	"	12	75.00 per mtg
W. Flach	"	12	75.00 per mtg
S. Hafensteiner	"	12	75.00 per mtg

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ADDITIONAL COMMENTS

Supervisor Hotaling invited Attorney Martin Burke to the microphone to introduce himself to the Town Board.

Attorney Burke introduced himself and added that he is happy to provide prosecuting services to the Town and is looking forward to it.

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TOWN BOARD WORKSHOPS / MEETINGS

- Town Board Meeting, January 14, 2008, 7pm
- Town Board Workshop, January 15, 2008, 6pm
- Zoning Committee Meeting, January 23, 2008, 7pm

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ADDITIONAL COMMENTS

Supervisor Hotaling invited additional comments at this time.

Councilman Youmans wished everyone a Happy New Year and added that as a Town Board they are going to work very hard to move the Town forward.

Councilwoman Rogers stated that she believes they have another good Town Board and it is going to work out well and then wished everyone Happy New Year.

Councilman Boehm stated that it is exciting that they have a full Town Board and added that there is fresh energy that he is looking forward to working with everyone.

Councilman Touchette stated that he is honored and privileged to serve the people of the Town of Coeymans and added that he is looking forward to working with the Town Board, elected officials, department heads and dedicated employees of the Town. He continued by saying that he is deeply grateful to Nita Chmielewski for her many years of dedicated and faithful service to the citizens of the Town of Coeymans and then wished everyone a Happy New Year.

Town Clerk Millious stated that she wanted to wish everyone Happy New Year and added that she is looking forward to working with the new Town Board.

Supervisor Hotaling stated that they were looking forward to continue working with her. He then asked if there were any additional comments, hearing none he asked for a motion to adjourn.

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ADJOURNMENT

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, the Town Board Organizational Meeting was adjourned.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time 10:40am

Respectfully Submitted, **APPROVED:**

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Diane L. Millious, Town Clerk

A Town Board Meeting was held Monday, January 14, 2008 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 Touchette, Councilman

ALSO PRESENT: Diane L. Millious, Town Clerk
Greg Darlington, Chief of Police

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

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OPENING COMMENTS

Supervisor Hotaling stated that there was a full Town Board in addition to Town Clerk Millious, Chief of Police Darlington with both Justice Reilly and Justice Dardani being in the audience.

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AGENDA

- Public Comment
- Approval of Minutes
  - Town Board Meeting, December 10, 2007
  - Town Board Workshop, December 18, 2007
  - Public Hearing, December 26, 2007
- Old Business
  - Planning Board / Zoning Board Training
  - Update on Loan Agreement with Recent Grant
- New Business
  - Safe Routes to School Program
  - American Legion Contract for Services
  - Alcove Preservation Society Contract for Services
  - ALS Reimbursement – 4th Quarter
  - Small Cities Grant Agreement
  - Resignation of Police Officer
  - Request from Staff to Attend Association of Towns Conference
  - Qualifications for Full-Time Clerk
- Resolutions
  - Highway Betterment Agreement
  - Appoint Town Attorney
  - Appoint Part-Time Clerk
  - Annual Accounting
  - Amend December 2007 Abstract
- Correspondence
  - NYS Department of Environmental Conservation
  - Mid-Hudson Cablevision
- Town Board Workshops / Meetings
  - Town Board Workshop, January 22, 2008, 6pm
  - Zoning Ordinance Committee Meeting
  - Town Board Meeting, January 28, 2007

PUBLIC COMMENT

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

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APPROVAL OF MINUTES

Supervisor Hotaling stated that there were three sets of minutes for approval, a Town Board Workshop on December 8, 2007, a Town Board Meeting on December 10, 2007, and a Public Hearing on December 26, 2007. He continued by asking for a motion to approve the minutes.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Boehm, the minutes were approved as read.
VOTE – AYES 4 – NAYS 0 – ABSTAIN 1 – SO MOVED

Supervisor Hotaling stated that he was absent from the December 10th Meeting and added that Councilman Touchette was abstaining from the vote because he was not on the Town Board at the time of the meetings.

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NEW BUSINESS

Qualifications for Full-Time Court Clerk

Supervisor Hotaling stated that earlier in the day Judge Reilly had requested that the qualifications for a full-time court clerk be placed on the agenda and continued by saying that he was not sure who would be making a presentation and then asked that whomever was going to, to go to the microphone. He added that it is under New Business, which was added to the agenda based on a request of the Judges and he wanted to give them the opportunity to be heard early on in the meeting.

Judge Reilly and Judge Dardani stepped to the microphone.

Judge Kevin Reilly stated that he wanted to discuss some of the issues that they are having with the qualifications of a position that they have open for a full-time Court Clerk, which was advertised in the paper and as a result there were several applicants and interviews were performed. He continued by saying that they had recommended an applicant and in turn they got a response back from Civil Service indicating that they had rejected the appointment because the individual did not meet minimum qualifications, which is what they are there to talk about. He added that in 2006 they had advertised for a full-time Court Clerk and in looking at the requirements everything was the same except for the last paragraph and continued by saying that in 2005 it said “acceptable training and experience determined by the appointing authority” and went on to say that earlier in the day it was explained by Rachel Myers at Civil Service that it was revised in July 2007 and the last paragraph went from saying acceptable training to suggested minimum qualifications, graduation from high-school, three years of clerical and/or secretarial work in a legal public safety or governmental setting. He continued by saying that this is where they are having a problem because out of the four applications, not one came close to that and went on to say that he had asked Ms. Myers some questions that she could not answer and in turn she had referred him to Mr. Michael Cummings, who had indicated that the position is competitive in Civil Service and added that Civil Service is proposing that they will be putting forth legislation next month to make the job exempt and it is their feeling that it won’t have a problem passing and added that if it does pass the qualifications will become the Town’s, which will take it out of the hands of Civil Service. He continued by saying that the problem right now is that their office is backed up and each day they fall behind more and added that they are present to ask for some

kind of relief to get them going toward a resolution. He concluded by saying that if they have to continue to advertise with the qualifications that are in place now they could be months or longer in their search to find that person that has the qualifications that are so restrictive.

Supervisor Hotaling stated that he thought that there was one applicant who had significant legal office experience.

Judge Reilly stated that there was one with legal office experience and added that there were issues that they can discuss in an Executive Session.

Supervisor Hotaling stated that he recalled that on the resume it included several law firms.

Judge Reilly stated that there were multiple firms but there were issues and added that he as well as Judge Dardani felt that it was not in the best interest of the Town to move forward with that applicant and reiterated that they can explain that at another time if necessary. He continued by saying that the immediate need is to get someone to pick up some of the load to help move them forward because each day they are falling behind further.

Councilwoman Rogers interjected that they would have to change the title of Court Clerk.

Judge Reilly stated that it is possible and added that it is something that they can discuss and continued by saying that there are no part-time Court Clerk qualifications because there is not a position under Civil Service. He went on by saying that they can go with part-time for the immediate need right now or they could go with a Clerk position outside of the Court Clerk designation and in turn make their own qualifications as they did in 2005 where it is deemed to the appointing authority.

Supervisor Hotaling inquired as to if this would be as an interim or if it would be a permanent solution.

Judge Reilly stated that it could be either/or.

Supervisor Hotaling inquired as to what he is suggesting.

Judge Reilly stated that they do want a full-time person and added that it will hinge on the new legislation if it goes through, which will mean that they can have the full-time Court Clerk with different qualifications.

Supervisor Hotaling stated that this is something that has been on-going and added that he stated his opposition and made it known to Civil Service that he opposes the Court Clerk going to an exempt status and added that this is his opinion and he believes that it should be competitive.

Judge Reilly stated that he has not given it much thought one way or the other.

Supervisor Hotaling stated that he does not know what the underlying reason is to make it exempt and added that he should not deem it in any way a reflection of what is occurring or might occur here but everyone has read the OCA horror stories where the judge happens to have his or her spouse as a Court Clerk, which would give a sense of the appearance of impropriety. He continued by saying that a competitive atmosphere for such a position would reduce dramatically the likelihood of that occurring or anything that could be viewed as any appearance of impropriety and reiterated that his view is that competitiveness works best. He went on by saying that there are some restrictions that Judge Dardani had uncovered in the law that talked about a residency requirement for the Court Clerk to serve in the municipality in which he or she resides.

Judge Dardani interjected that Town Attorney Rotello looked into this.

Supervisor Hotaling stated that it was about that time that Civil Service began to consider the exempt status possibility of Court Clerks and added that based upon his submission to him he had made Civil Service aware of the residency requirement and added that you can have an exempt status but if the other laws seem to suggest that a residency is required then clearly the action on the part of the County Legislature to create the exempt status should also include some discussions about the residency requirement. He concluded by saying that he was not aware that Civil Service is ready to go as quickly as a month from now.

Judge Reilly stated that the legislation will be submitted in February and added that when you look at the qualifications it says in bold letters "suggested qualifications" and went on by saying that you can take that as meaning that Civil Service is suggesting it but it is not mandatory.

Supervisor Hotaling stated that if you are going to suggest something and then call them minimum qualifications you cannot have it both ways.

Judge Reilly stated that he had asked Ms. Myers about this and in turn she had said that their interpretation of suggested minimum qualifications is that these are the minimum that you can have and the least you can have. He then asked Judge Dardani if he had anything to add.

Judge Dardani stated that they had discussed this before and this is why they came up with the concept of hiring an Assistant Court Clerk and then graduate that person to a Court Clerk because no one that he knows of could walk through the door and do the job because it is different from any other department and added that things are changing constantly. He continued by saying that within the budget this year they had budgeted for a full-time Court Clerk and to date they have not had that expense and went on to say that he would like to see something like Judge Reilly had mentioned to get someone in there part-time in addition to being able to get someone to sit on the bench for four hours a week and added that they had put it in their budget but apparently it had gotten knocked out.

Supervisor Hotaling stated that it didn't get knocked out because it never got put in.

Judge Dardani reiterated that they put it in.

Supervisor Hotaling stated that it never got put in by him and it was not knocked out by the Board because he never presented it to them.

Judge Dardani stated that this person would sit on the bench with the Court Clerk and do duties such as making copies, put walk-in tickets and pull them as the defendants come in, pull them from the files, give the defendants return court notices, receive cash or checks for fines or surcharges write receipts, write bail receipts, take phone messages, fax orders of protection, etc. He continued by saying that the Court Clerk would be taking notes and listening to the attorney and taking motions and added that another person would save a lot of time. He concluded by saying that it would be for four hours a week and be a total of approximately $2,550.00 and added that there would be enough money to do this as well as whatever the Town Board decides to let them do with a Court Clerk or Assistant Court Clerk.

Councilman Touchette stated that under part-time status it is his understanding that it is not in the union contract.

Supervisor Hotaling stated that it is in the union contract and added that if someone works an equivalent of 25 hours that person has to be afforded the opportunity to go in the union. He continued by saying that under Civil Service, part-time is no more than 50% of the hours and added that clerical staff's week is 35 hours, which equates to 17.5 hours a week. He went on by saying that the only part-time position that he is aware of in Civil Service that provides flexibility for the hiring authority is a part-time clerk, which is 17.5 hours a week and does not carry union status. He concluded by saying that the only Civil Service review was the initial one like they did for their proposed candidate for the

full-time position which affords them the application and resume and in turn they decide whether or not the candidate meets the minimum qualifications and once that is established the part-time appointment can be made without going to a list because there is no list for part-time clerk.

Councilman Touchette inquired as to if there is a difference in the maximum hours per week between Civil Service part-time and part-time that is not Civil Service.

Supervisor Hotaling stated the maximum hours is 50% of the work of a full-time person in that position.

Councilman Touchette asked if it was either/or as far as Civil Service or outside Civil Service and added that there is no part-time Court Clerk in Civil Service. He inquired again as to if you are outside of Civil Service if it is still only 50% of the hours.

Supervisor Hotaling stated that he is not getting the concept of outside Civil Service and continued by saying that a clerk position is a Civil Service position and added that a part-time clerk is outside the scope of the testing for Civil Service and went on by saying that there is no list established for part-time clerk. He continued by saying that there is a list for full-time clerk and the distinction made is that there is no test for part-time clerk so the appointing authority has some flexibility, which is limited to 50% of what the ordinary full time work week is.

Judge Reilly interjected that either way it would be 17 ½ hours per week.

Supervisor Hotaling stated that there could be situations for example in the Highway Department where it is a 40 hour work week, which would be 20 hours part-time and added that a part-time Police Officer would also be 20 hours because the work week is 40 hours. He reiterated that the concept of part-time is 50% of the normal work week.

Judge Reilly stated that in this realm it would be 17 ½ hours.

Supervisor Hotaling stated that was correct and added that he was opening it up for Town Board discussion. He added that he is hearing from the judges that they need some relief to occur and continued by saying that there is no part-time position currently in the 2008 budget. He went on by saying that if the Town Board were to agree with their request, even on a temporary basis, the first step would be that the Board would have to pass the authority to create a budget item and fund it for a part-time clerk in that particular area. He continued by saying that full-time is in the budget and added that when you look at numbers there has been no appointment for the first 14 days, which would calculate to $500.00 a week, which would be $1,000.00 that has not been expended because he or she was not appointed January 1st. He concluded by reiterating that the first order of business would be to amend the budget to permit and create a position and added that he believes that the Town Board knows his position.

Judge Reilly inquired as to if there is a possibility of a full-time clerk.

Supervisor Hotaling stated that there might be and he could call for a list and added that he had heard the Judges before as well as members of the previous Board and the decision was to have two court clerks, which would be one for each judge. He continued by saying that in going back to Judge Dardani's suggestion as far back as a couple years ago, this is preferential to the Resource Center that the judges call to get their guidance from. He added that he had discussion with Mr. Kevin Reilly at the Resource Center approximately a year ago about the circumstances in the court and continued by saying that he thought it was odd that a municipality was seeking to put two Court Clerks in because most municipalities are seeking to reduce.

Judge Reilly interjected that the Town of Bethlehem has four court clerks, which is a lot more than two and added that they are not looking to reduce.

Supervisor Hotaling stated that he is not sure what his point is.

Judge Reilly interjected that he had said that most towns are looking to reduce their court clerks and added that they only have one at the moment.

Supervisor Hotaling stated that he said what Mr. Kevin Reilly had said, which was that it is unusual for municipalities to be seeking to fill a Court Clerk for each judge where most towns are looking to reduce.

Judge Reilly interjected that the Town of Bethlehem only has two judges.

Supervisor Hotaling stated that he cannot speak for Bethlehem and added that he is sure that Mr. Reilly's statement was not a blanket statement for all towns and continued by saying that the trend is to reduce staff not only in the court but other areas as well.

Judge Reilly stated the trend is nation and industry wide.

Supervisor Hotaling reiterated that Mr. Reilly found it surprising that the Town's effort was to fill a second Court Clerk position.

Judge Reilly stated that he had said that without knowing the Town's needs and continued by asking if he had discussed it with Mr. Reilly in detail.

Supervisor Hotaling stated that it would have been up to Judge Dardani and Judge Pearson, who were in office at the time.

Judge Reilly interjected that they were getting off track.

Supervisor Hotaling stated that he would not ordinarily have discussion with the Resource Center.

Judge Reilly stated that it was a statement made out of context because Mr. Reilly does not know what the Town's needs are.

Supervisor Hotaling stated that it might have been and added that he would retract Mr. Reilly's input.

Judge Dardani stated that the Town of Coeymans ranks number seven in terms of busiest courts.

Councilman Youmans stated that there is money in the budget for two full-time Court Clerks and added that it was previously decided that this is what they were going to do and continued by saying that they now have to decide who it is going to be.

Judge Dardani stated that this was not the case because no one is qualified.

Judge Reilly stated that it is the qualifications issues that is the hanging point right now and added they have to go by Civil Service and it is going to be very difficult to find someone with those qualifications.

Councilman Youmans inquired as to what solution he proposes.

Judge Reilly stated that the immediate solution that he proposes is to get someone in that office as soon as possible with the least delay however they can come to an agreement and added that if they need to go a different route two months from now is fine, which he believes that they will all agree to. He reiterated that the immediate concern is that they get someone in there as soon as possible that can go in and help out to get them back on track and keep them going until they can resolve this long term. He concluded by saying that short term is the immediate need right now and added that if they go the Civil Service route they could be months and possibly a year to find someone to meet the qualifications.

Supervisor Hotaling inquired as to if they have thought about advertising again and spreading the net.

Judge Reilly inquired as to what he meant.

Supervisor Hotaling stated that it would be putting the ad in more than the News Herald.

Judge Dardani stated that they would have to stay within the Town of Coeymans.

Supervisor Hotaling stated that this is what he had said a year ago.

Judge Dardani stated that the Town Attorney at that time had come up with this.

Supervisor Hotaling stated that if this is what it is and they agree that there should be a residence requirement in the Town of Coeymans.

Judge Dardani stated that the Town Attorney had looked into it and came back with this determination.

Supervisor Hotaling stated that he does not disagree and added that the candidate must be a resident of the Town of Coeymans and continued by asking if they want to advertise again with this requirement.

Judge Reilly stated that they can and he does not have a problem with it and then asked what the next step will be and whether or not they have to wait until another Board Meeting to address it again.

Supervisor Hotaling stated that appointments are made at Board Meetings unless there is a Special Meeting called.

Councilman Boehm stated that it is in the budget for a full-time clerk and added that there is an immediate need for help. He continued by asking about modifying a line in the budget for a part-time clerk for less money to give them their immediate need and went on to say that they can put a 90-day timeframe to give them an opportunity to look at the list or possible legislation being passed that would affect the Civil Service status of the position. He concluded by saying that he would recommend modifying the full-time position in the budget to reflect a part-time clerk, which would be 17 ½ hours in order to appoint the candidate that they have in mind to provide immediate help.

Councilwoman Rogers interjected that it would be temporarily.

Councilman Boehm agreed that it would be temporary and added that he's not sure if temporary would mean 90-days.

Councilwoman Rogers inquired as to how long it will take to get the Civil Service list.

Supervisor Hotaling inquired as to what list she was referring to.

Councilwoman Rogers stated that it is the list for court clerk.

Supervisor Hotaling stated that there isn't a list for Court Clerk and added that the Court Clerk that has been there since 1991 is still provisional because no tests have been given. He added that the State was contemplating ordering a test for Court Clerk and Albany County's response was that they intend to move toward changing the class from competitive to exempt.

Councilman Youmans stated that what Councilman Boehm said seems to make the most sense to him at this point.

Councilman Touchette inquired as to if the search for a full-time Court Clerk would take place now or if they would wait until after the 90 days.

Councilman Youmans stated that they would have to start the search right away.

Judge Reilly stated that they would put the minimum qualifications into the ad.

Supervisor Hotaling stated that the questions that he has asked are very important and added that it is a decision that the Town Board has to render and added that they are the appointing authority at this point. He then asked if there was any further discussion or any other action that the Board wants to do.

MOTION

Councilman Boehm stated that he wanted to make a motion that they modify the full-time clerk position to a part-time clerk position in the 2008 budget. He continued by asking if the appointment should be a separate motion.

Supervisor Hotaling inquired as to if they are appointing someone.

Councilman Boehm interjected that they have a candidate in mind.

Supervisor Hotaling stated that he hadn't heard that.

Councilwoman Rogers stated that she hadn't heard it either.

Judge Reilly stated that it is the original candidate.

Supervisor Hotaling asked Councilman Boehm how he heard that.

Councilman Boehm stated that he thought they were going to review the application and appoint the candidate.

Supervisor Hotaling stated that Judge Reilly had made reference to the fact that Civil Service rejected it.

Judge Reilly stated that it was rejected as a full-time Court Clerk.

Councilman Boehm stated that this was for part-time clerk.

Supervisor Hotaling asked Councilman Boehm what he wanted to do.

Councilman Boehm stated that he wanted to modify the 2008 budget for the full-time clerk position to become a part-time clerk position.

Councilman Touchette asked if there were clarifications.

Supervisor Hotaling stated that the motion had not been seconded and then asked Councilman Boehm to finish the motion.

Councilman Boehm stated that it was finished.

Supervisor Hotaling stated that Councilman Boehm's motion was to modify the 2008 budget removing the full-time Court Clerk position and making a part-time clerk position and then asked for a second.

Councilwoman Rogers inquired as to if they were going to stipulate 90 days.

Supervisor Hotaling stated that there were to be no questions and again asked for a second.

Councilwoman Rogers stated that she seconded the motion.

Supervisor Hotaling stated that it was seconded for discussion by Councilwoman Rogers and then asked if there were any questions or discussion.

Councilwoman Rogers stated that they needed to include a date.

Councilman Boehm inquired as to what the date should be.

Councilman Youmans stated that they could just say 90 days.

Councilman Boehm stated that he wanted to amend the original motion for a 90-day appointment.

Supervisor Hotaling stated that the motion suggests the modification to eliminate the full-time Court Clerk position in exchange for a part-time clerk position with a 90 day limit on the incumbent in that position to hold it and continued by asking if this means at some point after that the Board will have to take affirmative action again to determine whether a full-time Court Clerk is again added to the budget.

Councilman Boehm stated that prior to that reappointment the Town Board can consult with the judges to see what way to go forward and whether they should reappoint that person to in the position or if there are some changes to Civil Service that will change the position all together.

Supervisor Hotaling inquired as to if everyone understood that.

Collectively they agreed that they did.

Supervisor Hotaling asked if there were any further questions on the motion.

Councilman Touchette asked that the motion be read back to them.

Supervisor Hotaling asked that Town Clerk Millious read back the motion.

Town Clerk Millious stated that Councilman Boehm made the motion to modify the 2008 budget full time Court Clerk position to a part time clerk position, which was seconded by Councilwoman Rogers and then for discussion regarding a 90 day date.

Supervisor Hotaling asked if in her record the motion contained a 90 day limit or whether it was a question that was raised.

Town Clerk Millious stated that there was not a 90 day limit.

Supervisor Hotaling stated that the motion was to modify the 2008 budget to remove the full-time position and replace it with a part-time clerk position.

Town Clerk Millious stated that was correct.

Councilman Boehm interjected that he wanted it to be amended to include a 90 day period and added that after that time someone would have to be reappointed to that position.

Supervisor Hotaling stated that Councilman Boehm is amending it to include a 90 day limit and then asked Councilwoman Rogers if it was alright with her because she seconded the motion.

Councilwoman Rogers stated that was alright.

Supervisor Hotaling asked if there were any questions with regard to the motion as amended.

Councilman Touchette inquired as to if at the end of 90 days the position would be eliminated.

Councilman Boehm stated that hopefully they will have further information from the judges regarding the position and in turn they can either vote to reappoint for additional time or hire a full-time clerk off the Civil Service list and added that there are a number of options.

Councilman Touchette stated that at the end of 90 days they will have to take some action.

Councilman Boehm stated that was correct.

Councilman Touchette inquired as to if they will wait to advertise and added that they don't know what they will be doing in 90 days.

Councilman Boehm stated that he is trying to give them some help so they can run their court.

Councilwoman Rogers stated that it will be temporary relief.

Judge Reilly attempted to answer the questions.

Supervisor Hotaling stated that there was no more discussion from the floor.

Judge Reilly thanked Supervisor Hotaling and added that he appreciates it.

Supervisor Hotaling stated that he does not know what Judge Reilly can add because there was a motion and a second.

Judge Reilly stated that he is the Supervisor and he put him in his place and it was fine.

Supervisor Hotaling stated that there was no place to put him and added that it is a process for the Town Board at this point and not a process for the public. He continued by saying that Judge Reilly had his input.

Judge Reilly thanked Supervisor Hotaling.

Supervisor Hotaling asked if there were any further questions, hearing none he asked that Town Clerk Millious take a roll call vote.

Town Clerk Millious asked for Supervisor Hotaling's vote.

Supervisor Hotaling – Nay

Town Clerk Millious asked for Councilwoman Roger's vote.

Councilwoman Rogers – Aye

Town Clerk Millious asked for Councilman Boehm's vote.

Councilman Boehm – Aye

Town Clerk Millious asked for Councilman Youmans' vote.

Councilman Youmans – Aye

Town Clerk Millious asked for Councilman Touchette's vote.

Councilman Touchette – Nay

Supervisor Hotaling stated that the vote carried 3-2 and added that the 90 day time period is January 14 – April 14 and continued by saying that applications for the position will be considered again and sent to Civil Service upon receipt from the judges.

Judge Reilly inquired about Civil Service.

Supervisor Hotaling stated that the application for part-time clerk goes to Civil Service.

Judge Reilly stated that there is no part-time clerk position with Civil Service.

Supervisor Hotaling stated that there is no part-time clerk test with Civil Service and added that every position goes to Civil Service for review and added that he had previously made the point that it provides flexibility for the appointing authority only for part-time clerk. He reiterated that upon receipt of the application he will forward it to Civil Service and upon receipt of a response he will contact the judges.

Judge Dardani stated that they will get the application to him the following day.

Judge Reilly and Judge Dardani thanked the Town Board for their time.

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OLD BUSINESS

Planning Board / Zoning Board Training

Supervisor Hotaling stated that Attorney Brick had conducted the minimum four hour training for members of both the Planning and Zoning Boards on December 4th and added that the requirement is to officially notify the Town Board that the training had taken place. He continued by saying that the Town Board is in receipt of a memo from Code Enforcement Officer Conrad indicating that the training had been done along with a copy of the curriculum to comply with the requirements and regulations.

Update on Loan Agreement with Recent Grant

Supervisor Hotaling asked that Councilman Boehm give an update on the loan agreement relative to the recent CDBG grant.

Councilman Boehm stated that prior to the meeting they had met with Mr. Kirk and added that they will be reviewing the document in addition to contacting the Town's attorney to finalize the Loan Agreement between the Town and P&M Brick at the next Workshop on January 22nd.

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NEW BUSINESS

Safe Routes to School Program

Supervisor Hotaling stated that he had received a letter from the Department of Transportation Commissioner for the State of New York and continued by reading the following:

"I am pleased to announce the availability of applications for the Safe Routes to School Program"

Supervisor Hotaling continued by saying that it was authorized by Congress in 2005 and added that it is 100% reimbursement for successful municipalities, schools and not-for-profit organizations and they may apply through the New York State Department of Transportation Safe Routes to school coordinators, who will provide applicants with a guidebook and application. He continued by saying that the program is designed to provide communities and schools with the critical resources necessary to make walking and bicycling to school safer for children. He concluded by saying that this could be contemplated by the Town Board as a means to fund some additional sidewalks in the Hamlet of Coeymans and added that members of the Board can contemplate it and let him know if they think that it is something that they should file an application for.

Collectively they decided that they would like some time to look at it.

American Legion Contract for Services

Supervisor Hotaling stated that American Legion Post #114 had submitted a voucher for 2007 funds in the amount of $500.00 for exchange of services such as placement of flags and veterans markers as well as coordinating memorial services and added that if the contract is signed now it will go until November 2008. He continued by saying that in the 2008 budget there is $1,000.00 allowed for their services and in November 2008 they will be putting in for that amount. He then asked for a motion to sign the contract and expend the money.

MOTION

On motion of Councilman Boehm, seconded by Councilman Touchette, authorizing the Supervisor to sign the Contract for Exchange of Services with American Legion Post #114.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Alcove Preservation Society Contract for Services

Supervisor Hotaling stated that similarly there is a contract for Alcove Preservation Society for 2008 and added that there was no money for them in 2007 because it was for Veteran services only. He continued by saying that in the 2008 budget they included $1,000.00 for several organizations and added that he met with Mr. Tom Sweeny and they prepared a contract, which states that the Town of Coeymans is in need of services for continued preservation of historical significance in and around the Alcove area and further development of Valley Mill Park for use by all Town residents. He added that the Alcove Preservation Society is in need of funding to assist in their mission to preserve and convey to future residents the history of the Valley Mill and other areas in and around Alcove. He then asked for a motion.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Boehm, authorizing the Supervisor to sign the Contract for Exchange of Services with Alcove Preservation Society.
VOTE – AYES 5 – NAYS 0 – SO MOVED

ALS Reimbursement 4th Quarter

Supervisor Hotaling stated that he was in receipt of a check from Ravena Rescue Squad, which goes back to an agreement that commenced in December 2003, which provides payment for ALS calls. He added that the payment is in the amount of $6,980.06.

Small Cities Grant Agreement

Supervisor Hotaling stated that they had discussed this topic earlier in the meeting.

Resignation of Police Officer

Supervisor Hotaling stated that he was in receipt of a resignation of a Police Officer from Chief Darlington and continued by asking Chief Darlington to discuss the resignation.

Chief Darlington stated that Officer VanEps has been searching for full-time employment in the state of Florida and added that he has a job opportunity and has tendered his resignation effective at the end of his shift on January 26th.

Supervisor Hotaling asked for a motion to accept the resignation.

MOTION

On motion of Councilman Youmans, seconded by Councilwoman Rogers accepting the resignation of Officer VanEps, effective January 27th.

VOTE – AYES 5 – NAYS 0 – SO MOVED

Councilman Boehm interjected that he wanted to thank Mr. VanEps for his service to the Town and then wished him well in Florida.

Chief Gregory Darlington Sir,

It is with much regret that I respectfully announce my formal resignation as a Police Officer with the Town of Coeymans.

I wish to extend my appreciation to the entire department and the Town of Coeymans in its collectiveness. I have gained knowledge and experience that is an invaluable attribute to my career goals. It is my objective to move to the northwestern part of Florida and continue my career in law enforcement. Should my services ever be needed b the Town of Coeymans, please do not hesitate to contact me.

With sincere thanks and gratitude I will be reporting to my regularly scheduled B-line shift with my final tour of duty being the twenty sixth day of January, two thousand and eight.

Respectfully Submitted,

Michael S. VanEps, Police Officer, Shield #122

Request from Staff to Attend Association of Towns Conference

Supervisor Hotaling stated that he was in receipt of a memo from Code Enforcement Officer Conrad asking for Town Board approval to have two staff members attend the Association of Towns Annual Conference and added that the Town Board authorizes Elected Officials to go in addition to accepting requests from staff members who can benefit attending. He continued by saying that it has been beneficial for the Code Enforcement Officials to attend and went on by saying that Mr. Conrad and Mr. Cashin are requesting to attend and added that it provides up to 14 hours of credit hours. He concluded by saying that Mr. Conrad is requesting attendance as well as lodging and Mr. Cashin is requesting permission for the Town to pay his $100.00 registration fee with no other costs associated with his travel or lodging to be incurred by the Town. He then asked if there were any comments.

Councilman Youmans inquired as to how many credit hours are required per year.

Code Enforcement Officer Conrad interjected from the audience that it is 24 credit hours.

Councilman Youmans inquired as to where they would go for the remaining hours required.

Councilman Conrad stated that the NYS Codes Division puts on several training sessions throughout the year and added that normal courses are 3 credit hours. He added that the Association of Towns Annual Conference offers the most amount of training possible.

Councilman Youmans stated that this would be more cost effective.

Councilman Conrad stated that it is much more cost effective and added that they have had trouble trying to get the 24 credit hours for everyone. He continued by saying that if they don’t have the 24 hours they cannot be a Code Official.

Supervisor Hotaling asked for a motion.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Touchette, authorizing Laverne Conrad and John Cashin to attend the Association of Towns Annual Conference February 17-20.

VOTE – AYES 5 – NAYS 0 – SO MOVED

Supervisor Hotaling stated that as indicated it would be Mr. Conrad's full cost and Mr. Cashin's registration fee only.

Qualifications for Full-Time Court Clerk

Supervisor Hotaling stated that they had previously discussed this topic earlier in the meeting.

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RESOLUTIONS

Supervisor Hotaling stated that the first resolution is for the Betterment Project for the Martin's Hill area for gray water sewer and added that there have been several discussions publicly as well as amongst Board members about the problems that were brought upon to the Town by the fact that some residents on Martin's hill were discharging their sewage directly into the State's right-of-way. He continued by saying that the State was upset and held off the project until something would be done and went on to say that it was decided that the project was in jeopardy and in turn they convened a meeting between the Department of Transportation, the Department of Health, NYS Department of Environmental Conservation, the Town, Legislator Clouse and Building Officials. He went on to say that as a result it was contemplated that a Gray Water Sewer System would work in that area to eliminate the discharge into the right-of-way and in turn Mr. Ed. Vopelak, the Town's Engineer, who was also at the meeting, agreed on his own to put together plans, which have progressed to the point of being approved by the Albany County Health Department and DEC. He continued by saying that DOT requires a betterment, which is an amount of money that the Town puts up and gives to the State and in turn the State adds the project to the larger project of the road realignment, which is much less than them tackling it on their own because DOT will be excavating the ditch lines and all the Town will have to do is drop the pipes in. He concluded by saying that the estimate for the betterment is $18,400.00 with an additional 15% or $2,760.00 added to cover the cost of construction inspection, which is a total cost of $21,160.00, which will put a sewer system in that area and the project will continue.

RES. #029-08 AUTHORIZE SUPERVISOR TO EXECUTE NECESSARY AGREEMENTS OR OTHER INSTRUMENTS FOR BETTERMENT
On motion of Supervisor Hotaling, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, pursuant to Highway Law Section 10(27), the Commission of Transportation may (the "Commissioner"), upon the request of a municipality, perform for and at the expense of such municipality, any work of construction or reconstruction, including the removal and relocation of facilities, provided the Commissioner deems it practicable to perform such work for such municipality in connection with the performance of any work of construction, reconstruction or improvement under the Highway Law; and

WHEREAS, the Town of Coeymans is a municipality within the meaning of such section of the Highway Law ("Municipality"); and

WHEREAS, pursuant to Highway Law Section 10(27), the Municipality, in connection with reconstruction of Route 143 from RM 1165 to Route 9W, Town of Coeymans, Albany County, wishes the New York State Department of Transportation ("NYSDOT") to perform certain work described in Schedule A (that describes the "Betterment") annexed to this resolution; and

WHEREAS, there is a substantial public interest in and benefit to the performance of the Betterment, which will be part of the State or municipal highway system and will be available for use by the general public; and

WHEREAS, NYSDOT has estimated the cost of the Betterment; and

WHEREAS, in connection with the Betterment Agreement and no later than NYSDOT's award of contracts inclusive of the work contemplated by such agreement, the Municipality shall deposit in escrow with the State Comptroller, subject to the draft or requisition of the Commissioner, the amount of such cost estimate, to be expected by the State Comptroller on the costs of the Betterment so requested and approved or the return of the excess amount thereof, if any, to the Municipality; and

WHEREAS, upon completion and payment of the costs of the Betterment the Commissioner shall determine the costs thereof to be borne by the Municipality, and any excess of deposit shall be paid to the Municipality on the warrant of the State Comptroller on vouchers approved by the Commissioner; and, in the event such costs exceed the amount of the deposit, the Municipality shall within 90 days of receipt of notice from the Commissioner pay the amount of such deficiency to the State Comptroller.

NOW, THEREFORE, the Town Board, duly convened does hereby

RESOLVE, that the Town Board hereby approves the above subject Betterment; and be it

FURTHER RESOLVED, the sum of $21,160.00 (twenty one thousand one hundred sixty dollars and no cents) is hereby appropriated from Coeymans Martin Hill Sewer District for deposit with the State Comptroller pursuant to a Betterment Agreement with NYSDOT and expenditure on the draft or requisition of NYSDOT for betterment project costs in accordance with Highway Law Section 10(27) and such Betterment Agreement, and be it

FURTHER RESOLVED, that the Supervisor be and is hereby authorized to execute all necessary agreements or other instruments on behalf of the Town of Coeymans in connection with the advancement or funding of the Betterment; and be it

FURTHER RESOLVED, that a certified copy of this resolution be filed with the State Comptroller and New York State Commissioner of Transportation by attaching it to the Betterment Agreement with NYSDOT, it be understood that upon completion of the betterment by NYSDOT, NYSDOT shall transmit to this body a statement showing the actual costs and expenses of the Betterment and shall notify the fiscal Officer of the amount due from or to be returned to the Municipality, as the case may be, and that any sum due to NYSDOT shall be paid by the Municipality within ninety (90) days after the date of transmittal of such statement, and the funds therefore shall be raised according to law and the term of the Betterment Agreement, as applicable.

Councilman Boehm stated that the $21,160.00 will be reimbursed back to the Town.

Supervisor Hotaling stated that it will be reimbursed by the people within that district over a period of time. He added that once the district is completely formed and the project is done there will be a debt note issued to the district payable to the taxpayers of the Town of Coeymans from the General Fund.

RES. #030-08 APPOINT ATTORNEY FOR TOWN
On motion of Councilman Touchette, seconded by Councilwoman Rogers, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the Town of Coeymans is desirous of acquiring attorney services to provide advice on municipal matters, and

WHEREAS, the Town Board has reviewed the proposals for such services,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans hereby authorizes Supervisor Ronald K. Hotaling, Jr. to accept and agree to

the proposal stated in the December 31, 2007 letter from David J. Wukitsch of McNamee, Lochner, Titus & Williams, P.C. and

BE IT FURTHER RESOLVED, that the Town Board acknowledges the agreement to include a $20,000 retainer, disbursed in equal quarterly $5,000 payments, upon submission of a voucher and statement.

Supervisor Hotaling stated that the appointment is a result of the Town Board's review of two applications that were received and agreed upon unanimously.

RES. #031-08 APPOINT PART-TIME CLERK
On motion of Councilman Boehm, seconded by Councilman Youmans, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the recent resignation of a part-time Town Clerk staff member has reduced departmental coverage within Town Hall, and

WHEREAS, the Town Board believes that additional part-time staff people will provide the necessary office coverage, and

WHEREAS, the Town Clerk has publicly advertised and interviewed several applicants for this position, and

WHEREAS, the Albany County Department of Civil Service has determined that the selected candidate meets the minimum qualifications for this position,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby appoint Valerie A. Besta to the position of part-time Clerk I, at the hourly rate of $11.23, effective January 15, 2008.

Supervisor Hotaling asked Town Clerk Millious if she had any comments.

Town Clerk Millious stated that she had received several applications and continued by saying that she believes that Valerie Besta will work out well. She added that she has known her for many years and will work out good based on her qualifications. She then thanked the Town Board for appointing her.

RES. #032-08 DIRECT TOWN OFFICERS AND EMPLOYEES TO FILE DETAILED STATEMENTS OF ALL RECEIPTS AND DISBURSEMENS FOR FISCAL YEAR 2007
On motion of Councilwoman Rogers, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, Town Law Section 62 and Section 123 require an annual accounting of all receipts and disbursements for the fiscal year, and

WHEREAS, the Town Board is responsible for the conduct of such audit, and

WHEREAS, all pertinent books and records for such audit must be turned over to the Town Board on or before January 16, 2008,

NOW, THEREFORE, BE IT RESOLVED, the Town Board directs all Town officers and employees, except Town Justices to file detailed statements of all receipts and disbursements for fiscal year 2007, and further directs the production of all pertinent books and records for audit.

BE IT FURTHER RESOLVED, that the Town Board directs each Town Justice to produce their dockets for examination on or before January 22, 2008.

Supervisor Hotaling stated that there was an effort last year at this time to perform the Annual Audit and added that they had developed the audit material and questionnaire. He went on by saying that the statue provides certain times to do this and continued by

saying that Town Clerk Millious, and his staff have until January 16th to turn over their books and added that the Justice Department has until the day of the Workshop on the 22nd to make their dockets available for inspection. He concluded by saying that this year he would like the inspection to be more thorough with the books and dockets being available and added that he will also be asking Internal Control Officer Purintan to be present to walk them through the process.

Supervisor Hotaling then asked Councilman Youmans to read the next resolution and continued by saying that he should only address what is highlighted in red because it is an amendment to the December 2007 Abstract, which was already approved. He then asked that Town Clerk Millious explain the necessity for the amendment.

Town Clerk Millious stated that when the Bookkeeper was issuing the checks she realized that one of the vouchers had different totals, which resulted in an adjustment of $16.40 to the previously approved Abstract.

Supervisor Hotaling stated that it was an arithmetic correction and added that an amendment is required.

RES. #033-08 AMEND DECEMBER 2007 ABSTRACT
On motion of Councilman Youmans, seconded by Councilwoman Rogers, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

BE IT RESOLVED, that the Town Board, of the Town of Coeymans, does hereby amend the December 2007 Abstract as follows and indicated in red.

FUND	VOUCHER #	AMOUNT
GENERAL (A)		
General Pre-Pay	2253-2290	$330,894.52
General	2339-2387,2467	$ 36,185.34
	General Total	**$367,079.86**
PART-TOWN (B)		
Part-Town Pre-Pay	2291-2304	$ 38,416.75
Part-Town	2388-2413	$ 4,749.32
	Part Town Total	**$ 43,166.07**
HIGHWAY (D)		
Highway Pre-Pay	2305-2316	$ 88,552.65
Highway	2414-2451	$ 23,798.35
	Highway Total	**$112,351.00**
SEWER (SS)		
Sewer Pre-Pay	2317-2329	$ 23,990.76
Sewer	2452-2463	$ 11,176.52
	Sewer Total	**$ 35,167.28**
CAPITAL PROJ. (H)		
Capital Projects	2464-2465	$ 1,962.17
	Capital Proj. Total	**$ 1,962.17**
SPECIAL WATER (SW)		
Special Water	2466	$ 330.00
	Special Water Total	**$ 330.00**

	Total for all Funds	**$560,056.38**
TRUST & AGENCY (TA)		
Trust & Agency Pre-Pay	2330-2338	$432,083.88
	Trust & Agcy. Total	**$432,083.88**

CORRESPONDENCE

NYS Department of Environmental Conservation

Supervisor Hotaling stated that he was in receipt of a letter from DEC relative to the November 14th inspection of the Waste Water Treatment Plant and added that it simply states that all permit parameters sampled were within permit limits and continued by saying that the field sample results are listed in the letter.

Mid-Hudson Cablevision

Supervisor Hotaling stated that he was in receipt of a letter from Mid-Hudson Cable detailing some changes in channel offerings.

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Town Board Workshops / Meetings

- Town Board Workshop, January 22, 2008, 6pm
- Zoning Ordinance Committee Meeting, January 23, 2007, 7pm
- Town Board Meeting, January 28, 2007, 7pm

Supervisor Hotaling stated that there were a couple of changes to the personnel on the Zoning Ordinance Committee and continued by saying that David Ross will be substituting Cynthia Kunz as a Planning Board representative and at the Town Board level with the departure of Councilwoman Chmielewski it will be Councilman Touchette serving with Councilman Boehm on the Zoning Ordinance Committee.

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ADDITIONAL COMMENTS

Supervisor Hotaling offered the opportunity for additional comments at this time.

Chief Darlington stated that there was some damage to one of their police cars late December and added that during a property check the car slid on some snow and ran into a security gate, which caused damage to the vehicle as well as the gate. He added that it has been filed with the insurance companies and is being taken care of. He continued by saying that as a quick Communications update, he had met with the Albany County Sheriff's Department earlier in the day and added that they have a tentative work date for them to start the move of their equipment as the first week in February and added that there is a very preliminary cut over date of February 11th. He went on by saying that they have outside work to do at Town Hall, which is weather permitting and added that tentatively they are looking at the end of February to have everything complete and moved over and continued by saying that it is not definite that they will be out of 15 Mountain Road on that date. He concluded saying that the cubicles for the Dispatch Center are being built and added that along with the County, the phone system is going to be upgraded and they will be receiving a computerized phone system for the dispatchers, which will integrate into the system.

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

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ADJOURNMENT

On motion of Councilman Boehm seconded by Councilwoman Rogers, the Town Board Meeting was adjourned.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time 8:11pm

Respectfully Submitted, **APPROVED:**

_____
Diane L. Millious, Town Clerk

A Town Board Meeting was held Monday, January 28, 2008 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
Richard Touchette, Councilman

ABSENT: James C. Youmans, Councilman

ALSO PRESENT: Diane L. Millious, Town Clerk
Greg Darlington, Chief of Police
George Dardani, Judge
Albert Deering, Highway Superintendent
David Wukitsch, Attorney for the Town

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

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OPENING COMMENTS

Supervisor Hotaling stated that the record should reflect the absence of Councilman Youmans, who is out of town on business and continued by saying that also present were Highway Superintendent Deering, Chief of Police Darlington, Attorney for the Town Wukitsch, Town Clerk Millious and Judge Dardani.

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AGENDA

- Public Announcement
- Public Comment
- Approval of Minutes
  - Public Hearing, December 5, 2007 (7:00pm)
  - Public Hearing, December 5, 2007 (7:30pm)
  - Town Board Meeting, December 26, 2007
  - Town Board Organizational Meeting, January 1, 2008
- Supervisor's Report – December 2007
- Department Reports
  - Building Department – December 2007
  - Waste Water Treatment Plant – December 2007
  - Town Clerk – December 2007
- Old Business
  - Superintendent of Highways Vehicle Control
  - One Man Snow Plow Training Update
  - Safety Issue Update
  - Snow Emergency Parking
  - Update on Martin's Hill Sewer
- New Business
  - Establish Town Park Rules
  - Resignation of Zoning Board of Appeals Attorney
  - Recycling Jurisdiction
- Resolutions
  - Appoint WWTP Operator Trainee
  - Position Exchange of Equipment Operators 1&2
  - Amend 2008 Budget
  - Approve December 2007 Abstract
  - Approve January 2008 Abstract
- Town Board Workshops / Meetings

- Town Board Meeting, February 11, 2008
- Town Board Meeting, February 25, 2008

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PUBLIC COMMENT

Supervisor Hotaling invited the public to comment at this time.

Judge Dardani stated that he was curious about some communications that they had sent to the Town Board and added that he did not see that it was on the agenda.

Supervisor Hotaling stated that it is not on the agenda because he had stated previously that he was going to let the Town Board deal with it and added that it is his understanding that based on a conversation between Judge Dardani and Councilwoman Rogers and then communicated to him that Judge Dardani and Judge Reilly are not happy that he is taking part in the discussion and in turn believe that he should recuse himself from the matter. He continued by saying that he was turning the meeting over to Councilwoman Rogers because he was leaving the table and added that when the topic is concluded he will return to the Town Board agenda.

Supervisor Hotaling excused himself from the table.

Justice Dardani thanked Supervisor Hotaling.

Councilwoman Rogers inquired as to if Judge Dardani was referring to the hiring of Mr. Filkins.

Judge Dardani stated that their position is that they still need a full-time Court Clerk and added that it has been difficult to fill the position because according to Civil Service they cannot find anyone qualified for the position. He added in the past they have tried to come in with a clerk and in turn advance that clerk to Clerk I, then Clerk II, then Assistant Court Clerk and in due time make that person a full-time Court Clerk. He added that the Town of Coeymans Court is ranked #5 in Albany County and went on by saying that they have spoken with the Towns of Colonie, Bethlehem and Guilderland and the Town of Colonie has three judges one head Court Clerk and seven clerks under, the Town of Bethlehem has one Court Clerk and six clerks and Guilderland has two judges and six full-time clerks. He continued by saying that they are looking for one full-time clerk per judge or two part-time clerks to render some help.

Councilwoman Rogers inquired as to if they had received any new applications for the full-time position.

Judge Dardani stated that they had received a couple and added that they have not put anything else in the paper.

Councilwoman Rogers stated that at the end of 90 days for a part-time position they will still be looking for a full-time position.

Judge Dardani stated that they can advertise for a full-time clerk position and not a Court Clerk position and in turn Civil Service will be satisfied.

Councilwoman Rogers inquired as to if he will start advertising for a full-time clerk.

Judge Dardani stated that they are just trying to get some help and added that they are trying to work with the Town Board. He added that they have their job to do and the Town Board has their jobs to do and continued by saying that sometimes you can’t cross the line. He concluded by saying that they are just trying to get some help and went on by saying that the present Court Clerk is anticipating taking a vacation and there is no one to fill the position.

Councilwoman Rogers inquired as to if the Town Board has any questions.

Councilman Boehm stated that the intention is to hire a part-time clerk for now for 90 days and at the end of that time hire a Court Clerk.

Judge Dardani stated that he does not believe that at the end of 90 days they will be hiring a Court Clerk because he does not believe that there will be an applicant that satisfies the requirements of Civil Service. He continued by saying that they tried this and it did not work.

Councilwoman Rogers inquired as to what they plan on doing at the end of 90 days.

Judge Dardani stated that they are going to put a clerk in that position.

Councilwoman Rogers inquired as to if it would be a full-time clerk.

Judge Dardani stated that it would be and added that they would like to see the applicant come in now part-time and then advertise for a full-time clerk.

Councilman Touchette stated that last year when the budget was being discussed the judges requested two full-time Court Clerks.

Judge Dardani stated that Court Clerks are not a dime a dozen and added that it was the Town Board that directed them to have two clerks, which would be one for each judge. He continued by saying that it would be nice but it does not happen that way and added that you have to start with a clerk and train them to understand the procedures. He concluded by saying that they anticipate this happening someday and each judge will have a clerk.

Councilman Touchette stated that at the last Town Board Meeting the Town Board passed a resolution creating a part-time temporary clerk position for 90 days and added that there have been some more applicants. He continued by asking Judge Dardani if he has reviewed the applications.

Judge Dardani stated that he has and added that they do not fit the criteria of Court Clerk.

Councilman Touchette interjected that the temporary position is for a clerk.

Judge Dardani stated that they have never advertised for a clerk and added that the only advertisement has been to hire a Court Clerk.

Councilman Touchette stated that a new position was created and inquired about it not being posted.

Judge Dardani stated that it was because they have been going back and forth between a clerk and a Court Clerk and added that they would like to see someone in there now part-time. He continued by saying that between now and then they would like to advertise in the News Herald for a full-time clerk and explain to them the duties as well as having to work Thursday evenings.

Councilwoman Rogers inquired as to who they would like to hire now.

Judge Dardani stated that they would like to hire Richard Filkins and added that he would be the most feasible because he was previously in the position for 11 months and knows some of the duties.

Councilman Boehm stated that his only problem is that he does not understand why they are hiring a clerk and not a Court Clerk and added that he does not see it as an impossible task.

Judge Dardani stated that they cannot hire someone if Civil Service says that they do not the qualifications.

Councilman Boehm stated that they don't know that because they have not advertised for the position.

Judge Dardani interjected that they have advertised for a Court Clerk.

Councilman Boehm stated that if they advertise for the position in 90-days they do not know who will apply for the Court Clerk position.

Judge Dardani inquired as to if he is saying that they advertise the position as a Court Clerk.

Councilman Boehm stated that there would be two Court Clerks, one for each judge and added that they will give them the temporary help but ultimately they will hire another Court Clerk.

Judge Dardani stated that they don't want to lose sight of the clerk ultimately becoming the Court Clerk after he or she learns the duties.

Councilman Boehm inquired about advertising for a Court Clerk and hiring that position initially.

Judge Dardani stated that they could try it again.

Councilman Boehm interjected that this is what they are trying to do and added that the 90 day part-time position is because of the workload.

Judge Dardani inquired as to what will happen if they get no more applications in.

Councilman Boehm stated that this would be acting like they were defeated before they start and added that they should advertise for the position and try to hire a Court Clerk and not clerk.

Judge Dardani stated that they did this once already and added that they are now almost into the month of February with no help.

Councilman Boehm stated that Confidential Secretary Lewandowski had stated that she has received four new applications for the Court Clerk full-time position and then asked if he has reviewed them.

Judge Dardani stated that he was not aware of those and then asked if they have to wait another two weeks to get some help.

Councilman Boehm stated that they are prepared to give them the temporary help that they need and added that it is with the anticipation that they hire a full-time Court Clerk.

Judge Dardani stated that he would have no problem with the Town Board being part of the interview process.

Councilman Boehm stated that it is something to consider and added that they need to be on the same page and continued by saying that they want to give them the temporary help that they need with a competent person that has worked there before but ultimately have two Court Clerks so the office hours can be maintained and they can move forward. He concluded by saying that if nothing happens after 90 days they will have all wasted their time.

Judge Dardani stated that he anticipates talking with Councilwoman Rogers in two weeks and giving her an update as to what is happening.

Councilman Touchette stated that at this time they do not have an existing Court Clerk position after 90 days and added that this is something that they will have to look at. He continued by saying that the temporary position will help alleviate the problems with unanswered e-mails, answering the phone and the office being closed.

Judge Dardani stated that it would and added that it is only 17 ½ hours a week. He continued by saying that ADA Court day starts at 2:00pm and they are there until 9:45pm and went on to say that the part-time person won't get much done by the time that they open the mail because they have 9,000 e-mail tickets and added that they are not a small court and went on by saying that they are trying not to get back logged. He continued by saying that if the Court Clerk goes on vacation or gets sick there is no one and added that they need two clerks on the bench. He concluded by saying that he would be happy with them granting him a part-time temporary clerk and added that they will advertise in the paper as soon as possible and start from ground zero.

Councilman Boehm stated that they would make a motion to grant the part-time help with the ultimate goal of hiring a full-time Court Clerk.

Councilwoman Rogers interjected that it would be by the end of the 90 days.

Councilman Boehm continued by asking if it is feasible and can be done.

Judge Dardani stated that he will go over the applications to see if there is anyone that qualifies.

Councilwoman Rogers stated that she would offer a resolution.

RES. #034-08 APPOINT PART-TIME TEMPORARY CLERK FOR THE COURT
On motion of Councilwoman Rogers, seconded by Councilman Boehm the following resolution was APPROVED – VOTE – AYES 3 – NAYS 0 – ABSENT 1 (Youmans) – SO MOVED

BE IT RESOLVED, that the Town Board of the Town of Coeymans appoints Richard Filkins to the position of part-time clerk at the hourly rate of $10.64 an hour up to a maximum of 17 ½ hours a week, which will expire in 90 days.

Councilwoman Rogers inquired as to when he will start work.

Judge Dardani stated that it will be immediately on 01-29-08.

Councilwoman Rogers interjected that it will expire on 04-29-08.

Councilman Touchette inquired as to if Judge Dardani had spoken with Mr. Filkins.

Judge Dardani stated that they did in the past and added that he is very agreeable to coming back.

Councilman Touchette inquired as to if Mr. Filkins will be accepting the position.

Judge Dardani stated that he is not present and he will be calling him as soon as he leaves the meeting and continued by thanking the Town Board.

Supervisor Hotaling returned to the meeting and asked if anyone else wised to comment, hearing none he moved to the next item on the agenda.

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APPROVAL OF MINUTES

Supervisor Hotaling stated that there were four sets of minutes for Town Board approval, two Public Hearings on December 5th, a Town Board Meeting on December 26th and the Organizational Meeting on January 1st. He then asked if the Town Board was ready to offer a motion.

Councilwoman Rogers stated that Councilman Touchette was not on the Town Board for the December meetings.

Supervisor Hotaling suggested two motions, one for the December minutes and one for the January meeting.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Boehm, accepting the December 5th minutes as well as the December 26th minutes as presented.
VOTE – AYES 3 – NAYS 0 – ABSENT 1 (Youmans) ABSTAIN 1 (Touchette) – SO MOVED

On motion of Councilman Boehm, seconded by Councilwoman Rogers, accepting the December 26th minutes as presented.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Youmans)

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SUPERVISOR'S REPORT

FUND	BAL. FWD.	RECEIPTS	DISBURSE.	BALANCE
General	$680,460.17	$ 67,658.76	$366,777.50	$381,341.43
Part-Town	$722,095.45	$205,702.34	$144,320.65	$783,477.14
Spec. Water	$ 5,577.04	$ 333.74	$ 660.00	$ 5,2510.78
Highway	$ 40,167.83	$178,238.46	$ 106,577.98	$111,828.31
Bridge Const.	$ 35,252.71	$ 23.11	-0-	$ 35,275.82
Trust & Agcy.	$ 11,748.23	$422,111.32	$426,399.06	$ 7,460.49
Sewer	$ 89,769.57	$ 26.94	$ 34,092.84	$ 55,703.67
Sew. Cap. Proj.	$129,553.96	$ 165.16	$ 612.24	$129,106.88
			Tot. Rec. Bal.	$1,509,444.52

CERTIFICATES OF DEPOSIT

				Maturity Date
Citizens Bank	A-Fund	90 Days	$115,000.00	02-25-08
National Bank	DA-Highway	90 Days	$250,000.00	01-24-08

SECTION 8 – HUD

Occupied Units	81
HUD Payments	$ 34,846.00
Admin. Fee	$ 122.67
Total HUD Pmt.	$ 34,968.67
Tenant Rent	$ 13,986.00
Contract Rent	$ 48,954.67
Section 8 / Ck.	$110,811.92
Section 8 / Sav.	$ 2,256.26
Total	$113,068.18

SAVINGS ACCOUNTS

Police Forfeitures/Ck.	$ 72.58
Police Forfeitures	$ 2,594.44
Unemployment	$ 3,151.92
Grove Cem./Sav.	$36,231.49
Grove Cem./Ck.	$11,007.00
Sewer Dedicated	$ 6,203.42
Total	$59,260.85

COLLATERAL COVERAGE	**FDIC COVERAGE**	**COLLATERALIZED**
National Bank of Coxsackie	$100,000.00	$1,309,891.96

Citizens Bank	$100,000.00	$354,880.24
First Niagara	$100,000.00	$152,278.35

Supervisor Hotaling asked for a motion to approve the Supervisor's Report.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Boehm, the Supervisor's Report was accepted as presented.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Youmans) – SO MOVED

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DEPARTMENT REPORTS

Building Department – December 2007

Supervisor Hotaling asked that Councilman Touchette give the Building Department Monthly Report for December 2007.

Councilman Touchette proceeded to give the report.

Supervisor Hotaling asked for a motion to approve the report.

MOTION

On motion of Councilman Touchette, seconded by Councilman Boehm, the Building Department Report was accepted as presented.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Youmans) – SO MOVED

Waste Water Treatment Plant – December 2007

Supervisor Hotaling continued by giving the Waste Water Treatment Plant and then offered a motion to approve the report.

MOTION

On motion of Supervisor Hotaling, seconded by Councilwoman Rogers, the Waste Water Treatment Plant Report was accepted as presented.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Youmans) – SO MOVED

Town Clerk – December 2007

Supervisor Hotaling asked that Town Clerk Millious give the Town Clerk's Report for December 2007.

Town Clerk Millious continued by giving the report.

Supervisor Hotaling asked for a motion to approve the report.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Touchette, the Town Clerk's Report was accepted as presented.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Youmans) – SO MOVED

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OLD BUSINESS

Superintendent of Highways Vehicle Control

Supervisor Hotaling stated that they had previously discussed the Town Board's policy that was issued that prohibited the use of Town vehicles to and from home except in individual circumstances of the Chief of Police and Highway Superintendent. He continued by saying that subsequent to that the Highway Superintendent indicated that he was in conflict with that policy by virtue of the fact that he wanted his Deputy to have use of the Town's pick-up truck for the purpose of going back and forth to home. He added that it in turn it was referred to Attorney for the Town Wukitsch who had found a Comptroller's opinion 806 of 1980, which in summary said:

"The Town Highway Superintendent has the power to authorize highway employees to take highway vehicles home at night regardless of any contrary policy adopted by the Town Board."

Supervisor Hotaling stated that he was unable to find the initial question for the opinion and added that he didn't know if the opinion contemplated the fact that the vehicle was being taken out of town each day. He added that it had been discussed at a Town Board Workshop and the decision was to postpone it until the second Town Board Meeting of 2008, which is now. He then stated that he was putting it back on the floor for discussion among Town Board members to determine if a decision had been reached by the Board as to whether the policy of the Board should be executed in this particular case in light of the Comptroller's opinion.

Councilman Boehm stated that he believed that initially they made the policy to prevent a Town vehicle from becoming a commuter vehicle and added that he is not convinced that it needs to go home on a nightly basis because there are not that many emergency calls. He added that the policy is a great idea that saves taxpayers money.

Supervisor Hotaling reiterated that it is a Comptroller's opinion and not law and added that he chooses to stay with the policy that they created. He continued by saying that Highway Superintendent Deering had previously directed the Deputy to take the vehicle home and then asked Highway Superintendent Deering if it is being taken home and whether or not the employee lives in or outside the Town.

Highway Superintendent Deering stated that he lives outside the Town and added that it is being taken home.

Supervisor Hotaling asked if there was any other discussion or if they reached a decision.

Councilman Boehm stated that given the Comptroller's opinion he does not believe that it should be taken home.

Supervisor Hotaling asked that he put it in the form of a motion that they will exempt the Highway Department and any of its employees from the policy that was created by the Town Board.

Councilwoman Rogers inquired about using the word employees.

Supervisor Hotaling inquired as to if he would be stretching it to say all of the employees in terms of the opinion that Attorney for the Town Wukitsch had read.

Attorney for the Town Wukitsch stated that it didn't seem to distinguish among employees and added that if they are going to rely on the Comptroller's opinion they have to have a carve out or exception for the Highway Department employees. He continued by saying that Supervisor Hotaling accurately summarized the law and went on by saying that he has done the research and this is what they have been able to come up with in terms of a legal opinion. He went on by saying that it is a Comptroller's opinion and added that it does not have the force of a law but does analyze and offer an opinion as to the state of the law by discussing both a Town Law section, which seems to give the Town Board the power to control the vehicles and another section of the Highway Law that seems to afford the power to the Highway Superintendent. He concluded by saying that there is a gray area and the Town Board has to do its best with what has been put before them in terms of making a decision and added that if they are going to rely on an

opinion, the Comptroller's opinion is that the Highway Superintendent seems to have the power to control the vehicles.

Councilwoman Rogers stated that her only problem is that the vehicle is being taken out of town, which raises more issues.

Attorney for the Town Wukitsch interjected that this was not part of the opinion.

Councilman Touchette asked Highway Superintendent Deering why he felt so strong about the Deputy Superintendent having a vehicle to commute back and forth to work.

Highway Superintendent Deering stated that there might be times that they cannot get in touch with him and would have to get in touch with his Deputy and added that he does the same job when he is not around. He continued by saying that when he was a foreman he took it home as well as others in the past that have taken it home and added that it was not out of town.

Councilman Touchette inquired as to when the Deputy started taking the vehicle home.

Highway Superintendent Deering stated that it was when his Deputy started and added that the person before him that was a Foreman took it home and went on by saying that it has been going on for years.

Councilman Touchette started to inquire about the value of the personal use of the vehicle.

Highway Superintendent Deering stated that to his knowledge it is not used for personal use.

Supervisor Hotaling asked that Highway Superintendent Deering listen to the whole question because he thinks it is a different question.

Councilman Touchette inquired as to if the value of the personal use of the vehicle is included on his W2.

Highway Superintendent Deering stated that he didn't believe so.

Supervisor Hotaling stated that the practice in the past has been that many people have done that and added that it has been a long standing practice. He continued by saying that he believes that it was the Town Board's sense that whatever they are paying for a gallon of gasoline and the fact that they are not adding that value to the employee, they are treating that employee differently than they do a lot of other employees and added that the policy was grounded in that. He went on by saying that they exempted the Police Chief and Highway Superintendent because of their unique responsibilities, which they did not extend to other individuals. He concluded by saying that it was put on the agenda at the request of the Town Board at the Workshop on December 18th and then asked if the Town Board was prepared to come to some kind of closure or decide when they will.

Councilman Touchette inquired as to reasons why the Deputy Superintendent would be called in.

Highway Superintendent Deering stated that it would be if he wasn't around.

Councilman Touchette inquired about the duties.

Highway Superintendent Deering stated that he would have to go to the shop to call the guys in to work and added that if the Police Department can't get in touch with him they would call his deputy. He continued by saying that he is only speaking for the Highway Department and added that he does not know what the other Departments have done.

Councilman Touchette stated that as it stands right now there is a resolution.

Supervisor Hotaling stated that there is and added that it stands in opposition of the fact pattern that Highway Superintendent Deering describes for his Deputy at this point. He continued by saying that he would either have to be included in the exemption or told that the policy still stands with a majority of the Town Board. He concluded by saying that right now it is in conflict with the policy that was established by resolution.

Councilman Boehm stated that he sees it as another form of compensation because most of the time he is using the vehicle to commute and added that if he is called in he does not understand why he cannot use his personal vehicle to go to the Highway Garage and get the equipment that he needs. He concluded by saying that he would like to investigate the possibility that it is an additional form of compensation and in turn have the Town Board and Attorney for the Town Wukitsch review it.

Supervisor Hotaling stated that his point is well taken and added that the law is specifically clear on that already in that when a situation occurs like this it is the obligation of the municipality to treat the personal use as an income and add it to that individual's W-2 in the form of income. He continued by saying that the problem is in knowing what value to place on that and if it is figured on the mileage that the IRS uses for deduction, which is 50 cents a mile or if it the actual cost of the fuel.

Councilman Boehm stated that if it for emergency use it would not be considered but if it is just commuting it would be considered.

Supervisor Hotaling stated that the Town Board's policy exempted Superintendent Deering and Chief Darlington and continued by asking if they should do the same for them or have it checked into by Attorney for the Town Wukitsch as to whether it obligates the municipality to add the value to their salary under the IRS rules.

Attorney for the Town Wukitsch inquired as to how they are treated now.

Supervisor Hotaling stated that no one gets it added at this point.

Attorney for the Town Wukitsch inquired as to if the issue that they want him to look into is if the Town is required to report or add the income of the use of the vehicle to their W-2.

Supervisor Hotaling stated that was correct.

Attorney for the Town Wukitsch interjected that this is different from the issue that they started with and added that initially the issue was whether or not the Town Board wants to extend the current exemption on the use of the vehicles to the Deputy Highway Superintendent, which is the same issue that it was a month ago. He added that based on the opinion from the Comptroller's office it seems to support that exemption even though they don't know all of the details.

Supervisor Hotaling added that it seems to support that exemption plus an exemption for the entire Highway Department, and added that any piece of equipment that is drivable on the highway would be under the Highway Superintendent's control to any of the employees of the Highway Department.

Attorney for the Town Wukitsch stated that was correct and added that the issue is not going to change even after he researches the latest issue.

Supervisor Hotaling inquired as to if the Town Board wants to withhold their decision on the first issue and have Attorney for the Town Wukitsch check into the requirements under the law with regard to value.

Collectively it was agreed that they would withhold their decision.

Supervisor Hotaling inquired as to if they wanted to hold it until the end of February, which will give Attorney for the Town Wukitsch time to research it.

Attorney for the Town Wukitsch stated that he will have an answer by then.

Supervisor Hotaling stated that it is deferred until the Town Board Meeting on February 25th.

One Man Snow Plow Training Update

Supervisor Hotaling stated that they had received a correspondence from Highway Superintendent Deering indicating that the training has commenced and all but two of the employees have completed the course.

Highway Superintendent Deering interjected that those two employees had completed it earlier in the day.

Supervisor Hotaling stated that there were three segments to the training, a classroom segment, a demonstration segment and the third will be completed when there is an actual storm. He continued by asking if the plan is that the instructor will return when there is a storm.

Highway Superintendent Deering stated that the instructor will come down when there is a storm and the wing needs to be used and added that he will go out in the truck with each one.

Supervisor Hotaling inquired as to the timeframe that there he has to be with each one.

Highway Superintendent Deering stated that it is four hours per student and added that it is also depends on the student.

Supervisor Hotaling stated that it is not likely that everyone will be certified during the first snow storm.

Highway Superintendent Deering agreed and added that they are all ready to do it.

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

Safety Issue Update

Supervisor Hotaling stated that the safety issues update is in response to a letter that he had received from Donald VanAlstyne who is a Safety Officer and employee of the Highway Department. He continued by saying that he identified seven issues in the Highway Department and two in the Beautification Department that from his perspective as Union Safety Officer, designated by the Union, are a problem. He went on by saying that he asked Councilwoman Rogers as liaison for the Highway Department to start talking with Highway Superintendent Deering and then asked for an update as to what has happened.

Councilwoman Rogers stated that the lights on the small trailer have been done.

Highway Superintendent Deering interjected that they did not do the electric brakes yet because they may take an axel off because it is not needed.

Councilwoman Rogers stated that the wood chipper has lights.

Supervisor Hotaling inquired as to if there were two axels on the trailer and then whether or not it will require electric brakes if they take one off.

Highway Superintendent Deering stated that an axel was put on when they had a heavier trailer and added that they can eliminate that if they need to.

Supervisor Hotaling stated that his discussion with the Union seemed to indicate that a fairly heavy piece of equipment is on the trailer and moved around.

Highway Superintendent Deering stated that it was a roller and one axel will work.

Councilwoman Rogers added that the lights on the stump grinder have been taken care of and added that they are waiting for the metal hood for the welding area, which has been ordered.

Highway Superintendent Deering stated that they have the hood and it is the fan for the ceiling that they are waiting for and continued by saying that Peter Bullock is working on it.

Supervisor Hotaling interjected that he just signed a purchase order for a portable hood.

Highway Superintendent Deering stated that it is portable for welding and added that it goes around to where they are welding.

Supervisor Hotaling inquired as to if it was designed to fix the problem raised with the Safety Officer.

Highway Superintendent Deering stated that it will fix some of it and added that it will be at one end of the building.

Supervisor Hotaling stated that it was fairly expensive and added that he believed that it was in response to the Safety Officer's letter.

Councilwoman Rogers stated that it wasn't and added that she just found that out.

Supervisor Hotaling stated that they spent $3,000.00 for something that isn't going to take care of what's on the list.

Highway Superintendent Deering stated that it will suck up the welding and is portable and can be moved to where you are working.

Supervisor Hotaling stated that there were two concerns with the Beautification Department and added that it has been reported to him that the gas cans have been converted to metal and there is a metal cabinet on site for the storage of gas and separation of other flammables. He then asked if there was any other discussion.

Highway Superintendent Deering stated that he would appreciate it if the Safety Officer gives him a copy of his findings and added that he should know what is going on.

Supervisor Hotaling stated that he agrees and added that the Safety Officer works with him everyday and there should be weekly discussions.

Highway Superintendent Deering stated that he felt as though it was sneaky because he didn't know anything about it.

Supervisor Hotaling stated that he should tell him that.

Highway Superintendent Deering stated that he already knows.

Supervisor Hotaling stated that it should have been handled there and added that the Safety Officer had said that those communications had taken place and there was a failure to communicate.

Councilwoman Rogers stated that she had given a copy of the safety issues to Highway Superintendent Deering.

Supervisor Hotaling stated that when he had met with the Union they had said that the issues had been discussed and added that he does not know if this is so. He reiterated that he agrees with Highway Superintendent Deering and there should be weekly meetings with the Safety Officer.

Highway Superintendent Deering reiterated that he should have gotten a copy of the letter.

Snow Emergency Parking

Supervisor Hotaling stated that he was in receipt of a memorandum from Highway Superintendent Deering dated January 24th and added that it was relative to the previously discussed no parking emergency system and whether or not there was any progress. He continued by saying that there was some preliminary discussion about their recollection on this and then asked for comments from the Town Board.

Councilman Boehm stated that he had thought that Chief Darlington and Highway Superintendent Deering were communicating with each other to work out the details, which he believed was going to parallel what the Village does in that after three inches of snow you cannot park on the road.

Highway Superintendent Deering stated that this is what he was thinking and added that it should state the entire Town of Coeymans. He continued by saying that there should not be any parking on any road for 24 hours when there is a snow fall of 3 inches or more.

Supervisor Hotaling inquired as to whether either of them had a discussion with Attorney for the Town Wukitsch relative to the need to either convert it to an ordinance or law or if can be done by resolution only.

Highway Superintendent Deering stated that they had not.

Attorney for the Town Wukitsch stated that he will check into it.

Chief Darlington stated that the previous Town Attorney felt that if the Town was actually going to do a Snow Emergency like the Village, they would have to pass a Local Law. He continued by saying that there was a question on 1163, which gave the Police Chief the power to declare a snow emergency for snow removal and added that it was more for when they do the cleanup after the snow storm and not necessarily during the storm.

Supervisor Hotaling stated that he remembers the discussion and added that he was on board with that because it would have been the easier way to do it. He continued by saying that there was no correlation that they could make separating the removal of snow after an event to the actual snowfall.

Chief Darlington stated that they would have to post Emergency No Parking Signs and added that they would have to go on all the Town roads and put up temporary signs the same as they do during a snow removal.

Supervisor Hotaling asked that Highway Superintendent Deering give some guidance to Attorney for the Town Wukitsch relative to what he is talking about.

Highway Superintendent Deering stated that he is talking about the entire Town of Coeymans.

Supervisor Hotaling stated that some of the roads in the 5th and 7th districts are different from the roads in the Hamlet.

Highway Superintendent Deering stated that a lot of them are narrow and reiterated that it should be the whole town.

Chief Darlington stated that he would provide Attorney for the Town Wukitsch a copy of the Village Code.

Attorney for the Town Wukitsch stated that would be great.

Highway Superintendent Deering stated that he wanted to go back to the safety issue.

Supervisor Hotaling stated that they were going back to the previous topic.

Highway Superintendent Deering stated that the safety issues raised were not budgeted for and added that he wanted to let the Board know. He continued by saying that if had known about it he could have budgeted for it.

Supervisor Hotaling stated that if he had known that the $3,000.00 for the portable unit was not going to address the problem he would not have signed the purchase order.

Highway Superintendent Deering stated that it will take care of the problem because it is portable.

Supervisor Hotaling stated that they still need to hire an electrician to do something more permanently.

Highway Superintendent Deering stated that this would be at the permanent welding location and added that he should stop in to see what he is talking about.

Update of Martin's Hill Sewer

Supervisor Hotaling stated that a check was sent to the State of New York Department of Transportation in the amount of $21,600.00 to include the gray water sewer system construction in the Rte. 143 realignment, which is scheduled to start as early as mid spring 2008 and go until 2009.

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NEW BUSINESS

Establish Town Park Rules

Supervisor Hotaling stated that there was discussion between himself and Chief Darlington relative to establishing park rules for the parks within the Town. He continued by saying that Town Clerk Millious provided a copy of the existing rules and added that the problem that Chief Darlington had was identifying dark as the closing time. He went on by saying that what is dark to one might not be dark to another and added that Chief Darlington wants to be in the position to have something that is more enforceable.

Councilman Boehm stated that there are specific times for sunset and sunrise.

Chief Darlington stated that sunset does not mean dark and added that it leaves a wide open interpretation with it comes to the court when you are having someone charged with trespassing on the property.

Attorney for the Town Wukitsch suggested that it be 30 minutes after sunset.

Supervisor Hotaling stated that it would be a slippery slope for the court.

Attorney for the Town Wukitsch stated that sunset is a different time each year and added that the easiest way might be to have one time for the fall and winter months and another time for the spring and summer months.

Supervisor Hotaling stated that they had discussed this and talked about April 1st to September 30th being 10pm and October 1st to March 31st being 8pm.

Chief Darlington stated that if there is a closing time there would have to be a reopen time.

Collectively it was agreed that it should be 6am.

Supervisor Hotaling stated that it makes sense to have two segments of the year and added that during certain times of the year the Hudson River is used to fish for Stripers and added that they are probably out there earlier than 6am. He added that there was not great structure with the park rules and regulations and then asked Town Clerk Millious if they had ever codified them in some way by resolution or motion.

Town Clerk Millious stated that they had not and added that in the 90's they had started charging a fee because there was a problem with people fighting over the pavilion and gazebo. She continued by saying that originally they charged $50.00 and gave back $25.00 if it was left in an orderly manner but then went to a flat fee of $25.00 for the pavilion and gazebo. She added that you can know reserve the ball fields but there is no charge

Supervisor Hotaling stated that he didn't want to get into ball fields, pavilions and gazebos and added that he wants to figure out and establish the rules and regulations.

Attorney for the Town Wukitsch stated that if they are simply establishing rules and regulations for the general usage of the parks, what they have developed is fine and added that if they want to get to the point where they impose fines they will have to move to the next level and have an ordinance or local law. He went on by saying that this has to be done in order to cite someone and impose a fine.

Chief Darlington stated that in the past when specific times were posted the violator could be charged with trespassing, which took care of any fine structure because they were charged under the penal law.

Supervisor Hotaling stated that there is a means to enforce if they put the hours and added that they can amend the rules to include hours of operation. He continued by saying that Town Clerk Millious reminded him that the first two pages is a form that was created in response to NYMIR (New York Municipal Insurance Reciprocal) to make sure that anyone who uses the park has insurance because without it they would be putting all of the taxpayers at risk for liability if someone gets injured and added that the person who uses a facility has to have proper insurance prior to use.

Attorney for the Town Wukitsch stated that he glanced at it and added that they do have the required provisions in the rules and regulations and continued by saying that it states that the Town of Coeymans will be added as an unrestricted additional insured on the users policy as well as limits of coverage as well as an acknowledgement and indemnity by the user. He concluded by saying that they key elements are all there.

Supervisor Hotaling stated that by his recollection the form was not adopted by the Town Board for use and added that it is the form that they are currently and have been using for the last several months for Joralemon and Coeymans Landing. He added that there are questions raised by the user about their requirement to have $100,000.00 limited liability on their Homeowner's Policy and that proof is required. He concluded by saying that he wants to make the Town Board aware that the form has not been adopted and added that he would recommend that they adopt it.

Tape change – some dialect lost.

Supervisor Hotaling stated that there should not be a lot of commercial users and added that there is a million dollar liability requirement and a two million dollar aggregate required. He continued by saying for an individual there is a requirement of $100,000.00 limited liability as well as their policy not excluding off premises activity.

Chief Darlington stated that this is true only if someone reserves the pavilion and added that his concern is when a group uses the pavilion without a reservation. He continued by saying that the rules could say "park use by permit only".

Councilwoman Rogers stated that the way that she is reading it, it sounds like only homeowners can get a permit for the pavilion with that kind of liability insurance.

Town Clerk Millious stated that she has run into that type of situation and someone else in their party will do it for them if they are a Town resident.

Supervisor Hotaling stated that they do not have to adopt the rules and regulations and added that if they don't they run the risk of any claim arising out of use of a park being denied by the Town's insurance carrier.

Councilwoman Rogers interjected that Chief Darlington had pointed out that you can still use the pavilion if it is not reserved.

Supervisor Hotaling stated that as Chief Darlington had indicated it can state that any party in excess of a designated number will require a permit.

Attorney for the Town Wukitsch stated that it currently says that a permit is required for a large organized activity and added that it is not defined.

Supervisor Hotaling stated that this is something that they can not decide on now and then asked for someone to take the lead on trying to come up with something that makes sense balancing between the requirements for insurance and the liabilities that are attached to that and the public use of the facilities.

Councilwoman Rogers stated that she would work on it.

Supervisor Hotaling stated that he would give her anything that he has on it from the insurance carrier and added that he believes that the form reflects their suggested words.

Attorney for the Town Wukitsch stated that with other municipalities he has seen it very similar.

Resignation of Zoning Board of Appeals Attorney

Supervisor Hotaling stated that he was in receipt of a resignation of the Zoning Board of Appeals Attorney, Aline Galgay dated January 24th. He continued by saying that she is tendering her resignation as Attorney for the Zoning Board of Appeals as well as moderator for the Zoning Ordinance Committee and added that it is effective immediately. He added that they are in search of Zoning Counsel and went on by saying that he will defer it to members of the Board who are sitting on the Zoning Ordinance Committee to indicate their preference with a continuation of that committee. He then asked for a motion to accept the resignation.

MOTION

On motion of Councilman Boehm, seconded by Councilman Touchette, accepting the resignation of Aline Galgay as Attorney for the Zoning Board of Appeals and moderator for the Zoning Ordinance Committee.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Youmans) – SO MOVED

Dear Ron:

After very serious consideration, and with much regret, I am submitting my resignation to the Town of Coeymans with respect to my positions as attorney to the Zoning Board of Appeals and moderator for the Zoning Ordinance Committee. I believe that it is very important for both entities to operate as cohesive units with a vision towards progress. When that is not successfully occurring, there needs to be a change to ensure that the progress is stymied.

I understand that I need to return the Code Book to the Town Clerk, which I will do at my earliest convenience. Further, I began a compilation of the decisions I wrote for the ZBA, which I would be happy to turn over to my successor. Lastly, I have the updated Zoning Law on my computer, amended through December (not inclusive of the changes from last night's meeting) which I would be happy to e-mail to the individual tasked with leading the Zoning Ordinance Committee.

Please know that I truly enjoyed my time serving the Town of Coeymans. I am sorry that I will be able to continue.

Respectfully yours,

Aline D. Galgay

Councilwoman Rogers inquired as to if she had returned the Code Book to Town Clerk Millious.

Supervisor Hotaling stated that the letter states that she knows that she has to do that and added that she will do it at her convenience and then asked that Town Clerk Millious get in touch with her.

Town Clerk Millious stated that she will.

Councilman Boehm stated that he had spoken with Attorney Galgay and she indicated that there were some personality issues with certain people and continued by saying that he does think that it is important to move forward and take a fresh look at it. He added that during the past four months the Committee has made very little progress and of an 86 page document they are only on page 10. He concluded by saying that they have to decide what role the attorney will play because it is an important role and that person will have to defend the Zoning Board when they do pass the new zoning laws and added that they need to secure counsel and move forward.

Supervisor Hotaling stated that it does make sense to have an attorney involved in order to defend the document requirements. He continued by suggesting the he along with Councilman Touchette reach out for a referral for an attorney.

Recycling Jurisdiction

Supervisor Hotaling stated that the Recycling Law in the Town of Coeymans was passed in early 1990 as a result of the State mandate to do a Solid Waste Management Law to include recycling. He added that at that time it was assumed that the Town's Recycling Law was one that was going to be exercised across the Town. He continued that approximately 8 months ago he received an inquiry from a resident of the Hamlet about the fact that school does not recycle and in turn he had said that he would look into it. He went on by saying that he called the school and was advised that from their perspective it is too difficult to do because their waste hauler is not prepared to deal with separating the paper, recyclables and garbage. He added that in turn he contacted DEC to find out what his authority is and found that the Town lacks jurisdiction where there is a Village in it and continued by saying that the high-school and middle-school was annexed into the Village in the mid 80's, which would mean that the Town is without jurisdiction to impose the Recycling Law that they passed and in turn the Village has to enforce their law. He went on by saying that the Village does not have a law and added that they did not pass a law when all municipalities were required to do so. He continued by saying that maybe they didn't because they thought that the Town Law was going to apply. He then asked that Attorney for the Town Wukitsch look into the current status of the law relative to the Town's jurisdiction to apply its Recycling Law to locations within a Village, within a Town, if that jurisdiction does not have a Solid Waste Management Law and added that it is unique using a school because there is going to be an overlay of the Education Department that has regulatory responsibility for the school as well, which might include the area of recycling. He continued by saying that in spite of the Town's ability to have jurisdiction because the Village does not have a law, it may be superseded by the Education Department in this particular case. He concluded by saying there is also a question as to whether or not in general in any residence that sits in the Village if the Town has any jurisdiction over the recycling that occurs in that residence or commercial establishment.

Attorney for the Town Wukitsch inquired about what he has learned to date from DEC and whether or not he is correct in understanding that if a Village has a law, the Town cannot enforce its Recycling Law.

Supervisor Hotaling stated that is true and added that he believes that it goes further than that and continued by saying that he gathered from DEC that they are surprised to find that the Village does not have a law. He went on by saying that the Village may believe that the Town's law applies and continued by saying that DEC indicated that every municipality under the State mandate was required to come up with a Solid Waste Law and because they are required to do it each municipality within their jurisdiction enforces it, which the Village does not have. He concluded by saying that he wants to convey to the Village his findings because they may be of the opinion that the Town does have and has exercised jurisdiction, which DEC has indicated may have been misplaced.

Attorney for the Town Wukitsch stated that he understands the issue.

Supervisor Hotaling stated that he wanted to find out one way or the other and added that in New York State the law sometimes acts in cross purposes of one another.

Attorney for the Town Wukitsch inquired as to if he should report back to the Board with a written opinion.

Supervisor Hotaling stated that he would like that and added that it only has to be a summary of what he finds with his review and contact with DEC. He then asked if there were any other New Business topics, hearing none he moved to the next item on the agenda.

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RESOLUTIONS

RES. #035-08 APPOINT WASTEWATER TREATMENT PLANT OPERATOR TRAINEE
On motion of Councilman Touchette, seconded by Councilwoman Rogers, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Youmans) – SO MOVED

WHEREAS, the Sewer Department is desirous of filling the current Sewer Plant Treatment Operator Trainee position, and

WHEREAS, several applications have been received and the recommended candidate has been forwarded to Albany County Civil Service for qualification review, and

WHEREAS, Albany County Civil Service has determined that the recommended candidate meets the minimum qualifications,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby appoint Keith P. Geraldson to the position of Sewage Treatment Plant Operator Trainee, provisional, effective immediately, and contingent upon further Civil Service review. Appointment is made at the hourly rate of $14.89, consistent with the current Labor Management Agreement in effect.

Supervisor Hotaling stated that Chief Operator Breedlove had indicated that in his discussion with Mr. Geraldson, the opportunity for a starting date is February 4th.

RES. #036-08 APPROVE POSITION EXCHANGE OF OPERATORS 1&2
On motion of Councilman Boehm, seconded by Councilwoman Rogers, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Youmans) – SO MOVED

WHEREAS, Gilbert Stevens is currently Equipment Operator 2 (EO2) in the Highway Department and George LaMountain, Jr. is the Equipment Operator 1 (EO1), and

WHEREAS, EO2 Stevens has requested to be allowed to revert to an EO 1 position, and

WHEREAS, the Highway Superintendent, pursuant to the Labor Management Agreement requirements, has internally posted the potentially vacant EO2 position, and

WHEREAS, applications for that position have been received and reviewed, and

WHEREAS, Highway Superintendent Deering recommends George LaMountain, Jr. be promoted to the EO2 position.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans hereby grants Gilbert Stevens request to revert to the EO1 position vacated by George LaMountain, Jr., and

BE IT FURTHER RESOLVED, that George LaMountain be promoted to the EO2 position vacated by Gilbert Stevens, and

BE IT FURTHER RESOLVED, that the rates of pay be adjusted, effective immediately, to reflect this exchange of titles.

Supervisor Hotaling stated that he put this together earlier in the day at Highway Superintendent Deering's request and continued by asking Highway Superintendent Deering if he summarized it right.

Highway Superintendent Deering stated that it is just a switch.

Supervisor Hotaling stated that there are no vacancies and added that as they are switching there is a vacancy and then asked Attorney for Town Wukitsch if there is a down side to doing it. He continued by saying that all of the jobs are labor class positions for which qualifications are such that are determined by the Superintendent of Highways and in turn Civil Service only wants to be told who fills them.

Attorney for the Town Wukitsch stated that he does not see a problem with it.

Supervisor Hotaling stated that he had discussed with Highway Superintendent Deering about how to do it and added that they believed that this would be the best way to do it.

Highway Superintendent Deering stated that this is the first time that it has ever been done.

Attorney for the Town Wukitsch stated that it seems fine.

RES. # 037-08 AMEND 2008 BUDGET
On motion of Councilwoman Rogers, seconded by Supervisor Hotaling, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Youmans) – SO MOVED

WHEREAS, the Town has received notice from the New York Stated Division of Criminal Justice Service (DCJS) and the U.S. Department of Justice of a Bullet Proof Vest Partnership Program, and

WHEREAS, the Town had not provided for the revenue or related expenditure of the grant in the Town's 2008 budget, and

WHEREAS, the Town anticipates the entire cost of the grant will be reimbursed by the grant,

NOW, THEREFORE, BE IT RESOLVED, that the 2008 budget be amended as follows: Increase the revenue State Aid Account A3089 by $3,000, increase the Federal Aid Account A4089 by $3,000, and increase the expenditure account A3120.21 by $6,000.

Supervisor Hotaling asked that Chief Darlington explain the program.

Chief Darlington stated that it is a program that they have used in the past and added that it was taken out of their uniform budget. He continued by saying that any time that they hired a new police officer it would exhaust their uniform budget and when they got reimbursed it went into the General budget. He added that the Federal government reimburses 50% of any new vests and the State government reimburses the other 50% as well as the Federal government reimbursing 50% of any replacement vest.

Supervisor Hotaling stated that it preserves the program and does not have an impact on the regular uniform budget and then asked Chief Darlington if he worked this out with Internal Control Officer Purinton and Bookkeeper Puckett.

Chief Darlington stated that he had.

RES. #038-08 APPROVE DECEMBER 2007 ABSTRACT OF CLAIMS
On motion of Councilman Touchette, seconded by Supervisor Hotaling, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Youmans) – SO MOVED

BE IT RESOLVED, that the Town Board of the Town of Coeymans, does hereby approve and allow the following claims of vouchers for the December 2007, Abstract.

	VOUCHER #	AMOUNT
GENERAL (A)		
General Pre-Pay	2468-2497	$133,049.05
General	2535-2594	$ 74,940.29
	General Total	**$207,989.34**
PART-TOWN (B)		
Part-Town Pre-Pay	2497-2508	$ 13,611.60
Part-Town	2595-2609	$ 12,325.86
	Part Town Total	**$ 25,937.46**
HIGHWAY (D)		
Highway Pre-Pay	2509-2517	$ 29,028.89
Highway	2610-2658	$ 42,565.98
	Highway Total	**$ 71,594.87**
SEWER (SS)		
Sewer Pre-Pay	2518-2531	$ 8,008.29
Sewer	2659-2673	$ 11,198.38
	Sewer Total	**$ 19,206.67**
CAPITAL PROJ. (H)		
Capital Projects	2674-2677	$ 8,823.50
	Capital Proj. Total	**$ 8,823.50**
	Total for all Funds	**$ 333,551.84**
TRUST & AGENCY (TA)		
Trust & Agency Pre-Pay	2532-2534	$ 92,107.34
	Trust & Agcy. Total	**$ 92,107.34**

RES. #039-08 APPROVE JANUARY 2008 ABSTRACT OF CLAIMS

On motion of Councilman Boehm, seconded by Councilman Touchette, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Youmans) – SO MOVED

BE IT RESOLVED, that the Town Board, of the Town of Coeymans, does hereby approve and allow the following claims of vouchers for the January 2008, Abstract.

	VOUCHER #	AMOUNT
GENERAL (A)		
General Pre-Pay	1-18	$169,508.42
General	51-62	$ 6,441.99
	General Total	**$175,950.41**
PART-TOWN (B)		
Part-Town Pre-Pay	19-25	$ 25,404.72
Part-Town	63	$ 285.00
	Part Town Total	**$ 25,689.72**
HIGHWAY (D)		
Highway Pre-Pay	26-34	$ 52,211.98
Highway	64-84	$ 12,444.06
	Highway Total	**$ 64,656.04**
SEWER (SS)		
Sewer Pre-Pay	35-43	$ 10,781.13
Sewer	85	$ 82.00
	Sewer Total	**$ 10,863.13**
CAPITAL PROJ. (H)		
Capital Projects	86	$ 352.00
	Capital Proj.Total	**$ 352.00**
	Total for all Funds	**$277,511.30**
TRUST & AGENCY (TA)		
Trust & Agency Pre-Pay	44-50	$230,239.93
	Trust & Agcy. Total	**$230,239.93**

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WORKSHOPS / MEETINGS

- Town Board Meeting, February 11, 2008, 7pm
- Town Board Meeting, February 25, 2008, 7pm

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CLOSING COMMENT

Supervisor Hotaling stated that he had heard that there was a vote, which resulted from the presentation of Judge Dardani earlier in the meeting and added that he wanted it written up in memorandum form and in his office the following day so he can act on it if it is something that he has to act upon.

Councilman Boehm stated that they have the original resolution and stated that he will get it to him.

Supervisor Hotaling reiterated that he will need instruction as to what to do because he did not participate.

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ADDITIONAL COMMENTS

Supervisor Hotaling asked if there were any additional comments.

Town Clerk Millious stated that there is a Presidential Primary Election on February 5th and added that it is for Democrats and Republicans.

Supervisor Hotaling asked if there were any additional comments.

Chief Darlington stated that they have ordered equipment that will be coming in to move Communications and added that the generator is also in and will be installed next week.

Supervisor Hotaling asked if there were any additional comments.

Highway Superintendent Deering inquired as to if Attorney for the Town Wukitsch had received the paperwork from him relative to Biers Road.

Attorney for the Town Wukitsch stated that he had not and added that he will look for it.

Highway Superintendent Deering continued by inquiring about Deyo Road Extension and the signage on Oak Street.

Supervisor Hotaling stated that after receiving a memorandum from Highway Superintendent Deering he took the initiative to contact former town Attorney Rotello and found in the Oak Street matter that Mr. Michael Biscone was the last one to be charged with writing the deed for Hammerhead turnaround at the end of Oak Street. He continued by saying that to Mr. Rotello's knowledge Mr. Biscone has yet to write the deed in addition to Mr. Rotello saying that he was going to talk with Attorney for the Town Wukitsch and convey the material in the file to him so that he can follow up with Mr. Biscone. He added that Attorney Rotello had indicated that Deyo Road is a two segment extension with the first segment being the lower section, which has been used for years and considered by Attorney Rotello to be a highway by use and continued by saying that any deed acquisition to that segment of the road would be a formality at best. He went on by saying that the second section, that was created further up the road to Mr. Campbell's gates, is all owned by John Campbell and presumably can be deeded to the Town of Coeymans and added that there has been a request to pave the road and it has been the Town Board's concern that without a deed and ownership of the road it would be difficult for them to authorize the expenditure of tax dollars to pave it. He continued by saying that there was a resident complaining about drainage, who is also one of the those that have to sign off on the deed that has to take place and added that it is Attorney Rotello's opinion that he does not believe that this individual will be willing to sign off on a deed given his concerns expressed in public forum about the drainage. He added that it was concluded that Attorney Rotello was going to discuss this with Attorney for the Town Wukitsch and convey the material in that file to him. He went on by saying that with respect to Fifth Street he recalls that in going back some time, the Chief of Police, Superintendent of Highways and Town Attorney were going to come together and decide as to what the best course of action would be because a couple of things were to take place, it possibly being converted to a one-way street, and it being converted to a no-parking area and removing a portion of the street retaining wall, which was on private property. He continued by saying that a conclusion was reached on the part of the Town Attorney and conveyed to the Town Board that it would be appropriate for the Highway Department to work on the retaining wall to hold back the private property from the highway. He concluded by saying that to his knowledge that they are all open questions

and added that he does not know if the Town Board is involved in any except for the one that authorizes him to work on the private property.

Highway Superintendent Deering inquired as to what wall and private property.

Supervisor Hotaling stated that it is on Fifth Street and added that in order to do the road properly and remove the sidewalks, which they also talked about doing, would also mean to beef up the retaining wall because when the sidewalks are removed it would tend to provide some kind of erosion opportunity of the land in front of the private residences. He continued by saying that it was Attorney Rotello's opinion, which might not be Attorney for the Town Wukitsch's opinion, that Highway Superintendent Deering would have to get approval from the Town Board to authorize the expenditure of tax dollars to shore-up the wall if they remove the sidewalks. He added that the issue of which way it should be one-way is something that has to be a dialog between the Chief of Police and Highway Superintendent Deering and then presented to the Board. He went on by saying that some would suggest south to north, given the fact that there is limited sight distance on Church Street for those that would be parked there heading north to south in a one-way event may be in jeopardy for someone coming around that turn, coming up the hill and finding someone stopped there heading one-way down Fifth Street. He continued by saying that it impedes the property entrance of one resident down there, which would mean that the resident as well as his tenants would have to access it from Westerlo Street to come up and turn right into the property as opposed to turning the wrong way on the south-north one-way street. He concluded by saying that the issues raised by Highway Superintendent Deering are not issues that the Town Board has to consider at this point and added that they are issues to be considered by Highway Superintendent Deering and Chief Darlington along with guidance from Attorney for the Town Wukitsch.

Highway Superintendent Deering stated that he is puzzled about the ownership of the private property because the sidewalk goes right to the edge.

Supervisor Hotaling stated that he should not get hung up on that and if it is puzzling he should leave it off the plate for now because there are a lot of issues that they can deal with on Fifth Street before they have to even consider if it is a private property. He added that Highway Superintendent Deering's presentation to Attorney for the Town Wukitsch can determine if it is or not and whether or not he will need authority from the Board to work on the property.

Highway Superintendent Deering inquired about the no-parking signs to be placed on both sides of the road and whether or not it is still in the works.

Supervisor Hotaling inquired as to what works he thinks the Town Board is doing.

Highway Superintendent Deering stated that it has to be approved by the Town Board.

Supervisor Hotaling stated that it does and added that it has not come to the Town Board in terms of a formal resolution.

Highway Superintendent Deering stated that it hasn't and added that he has mentioned it before and continued by saying that he will work with Attorney for the Town Wukitsch on it.

Supervisor Hotaling stated that it has all been previously discussed and added that they had talked about no-parking and stop signs in the Hamlet and whether or not a change has to be done in terms of amending a law to add certain other areas of the Town. He continued by saying that he believes that it was the opinion of the then Town Attorney that it had to be done that way and in turn it was left up to Highway Superintendent Deering and the Chief of Police to come up with a coordinated plan to present for amendment of the law.

Highway Superintendent Deering stated that he would get together with Chief Darlington and Attorney for the Town Wukitsch.

Supervisor Hotaling asked if there were any further comments.

Highway Superintendent Deering stated that he wanted to explain to the taxpayers and Town Board that the item mentioned earlier that was signed for and purchased is not a waste and is serving its purpose.

Supervisor Hotaling stated that he didn't say it was a waste and added that he had said that he thought that it was purchased to address those critical things of safety issues as presented by the Union to the Town Board. He then asked if there were any additional comments, hearing none he asked for a motion to adjourn the meeting.

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ADJOURNMENT

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Boehm, the Town Board Meeting was adjourned.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Youmans) – SO MOVED

Time: 8:38pm

Respectfully Submitted, **APPROVED*:***

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Diane L. Millious, Town Clerk

MINUTES BOOKTOWN OF COEYMANS**
December 16, 2008 – Town Board Workshop Meeting – 6:00PM

A Town Board Workshop was held Tuesday, December 16, 2008 at 6:00pm at Town Hall, 18 Russell Avenue, Ravena, New York

PRESENT: Ronald K. Hotaling, Jr., Supervisor
Dawn Rogers, Councilwoman
Nita J. Chmielewski, Councilwoman
Thomas A. Boehm, Councilman
James C. Youmans, Councilman

ALSO PRESENT: Diane L. Millious, Town Clerk
Albert Deering, Highway Superintendent
Larry Conrad, Code Enforcement Officer
Richard Laberge, Ben Syden, Kurt Lavalla, Laberge

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AGENDA

- Parking Local Law Finalization
- Town Road List
- Discussion with Laberge – Planning Board Engineering Services
- Planning Board & Zoning Board of Appeals Term Expirations

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ADJOURNMENT

Supervisor Hotaling asked for a motion to adjourn the meeting.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Boehm, the Town Board Workshop was adjourned.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time: 8:17pm

***Respectfully Submitted*,** **APPROVED:**

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Diane L. Millious, Town Clerk

A Town Board Meeting was held Monday, December 8, 2008 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
Albert Deering, Highway Superintendent (arrived late)

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

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OPENING COMMENT

Supervisor Hotaling stated that the record should reflect that was a full Town Board present in addition to Town Clerk Millious.

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AGENDA

- Public Comment
- Approval of Minutes
  - Town Board Workshop, November 18, 2008
  - Town Board Meeting, November 24, 2008
- Old Business
  - Speed Limit on Zabel Hill Road & Indian Hill Road
  - Authorize Payment to Laberge for Services
- New Business
  - Propose Local Law #1 of 2009 Cold War Veterans
  - Proposal for 2009 Legal Services
  - American Legion Contract for Services
- Resolutions
  - Approve Settlement of Tax Certiorari Litigation, Bove vs. Town of Coeymans
  - Appoint Board of Assessment Review Member
- Correspondence
- Town Board Workshops/Meetings
  - Town Board Workshop, December 16, 2008, 6pm
  - Town Board Meeting, December 22, 2008, 7pm

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PUBLIC ANNOUNCEMENT

Supervisor Hotaling stated that the Annual Village Christmas Parade and Tree Lighting including the Town of Coeymans took place on December 5th and added that it went very well. He continued by saying that they lit the Town's Holiday Tree at Coeymans Landing Gazebo at 6:30pm and went on by saying that the parade was full of volunteers from the emergency services organizations and other groups as well as Santa Claus to raise the spirits of the young and old as they made their way from Coeymans to Ravena. He added that the tree at the gazebo is an 8 foot long, needle white pine, which was donated by Majestic Tree Farm in Selkirk and he had asked that Nelson Perry send a letter to them thanking them for their kind donation. He concluded by saying that the Historic Coeymans Landing Neighborhood Association provided coffee, hot chocolate, cookies and good fellowship to all that attended, which was very much appreciated and then asked if there were any other comments.

Councilwoman Rogers stated that it was a nice brisk walk.

Councilman Youmans stated that the hill was a challenge and continued by saying that it was nice to see the Village and Town leaders come together for a very nice time.

Councilman Touchette stated that it was a nice festive evening.

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PUBLIC COMMENT

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

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APPROVAL OF MINUTES

Supervisor Hotaling stated that there were two sets of minutes for Town Board approval, a Workshop on November 18th and a Town Board Meeting on November 24, 2008 and then asked for a motion to approve the minutes.

MOTION

On motion of Councilman Youmans, seconded by Councilwoman Rogers, the minutes were approved as read.
VOTE – AYES 5 – NAYS 0 – SO MOVED

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OLD BUSINESS

Speed Limit on Zabel Hill Road & Indian Hill Road

Supervisor Hotaling stated that they received a Notice of Order dated December 3, 2008 from NYS Department of Transportation with copies going to the Highway and Police Departments. He continued by saying that the Notice of Order is for an area speed limit that has been determined to be appropriate and directed by the State of New York, which is Zabel Hill and Indian Hill Roads and added that the area speed limit is 30mph.

Highway Superintendent Deering interjected that there are four signs in place already.

Supervisor Hotaling inquired as to if the signs were speed limit 30 or area speed limit.

Highway Superintendent Deering stated that they are 30 mph speed limit signs.

Supervisor Hotaling stated that Highway Superintendent Deering would be following up on the Order and added that there is nothing additional for the Town Board to do.

Authorize Payment to Laberge for Services

Supervisor Hotaling stated that he needs to have Town Board authorization to spend a few more dollars to Laberge on the issue of the Economic Development Grant for P&M Brick. He continued by saying that previously the Town Board had made a judgment to forgo the Grant in the amount of $750,000.00 in light of some issues related to the State of New York's administration of the Grant. He added that they had previously authorized $4,000.00 for Laberge to do the SEQRA and NEPA Reports that were required aspects, which were required much earlier than they actually did them and it was one of the issues with the State. He added that the $4,000.00 was paid to Laberge and subsequent to rejecting the Grant and sending it back to the State there was a need to request the recovery of all the SEQRA Reports that were signed and authorized by the Town Board

to be issued and as a result they engaged Laberge in an effort to do that, which resulted in notification to several people that received copies of the report. He continued by saying that the cost of the effort was $523.67 and a voucher was submitted for approval and went on by saying that since the authorization was for $4,000.00, he now needs Town Board approval to extend it by $523.67 to be able to pay the voucher. He concluded by asking for a motion to sign and process the voucher.

MOTION

On motion of Councilman Touchette, seconded by Councilwoman Rogers, authorizing Supervisor Hotaling to sign the voucher and process for payment an invoice from Laberge for $523.67.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Supervisor Hotaling stated that in talking to Laberge, this is the final effort with regard to the Environmental Review Records and added that there will be no more charges coming in for that project. He then asked if there were any other Old Business topics for discussion, hearing none he moved to the next item on the agenda.

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NEW BUSINESS

Proposed Local Law #1 of 2009 Cold War Veterans Exemption

Supervisor Hotaling stated that he would have to check with Attorney for the Town Wukitsch as to whether the Proposed Local Law is #1 of 2008 since they are currently in December. He continued by saying that it actually won't be passed until after the first of the year because there has to be a Public Hearing prior to passing it, which will be in early January. He added that it would be introduced as Local Law #1-2009 but he may be advised that it should be 2008.

Town Clerk Millious interjected that if they are doing it this year it would be a Proposed Local Law for the next consecutive number for this year but if it is adopted in 2009 it would be called Local Law #1 of 2009.

Supervisor Hotaling stated that he would defer to what Town Clerk Millious had said and call it Proposed Local Law #1 of 2008.

Town Clerk Millious said that she would have to see what the next number would be for 2008 and added that she believes that there was one previous to this one.

Supervisor Hotaling interjected that he didn't believe that they passed a Local Law this year.

Town Clerk Millious stated that she believes that there was one in the beginning of the year relating to the Assessor.

Supervisor Hotaling stated that he would defer completely as to the title of the topic and just say Proposed Law for Cold War Veteran's Exemption.

Town Clerk Millious stated that she could look in the book to see where they are at.

Supervisor Hotaling stated that she can adjust the record accordingly and added that the Board will give her permission to do that. He continued by saying that the Law is one that they asked Attorney for the Town Wukitsch to prepare a draft of and went on by saying that he believes that the County has already enacted it. He added that Assessor VanValkenburg talked about it at a previous meeting and the process is such that any member of the Town Board can offer it up for consideration and upon approval they can establish a Public Hearing date. He concluded by saying that each member of the Town Board has reviewed the draft as well as Assessor VanValkenburg and added that she indicated by a note that the language looks good and it should be approved by the Town

Board as soon as possible so everyone has time to hear about it before the March 1st deadline and it should be published in the newspaper and then asked for a member of the Town Board to introduce it.

MOTION

On motion of Councilman Touchette, introducing a Local Law creating a Cold War Veteran's Exemption for the Town of Coeymans, Albany County, NY with a number to be determined at a later date with a purpose to allow for a tax exemption for Town of Coeymans Cold War Veterans allowable pursuant to 458-B of the Real Property Tax Law with Cold War Veterans being defined as a person who served on active duty for a period of 365 days in the United States Armed Forces during the time period from September 2, 1945 to December 26, 1991 and was discharged or released there from under honorable conditions and has been awarded the Cold War Recognition Certificate.

Supervisor Hotaling asked that he go to the amount of exemption section.

Councilman Touchette continued by reading the following:

Qualifying residential real property shall be exempt from taxation to the extent of 15% of the assessed value of such property; provided, however, that such exemption shall not exceed the lesser of $12,000.00 multiplied by the latest State equalization rate for the Town of Coeymans.

Councilman Touchette continued by saying that a Veteran who has a service connected disability, the property shall be exempt from taxation to the extent of the product of the assessed value of such property, multiplied by 50%, which shall not exceed 40%, or the product of $40,000.00 multiplied by the latest State equalization rate for the Town of Coeymans, whichever is less. He added that the exemption will be provided for a period of 10 years.

Supervisor Hotaling interjected that he believes that it is renewable and continued by reading the following:

If, before the expiration date of such 10 year period, such exempt property is sold and replaced with other residential real property, such exemption may be granted pursuant to this section for the unexpired portion of the 10 year exemption period.

Supervisor Hotaling added that it parallels the County's Law and with a second to the introduction they can move to establish a Public Hearing date.

SECOND

Seconded by Councilman Boehm.

Supervisor Hotaling stated that they can discuss having a Public Hearing prior to the next Town Board Meeting and then asked Town Clerk Millious if there would be sufficient time to advertise it in the Town's official paper.

Town Clerk Millious stated that the next Town Board Meeting is December 22nd.

Supervisor Hotaling stated that it would be better if they go with the first meeting in January and added that with a Local Law they have to have it published 5 days prior to the Public Hearing.

Town Clerk Millious stated that she won't be able to get it in this week's paper.

Supervisor Hotaling stated that the next edition would be December 18th, which would not be enough time. He continued by saying that it can be the first meeting in January, which is the 12th and then inquired as to whether it should be for an hour.

Councilman Youmans interjected that he cannot imagine anyone showing up to oppose it.

Supervisor Hotaling stated that he would suggest that it be 6:30pm because there might be another Public Hearing for Sewer Rates, which could be at 6pm.

Town Clerk Millious inquired about having the Sewer Rates Public Hearing in January.

Supervisor Hotaling stated that it might be in December but they might have to default to January because they are still in negotiations as to what the rates will be. He reiterated that his suggestion for the Public Hearing is January 12th at 6:30pm for the Local Law. He continued by saying that during the discussion phase of the introduction they provided for moving the Proposed Law to Public Hearing at 6:30pm on January 12th. He concluded by asking if there was any further discussion, hearing none he asked for a vote.

VOTE – AYES 5 – NAYS 0 – SO MOVED

Supervisor Hotaling stated that he would work with Town Clerk Millious the following day relative to what number it will be.

Town Clerk Millious stated that it will be Proposed Local Law #1-2009 because the Public Hearing is going to be in January.

Supervisor Hotaling reiterated that it is Proposed Local Law #1-2009.

Full text of Proposed Local Law as follows:

A Local Law Creating a "Cold War Veteran's Exemption"
For the Town of Coeymans
Albany county New York

Local Law #1 of 2009

SECTION 1: Purpose

The purpose of this Local Law is to allow for a tax exemption for Town of Coeymans War Veterans allowable pursuant to 458-b of the Real Property Tax Law of the State of New York, which was created by Chapter 655 of the Laws of the State of New York for the year 2007.

SECTION 2: Definitions

A. "Cold War Veteran's means a person, male or female, who served on active duty for a period of more than three hundred sixty-five days in the United States Armed Forces during the time period from September 2, 1945 to December 26, 1991, was discharged or released there from under honorable conditions and has been awarded the Cold War Recognition Certificate as authorized under Public Law 1005-85, the National Defense Authorization Act.

B. "Armed Forces" means the United States Army, Navy, Marine Corps, Air Force and Coast Guard

C. "Active Duty" means full-time duty in the United States Armed forces, other than duty for training.

D. "Service Connected" means, with respect to disability or death, that such disability was incurred or aggravated, or that death resulted from a disability incurred or aggravated in the line on active military, naval or air service.

E. "Qualified Owner" means a Cold War Veteran, the spouse of a Cold War Veteran or the unmarried surviving spouse of a deceased Cold War Veteran. Where property is owned by more than one qualified owner, the exemption to which property is owned by more than one qualified owner, the exemption to which each is entitled may be combined. Where a veteran is also the unmarried surviving spouse of a veteran, such person may also receive any exemption to which the deceased spouse is entitled.

F. "Qualified Residential Real Property" mans property owned by a qualified owner which is used exclusively for residential purposes; provided, however, that in the event that portion of such property is not used exclusively for residential purposes, but is used for other purposes, such portion shall be subject to taxation and only the remaining portion used exclusively for residential purposes shall be subject to the exemption provided by the Local Law. Such property shall be the primary residence of the Cold War Veteran or the unmarried surviving spouse of a Cold War Veteran; unless the Cold War Veteran or unmarried surviving spouse is absent from the property due to medical reasons or institutionalized for up to five years.

G. "Latest State Equalization Rate" means the latest final equalization rate established by the State Board pursuant to Article 12 of Real Property Tax Law.

SECTION 3: Amount of Exemption

Pursuant to the provisions of Chapter 655 of the 2007 Laws of the State of New York amending the Real Property Tax Law of the State of New York, the maximum veteran's exemption from real property taxes allowable pursuant to 458-b of the Real Property Tax Law is established as follows:

A. Qualifying residential real property shall be exempt from taxation to the extent of 15% of the assessed value of such property: provided, however, that such exemption shall not exceed the lesser of $12,000.00 multiplied by the latest state equalization rate for the Town of Coeymans.

B. In addition to the exemption provided by paragraph A of Section 3, where the Cold War Veteran received a compensation rating from the United States Veterans Affairs or from the United States Department of Defense because of a service connected disability, qualifying residential real property shall be exempt from taxation to the extent of the product of the assessed value of such property, multiplied by 50% of the Cold War Veteran disability rating; provided, however, that such exemption shall not exceed $40,000.00 or the product of $40,000.00 multiplied by the latest State equalization rate for the Town of Coeymans, whichever is less.

SECTION 4: Limitations

A. If the Cold War Veteran receives the exemption under any other section of Real Property Tax Law that provides for veteran exemptions, the Cold War Veteran shall not be eligible to receive the exemption under this Local Law.

B. The exemption under this Local Law shall be granted for a period of 10 years. Where a qualified owner owns qualifying residential real property on the effective date of this Local Law, such 10 year period shall be measured from the Assessment Roll prepared pursuant to the first taxable status date occurring on or after the effective date of this Local Law. Where a qualified owner does not own qualifying residential real property on the effective date of this Local Law, such 10 year period shall be measured from the Assessment Roll prepared pursuant to the first taxable status date occurring at least 60 days after the date of purchase of qualifying residential real property; provided, however, that should the veteran apply for and be granted an exemption on the Assessment Roll prepared pursuant to a taxable status date occurring within 60 days after the date of purchase of residential real property, such 10 year period shall be measured from the first Assessment Roll in which the exemption occurs. If, before the expiration of such 10 year period, such exempt property is sold and replaced with other residential real property, such exemption may be granted pursuant to this section for the unexpired portion of the 10 year exemption period.

C. Application for exemption shall be made by the owner, or all of the owners of the property on a form prescribed by the State Board. The owner or owners shall file the completed form in the Assessor's Office on or before the first appropriate taxable status date. The owner of owners of the property shall be required to file each year. Applicant shall file on or before the appropriate taxable status date. Any applicant convicted of

willfully making any false statements in the application for such exemption shall be subject to the penalties prescribed in the New York State Penal Code.

SECTION 5: Effective Date

This Local Law shall take effect immediately and shall apply to Assessment Rolls prepared on the basis of taxable status occurring on or after such date.

Proposal for 2009 Legal Services

Supervisor Hotaling stated that he was in receipt of a proposal form Attorney David Wukitsch from McNamee, Lochner, Titus & Williams relative to his services as Attorney for the Town for 2009. He continued by saying that currently Attorney Wukitsch and the firm receives $20,000.00 for providing services and added that the retainer is up $3,000.00 and if it is approved it would be dispersed by the Town in quarterly payments of $5,750.00. He went on by saying that they have benefited from his services and continued by saying that although it is up $3,000.00, it is a person that they can turn to and get a quick turn around response from.

Councilman Youmans inquired as to whether or not they have tried negotiating the increase.

Supervisor Hotaling stated that he had not.

Councilman Touchette inquired as to if it was based on the hours that he put in this year.

Councilman Boehm interjected that he also is unable to attend the first Board Meeting each month because of a conflict.

Councilman Youmans stated that he has faith in him and is thrilled with the job that he has done for them and continued by saying that he was just wondering if there was any negotiating the number.

Supervisor Hotaling stated that he didn't know and added that he had asked him approximately a month ago for a proposal for 2009 and this is the result.

Councilwoman Rogers interjected that he is not only the Attorney for the Town Board but also the Building Department, Highway Superintendent and Chief of Police.

Supervisor Hotaling stated that Councilman Boehm had pointed out that he is attending 12 Town Board Meetings per year and there are the usual exclusions from the retainer for court and real property assessment litigation, bond matters, and other major projects. He continued by saying that his services are regular, routine, run of the house Town Attorney services.

Councilman Youmans interjected that you get what you pay for and added that he would hate to end up with someone less competent.

Councilman Boehm stated that they were given a proposal and in turn they can ask where the additional $3,000.00 is coming from.

Councilman Youmans inquired as to if the Board agreed that they should talk to him at the next meeting.

Councilman Boehm reiterated that they should know the reason for the increase.

Supervisor Hotaling stated that they can table it for now and discuss it at the next meeting.

Councilman Youmans stated that he wanted to reiterate for the record that he would hate to pay a little less and get someone less competent because he is excellent.

Councilman Boehm interjected that it is taxpayer dollars and added that there is a $3,000.00 increase.

Supervisor Hotaling stated that they would table it and discuss it with Attorney Wukitsch.

Councilman Youmans stated that he might have given them the price expecting them to negotiate.

Supervisor Hotaling stated that he didn't know if he expected it or not.

American Legion Contract for Services

Supervisor Hotaling stated that the Commander of American Legion RCS Post #114 had met with him and filled out a Contract for Exchange of Services or Compensation and added that it is before them to review and approve payment for $1,000.00 that was budgeted in the 2008 Budget.

Councilwoman Rogers inquired as to if it is for the same support services.

Supervisor Hotaling stated that it is for Veteran services and is similar to those services provided by the VFW. He then asked if anyone had any questions or comments.

Councilman Boehm inquired as to if Supervisor Hotaling wanted to make it a resolution or was asking for a motion.

Supervisor Hotaling stated that it could be a motion authorizing him to sign the Contract that Commander Babcock had already signed on November 28th and added that with the authorization they will be able to pay the voucher.

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, authorizing Supervisor Hotaling to sign the Contract for Exchange of Services or Compensation with American Legion RCS Post #114 in the amount of $1,000.00 per year.
VOTE – AYES 5 – NAYS – SO MOVED

Supervisor Hotaling stated that the voucher will be processed as soon as possible and continued by asking if there were any additional New Business topics, hearing none he moved to the next item on the agenda.

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RESOLUTIONS

Supervisor Hotaling stated that the first resolution pertained to a settlement that they had discussed previously and added that Attorney for the Town Wukitsch had participated in it but it was not part of the usual retainer.

RES. #123-08 APPROVE SETTLEMENT OF TAX CERTIORARI LITIGATION
On motion of Councilman Touchette, seconded by Councilman Youmans, the following resolution was APPROVED - VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, Joseph Bove ("Petitioner") and the Town of Coeymans, New York (the "Town") are desirous of having certain assessment issues resolved as to property owed by Petitioner in the Town, and

WHEREAS, a settlement proposal resolving pending tax certiorari litigation was recommended by David J. Wukitsch, Attorney for the Town and reviewed and approved by the Town Assessor, and

WHEREAS, such a proposed settlement would present the parties with an expeditious and economic alternative to further litigation so as to resolve issues between the parties, and

WHEREAS, the Town Board has determined that the proposed settlement is in the best interests of the Town,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby accept the proposed settlement for the 2007 and 2008 tax proceedings filed by Petitioner in which the pending 2007 and 2008 proceedings shall be discontinued, and the assessed value of the subject property shall be set forth in the attached Order and Judgment, and

BE IT FURTHER RESOLVED, that the Town Board does hereby adopt this resolution to end the litigation between the Petitioner and the Town as to the above referenced assessments.

Supervisor Hotaling stated that the attached stipulation and Order is summarized very simply and added that of the four pieces of property, three of them are not touched. He continued by saying that the one that is touched is the largest piece with an old assessment value of 1.8 million dollars and a new assessment value of 1.08 million dollars, which was a $720,000.00 reduction. He concluded by saying that it was appraised by both sides and the number that they have is the number that the Town's Appraiser came up with and this is why they agreed to reduce it to that amount of money.

Supervisor Hotaling continued by saying that the next resolution was relative to an appointment and added that the Board of Assessment Review is made up of five people who have staggered appointments. He continued by saying that the term of Claire Roberts expired on September 30, 2008 and in the Board's effort to vary the geographic locations because it was heavily weighted with residents of the Village, they reached out to Mr. Charles Brooks who is a resident of the Hamlet and active member of the Historic Coeymans Landing Neighborhood Association as well as having realtor experience and a vested interest in the community in which he lives. He concluded by saying that he has graciously accepted the challenge and has met with Assessor VanValkenburg and added that the following resolution will officially make the appointment

RES. #124-08 APPOINT BOARD OF ASSESSEMENT REVIEW MEMBER
On motion of Councilman Boehm, seconded by Councilman Youmans, the following resolution was APPROVED - VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the term of Claire Roberts on the Board of Assessment Review expired on September 30, 2008, and

WHEREAS, the Town Board is desirous of filling this vacancy,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby appoint Charles Brooks to a five-year term on the Town of Coeymans Board of Assessment Review, to expire September 30, 2013.

Supervisor Hotaling asked if there were any additional comments.

Councilman Boehm stated that Mr. Brooks is very involved in the community and his real estate background will be very helpful in the efforts of the Board of Assessment Review going forward.

Councilman Touchette stated that they are fortunate that Mr. Brooks accepted the appointment.

Councilman Youmans interjected that they should thank Claire Roberts for her hard work and dedication on the Board and added that it is a lot of work and they put in a lot of hours. He continued by saying that he also wanted to welcome Mr. Brooks aboard.

Councilwoman Rogers welcomed Mr. Brooks.

Supervisor Hotaling stated that Mr. Youmans was correct about the hard work and many hours and added that for the last couple of years during the revaluation, Grievance Day turned into Grievance Week or weeks. He continued by saying that hopefully it has leveled off in terms of numbers but not an easier task in what the job entails. He concluded by saying that they appreciate Mr. Brooks efforts and willingness to take it on.

Mr. Brooks thanked the Town Board.

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TOWN BOARD WORKSHOPS/MEETINGS

- Town Board Workshop, December 16, 2008, 6pm
- Town Board Meeting, December 22, 2008, 7pm

Supervisor Hotaling stated that preparations are under way for the Organizational Meeting and Confidential Secretary Lewandowski has begun putting together the resolutions that they have to do the first of the year. He continued by asking if they should officially announce it now or if they should wait until the meeting on the 22nd.

Town Clerk Millious suggested that they do it now in order to have enough time to get it in the paper.

Supervisor Hotaling asked if there was a preference for time on January 1, 2009.

Collectively they agreed that it be at 10am.

MOTION

On motion of Supervisor Hotaling, seconded by Councilman Youmans, establishing the Organizational Meeting date on January 1, 2009 at 10am at Town Hall.
VOTE – AYES 5 – NAYS 0 – SO MOVED

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CLOSING COMMENTS

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

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ADJOURNMENT

Supervisor Hotaling asked for a motion to adjourn the meeting.

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, the Town Board Meeting was adjourned.
VOTE – AYES 5 – NAYS 0 – SO MOVED

***Respectfully Submitted*,** **APPROVED:**

_____
Diane L. Millious, Town Clerk

A Town Board Meeting was held Monday, November 24, 2008 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
Dave Wukitsch, Attorney for the Town
Greg Darlington, Chief of Police
Police Officers Westfall & Myers
Albert Deering, Highway Superintendent (arrived late)

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

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OPENING COMMENT

Supervisor Hotaling stated that the record should reflect that was a full Town Board present in addition to Town Clerk Millious, Attorney for the Town Wukitsch, Chief of Police Darlington, and Police Officers Westfall & Myers.

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AGENDA

- Public Announcement
  - Town Office Holiday, November 27 & 28
  - Tree Lighting at Gazebo
- Presentation
  - Police Department
- Public Comment
- Approval of Minutes
  - Town Board Meeting, November 10, 2008
- Supervisor's Report – October 2008
- Department Reports
  - Building Department – October 2008
  - Police Department – September & October 2008
  - Sewer Department – October 2008
  - Town Clerk – October 2008
- Old Business
  - Westerlo Street Parking
- New Business
  - Resignation of Telecommunicator
  - Resignation of Telecommunicator
- Resolutions
  - Appoint Part-Time Police Officers
  - Authorize Support for Albany County Public Servicing Answering Points Consolidation
  - Approve Interfund Loan
  - Approve November Abstract
- Correspondence
- Town Board Workshops / Meetings
  - Town Board Meeting, December 8, 2008, 7pm
  - Town Board Workshop, December 16, 2008, 6pm
  - Town Board Meeting, December 22, 2008, 7pm

PUBLIC ANNOUNCEMENT

Town Offices Holiday

Supervisor Hotaling stated that the Town Offices with the exception of Police & Communications will be closed on both Thursday and Friday, November 27 & 28 due to the Thanksgiving Holiday.

Tree Lighting at Gazebo

Supervisor Hotaling stated that the Annual Village Christmas Parade and Tree Lighting will take place on Friday, December 5th with the kick-off being the lighting of the Town's Holiday Tree at Coeymans Landing Gazebo at 6:30pm. He continued by saying that there will be Christmas Carols by members of the Historic Coeymans Landing Neighborhood Association as well as providing hot chocolate and cookies and at 6:45 the parade will make its way up for the Village Tree Lighting Ceremony at the corner of Central and Main. He added that the Town's Holiday Tree will be up in hopes of it not getting vandalized and added that once it is vandalized it will be taken down and went on by saying that the Village has already experienced a problem with their tree. He concluded by saying that hopefully people will respect the spirit of the Holidays and enjoy the things that the Holiday provides.

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PRESENTATION

Police Department

Supervisor Hotaling stated that two Police Officers were in attendance for a presentation and asked that Chief Darlington come forward. He continued by saying that approximately 2-3 months ago Officer Westfall was appointed as Sergeant and in turn he has been performing the task and attending some supervisory training and added that Chief Darlington wished to recognize him for that effort.

Chief Darlington stated that he wanted to introduce Sergeant Westfall to the Town Board as well as the public and added that he successfully completed Supervisor School and is currently on the road as such.

Supervisor Hotaling welcomed Sergeant Westfall and added that he has heard good things about him and knows that he will do well. He continued by saying that there was another presentation for a Police Officer and in turn invited Chief Darlington to make the presentation.

Chief Darlington invited Officer Myers to join him and continued by reading the following:

"The Chief's award is being presented today to Officer Jonathan E. Myers; this award is bestowed on an employee who has distinguished himself above all others by an act or acts which significantly advance the mission, professionalism, effectiveness or public confidence of the Police Department. On Thursday, September 18, 2008 the Chief of Police received a call in reference to a medical call to which Officer Myers had responded. The medical call involved an elderly female Town of Coeymans resident who complained about shortness of breath, when Officer Myers arrived at the resident's home he comforted her assuring her that she would be alright and encouraged her to hang in there. He continued to hold her hand as she lost consciousness and later stated that she could hear Officer Myers telling her to stay with him and could feel the squeeze of his hand and attributes her recovery to the compassion and caring assistance that Officer Myers provided to her that day. Officer Myers actions are a credit to himself as well as to the Police Department and to protect and serve has many meanings, offering comfort and steadying support to a person awaiting emergency medical assistance he went beyond the routine and gave the resident the courage and strength to survive. I want to personally

thank Officer Myers for his attention to duty and making the Police Department a professional model for which they strive."

Chief Darlington presented Officer Myers with the Chief's Award.

Supervisor Hotaling thanked Officer Myers and added that it was well deserved and then asked for a round of applause.

Collectively the Town Board congratulated Officer Myers.

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PUBLIC COMMENT

Supervisor invited the public to comment at this time.

Mr. Gary Bogardus stated that he was there to support Lafarge and their new kiln project. He continued by saying that as taxpayers they should support the project as much as possible because the longevity of the old plant is headed down a dead end. He then asked that the Town Board do whatever they can to support the project.

Supervisor Hotaling stated that they have been supportive of their efforts and added that they provided Town Hall as an opportunity for Lafarge to have their Informational Meeting to talk about their modernization plan as well as talk about their mercury mitigation efforts. He continued by saying that they have provided an enormous tax base as well as providing a number of jobs for families that have grown with the plant. He added that the wet process for making cement is a thing of the past with some mercury problems and went on by saying that the 360 to 400 million dollar investment that will be made to convert to a dry process is one that the Town Board is 100% behind and he can be assured that they will do everything that is within their power and authority to do in an effort to support it. He concluded by saying that when the conversion takes place it is obvious to them that it will provide another 50 years of an industry in the Town that will not only provide jobs but a significant tax base as well.

Mr. Bogardus interjected that if it doesn't they will be in trouble.

Supervisor Hotaling stated that it would provide a significant challenge and added that Mr. Bogardus was correct.

Mr. Bogardus stated that he believes that there are ways that they can make corporate aware that the Town and community are behind them and added that there are some people out there who are not going to be in favor of it and try to cause some problems like the plant down below that did not modernize.

Supervisor Hotaling stated that hopefully with the plant below with their problems in terms of their modernization efforts, is a lesson learned for those who followed, including Lafarge and agencies who are regulatory agencies. He continued by saying that out of some bad things that happened there, some good things might happen here because you learned a good lesson and will approach it differently. He went on by saying that he attended a meeting there last week, which was a Community Liaison Panel Meeting with a variety of representatives present including people from across the river, Mr. Travers representing S.C.R.A.P., himself and Mayor Bruno, various representatives from Lafarge as well as contractors that service Lafarge and a representative from Greene County Economic Development who joined them in a conference call. He added that it was the initial meeting and they plan on having meetings of that nature every couple of months, which are intended to educate the community. He concluded by saying that this says a lot about Lafarge and their effort to be open about the modernization.

Mr. Bogardus interjected that he wanted to keep it moving along and added that you have to refresh people's thoughts.

Supervisor Hotaling stated that he appreciates that and added that he does not know how they can do it any other way. He added that since he raised it and there might be others interested in the same way and they can e-mail him with their comments that he will be happy to forward to Lafarge so they become aware that there are a number of people in the community that support their modernization effort and establish their presence for decades to come.

Mr. Bogardus thanked Supervisor Hotaling.

Supervisor Hotaling thanked Mr. Bogardus and continued by asking if there were any additional comments, hearing none he moved to the next item on the agenda.

Supervisor Hotaling acknowledged the arrival of Highway Superintendent Deering.

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APPROVAL OF MINUTES

Supervisor Hotaling stated that there was one set of minutes for Town Board approval a Town Board Meeting on November 10, 2008. He then asked for a motion to approve the minutes.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Touchette, approving the minutes as read.
VOTE – AYES 5 – NAYS 0 – SO MOVED

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SUPERVISOR'S REPORT

Supervisor Hotaling continued by giving his report for October 2008.

FUND	BAL. FWD.	RECEIPTS	DISBURSE.	BALANCE
GENERAL	$502,483.61	$ 74,307.57	$291,345.01	$ 285,446.17
PART TOWN	$735,729.56	$506,724.09	$ 66,599.11	$1,175,854.54
SPEC. WATER	$ 19,588.18	$ 29,429.90	-0-	$ 49,018.08
HIGHWAY	$ 151,038.77	$ 7,479.52	$ 68,094.31	$ 90,423.98
BRIDGE CONST.	$ 35,480.42	$ 26.55	$ 50.00	$ 35,456.97
TRUST & AGENCY	$ 3,869.63	$297,666.49	$297,980.48	$ 3,555.64
SEWER	$ 26,138.95	$ 24,244.03	$ 36,480.68	$ 13,902.30
SEWER CAP.	$ 302.98	-0-	-0-	$ 302.98
			TOTAL REC. BAL.	$1,653,960.66

CERTFICATES OF DEPOSITS

				Maturity Date
National Bank of Coxsackie	A-Fund	90 Days	$117,191.52	11-22-08
National Bank of Coxsackie	Highway	90 Days	$258,141.98	01-26-09

SECTION 8 – HUD		**SAVINGS ACCOUNTS**	
Occupied Units	79	Police Forfeitures/CK	$ 72.79

HUD Payments	$33,668.00	Police Forfeitures	$ 2,948.34
Admin. Fee	$ 40.89	Unemployment	$ 4,025.44
Total HUD Pmt.	$35,211.89	Grove Cemetery/SAV	$40,375.79
Tenant Rent	$13,938.00	Grove Cemetery/CK	$ -0-
Contract Rent	$49,149.89	Sewer Dedicated	$ 6,245.01
		Total	**$53,67.37**
SECTION 8 CK.	$ 2,572.38		
SECTION 8 SV.	$79,522.81		
Total	**$82,095.19**		

COLLATERAL COVERAGE	**FDIC COVERAGE**	**COLLATERALIZED**
National Bank of Coxsackie	$100,000.00	$2,157,369.19
Citizens Bank	$100,000.00	$ 92,143.68
First Niagara	$100,000.00	$ 152,431.50

Supervisor Hotaling stated that the National Bank of Coxsackie Highway DA Fund is bridge construction money in the amount of $258,141.98 and is designated to pay for the Town's 5% portion of the Old Ravena Road North Bridge, which initially was going to cost 1.7 million dollars to construct. He continued by saying that the last tally for the North Bridge cost alone was 7.5 million dollars and added that 5% is the responsibility of the Town of Coeymans. He went on by saying with the 7.5 million dollar potential cost, 5% would be approximately $350,000.00 and there is currently $258,000.00 in the bank already to cover a significant portion of that responsibility. He added that there is also approximately $35,000.00 in liquid funds and continued by saying that they are about $300,000.00 into the project right now with $55,000.00 in the 2009 budget to dedicate toward it even though the bridge won't be done by 2010. He concluded by saying that they will be ready to pay the 5% without having to borrow any money and it gave them the opportunity to plan ahead.

Supervisor Hotaling asked for a motion to approve the report.

MOTION

On motion of Councilman Youmans, seconded by Councilwoman Rogers, the Supervisor's Report was accepted as read.
VOTE – AYES 5 – NAYS 0 – SO MOVED

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DEPARTMENT REPORTS

Building Department – October 2008

Supervisor Hotaling asked that Councilman Touchette give the Building Department monthly report.

Councilman Touchette continued by giving the report.

Supervisor Hotaling asked for a motion to approve the report.

MOTION

On motion of Supervisor Hotaling, seconded by Councilman Boehm, the Building Department Report was approved as read.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Police Department – September & October 2008

Supervisor Hotaling asked that Chief Darlington give the Police Department monthly reports.

Chief Darlington continued by giving the reports.

Supervisor Hotaling asked for a motion to approve the reports.

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, the Police Department Reports were approved as read.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Sewer Department – October 2008

Supervisor Hotaling asked that Councilman Youmans give the Sewer Department monthly report.

Councilman Youmans continued by giving the report.

Supervisor Hotaling asked for a motion to approve the report.

MOTION

On motion of Supervisor Hotaling, seconded by Councilman Touchette, the Sewer Department Report was approved as read.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Supervisor Hotaling stated that a project was just awarded to C.O. Falter Construction in the amount of $440,000.00 for UV Disinfectant and added that it was partially reimbursed by a grant from the State in the amount of $265,000.00 and would have had an expiration date of 12/31/08. He continued by saying that he had communicated with DEC and requested an extension to 12/31/09, knowing that the equipment will be received and installed by the spring of 2009 but because of the requirements for certification and inspection by DEC he requested a few months after that. He went on by saying that a study by Ed Vopelak from C.T. Male indicated that they are currently rated to handle and treat approximately 850,000 gallons worth of sewage on a daily basis and the hydraulics will handle approximately 3.1 million gallons and they can successfully treat up to 2 million gallons a day because of the last clarifier project. He concluded by saying that they should send something to DEC to see if they can get a re-rate for the plant and added that if they give them 1.5 million gallons a day they would be out of compliance for fewer days

Town Clerk – August 2008

Supervisor Hotaling asked that Town Clerk Millious give the Town Clerk monthly report.

Town Clerk Millious continued by giving the report.

Supervisor Hotaling asked for a motion to approve the report.

MOTION

On motion of Supervisor Hotaling, seconded by Councilwoman Rogers, the Town Clerk Report was approved as read.
VOTE – AYES 5 – NAYS 0 – SO MOVED

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OLD BUSINESS

Westerlo Street Parking

Supervisor Hotaling stated that he had talked about a draft that Attorney for the Town Wukitsch was going to develop at the last Workshop and added that it was determined that the Town Board wanted to ride with Chief of Police Darlington around the Hamlet. He continued by saying that the issue was postponed until the Workshop on December 16th when they anticipate finalizing any changes or modifications of the draft and in turn Chief Darlington will get back to Attorney for the Town Wukitsch.

Attorney for the Town Wukitsch stated that he had come up with a couple of changes on his own and then inquired as to whether on not he was waiting until December 16th.

Supervisor Hotaling stated that the Town Board wants to ride the Hamlet to see what the suggestions for change are and in turn they will review it at the December 16th Workshop.

Attorney for the Town Wukitsch stated that it would mean a Public Hearing in January 2009.

Supervisor Hotaling stated that they may have some snow before then and added that it would be in January. He continued by asking if there were any additional Old Business topics for discussion, hearing none he moved to the next item on the agenda.

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NEW BUSINESS

Resignation of Telecommunicators

Supervisor Hotaling stated that there were a couple of resignations that they will see the meaning of as they move forward in the meeting. He continued by saying that Chief Darlington provided the Town Board copies of letters of resignation from Frank McDonagh and Ryan Cross and continued by reading the following:

Dear Chief Darlington,

I would like to inform you that I am resigning from the position with Telecommunications at the Town of Coeymans effective November 24, 2008. Due to the fact of an opportunity to become a part-time Police Officer at the Town of Coeymans I can no longer dispatch. I enjoyed working as a Telecommunicator and I thank you for the opportunity.

Sincerely,

Frank McDonagh

Dear Chief Darlington:

With this letter, I hereby submit my resignation from the Town of Coeymans Police Department as a Telecommunicator effective November 24, 2008 to further my career in the Police Force.

At your convenience, I will be glad to discuss the reassignment of my work to others.

Thank you for your understanding, I wish you good luck and continued success.

Sincerely,

Ryan Cross

Supervisor Hotaling asked if there were any comments, hearing none he asked for a motion to accept the resignations.

MOTION

On motion of Councilman Youmans, seconded by Councilwoman Rogers, to accept the resignations of Frank McDonagh and Ryan Cross as Telecommunicators.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Supervisor Hotaling asked if there were any additional New Business topics not on the agenda, hearing none he moved to the next item on the agenda.

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RESOLUTIONS

RES. #119-08 APPOINT PART-TIME POLICE OFFICERS
On motion of Councilman Touchette, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the Town Board had previously authorized the sponsorship to two part-time telecommunicators, Ryan D. Cross and Frank A. McDonagh, to attend the Police Academy at their own expense, and

WHEREAS, while they are attending training, Chief Darlington has been advised that a requirement for continued training is placement on the Police Registry, and

WHEREAS, such placement requires appointment as a Police Officer, and

WHEREAS, both Police candidates have taken the recent Albany County Civil Service Police Officer examination and are awaiting results,

NOW, THEREFORE, BE IT RESOLVED, the Town Board of the Town of Coeymans authorizes the appointment of Ryan D. Cross and Frank A. McDonagh as part-time Police Officers, effective immediately, in anticipation of successful completion of Police School and their reachable standing following establishment of an upcoming Civil Service List for a Police Officer. Their rate of pay will be in accordance with the current Collective Bargaining Agreement.

Supervisor Hotaling asked that Chief Darlington explain the prior resignations and current appointments.

Chief Darlington stated that one of requirements for their continuance in the Academy is that they have to be on the Police Officers Registry and added that the only way that this can be done is to be a sworn Police Officer. He continued by saying that the plan is to ultimately have them pass and be reachable on the Civil Service List and have them possibly fill the full-time vacancies that they have.

Supervisor Hotaling stated that it was the long range plan that seems to be coming together and added that they are doing well in school.

Chief Darlington stated that they are scoring some of the highest in the class and added that they are always in the station trying to learn as much as they can, even on their own time and are very much interested in it as a career.

Supervisor Hotaling stated that the missing link is the result of the exam.

Chief Darlington stated that he spoke with Civil Service and they indicated that they should have the results by mid January.

Supervisor Hotaling asked if there was any other discussion, hearing none he moved to the next resolution.

Supervisor Hotaling stated that he received a letter from County Executive Breslin and Sheriff Campbell about the Shared Municipal Services Grant that they are seeking with regard to consolidating and making more efficient some telecommunication services throughout the county.

RES. #120-08 AUTHORIZE SUPPORT FOR ALBANY COUNTY TO OBTAIN SHARED MUNICIPAL SERVICES INITIATIVE GRANT
On motion of Councilman Boehm, seconded by Councilman Touchette, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the Town was previously in receipt of correspondence from County Executive Michael Breslin and County Sheriff James Campbell inviting our town to join in their effort to obtain a Shared Municipal Services Initiative (SMSI) Grant. This grant would fund a study to quantify the benefits of consolidating the Public Safety Answering Points (PSAP), a recommendation made by the NYS Commission on Local Government Efficiency & Competitiveness in their report of April 2008, and

WHEREAS, these Albany County officials were recently advised that the Local Government Efficiency Grant Program requires that each jurisdiction involved in a consolidation planning grant enact a formal resolution of support, and

WHEREAS, the Town Board continues to conclude that such a study would identify efficiencies that would help local governments in their efforts to appropriate finite tax dollars.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby confirms their support of the effort by Albany County to obtain a SMSI Grant for this study and further directs the Supervisor to forward this resolution to Albany County for inclusion in their grant application.

Supervisor Hotaling stated that initially they didn't think that a resolution would be a requirement and continued by saying that it makes sense if you are going to be involved in the study.

Councilman Touchette stated that he thought that they previously authorized a letter.

Supervisor Hotaling stated that on July 29th he wrote a letter to both Mr. Breslin and Sheriff Campbell and added that it was based upon a request that he received earlier from them. He continued by saying that he and Chief Darlington had discussed it and it is not about the Town Board suggesting that telecommunications should be shut down in the Town of Coeymans. He went on by saying that it would be hypocritical if they say they would like to talk about shared services, consolidation, and efficiencies and not be open to the recommendations of a Local Government Commission. He continued by saying that it is worthy of a study and they will be taking a look at it and added that any changes would be difficult to implement. He concluded by saying that they want to preserve what they have and added that there is no harm in studying to see what efficiencies can be achieved.

Supervisor Hotaling continued by saying that in the last couple of meetings they have had small loans that went from the B Part-Town Fund to the SS Sewer Fund because they have not received any revenue from their counterparts in the Village since June 2008. He added that the Sewer Fund is being depleted as a result of the lack of revenue, which is due to the fact that they do not have an agreement with the Village because there are some differences of opinion. He continued by saying that the Part-Town B Fund who has some cash needs to loan the Sewer SS Fund to get through the end of the year to cover the sewer costs and then move into the following year with a new collection of Sewer Rents and hopefully a cooperative effort between the two municipalities.

RES. #121-08 AUTHORIZE INTERLOAN FUND
On motion of Councilwoman Rogers, seconded by Councilman Youmans, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the Sewer Fund has bills that are due, and

WHEREAS, the Town of Coeymans anticipates the funds necessary to pay those bills will not be collected from Sewer Rents billed in time, and

WHEREAS, the Town desires to pay bills on time,

NOW, THEREFORE, BE IT RESOLVED, that the General Part-Town Fund (B) will loan the Sewer Fund $50,000.00 to pay for sufficient expenditures when due. When sufficient Sewer Rents are collected, they will be used to repay the General Part-Town Fund (B) with 2% interest.

RES. #122-08 APPROVE NOVEMBER 2008 ABSTRACT
On motion of Councilman Youmans, seconded by Councilwoman Rogers, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

FUND	VOUCHER #	AMOUNT
GENERAL (A)		
General Pre-Pay	2132-2134,2136-2180	$252,981.40
General	2232-2267	$ 15,907.45
	General Total	**$268,888.85**
PART-TOWN (B)		
Part-Town Pre-Pay	2181-2202	$ 98,149.89
Part-Town	2268-2283	$ 3,290.41
	Part Town Total	**$101,440.30**
HIGHWAY (D)		
Highway Pre-Pay	2203-2210,2317-2318	$ 39,969.96
Highway	2231,2284-2303	$ 6,274.63
	Highway Total	**$ 46,244.59**
SEWER (SS)		
Sewer Pre-Pay	2211-2225	$ 14,952.79
Sewer	2304-2314	$ 13,734.32
	Sewer Total	**$ 28,687.11**
SPECIAL WATER (SW)		
Special Water Pre-Pay	2227	$ 73,748.34
	Special Water Total	**$ 73,748.34**
CAPITAL PROJ. (H-28)		
Martins Hill	2315	$ 3,299.00
	Capital Proj.Total	**$ 3,299.00**
CAPITAL PROJ. (H-30)		
Hannacroix Creek	2316	$ 3,544.26
	Capital Proj. Total	**$ 3,544.26**
	Total for all Funds	**$525,852.45**
TRUST & AGENCY (TA)		
Trust & Agency Pre-Pay	2135,2226,2228-2230	$218,887.76
	Trust & Agency Total	**$218,887.76**

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TOWN BOARD WORKSHOPS / MEETINGS

- Town Board Meeting, December 8, 2008, 7pm

- Town Board Workshop, December 16, 2008, 6pm
- Town Board Meeting, December 22, 2008, 7pm

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ADDITIONAL COMMENTS

Supervisor Hotaling asked if there were any additional comments.

Town Clerk Millious wished everyone a Happy Thanksgiving.

Highway Superintendent Deering stated that he wanted to add to the North Bridge comments from earlier in the meeting and added that the two bridges initially were estimated at 6 million dollars and now the North Bridge is going to cost more than the cost for the two together.

Supervisor Hotaling stated that the first one had cost over runs and added that they were anxious about that but it was not near the cost over runs of the second one. He continued by saying that they have not even had demolition yet and there is nothing in site. He went on by saying that Highway Superintendent Deering's pickup lost a transmission and added that there was a big salter on the back and continued by asking if it has been put on another vehicle.

Highway Superintendent Deering stated that it won't work on another vehicle.

Supervisor Hotaling inquired about the status of the repair to the transmission.

Highway Superintendent Deering stated that he had just phoned and authorized the repair.

Councilman Youmans inquired as to if it is under warranty.

Supervisor Hotaling stated that it isn't and added that the truck has approximately 90,000 miles on it and continued by saying that the estimate to fix it is $2,600.00.

Highway Superintendent Deering stated that that the catch basin on Westerlo Street was moved over.

Supervisor Hotaling stated that it also was leveled off and added that it is a much easier pass as you are coming up the hill. He then asked if there were any additional comments, hearing none he asked for a motion to adjourn the meeting.

****

ADJOURNMENT

Supervisor Hotaling asked for a motion to adjourn the meeting.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Youmans, the Town Board Meeting was adjourned.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time: 7:52pm

Respectfully Submitted, **APPROVED:**

_____
Diane L. Millious, Town Clerk

A Town Board Workshop was held Tuesday, November 18, 2008 at 6:00pm 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 Touchette, Councilman

ALSO PRESENT: Diane L. Millious, Town Clerk
Gregg Darlington, Chief of Police

****

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

****

AGENDA

- Replacement of Dog Control Officer
- Police Department Issues
- Parking Local Law
- Police Chief Award
- Coeymans Hollow Fire Department Issues
- Employing a Part-Time Carpenter

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MOTION

On motion of Councilwoman Rogers, seconded by Councilman Boehm, the Workshop was adjourned.
VOTE – 5 – NAYS 0 – SO MOVED

Time: 8:15pm

Respectfully Submitted, **APPROVED:**

_____
Diane L. Millious, Town Clerk

A Town Board Meeting was held Monday, November 10, 2008 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, Highway Superintendent

****

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

****

OPENING COMMENT

Supervisor Hotaling stated that the record should reflect that there was a full Town Board in addition to Town Clerk Millious, Chief of Police Darlington and Highway Superintendent Deering.

****

AGENDA

- Public Announcement
  - Town Hall Closed 11-11-08, Veterans Day
  - Veterans Day Service, Monument on Main Street
- Public Comment
- Approval of Minutes
  - Town Board Meeting, October 14, 2008
  - Town Board Workshop, October 18, 2008
  - Town Board Workshop, October 21, 2008
  - Town Board Meeting, October 27, 2008
  - Public Hearing, November 5, 2008
- Adoption of 2009 Budget
- Old Business
  - RFP Hannacroix Creek
  - Speed Limit, Zabel Hill Road & Indian Hill Road
  - Highway Garage Alarm System
- New Business
  - Resignation of Dog Control Officer
  - Contract for Labor Relations Services for Council 82 Negotiations
- Resolutions
  - Appoint Sewer Treatment Plant Operator
  - Approve Inner-fund Loan for Sewer Fund
  - Approve CDBG Closure Fund Transfer
- Correspondence
  - Rapp Road Landfill Expansion
- Town Board Workshops/Meetings
  - Town Board Workshop, November 18, 2008, 6pm
  - Town Board Meeting, November 24, 2008, 7pm

PUBLIC ANNOUNCEMENT

Town Office Closed for Veterans Day

Supervisor Hotaling stated that the Town Offices will be closed in observation of Veterans Day with the exception of the 24/7 operation of the Police Department Communications, which will be functioning.

Veterans Day Services at Monuments

Supervisor Hotaling stated that he was in receipt of a communication from Veterans of Foreign Wars Post Commander Mike Albano advising that the VFW will be holding Veterans Day Services at the monuments on Main Street across form the Ravena Fire House as well as asking that the public remember the Veterans by attending the ceremony at 11pm.

****

PUBLIC COMMENT

Supervisor Hotaling invited the public to comment at this time.

Mr. Tom Dolan stated that he is present as the Administrator of Cornell Cooperative Extension C.H.O.I.C.E.S. Program and added that he was present to pitch an Energy Saving Workshop that will be held at his office. He continued by saying that the Workshop is part of the Governor's initiative Heat Smart New York and continued by reading the following:

Save energy, save dollars, explore the many ways to reduce your energy bills through low cost, no cost energy actions. Choose ideas that work for your family and find out how much they will save you. Workshop participants will receive a free energy kit with outlet light switch gaskets, outlet caps, rope caulk, tubing caulk, shrink fit window installation kit and a thermometer.

Mr. Dolan continued by saying that the Workshop is free and anyone can attend and added that there are no income qualifications. He went on by saying that the best case scenario is that you can save anywhere from ¼ to a third of your energy costs depending on individual households. He concluded by saying that it is a two-hour class and will be held only if there are 5 or more people signed up to attend.

Supervisor Hotaling inquired as to the details of where and when it is.

Mr. Dolan stated that it is at the C.H.O.I.C.E.S. Office, November 13th at 1:00pm and added that there are two others scheduled on November 18th and December 8th and continued by saying that he would rather that people attend the first Workshop.

Councilman Youmans inquired as to where his office is located.

Mr. Dolan stated that it is in Faith Plaza, three doors east of CVS Pharmacy and added that his goal is to have so many attend that he has to ask permission to use Town Hall.

Supervisor Hotaling stated that as long as it is over by 3pm they can probably do it because Thursday is a court night.

Mr. Dolan stated that they could change the date if necessary.

Supervisor Hotaling thanked Mr. Dolan.

Mr. Dolan stated that if there are any questions, calls can be made to his office at 756-8650.

Supervisor Hotaling reiterated that it is a Workshop at 1pm on November 13th and added that it is a 2 hour seminar on how to save some money as well as receive some items to help you do that.

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APPROVAL OF MINTUES

Supervisor Hotaling stated that there were five sets of minutes for Town Board approval, a Town Board Meeting on October 14th, a Town Board Workshop on October 18th, a Town Board Workshop on October 21st, a Town Board Meeting October 27th, and a Public Hearing on November 5th and continued by asking for a motion to approve the minutes.

Councilman Youmans stated that he was absent for the Town Board Meeting on October 27th.

Supervisor Hotaling stated that they can do it in a lump motion and the record can reflect the fact that he was absent for the Town Board Meeting on the 27th.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Boehm, approving the 5 sets of minutes as presented by the Town Clerk.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Supervisor Hotaling stated that the record should reflect that Councilman Youmans was absent for the Town Board Meeting on October 27th.

****

ADOPTION OF 2009 BUDGET

Supervisor Hotaling stated that they have gone through several stages of budget development, which started in August when the departments were asked to submit their requests and in turn he put together his budget, also know as the Tentative Budget. He added that the Town Board was presented with the Tentative Budget on October 5th and since that time there were Workshops to discuss it further with the Department Heads and in turn some modifications were made to the Tentative Budget. He continued by saying that a Public Hearing was conducted on November 5th and there was little comment and went on by saying that the changes from the Preliminary Budget to the Adopted Budget was only one thing, which was to remove the additional hourly wage for the Deputy Highway Superintendent that was added to the Tentative and included in the Preliminary. He went by saying that the final bottom line is $1,741,987.00, which is approximately $49,000.00 larger than the tax levy of 2008, which calls for an 8 cent per thousand increase from $2.80 to $2.88 per thousand, which resulted in a 2.95% increase in tax rate. He added that both Fire Districts within the Town jurisdiction submitted their budgets, which are under different statutes of law and held their own Public Hearings, and as a result he has been advised that Coeymans Hollow Fire District has an approved Budget of $261,950.00 with a tax rate of $1.11, which is essentially the same at a .17% increase and the Coeymans Fire District has an approved Budget of $325,375.00, which is $1.48 per thousand, which represents a 3.4% increase over the 2008 rate of $1.43 per thousand. He concluded by asking for a motion to adopt the 2009 Budget.

MOTION

On motion of Councilman Touchette, seconded by Councilman Youmans, accepting the Preliminary Budget as the Adopted Budget as presented on November 10, 2008.
VOTE – AYES 5 – NAYS 0 – SO MOVED

2009
SUMMARY OF BUDGET

CODE	FUND	APPROPRIATIONS	LESS ANTICIPATED REVENUES	LESS APPROPRIATED REVENUES	AMOUNT TO BE RAISED BY TAXES
A	General	$ 3,647,774.00	$ 1,325,787.00	$ 580,000.00	$ 1,741,987.00
B	Part Town	$ 2,098,379.00	$ 1,745,991.00	$ 352,388.00	$ -0-
DA	Bridges	$ 335,000.00	$ 55,000.00	$ 280,000.00	$ -0-
DB	Highway	$ 1,086,002.00	$ 1,026,002.00	$ 60,000.00	$ -0-
SS	Special Sewer	$ 458,161.00	$ 458,161.00	$ -0-	$ -0-
SW	Special Water	$ 163,000.00	$ 163,000.00	$ -0-	$ -0-

TOWN OF COEYMANS
2009 ADOPTED BUDGET

		2007 ADOPTED BUDGET	2008 ADOPTED BUDGET	2009 TENTATIVE BUDGET	2009 PRELIMINARY BUDGET	2009 ADOPTED BUDGET
GENERAL (A) APPROPRIATIONS						
TOWN COUNCIL						
A1010.1	PERSONAL SERVICES	$ 36,000.00	$ 48,000.00	$ 48,000.00	$ 48,000.00	$ 48,000.00
A1010.4	CONTRACTUAL	$ 4,000.00	$ 5,000.00	$ 8,500.00	$ 8,500.00	$ 8,500.00
	TOTAL	$ 40,000.00	$ 53,000.00	$ 56,500.00	$ 56,500.00	$ 56,500.00
JUSTICE						
A1110.1	PERSONAL SERVICES	$ 91,186.00	$ 100,066.00	$ 107,606.00	$ 107,606.00	$ 107,606.00
A1110.2	EQUIPMENT & CAP	$ 2,500.00	$ 3,000.00	$ 700.00	$ 700.00	$ 700.00
A1110.4	CONTRACTUAL	$ 7,000.00	$ 8,250.00	$ 8,250.00	$ 8,250.00	$ 8,250.00
A1110.41	OCA CONTRACTUAL	$ -	$ -	$ -	$ -	$ -
	TOTAL	$ 100,686.00	$ 111,316.00	$ 116,556.00	$ 116,556.00	$ 116,556.00
SUPERVISOR						
A1220.1	PERSONAL SERVICES	$ 64,000.00	$ 75,000.00	$ 75,000.00	$ 75,000.00	$ 75,000.00
A1220.2	EQUIPMENT & CAPITAL OUTLAY	$ 2,000.00	$ 2,000.00	$ 2,200.00	$ 2,200.00	$ 2,200.00
A1220.4	CONTRACTUAL	$ 2,000.00	$ 2,500.00	$ 2,500.00	$ 2,500.00	$ 2,500.00
	TOTAL	$ 68,000.00	$ 79,500.00	$ 79,700.00	$ 79,700.00	$ 79,700.00
FINANCE						
A1310.1	PERSONAL SERVICES	$ 40,950.00	$ 84,140.00	$ 69,193.00	$ 69,193.00	$ 69,193.00
A1310.2	EQUIPMENT & CAP	$ 400.00	$ 1,500.00	$ 2,000.00	$ 2,000.00	$ 2,000.00
A1310.4	CONTRACTUAL	$ 9,200.00	$ 2,000.00	$ 1,100.00	$ 1,100.00	$ 1,100.00
	TOTAL	$ 50,550.00	$ 87,640.00	$ 72,293.00	$ 72,293.00	$ 72,293.00
ACCOUNTANT						
A1315.4	CONTRACTUAL	$ 15,000.00	$ 15,000.00	$ 15,000.00	$ 15,000.00	$ 15,000.00
	TOTAL	$ 15,000.00	$ 15,000.00	$ 15,000.00	$ 15,000.00	$ 15,000.00

TOWN OF COEYMANS
2009 ADOPTED BUDGET

		2007 ADOPTED BUDGET	2008 ADOPTED BUDGET	2009 TENTATIVE BUDGET	2009 PRELIMINARY BUDGET	2009 ADOPTED BUDGET
AUDITOR						
A1320.4	CONTRACTUAL	$ 15,000.00	$ -	$ -	$ -	$ -
	TOTAL	$ 15,000.00	$ -	$ -	$ -	$ -
TAX COLLECTION						
A1330.4	CONTRACTUAL	$ 5,540.00	$ 5,540.00	$ 5,540.00	$ 5,540.00	$ 5,540.00
	TOTAL	$ 5,540.00	$ 5,540.00	$ 5,540.00	$ 5,540.00	$ 5,540.00
ASSESSOR						
A1355.1	PERSONAL SERVICES	$ 36,871.00	$ 55,505.00	$ 57,236.00	$ 57,236.00	$ 57,236.00
A1355.2	EQUIPMENT & CAP	$ 1,500.00	$ 1,500.00	$ 1,500.00	$ 1,500.00	$ 1,500.00
A1355.4	CONTRACTUAL	$ 7,000.00	$ 7,000.00	$ 8,000.00	$ 8,000.00	$ 8,000.00
	TOTAL	$ 45,371.00	$ 64,005.00	$ 66,736.00	$ 66,736.00	$ 66,736.00
TOWN CLERK						
A1410.1	PERSONAL SERVICES	$ 85,473.00	$ 91,801.00	$ 93,593.00	$ 96,703.00	$ 96,703.00
A1410.2	EQUIPMENT & CAP	$ 1,250.00	$ 1,600.00	$ 1,600.00	$ 1,600.00	$ 1,600.00
A1410.4	CONTRACTUAL	$ 2,500.00	$ 3,300.00	$ 3,400.00	$ 3,400.00	$ 3,400.00
	TOTAL	$ 89,223.00	$ 96,701.00	$ 98,593.00	$ 101,703.00	$ 101,703.00
ATTORNEY						
A1420.1	PERSONAL SERVICES	$ 15,000.00	$ 20,000.00	$ 20,000.00	$ 20,000.00	$ 20,000.00
A1420.4	CONTRACTUAL	$ 64,700.00	$ 85,000.00	$ 85,000.00	$ 85,000.00	$ 85,000.00
	TOTAL	$ 79,700.00	$ 105,000.00	$ 105,000.00	$ 105,000.00	$ 105,000.00
HUMAN RESOURCES						
A1430.1	PERSONAL SERVICES	$ 24,484.00	$ 23,660.00	$ 39,911.00	$ 39,911.00	$ 39,911.00
A1430.2	EQUIPMENT & CAP	$ 400.00	$ 500.00	$ 2,000.00	$ 2,000.00	$ 2,000.00
A1430.4	CONTRACTUAL	$ 10,200.00	$ 10,200.00	$ 11,300.00	$ 11,300.00	$ 11,300.00
	TOTAL	$ 35,084.00	$ 34,360.00	$ 53,211.00	$ 53,211.00	$ 53,211.00

TOWN OF COEYMANS
2009 ADOPTED BUDGET

		2007 ADOPTED BUDGET	2008 ADOPTED BUDGET	2009 TENTATIVE BUDGET	2009 PRELIMINARY BUDGET	2009 ADOPTED BUDGET
ENGINEER						
A1440.4	CONTRACTUAL	$ 25,000.00	$ 25,000.00	$ 25,000.00	$ 25,000.00	$ 25,000.00
	TOTAL	$ 25,000.00	$ 25,000.00	$ 25,000.00	$ 25,000.00	$ 25,000.00
ELECTIONS						
A1450.4	CONTRACTUAL	$ 42,638.00	$ 43,000.00	$ 43,000.00	$ 43,000.00	$ 43,000.00
	TOTAL	$ 42,638.00	$ 43,000.00	$ 43,000.00	$ 43,000.00	$ 43,000.00
RECORDS MANAGEMENT						
A1460.4	CONTRACTUAL	$ 1,500.00	$ 6,500.00	$ 6,500.00	$ 6,500.00	$ 6,500.00
	TOTAL	$ 1,500.00	$ 6,500.00	$ 6,500.00	$ 6,500.00	$ 6,500.00
TOWN HALL						
A1620.1	PERSONAL SERVICES	$ 13,520.00	$ 15,000.00	$ -	$ -	$ -
A1620.2	EQUIPMENT & CAP	$ 2,500.00	$ 2,500.00	$ 10,000.00	$ 10,000.00	$ 10,000.00
A1620.4	CONTRACTUAL	$ 40,000.00	$ 75,000.00	$ 80,000.00	$ 80,000.00	$ 80,000.00
	TOTAL	$ 56,020.00	$ 92,500.00	$ 90,000.00	$ 90,000.00	$ 90,000.00
CENTRAL COMMUNICATIONS						
A1650.2	EQUIPMENT	$ -	$ 25,000.00	$ 100,000.00	$ 100,000.00	$ 100,000.00
A1650.4	CONTRACTUAL	$ 14,000.00	$ 15,000.00	$ 22,000.00	$ 22,000.00	$ 22,000.00
	TOTAL	$ 14,000.00	$ 40,000.00	$ 122,000.00	$ 122,000.00	$ 122,000.00
CENTRAL STOREROOM						
A1660.4	CONTRACTUAL	$ 9,000.00	$ 10,000.00	$ 15,000.00	$ 15,000.00	$ 15,000.00
	TOTAL	$ 9,000.00	$ 10,000.00	$ 15,000.00	$ 15,000.00	$ 15,000.00

TOWN OF COEYMANS
2009 ADOPTED BUDGET

		2007 ADOPTED BUDGET	2008 ADOPTED BUDGET	2009 TENTATIVE BUDGET	2009 PRELIMINARY BUDGET	2009 ADOPTED BUDGET
CENTRAL PRINTING AND MAILING						
A1670.4	CONTRACTUAL	$ 10,000.00	$ 10,000.00	$ 12,000.00	$ 12,000.00	$ 12,000.00
	TOTAL	$ 10,000.00	$ 10,000.00	$ 12,000.00	$ 12,000.00	$ 12,000.00
INSURANCE						
A1910.4	CONTRACTUAL	$ 97,680.00	$ 100,174.00	$ 98,609.00	$ 98,609.00	$ 98,609.00
	TOTAL	$ 97,680.00	$ 100,174.00	$ 98,609.00	$ 98,609.00	$ 98,609.00
ASSOCIATION DUES						
A1920.4	CONTRACTUAL	$ 1,200.00	$ 1,200.00	$ 1,200.00	$ 1,200.00	$ 1,200.00
	TOTAL	$ 1,200.00	$ 1,200.00	$ 1,200.00	$ 1,200.00	$ 1,200.00
JUDGMENTS						
A1930.4	CONTRACTUAL	$ 20,000.00	$ 20,000.00	$ 20,000.00	$ 20,000.00	$ 20,000.00
	TOTAL	$ 20,000.00	$ 20,000.00	$ 20,000.00	$ 20,000.00	$ 20,000.00
OTHER GENERAL GOVERNMENT SUPPORT						
A1989.1	PERSONAL SERVICES--Reval Project	$ 6,250.00	$ -	$ -	$ -	$ -
A1989.4	CONTRACTUAL--Townwide Revaluation Proj	$ 25,000.00	$ -	$ -	$ -	$ -
	CONTRACTUAL--Grants Writer	$ 6,000.00	$ 6,000.00	$ 6,000.00	$ 6,000.00	$ 6,000.00
	CONTRACTUAL--Zoning/EconDev	$ 15,000.00	$ 15,000.00	$ 15,000.00	$ 15,000.00	$ 15,000.00
	TOTAL	$ 52,250.00	$ 21,000.00	$ 21,000.00	$ 21,000.00	$ 21,000.00
CONTINGENCY						
A1990.4	CONTRACTUAL	$ 30,000.00	$ 30,000.00	$ 30,000.00	$ 30,000.00	$ 30,000.00
	TOTAL	$ 30,000.00	$ 30,000.00	$ 30,000.00	$ 30,000.00	$ 30,000.00

TOWN OF COEYMANS
2009 ADOPTED BUDGET

		2007 ADOPTED BUDGET	2008 ADOPTED BUDGET	2009 TENTATIVE BUDGET	2009 PRELIMINARY BUDGET	2009 ADOPTED BUDGET
PUBLIC SAFETY ADMINISTRATION						
A3010.4	CONTRACTUAL	$ 3,000.00	$ 3,000.00	$ 3,000.00	$ 3,000.00	$ 3,000.00
	TOTAL	$ 3,000.00	$ 3,000.00	$ 3,000.00	$ 3,000.00	$ 3,000.00
COMMUNICATIONS						
A3020.1	PERSONAL SERVICES	$ 169,138.00	$ 235,330.00	$ 237,261.00	$ 237,261.00	$ 237,261.00
A3020.2	EQUIPMENT	$ -	$ 20,000.00	$ 10,000.00	$ 23,000.00	$ 23,000.00
A3020.4	CONTRACTUAL	$ 22,000.00	$ 22,000.00	$ 26,000.00	$ 26,000.00	$ 26,000.00
	TOTAL	$ 191,138.00	$ 277,330.00	$ 273,261.00	$ 286,261.00	$ 286,261.00
LAW ENFORCEMENT						
A3120.11	CHIEF SALARY	$ 70,542.00	$ 72,659.00	$ 75,689.00	$ 75,689.00	$ 75,689.00
A3120.1	PERSONAL SERVICES	$ 627,565.00	$ 637,838.00	$ 627,391.00	$ 628,264.00	$ 628,264.00
A3120.2	EQUIPMENT & CAP	$ 34,000.00	$ 78,000.00	$ 44,000.00	$ 44,000.00	$ 44,000.00
A3120.4	CONTRACTUAL	$ 58,500.00	$ 64,500.00	$ 73,500.00	$ 73,500.00	$ 73,500.00
	TOTAL	$ 790,607.00	$ 852,997.00	$ 820,580.00	$ 821,453.00	$ 821,453.00
TRAFFIC SAFETY DETAIL						
A3315.1	PERSONAL SERVICES	$ 7,000.00	$ 7,000.00	$ 7,000.00	$ 7,000.00	$ 7,000.00
	TOTAL	$ 7,000.00	$ 7,000.00	$ 7,000.00	$ 7,000.00	$ 7,000.00
DOG CONTROL						
A3510.1	PERSONAL SERVICES	$ 2,000.00	$ 2,000.00	$ 2,000.00	$ 2,000.00	$ 2,000.00
A3510.4	CONTRACTUAL	$ 2,000.00	$ 2,000.00	$ 2,000.00	$ 2,000.00	$ 2,000.00
	TOTAL	$ 4,000.00	$ 4,000.00	$ 4,000.00	$ 4,000.00	$ 4,000.00
CIVIL DEFENSE						
A3640.1	PERSONAL SERVICES	$ 1,500.00	$ 1,500.00	$ 1,500.00	$ 1,500.00	$ 1,500.00
A3640.4	CONTRACTUAL	$ 500.00	$ 500.00	$ 500.00	$ 500.00	$ 500.00
	TOTAL	$ 2,000.00	$ 2,000.00	$ 2,000.00	$ 2,000.00	$ 2,000.00

TOWN OF COEYMANS
2009 ADOPTED BUDGET

		2007 ADOPTED BUDGET	2008 ADOPTED BUDGET	2009 TENTATIVE BUDGET	2009 PRELIMINARY BUDGET	2009 ADOPTED BUDGET
OTHER HEALTH						
A4540.4	CONTRACTUAL--Ambulance	$ 68,400.00	$ 69,440.00	$ 71,000.00	$ 71,000.00	$ 71,000.00
A4589.4	CONTRACTUAL--Paramedic	$ 142,685.00	$ 158,300.00	$ 183,325.00	$ 183,325.00	$ 183,325.00
	TOTAL	$ 211,085.00	$ 227,740.00	$ 254,325.00	$ 254,325.00	$ 254,325.00
HIGHWAY ADMINISTRATIVE						
A5010.1	PERSONAL SERVICES	$ 99,356.00	$ 104,416.00	$ 105,985.00	$ 106,651.00	$ 105,985.00
A5010.4	CONTRACTUAL	$ -	$ -	$ 1,000.00	$ 1,000.00	$ 1,000.00
	TOTAL	$ 99,356.00	$ 104,416.00	$ 106,985.00	$ 107,651.00	$ 106,985.00
HIGHWAY GARAGE						
A5132.2	EQUIPMENT	$ 9,000.00	$ 9,000.00	$ 35,000.00	$ 35,000.00	$ 35,000.00
A5132.4	CONTRACTUAL	$ 26,951.00	$ 51,951.00	$ 60,000.00	$ 60,000.00	$ 60,000.00
	TOTAL	$ 35,951.00	$ 60,951.00	$ 95,000.00	$ 95,000.00	$ 95,000.00
HIGHWAY GARAGE						
A5197.2	CAPITAL OUTLAY	$ 25,000.00	$ -	$ -	$ -	$ -
	TOTAL	$ 25,000.00	$ -	$ -	$ -	$ -
PUBLICITY						
A6410.4	CONTRACTUAL	$ 1,500.00	$ 1,500.00	$ 2,000.00	$ 2,000.00	$ 2,000.00
	TOTAL	$ 1,500.00	$ 1,500.00	$ 2,000.00	$ 2,000.00	$ 2,000.00
VETERANS						
A6510.4	CONTRACTUAL	$ 1,000.00	$ 2,000.00	$ 2,000.00	$ 2,000.00	$ 2,000.00
	TOTAL	$ 1,000.00	$ 2,000.00	$ 2,000.00	$ 2,000.00	$ 2,000.00

TOWN OF COEYMANS
2009 ADOPTED BUDGET

		2007 ADOPTED BUDGET	2008 ADOPTED BUDGET	2009 TENTATIVE BUDGET	2009 PRELIMINARY BUDGET	2009 ADOPTED BUDGET
PARKS						
A7110.1	PERSONAL SERVICES	$ -	$ 5,000.00	$ -	$ -	$ -
A7110.4	CONTRACTUAL	$ 41,500.00	$ 41,500.00	$ 40,000.00	$ 40,000.00	$ 40,000.00
	TOTAL	$ 41,500.00	$ 46,500.00	$ 40,000.00	$ 40,000.00	$ 40,000.00
SNOWMOBILE TRAIL SERVICES						
A7180.4	CONTRACTUAL	$ 5,000.00	$ -	$ -	$ -	$ -
	TOTAL	$ 5,000.00	$ -	$ -	$ -	$ -
BAND CONCERTS						
A7270.4	CONTRACTUAL	$ 5,000.00	$ 5,000.00	$ 5,000.00	$ 5,000.00	$ 5,000.00
	TOTAL	$ 5,000.00	$ 5,000.00	$ 5,000.00	$ 5,000.00	$ 5,000.00
YOUTH SERVICE						
A7310.1	PERSONAL SERVICES	$ 8,000.00	$ 10,000.00	$ 10,000.00	$ 10,000.00	$ 10,000.00
A7310.4	CONTRACTUAL	$ 1,000.00	$ 1,000.00	$ 1,000.00	$ 1,000.00	$ 1,000.00
	TOTAL	$ 9,000.00	$ 11,000.00	$ 11,000.00	$ 11,000.00	$ 11,000.00
HISTORIAN						
A7510.1	PERSONAL SERVICES	$ 500.00	$ 600.00	$ 650.00	$ 650.00	$ 650.00
A7510.4	CONTRACTUAL	$ 1,100.00	$ 1,100.00	$ 1,000.00	$ 1,000.00	$ 1,000.00
	TOTAL	$ 1,600.00	$ 1,700.00	$ 1,650.00	$ 1,650.00	$ 1,650.00
CELEBRATIONS						
A7550.4	CONTRACTUAL	$ 7,500.00	$ 7,500.00	$ 10,000.00	$ 7,500.00	$ 7,500.00
	TOTAL	$ 7,500.00	$ 7,500.00	$ 10,000.00	$ 7,500.00	$ 7,500.00

TOWN OF COEYMANS
2009 ADOPTED BUDGET

		2007 ADOPTED BUDGET	2008 ADOPTED BUDGET	2009 TENTATIVE BUDGET	2009 PRELIMINARY BUDGET	2009 ADOPTED BUDGET
ADULT SERVICES						
A7620.4	CONTRACTUAL	$ 6,000.00	$ 6,000.00	$ 6,000.00	$ 6,000.00	$ 6,000.00
	TOTAL	$ 6,000.00	$ 6,000.00	$ 6,000.00	$ 6,000.00	$ 6,000.00
OTHER CULTURE & RECREATION						
A7989.4	CONTRACTUAL	$ -	$ 2,000.00	$ 2,000.00	$ 2,000.00	$ 2,000.00
	TOTAL	$ -	$ 2,000.00	$ 2,000.00	$ 2,000.00	$ 2,000.00
RECYCLING						
A8090.1	PERSONAL SERVICES	$ 5,200.00	$ -	$ -	$ -	$ -
A8090.4	CONTRACTUAL	$ 4,000.00	$ -	$ -	$ -	$ -
	TOTAL	$ 9,200.00	$ -	$ -	$ -	$ -
REFUSE AND GARBAGE						
A8160.1	PERSONAL SERVICES	$ 2,500.00	$ 3,400.00	$ 3,400.00	$ 3,400.00	$ 3,400.00
A8160.4	CONTRACTUAL	$ 4,000.00	$ 8,000.00	$ 8,000.00	$ 8,000.00	$ 8,000.00
	TOTAL	$ 6,500.00	$ 11,400.00	$ 11,400.00	$ 11,400.00	$ 11,400.00
COMMUNITY BEAUTIFICATION						
A8510.1	PERSONAL SERVICES	$ -	$ -	$ 200,458.00	$ 200,458.00	$ 200,458.00
A8510.2	EQUIPMENT & CAP	$ -	$ -	$ 35,309.00	$ 31,264.00	$ 31,264.00
A8510.4	CONTRACTUAL	$ -	$ -	$ 30,000.00	$ 30,000.00	$ 30,000.00
	TOTAL	$ -	$ -	$ 265,767.00	$ 261,722.00	$ 261,722.00
CEMETERIES						
A8810.1	PERSONAL SERVICES	$ -	$ -	$ 1,300.00	$ 1,300.00	$ 1,300.00
A8810.4	CONTRACTUAL	$ -	$ -	$ 2,500.00	$ 2,500.00	$ 2,500.00
	TOTAL	$ -	$ -	$ 3,800.00	$ 3,800.00	$ 3,800.00

TOWN OF COEYMANS
2009 ADOPTED BUDGET

		2007 ADOPTED BUDGET	2008 ADOPTED BUDGET	2009 TENTATIVE BUDGET	2009 PRELIMINARY BUDGET	2009 ADOPTED BUDGET
EMPLOYEE BENEFITS						
A9010.8	RETIREMENT	$ 135,641.00	$ 142,600.00	$ 130,072.00	$ 130,072.00	$ 130,072.00
A9030.8	SOCIAL SECURITY	$ 104,831.00	$ 94,064.00	$ 134,514.00	$ 134,514.00	$ 134,514.00
A9040.8	WORKERS COMP	$ 14,100.00	$ 20,681.00	$ 16,400.00	$ 16,400.00	$ 16,400.00
A9045.8	LIFE INSURANCE	$ 3,393.00	$ 2,350.00	$ 2,666.00	$ 2,666.00	$ 2,666.00
A9050.8	UNEMPLOYMENT INS	$ 4,800.00	$ 4,800.00	$ 4,800.00	$ 4,800.00	$ 4,800.00
A9055.8	DISABILITY	$ 2,885.00	$ 3,190.00	$ 3,476.00	$ 3,476.00	$ 3,476.00
A9060.8	HEALTH INSURANCE	$ 278,143.00	$ 233,480.00	$ 242,086.00	$ 242,086.00	$ 242,086.00
A9070.8	DENTAL INSURANCE	$ 12,470.00	$ 12,980.00	$ 16,284.00	$ 16,284.00	$ 16,284.00
A9089.8	OTHER EMPLOYEE BENEFITS	$ 1,500.00	$ 500.00	$ 6,832.00	$ 6,832.00	$ 6,832.00
	TOTAL	$ 557,763.00	$ 514,645.00	$ 557,130.00	$ 557,130.00	$ 557,130.00
DEBT						
A9710.6	SERIAL BONDS	$ -	$ -	$ -	$ -	$ -
A9710.7	SERIAL BONDS, INTEREST	$ -	$ -	$ -	$ -	$ -
A9730.6	B.A.N.S	$ -	$ -	$ -	$ -	$ -
A9730.7	BANS INTEREST	$ -	$ -	$ -	$ -	$ -
	TOTAL	$ -	$ -	$ -	$ -	$ -
Total (A) Fund Appropriations		**$ 2,924,142.00**	**$ 3,200,115.00**	**$ 3,637,336.00**	**$ 3,648,440.00**	**$ 3,647,774.00**

TOWN OF COEYMANS
2009 ADOPTED BUDGET

		2007 ADOPTED BUDGET	2008 ADOPTED BUDGET	2009 TENTATIVE BUDGET	2009 PRELIMINARY BUDGET	2009 ADOPTED BUDGET
GENERAL (A) REVENUES						
	REVENUES					
A0909	Fund Balance	$ 85,000.00	$ 250,000.00	$ 575,000.00	$ 580,000.00	$ 580,000.00
A1001	Money to be raised by Real Property Taxes	$ 1,934,816.00	$ 1,692,825.00	$ 1,738,049.00	$ 1,742,653.00	$ 1,741,987.00
	LOCAL					
A1081	Civil Housing P.I.L.O.T.	$ 1,398.00	$ 1,400.00	$ 1,600.00	$ 1,600.00	$ 1,600.00
A1090	Penalties	$ 5,000.00	$ 5,000.00	$ 5,500.00	$ 5,500.00	$ 5,500.00
A1120	County Sales Tax Distribution	$ -	$ -	$ -	$ -	$ -
A1170	Franchise Fees	$ 225.00	$ 8,000.00	$ 10,000.00	$ 10,000.00	$ 10,000.00
A1255	Town Clerk Fees	$ 4,840.00	$ 4,840.00	$ 10,982.00	$ 10,982.00	$ 10,982.00
A1520	Police Fees-Subpoenas	$ -	$ -	$ -	$ -	$ -
A1589	TSD (Albany County)	$ 7,000.00	$ 7,000.00	$ 7,000.00	$ 7,000.00	$ 7,000.00
A1689	Ambulance ALS Reimbusment	$ 19,000.00	$ 16,400.00	$ 14,000.00	$ 15,500.00	$ 15,500.00
A2130	Waste Hauler Permit Fees	$ -	$ -	$ -	$ -	$ -
A2190	Sale of Cemetery Lots	$ -	$ -	$ 3,000.00	$ 3,000.00	$ 3,000.00
A2192	Charges for Cemetery Services	$ -	$ -	$ 800.00	$ 800.00	$ 800.00
A2401	Interest	$ 10,000.00	$ 10,000.00	$ 30,000.00	$ 30,000.00	$ 30,000.00
A2530	Games of Chance	$ 40.00	$ 200.00	$ 80.00	$ 80.00	$ 80.00
A2540	Bingo	$ 1,000.00	$ 500.00	$ 1,400.00	$ 1,400.00	$ 1,400.00
A2544	Dog License	$ 800.00	$ 600.00	$ 1,200.00	$ 1,200.00	$ 1,200.00
A2590	Recycling Fees	$ 25.00	$ -	$ -	$ -	$ -
A2610	Justice Court Fund	$ 180,000.00	$ 160,000.00	$ 180,000.00	$ 180,000.00	$ 180,000.00
A2655	Minor Sales	$ -	$ -	$ -	$ -	$ -
A2665	Sale of Equipment	$ -	$ -	$ -	$ -	$ -
A2770	Employee Health Contribution	$ 43,037.00	$ 30,250.00	$ 44,425.00	$ 44,425.00	$ 44,425.00
	STATE AID					
A3001	State Revenue Sharing	$ -	$ -	$ -	$ -	$ -
A3005	Mortgage Tax	$ 160,526.00	$ 160,000.00	$ 160,000.00	$ 160,000.00	$ 160,000.00
A3040	State Aid-Real Property Tax Admin.	$ -	$ -	$ 1,200.00	$ 1,200.00	$ 1,200.00
A3317	Snowmobile Grant	$ 5,000.00	$ -	$ -	$ -	$ -
A3820	Youth Program State Aid	$ -	$ 3,100.00	$ 3,100.00	$ 3,100.00	$ 3,100.00
	TRANSFER FROM OTHER FUNDS					
A5031	Transfer in from B Fund	$ 466,435.00	$ 850,000.00	$ 850,000.00	$ 850,000.00	$ 850,000.00
TOTAL	**GENERAL FUND REVENUES**	**$ 2,924,142.00**	**$ 3,200,115.00**	**$ 3,637,336.00**	**$ 3,648,440.00**	**$ 3,647,774.00**

TOWN OF COEYMANS
2009 ADOPTED BUDGET

		2007 ADOPTED BUDGET	2008 ADOPTED BUDGET	2009 TENTATIVE BUDGET	2009 PRELIMINARY BUDGET	2009 ADOPTED BUDGET
PART TOWN (B) APPROPRIATIONS						
LEGAL SERVICES						
B1420.4	CONTRACTUAL	$ 6,900.00	$ 15,000.00	$ 15,000.00	$ 15,000.00	$ 15,000.00
	TOTAL	$ 6,900.00	$ 15,000.00	$ 15,000.00	$ 15,000.00	$ 15,000.00
SHARED SERVICES						
B1680.1	PERSONAL SERVICES	$ -	$ 7,000.00	$ 7,000.00	$ 7,000.00	$ 7,000.00
B1680.4	CONTRACTUAL	$ -	$ 1,000.00	$ 1,000.00	$ 1,000.00	$ 1,000.00
	TOTAL		$ 8,000.00	$ 8,000.00	$ 8,000.00	$ 8,000.00
INSURANCE						
B1910.4	CONTRACTUAL	$ 2,630.00	$ 5,047.00	$ 1,990.00	$ 1,990.00	$ 1,990.00
	TOTAL	$ 2,630.00	$ 5,047.00	$ 1,990.00	$ 1,990.00	$ 1,990.00
CONTINGENCY						
B1990.4	CONTRACTUAL	$ 5,000.00	$ 5,000.00	$ 5,000.00	$ 5,000.00	$ 5,000.00
	TOTAL	$ 5,000.00	$ 5,000.00	$ 5,000.00	$ 5,000.00	$ 5,000.00
SAFETY INSPECTIONS						
B3620.1	PERSONAL SERVICES	$ 82,607.00	$ 108,070.00	$ 112,397.00	$ 112,397.00	$ 112,397.00
B3620.2	EQUIPMENT	$ 2,500.00	$ 2,500.00	$ 1,500.00	$ 1,500.00	$ 1,500.00
B3620.4	CONTRACTUAL	$ 5,700.00	$ 9,700.00	$ 9,000.00	$ 9,000.00	$ 9,000.00
	TOTAL	$ 90,807.00	$ 120,270.00	$ 122,897.00	$ 122,897.00	$ 122,897.00

TOWN OF COEYMANS
2009 ADOPTED BUDGET

		2007 ADOPTED BUDGET	2008 ADOPTED BUDGET	2009 TENTATIVE BUDGET	2009 PRELIMINARY BUDGET	2009 ADOPTED BUDGET
REGISTRAR OF VITAL STATISTICS						
B4020.4	CONTRACTUAL	$ 200.00	$ 200.00	$ 200.00	$ 200.00	$ 200.00
	TOTAL	$ 200.00	$ 200.00	$ 200.00	$ 200.00	$ 200.00
STREET LIGHTING						
B5182.4	CONTRACTUAL	$ 20,000.00	$ 30,000.00	$ 30,000.00	$ 30,000.00	$ 30,000.00
	TOTAL	$ 20,000.00	$ 30,000.00	$ 30,000.00	$ 30,000.00	$ 30,000.00
SIDEWALKS						
B5410.4	CONTRACTUAL	$ 10,000.00	$ 10,000.00	$ 10,000.00	$ 10,000.00	$ 10,000.00
	TOTAL	$ 10,000.00	$ 10,000.00	$ 10,000.00	$ 10,000.00	$ 10,000.00
SPECIAL RECREATION						
B7180.4	CONTRACTUAL	$ 10,000.00	$ -	$ -	$ -	$ -
	TOTAL	$ 10,000.00	$ -	$ -	$ -	$ -
ZONING BOARD						
B8010.1	PERSONAL SERVICES	$ 5,100.00	$ 5,100.00	$ 5,100.00	$ 5,100.00	$ 5,100.00
B8010.4	CONTRACTUAL	$ 1,500.00	$ 1,800.00	$ 1,800.00	$ 1,800.00	$ 1,800.00
	TOTAL	$ 6,600.00	$ 6,900.00	$ 6,900.00	$ 6,900.00	$ 6,900.00
PLANNING BOARD						
B8020.1	PERSONAL SERVICES	$ 10,820.00	$ 14,060.00	$ 14,060.00	$ 14,060.00	$ 14,060.00
B8020.2	EQUIPMENT & CAP	$ -	$ -	$ 1,000.00	$ 1,000.00	$ 1,000.00
B8020.4	CONTRACTUAL	$ 5,440.00	$ 3,200.00	$ 3,200.00	$ 3,200.00	$ 3,200.00
	TOTAL	$ 16,260.00	$ 17,260.00	$ 18,260.00	$ 18,260.00	$ 18,260.00

TOWN OF COEYMANS
2009 ADOPTED BUDGET

		2007 ADOPTED BUDGET	2008 ADOPTED BUDGET	2009 TENTATIVE BUDGET	2009 PRELIMINARY BUDGET	2009 ADOPTED BUDGET
COMMUNITY BEAUTIFICATION						
B8510.1	PERSONAL SERVICES	$ 135,888.00	$ 161,761.00	$ -	$ -	$ -
B8510.2	EQUIPMENT	$ 31,596.00	$ 28,238.00	$ -	$ -	$ -
B8510.4	CONTRACTUAL	$ 10,424.00	$ 12,880.00	$ -	$ -	$ -
	TOTAL	$ 177,908.00	$ 202,879.00	$ -	$ -	$ -
TRANSFER TO OTHER FUNDS						
B9901.0	TRANSFER TO GENERAL (A)	$ 466,435.00	$ 850,000.00	$ 850,000.00	$ 850,000.00	$ 850,000.00
B9901.0	TRANSFER TO BRIDGE RECON (DA)	$ 60,000.00	$ -	$ 55,000.00	$ 55,000.00	$ 55,000.00
B9901.0	TRANSFER TO HIGHWAY (DB)	$ 664,875.00	$ 918,450.00	$ 904,553.00	$ 922,053.00	$ 922,053.00
		$ 1,191,310.00	$ 1,768,450.00	$ 1,809,553.00	$ 1,827,053.00	$ 1,827,053.00
EMPLOYEE BENEFITS						
B9010.8	RETIREMENT	$ 29,596.00	$ 16,700.00	$ 6,693.00	$ 6,693.00	$ 6,693.00
B9030.8	SOCIAL SECURITY	$ 17,933.00	$ 15,700.00	$ 10,600.00	$ 10,600.00	$ 10,600.00
B9040.8	WORKERS COMP	$ 905.00	$ 1,029.00	$ 1,030.00	$ 1,030.00	$ 1,030.00
B9045.8	LIFE INSURANCE	$ 678.00	$ 522.00	$ 215.00	$ 215.00	$ 215.00
B9055.8	DISABILITY INSURANCE	$ 542.00	$ 642.00	$ 572.00	$ 572.00	$ 572.00
B9060.8	HEALTH INSURANCE	$ 51,020.00	$ 49,800.00	$ 32,612.00	$ 32,612.00	$ 32,612.00
B9070.8	DENTAL INSURANCE	$ 3,742.00	$ 3,894.00	$ 1,357.00	$ 1,357.00	$ 1,357.00
B9089.8	OTHER EMPLOYEE BENEFITS	$ 3,475.00	$ -	$ -	$ -	$ -
	TOTAL	$ 107,891.00	$ 88,287.00	$ 53,079.00	$ 53,079.00	$ 53,079.00
TOTAL (B) PART TOWN APPROPRIATIONS		**$ 1,645,506.00**	**$ 2,277,293.00**	**$ 2,080,879.00**	**$ 2,098,379.00**	**$ 2,098,379.00**

TOWN OF COEYMANS
2009 ADOPTED BUDGET

		2007 ADOPTED BUDGET	2008 ADOPTED BUDGET	2009 TENTATIVE BUDGET	2009 PRELIMINARY BUDGET	2009 ADOPTED BUDGET
PART TOWN (B) REVENUES						
B0909	Fund Balance		$ 479,364.00	$ 234,888.00	$ 352,388.00	$ 352,388.00
B1120	Sales Tax Revenue	$ 1,622,057.00	$ 1,768,450.00	$ 1,809,553.00	$ 1,709,553.00	$ 1,709,553.00
B2110	Zoning Fees	$ 800.00	$ 1,000.00	$ 1,100.00	$ 1,100.00	$ 1,100.00
B2115	Planning Fees	$ 4,200.00	$ 2,750.00	$ 1,900.00	$ 1,900.00	$ 1,900.00
B2401	Interest Earned	$ 600.00	$ 3,833.00	$ 5,000.00	$ 5,000.00	$ 5,000.00
B2555	Building Fees	$ 10,000.00	$ 8,000.00	$ 14,000.00	$ 14,000.00	$ 14,000.00
B2590	Mobile Home Permits	$ 500.00	$ 3,000.00	$ 4,500.00	$ 4,500.00	$ 4,500.00
B2591	Sign Permits	$ 150.00	$ -	$ -	$ -	$ -
B2655	Minor Sales (Booklets, etc)	$ 50.00	$ 500.00	$ 100.00	$ 100.00	$ 100.00
B2770	Employee Health Contribution	$ 5,349.00	$ 6,396.00	$ 5,838.00	$ 5,838.00	$ 5,838.00
B3820	Shared Services	$ -	$ 4,000.00	$ 4,000.00	$ 4,000.00	$ 4,000.00
B7180	Village Pool User Fees	$ 1,800.00	$ -	$ -	$ -	$ -
TOTAL PART TOWN (B) REVENUES		**$ 1,645,506.00**	**$ 2,277,293.00**	**$ 2,080,879.00**	**$ 2,098,379.00**	**$ 2,098,379.00**

TOWN OF COEYMANS
2009 ADOPTED BUDGET

		2007 ADOPTED BUDGET	2008 ADOPTED BUDGET	2009 TENTATIVE BUDGET	2009 PRELIMINARY BUDGET	2009 ADOPTED BUDGET
BRIDGE RECONSTRUCTION (DA) APPROPRIATIONS						
DA5120.4	Old Ravena Road Bridge Reconstruction	$ 260,000.00	$ 240,000.00	$ 335,000.00	$ 335,000.00	$ 335,000.00
		$ 260,000.00	**$ 240,000.00**	**$ 335,000.00**	**$ 335,000.00**	**$ 335,000.00**
BRIDGE RECONSTRUCTION (DA) REVENUES						
DA0909	Fund Balance	$ 200,000.00	$ 240,000.00	$ 280,000.00	$ 280,000.00	$ 280,000.00
DA1120	Sales Tax Distribution	$ -	$ -	$ -	$ -	$ -
DA5031	Transfer in from B Fund	$ 60,000.00	$ -	$ 55,000.00	$ 55,000.00	$ 55,000.00
		$ 260,000.00	**$ 240,000.00**	**$ 335,000.00**	**$ 335,000.00**	**$ 335,000.00**

TOWN OF COEYMANS
2009 ADOPTED BUDGET

		2007 ADOPTED BUDGET	2008 ADOPTED BUDGET	2009 TENTATIVE BUDGET	2009 PRELIMINARY BUDGET	2009 ADOPTED BUDGET
HIGHWAY FUND (DB) APPROPRIATIONS						
ENGINEER						
DB1440.4	CONTRACTUAL	$ 5,000.00	$ 5,000.00	$ 5,000.00	$ 5,000.00	$ 5,000.00
	TOTAL	$ 5,000.00	$ 5,000.00	$ 5,000.00	$ 5,000.00	$ 5,000.00
INSURANCE						
DB1910.4	CONTRACTUAL	$ 33,560.00	$ 33,647.00	$ 33,659.00	$ 33,659.00	$ 33,659.00
	TOTAL	$ 33,560.00	$ 33,647.00	$ 33,659.00	$ 33,659.00	$ 33,659.00
MANDATORY TESTING						
DB4189.4	CONTRACTUAL	$ 1,200.00	$ 1,200.00	$ 1,200.00	$ 1,200.00	$ 1,200.00
	TOTAL	$ 1,200.00	$ 1,200.00	$ 1,200.00	$ 1,200.00	$ 1,200.00
GENERAL REPAIRS						
DB5110.1	PERSONAL SERVICES	$ 142,257.00	$ 166,702.00	$ 179,453.00	$ 179,453.00	$ 179,453.00
DB5110.4	CONTRACTUAL	$ 46,500.00	$ 46,500.00	$ 65,000.00	$ 72,500.00	$ 72,500.00
	TOTAL	$ 188,757.00	$ 213,202.00	$ 244,453.00	$ 251,953.00	$ 251,953.00
SPECIAL IMPROVEMENTS						
DB5112.4	CONTRACTUAL	$ 175,000.00	$ 230,000.00	$ 200,000.00	$ 200,000.00	$ 200,000.00
	TOTAL	$ 175,000.00	$ 230,000.00	$ 200,000.00	$ 200,000.00	$ 200,000.00
MACHINERY						
DB5130.2	CAPITAL OUTLAY & EQUIP	$ 81,050.00	$ 202,320.00	$ 35,000.00	$ -	$ -
DB5130.4	CONTRACTUAL	$ 50,000.00	$ 50,000.00	$ 60,000.00	$ 75,000.00	$ 75,000.00
	TOTAL	$ 131,050.00	$ 252,320.00	$ 95,000.00	$ 75,000.00	$ 75,000.00

TOWN OF COEYMANS
2009 ADOPTED BUDGET

		2007 ADOPTED BUDGET	2008 ADOPTED BUDGET	2009 TENTATIVE BUDGET	2009 PRELIMINARY BUDGET	2009 ADOPTED BUDGET
SNOW REMOVAL						
DB5142.1	PERSONAL SERVICES	$ 150,257.00	$ 175,702.00	$ 188,453.00	$ 188,453.00	$ 188,453.00
DB5142.4	CONTRACTUAL	$ 55,800.00	$ 60,000.00	$ 70,000.00	$ 100,000.00	$ 100,000.00
	TOTAL	$ 206,057.00	$ 235,702.00	$ 258,453.00	$ 288,453.00	$ 288,453.00
EMPLOYEE BENEFITS						
DB9010.8	RETIREMENT	$ 23,025.00	$ 31,354.00	$ 25,063.00	$ 25,063.00	$ 25,063.00
DB9030.8	SOCIAL SECURITY	$ 25,134.00	$ 28,206.00	$ 28,145.00	$ 28,145.00	$ 28,145.00
DB9040.8	WORKERS COMP	$ 40,204.00	$ 45,762.00	$ 45,764.00	$ 45,764.00	$ 45,764.00
DB9045.8	LIFE INSURANCE	$ 1,082.00	$ 783.00	$ 865.00	$ 865.00	$ 865.00
DB9050.8	UNEMPLOYMENT INSURANCE	$ -	$ -	$ -	$ -	$ -
DB9055.8	DISABILITY INSURANCE	$ 734.00	$ 888.00	$ 1,045.00	$ 1,045.00	$ 1,045.00
DB9060.8	HEALTH INSURANCE	$ 114,382.00	$ 105,000.00	$ 115,820.00	$ 115,820.00	$ 115,820.00
DB9070.8	DENTAL INSURANCE	$ 5,612.00	$ 5,841.00	$ 6,107.00	$ 6,107.00	$ 6,107.00
DB9089.8	OTHER EMPLOYEE BENEFITS	$ 3,550.00	$ -	$ 7,928.00	$ 7,928.00	$ 7,928.00
	TOTAL	$ 213,723.00	$ 217,834.00	$ 230,737.00	$ 230,737.00	$ 230,737.00
DEBT SERVICE						
DB9730.6	B.A.N. PRINCIPAL	$ -	$ -	$ -	$ -	$ -
DB9730.7	B.A.N. INTEREST	$ -	$ -	$ -	$ -	$ -
	TOTAL	$ -	$ -	$ -	$ -	$ -
TOTAL HIGHWAY (DB) APPROPRIATIONS		**$ 954,347.00**	**$ 1,188,905.00**	**$ 1,068,502.00**	**$ 1,086,002.00**	**$ 1,086,002.00**

TOWN OF COEYMANS
2009 ADOPTED BUDGET

		2007 ADOPTED BUDGET	2008 ADOPTED BUDGET	2009 TENTATIVE BUDGET	2009 PRELIMINARY BUDGET	2009 ADOPTED BUDGET
HIGHWAY (DB) REVENUES						
	LOCAL SOURCES					
DB1120	SALES TAX DISTRIBUTION	$ -	$ -	$ -	$ -	$ -
DB2401	INTEREST EARNED	$ -	$ -	$ -	$ -	$ -
DB2650	SALES OF SCRAP	$ -	$ -	$ -	$ -	$ -
DB2665	SALES OF EQUIPMENT	$ -	$ -	$ -	$ -	$ -
DB2701	REFUND PRIOR YEAR EXPENSES	$ -	$ -	$ -	$ -	$ -
DB2770	EMPLOYEE HEALTH CONTRIBUTION	$ -	$ -	$ 19,949.00	$ 19,949.00	$ 19,949.00
DB2680	INSURANCE	$ 19,585.00	$ -	$ -	$ -	$ -
DB0909	FUND BALANCE	$ 200,000.00	$ 200,000.00	$ 60,000.00	$ 60,000.00	$ 60,000.00
	STATE AID					
DB3501	CHIPS	$ 69,887.00	$ 70,455.00	$ 84,000.00	$ 84,000.00	$ 84,000.00
	TRANSFER FROM OTHER FUNDS					
DB5031	Transfer in from B Fund	$ 664,875.00	$ 918,450.00	$ 904,553.00	$ 922,053.00	$ 922,053.00
TOTAL HIGHWAY (DB) ESTIMATED REVENUE		**$ 954,347.00**	**$ 1,188,905.00**	**$ 1,068,502.00**	**$ 1,086,002.00**	**$ 1,086,002.00**

TOWN OF COEYMANS
2009 ADOPTED BUDGET

		2007 ADOPTED BUDGET	2008 ADOPTED BUDGET	2009 TENTATIVE BUDGET	2009 PRELIMINARY BUDGET	2009 ADOPTED BUDGET
SEWER (SS) APPROPRIATIONS						
SS1220	ADMINISTRATIVE FEES	$ 10,000.00	$ 10,000.00	$ 10,000.00	$ 10,000.00	$ 10,000.00
SS1910.4	INSURANCE CONTRACTUAL	$ 8,970.00	$ 8,476.00	$ 6,897.00	$ 6,897.00	$ 6,897.00
SS8130.1	PERSONAL SERVICES	$ 111,228.00	$ 116,231.00	$ 119,299.00	$ 119,299.00	$ 119,299.00
SS8130.2	CAPITAL OUTLAY	$ -	$ -	$ 165,000.00	$ -	$ -
SS8130.4	CONTRACTUAL (JOINT)	$ 70,000.00	$ 100,000.00	$ 125,000.00	$ 125,000.00	$ 125,000.00
SS8130.5	CONTRACTUAL (TOWN)	$ 20,000.00	$ 80,000.00	$ 60,000.00	$ 60,000.00	$ 60,000.00
	TOTAL	$ 220,198.00	$ 314,707.00	$ 486,196.00	$ 321,196.00	$ 321,196.00
BENEFITS						
SS9010.8	RETIREMENT	$ 10,025.00	$ 9,200.00	$ 6,558.00	$ 6,558.00	$ 6,558.00
SS9030.8	SOCIAL SECURITY	$ 8,473.00	$ 8,900.00	$ 9,127.00	$ 9,127.00	$ 9,127.00
SS9040.8	WORKERS COMPENSATION	$ 5,070.00	$ 5,770.00	$ 5,771.00	$ 5,771.00	$ 5,771.00
SS9045.8	LIFE INSURANCE	$ 361.00	$ 261.00	$ 261.00	$ 261.00	$ 261.00
SS9055.8	DISABILITY INSURANCE	$ 350.00	$ 390.00	$ 327.00	$ 327.00	$ 327.00
SS9060.8	HEALTH INSURANCE	$ 36,211.00	$ 29,082.00	$ 38,927.00	$ 38,927.00	$ 38,927.00
SS9070.8	DENTAL INSURANCE	$ 1,871.00	$ 1,947.00	$ 2,036.00	$ 2,036.00	$ 2,036.00
SS9089.8	OTHER EMPLOYEE BENEFITS	$ 1,600.00	$ -	$ -	$ -	$ -
	TOTAL	$ 63,961.00	$ 55,550.00	$ 63,007.00	$ 63,007.00	$ 63,007.00
DEBT SERVICE						
SS9710.6	SERIAL BOND PRINCIPAL	$ 9,000.00	$ -	$ -	$ -	$ -
SS9710.7	SERIAL BOND INTEREST	$ 450.00	$ -	$ -	$ -	$ -
SS9730.6	BAN - PRINCIPAL	$ 89,000.00	$ 90,000.00	$ 65,000.00	$ 65,000.00	$ 65,000.00
SS9730.7	BAN - INTEREST	$ 26,920.00	$ 23,874.00	$ 8,958.00	$ 8,958.00	$ 8,958.00
SS1380.4	FISCAL AGENT FEES	$ 1,000.00	$ 1,000.00	$ 1,000.00	$ -	$ -
	TOTAL	$ 126,370.00	$ 114,874.00	$ 74,958.00	$ 73,958.00	$ 73,958.00
TOTAL SEWER (SS) APPROPRIATIONS		**$ 410,529.00**	**$ 485,131.00**	**$ 624,161.00**	**$ 458,161.00**	**$ 458,161.00**

TOWN OF COEYMANS
2009 ADOPTED BUDGET

		2007 ADOPTED BUDGET	2008 ADOPTED BUDGET	2009 TENTATIVE BUDGET	2009 PRELIMINARY BUDGET	2009 ADOPTED BUDGET
SEWER (SS) ESTIMATED REVENUES						
SS2120	SEWER RENTS	$ 197,074.00	$ 199,088.00	$ 189,525.00	$ 154,665.00	$ 154,665.00
SS2128	INTEREST & PENALTIES-RENTS	$ 1,200.00	$ 1,200.00	$ 1,200.00	$ 1,200.00	$ 1,200.00
SS2374	VILLAGE OF RAVENA	$ 210,855.00	$ 283,268.00	$ 425,375.00	$ 294,235.00	$ 294,235.00
SS2401	INTEREST EARNED	$ 1,300.00	$ 1,500.00	$ 200.00	$ 200.00	$ 200.00
SS2402	INTEREST SPEC. RESERVE	$ 100.00	$ 75.00	$ 75.00	$ 75.00	$ 75.00
SS2655	MISC. INCOME	$ -	$ -	$ -	$ -	$ -
SS2680	INSURANCE RECOVERIES	$ -	$ -	$ -	$ -	$ -
SS2701	REFUND PRIOR YEARS EXPENSES	$ -	$ -	$ -	$ -	$ -
SS2770	EMPLOYEE HEALTH CONTRIBUTION	$ -	$ -	$ 7,786.00	$ 7,786.00	$ 7,786.00
SS0909	FUND BALANCE	$ -	$ -	$ -	$ -	$ -
TOTAL SEWER (SS) ESTIMATED REVENUES		**$ 410,529.00**	**$ 485,131.00**	**$ 624,161.00**	**$ 458,161.00**	**$ 458,161.00**

TOWN OF COEYMANS
2009 ADOPTED BUDGET

		2007 ADOPTED BUDGET	2008 ADOPTED BUDGET	2009 TENTATIVE BUDGET	2009 PRELIMINARY BUDGET	2009 ADOPTED BUDGET
SPECIAL WATER DISTRICT						
SW8320.1	PERSONAL SERVICES	$ 3,000.00	$ -	$ -	$ -	$ -
SW8320.4	CONTRACTUAL	$ 160,000.00	$ 163,000.00	$ 163,000.00	$ 163,000.00	$ 163,000.00
	TOTAL APPROPRIATIONS	**$ 163,000.00**	**$ 163,000.00**	**$ 163,000.00**	**$ 163,000.00**	**$ 163,000.00**
SW2140	REVENUES-WATER RENTS	$ 163,000.00	$ 163,000.00	$ 163,000.00	$ 163,000.00	$ 163,000.00
SW2148	INTEREST & PENALTIES	$ -	$ -	$ -	$ -	$ -
SW2401	INTEREST & EARNINGS	$ -	$ -	$ -	$ -	$ -
	TOTAL WATER REVENUES	**$ 163,000.00**	**$ 163,000.00**	**$ 163,000.00**	**$ 163,000.00**	**$ 163,000.00**

TOWN OF COEYMANS
2009 ADOPTED BUDGET

	2007 ADOPTED BUDGET	2008 ADOPTED BUDGET	2009 TENTATIVE BUDGET	2009 PRELIMINARY BUDGET	2009 ADOPTED BUDGET
FIRE DISTRICTS (FOR TAX INFORMATION ONLY)					
COEYMANS HOLLOW FIRE DISTRICT	$ 251,530.00	$ 261,425.00	$ 261,950.00	$ -	$ -
COEYMANS FIRE DISTRICT	$ 307,650.00	$ 315,235.00	$ 325,375.00	$ -	$ -

TOWN OF COEYMANS
2009 ADOPTED BUDGET

	2007 ADOPTED BUDGET	2008 ADOPTED BUDGET	2009 TENTATIVE BUDGET	2009 PRELIMINARY BUDGET	2009 ADOPTED BUDGET
SALARIES FOR ELECTED OFFICIALS					
COUNCIL MEMBERS (4 @ $12,000)	$ 36,000.00	$ 48,000.00	$ 48,000.00	$ 48,000.00	$ 48,000.00
JUSTICE (2 @ $17,500)	$ 33,000.00	$ 35,000.00	$ 35,000.00	$ 35,000.00	$ 35,000.00
SUPERVISOR	$ 35,000.00	$ 45,000.00	$ 45,000.00	$ 45,000.00	$ 45,000.00
TOWN CLERK	$ 37,500.00	$ 40,500.00	$ 40,500.00	$ 40,500.00	$ 40,500.00
HIGHWAY SUPERINTENDENT	$ 46,880.00	$ 50,000.00	$ 50,000.00	$ 50,000.00	$ 50,000.00

2009 TAX RATE SUMMARY (WITH 2005, 2006, 2007 and 2008 RATE COMPARISON)

Taxing Authority	Total Assessed Value	Amount to be raised by taxes ($ actual)	Current Rate (per $1000 of assessed value)	Prior Rate (per $1000 of assessed value)	% Change
2005					
Town of Coeymans	385932.013	1,910,525.00	4.950419	4.902000	0.99%
Coeymans Hollow Fire District	139071.994	185,648.00	1.334906	1.279611	4.32%
Coeymans Fire District	154050.028	289,895.00	1.881824	1.252329	50.27%
2006					
Town of Coeymans	388150.916	1,974,607.00	5.087215	4.950419	2.76%
Coeymans Hollow Fire District	140189.719	183,000.00	1.305374	1.334906	-2.21%
Coeymans Fire District	153346.578	299,440.00	1.952701	1.881824	3.77%
2007					
Town of Coeymans	389697.042	1,934,816.00	4.964923	5.087215	-2.40%
Coeymans Hollow Fire District	141274.171	251,530.00	1.780439	1.305374	36.39%
Coeymans Fire District	153024.583	307,650.00	2.010461	1.952701	2.96%
Conversion of 2007 Rate in light of Revaluation of Assessments					
Town of Coeymans	*603298.817*	*1,934,816.00*	*3.207061*		
Coeymans Hollow Fire District	*234198.160*	*251,530.00*	*1.074005*		
Coeymans Fire District	*219024.151*	*307,650.00*	*1.404640*		
2008					
Town of Coeymans	603298.817	1,692,825.00	2.805948	3.207061	-12.51%
Coeymans Hollow Fire District	234198.160	261,425.00	1.116256	1.074005	3.93%
Coeymans Fire District	219024.151	315,235.00	1.439271	1.405449	2.41%
2009					
Town of Coeymans	603058.405	1,741,987.00	2.888588	2.805948	2.95%
Coeymans Hollow Fire District	234280.259	261,950.00	1.118105	1.116256	0.17%
Coeymans Fire District	218627.784	325,375.00	1.488260	1.439271	3.40%

NYS - Real Property System
County of Albany
Town of Coeymans - 0124

Assessor's Report - 2008 - Prior Year File
S495 Exemption Impact Report
Town Summary

RPS221/V04/L001
Date/Time - 10/6/2008 17:13:28
Total Assessed Value 664,165,794
Uniform Percentage 100.00

Equalized Total Assessed Value 664,165,794

Exemption Code	Exemption Name	Statutory Authority	Number of Exemptions	Total Equalized Value of Exemptions	Percent of Value Exempted
12100	NYS - GENERALLY	RPTL 404(1)	9	1,728,000	0.26
13100	CO - GENERALLY	RPTL 406(1)	2	755,400	0.11
13500	TOWN - GENERALLY	RPTL 406(1)	17	2,046,800	0.31
13650	VG - GENERALLY	RPTL 406(1)	16	3,712,500	0.56
13800	SCHOOL DISTRICT	RPTL 408	5	15,942,700	2.40
13870	SPEC DIST USED FOR PURPOSE EST	RPTL 410	4	2,224,500	0.33
25110	NONPROF CORP - RELIG(CONST PRO	RPTL 420-a	14	3,808,800	0.57
25120	NONPROF CORP - EDUCL(CONST PRO	RPTL 420-a	1	1,051,000	0.16
25130	NONPROF CORP - CHAR (CONST PRO	RPTL 420-a	3	576,200	0.09
25230	NONPROF CORP - MORAL/MENTAL IM	RPTL 420-a	4	803,000	0.12
25300	NONPROF CORP - SPECIFIED USES	RPTL 420-b	3	169,900	0.03
26050	AGRICULTURAL SOCIETY	RPTL 450	3	256,900	0.04
26100	VETERANS ORGANIZATION	RPTL 452	1	202,600	0.03
27350	PRIVATELY OWNED CEMETERY LAND	RPTL 446	6	339,300	0.05
33201	TAX SALE - COUNTY OWNED	RPTL 406(5)	2	2,100	0.00
41001	VETERANS EXEMPTION INCR/DECR I	RPTL 458(5)	49	3,701,495	0.56
41121	ALT VET EX-WAR PERIOD-NON-COMB	RPTL 458-a	40	1,048,500	0.16
41123	ALT VET EX-WAR PERIOD-NON-COMB	RPTL 458-a	91	2,256,445	0.34
41131	ALT VET EX-WAR PERIOD-COMBAT	RPTL 458-a	43	1,818,447	0.27
41133	ALT VET EX-WAR PERIOD-COMBAT	RPTL 458-a	106	4,465,963	0.67
41141	ALT VET EX-WAR PERIOD-DISABILI	RPTL 458-a	9	474,095	0.07
41143	ALT VET EX-WAR PERIOD-DISABILI	RPTL 458-a	7	144,265	0.02
41400	CLERGY	RPTL 460	2	3,000	0.00
41700	AGRICULTURAL BUILDING	RPTL 483	5	267,975	0.04
41720	AGRICULTURAL DISTRICT	AG-MKTS L 305	22	1,192,610	0.18
41730	AGRIC LAND-INDIV NOT IN AG DIS	AG MKTS L 306	10	607,011	0.09
41800	PERSONS AGE 65 OR OVER	RPTL 467	320	9,053,416	1.36

NYS - Real Property System
County of Albany
Town of Coeymans - 0124

Assessor's Report - 2008 - Prior Year File
S495 Exemption Impact Report
Town Summary

RPS221/V04/L001
Date/Time - 10/6/2008 17:13:28
Total Assessed Value 664,165,794
Uniform Percentage 100.00

Equalized Total Assessed Value 664,165,794

Exemption Code	Exemption Name	Statutory Authority	Number of Exemptions	Total Equalized Value of Exemptions	Percent of Value Exempted
41801	PERSONS AGE 65 OR OVER	RPTL 467	4	200,087	0.03
41930	DISABILITIES AND LIMITED INCOM	RPTL 459-c	31	890,443	0.13
48660	HOUSING DEVELOPMENT FUND CO	P H FI L 577,654-a	1	1,374,000	0.21
49500	SOLAR OR WIND ENERGY SYSTEM	RPTL 487	1	1,540	0.00
50000			1	19,700	0.00
Total Exemptions Exclusive of System Exemptions:			831	61,118,992	9.20
Total System Exemptions:			1	19,700	0.00
Totals:			832	61,138,692	9.21

Values have been equalized using the Uniform Percentage of Value. The Exempt amounts do not take into consideration, payments in lieu of taxes or other payments for municipal services.

Amount, if any, attributable to payments in lieu of taxes: 16,828

NYS - Real Property System
County of Albany
Town of Coeymans - 0124
Village of Ravena
SWIS Code - 012401

Assessor's Report - 2008 - Prior Year File
S495 Exemption Impact Report
Town Detail Report

RPS221/V04/L001
Date/Time - 10/6/2008 17:13:28
Total Assessed Value 198,057,642
Uniform Percentage 100.00

Equalized Total Assessed Value 198,057,642

Exemption Code	Exemption Name	Statutory Authority	Number of Exemptions	Total Equalized Value of Exemptions	Percent of Value Exempted
12100	NYS - GENERALLY	RPTL 404(1)	2	499,300	0.25
13500	TOWN - GENERALLY	RPTL 406(1)	3	531,200	0.27
13650	VG - GENERALLY	RPTL 406(1)	16	3,712,500	1.87
13800	SCHOOL DISTRICT	RPTL 408	3	11,835,200	5.98
25110	NONPROF CORP - RELIG(CONST PRO	RPTL 420-a	10	2,731,400	1.38
25120	NONPROF CORP - EDUCL(CONST PRO	RPTL 420-a	1	1,051,000	0.53
25130	NONPROF CORP - CHAR (CONST PRO	RPTL 420-a	1	501,000	0.25
25230	NONPROF CORP - MORAL/MENTAL IM	RPTL 420-a	3	533,000	0.27
26100	VETERANS ORGANIZATION	RPTL 452	1	202,600	0.10
33201	TAX SALE - COUNTY OWNED	RPTL 406(5)	1	1,500	0.00
41001	VETERANS EXEMPTION INCR/DECR I	RPTL 458(5)	31	2,033,343	1.03
41121	ALT VET EX-WAR PERIOD-NON-COMB	RPTL 458-a	12	270,450	0.14
41123	ALT VET EX-WAR PERIOD-NON-COMB	RPTL 458-a	40	926,325	0.47
41131	ALT VET EX-WAR PERIOD-COMBAT	RPTL 458-a	19	716,800	0.36
41133	ALT VET EX-WAR PERIOD-COMBAT	RPTL 458-a	46	1,758,438	0.89
41141	ALT VET EX-WAR PERIOD-DISABILI	RPTL 458-a	2	112,470	0.06
41143	ALT VET EX-WAR PERIOD-DISABILI	RPTL 458-a	3	77,055	0.04
41800	PERSONS AGE 65 OR OVER	RPTL 467	163	4,010,533	2.02
41801	PERSONS AGE 65 OR OVER	RPTL 467	2	96,532	0.05

NYS - Real Property System
County of Albany
Town of Coeymans - 0124
Village of Ravena
SWIS Code - 012401

Assessor's Report - 2008 - Prior Year File
S495 Exemption Impact Report
Town Detail Report

RPS221/V04/L001
Date/Time - 10/6/2008 17:13:28
Total Assessed Value 198,057,642
Uniform Percentage 100.00

Equalized Total Assessed Value 198,057,642

Exemption Code	Exemption Name	Statutory Authority	Number of Exemptions	Total Equalized Value of Exemptions	Percent of Value Exempted
41930	DISABILITIES AND LIMITED INCOM	RPTL 459-c	20	569,505	0.29
Total Exemptions Exclusive of System Exemptions:			379	32,170,151	16.24
Total System Exemptions:			0	0	0.00
Totals:			379	32,170,151	16.24

Values have been equalized using the Uniform Percentage of Value. The Exempt amounts do not take into consideration, payments in lieu of taxes or other payments for municipal services.

Amount, if any, attributable to payments in lieu of taxes: _____

NYS - Real Property System
County of Albany
Town of Coeymans
SWIS Code - 012489

Assessor's Report - 2008 - Prior Year File
S495 Exemption Impact Report
Town Detail Report

RPS221/V04/L001
Date/Time - 10/6/2008 17:13:28
Total Assessed Value 466,108,152
Uniform Percentage 100.00

Equalized Total Assessed Value 466,108,152

Exemption Code	Exemption Name	Statutory Authority	Number of Exemptions	Total Equalized Value of Exemptions	Percent of Value Exempted
12100	NYS - GENERALLY	RPTL 404(1)	7	1,228,700	0.26
13100	CO - GENERALLY	RPTL 406(1)	2	755,400	0.16
13500	TOWN - GENERALLY	RPTL 406(1)	14	1,515,600	0.33
13800	SCHOOL DISTRICT	RPTL 408	2	4,107,500	0.88
13870	SPEC DIST USED FOR PURPOSE EST	RPTL 410	4	2,224,500	0.48
25110	NONPROF CORP - RELIG(CONST PRO	RPTL 420-a	4	1,077,400	0.23
25130	NONPROF CORP - CHAR (CONST PRO	RPTL 420-a	2	75,200	0.02
25230	NONPROF CORP - MORAL/MENTAL IM	RPTL 420-a	1	270,000	0.06
25300	NONPROF CORP - SPECIFIED USES	RPTL 420-b	3	169,900	0.04
26050	AGRICULTURAL SOCIETY	RPTL 450	3	256,900	0.06
27350	PRIVATELY OWNED CEMETERY LAND	RPTL 446	6	339,300	0.07
33201	TAX SALE - COUNTY OWNED	RPTL 406(5)	1	600	0.00
41001	VETERANS EXEMPTION INCR/DECR I	RPTL 458(5)	18	1,668,152	0.36
41121	ALT VET EX-WAR PERIOD-NON-COMB	RPTL 458-a	28	778,050	0.17
41123	ALT VET EX-WAR PERIOD-NON-COMB	RPTL 458-a	51	1,330,120	0.29
41131	ALT VET EX-WAR PERIOD-COMBAT	RPTL 458-a	24	1,101,647	0.24
41133	ALT VET EX-WAR PERIOD-COMBAT	RPTL 458-a	60	2,707,525	0.58
41141	ALT VET EX-WAR PERIOD-DISABILI	RPTL 458-a	7	361,625	0.08
41143	ALT VET EX-WAR PERIOD-DISABILI	RPTL 458-a	4	67,210	0.01
41400	CLERGY	RPTL 460	2	3,000	0.00
41700	AGRICULTURAL BUILDING	RPTL 483	5	267,975	0.06
41720	AGRICULTURAL DISTRICT	AG-MKTS L 305	22	1,192,610	0.26
41730	AGRIC LAND-INDIV NOT IN AG DIS	AG MKTS L 306	10	607,011	0.13
41800	PERSONS AGE 65 OR OVER	RPTL 467	157	5,042,883	1.08
41801	PERSONS AGE 65 OR OVER	RPTL 467	2	103,555	0.02
41930	DISABILITIES AND LIMITED INCOM	RPTL 459-c	11	320,938	0.07
48660	HOUSING DEVELOPMENT FUND CO	P H FI L 577,654-a	1	1,374,000	0.29
49500	SOLAR OR WIND ENERGY SYSTEM	RPTL 487	1	1,540	0.00

NYS - Real Property System
County of Albany
Town of Coeymans
SWIS Code - 012489

Assessor's Report - 2008 - Prior Year File
S495 Exemption Impact Report
Town Detail Report

RPS221/V04/L001
Date/Time - 10/6/2008 17:13:28
Total Assessed Value 466,108,152
Uniform Percentage 100.00

Equalized Total Assessed Value 466,108,152

Exemption Code	Exemption Name	Statutory Authority	Number of Exemptions	Total Equalized Value of Exemptions	Percent of Value Exempted
50000			1	19,700	0.00
Total Exemptions Exclusive of System Exemptions:			452	28,948,841	6.21
Total System Exemptions:			1	19,700	0.00
Totals:			453	28,968,541	6.21

Values have been equalized using the Uniform Percentage of Value. The Exempt amounts do not take into consideration, payments in lieu of taxes or other payments for municipal services.

Amount, if any, attributable to payments in lieu of taxes: $ 16,828

OLD BUSINESS

RFP Hannacroix Creek

Supervisor Hotaling stated that the FEMA Project for the Hannacroix Creek has been advertised for Request for Proposals and added that his hope is that they will get some back. He continued by saying when it was discussed prior they established some dates that did not work and continued by saying that the RFP was out with a November 17th, 1pm, mandatory pre-proposal meeting at Town Hall, where those who would like to make proposals on the project will meet and go to the site at the Hannacroix Creek in the Joralemon Park area. He went on by saying they have a December 15th date to receive the final proposals in writing by 4pm and added that originally November 10th was the pre-proposal date, which they changed to make it fit the advertisement better.

Speed Limit – Zabel Hill Road & Indian Hill Road

Supervisor Hotaling stated that a while ago, on August 5th, following receipt of the Highway Superintendent's memorandum of July 1st, the Town Board authorized petitioning the County and State for a review of the speed limit on Zabel Hill Road. He continued by saying that in turn the State and County did a traffic study and in a letter dated October 22nd to Michael Franchini, Commissioner of Public Works, the State Regional Traffic Engineer, Mark Kennedy wrote the following:

Our recent field investigation of this area found well paved roads with low traffic volumes. However, the adverse geometry and residential nature would warrant a reduced speed and we have determined that an area 30 mph speed limit would be a better solution rather than multiple linear speed limits. We have written an order for such an area speed limit, and, upon receipt of a signed copy of this order, you may arrange to have the roads posted in conformance with the NYS Supplement to the Federal MUTCD.

Supervisor Hotaling continued by saying that they included Indian Hill Road as part of the area for a 30 mph speed and then asked Highway Superintendent Deering if he was familiar with the letter.

Highway Superintendent Deering stated that he was.

Supervisor Hotaling continued by saying that they had originally requested Zabel Hill Road and added that the State took a different approach and made the area of Indian Hill Road and Zabel Hill Road an area speed limit and then asked Highway Superintendent Deering if he is comfortable with that.

Highway Superintendent Deering stated that he was.

Supervisor Hotaling continued by saying that he does not know to what extent signage has been ordered and added that he wanted to bring to everyone's attention that there is such a speed limit and the Town Board authorizes Highway Superintendent Deering to execute the area speed limit with the proper signage. He then asked if Highway Superintendent Deering had any comments, hearing none he moved to the next item on the agenda.

Highway Garage Alarm System

Supervisor Hotaling stated that in the Underwriting Survey done by NYMIR, many things were cited with one being an alarm system for the Highway Garage. He continued by reading the following from the survey:

During the survey no fire or smoke detectors were in this location. It is recommended that the Town install a central station fire alarm detective system as soon as practical.

Supervisor Hotaling continued by saying that is was back in late summer and in turn they now have information submitted by Highway Superintendent Deering and his deputy about a State Contracted Simplex Grinnell System that can be spec'd out by them at the

cost of approximately $4,000.00. He added that once spec'd out and ready for installation, a licensed electrician would be sought after to provide a bid for such installation pursuant to the specifications. He then asked Highway Superintendent Deering if this was his understanding.

Highway Superintendent Deering stated that it is and reiterated that the total equipment is a State Contract price.

Supervisor Hotaling added that the labor is not State Contract and reiterated that it will be bid out for that.

Highway Superintendent Deering inquired as to if he had received information on the phone line and added that it is $75.00. He continued by saying that there is $4,663.80 in the account left for this.

Supervisor Hotaling stated that there are some things that were discovered earlier in the day that will have to come out of that and added that it is related to the installation of the doors, which will be a voucher from one department to the other, which will be the B-Fund installing the doors and then vouchered to the Highway Department. He went on by saying that he does not anticipate it being a lot of money and will probably be around $1,500.00, which will take the $8,000.00 down a bit and still fit the $4,000.00. He continued by saying that the question will be whether they get it this year and encumber it or wait until next year to purchase it because in looking at the balances in many department, with the Highway Department in particular, they are on the edge of their budgetary limits for 2008.

Highway Superintendent Deering inquired as to if he was talking about the A-Fund.

Supervisor Hotaling stated that it is.

Highway Superintendent Deering stated that there is a balance of $8,777.68.

Supervisor Hotaling stated that they can probably get the equipment out of the A-Fund this year and added that they will see what happens as they get in vouchers for the balance of the year and then inquired as to if the building contractual utilities come out of it as well.

Highway Superintendent Deering stated it is another account and is a .4 account.

Supervisor Hotaling stated that the equipment for .2 of the A-Fund could be purchased and encumbered in this year's funds without too much of a problem in terms of the other vouchers that they anticipate and added that they may have to take another look at it depending on when the specifications are done as to how much it is going to cost to install it. He continued by saying that they might be able to encumber the balance that is left in the account for installation but they might have to rollover to next year to actually get the installation done to supplement the funds. He concluded by saying that the specifications may take a while to create anyway and added that he believes that they can allow Highway Superintendent Deering to put a Purchase Order in for the equipment.

Collectively the Town Board agreed.

Supervisor Hotaling asked that Highway Superintendent Deering, based upon State Contract prices, put a Purchase Order together so that they can get the specifications started.

Highway Superintendent Deering stated that he would and added that there is a monthly charge for 2009 of $30.00 and per year it is $360.00 as well as a yearly monitoring charge estimated by Simplex to be approximately $500.00.

Supervisor Hotaling stated that they will have to find the money because it is not budgeted for 2009.

NEW BUSINESS

Resignation of Dog Control Officer

Supervisor Hotaling stated that he is in receipt of a resignation from a Dog Control Officer dated October 20th and continued by reading the following:

To: Chief Darlington
From: Henry Traver

Due to other lifestyle changes I am unable to fulfill my duties as DCO any longer. Please accept the memo as my resignation as of November 20, 2008.

Henry Traver

Supervisor Hotaling stated that it is a request for a resignation and then asked the Town Board if there was a motion to accept it.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Boehm, accepting the resignation of Dog Control Officer Traver.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Contract for Labor Relations Services for Council 82 Negotiations

Supervisor Hotaling stated that they have Council 82 negotiations coming up and added that Chief Darlington has had communications with Council 82 representative Richard Stevens who is looking for some dates. He continued by saying that they have a proposal from Michael Richardson, Labor Relations Consultant, and added that it is the same as it was the last time at $150.00 an hour with travel time not being charged and went on by saying that there will be mileage and toll charges. He reiterated that the proposal is similar to last year and they have already talked about getting Mr. Richardson back and then asked for a motion to execute the agreement.

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, authorizing the Supervisor to execute the agreement for Labor Relations Consultant Michael Richardson for the purpose of assisting in the negotiations of the Council 82 Contract, which expires December 31, 2008.
VOTE – AYES 5 – NAYS 0 – SO MOVED

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RESOLUTIONS

Supervisor Hotaling stated that Mr. Geraldson was appointed provisionally a few months ago and recognized that he had to take a test for his traineeship, which he has taken and passed. He then asked that Councilman Touchette read the resolution.

RES. #114-08 APPOINT SEWER TREATMENT PLANT OPERATOR TRAINEE
On motion of Councilman Touchette, seconded by Councilman Youmans, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, Resolution #35-08 was presented and passed unanimously at the January 28, 2008 Town Board Meeting, provisionally appointing Keith P. Geraldson as Sewer Treatment Plant Operator Trainee, and

WHEREAS, the provisional appointment required Mr. Geraldson to submit to an examination by Albany County Civil Service, and

WHEREAS, Mr. Geraldson has taken examination #200808130, passed the exam and is listed on the Albany County Civil Service list established on October 2, 2008, certified to the Town of Coeymans on October 28, 2008,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby permanently appoint Keith P. Geraldson to the position of Sewer Treatment Plant Operator Trainee, effective immediately, at a salary consistent with the Labor Management Agreement.

Supervisor Hotaling stated that the next resolution was to acknowledge a loan from the B-Fund to the Sewer Fund to pay the expenditures when due.

RES. #115-08 APPROVE INNER-LOAN SEWER FUND TRANSFER
On motion of Councilman Youmans, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the Sewer Fund has an abstract this is due, and

WHEREAS, the Town of Coeymans anticipates the funds necessary to pay the abstract will not be collected from sewer rents billed in time, and

WHEREAS, the Town desires to make the abstract payment on time,

NOW, THEREFORE, BE IT RESOLVED, that the General Part-Town Fund (B) will loan the Sewer Fund $16,000.00 to pay for the sufficient expenditures when due. When sufficient Sewer Rents are collected, they will be used to repay the General Part-Town Fund (B). The Sewer Fund will repay the loan with 2% interest.

Supervisor Hotaling stated that this is the second loan and added that they had loaned $34,000.00 the month prior and the $16,000.00 gets them through the abstract and continued by saying that he has mentioned to members of the Town Board that there will be a need to make another loan to the Sewer Fund before the end of the year to pay their bills and will be approximately $50,000.00. He went on by saying that this is due to the fact that they have not been paid by the Village of Ravena for their services for sewer since June 2008 and added that a Sewer Bill was sent to them for approximately $141,000.00 to cover the period of June to December 2008, which has not been paid and negotiations between the Town and Village have stalled. He concluded by saying that he did receive a phone call earlier in the day from Trustee Bailey requesting a meeting date, which he and Councilman Youman's are collaborating as to when it can occur and added that it is not a result of bad budgeting but rather not receiving payment that is due.

Supervisor Hotaling stated that the following resolution goes back to the amendments in the budget that will be required as a result of payment for costs incurred for the CDBG Grant that was rejected a couple of months ago.

RES. #116-08 APPROVE CDBG CLOSURE FUND TRANSFER
On motion of Councilman Boehm, seconded by Councilwoman Rogers, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the Town of Coeymans has terminated the Community Development Block Grant (CDBG) with New York State, and

WHEREAS, the Town of Coeymans has incurred certain costs associated with this grant that will no longer be reimbursed by the grant, and

WHEREAS, the Town of Coeymans must provide a source of funds in which to pay for these costs, and

WHEREAS, the Town of Coeymans has the resources to fund these costs in the General Fund (A),

NOW, THEREFORE, BE IT RESOLVED, that the special grant fund for this project is closed and all of its activities be recorded in the General Fund (A), and

BE IT FURTHER RESOLVED, that the General Fund budget be amended as follows:

Increase Other Economic Assistance	A6789.4	$32,543.50
Decrease Engineering	A1440.4	$25,000.00
Decrease Elections	A1450.4	$ 7,543.00

Supervisor Hotaling stated that this is increasing the appropriations to cover the cost associated with the preliminary items for the Laberge lawyers and added that it is being done by decreasing engineering and elections and continued by saying that $45,000.00 has been set aside for elections, as requested by the County, and they still have not received a bill.

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ADDITIONAL COMMENTS

Supervisor Hotaling asked if there were any other New or Old Business topics that the Board wished to address.

Councilman Boehm inquired as to what has been done for the emergency parking and snow removal.

Chief Darlington stated that he and Highway Superintendent Deering had met and went through the Hamlet and discussed what their feelings were and in turn presented it to Attorney for the Town Wukitsch, who has reviewed it and came up with a Local Law to be presented to the Town Board. He added that he was going to ask that it be put on the November 18th Workshop to present and discuss.

Councilman Boehm stated that they can discuss it further at the Workshop.

Supervisor Hotaling inquired as to if he has already been put on the agenda.

Chief Darlington stated that he wasn't sure.

Supervisor Hotaling stated that he would check the tentative agenda and get back to him and added that if he's not on it, he can add him.

Councilman Boehm inquired as to if this is something that they can adopt and implement for the upcoming snow season.

Chief Darlington stated that it has to be presented to the Town Board and in turn there has to be a Public Hearing.

Supervisor Hotaling stated that it has to be introduced by a member of the Board and then a Public Hearing. He continued by saying that it will be a couple of meetings but it can be done before the major snow storms.

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CORRESPONDENCE

Rapp Road Landfill Extension

Supervisor Hotaling stated that he has a copy of a letter that was sent on the Town's behalf by their Environmental Attorney Mark Schachner with Miller, Mannix, Schachner & Haffner, LLC, who so far has been successful in their efforts to resist the siting of the Albany Regional Landfill in the Town of Coeymans. He continued by saying that there is a recent effort on the part of the City of Albany to expand Rapp Road given the evidence need by the Mayor of the City of Albany to DEC about needing some time in order to

find another alternative either by exploring continuing Coeymans alternative or finding another alternative for a waste disposal for himself and those people in communities in the A.N.S.W.E.R.S. Consortium that he services, which also gives him about 14 million dollars in revenue and this is how his budget balances on an annual basis. He went on by saying that he and Mr. Schachner spoke and they approved a letter to be sent by Mr. Schachner to Angelo Marcuccio, an Environmental Analyst at ENCON and continued by reading the following:

Dear Mr. Marcuccio:

We are Special Counsel to the Town of Coeymans which, as you know, has a strong interest in following the efforts of the City of Albany to properly manage its solid waste disposal practices in the Capital District. More specifically, the Town of Coeymans includes the site which was targeted by the City now more than a decade ago as the possible location of a regional landfill; a project which, as the Town has previously pointed out on numerous occasions, was poorly planned and ill-conceived.

The City has long owned and operated the Rapp Road Landfill and appears to have done so reasonably successfully. In contrast to the City's initial Coeymans' facility proposal, expansion of its existing landfill seems to address the needs of the City and those surrounding communities utilizing the facility in a very appropriate manner. The application undoubtedly raises some technical issues, which we trust will be property reviewed by the Department during the Permit Application review and Permit issuance process.

In conclusion, please be advised that the Town of Coeymans supports the efforts of the City of Albany to manage its solid waste disposal issues through expansion of its existing facility. However, the City's Coeymans proposal apparently remains listed as an "active application" in the Department's files. The Town reiterates its opposition to that application and our request that it be deemed inactive and withdrawn in light of the City's failure to prepare any Environmental Impact Statement after issuance of the SEQRA Positive Declaration and, especially, now that the City is pursing a much more sound alternative.

Thank you for your consideration of the comments of the Town of Coeymans.

Very truly yours,

Miller, Mannix, Schachner & Haffner LLC
Mark Schachner

cc: Coeymans Town Board

Supervisor Hotaling continued by saying that it is a very on point letter to DEC and added that hopefully through either the letter that was sent in 2006, the comments that they have had recently with the Regional Director of DEC, and the many letters that Mr. Schachner and his organization has sent on the Town's behalf, it will finally put an end to the application that was placed but never completed by the City of Albany since 1994. He added that under DEC's own policies and procedures it should have been dismissed and thrown out within 6 months after it was applied for in 1994 because they never did the Environmental Impact Statement. He concluded by saying that once again the letter asks that they void the application.

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TOWN BOARD WORKSHOPS / MEETINGS

- Town Board Workshop, November 18, 2008, 6pm
- Town Board Meeting, November 24, 2008, 7pm

CLOSING COMMENTS

Supervisor Hotaling asked if there were any additional comments.

Councilman Youmans stated that he wanted to thank Mr. Henry Traver for his services as Dog Control Officer for the Town of Coeymans. He continued by saying that he would like the Town Board to discuss and consider replacing the part-time carpenter who had resigned and added that he believes that it was an extremely good thing to have a carpenter on a part-time as needed basis on staff to handle the general work that needs to be done on the Town's buildings. He went on by saying that it makes sense because it eliminated dealing with contractors and reiterated that he believes that they should consider replacing him.

Supervisor Hotaling suggested that they put it on agenda for the next Workshop and added that if they agree they can authorize advertisement for the position at the following meeting.

Councilman Youmans interjected that it saves tax payer dollars and added that there are capable people within the town that can do the job well.

Supervisor Hotaling stated that he believes that the title was part-time laborer.

Chief Darlington interjected that he believes it was carpenter and added that he had to present all of the services that he had done in the past to show that he met the criteria.

Supervisor Hotaling reiterated that they will put it on the agenda for the next Workshop and then asked if there were any additional comments, hearing none he asked for a motion to adjourn the meeting.

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ADJOURNMENT

On motion of Supervisor Hotaling, seconded by Councilwoman Rogers, the Town Board Meeting was adjourned.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time: 7:38pm

Respectfully Submitted, **APPROVED:**

_____
Diane L. Millious, Town Clerk

A Special Town Board Meeting was held Monday, October 6, 2008, at 6:00pm at Town Hall, 18 Russell Avenue, Ravena, New York

PRESENT: Ronald K. Hotaling, Jr., Supervisor
Dawn Rogers, Councilwoman
James C. Youmans, Councilman

ABSENT: Thomas A. Boehm, Councilman
Richard N. Touchette, Councilman

ALSO PRESENT: Diane L. Millious, Town Clerk

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Supervisor opened the meeting and led the Pledge of Allegiance.

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SUPERVISOR'S OPENING COMMENT

Supervisor Hotaling stated that the record should reflect the absence of Councilman Touchette and Councilman Boehm, who had prior commitments and then asked that Town Clerk Millious put a copy of the 2009 Tentative Budget in their mailbox after the meeting. He continued by asking that Town Clerk Millious read into the record the Notice of Special Meeting.

NOTICE
SPECIAL TOWN BOARD MEETING

In compliance with Public Officer's Law, this will inform you that the Town Board of the Town of Coeymans has scheduled a Special Town Board Meeting for Monday, October 6, 2008 at 6pm. The purpose of the meeting will be for the Town Clerk to submit the 2009 Tentative Budget to the Town Board. The meeting will be held at Town of Coeymans Town Hall, 18 Russell Avenue, Ravena, NY.

By Order of the Town Board
of the Town of Coeymans
Diane L. Millious
Town Clerk

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SUPERVISOR'S 2009 BUDGET MESSAGE

Supervisor Hotaling stated that he wanted to read into the record his Budget Message and continued as follows:

The Supervisor's 2009 Town of Coeymans Tentative Budget was filed with the Town Clerk on September 30, 2008 and is being presented to the Town Board at a Special Meeting on October 6, 2008.

In 2008, the first budget year after a town-wide revaluation, town taxpayers received a 12.5% reduction in taxes. The amount of taxes levied was reduced by over $240,000.00. Sound investments and budget oversight have served well in the new challenges we in local government face, such as increased energy and fuel costs, a leveling off of mortgage tax receipts and an economic crisis that causes trickle down threats to local governments in areas of reduced sales tax revenues, cut backs in state aid and the potential of increased non-funded state mandates.

The above mentioned challenges, taken individually, have local budget implications, but combined significantly escalate the impact on our fiscal position in 2009. Consequently, I have prepared a Supervisor's 2009 Budget that includes a 2.71% tax increase. The tax rate per thousand increases .08 cents from $2.80 to $2.88 and the total taxes levied increase by $45,224.00. To illustrate, a homeowner whose house is assessed at $150,000.00 would see their taxes increase by $12.00, while a house valued at $250,000.00 would increase the owner's tax by $20.00.

The Tentative Budget is not a "no growth" budget. It continues to fund the core services of highway, emergency services, law enforcement and labor/management contracts with our employees. The budget provides for equipment purchases in the highway, police and community beautification departments. The budget also funds the construction of a new communication tower on land leased on Gedney Hill, which would dramatically enhance the communications for our town departments, as well as the RCS School transportation Department and the Albany County Sheriff's Department, thereby improving the delivery of many services to our community.

The contract with the Albany County Paramedic Program is continued, as well as monies provided to the Ravena Rescue Squad to offset some of their paid EMT costs incurred.

The continuation of annual contracts for services from the VFW, American Legion, Ravena-Coeymans-Historical Society and Alcove Preservation Association are also included at $1,000.00 each. Also, our popular Food for Thought Program is completely funded again for 2009.

Special District funding for sewer and water are included, although sewer costs remain higher for users outside the village. The Town will continue to explore a reasonable solution to this matter.

In conclusion, I feel confident that my budget represents a fair and balanced approach to the uncertainties of the NYS economic and fiscal future, and I look forward to productive discussions with my fellow Town Board members and the community as we move along in the budget process.

Ronald K. Hotaling
Supervisor
October 6, 2008

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PRESENTATION OF BUDGET

Supervisor Hotaling asked that Town Clerk Millious present the 2009 Tentative Budget to those Board members present.

Town Clerk Millious presented the 2009 Tentative Budget.

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ADDITIONAL BUDGET WORKSHOPS

Supervisor Hotaling stated that they are at a time when they need to set up some Workshop dates that meet with the members present approval and availability. He continued by that they will be meeting with Department Heads and have them present their requests for the 2009 Budget and in turn see how the budget compares to their request to see if anything should be modified. He continued by saying that it is a process that should take approximately three weeks and added that it is his intent to have on the agenda on the 27th of October a document that they can then call a Preliminary Budget and on that date they will be setting a date for a Public Hearing, which by law must occur prior to the Thursday after Election Day, which is November 6th. He concluded by asking Town Clerk Millious how many days notice there has to be prior to the Public Hearing.

Town Clerk Millious stated that it is five days.

Supervisor Hotaling inquired as to if they scheduled it at the 27th Meeting if it could get in the paper for the 30th publication of the paper.

Town Clerk Millious stated that she could send it tentatively to them and they could save a space in the paper.

Supervisor Hotaling stated that if it is in the paper by the 30th they can have the Public Hearing on either the 5th or 6th of November and added that it has always been his practice to have the Public Hearing prior to Election Day. He continued by saying that given the fact that there are no local political races in the Town of Coeymans he does not see a downside of having it on either the 5th or 6th, which would give them time for sufficient notice. He went on by saying that with the tentative schedule in mind it seems to suggest that they have now, October 6th, to approximately October 24th to schedule Workshops and added that there is a already a regular one scheduled for October 21st. He continued by saying that Councilman Touchette will be unavailable on Wednesday, October 15 and Saturday, October 25 and added that if there is going to be a Saturday selected it will have to be one of the next two, with the 18th being the more likely choice because of the Columbus Day weekend. He then asked Councilman Youmans as to what his thoughts were.

Councilman Youmans inquired as to if it will be Saturday morning.

Supervisor Hotaling stated that it usually runs from 9am to 1pm with a different Department Head every ½ hour.

Councilman Youmans stated that was fine.

Supervisor Hotaling stated that they could discuss the budget at the October 21st Workshop as well as on October 18th at 9am.

Councilwoman Rogers stated that usually two Workshops is enough time.

Supervisor Hotaling stated that they can schedule another one if necessary and added that they will schedule October 18th at 9am as well as incorporate some budget discussion at the October 21st Workshop. He then asked for a motion to formalize it.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Youmans, authorizing a Special Budget Workshop on Saturday, October 18th at 9am as well as adding it to the Workshop agenda on October 21st.
VOTE – AYES 3 – NAYS 0 – ABSENT 2 (Boehm, Touchette) – SO MOVED

Supervisor Hotaling asked that Town Clerk Millious advertise for a Budget Workshop on October 18th and added that the 21st does not need advertisement because it is already scheduled. He added that there will be budget discussion at that Workshop.

Town Clerk Millious stated that she can mention the added agenda item for the October 21st Workshop.

Supervisor Hotaling stated that would be fine and continued by asking if there was any additional business, hearing none he asked for a motion to adjourn the meeting.

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ADJOURNMENT

On motion of Councilman Youmans, seconded by Councilwoman Rogers, the Town Board Meeting was adjourned.
VOTE – AYES 3 – NAYS 0 – ABSENT 2 (Boehm, Touchette) – SO MOVED

Time: 6:14pm

Respectfully Submitted, **APPROVED:**

_____
Diane L. Millious, Town Clerk

A Town Board Meeting was held Monday, September 22, 2008 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
Dave Wukitsch, Attorney for the Town
Greg Darlington, Chief of Police
Albert Deering, Highway Superintendent

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

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OPENING COMMENT

Supervisor Hotaling stated that the record should reflect that was a full Town Board present in addition to Town Clerk Millious, Attorney for the Town Wukitsch, Chief of Police Darlington, Highway Superintendent Deering and Emergency Management Coordinator Bruno.

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AGENDA

- Public Announcement
  - Assembly Gordon District Office Tour
- Public Comment
- Presentation
  - Lafarge Plant Modernization Update
- Approval of Minutes
  - Town Board Meeting, August 25, 2008
  - Public Hearing, September 8, 2008
  - Town Board Meeting, September 8, 2008
  - Bid Opening, September 18, 2008
  - Bid Opening, September 19, 2008
- Supervisor's Report – August
- Department Reports
  - Building Department, August 2008
  - Highway Department, August 2008
  - Police Department, August 2008
  - Sewer Department, August 2008
  - Town Clerk, August 2008
- Old Business
  - CDBG Grant Update
  - Progress Report on Alcove Dam Safety
  - Westerlo Street Parking
  - 2008 Road Improvement Update
  - Review and Possible Award of Bid for Highway Surplus Equipment
  - Review and Possible Award of Bid for UV Disinfection Installation & Aeration Modifications at WWTP
  - Approve Police Department IT Service Contract
- New Business
  - Court Clerk Resignation
  - Community Dispensing Plan
  - VFW Contract for Services
- Resolutions

- 1st Half Sewer Billing Correction
- Appoint Part Time Laborer
- Appoint Police Sergeant
- Approve August 2008 Abstract

- Correspondence
- Town Board Workshops / Meetings
  - Town Board Meeting, October 14, 2008
  - Town Board Workshop, October 21, 2008
  - Town Board Meeting, October 27, 2008

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PUBLIC ANNOUNCEMENT

Assembly Gordon District Office Tour

Supervisor Hotaling stated that earlier in the day he received a call from Assemblyman Tim Gordon, who represents the Town of Coeymans in the 108th Assembly District that covers the counties of Albany, Greene, Rensselaer and Columbia and added that he advised him that he will be doing a floating district office tour. He continued by saying that last year he did a circuit tour of various communities in the district and met at Susan's Restaurant and added that this year it will be different and he will be arriving by boat. He went on by saying that he will arrive at the Coeymans Landing on Friday, September 26th and will be there from 11am to 12 noon and invites all Town residents to stop by and discuss any issues or concerns. He concluded by saying that residents should take advantage of his presence in our Town and should raise any concerns that they might have.

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PRESENTATION

Lafarge Plant Modernization Update – John Reagan

Supervisor Hotaling stated that Mr. Reagan had attended meetings a couple of times and talked about various topics ranging from the mercury issue to the plant modernization plans and added that the presentation is to give an update on the plant's modernization. He then invited Mr. Reagan to the microphone.

Mr. Reagan thanked the Town Board for having him at the meeting and continued by saying that he wanted to give an update on their permitting project for the proposed plant modernization. He continued by saying that as he had reported before they submitted their Environmental Assessment Form to kickoff the SEQRA process in July and since then on August 21st DEC issued a Positive Declaration on the project. He went on by saying that currently they are working on the Scoping Document, which is the scope of work and methods for conducting the Environmental Impact Statement and they anticipate submitting it to DEC by the end of the month. He added that in turn there will be a Public Scoping Meeting in late October, which will be held at the R-C-S High School in addition to having a website established by the end of the month, which will enable the public to review their project documents, Environmental Impact Statement and other documents as they develop and continued by saying that he does not have a web address to give but will have one by the next meeting. He went on by saying that they anticipate their first Draft Environmental Impact Statement by the first quarter of 2009 and added that the mercury emissions testing project continues and they will be doing another phase with the last stage being done the last week of October and in turn they should have the final report by mid December. He concluded by saying that they are scheduling what they will call a Town Hall Meeting to be held in Town Hall on September 30th from 7-9pm and added that it will be advertised indicating the purpose of the meeting, which will be to give a short presentation about both modernization projects as well as the mercury study that they are conducting followed by an hour of questions and answers, which will include a moderator for the event and then thanked the Town Board and went on by saying that he appreciated their time.

Supervisor Hotaling stated that they had some discussions about the planning stages for the meeting on September 30th and added that he had offered the venue as well as Mr. Horton to broadcast the meeting. He continued by saying that they also discussed the possibility of taking calls to allow anyone at home to make a call to be conveyed to the moderator to relay to whomever would be able to respond, which would provide an opportunity to anyone that wanted to participate whether they are at the meeting or not. He went on by saying that the Town Board is invited to attend the meeting and added that it is not a Town Board Meeting but he will be available to kick it off as the host venue and concluded by saying that if agreeable they will move forward with it.

Mr. Reagan thanked the Town Board.

Supervisor Hotaling thanked Mr. Reagan.

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PUBLIC COMMENT

Supervisor invited the public to comment at this time.

Mr. Robert Temple stated that he is a resident of Tracey Road and continued by saying that he wanted to express his concern with the trench digging work and placement of the culvert pipe. He added that he already has a water problem with the swamp and went on by saying that he does not know for certain but it seems reasonable that this will direct more water down to him. He concluded by asking if a study is done when they do this type of thing.

Supervisor Hotaling stated that he was not familiar with the work on Tracey Road and added that he was relaying to him something that he was not aware of. He continued by saying that he assumes that he means work by the Highway Department.

Mr. Temple stated that it is the Highway Department along with the contractor that bought the land on Tracey Road.

Supervisor Hotaling asked that Highway Superintendent Deering speak about Mr. Temple's concern.

Highway Superintendent Deering stated that the water was going in that direction anyway and added that for years he has wanted to put a culvert pipe there and added that the contractor pounded out the rock for him. He went on by saying that some of the water will go into the ground with some going to the swamp and continued by saying that this is where it ended up before. He concluded by saying that there was not a study.

Supervisor Hotaling stated that Highway Superintendent Deering took what he thought to be appropriate mitigation to try and deal with a long standing water problem.

Highway Superintendent agreed.

Supervisor Hotaling inquired as to how the contractor played a role.

Highway Superintendent Deering stated that he helped them with the rock.

Mr. Temple interjected that he dug a trench parallel to Tracey Road and put in a culvert pipe and added that it was dug all the way to Payne Road. He continued by saying that the Highway Department also dug a trench and put in another culvert. He went on by saying that the driveway at 80 Tracey gets washed out and added that he does not see how this is going to help them out because it will put more water down there. He concluded by saying that he is unable to get in the hay field when the water is bad.

Highway Superintendent Deering stated that in his opinion the water was going there anyway and added that eventually it will end up in the swamp.

Mr. Temple stated that without all of the trenching the water dissipated in different directions and continued by saying that with the trenching much more water will end up on his property.

Highway Superintendent Deering stated that he doesn't believe that is so.

Supervisor Hotaling asked Attorney for the Town Wukitsch if he had any intercession with regard to any legal situation going on.

Attorney for the Town Wukitsch stated that it is a common issue that municipalities all over the state face and added that the general rule is that the Town is not suppose to divert water from its natural flowing course such that it would result in a pooling on someone else's property. He continued by saying that the rule applies to adjoining landowners and municipalities as well and went on by saying that unless they go and inspect the area to determine what the natural water flow is in addition to how much water is involved and what actions Highway Superintendent Deering is taking with respect to the water, they won't know.

Highway Superintendent Deering stated that in the past there has been water there and added that in his opinion it goes to the swamp. He continued by saying that the water has even run over the road and washed the road out and went on by saying that he hopes that this will eliminate that problem.

Supervisor Hotaling stated that Highway Superintendent Deering is looking at it from the perspective of trying to preserve the road by preventing the water from going across the road. He continued by asking if he would be able to ascertain whether or not what he has done has caused more water to go in the area that Mr. Temple suggested is a swamp.

Highway Superintendent Deering reiterated that he's sure that it will go there.

Supervisor Hotaling inquired as to whether or not he would be able to reasonably determine whether it is less or more water than it use to be.

Highway Superintendent Deering stated that he can't say because he does not know.

Supervisor Hotaling stated that Mr. Temple should be able to determine it.

Mr. Temple stated that he probably would.

Supervisor Hotaling stated that he was trying to figure out whether or not at some point they would be able to perform an examination to see if what Highway Superintendent Deering did has aggravated, mitigated, or did not change the problem. He added that Highway Superintendent Deering acted in his capacity as Highway Superintendent to preserve the integrity of a Town road.

Attorney for the Town Wukitsch stated that it sounds to him that they are saying that it is a matter of degree and added that water is always going to flow from a higher point to a lower point and the question is whether by diverting it, they are pooling more of it than would otherwise be the case. He concluded by saying that Highway Superintendent Deering has jurisdiction over the town roads and highways and has to take steps to insure that they are not destroyed by water.

Supervisor Hotaling stated that by Mr. Temple's presence he has raised the issue and it will be on the record and added that he cannot predict what can happen nor can any one else. He continued by saying that Mr. Temple has a suspicion that more water will come to him but Highway Superintendent does not subscribe to that position at this point and then asked that Highway Superintendent Deering take a look at it in the spring. He concluded by saying that this is as much as they can do at this time and reiterated that it is on record and added that if there is more water he should report it back to them whenever he feels it is appropriate.

Councilman Youmans stated that he has gotten to know Highway Superintendent Deering and added that he does not believe that he would knowingly do anything to cause any problems and added that they will revisit the issue in the spring. He concluded by saying that it is not anyone's desire to negatively impact the property owner.

Highway Superintendent Deering interjected that he believes that Mr. Temple knows that.

Mr. Temple thanked the Town Board.

Supervisor Hotaling asked if there were any other comments, hearing none he moved to the next item on the agenda.

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APPROVAL OF MINUTES

Supervisor Hotaling stated that there were six sets of minutes for Town Board approval, a Town Board Meeting on August 25th, a Public Hearing on September 8th, a Town Board Meeting on September 8th, a Town Board Workshop on September 16th, a Bid Opening on September 18th and a Bid Opening on September 19th. He continued by asking for a motion to accept them and added that he was absent on August 25th but would vote to approve them as a group.

Councilman Youmans stated that he was not present for the September 18th Bid Opening.

Supervisor Hotaling stated that it goes without saying that none of them were present for that and then asked for a motion.

MOTION

On motion of Councilman Youmans, seconded by Councilman Touchette, approving the minutes as presented.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Councilman Touchette interjected that he also was not present for the two Bid Openings.

Councilman Boehm inquired as to who was present for the Bid Openings.

Supervisor Hotaling stated that according to the minutes for the September 19th Bid Opening it was Town Clerk Millious, Deputy Clerk Vatalaro and Councilman Youmans and for the September 18th Bid Opening it was Town Clerk Millious and Deputy Clerk Vatalaro.

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SUPERVISOR'S REPORT

August 2008

FUND	BAL. FWD.	RECEIPTS	DISBURSE.	BALANCE
GENERAL	$522,685.30	$ 82,779.81	$346,006.09	$259,459.02
PART TOWN	$493,225.11	$ 6,369.48	$ 36,944.72	$462,649.87
SPEC. WATER	$ 18,550.49	$ 173.88	-0-	$ 18,724.37
HIGHWAY	$ 78,776.08	$ 319.97	$ 56,938.47	$ 22,157.58
BRIDGE CONST.	$ 35,442.94	$ 18.97	-0-	$ 35,461.91

TRUST & AGENCY	$ 4,177.96	$221,142.63	$221,336.98	$ 3,983.61
SEWER	$141,787.90	$ 34,256.12	$ 22,686.38	$153,357.64
SEWER CAP.	$112,216.86	$ 44.59	-0-	$112,261.45
			TOTAL REC. BAL.	$1,068,055.45

CERTFICATES OF DEPOSITS

				Maturity Date
National Bank of Coxsackie	A-Fund	90 Days	$117,191.52	11-22-08
National Bank of Coxsackie	Part-Town	60 Days	$507,087.61	09-24-08
National Bank of Coxsackie	A-Fund	60 Days	$405,670.09	09-24-08
National Bank of Coxsackie	Highway	60 Days	$256,565.47	10-22-08

SECTION 8 – HUD

Occupied Units	78
HUD Payments	$33,668.00
Admin. Fee	$ 40.89
Total HUD Pmt.	$33,708.89
Tenant Rent	$13,521.00
Contract Rent	$47,229.89
SECTION 8 CK.	$ 2,215.49
SECTION 8 SV.	$93,390.91
Total	**$95,606.40**

SAVINGS ACCOUNTS

Police Forfeitures/CK	$ 72.74
Police Forfeitures	$ 2,943.66
Unemployment	$ 4,019.89
Grove Cemetery/SAV	$40,320.10
Grove Cemetery/CK	$ -0-
Sewer Dedicated	$ 6,236.40
Total	**$53,592.79**

COLLATERAL COVERAGE	**FDIC COVERAGE**	**COLLATERALIZED**
National Bank of Coxsackie	$100,000.00	$2,196,806.62
Citizens Bank	$100,000.00	$ 27,107.17
First Niagara	$100,000.00	$ 152,878.50

Supervisor Hotaling asked for a motion to approve the report.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Boehm, the Supervisor's Report was approved as read.
VOTE – AYES 5 – NAYS 0 – SO MOVED

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DEPARTMENT REPORTS

Building Department – August 2008

Supervisor Hotaling asked that Councilman Touchette give the Building Department monthly report.

Councilman Touchette continued by giving the report.

Supervisor Hotaling asked for a motion to approve the report.

MOTION

On motion of Supervisor Hotaling, seconded by Councilman Boehm, the Building Department report was accepted as presented.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Highway Department – August 2008

Supervisor Hotaling asked that Highway Superintendent Deering give the Highway Department monthly report.

Highway Superintendent Deering continued by giving the report.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Boehm, the Highway Department report was accepted as presented.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Police Department – August 2008

Supervisor Hotaling asked that Chief Darlington give the Police Department monthly report.

Chief Darlington continued by giving the report.

Supervisor Hotaling asked for a motion to approve the report.

MOTION

On motion of Councilman Boehm, seconded by Supervisor Hotaling, the Police Department report was accepted as presented.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Sewer Department – August 2008

Supervisor Hotaling asked that Councilman Youmans give the Sewer Department monthly report.

Councilman Youmans continued by giving the report.

Supervisor Hotaling asked for a motion to approve the report.

MOTION

On motion of Supervisor Hotaling, seconded by Councilman Touchette, the Sewer Department report was accepted as presented.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Town Clerk – August 2008

Supervisor Hotaling asked that Town Clerk Millious give the Town Clerk monthly report.

Town Clerk Millious continued by giving the report.

Supervisor Hotaling asked for a motion to approve the report.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Youmans, the Town Clerk's report was accepted as presented.
VOTE – AYES 5 – NAYS 0 – SO MOVED

OLD BUSINESS

CDBG Grant Update

Supervisor Hotaling stated that as many are aware the Community Development Block Grant was intended to be discussed at the last Town Board Meeting and added that there was a request made on the part of the intended loan recipient to assemble all of those who had a role to play in the CDBG Grant/Loan Program in an attempt to clarify some of the issues that were raised related specifically to the administration of the grant monies once they were given to the Town of Coeymans and then loaned out to the sub recipients. He continued by saying that the issues were posed to the State Office of Small Cities in a variety of ways and as a result he has not been comfortable with their responses and in turn the meeting that took place was in an effort to get everyone together to clarify the issues. He added that the attendance included but was not limited to Joseph Rabito, Executive Director for Small Cities, Chris Hunsinger, Senior Economic Development Planner, Carver Laraway and members of his staff including Mr. Steve Kirk, Donald Zee, Attorney for Carver Laraway in addition to himself who was accompanied by Councilman Boehm, Internal Control Officer Purinton, Attorney for the Town Wukitsch and Special Counsel Lisa Penpraze. He went on by saying that the meeting began with his question relating to the timing of the SEQRA document and added that the material they were given by the State of New York to follow included a HUD manual and in it there was indication that the written word indicated that SEQRA was to be done prior to the application and commitment of funds to a recipient, which was not done but rather done recently, which was after the application was submitted and after the commitment letter was rendered by the State of New York. He added that Small Cities was asked if they could support their position that SEQRA could be done at a time other than before and he had asked Mr. Rabito and Ms. Hunsinger if they could provide some supporting documentation and in turn they indicated that it was their interpretation that SEQRA could be done at a time so long as it was done before the money was actually released. He continued by saying that he didn't understand the distinction and the words said something different and in turn they were not able to convince him that their interpretation was grounded in anything other than their past practices and went on by saying that they did say in the past eight years they were the subject of six HUD audits and none of those issues were ever raised in the reviews. He added that when the meeting ended it was his opinion that he should suggest that the $750,000.000 grant that was awarded to the Town of Coeymans be terminated by the Town of Coeymans due to the uncertainties and risk associated with the administration of the Grant and the rules under which he was to conduct the administration, which were seemingly different rules than what the interpretation of the CDBG officials in the State of New York were telling him. He continued by saying that he is not personally willing to take the risk nor is he willing to place that risk on the taxpayers of the Town because failure to follow the rules could have led to a decision of the State of New York directing them to pay the money back and added that this does not and should not indicate to anyone listening that there were any issues related to Mr. Laraway because in his opinion he has been upfront with him personally as well as the Town of Coeymans in general in terms of the project and will maintain that his efforts will be to continue the economic development of the Town. He concluded by saying that he could not continue given the risks as well as being advised by Internal Control Officer Purinton in addition to Attorney for the Town Wukitsch that risks did remain if they were to continue in the venture and added that he takes full responsibility for the recommendation to terminate it and in turn he wants the taxpayers to know that any administrative costs that they have already incurred will be born by the taxpayers in the Town of Coeymans because it would be hypocritical to use money associated with the CDBG as well as potentially place some risk on the Town of Coeymans taxpayers.

Supervisor Hotaling continued by saying that he will ask members of the Board to authorize him to direct Attorney for the Town Wukitsch to write a letter to communicate to Small Cities of their intent to terminate the CDBG Grant. He added that at the end of the meeting there was some sense of an assignment of this particular grant to the County of Albany and continued by saying that he had some concerns about whether or not there would be any recourse or no recourse on documents that were prepared with taxpayer funded money from the Town of Coeymans including the SEQRA document and in turn

he had Attorney for the Town Wukitsch research the assignment. He added that during his research he had received a call from Mr. Huntsinger from Small Cities who was of the opinion that the assignment was not the way that they wanted to go and they agreed that a termination was the appropriate method of doing it. He then asked the Town Board if there were any comments to be followed by a motion to either continue or terminate the CDBG Small Cities Grant.

Councilman Boehm stated that it is unfortunate that the $750,000.00 in second generation loans will not be coming back to the Town and added that he believes that the process was flawed and there were inconsistencies that would have been pointed out by Internal Control Officer Purinton if he were given the chance to speak and continued by saying that Mr. Rubito didn't want to hear the information because he was approved by HUD. He continued by saying that it is unfortunate because a lot of people put a lot of work into it and went on by reiterating that it is unfortunate that the money will not be coming back to the Town. He concluded by saying that with everyone at the meeting the true failure was the ability to compromise.

Councilman Touchette stated that he concurs with Supervisor Hotaling's assessment as well as echoing Councilman Boehm's sentiment that the money will not be coming back to them in second generation loans. He agreed that the process was flawed and there is a risk because it did not follow what was written and reiterated that he concurs with the Supervisor. He concluded by saying that this is not a reflection on the Port of Coeymans and added that his objection is with the process and this is what he placed his decision upon.

Councilwoman Rogers stated that she was not in on the meeting and added that as Councilman Boehm and Councilman Touchette had indicated the money would have been nice for the Town. She continued by saying that if it didn't work out it would have been a heavy burden on the taxpayers and it would have been a big risk to take.

Councilman Youmans stated that there were people from the State saying that it was done one way, while the Federal guidelines that were written were to the contrary and added when asked if they would indemnify the Town and put it in writing they would not do it and take on the liability. He continued by saying that it is unfortunate that the money will not be coming back to the Town of Coeymans as well as agreeing that it has no reflection on Mr. Laraway or the business that he runs.

Supervisor Hotaling stated that if it was the end of the comments he would ask that a member of the Town Board raise a motion that would either move it forward or instruct their attorney to write a termination letter.

MOTION

On motion of Councilman Touchette, seconded by Councilman Youmans authorizing Supervisor Hotaling to direct the Attorney for the Town to write a letter to NY State advising them that they are terminating the Small Cities Grant.
VOTE – AYES 4 – NAYS 1 (Boehm) – SO MOVED

Supervisor Hotaling interjected that the resolution was for him to instruct Attorney for the Town Wukitsch to create, sign and send a termination to Small Cities Grant Agreement #256ED608-07 and added that he will discuss it further with Attorney Wukitsch.

Progress Report on Alcove Dam Safety

Supervisor Hotaling stated that Emergency Management Response Coordinator Bruno was present to bring them up to date on the Alcove Dam Safety.

Emergency Management Response Coordinator Bruno stated that an inspection of the dam was done and there were no major issues addressed. He continued by saying that there were some recommendations made to the City of Albany which included a new regulation requiring them to have an Emergency Action Plan. He added that after the

initial meeting he went to see what the status of the plan was and in turn there was a meeting at Town Hall and after much discussion there is a draft plan that was submitted to the State for review. He continued by saying that he has not heard whether or not it has been approved and at the next meeting of the Emergency Management Committee they will discuss how the plan relates to what they do as well as a need for a local plan and notification process.

Supervisor Hotaling inquired as to if the Committee will weave a local plan into the City's plan and added that ours needs a tune up.

Emergency Management Coordinator stated that there is a draft plan and added that they do not have a final plan to provide to the Town Board for approval. He continued by saying that dam failure is one of the higher concerns in the Town.

Supervisor Hotaling inquired about the NIMS (National Incident Management System) Certification for the Town.

Emergency Management Coordinator Bruno stated that there is an online mechanism for municipalities to go in and check to make sure that they are compliant with NIMS and added that there are some areas that they can work on such as making sure that the training is up to date with new employees.

Supervisor Hotaling inquired as to if recertification has to be done.

Emergency Management Coordinator stated that there is not a recertification and added that the courses are online for new employees, which can be done in segments and upon completion you would take a test and in turn you will get a certificate. He continued by saying that there is also a need to discuss the Community Dispensing Plan.

Supervisor Hotaling stated that it is a topic under New Business and added that with the Board's permission they will move into New Business and then asked that Emergency Management Coordinator begin to discuss it.

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NEW BUSINESS

Community Dispensing Plan

Emergency Management Coordinator Bruno stated that the County received a grant for a Community Dispensing Plan and added that if there is some type of event where prophylactic or injectable medications needed to be dispensed on a large scale a plan needed to be devised. He continued by saying that there is a joint draft plan for the Town of Coeymans and Village of Ravena in which there needs to be a point of contact as well as identifying a location for the dispensing of the medication and added that the Senior Project Facility would be their prime location. He went on by saying that the County of Albany did a walk through and decided that it would meet the needs of the community as well as the Village of Ravena offering their facility as a back up location. He concluded by saying that hopefully they will never need it and added that it will be better if they are prepared and have a plan.

Supervisor Hotaling stated that several years ago when the bird flu pandemic was out there they had assembled in the County Health Department to talk about Points of Dispensing and added at that time they talked about the Senior Center being the obvious location. He continued by saying that after that Albany County Health Department hired a consultant who came up with a draft document, which was a joint effort of the Town and Village and added that it is a pretty thorough document. He went on by saying that there is a day in November that the Albany County Health Department will be dispensing flu shots for seniors as well as it being a practice session for dispensing to those who are indicated to be critical workers in both the Village and Town along with their families. He continued by saying that he didn't want the public to get the impression that this is a selfish act because the concept of the plan is that the government and its employees are

going to have to be actively participating to deal with whatever emergency they are dealing with and in doing so they want them to feel comfortable that their loved ones will not become vulnerable in their absence from home trying to protect their families. He added that this practice has been done in other communities within the County, which has worked well and added that the Town of Coeymans will be the next test location. He concluded by saying that they also sent him information on the Albany County Medical Reserve Corps, which is a program sponsored by the County that members of the Town can go who have expertise in the medical field such as nurses and doctors who would be volunteers actually doing the administering of the medication.

Supervisor Hotaling asked if there were any comments or questions.

Councilman Boehm inquired as to if any of the plan requires sirens like in the Gilboa Dam area.

Emergency Management Coordinator Bruno stated that they are looking to do it by phone contact, such as reverse 911 and added that it is actually a three tier plan. He added that he does not believe that they are required to have a siren system and continued by saying that the Gilboa Dam area had a siren system because the dam was in jeopardy and they thought they might lose the dam.

Supervisor Hotaling inquired as to if the Town is in a situation similar to what Gilboa was faced with.

Tape Change – Some dialect lost.

Emergency Management Coordinator Bruno stated that they are looking at reverse 911 as well as having the ability to contact cell phones and added that it is something that they will address, look at and pursue to incorporate.

Councilman Boehm inquired as to if Emergency Management Coordinator Bruno is privy to engineering reports and dam inspections.

Emergency Management Coordinator Bruno stated that he had seen the last dam inspection and forwarded it to Supervisor Hotaling.

Councilwoman Rogers stated that the dam was patched years ago and then asked if this was the first time that it was looked at since then.

Emergency Management Coordinator Bruno stated that under the requirements there has to be a bi-annual inspection by an engineer that the County hires and in turn it is submitted to DEC. He added that the engineer has to stamp that the integrity of the dam is there and in turn it is forwarded to the State.

Supervisor Hotaling asked if there were any further comments, hearing none he thanked Emergency Management Coordinator Bruno and then moved to the next item on the agenda.

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OLD BUSINESS

Westerlo Street Parking

Supervisor Hotaling stated that at the July 28th Town Board Meeting Ms. Donna Pasquini talked about her impression of the parking problems on Westerlo Street from Blaisdell to Civill Avenue that causes some concerns about the ability of two way traffic to negotiate that area of Westerlo Street. He continued by saying that she had suggested that it is causing everyday problems to those that live there and added that as a result of this as directed by the Town Board he sent a memo dated July 29th to Highway Superintendent Deering and Chief Darlington asking that they study the matter and report back to the Town Board and in turn he got a correspondence from Highway Superintendent Deering

dated August 6th stating that parking should be prohibited from Civill Avenue to Blaisdell Avenue in addition to more restrictions being added for snow emergencies. He went on by saying that he received a report dated September 9th from Chief Darlington, which was more detailed in terms of doing some measurements of the highway and continued by asking that Chief Darlington summarize his memo.

Chief Darlington stated that he first looked at the Local Laws to see what was currently in place for Westerlo Street and added that there currently is no parking from Church Street to New Street and added that it is vague because it says adjacent to New Street in addition to believing that the No Parking sign could be moved to add additional no parking east of where it currently is. He continued by saying that he reviewed who does not currently have off street parking available to them who currently have on street parking and based on that end of Westerlo Street, it appeared that 53 Westerlo Street was the only one who may not have off street parking available to them on Westerlo Street. He went on by saying that he also reviewed lower Westerlo Street from Main Street to Dock Street and added that residents there don't have off street parking available to them on their own property but there are two municipal parking areas that can be used in that area and continued by saying that in measuring the roadways with cars parked on the street it does not allow enough room for two normal size cars to pass each other because the road is not wide enough. He added that in addition the storm drains on the north side of Westerlo Street create a hazard in traveling at the normal speed, which are there because of the water flow, which narrows the driving path of traffic. He continued by saying that during the summer months there is a lot of boat traffic coming from the Main Street Ravena area and in the winter when there are cars parked on the street there is at least a 3 foot wide snow pile that hinders the flow of traffic. He concluded by saying that based on the observations and discussions with Highway Superintendent Deering he would agree that parking on the entire length of Westerlo Street should be no parking.

Supervisor Hotaling stated that the storm drain takes out of play the first 2-3 feet of the driving lane and added that he has hit it himself and there is no way that it can be viewed as a safe passage way for someone to use it as a traffic flow lane and because of this you go around it. He continued by saying that they have talked about the velocity of water going down there and the fact that it is needed to capture it and then inquired as to whether or not it can be mitigated at all.

Highway Superintendent Deering stated that he might be able to push it off the street.

Supervisor Hotaling stated that it is in the works and Highway Superintendent Deering is thinking about ways to deal with it and continued by saying that he agrees with Chief Darlington that the Town Board should take some action relative to Westerlo Street. He added that 53 Westerlo Street does not have off street parking and went on by saying that he is not sure that it is their obligation to provide on street parking and continued by saying that all of the other homes according to Chief Darlington's study indicate that there is a driveway. He concluded by saying that they will have to strongly consider a determination to engage in some modification of the Local Law that would prohibit parking there in addition to addressing the issues with snow emergency.

Councilman Touchette inquired as to if there is on street parking on New Street and added that they do need to address the parking on Westerlo Street but does not want to move people to park on New Street, which is tough to get through and continued by saying that they need to look at Blaisdell Avenue as well.

Chief Darlington stated that he has a meeting the following day with Highway Superintendent Deering and Deputy Superintendent Searles and added that they want to review all the parking in the Hamlet and continued by saying that either way they are going to have to do a revision of the Local Law and address everything at once including snow emergency procedures. He concluded by saying that between the Highway Department and Police Department they will come up with a complete recommendation for the Hamlet area and present it to the Town Board.

Supervisor Hotaling interjected that they can engage Attorney for the Town Wukitsch to help them out.

Councilman Youmans stated that he would be concerned for the one homeowner that has no off street parking available to them and added that he understands that it would be for the common good but is hesitant to say that they can't park on the street. He went on by asking if there is a place where they can put a driveway.

Chief Darlington stated that he does not know and added that he does not believe that there is next to the house. He continued by saying that there will be no off street parking on the Westerlo side and added that he does not know how the properties go and there might be parking on Einie Drive, which is his backyard.

Supervisor Hotaling stated that it is a rental unit and agreed with Councilman Youmans.

Councilman Youmans stated that it would not be rentable with no place to park and reiterated that this is his concern. He added that he is sure that they can come up with a solution.

Chief Darlington stated that in conjunction with both departments they will come to some kind of a solution.

Supervisor Hotaling asked the Town Board if they agree with the direction that it is going and if they wanted to voice an approval to go forth. He continued by saying that they will await a response from Chief Darlington, Highway Superintendent Deering and Deputy Superintendent Searles and in turn they will take their recommendations and then engage Attorney for the Town Wukitsch to make some modifications.

Councilman Boehm inquired as to if this will include the snow emergency.

Chief Darlington stated that it will.

Councilman Boehm stated that Councilwoman Rogers had given him Attorney for the Town Wukitsch's opinion stating that a Local Law is required for snow emergencies as well as some recommendations for the text and then gave it to Chief Darlington.

Chief Darlington thanked Councilman Boehm.

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

2008 Road Improvement Update

Supervisor Hotaling stated that they received a check in the amount of $83,418.07, which is the C.H.I.P.S. portion for the Town of Coeymans from the State of New York. He continued by saying that it was wrapped into the $230,000.00 appropriation that they had provided to the Highway Department for road improvements. He added that as Highway Superintendent Deering had reported earlier in his report, all of the improvements scheduled to be done have been completed and went on by saying that the money goes to offset the appropriation and then asked if there were any additional questions or comments, hearing none he moved to the next item on the agenda.

Review and Possible Award of Bid for Highway Surplus Equipment

Supervisor Hotaling stated that there were three pieces of surplus equipment that were out to bid, a John Deere tractor, a loader and a V-Plow and continued by saying that he understands that the only bids that they got were for the John Deere tractor.

Town Clerk Millious stated that was correct and added that there was a comment from one of the bidders indicating that he would have bid on the loader but the minimum bid was too high.

Supervisor Hotaling stated that this was the minimum bid that Highway Superintendent Deering suggested that they establish and continued by asking about the V-Plow and whether or not Highway Superintendent Deering will now view it as junk.

Highway Superintendent Deering stated that the price was a junk price.

Attorney for the Town Wukitsch stated that they can now sell it any way that they want.

Supervisor Hotaling stated that they can take it for the value of its metal and scrap it and then asked Highway Superintendent Deering what he wanted to do.

Highway Superintendent Deering stated that they can do that.

Supervisor Hotaling continued by saying that the loader does have a value, which Highway Superintendent Deering had said would be a minimum of $15,000.00 and added that they didn't get any bids for it.

Attorney for the Town Wukitsch interjected that they can re-bid it with a different minimum price.

Supervisor Hotaling stated that another option would be to hang on to it until next spring when that kind of equipment would be more valuable.

Councilman Boehm inquired as to where it would be stored for the winter.

Highway Superintendent Deering stated that he could store it at the landfill.

Councilman Boehm inquired as to where he had gotten the minimum price.

Highway Superintendent Deering stated that he got it from Southwick and added that this is what they would ask at an auction, which is low.

Councilman Boehm inquired as to if $10,000.00 would be an unreasonable amount for a minimum bid.

Highway Superintendent Deering stated that in his opinion it would be.

Councilman Youmans stated that it should be put on E-Bay and added that there are people local that would do this for a small fee.

Attorney for the Town Wukitsch interjected that there would also be wider circulation because more people will see it.

Councilman Youmans stated that the V-Plow might not be worth bothering with and added that they might not get any more for the loader but it is an inexpensive thing to try.

Supervisor Hotaling stated that they can put a reserve bid on it.

Councilman Youmans interjected that this is something that Highway Superintendent Deering would have to deal with.

Highway Superintendent Deering stated that he would not know how to do it.

Councilman Youmans stated that he is not schooled in it either and added that there are people that can do it for them.

Attorney for the Town Wukitsch stated that they can set the terms.

Supervisor Hotaling inquired as to whether or not they can do this based on the fact that they put it out to bid and didn't get any bids.

Attorney for the Town Wukitsch stated that they can do it.

Supervisor Hotaling inquired as to what the Town Board would like to do.

Councilman Youmans stated that he could make some phone calls to individuals that he knows might be willing to do it.

Supervisor Hotaling inquired as to whether or not the Town Board wanted to give a tentative decision to tell Councilman Youmans to go ahead if he finds something attractive.

Councilman Boehm inquired as to if they have to put it in the News Herald again.

Attorney for the Town Wukitsch stated that they do not have to put it in the News Herald again.

Supervisor Hotaling stated that he believes that the sense is that Mr. Youmans should research it and report back to them at the October 14th Town Board Meeting, which is the Tuesday after Columbus Day. He continued by saying that there were four bids for the John Deere tractor and added that they received a low bid of $551.53 and a high of $1,453.00 with two in between and then asked Highway Superintendent Deering if he wanted them to reward the bid to the highest bidder by a motion.

MOTION

On motion of Councilman Boehm seconded by Councilwoman Rogers, authorizing the Town Board to award the bid to Charles Biers III for the 1978 John Deere tractor in the amount of $1,453.00.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Supervisor Hotaling asked that Town Clerk Millious work with Highway Superintendent Deering to get it done.

Town Clerk Millious stated that she would.

Review and Possible Award of Bid for UV Disinfection Installation & Aeration

Supervisor Hotaling stated that there was a bid opening for the UV Disinfection Installation at the WWTP on September 19th and there were four bidders. He continued by saying that this is a project that they received a grant for from the State of New York in the amount $260,000.00 to replace the current chlorine disinfecting operation with a UV disinfectant. He added that this took some time to get together because Engineer Ed Vopelak and DEC had been changing letters, documents and plans and went on by saying that in the end when it was put out to bid it was likely to result in a bid higher than they had originally anticipated. He continued by saying that the grant was intended to fund the bulk of the project leaving a small contribution to come from the Town of Coeymans and added that the bid came in with a high bid of $746,000.00 to a low of $441,101.00 and went on by saying that Mr. Vopelak has not given them a letter of recommendation relative to the lowest bidder in terms of determining whether that low bidder is responsible. He concluded by saying that his indications are that Mr. Vopelak has worked with the low bidder, which is C.O. Falter Construction Company from Syracuse, and added that his recommendation is to await Mr. Vopelak's recommendation and also to give the Town Board members an opportunity to review the documents that were opened and in turn be prepared to make an award to the lowest responsible bidder on October 14th.

Attorney for the Town Wukitsch stated that it is General Municipal Law Section 103 that states the lowest responsible bidder and added that they will have to prepare a resolution to award the bid.

Supervisor Hotaling stated that in order to establish the responsible bidder they would defer to their engineer to write the recommendation letter and coupled with their review it should result in an award of the bid at the October 14th meeting and in turn they will move forward with the project. He concluded by asking that the Town Board take the time to familiarize themselves with the bidders and their specifications as well as the project and be prepared to act on it on the 14th.

Approve Police Department IT Services Contract

Supervisor Hotaling stated that they approved an IT Services Agreement for the Police Department and added at that time it came in as $85.00 an hour with the presumption that Newton Computer Associates would be taking over the entire Town for computer services, which has turned out not to be the case. He continued by saying that it was his intent to maintain Mr. Matthew Canning, who has worked with the Town since 2004 and added that he charges $70.00 per hour as well as being on call when they need him. He went on by saying that Mr. John Newton III is now indicating in his letter that the billable rate is now $100.00 per hour payable within 30 days. He concluded by saying that he asked that Chief Darlington obtain a contract, which came in the form of a letter, and continued by saying that if the Town Board is comfortable with it they can approve the contract.

Attorney for the Town Wukitsch interjected that it is an offer letter that they can approve.

Supervisor Hotaling asked for a motion to accept the letter for his services for $100.00 per hour on an as needed basis.

Chief Darlington stated that during the initial proposal he offered to evaluate the Police Department's system in order to come up with where they currently stand as well as where they need to be. He added that he estimated approximately 10 hours to do this and anything else would be on an as needed basis.

Councilman Boehm inquired as to what is included in it.

Chief Darlington stated that it would be reviewing the whole system and each workstation and added that in turn he would make recommendations.

Councilman Touchette inquired as to if the 10 hours would be to evaluate what's needed.

Chief Darlington stated that a lot of the computers have been begged, borrowed and obtained and added that now with the technology that they are using the Police Department has become more dependent on computers. He continued by saying that they spend a lot of time getting them running and keeping them running and went on by saying that they are hoping that ultimately this will be a savings to them.

Councilman Touchette inquired as to whether or not Mr. Newton is Microsoft certified.

Chief Darlington stated that he does not know that.

Supervisor Hotaling stated that he suspects that he is and added that Mr. Canning is as well. He continued by asking for a motion to accept the proposal.

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, authorizing Chief Darlington to enter into a contract with Newton Computer Associates at the rate of $100.00 per hour to evaluate the current networking system.

Supervisor Hotaling stated that he would suggest that the motion say the Town Board and Supervisor enter into a contract.

Attorney for the Town Wukitsch stated that it should say to accept the offer to provide computer services.

Supervisor Hotaling asked if they agreed with his modification.

Collectively the Town Board agreed.

Supervisor Hotaling stated that they now have a motion to accept the offer for services for the Supervisor to authorize the acceptance of that and then asked for a vote.

VOTE – AYES 5 – NAYS 0 – SO MOVED

Chief Darlington interjected that they do not use Mr. Canning because there is a conflict between his full-time job and some of the computer programs that they use.

Supervisor Hotaling inquired as to if anyone had any other Old Business to discuss, hearing none he moved to the next item on the agenda.

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NEW BUSINESS

Court Clerk Resignation

Supervisor Hotaling stated that he was in receipt of a resignation letter from the position of Court Clerk and continued by reading the following:

Town of Coeymans Town Board
18 Russell Avenue
Ravena, NY 12143

Dear Ron and Members of the Board:

Please accept my resignation as Court Clerk, effective August 28, 2008. I appreciate the opportunity to work for the Court. I truly believe that I was doing the job to the best of my ability; however it seems that my work did not successfully impact the Court.

I really appreciate all the Town Board did for me with the Local Law to receive this position. I am sorry that I had to step down abruptly. Court Clerk is a very complex position with a lot of responsibilities. It is with deep regret that I fell short of Judge Reilly's expectations.

Thanks again,

Ella Russo

Supervisor Hotaling continued by asking for a motion to accept the resignation.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Touchette, accepting the resignation of Court Clerk Russo.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Councilman Youmans stated that Mrs. Russo states in her letter that she appreciates what they did with the Local Law for her and added that what they did with the Local Law was not for any one individual but rather on the recommendation of the court.

Supervisor Hotaling thanked Mr. Youmans for the clarification and continued by saying that his understanding is that the position has been posted pursuant to the Labor Management Agreement and as a result there has been at least one applicant from that posting effort. He then asked Councilwoman Rogers if she has been advised as to what the next step will be.

Councilwoman Rogers stated that she has not.

Supervisor Hotaling asked that once she is advised, to share it with the balance of her colleagues on the Town Board.

VFW Contract for Services

Supervisor Hotaling stated that at the end of August the annual VFW Contract for their veteran's services is due and continued by saying that there has been communication with Post Commander Michael Albano and in turn he came in and filled out the one page agreement. He added that he has a contract with language that says that they will provide packaged goods for soldiers overseas, veteran services for Memorial Day, Flag Day, Veteran's Day and other special events, sick room supplies, donations to the VA Hospital and locally and bibles for deceased members families. He continued by saying that the budget for 2008 provided $1,000.00 for VFW Post 9594 and added that is a simple agreement and he would accept a motion to consider approval of the contract.

Councilman Boehm inquired as to if being an emergency shelter is part of the program.

Supervisor Hotaling stated that is for the Senior Center and is part of the $6,000.00 annual agreement with Senior Projects. He then asked for a motion to consider approval of the contract.

MOTION

On motion of Councilman Youmans, seconded by Councilman Boehm, authorizing the Supervisor to sign the contract and convey $1,000.00 to VFW Post 9594 for that purpose.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Supervisor Hotaling stated that he will be giving it to the bookkeeper the following day and in turn a check will be conveyed on a prepay situation to the VFW. He then asked if there were any additional New Business topics.

Councilman Boehm stated that he wanted to bring up one more item for Councilman Touchette and Councilman Youmans who expressed an interest in attending a one day seminar on Personnel Management & Labor Relations sponsored by the Association of Towns on Monday, November 17th at Colonie Memorial Town Hall on Loudon Road with a cost of $75.00 per person. He continued by saying that he wanted to offer a motion approving them to attend.

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, authorizing Councilman Touchette and Councilman Youmans to attend the one day Workshop for $75.00 each.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Supervisor Hotaling stated that as a member of the Association of Towns they get a reduced rate.

Attorney for the Town Wukitsch stated that the Workshops are usually very good and added that they put on a good program.

Supervisor Hotaling stated that there is also a need for the 2009 Tentative Budget to be conveyed to the Town Board according to law by October 5th. He added that it is never a time when there is a Town Board scheduled and continued saying that there is a requirement for a Special Meeting to be convened for the purpose of Town Clerk Millious to present his budget that he has been statutorily bound to present to her by September 30th. He continued by saying that October 5th is a Sunday and went on by saying that his understanding is that according to Municipal Law it is the next workday and then suggested that the Town Board consider convening a Special Meeting on October 6th at a time and place at their convenience for the purpose of Town Clerk Millious to convey the 2009 Tentative Budget to them.

MOTION

On motion of Councilman Youmans, seconded by Councilwoman Rogers authorizing Supervisor Hotaling to call for a Special Town Board Meeting on Monday, October 6, 2008 at 6:00pm and directing Town Clerk Millious to advertise for the same.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Supervisor Hotaling stated that the Special Town Board Meeting will be for the purpose of presenting the Supervisor's Budget to the Town Board. He continued by asking if there were any additional New Business topics for discussion, hearing none he moved to the next item on the agenda.

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RESOLUTIONS

RES. #102-08 FIRST HALF SEWER BILLING CORRECTIONS
On motion of Supervisor Hotaling, seconded by Councilman Youmans, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, while reading meters related to establishing sewer billings for July 1, 2008 through December 31, 2008, it has been discovered that the meter readings for the following listed customers were erroneous, and

WHEREAS, the Town Board wishes to correct the billing of these customers by crediting the amounts listed below to each, and

Name	Customer Number	Amount
Carlton Allen	9	$1,220.98
Capital Care	41	$ 197.10
Draper Development	82	$ 159.93
New Visions	126	$ 457.97
Nemat Heydari	202	$ 108.49
D'Esposito Properties	209	$ 406.04
Coeymans Fire Company	297	$ 45.00

WHEREAS, in addition an error occurred in not recognizing a merger approved by Lori Mahan, Customer #304, the Town Board authorizes $141.25 to be credited to Ms. Mahan through her account, and

WHEREAS, following consideration of all above corrections, coupled with the 1st half 2008 collections, the total authorized for collection by the Town Clerk is $190,640.06 for service and $40,256.25 for bond debt.

Supervisor Hotaling stated that these were corrections that they became aware of after the billing went out and continued by saying that it was a program error. He then asked Town Clerk Millious for an explanation.

Town Clerk Millious stated that it was because there was a problem with previous readings and added that the first half readings were not closed out, which created a bill for more than it should have.

Supervisor Hotaling stated that they wanted to give credit as soon as possible given the fact that the bills were sent out incorrect.

RES. #103-08 APPOINT PART-TIME LABORER
On motion of Councilwoman Rogers, seconded by Councilman Youmans, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the 2008 budget called for a seasonal employee in the Beautification Department, and

WHEREAS, Richard D. Hotaling was appointed to this position until September 30, 2008, and

WHEREAS, the Town Board is desirous of providing continued services for 2008 to town buildings, assets and other areas, and

WHEREAS, Mr. Hotaling is desirous of remaining in a part-time position,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans appoints Richard D. Hotaling to the position of part-time Laborer, at the hourly rate of $13.00, not to exceed 20 hours per week, for the period of October 1st through December 31, 2008.

Supervisor Hotaling stated that for disclosure purposes Richard Hotaling is not a relative and added that he has also assumed the role of Cemetery Coordinator in the absence of Mr. Zielonko.

RES. #104-08 APPOINT POLICE SERGEANT
On motion of Councilman Youmans, seconded by Councilwoman Rogers, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the current budget provides for funding for three Sergeants in the Coeymans Police Department, and

WHEREAS, currently there is one Sergeant on staff and the Town Board agrees with the Chief's recommendation to add additional supervision, and

WHEREAS, Albany County Civil Service has determined that the current promotional list does not include any Coeymans' officers, thereby authorizing a provisional appointment, and

WHEREAS, the Chief has recommended Office Nicholas Westfall for promotion to Sergeant,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby promotes Officer Nicholas Westfall to the rank of Sergeant, effective September 24, 2008. This appointment is considered provisional pending future examination by Albany County Civil Service.

Supervisor Hotaling inquired as to the requirement for the September 24th date.

Chief Darlington stated that he will have one full year of service with the Coeymans Police Department on that date and added that he has 4 + years in law enforcement.

RES. #105-08 APPROVE AUGUST ABSTRACT
On motion of Councilman Touchette, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

FUND	VOUCHER #	AMOUNT
GENERAL (A)		
General Pre-Pay	1677-1707,1873-1874	$199,324.42
Gen. PP Police Forfeiture	1708	$ 390.00
General	1747-1809	$ 45,406.04
	General Total	**$245,120.46**
PART-TOWN (B)		
Part-Town Pre-Pay	1709-1720,1875-1876	$ 30,663.63
Part-Town	1810-1825	$ 5,222.49
	Part Town Total	**$ 35,886.12**

HIGHWAY (D)		
Highway Pre-Pay	1721-1733,1877-1878	$ 44,945.37
Highway	1826-1854,1872	$109,574.12
	Highway Total	**$ 154,519.49**
SEWER (SS)		
Sewer Pre-Pay	1734-1742,1871, 1879-1880,1883	$ 53,556.16
Sewer	1855-1867	$ 18,832.57
	Sewer Total	**$ 72,388.73**
CAPITAL PROJ. (H)	1868-1869	$ 501.28
	Capital Proj. Total	**$ 501.28**
COMMUNITY DEVELOPMENT (CD)	1870	$ 5060.00
	Comm. Develop. Total	**$ 5060.00**
	Total For All Funds	**$513,476.08**
TRUST & AGENCY (TA)		
Trust & Agency Pre-Pay	1743-1746,1881-1882	$ 213,458.67
	Trust & Agcy. Total	**$213,458.67**

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TOWN BOARD WORKSHOPS / MEETINGS

- September 30, 2008, 7pm-9pm – Town Sponsored Meeting, Lafarge Plant Modernization
- October 6, 2008, 6pm – Special Town Board Meeting, Budget Presentation
- October 14, 2008, 7pm – Town Board Meeting
- October 21, 2008, 6pm – Town Board Workshop
- October 27, 2008, 7pm – Town Board Meeting

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ADDITIONAL COMMENTS

Supervisor Hotaling asked if there were any additional comments.

Councilman Boehm stated that he wanted to publicly thank Supervisor Hotaling for his meeting with plant manager Martin Turecky at Lafarge and added that it is good news that they have withdrawn their tax assessment challenge.

Supervisor Hotaling stated that he wanted to convey greater respect for Martin Turecky than he already had and added that he took the task head-on and spent considerable corporate collateral that he had accumulated over the years to place himself in a position to make a final decision on this knowing his company's relationship with this community as well as the Town's relationship with his company. He continued by saying that if it were not for the hometown twist of Mr. Turecky in terms of the project he does not believe that they would be in the position that they are today. He went on by thanking Councilman Boehm for praising him and added that he appreciates it and in turn he wanted to convey equal if not greater thanks to Mr. Turecky. He concluded by saying that it was a joint effort and in the end it is a win for the community.

Supervisor Hotaling asked if there were any additional comments.

Attorney for the Town Wukitsch stated that he wanted to echo what Councilman Boehm had said and added that he wanted to congratulate Supervisor Hotaling on the energy for which he took on the issue posed by Lafarge, which will benefit all of the taxpayers of the Town.

Supervisor Hotaling thanked Attorney for the Town Wukitsch and then asked if there were any additional comments.

Chief Darlington stated that he wanted to inquire as to whether or not the Town of Coeymans would be willing to entertain a Local Law where large gatherings would be required to have a permit. He continued by saying that on the weekend of the Friendship Festival on one night there were three large events as well as several smaller events that could have potentially put a strain on the Police Department. He went on by saying that there was the Friendship Festival, the annual event at Jell-E's as well as a resident on Rte. 143 having a large party and just south there was the Greene County Fireman's Convention. He added that the only notification that the Police Department got prior to the events was for the Friendship Festival and by chance he found out about the other events.

Supervisor Hotaling stated that the Friendship Festival was a community event, which they would have known about anyway and added that Jell-E's from a commercial perspective might be subject to a permit and went on by saying that he is struggling with requiring a private party to have a permit. He then asked Attorney for the Town Wukitsch if there is a distinction that can be drawn.

Attorney for the Town Wukitsch stated that he has seen that municipalities will have a permitting system that only deals with the use of public facilities and added that activities on private property would not apply.

Chief Darlington stated that he is talking about 200+ people and added that he knows that the Health Department has certain requirements.

Supervisor Hotaling interjected that he does not believe that it is government's role to try and figure out what private individuals have to do on their property. He added that he knows that it can draw some attention from the police if there are some complaints of loud noise, which could happen in any circumstance.

Attorney for the Town Wukitsch stated that it could happen if there were three people and added that it would not have to be a large gathering.

Supervisor Hotaling stated that he would not want to get into and engage in a discussion about what a private individual has, for example port-o-potties, if there are 100 people attending and added that if the Health Department has rules governing it then in turn they have enforcement capabilities.

Chief Darlington stated that his concern is the ability to handle in one night six large incidents with all but the Friendship Festival serving alcohol and added that they don't get notified of the events but are expected to handle it if an issue arises.

Supervisor Hotaling stated that the Zoning Board is dealing with whether or not there is a requirement for large gatherings in the Zoning Ordinance and whether or not there should be an application to go to a reviewing Board and reiterated that he still has a problem with the private parties.

Attorney for the Town Wukitsch stated that there are regulations that would apply to private parties such as disorderly conduct, disturbing the peace, etc.

Supervisor Hotaling stated that there are also laws that pertain to under age drinking that they could refer to.

Attorney for the Town Wukitsch stated that he believes that Chief Darlington is saying that if they had advance notice they could plan for it.

Chief Darlington reiterated that there were six events within the Town that had potential for problems.

Supervisor Hotaling stated that there is an opportunity at hand to be able to deal with it whether it is a permit or merely a notification without a permit when a commercial establishment is going to take place and added that he does not want to be in the position to have Chief Darlington tell him that he is putting extra officers on for a private party. He then asked if there were any additional comments.

Councilman Boehm stated that Councilman Youmans had attended a Village meeting and a letter was written to Mayor Bruno and continued by asking if there has been any communication with the Village on the Sewer Contract.

Supervisor Hotaling stated that he has not received anything and added that it was his understanding that they would be receiving something from the Village's attorney.

Councilman Youmans stated that there has not been anything and added that it is disheartening and he does not know where to go with it. He continued by saying that it is unfortunate and it looks like both sides are going to have to let the attorneys handle it because there has been no communication. He concluded by saying that it is also unfortunate that the taxpayers are going to have to pay for something that could have been settled over a pot of coffee and some reasonable people in the room in an hours time.

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

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ADJOURNMENT

Supervisor Hotaling asked for a motion to adjourn the meeting.

MOTION

On motion of Councilman Boehm, seconded by Councilman Youmans, the Town Board Meeting was adjourned.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time: 9:07pm

Respectfully Submitted, **APPROVED:**

_____
Diane L. Millious, Town Clerk

A Bid Opening was held Friday, September 19, 2008, at 2:00pm at Town Hall, 18 Russell Avenue, Ravena, New York

PRESENT: Diane L. Millious, Town Clerk
Cindy Vatalaro, Deputy Town Clerk
James C. Youmans, Councilman

ALSO PRESENT: Ed Vopelak, Engineer C.T. Male
Jeffrey Marani, CO Falter Construction
Peter Radosta, Koester Assoc.
Daniel Barry, Flach
Representative from Kingsley Arms

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The following Legal Notice appeared in the Ravena News Herald.

TOWN OF COEYMANS
WASTEWATER TREATMENT PLANT
INVITATION TO BID

Sealed Bids will be received at the Office of Town Clerk, Town of Coeymans, Town Hall, 18 Russell Avenue, Ravena, NY 12143, until 2:00 PM local time on Friday, September 19, 2008, and then at said office publicly opened and read aloud for:

UV Disinfection Installation and Aeration Tank Modifications
Town of Coeymans
Wastewater Treatment Facility

The work includes furnishing and installing ultraviolet disinfection equipment, aeration tank modifications and site restoration.

A pre-bid conference will be held at 10:00 AM on Friday, September 5, 2008 at the Coeymans WWTP. Representatives of OWNER and ENGINEER will be present to discuss the Project. Bidders are encouraged to attend and participate in the conference. ENGINEER will transmit to all prospective Bidders of record such Addenda as ENGINEER considers necessary in response to questions arising at the conference. Oral statements may not be relied upon and will not be binding or legally effective.

The Project shall be completed on or before March 31, 2009.

Bids will be received on a lump sum basis.

Bids should not include sales and compensating use taxes on materials incorporated into the work.

Bids actually received by mail or by hand after the appointed time on the date specified shall be rejected, notwithstanding that such Bid may have been placed in a mail box or other mail receptacle regularly maintained by the United States Postal Service before such time, and ordinarily in sufficient time to have been delivered on time.

Bid security in the amount of 5% of the Bid must accompany each Bid in accordance with the Instructions to Bidders.

The successful Bidder will be required to furnish a performance bond and a payment bond, each in an amount equal to 100% of the contract price.

Drawings and Specifications may be examined on and after Thursday, August 28, 2008 at C.T. MALE ASSOCIATES, 50 Century Hill Dr., P.O. Box 727, Latham, NY 12110-0727, tel. (518) 786-7400, from 7:30 AM to 4:15 PM Monday through Friday, and at Town of Coeymans, Town Hall, 18 Russell Avenue, Ravena, NY between the hours of 9:00 AM and 4:00 PM. Documents may also be examined at Eastern Contractors

Association, Inc., 6 Airline Dr., Albany, NY 12205, tel. (518) 869-0961, from 8 AM to 5 PM Monday through Friday; at F.W. Dodge, 6 Wembley Ct. Albany, NY 12205, tel. (518) 869-5374, from 8:30 AM to 5 PM Monday through Friday; and at Reed Construction Data, 1275 Broadway, Albany, NY 12204, tel. (518) 487-3649, from 8:00 AM to 5:00 PM Monday through Friday.

Complete sets of Bidding and Contract Documents may be purchased from C.T. MALE ASSOCIATES, P.C. The deposit on the first set is fifty dollars ($50), to be refunded in full to all Formal Bidders provided that the complete set of Bidding and Contract Documents (Drawings and Project Manual) is returned to C. T. MALE ASSOCIATES, P.C., postage paid and in good condition within 30 days after the Bid Opening. Full refund will be made to non-bidders only if the complete set of Documents is returned to C. T. MALE ASSOCIATES, P.C., in good condition within 7 days after the bid opening. Additional sets of Documents are available at non-refundable cost as listed in the Instructions to Bidders. If requested, documents will be mailed by mail or overnight delivery at additional non-refundable cost of $8.00 per set for postage and handling.

Payment for Documents should be made either in cash or by check. Separate checks should be written for the first set, for any additional Documents, and for postage and handling. Checks for the first set and any additional Documents should be made payable to Town of Coeymans. Check for postage and handling should be made payable to C. T. MALE ASSOCIATES, P.C.

The successful Bidder must comply fully with the requirements, terms, and conditions of the contract for State Assistance WWTP Water Quality Improvement Projects, NYS Department of Environmental Conservation (NYSDEC) Contract No. C301967, NYSDEC Minority/Women Business Enterprise (MBE/WBE) requirements including the goals established for MBE/WBE participation during the performance of the Contract (see Instructions to Bidders). The Bidder commits himself/herself to the performance of positive efforts to achieve the goals for MBE/WBE participation contained therein and all other requirements, terms, and conditions of the Bid Specifications by submitting a properly signed Bid. The successful Bidder agrees that he/she will make good faith efforts to subcontract at least 6% of the total value of this contract to minority business and at least 6% to women business. EEO goals (work force make up) at 10% women and 10% minority.

The Town of Coeymans reserves the right to waive any informalities or irregularities in the Bids received, or to reject any or all Bids without explanation.

By Order of the Town Board
Of the Town of Coeymans
Diane L. Millious
Town Clerk

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BID OPENING

Town Clerk Millious opened the bids and in turn they were read aloud by Mr. Ed Vopelak, Engineer for C.T. Male.

BIDDER

Flach Industries	$746,000.00
CO Falter Construction	$441,101.00
Carver Construction	$612,300.00
Kingsley Arms Inc.	$548,700.00

The Bid Opening was concluded at 2:07pm

***Respectfully Submitted*,** **APPROVED:**

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Diane Millious, Town Clerk

A Bid Opening was held Thursday, September 18, 2008, at 2:00pm at Town Hall, 18 Russell Avenue, Ravena, New York

PRESENT: Diane L. Millious, Town Clerk
Cindy Vatalaro, Deputy Town Clerk

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The following Legal Notice appeared in the Ravena News Herald.

NOTICE TO BIDDER
INVITATION TO BID

NOTICE IS HEREBY GIVEN that the Town Board or the Town of Coeymans, Albany County, New York, hereby invites sealed bids for:

- One (1) 1969 966 Cat Loader with some parts, extra tire, and filters.
  Minimum Bid $15,000.00

- One (1) V Plow
  Minimum Bid $500.00

- One (1) 1978 John Deere Tractor
  Minimum Bid $500.00

All prospective bidders may call the Highway Superintendent at 756-2251 between the hours of 7:00am-3:30pm regarding this bid. Bid packages can be obtained at the Town Clerk's Office between the hours of 8:30am-4:30pm.

Bids will be received at the Town Clerk's Office, Town of Coeymans Town Hall, 18 Russell Avenue, Ravena, NY 12143 up to 2:00pm on Thursday, September 18, 2008, and read aloud on that same day at 2:00pm.

Non-Collusive Bidding Forms must be submitted with all bids. The Town Board of the Town of Coeymans reserves the right to waive any informality and to reject any and all bids.

The bidder is responsible for compliance with all Federal and State laws and guidelines for this bidding process.

By Order of the Town Board
of the Town of Coeymans
Diane L. Millious
Town Clerk

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BID OPENING

Town Clerk Millious opened the bids and read them aloud promptly at 2:00pm as follows:

BIDDER	ITEM	BID PRICE
Charles Biers III	1978 John Deere Tractor	$1,453.00
J.R. Pietropaoli	1978 John Deere Tractor	$ 551.53
Albert Collins	1978 John Deere Tractor	$ 751.00
Rick Behuniak	1978 John Deere Tractor	$ 976.00

Town Clerk Millious noted that the bid for J.R. Pietropaoli was not on the official Bid Proposal Form and did not include a Non-Collusive Bid Form.

The Bid Opening was concluded at 2:05pm

***Respectfully Submitted*,** **APPROVED:**

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Diane Millious, Town Clerk

MINUTES BOOKTOWN OF COEYMANS**
September 16, 2008 – Town Board Workshop Meeting – 6:00pm

A Town Board Workshop was held Tuesday, September 16, 2008 at 6:00pm at Town Hall, 18 Russell Avenue, Ravena, New York

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

ALSO PRESENT: Diane Millious, Town Clerk
Greg Darlington, Chief of Police

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Councilwoman Rogers opened the Workshop and led the Pledge of Allegiance.

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AGENDA ITEMS

- Police Sergeant Status

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ADJOURNMENT

Councilwoman Rogers asked for a motion to adjourn the meeting.

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, the Town Board Meeting was adjourned.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time: 6:55pm

Respectfully Submitted, **SO MOVED:**

_____
Diane L. Millious, Town Clerk

A Town Board Meeting was held Monday, September 8, 2008 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
Robert Heffner, Special Counsel for Water District
Edwin Vopelak, Engineer, C.T. Male
Albert Deering, Highway Superintendent

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

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OPENING COMMENT

Supervisor Hotaling stated that the record should reflect the presence of a full Town Board in addition to Town Clerk Millious, Robert Heffner, Special Counsel for the Water District and Edwin Vopelak, Engineer, C.T. Male.

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AGENDA

- Public Comment
- Approval of Minutes
  - Public Hearing, July 28, 2008
  - Town Board Meeting, July 28, 2008
  - Town Board Workshop, August 19, 2008
  - Special Town Board Meeting, August 19, 2008
- Old Business
  - Martins Hill Water Project
  - Alcove Reservoir Dam
  - Family Self-Sufficiency Program
  - Waste Water Treatment Plant Ultraviolet Disinfection Project
  - Finalization of Zoning Board of Appeals Decision
  - Rescind Resolution Appointing Planning Board Member
- New Business
  - Highway Equipment Inventory
  - Capital Region Solid Waste Management Plan
  - Approval of Capital District Physicians Health Plan Contract
  - Liaison Options with RCS School Board
  - Council 82 Contract Negotiations
  - Approval to Attend Albany Law School Conference
- Resolutions
  - Adopt Determination of Non-Significance RE: Martins Hill Water District
  - Approve Establishment of Martins Hill Water District
  - Appoint Clerk I
- Correspondence
  - Alcove Preservation Association
- Town Board Workshops / Meetings
  - Town Board Workshop, September 16, 2008, 6pm
  - Town Board Meeting, September 22, 2008, 7pm

PUBLIC COMMENT

Supervisor Hotaling invited the public to comment at this time.

Ms. Karen Solimowicz stated that she lives at the Civill Senior Housing and added that she has a petition that they signed against Mr. McHugh at 109 Westerlo Street and continued by saying that every night he burns something from approximately 9pm to 5am in the morning. She added that the smell is so strong that it burns their eyes, throat and makes them sick and went on by saying that the petition has several signatures of residents. She concluded by asking if there is anything that the Town Board can do about it.

Supervisor Hotaling stated that someone had come to his office last week with the same complaint and added that when his secretary gave him the note in regard to that visit he took the liberty of speaking with the Code Enforcement Officer, who has been interacting with Mr. McHugh on a solid fuel burning device permit that has failed to have been obtained by Mr. McHugh and in turn communication is going back and forth now. He went on by saying that coincidentally he was provided earlier in the day from DEC two complaint forms that persons with complaints could utilize and file with DEC and continued by saying that they are maintaining a log on outdoor wood boilers and furnaces in other areas of the state and are using this as a way for members of the public to communicate with them to identify periods when smoke being emitted from an outdoor wood boiler appears to be the heaviest in addition to being able to identify the smoke plume that you are experiencing.

Ms. Solimowicz stated that Gary McPherson at DEC called her earlier in the day and advised that Supervisor Hotaling had the forms.

Supervisor Hotaling stated that was correct and added that he would be happy to hand them out to any one that wants them and added that there is a second form that is to be used to identify when and how your comfortable enjoyment of life and property were compromised due to smoke and odor emissions from an outdoor wood boiler. He concluded by saying that Mr. McPherson has provided the forms to the Code Enforcement Department and in turn they provided them to him and he will be happy to distribute them to anyone that wants them.

Ms. Solimowicz stated that some residents of Civill Senior Housing had seen three truck loads of telephone poles going onto the property and added that she does not know what he is doing with them other than burning them and added that it is a very strong caustic odor.

Supervisor Hotaling stated that this information will be helpful for Mr. McPherson to try and determine potentially what is being burned there and added that it might be an opportunity to explain what the observations were.

Councilman Youmans stated that he would question this time of year if it truly is an outdoor wood boiler that people smell because he is still running an air conditioner.

Supervisor Hotaling stated that Code Enforcement Officer Conrad has attempted to get some information on it and has sent a communication to Mr. McHugh trying to ascertain the type of product he is using to burn. He continued by asking if there were any additional comments pertaining to this.

Mr. Jim Travers stated that creosote is now an illegal product and it is not allowed to be used and added that when it is burned it creates dioxins and other dangerous chemicals and continued by saying that it would never be an appropriate use for telephone poles to burn in a burner.

Supervisor Hotaling stated that he understands and added that he is not sure that they are making assertions that he is burning them and continued by saying that he believes that they were making observations of those things coming onto his property. He went on by

saying that they will leave it up to DEC to take the information where ever it will lead them.

Supervisor Hotaling asked if there were any other comments on any other topic either on or off the agenda.

Mr. Travers stated that there are two things and added that there is a pending petition and application for P&M Brick and the Construction and Demolition Debris Recycling Facility.

Supervisor Hotaling inquired as to if he is referring to the DEC application.

Mr. Travers stated that he is and added that it is prohibited by the Town's ordinances and added that he would like for the Code Enforcement Officer to enforce the codes. He continued by saying that if it is a prohibited operation the Town should let Mr. Laraway know so he can save the money of going through all the applications and hiring CHA and added that it is a huge cost and reiterated that if it is prohibited it is a waste of his time to allow him to let it go on. He continued by saying that he would like to see Building Inspector Conrad not play partisanship and to enforce the laws as they are written and not because one guy is a good guy in his opinion not to pursue enforcement in those cases, which there are a few that he will speak to him in private about. He added that the other issue is the assessment on Lafarge and went on by saying that Lafarge wants to reduce their assessment from 99 million dollars down to 25 million dollars and have filed papers in court earlier in the day. He concluded by saying that it is his understanding that they gave no rational for their reduction in their request and added that it is outrageous that they would try to do that and added that he hopes the Town perseveres and wins the suit because we need those tax dollars in this town.

Supervisor Hotaling stated that there is no question that the reduction in value would be a tremendous blow and added that they want them to be good neighbors but in turn do not want them to pick the Town's pockets in terms of trying to reduce the value that they believe to be unconscionably low and went on by saying that they are going to aggressively pursue it. He went on by saying that this is their right and added that there is a meeting the following day with counsels and people that the Town has engaged in order to respond.

Mr. Travers stated that he wanted to address the P&M project again and continued by reiterating that if the ordinances are going to be upheld Mr. Laraway has to be told that it is an illegal operation. He then asked if he has been told that it is an illegal operation and if not why hasn't he been informed that such an operation is illegal.

Supervisor Hotaling stated that Mr. Laraway is in the application stage for this and added that the public comment period for the application has been extended. He continued by saying that in his absence the Town Board told him that they became fully aware of the connection between the application and Mr. Travers reference to Town Law 138 and added that he and Mr. Travers had engaged in e-mails prior to this and in turn he attempted to suggest that in 1995 construction debris as they knew it then was a product that was being land filled and a product that was not envisioned to be reclaimed, recycled or reintroduced into a positive construction stream. He went on by saying that he is not professing that he completely understands the application and added that he does know that it has something to do with reclamation and recycling of non-hazardous construction debris. He continued by saying that he believes that Mr. Travers is right in saying that Town Law 138 prohibits the importation of construction debris and added by saying that he would again point out again to Mr. Travers that his sense is that it was intended to thwart Albany's effort to site a Municipal Solid Waste Landfill and also start land filling construction debris, which may have been and likely been hazardous waste by including asbestos and other materials. He concluded by saying that the question now becomes whether or not the application of Mr. Laraway and the sense of the Town Board would result in a review of that statute to understand and embrace the legitimate means by which the material can be reclaimed or recycled because the latest technologies might place it in a recycling category as opposed to an importation for landfill and added that he believes it would be premature to suggest to Mr. Laraway at his point that he not go

forward with his application and continued by saying that he has every right to do that because he has not engaged in any processing of construction debris at this point and went on by saying that what he has processed so far has been rock and dirt.

Mr. Travers stated that they have also been processing scrap metal, which would be classified as a Junk Yard and added that Junk Yards existed for reclamation of metal. He continued by saying that there is a Junk Yard in operation on Mr. Laraway's property and went on by saying that the Town has taken no legal action to site him for an illegal operation. He concluded by saying he is curious as to why.

Supervisor Hotaling stated that he just tried to explain to him that the Town Board understands the issues and distinctions.

Mr. Travers interjected that he is not talking about construction debris and is a separate issue and continued by saying that there is a pile of scrap metal down there and added that it has been operating there for quite some time and reiterated that he wanted to know why the Town has not said that it is an illegal operation.

Supervisor Hotaling stated that he has not said that it is an illegal operation nor has he directed anyone to say that and added that if he would like he would speak with the Code Enforcement Officer in the morning to see if he has any interest in citing him for that. He continued by saying that it is his understanding that he has Albany Steel come in with metal, which is sorted and placed on a barge and shipped down the river.

Mr. Travers interjected that Mr. Laraway could probably address the answer to this and added that the business address on the website is either Waterford, Watervliet or Green Island and added that the delivery point to that business is the P&M brickyard. He continued by reiterating that scrap metal in this aspect is a junkyard and the Town should enforce the ordinances that are on the books and prohibit things that are prohibitable. He concluded by saying that the Town needs to uphold their own ordinances and went on by saying that they cannot selectively do it because one guy is a nice guy.

Supervisor Hotaling stated that he does not believe that they are selectively doing it at this point and continued by saying that they have a decision to make as to the current processes of this type of material and whether it is recycling or not. He went on by saying that a junkyard receives junk automobiles and other metals and stores it there and added that when someone needs a part such as a fender they try to find it there.

Mr. Travers stated that in closing he would ask that the Town Board look to our historic nature to invigorate our economy through tourism and added that they have the Hamlet of Coeymans, which is unique and a river front access that is unique and added that money should be pumped into rehabbing the houses and bring them up to a tax level where they are productive properties. He concluded by saying that they should do what they can do and went on by saying that there is limited land that they can develop and they should not waste the waterfront on industrial operations and never be able to reclaim it.

Supervisor Hotaling stated that he does not believe that they are of the opinion that they are wasting the waterfront on industrial and added that they have a brickyard that was in operation for many decades and is no longer making brick and at one point was considered by someone to be a riverfront amphitheatre condominium outlet but for whatever reason it fell apart. He added that his feeling is that Mr. Laraway is clean if not green and continued by saying that he has recycling in mind and has not given any indication that he is doing anything to make them believe that he is going to be bringing in municipal solid waste or anything else that is bad for the community.

Mr. Travers interjected that there was an application to bring in municipal solid waste.

Supervisor Hotaling asked if he was talking about the Transfer Station.

Mr. Travers stated that he was talking about a Municipal Solid Waste Facility and added that he filed both applications on the same day and withdrew the one for 34,000 tons a day of solid waste and added that it is in the record and he will leave a copy. He

continued by saying that what they are seeing is a back door approach at getting Albany in the Town and if they allow him to run the business how can they say no to Albany that they cannot run a Municipal Solid Waste Facility. He went on by saying that he wants to turn the wood debris into mulch and added that it is not the best use and it is not reclaiming wood and not reducing the carbon footprint and added that there are better uses for it. He concluded by saying that he had his say and thanked the Town Board.

Supervisor Hotaling asked if there were any additional comments.

Mr. Carver Laraway stated that he is from P&M and continued by saying that Mr. Travers had a good point and in turn he will follow-up on using the mulch for something other than that. He added that Mr. Travers called the operation a Junk Yard and went on by saying that they are a commodities dealer, a port, and they take the material, replace it and put it back out and continued by saying that there is no scrap metal sorting. He concluded by saying that they are there to improve and put people back to work, which he feels as though they can do in harmony.

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

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APPROVAL OF MINUTES

Supervisor Hotaling stated that there were four sets of minutes for Town Board approval, a Public Hearing on July 28th, a Town Board Meeting on July 28th, a Town Board Workshop on August 19th and a Special Town Board Meeting on August 19th. He continued by saying that he was absent on August 19th and added that he would entertain a motion to approve the minutes collectively and he will make his vote in the affirmative with recognizing his absence on the 19th.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Boehm, approving the minutes as presented.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Supervisor Hotaling stated that he voted in the affirmative recognizing his absence on August 19th. Councilman Youmans indicated that he was absent on August 28th and felt the same.

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OLD BUSINESS

Martins Hill Water Project

Supervisor Hotaling stated that he wanted to advise the Town Board and the public that they received approval from the Albany County Department of Health for the water supply improvements on Martins Hill that were sent to them with the efforts of Ed Vopelak and C.T. Male and the legal efforts of Mr. Haffner. He added that prior to the Town Board Meeting there was a Public Hearing as to the establishment of the Water District on Martins Hill and continued by saying that Mr. Haffner and Mr. Vopelak guided them through that process as well and went on by saying that later in the meeting there is a resolution for introduction into the record as a result of the Public Hearing. He concluded by saying that he would read the resolution into the record as a result of the Public Hearing and then ask for a second.

Supervisor Hotaling started reading the resolution and then stopped and asked Mr. Haffner if he should read it into the record.

Attorney Haffner stated that they should go through the Short Environmental Form first.

Supervisor Hotaling stated that he was withdrawing his previous words and then asked that Attorney Haffner lead them through the process.

Attorney Haffner stated that when they get through the Short Environmental Assessment Form process they can go forward with the resolution that says that SEQRA has been complied with.

Supervisor Hotaling stated that when he got to that part of the resolution he realized that they had not done it yet.

Attorney Haffner stated that they were both on vacation and this was on the agenda for this meeting and added that he didn't get a chance to get the Short Environmental Assessment Form to the Town Board prior to the meeting. He concluded by saying that he would read Part I and at the end ask that Supervisor Hotaling sign it and make sure that the Town Clerk gets a copy of it and added that it is what is called an Unlisted Action, which means that it is not large enough to require a much more involved environmental form and process and upon completion of Part I he will go through the questions with the Town Board for Part II.

Attorney Haffner continued by reading Part I aloud and added if the Board agrees that the facts are right in turn Supervisor Hotaling can sign it.

Supervisor Hotaling signed the page.

Attorney Haffner stated that his will be the official one and added that he can give it to Town Clerk Millious when it is done and continued by reading Part II, which with the answer being no to all of the questions. He went on by saying that based on their answers the Town Board can now go forward with the resolution, which states that after going through the process they can either find that there are significant environmental effects of that or there are not any significant adverse impacts. He concluded by saying that the resolutions says that they are approving a Negative Declaration and authorizing the Supervisor to fill in and sign Part III.

Supervisor Hotaling continued by reading the resolution as follows:

RES. #099-08 APPROVE NEGATIVE DECLARATION
On motion of Supervisor Hotaling, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the Town of Coeymans wishes to establish the Martins Hill Water District in accordance with the map, plan and report on file with the Town Clerk and with New York Town Law Article 12-1, and

WHEREAS, the Town Board is duly qualified to act as Lead Agency for compliance with the State Environmental Quality Review Act (SEQRA), which requires environmental review of certain actions undertaken by local governments, and

WHEREAS, the proposed action is an unlisted action in accordance with the rules and regulations of SEQRA,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board, after considering the proposed action, reviewing the Short Environmental Assessment Form and thoroughly analyzing the action for potential environmental concerns determines that the action will not have a significant effect on the environment, and

BE IT FURTHER RESOLVED, that the Town Board hereby authorizes and directs the Town Supervisor to complete the Environmental Assessment Form by checking the box indicating that the proposed action will not result in any significant adverse impacts, and

BE IT FURTHER RESOLVED, that the Town Board approves of a Negative Declaration and authorizes and directs the Town Clerk's Office to file any necessary

documents in accordance with the provisions of the general regulations of the Department of Environmental Conservation.

Attorney Haffner stated that in part III there are two boxes that do not appear on the form where you would either check that there is or is not significant adverse impacts and added that two boxes should be added.

Supervisor Hotaling stated that he was adding the boxes and continued by asking if there were any additional comments.

Attorney Haffner interjected that they should move on to the second resolution approving the establishment of Martins Hill Water District.

Supervisor Hotaling asked that a Town Board member read the next resolution.

RES. #100-08 APPROVE ESTABLISHMENT OF MARTINS HILL WATER DISTRICT
On motion of Councilman Youmans, seconded by Councilwoman Rogers, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the Town Board (the "Board") of the Town of Coeymans has decided to form the Martins Hill Road Water District (the "District") in accordance with Article 12-A of New York Town Law for the purpose of delivering water from the Village of Ravena to twenty-one (21) properties generally along or adjacent to Martins Hill Road (NYS Route 143) and Skyview Drive, and

WHEREAS, a Map, Plan and Report (the "Plan") which includes (a) the boundaries of the proposed district; (b) a general plan of the proposed water system; (c) a report of the proposed method of operation; (d) the source of water supply and description of any lands, streams, water to water rights to be acquired; and (e) the mode of constructing the proposed water works, water mains, distributing pipes and hydrants, was submitted to the Town Board and filed with the Town Clerk, and

WHEREAS, on August 19, 2008, subsequent to the filing of the Plan with the Town Clerk, the Town Board adopted an Order (the "Public Hearing Order") reciting (a) the boundaries for the proposed District; (b) the proposed improvements; (c) the maximum amount proposed to be expended for the improvement; (d) the estimated cost of hook-up fees (if any) and the cost of the District to the typical property and the typical one or two family home (if not the typical property); (e) the proposed method of financing to be employed; (1) the fact that a map, plan and report describing the improvement is on file in the Town Clerk's office; and (g) the time and place of a public hearing on the proposed District, and

WHEREAS, copies of the Public Hearing Order were duly published and posted as required by law, and

WHEREAS, prior to publication of the Public Hearing Order, a detailed explanation of how the estimated cost of hook-up fees (if any) and the cost of the District to the typical property and typical one or two family home (if not the typical property) were computed was filed with the Town Clerk for public inspection, and

WHEREAS, a public hearing on the proposed District was duly held on September 8, 2008, and the Town Board has considered the evidence given thereat together with other information, and

WHEREAS, the Town Board has determined that the Project is an Unlisted action under the State Environmental Quality Review Act ("SEQRA") and has reviewed and completed Parts I and II of the Short Environmental Assessment Form ("EAF"), and

WHEREAS, on September 8, w008, the Town Board adopted a resolution (the "SEQRA Resolution") determining that there will be no adverse environmental impacts from the formation and improvement of the District and adopting a Negative Declaration for the

project under the State Environmental Quality Review Act ("SEQRA"),

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby makes the following determinations:

a. The notice of public hearing was published and posed as required by law and is otherwise sufficient;

b. All of the property and property owners within the proposed District will be benefited thereby;

c. All of the property and property owners benefited are included within the boundaries of the proposed District;

d. The establishment of the District as hereinafter described is in the public interest; and

BE IT FURTHER RESOLVED, that the Board does hereby approve the establishment of the District as the boundaries are set forth in the Plan, and

BE **IT FUTHER RESOLVED,** that the proposed improvements in the District as set forth in the Plan be constructed and the service within the District be provided upon the required funds being made available or provided for, and

BE IT FURTHER RESOLVED, that this Resolution is subject to permissive referendum pursuant to Article 7 of Town Law and subdivision 3 of Section 209-e of Town Law, and shall not take effect until such time as provided therein. The Town Clerk is hereby authorized and directed to post and publish the notice required for resolutions subject to permissive referendum, to make available proper forms for a petition for referendum and distribute a supply to anyone who requests them and, if no such petition is filed within 30 days after the date of this Resolution, to file a certificate to that effect in the office of the County Clerk and with the State Department of Audit and Control, and

BE IT FURTHER RESOLVED, that establishment of the District is subject to approval by the New York State Comptroller pursuant to Town Law Section 209-f, and the Town Supervisor is hereby authorized and directed to execute and file an application with the State Comptroller for permission to establish the District and to do all other acts and things required in connection therewith, and

BE IT FURTHER RESOLVED, that the Town Supervisor is hereby authorized and directed to execute and deliver such other agreements, instruments and other writings and to take such further actins as he, in his sole discretion, deems necessary or desirable to carry out the intent of this resolution.

Supervisor Hotaling asked if there were any additional comments and continued by asking Attorney Haffner if he had any closing comments about the next steps.

Attorney Haffner stated that he has given the Town Clerk a copy of the Notice that has to be published and continued by saying that he will work with the Town Clerk if anyone asks her for forms of petition. He added that at the end of 30 days he will be talking to her to make sure that they get an affidavit that the 30 days passed and to also make sure that the Proof of No Permissive Referendum is properly filed. He concluded by saying that they should have a bond resolution for the next meeting and in turn they will start work on the application for the Comptroller, which will be a lot of financial information.

Supervisor Hotaling thanked Mr. Haffner and Mr. Vopelak.

Alcove Reservoir Dam

Supervisor Hotaling stated that he has some correspondence from DEC relative to some issues that were identified during their visual observations on the Alcove Dam inspection that happened in early May or late April. He added that Mr. Bruno, Emergency Management Coordinator came and talked to the Town Board about it and added that it

was put back on the agenda to assess the progress of Albany Water Board complying with DEC's suggestions and mandates as far as putting together a Inspection and Maintenance Plan as well as an Evacuation Plan, which he does not believe has been done. He concluded by saying that with the Board's permission he will follow-up with Mr. Bruno to see if he has heard anything and in turn bring it back to the Town Board's attention at the next meeting.

Family Self-Sufficiency Program

Supervisor Hotaling stated that during discussion with Mr. James Mastrianni, Administrator for the Town's Section 8 Program and along with the Public Hearing that was conducted, there was a recommendation and request on the part of Mr. Mastrianni for the Town Board to consider a reintroduction of the Family Self Sufficiency Program in the Town of Coeymans. He continued by saying that the Town did have that program for a number of years and found in 2004 that the program was not providing the services to those that it was intended and in turn they stopped the Family Self Sufficiency portion of the program in addition to establishing preferences that the Section 8 clients be elderly and or handicapped. He went on by saying that they believe that the HUD Program from years back was intended to serve those that were elderly and or handicapped in their communities and not necessarily those who were transients coming in and living in places like Oakbrook Manor. He continued by saying that it was a very great degree of success and in Civill Senior Housing they actively pursued applicants down there and picked up 8-9 and added that those who were able to become members of the program receive assistance for the senior citizen housing. He concluded by saying that he had told Mr. Mastrianni that he would ask the Town Board about the reintroduction of the Family Self Sufficiency Program and then asked if anyone had any discussion about this and whether or not they see any benefit for reintroducing the program.

Councilman Boehm stated that he was familiar with the program and does not see any point in reinstating it and added that he does not believe that there is a benefit for the Town to do it.

Councilwoman Rogers stated that she agrees and added that they cleaned up a lot of messes, which they do not want to come back.

Councilman Youmans stated that in line with Supervisor Hotaling's earlier comments, the program was really designed for the elderly and or disabled and this is the Town Board preference for the Section 8 Housing.

Supervisor Hotaling stated that they have made some great progress in that regard and added that the last report indicated that 79 units are occupied in addition to Mr. Mastrianni saying that there is a list of people who want to come into the Town's program. He added that if anyone knows of someone that believes their income level would be such that they could receive some rental assistance through the Section 8 Program that live in Town they should bring it to the Board's attention because they would like to fill the remaining vacancies up with that type of preference to help the community. He then asked for a motion form the Town Board asking that he communicate back to Mr. Mastrianni that they are not interested in reintroducing the Family Self Sufficiency Program.

MOTION

On motion of Councilman Boehm, seconded by Councilman Touchette, authorizing Supervisor Hotaling to write a letter to Mr. Mastrianni stating that the Town Board of the Town of Coeymans has no desire to reintroduce the Family Self Sufficiency Program at this time.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Supervisor Hotaling stated that he would send a letter the following day.

Waste Water Treatment Plant Ultraviolet Disinfection Project

Supervisor Hotaling stated that the grant that was rendered by DEC several years ago relative to changing from a chlorine process to an ultraviolet disinfection process has now reached the point where DEC has approved the disinfection plans. He continued by saying that it is his understanding that specifications were developed and in turn it was put out to bid. He then asked Town Clerk Millious when the bids are due.

Town Clerk Millious stated that is Friday, September 19th at 2pm to be read aloud at Town Hall.

Supervisor Hotaling reiterated that the deadline is Friday, September 19th at 2pm and in turn they will open and read aloud and then they will be reviewed by the Engineer and Town Board. He continued by saying that if the bids are determined to be valid and the lowest responsible bidder can be selected at the Town Board Meeting at the end of September and the project can commence and be completed before winter comes around.

Councilman Youmans stated that in the past the effluent, which is the treated water that comes out of the sewer plant and discharged into the river, was treated with chlorine as a disinfectant. He added that this process will allow them to use ultraviolet light for the final disinfection and continued by saying that those who work in the plant will not be exposed to the chlorine in addition to it being more environmentally friendly.

Supervisor Hotaling interjected that it is also in compliance with former Governor Pataki's effort to be able to swim in the river by 2012 and added that they were emitting quantities of chlorine that exceeded the level at which it should be discharged into the river. He added that they will wait to see what the bid process brings and move forward from that.

Finalization of Zoning Board of Appeals Decision

Supervisor Hotaling stated that they had received a proposal from Attorney Penpraze some time ago talking about proposals to write Zoning Board of Appeals decisions and added that members of the Town Board were concerned with having that done by a lawyer when there is a Zoning Board of Appeals. He continued by saying that Councilman Touchette had taken the project over and assisted them to a point where ZBA decisions are being done more efficiency, effectively and quicker as well as a plan to do the backlog. He then asked that Councilman Touchette address the topic.

Councilman Touchette stated that when they first got Attorney Penpraze's letter, she proposed that she prepare the ZBA decisions on a time and disbursement basis and added that the Town Board decided that it was not the best way to go about it in added that they had some concerns about doing it that way. He continued by saying that since that time Attorney Penpraze and Chairman of the Zoning Board of Appeals Marsh developed a form that can be used at the meeting in order to prepare the decision, which the Chairman and other members can sign and added that by doing this they will not incur any additional legal fees for the decisions to go forward. He went on by saying that there is a backlog of between 10-15 decisions that date back to the previous attorney for the Zoning Board of Appeals and added that at this point they would like to authorize Attorney Penpraze to prepare those decisions and pay her on a time and disbursement basis.

Tape change – Some dialect lost.

Supervisor Hotaling asked for a motion authorizing Attorney Penpraze to prepare the decisions.

MOTION

On motion of Councilman Touchette, seconded by Councilman Youmans, authorizing Attorney Penpraze to prepare the decisions.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Supervisor Hotaling inquired as to what her hourly rate will be.

Councilman Touchette stated that it will be between $130.00 and $240.00 and added that Attorney Penpraze's rate is $210.00 and continued by saying that it will depend on which attorney or paralegal assistant does the work.

Supervisor Hotaling interjected that it is a fairly small number of cases and added that it is critical to have the decisions finalized and on file and continued by thanking Councilman Touchette for his work on it.

Rescind Resolution Appointing Alternate Planning Board Member

Supervisor Hotaling stated that they tried to develop an opportunity for the Planning Board to have an alternate member to be able to avoid not having a meeting when there was not a quorum present. He continued by saying that they had taken action at the request of the Planning Board in the form of a resolution at the July 28th Town Board Meeting and appointed Linda Ziegler as an alternate Planning Board member to avoid not having a meeting when a quorum was not present. He added that since that time they have been advised that the process by which they engaged may not have been the best or the statutorily required one. He then asked that Councilman Touchette explain it to them and offer a solution.

Councilman Touchette stated that after they passed the resolution they discovered that in order to have an alternate Planning Board member there must be a Local Law that authorizes doing that. He added that in not having the Local Law in effect he believes that it is appropriate to rescind the appointment and continued by saying that according to Town Law, the alternate member is not intended to be the fill-in for when someone is on vacation but rather has to be someone that is appointed in case a member cannot serve because of a conflict of interest in a particular case. He went on by saying that even if they did pass the Local Law it would not fill the need expressed by the Planning Board and continued by saying that he moved to rescind the resolution dated July 28th in which they appointed Ms. Ziegler.

MOTION

On motion of Councilman Touchette, seconded by Councilwoman Rogers, rescinding for procedural reasons the resolution passed on July 28th.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Supervisor Hotaling stated that he would communicate the rescission to the Planning Board Chairman and make reference to the Town Law pertaining to the requirements.

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NEW BUSINESS

Highway Equipment Inventory

Supervisor Hotaling stated that Highway Superintendent Deering is required by Highway Law 142 Section 3 to compile an inventory list complete with purchase dates and amounts and an approximate replacement cost and continued by saying that it was presented in a color coded spread sheet. He went on by asking if Highway Superintendent Deering is looking for approval to dispose of the two pieces of equipment indicated on the inventory list.

Highway Superintendent Deering stated that it was authorized at the last meeting.

Supervisor Hotaling inquired as to when the bids are due.

Town Clerk Millious stated that they are due on September 18th at 2pm.

Councilman Boehm inquired about the dollar cutoff amount for the inventory.

Highway Superintendent Deering stated that the inventory is for items $200.00 and up because a purchase order is required.

Supervisor Hotaling stated that Highway Superintendent Deering does a thorough job each year in putting the inventory together and is true to Section 142-3 of the Highway Law. He continued by asking if the budget reflects those requests for replacement of needed pieces of equipment.

Highway Superintendent Deering stated it does.

Capital Region Solid Waste Management Plan

Supervisor Hotaling stated that he received an e-mail from Clough Harbor that asked whether or not the Town is part of the Capital Region Solid Waste Management Plan and in turn he responded to it. He continued by saying that associates of Clough Harbor, Mr. Lowenstein and Mr. Gallagher were engaged by the City of Albany to draft a Solid Waste Management Plan Modification for the Capital Region Solid Waste Management Partnership Planning Unit formerly referred to as A.N.S.W.E.R.S. He continued by saying that it came on August 13th, when he was away and went on by saying that in turn he had discussed it with Attorney Schachner, Special Counsel and asked that he review the draft plan and prepare a comment if appropriate, for submission by the deadline. He added that a comment was submitted dated August 27th and continued by saying that the comments are consistent with the Town Board's efforts against the siting of the Albany Regional Landfill. He continued by reading the following letter:

Dear Mr. Gallagher,

We are Special Counsel to the Town of Coeymans and have reviewed the Draft Solid Waste Management Plan Modification for the Capital Waste Management Partnership Planning Unit and these comments are submitted on its behalf. We note that the Draft SWMP Modification indicates that the Planning Unit will continue to pursue development of a landfill at Site C-2 in the Town of Coeymans in spite of continued opposition by the Town itself and residents of the Town, as well as clear indications of the unsuitability of the site for this use. You will recall that NYSDEC was upheld as Lead Agency for SEQRA review of the City of Albany's application for a Part 360 Solid Waste Management Facility Permit for Site C-2 and issued a positive declaration on April 10, 1995. Although public scoping meetings were apparently held and a Draft Scope of the required DEIS prepared, the City has never submitted even a preliminary draft of any DEIS. Regardless of any reasons for this failure to comply with the procedural mandate of SEQRA, the character of Site C-2 has change significantly in the 13 years since the issuance of the Positive Declaration. As acknowledged in the Draft SWMP Modification, a substantial portion of the property has been determined to be Federal wetlands. However, the document fails to recognize that these wetlands include the proposed landfill footprint and also appear to be of sufficient size and quality to be subject to State regulation under Article 24 of the Environmental Conservation Law. Beyond simply a lack of accuracy in the Draft SWMP Modification, this means that both the Scoping Document for the DEIS and the Landfill Siting Study itself are inaccurate in a critical manner and cannot be relied upon. Furthermore, although the Draft SWMP Modification acknowledges that the Town is no longer a member of the Planning Unit, it does not recognize that locating a landfill at Site C-2 would mean that it would not be within the ANSWERS Watershed, violating a basic premise of site selection. Clearly it is time for the Planning Unit to acknowledge that Site C-2 in no longer a viable option. Accordingly, investigation of the development potential of Site C-2 should be deleted from the SWMP modification and any discussion of preparation of the new SWMP. In conclusion the Town of Coeymans objects to any reference to continued pursuit of the Coeymans site and seek acknowledgment of its abandonment by the City of Albany. We request appropriate modification of SWMP to so indicate. Thank you.

Very truly yours,
Miller, Mannix, Schachner & Haffner, LLC

Mark Schachner

Supervisor Hotaling continued by saying that Attorney Schachner reviewed the letter with him before he was authorized to send it and added that in his absence he asked that he send it on the Town's behalf. He added that he hopes that it will have somewhat of an impact in the development of the Solid Waste Plan.

Approval of Capital District Physicians Health Plan Contract

Supervisor Hotaling stated that since July they have been engaged in renewal of the Town's plan for employees and those Elected Officials who also use the plan. He added that they were given several options for renewal and after reviewing it with the Town Board they decided that the current plan was the best plan and in turn they asked employees for their input through the union and through those non-union people who utilize the plan. He went on by saying that he received positive response for the existing plan and added that he has before him the new contract to sign and then asked for a motion authorizing him to sign the contract for September 1, 2008 through August 31, 2009 where individual premiums will cost $427.96, dual will be $855.92 and family will be $1,141.63. He concluded by saying that all employees have gradually introduced their own contributions toward premiums starting at 10% then going to 15% and added that starting January 2009 it will be 20%, which will assist the Town and taxpayers in providing those services to its employees and then asked for a motion authorizing him to sign the contract with CDPHP.

MOTION

On motion of Councilman Youmans, seconded by Councilman Touchette, authorizing the Supervisor to sign the contract with CDPHP.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Liaison Options with RCS School Board

Supervisor Hotaling stated that Mr. Travers raised a significant point with regard to the Lafarge assessment being changed from 99 million to 25 million and added that it will impact them approximately $300,000 to $400,000 in Town taxes. He continued by saying that in looking at that in applying the 1.6 million dollar tax base, it is a significant portion of the 1.6 million dollars and if they don't have that, either they have to make a judgment to charge the taxpayer 25-34% more or reduce services to offset the reduction in the tax levy and went on by saying that the school recognizes it seven fold because the Town's tax rate is $2.95 per thousand and the school is approximately $18.00 per thousand. He added that as a result of this he had a discussion with new School Board member Chris Pennock who has had some preliminary discussion with his School Board colleagues who would like to establish a liaison relationship with the Town. He continued by saying that the school is a significant stake holder in this and added that the litigation will be very costly and they may want to go to their colleagues at the school level as well as the County level because it is a fairly large amount that they will be losing. He concluded by asking if the Town Board has an interest in establishing a communication liaison between the School Board and Town Board.

Councilman Boehm stated that he had a similar discussion with Mr. Pennock and added that there is an interest in this for both Boards because of the possible loss of tax revenue and if possible they can utilize their resources as well.

Supervisor Hotaling stated that he has had discussion with the Attorney for the Town and Special Counsel and added that at this juncture they are holding short on requesting assistance monetarily. He went on by saying that information sharing and for them to recognize what the impact may be is important.

Councilman Boehm stated that Callanan's has done the same thing and they have not been mentioned and added that it is also substantial.

Supervisor Hotaling stated that was true and added that it is substantial and he didn't want to discount it. He continued by saying that it is not the magnitude of Lafarge.

Councilman Youmans interjected that Mr. Travers stated that the Town Board may not be aware of this and added that he wanted everyone to know that they are aware and they know that it is a big deal. He continued by saying that if Lafarge is victorious the consequences are insurmountable and will affect every property owner and added that Lafarge wants to come off as a good neighbor.

Supervisor Hotaling stated that he agrees with Councilman Youmans in principal and added that the local officials at Lafarge were surprised that their corporate entity did this. He added that he believes that they are as embarrassed as anyone can be because they are a good neighbor who employ a number of people in the Town as well as doing business with private contractors and support in a monetary way a number of organizations. He went on by saying that in the midst of all this their corporate lawyers are suggesting that they take on the Town and continued by saying that he does not want to leave the public with the impression that they are lining up the guns and facing them toward Coeymans but rather toward their corporate lawyers who are ruining their relationship with the Town and hopefully they will come to their senses. He concluded by saying that he is hopeful that they won't have to spend a lot of money but believes that they are in it for the long haul.

Councilman Boehm interjected that it would be retroactive and added that if they win it two to three years out the Town will have to pay for those years as well.

Supervisor Hotaling stated that it would be a significant repayment and added that he is not only talking about the Town and went on by saying that he believes that it is approximately 2 million dollars in school taxes.

Councilman Youmans stated that he agrees that the local management team has been amiable and added that his brother as well as father-in-law has made a living at Lafarge for many years and it has provided good jobs to many and concluded by saying that the ultimate cost looks staggering.

Supervisor Hotaling stated that Councilman Boehm had expressed an interest in being the liaison for the Town Board.

Councilman Youmans stated that he has no problem with that.

Supervisor Hotaling stated that at this point it can be a communication liaison with the school.

Councilman Youmans inquired as to if it has to be a one person job.

Supervisor Hotaling stated that it does not and added that it needs to be no more than a two person job.

Councilman Youmans stated that Councilman Touchette had mentioned the idea several months ago and added that he should be asked if he has an interest.

Councilman Touchette stated that he would like to be a liaison as well.

Supervisor Hotaling stated that it can't be beyond two people because of the Open Meetings Law.

Councilman Boehm stated that two people would be more than appropriate to communicate with the School Board at this time.

MOTION

On motion of Supervisor Hotaling, seconded by Councilman Youmans, appointing Councilman Boehm and Councilman Touchette as Communication Liaisons with the R-C-S School Board on matter of mutual concerns for now and for the future.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Supervisor Hotaling stated that prior to Superintendent Wright's departure from her position she talked about communication problems with the buses and added that they talked about how they could partner and assist them in their efforts to put a communications tower on Gedney Hill and added that they can talk to the School Board about that as well.

Councilman Boehm interjected that they just approved Active Shooter Training for the police.

Supervisor Hotaling stated that this would be intended for areas such as schools and added that they should open their minds to that type of thing in their communication with the School Board.

Council 82 Contract Negotiations

Supervisor Hotaling stated that they are coming to the end of the year and added that the Council 82 Contract is coming to an end on December 31st. He added that the last time that they negotiated he had the services of Mr. Michael Richardson, Labor Relations Consultant who worked with him as well as Councilwoman Chmielewski in an effort to renew a contract. He continued by saying that the law specifically says that the Supervisor does the negotiating and in turn brings it back to the Town Board and went on by saying that his practice has always been to ask for another member of the Board to sit with him during the negotiations. He added that he also wanted to ask the Town Board whether or not they should seek other labor relations advice and professional consultation to guide them through it. He concluded by saying that it is not necessary but is helpful and went on by saying that Mr. Richardson's effort was thorough and they do have a contract that has a foundation in which it can be built for the future without spending a lot of money and added that he would be happy to see if his availability is still there and then asked who would like to sit with him as he writes the first letter to Council 82 and their representatives to start negotiations.

Councilman Youmans stated that he would be happy to and added that he has read the contract that they currently have and it appears to be very thorough. He continued by saying he does not know what type of changes the Union will be looking for and went on by saying that it appears thorough from Council 82's side as well as being fair to the Town. He concluded by saying that they could decide later if it is something that they need.

Councilman Boehm inquired as to the cost for Mr. Richardson.

Supervisor Hotaling stated that he does not know specifically but thought that it was between $3,000 - $4,000.

Councilman Youmans interjected that he does not know if they will need him.

Councilman Touchette stated that in his other job he has negotiated a number of contracts and added that he has found that it is helpful to have an Attorney to work with and suggested that they reach out to Attorney for the Town Wukitsch.

Supervisor Hotaling interjected that they also had Town Attorney Rotello there as well and added that Attorney for the Town Wukitsch is not present but has probably done similar things with other municipalities that he represents. He went on by reiterating that they have a foundation of a contract and continued by saying that maybe Attorney for the Town Wukitsch can guide them through the pitfalls of negotiations that always crop up.

Councilman Youmans stated that he didn't realize Councilman Touchette's experience with labor contracts and added that if this is something that he has time for or an interest in he should do it.

Supervisor Hotaling asked that they discuss it and decide and in turn let him know who it will be.

Approval to Attend Albany Law School Conference

Supervisor Hotaling stated that he received in the mail last week a brochure entitled God and the Land and added that it pertains to conflicts in land use and religious freedom. He continued by saying that they have an on-going concern and continuing litigation with issues related to the federal statue called RLUPIA, which is a statute that was created several years ago and it created a ban as to some municipalities over site over religious activities and land. He went on by saying that he believes that the training schedule will be very helpful for Attorney for the Town Wukitsch who has defended the Town in some actions as well as Code Enforcement Officer Conrad who is the first responder to these issues. He concluded by saying that he would encourage the Town Board to authorize Attorney for the Town Wukitsch and Code Enforcement Officer Conrad to attend the Albany Law School Conference on October 1st through October 3rd for a cost of $120.00 each and added that they will use a Town vehicle for the commute and there will be no lodging costs.

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, authorizing Attorney for the Town Wukitsch and Code Enforcement Officer Conrad to attend the seminar at Albany Law School for a total cost of $240.00.
VOTE – AYES 5 – NAYS 0 – SO MOVED

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RESOLTUTIONS

Supervisor Hotaling stated that two of the resolution were done prior in the meeting and added that the Town Board several months ago approved the search for a full-time Human Resource Clerk I and at that time they sought the list from Albany County Civil Service and in turn they canvassed the list and interviews have taken place and the process had boiled down to one candidate who is not he list and reachable. He continued by saying that the resolution formalizes that and then asked that Councilwoman Rogers read it.

RES. #101-08 APPOINT FULL TIME CLERK I – SUPERVISOR'S OFFICE
On motion of Councilwoman Rogers, seconded by Councilman Youmans, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the Supervisor's Office of a full-time clerk to assist in handling various personnel transactions relating to insurance, payroll and benefits, and

WHEREAS, the Town Board agrees and has authorized the search for candidates, and

WHEREAS, interviews have taken place with eligible candidates, and

WHEREAS, the chosen candidate has taken and passed the Civil Service Test for the position of Clerk I,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby appoint Susan B. King to the full-time position of Clerk I, at the rate of $12.74 per hour, effective upon completion of mutual arrangements with the new employee and the Town.

Supervisor Hotaling stated that the start time is up in the air and added that she is coordinating her effort with them, which will be as soon as possible and continued by saying that the certification of the list is good until September 10th and went on by saying that this is why they are doing it now.

CORRESPONDENCE

Alcove Preservation Association

Supervisor Hotaling stated that he was in receipt of a correspondence from the Alcove Preservation Association dated August 26th and continued by reading the following:

Dear Supervisor Hotaling,

On September 25, 2007 Alcove Preservation Association (APA) requested grant funds from the Town of Coeymans to assist with the building of a planting bed at the Valley Mill Park.

APA thanks the Town for the $1,000 received for this purpose. The planter bed has been completed as one more step closer to development of the historical site as a passive park. The dry stone masonry was completed in July by professional stone mason Mark O'Brien using the quarried stone remnants removed fro the Alcove Creamery/Chimney Top Inn Foundation.

We also thank the Town for assistance of the Beautification Department, and especially to Nelson Perry for his promptness in arranging the removal of two (2) piles of debris from the site.

The site has been continually mowed and maintained by APA inn our effort to develop it into a historical and cultural asset for the town. We invite and encourage Town Officials to come visit the site and view the progress thus far.

Thank you for the continued cooperation between the Town and APA.

Sincerely,

Thomas F. Sweeney
President

cc: Nelson Perry
Mark O'Brien

Supervisor Hotaling stated that Highway Superintendent Deering has also provided assistance to the APA in moving some brush and debris when they were clearing the area and added that they referenced just this year and probably recognized him in years past.

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TOWN BOARD WORKSHOPS / MEETINGS

- Town Board Workshop, September 16, 2008, 6pm
- Town Board Meeting, September 22, 2008, 7pm

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ADDITONAL COMMENTS

Supervisor Hotaling asked if there were any additional comments.

Councilman Boehm stated that he wanted to thank everyone who went to the First Day Celebration and helped out. He added that it was a lot of fun with a good turn out and continued by saying that the only problem was with the electrical power, which was eventually fixed.

Supervisor Hotaling stated that it is being rectified and there is a plan for putting a 200 amp service down there.

Councilman Boehm stated that it is a great program, which started at Pieter B. Coeymans and added that it is great that the Town was part of recognizing the first day of school for the children in town.

Supervisor Hotaling asked if there were any additional comments.

Town Clerk Millious stated that there is a Primary Election the following day, September 9th for Republicans and Democrats with the polls being open from 12 noon to 9pm. She continued by thanking Highway Superintendent Deering and his crew for helping to move the machines as well as the Election Custodians, Tom Rotello and Larry Meilak in addition to the school for being supportive and helping her.

Supervisor Hotaling stated that the old machines will be at each site in addition to one new machine.

Town Clerk Millious stated that each polling site will have a new handicap accessible machine and added that an Election Inspector will be there to help who is trained on the machine.

Supervisor Hotaling inquired as to if she feels as though this will be the last year for the use of the old lever machines.

Town Clerk Millious stated that it might be and added that she has been saying it since 2004.

Supervisor Hotaling stated that they have also threatened to bill the Town since then as well as wanting to reclaim the machines when the new ones are in use, which will be a battle when in happens because they have been paid for and maintained by the Town of Coeymans taxpayers. He added that to have them arbitrarily become the property of the County does not seem quite right.

Town Clerk Millious stated that even though the County does the paying, they charge it back to the Town.

Councilwoman Rogers inquired as to what will happen with voting for school elections.

Supervisor Hotaling stated that it was a good point and added that the Village also uses the machines as well as the school district.

Town Clerk Millious stated that they actually make her ask them if it is ok that the school uses the machines, which are really the Town's machines.

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

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ADJOURNMENT

Supervisor Hotaling asked for a motion to adjourn the meeting.

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, the Town Board Meeting was adjourned.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time: 8:38

***Respectfully Submitted*,** **APPROVED:**

Diane L. Millious, Town Clerk

A Public Hearing was held Monday, September 8, 2008, at 6:30pm 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
Robert Haffner, Special Counsel for Water District
Ed Vopelak, Engineer, C.T. Male

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Supervisor Hotaling opened the Public Hearing and led the Pledge of Allegiance.

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OPENING COMMENT

Supervisor Hotaling stated that the purpose of the Public Hearing is to hear comments from the public on the proposal to establish the Martins Hill Road Water District and continued by saying that the record should reflect a full Town Board being present as well as Town Clerk Millious, Special Counsel for Sewer and Water Districts Robert Haffner and Engineer Edwin Vopelak from C.T. Male.

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The following Notice was published in the News Herald and read aloud by Town Clerk Millious.

ORDER SETTING PUBLIC HEARING ON
ESTABLISHMENT OF MARTINS HILL ROAD WATER DISTRICT

WHEREAS, the Town of Coeymans wishes to establish the Martins Hill Road Water District to include twenty-one (21) properties generally along or adjacent to Martins Hill Road NYS Route 143) and Skyview Drive in accordance with New York Town Law Article 1 2-A; and

WHEREAS, a Map, Plan and Report has been prepared by CT. Male Associates, P.C. and duly filed in the office of the Town Clerk; and

WHEREAS, the Map, Plan and Report delineates the boundaries of the proposed water district, a general plan at the proposed system, a report of lie proposed method of operation, the source of water supply and mode of constructing the proposed water district improvements;

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. The boundaries of the proposed water district are as follows:

All that certain tract, piece or parcel of land situate, lying and being in the Town of Coeymans, County of Albany, State of New York, along Route 143, and being more particularly bounded and described as follows:

BEGINNING at a point at the intersection of the Southwesterly boundary of the Town of Coeymans, County of Albany Tax Map Parcel No- 168.1 3-1 -10 with the Southeasterly boundary of Route 143 and runs thence from said point of beginning in a Northeasterly direction along the Southeasterly boundary of Route 143! a distance of 100± feet to its intersection with the Southeasterly projection of the Southwesterly boundary of Tax Map Parcel No. 168-13-1-17: thence in a Northwesterly direction crossing Route 143 and

along the Southwesterly boundary of said tax map parcel 156± feet to its intersection with the Westerly boundary of Tax Map Parcel No. 168.13-1-17; thence in a Northerly direction along the Westerly boundary of said tax map parcel I 78± feet to its intersection with the Southerly boundary of Tax Map Parcel No. 168.13-1-20.2: thence in a Westerly direction along the Southerly boundary of said tax map parcel 152± feet to its intersection with the Westerly boundary of Tax Map Parcel No. 168.13-1-202; thence in a Northerly direction along the Westerly boundary of said tax map parcel 61 ± feet to its intersection with the Southwesterly boundary of said tax map parcel: thence in a Northwesterly direction along the Southwesterly boundary of Tax Map Parcel No. 168.13-1-20.2, a distance of 120± feet to its intersection with the boundary of Tax Map Parcel No. 168.13-1-11; thence in an Easterly direction along the Northerly boundary of said tax map parcel 530± feet to its intersection with the Westerly boundary of Tax Map Parcel Nos. 168.13-1-8.2 and 168.13-1-9; thence in a Northerly direction along the Westerly boundary of said tax map parcels 315± feet to its intersection with the Northerly boundary of Tax Map Parcel No. 168.13-1 -8.2; thence in an Easterly direction along the Northerly boundary of said tax map parcel 220± feet to its intersection with the Southeasterly boundary of said tax map parcel; thence in a Southwesterly direction along the Southeasterly boundary of Tax Map Parcel No. 168.13-1-8.2, a distance of 333± feet to its intersection with the Northeasterly boundary of said tax map parcel; thence in a generally Southeasterly direction along the Northeasterly boundary of said tax map parcel 235± feet to a point; thence through Tax Map Parcel No. 168.13-1-8.1 the following two (2) courses: 1) in a Northeasterly direction parallel to the Northwesterly boundary of Route 143, a distance of 30± feet to a point; and 2) in a Southeasterly direction forming an interior angle of 90 degrees to the above last described course and in part through a portion of the bed of Route 143, a distance of 50± feet to a point in the centerline of Route 143; thence in a Southwesterly direction along the centerline of Route 143, a distance of 470± feet to its intersection with the Northerly projection of the Easterly boundary of Tax Map Parcel No. 168.13-1-16; thence in a Southerly direction along the Easterly boundary of said tax map parcel, a distance of 278± feet to its intersection with the Southerly boundary of said tax map parcel; thence in a Westerly direction along the Southerly boundary of Tax Map Parcel No. 168.13-1-16, a distance of 107± feet to a point; thence in a Southerly direction parallel to the Westerly boundary of Tax Map Parcel Nos. 168.00-1-32.1 and 168.00-1-32.2, a distance of 240± feet to a point, said point being at the intersection of Southerly boundary of Tax Map Parcel No. 168.13-1-32.2 with the Southeasterly boundary of said Tax Map Parcel No. 168.00-1-32.2; thence in a Southwesterly direction along the Southeasterly boundary of said tax map parcel 164± feet to its intersection with the Easterly boundary of Tax Map Parcel No. 168.00-1-32.32; thence in a generally Southerly direction along the Easterly boundary of said Tax Map Parcel No. 168.00-1-32.32, a distance of 70± feet to its intersection with the Northerly boundary of Tax Map Parcel No. 168.00-1-32.32; thence in an Easterly direction along the Northerly boundary of said tax map parcel, a distance of 220± feet to a point on the Northwesterly boundary of Camille Drive; thence in a Southwesterly direction in part along the Northwesterly boundary of Camille Drive and along the Southeasterly boundary of Tax Map Parcel No. 168.13-1-32.3, a distance of 135± feet to its intersection with the Northerly boundary of Tax Map Parcel No. 168.00-1-37.21; thence in an Easterly direction along the Northerly boundary of said tax map parcel 50± feet to its intersection with the Easterly boundary of Tax Map Parcel No. 168.00-1-37.21; thence in a Southerly direction along the Easterly boundary of said tax map parcel along the Westerly boundary of lots facing U.S. Route 9W, a distance of 1,175± feet to its intersection with the division line between Tax Map Parcel No. 168.00-1-37.21 on the South and Tax Map Parcel No. 168.00-1-38 on the North; thence in an Easterly direction along the above last mentioned tax map parcel boundary 257± feet to its intersection with the Westerly boundary of Old Route 9W; thence in a Southerly direction along the Westerly boundary of Old Route 9W, a distance of 70± feet to its intersection with the Northerly boundary of Tax Map Parcel No. 168.00-1 -37.22; thence in a Westerly, Southerly and Easterly direction along the Northerly, Westerly and Southerly boundary of Tax Map Parcel No. 168.00-1-37.22, a distance of 1,277± feet to its intersection with the Westerly boundary of Old Route 9W; thence in a Southerly direction along the Westerly boundary of Old Route 9W, a distance of 250± feet to its intersection with the municipal division line between the Town of Coeymans, Albany County on the North and the Town of New Baltimore, Greene County on the South; thence in a Westerly direction along the above mentioned municipal division line 676± feet to its intersection with the Northwesterly boundary of Tax Map Parcel No.

168.00-1-37.21; thence in a Northeasterly direction along the Northwesterly boundary of said tax map parcel 269± feet to its intersection with the Southwesterly boundary of Tax Map Parcel No. 168.00-1-37.21; thence in a Northwesterly direction along the Southwesterly boundary of said tax map parcel 780± feet to its intersection with the Northwesterly boundary of Tax Map Parcel No. 168.00-1-37.21; thence in a Northeasterly direction along the above last mentioned tax map parcel boundary 568± feet to its intersection with the Westerly boundary of said Tax Map Parcel No. 168.00-1-32.32; thence in a Northerly direction along the Westerly boundary of said tax map parcel, a distance of 1,070± feet to its intersection with the above first mentioned Southwesterly boundary of Tax Map Parcel No. 168.13-1-10; thence in a Northwesterly direction along the above mentioned Southwesterly boundary of Tax Map Parcel No. 168.13-1-10, a distance of 125± feet to the point or place of beginning.

The Map, Plan and Report include a list of the tax map numbers of the parcels to be included in the proposed District and a map of the proposed District.

2. The improvements proposed to connect the 21 parcels to the existing 12" Village of Ravena water main at the Village Water Treatment Plant are installation of ±2,100 LF of 8" water main, three fire hydrants, service connections (including corporation at the main, water service to the property line and curb stop) and site restoration.

3. The maximum amount proposed to be expended for such improvement is Three Hundred Five Thousand Dollars ($305,000).

4. The proposed method to be employed for financing such improvement is issuance of general obligation serial bonds by the Town of Coeymans on behalf of the proposed District.

5. The cost of the District to each property for the first year of operation would be as follows: $350 fixed fee for water supply, operation and maintenance plus $905.13 to pay debt service on the Town's bonds, totaling $1,255.13. There would also be an initial $150 hook-up fee and the cost of installing individual service connections to the curb stop at the property line which would vary for each property.

6. A detailed explanation of how the estimated costs of the District were computed is included in the Map, Plan and Report which has been filed with the Coeymans Town Clerk and is available for public inspection.

7. The Coeymans Town Board shall meet at the Town Hall, Russell Avenue, Ravena, New York, on the 8th day of September, 2008, at 6:00 o'clock P.M. for the purpose of conducting a Public Hearing on the proposal to establish the Martins Hill Road Water District with the improvements and at the cost specified above, at which time and place all persons interested in the subject thereof may be heard concerning the same.

8. The Coeymans Town Clerk is hereby authorized and directed to publish a copy of this Order in ***The Ravena News Herald*** and post a copy of the same on the sign board of the Town of Coeymans, all in the time and manner required by law.

By Order of the Town Board
of the Town of Coeymans
Diane L. Millious,
Town Clerk

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ADDITIONAL OPENING COMMENTS

Supervisor Hotaling stated that he had signed a letter inviting people to come to an informational meeting on 08-19-08, which was well attended and the information was full and complete in addition to getting some good input from the potential users in the Water District. He continued by saying that the informational meeting generated

everything else to flow up to where they currently are, which is the Public Hearing for the purpose of hearing comments on the proposed district.

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PUBLIC COMMENT

Supervisor Hotaling invited the public to comment at this time and added that anyone wishing to speak should raise their hand and prior to speaking should place their name on the sign-in sheet as well as stating their name and address prior to making their comments with regard to the district.

Mr. James Bushnell stated that he is still solidly behind the project and wanted to extend a personal thank you to those that have worked so hard to make it happen. He added that he especially wanted to thank Larry Conrad who has been in pursuit of the project and would not let it drop no matter what happened. He continued by saying that it is deeply appreciated because it is very much needed.

Supervisor Hotaling asked if there were any additional comments, hearing none he added that the Public Hearing would be open for approximately 10 more minutes and then asked that Mr. Horton take the sound down but keep the video running to indicate that they are present for comments.

Supervisor Hotaling asked if there were any additional comments.

Mr. James Bushnell stated that in the process of thanking the Town Board earlier he forgot to thank the Village Board and Mayor Bruno for their assistance and willingness to go along with the project.

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

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ADJOURNMENT

MOTION

On motion of Councilman Youmans, seconded by Councilman Boehm, the Public Hearing was adjourned.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time: 6:23pm

Respectfully Submitted, **APPROVED:**

_____
Diane L. Millious, Town Clerk

A Town Board Meeting was held Monday, August 25, 2008 at 7:00pm at Town Hall, 18 Russell Avenue, Ravena, New York

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

ABSENT: Ronald K. Hotaling, Jr., Supervisor

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

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Councilwoman Rogers opened the meeting and led the Pledge of Allegiance

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RES. #91-08 AUTHORIZE COUNSEL TO PRESIDE OVER MEETING
On motion of Councilman Boehm, seconded by Councilman Touchette, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Hotaling) – SO MOVED

WHEREAS, the Town Supervisor is unable to attend and preside over the Town Board Meeting of August 25, 2008,

WHEREAS, Town Law, Section 63, authorizes the Town Board to designate a Town Board member to preside over a Town Board Meeting in the absence of the Town Supervisor, and

WHEREAS, the Town of Coeymans does not have a Deputy Supervisor,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby designate Councilmember Dawn Rogers to preside over the Town Board Meeting of August 25, 2008

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AGENDA

- Public Comment
- Presentation / Report
  - Summer Recreation Program
- Supervisor's Report – July
- Department Reports
  - Building Department, July 2008
  - Highway Department, July 2008
  - Police Department, June & July 2008
  - Sewer Department, July 2008
  - Town Clerk, July 2008
- Old Business
  - Approval of Additional Construction Cost of Trash Receptacles
- New Business
  - Highway Superintendent Request to Put Surplus Equipment Up for Bid
  - Request for Part-Time Building Inspector to Attend Training
  - Request for Chief Sewer Operator to Attend Training
- Resolutions
  - Authorize Councilmember to Preside Over Meeting
  - Authorize JCAP Grant Application

- Authorize Town Prosecutor for Town to Handle Misdemeanor Violations
- Appoint Full-Time Police Officer
- Appoint Utility Valuation Consultant to Assist Counsel
- Authorize Transfer of Funds
- Approve July 2008 Abstract

- Correspondence
  - NYS Department of Environmental Conservation
- Town Board Workshops / Meetings
  - Public Hearing, September 8, 2008, 6pm
  - Town Board Meeting, September 8, 2008, 7pm
  - Town Board Workshop, September 16, 2008, 6pm
  - Town Board Meeting, September 22, 2008, 7pm

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PUBLIC COMMENT

Councilwoman Rogers invited the public to comment at this time.

Mr. Jim Travers introduced himself and stated that he is a resident of Coeymans and is present to comment on the Powell & Minnock Construction Demolition Debris Solid Waste Facility and continued by saying that he does not understand the Town Board's position in bending over backwards to please Powell & Minnock. He added that Powell and Minnock guaranteed that they would not be brining garbage into the Town and at the same time submitted a Solid Waste Application to DEC for construction demolition debris, which the Town's Ordinance strictly prohibits. He continued by saying that this Town Board has endorsed them going for a Small Cities Grant in the amount of ¾ of a million dollars and on top of that have sent them a letter encouraging them to go ahead and apply for Empire Zone status. He went on by saying that he would challenge anyone on the Town Board to tell him what the ramifications of the Empire Zone means to the Town of Coeymans as far as tax dollars in addition to wanting them to tell him what the zoning is for that area. He continued by saying that the Town has not adopted a Comprehensive Plan and added that as far as he knows it is an R/A Zone and continued by saying that the Town Board tells them that there is no review that they can do. He went on by saying that they are running a Scrap Yard and there are noise problems and added that it has not been addressed and every time he talks to anyone at the Town they say that nothing can be done because it is a Commercial Zone, which he does not believe is the case. He concluded by saying that he wanted someone to comment on this and explain why the Town is encouraging businesses they are strictly prohibited and added that Ordinance Section 109 prohibits landfills and Section 138 strictly outlaws specifically construction demolition debris from being put in this town and being imported to this town, which the Town Board encourages. He reiterated that he wanted the Town Board to explain to him how they can possibly encourage an illegal business to operate in the Town.

Councilman Boehm stated that it is his understanding that it is zoned industrial.

Mr. Travers interjected that it is not because it has not been approved and continued by saying that it is currently R/A.

Councilman Boehm stated that he does not believe so and added that it is currently zoned Industrial.

Mr. Travers stated that he does not even know the answer to the question and added that he is encouraging this business.

Councilman Boehm stated that he is pretty sure that it is not Residential/Agricultural and reiterated that he believes that it is currently zoned Industrial.

Mr. Travers stated that none of them can say exactly what it is yet they are encouraging it.

Councilman Touchette interjected that there are three separate issues that he has brought up, which are the Empire Zone, the Small Cities Block Grant and the application for a Construction Demolition Debris Processing Plant. He continued by saying that to lump them all together in one is not the best thing to do because there are some very good things that are going on at the Port of Coeymans that are good clean businesses and added that as far as the C&D he was remiss from the beginning because he didn't realize at the time that Article 2 of Section 138 specifically includes demolition and construction debris in the definition of solid waste, which is prohibited from being brought into the Town. He went on by saying that it is a big issue and it is something that they have to address and determine whether or not a Demolition Debris Recycling Facility is prohibited by Town Law and added that he does not think that the issues have been ignored and that he does see his concerns along with a lot of other people's concerns. He continued by saying that DEC has reopened the comment period for public comment on this and went on by saying that they might be redoing the SEQRA process and added that personally he believes that the SEQRA process is flawed if they didn't take into account noise, traffic and things like that. He concluded by saying that Mr. Laraway was present and then asked if he had any comments.

Mr. Carver Laraway stated that the Town Board is welcome to take anyone down to the facility to show them what they are doing and added that his feeling is that recycling is needed everywhere because landfills are bulging. He continued by asking why you would take things that are recyclable and not put them back to their original properties and added that he does not believe that there is anything wrong with that. He went on by saying that utilization of that instead of taking it to a landfill and calling it recyclable and dumping it in a landfill makes no sense.

Mr. Travers stated that no one suggested anything of the kind.

Mr. Laraway stated that they are not looking to do garbage there and has never asked to do garbage there.

Mr. Travers stated that it was not true and went on by saying that on the same date that he submitted the C&D application he submitted an MSW application.

Mr. Laraway stated that was not true and added that he was wrong.

Mr. Travers stated that according to Mr. Marcuccio, the man overseeing the permit said this was indeed the case and added that Mr. Kirk who was representing P&M stated to the Town Board that they are going to operate a warehousing business and continued by saying that garbage recycling is not a warehouse business. He then asked what would be done with the waste that is going to be kept on site and added that it will go to the landfill.

Councilman Boehm asked Mr. Travers to finish his comments and added that it is not a debate.

Mr. Travers stated that he understands and added that he is very dissatisfied with the Town Board's actions so far and went on by saying that P&M and their representatives have misled the Town from the beginning to get the Small Cities Grant. He continued by saying that now they are going to move for the Empire Zone and added that Mr. Kirk promised that they were not going to bring any waste into the port and now this is what they are doing. He added that he wishes that the Town Board would think of the Town and the importance that the riverfront has to the historic nature of America's oldest community and added that the Town was first mapped in 1632 and Manhattan was mapped in 1639 when Coeymans was already settled. He continued by asking that the Town Board do something before the town is ruined and asked that they talk to the people at the marina and restaurant about the impact that it will have and added that Mr. Laraway stated that his plans are for 1,000 tons per day but the permit is for 3,500 tons a day, which is a discrepancy. He added that in looking further into the permit application you can look at how much tonnage he wants to move through there but says that it will only be a few trucks and then asked who will be taking care of the wear and tear of the roads. He continued by saying that he has a serious problem with the P&M business and

added that this is not the right town and went on by saying that there are other towns that would welcome him, which seems to be what this Town Board is doing. He concluded by saying that he does not want his business in this town and added that if he wants to operate a warehouse business he is all for it.

Councilwoman Rogers thanked Mr. Travers and then asked Mr. Laraway if he wanted to comment.

Mr. Laraway stated that with 125 acres there is plenty of room for warehousing.

Councilman Boehm asked that Mr. Laraway go to the microphone.

Mr. Laraway stated that they feel as though there is plenty of room for everything there and added that they are following it to the letter and appreciate the Town in every way. He continued by saying that they are not out to hurt any thing and continued by saying that they will actually be putting 100-300 people back to work and to date Fort Miller Company is coming in next month and will put 20-50 people to work doing pre-cast concrete and shipping it south on the water utilizing the water way, which will eliminate 900 truck loads with just 8 barges. He added that Mr. Travers was right in saying that the river is a great asset and added that it needs to be utilized like that and reiterated that he welcomes anyone to come down at any time and he will show them and educate them on what he is doing and in turn if they have a problem with the operation they can voice their opinion with the Town. He continued by saying that education is part of everything and added that he is a pro recycle person and went on by saying that if we don't recycle there will be a problem for the next generation and generations to follow. He concluded by reiterating that he welcomes anyone to come down and he will spend the time to educate them and in turn they are welcome to their opinion and added that he does not think that it is too much to ask.

Councilwoman Rogers thanked Mr. Laraway and asked if anyone else wished to comment.

Mr. Jim Clouse stated that he lives on Church Street in Coeymans and continued by saying that he is concerned about Main Street because they are getting 10-12 trucks an hour through town in addition to a problem with the man hole covers and the noise that is created when the trucks go over them. He then asked if the there is a Noise Ordinance in the Town.

Councilwoman Rogers stated that she does not believe that they do.

Mr. Clouse continued by asking if there is any reason why they can't have one or at least have a curfew and added that when they are loading trash at the Port you can hear it all night long. He continued by saying that it is louder than the cement plant's blasting and reiterated that there should be some kind of Noise Ordinance.

Councilman Boehm inquired as to the hours of the day when he hears it.

Mr. Clouse stated that it is all day and all night and added that they should check the decibels because it is really loud and added that he does not mind it during the day.

Councilman Youmans stated that it would pose a problem for the 24 hour a day operation at the cement plant and added that he hears that all night long. He continued by saying that he understands his concern and went on by saying that they cannot selectively enforce it.

Mr. Clouse interjected that there could be a certain decibel where it could be stopped and suggested that it be 9pm at night and continued by saying that he would just like for them to look into it because it is unbearable for the people on Church Street.

Councilwoman Rogers stated that they would look into it.

Councilman Youmans asked if there is a particular time of day or night that he hears it the most.

Mr. Clouse stated that it is when they are loading the scrap on the ships and reiterated that he wants them to look into it and see if they can come up with some sort of curfew for the noise.

Councilman Youmans inquired as to what a good time would be to hear it.

Mr. Clouse stated that it would be whenever the ships come in to load them up and reiterated that he does not want to stop them during the day.

Attorney for the Town Wukitsch interjected that it is possible to have a Noise Ordinance and added that they need to ask themselves some questions and outlined as follows:

- Is there a broad based support for such regulation?
- What do they want to regulate?
- What are the limits going to be?
- How are they going to enforce it?

He continued by saying that there are a lot of things to look at.

Mr. Clouse stated that if someone was making a lot of noise at 3am and the police were called he would expect that they would show up to stop it.

Attorney for the Town Wukitsch stated that it is a different issue.

Mr. Clouse inquired as to if they would measure the noise in decibels.

Chief Darlington stated that it would fall under and be considered disorderly conduct with unreasonable noise.

Mr. Clouse asked why the noise from the Port does not matter.

Chief Darlington stated that it is different when you are dealing with industry and added that you cannot call it unreasonable.

Mr. Clouse stated that there should be a certain decibel even for industry.

Attorney for the Town Wukitsch stated that they have to look into it.

Mr. Clouse stated that they need answers.

Councilman Touchette interjected that he had hoped that the SEQRA process would have addressed it and added that he thought that an ambient noise study was part of it.

Mr. Laraway stated that a noise study was done.

Councilman Touchette stated that part of the problem is that somehow the noise is amplified when you go up the hill.

Mr. Laraway stated that they placed berms and planted trees on top of them and added that it is a great sound barrier and that they could strategically place some more to try to be more of an accommodating neighbor.

Mr. Clouse stated that raising the berms and planting more trees will not work because the echo is the problem and reiterated that he would like to see some kind of curfew on the noise like 9pm to 6am.

Councilman Touchette asked Mr. Laraway if there is any way that he can adjust the operation so some of the noise will not be late at night.

Mr. Laraway stated that they are looking into every angle of taking care of it and added that he appreciates the concern.

Councilwoman Rogers asked if there were any others that wished to comment.

Mr. Zachary Assael stated that he lives on Fox Street and added that on December 19, 2007 the Times Union reported that Mr. Carver Laraway was going to spend 10 million dollars to transfer a former brick yard into a commercial deep water port, which they were led to believe a Foreign Trade Zone. He added that the article stated that Supervisor Hotaling said that Town Officials would have been opposed to the project had it been connected to transporting garbage down the Hudson River in addition to saying that the project received a ¾ million dollar grant from the division of Housing and Community Renewal and the Town of Coeymans would be the administrator of the grant. He went on by saying that an article dated August 6, 2008 stated that Carver Laraway wanted NY State's permission to bring barges of municipal garbage to their port but did later withdraw the plan and added that the article goes on to say that DEC is reviewing an application for a Construction and Demolition Debris Recycling Center at the Port where as many as 50 trucks 24 hours a day and 4 barges a week could deliver up to 1,000 tons a day of construction and demolition debris. He continued by saying that based on the information he wanted to know the status of the ¾ million dollar grant as well as wanting to know what happened to the Foreign Trade Zone and if the Town has told Carver Laraway that according to the Town General Municipal Law Section 138-15 that importation of solid waste, which includes construction and demolition debris generated outside the Town is prohibited as well as if Mr. Laraway is granted the permit from the State for a Construction and Demolition Debris Recycling Center, if the Town will use the ¾ million dollar grant money toward the legal cost needed to prevent Mr. Laraway from operating the facility because it is illegal in the Town.

Councilman Touchette stated that the Small Cities Block Grant has been approved for work at the Port of Coeymans to generate 63 jobs and added that it cannot be used for anything else. He added that he is not clear in his mind and reiterated that he was remiss because he didn't look at the statute when it first came up and he didn't realize that it mentioned construction and demolition debris. He continued by saying that they need a legal opinion as to whether or not a Construction and Demolition Recycling Facility violates that law.

Mr. Assael stated that the material would be imported and added that according to the law as it is written, prohibits the import of solid waste and continued by saying that it is pretty clear cut.

Councilman Touchette stated that from a layman's perspective he would agree and added that it is not always the way the law works.

Mr. Assael stated that as a Town Board member and based on the way that he reads it, he would hope that he would be in favor of opposing it.

Councilman Touchette interjected that he would if they had a legal opinion that supported it and continued by saying that he is not a lawyer and reiterated that they need a legal opinion.

Mr. Assael inquired as to if they can ask the Attorney for the Town.

Attorney for the Town Wukitsch stated that he would need some time to research it and added that he has not been previously been involved directly with the project. He continued by saying that he is aware of the project and has been following some of its course at the Town Board level but has not been involved in advising the Town of the environmental impacts of the project nor has he researched the issue of the conflict of the existing Town Law and the proposed use. He added that it is his understanding that DEC is the lead agency and they have reopened the Public Comment period by which individuals can comment on the project about any potential conflicts that may exist with existing Town Law.

Mr. Assael stated that he is surprised that the Town has not mentioned it to Mr. Laraway already and added that he is putting a lot of money and time into developing it and it might not happen.

Mr. Laraway interjected that they did ask for clarification of their letter and it is directly intended to keep landfills out according to legal counsel.

Attorney for the Town Wukitsch inquired as to if the opinion was rendered in connection with the project.

Mr. Travers interjected that they are talking about two different sections of law and reiterated that Section 138 specifically prohibits the importation of garbage and Section 109 deals with landfills.

Mr. Assael continued by saying that he is perplexed as to why the Town has not already told Mr. Laraway that it is against Town Law and not to go any further. He continued by asking about the status of the grant money and whether or not it will be held until it is clear.

Councilman Touchette stated that the grant has been approved by the State and added that they are negotiating an agreement with the Port of Coeymans.

A member of the audience inquired as to if it is the repayment agreement.

Councilman Touchette stated that there is a loan agreement between the Town and the Port of Coeymans.

Mr. Assael suggested that they hold any negotiations until a lawyer can decide whether or not they can legally go ahead with the completion of the facility. He continued by saying that they will put in the time to negotiate it and then find out that legally they are not allowed to have the operation and went on by saying that he would rather that they put the time in to find out the legal status. He then inquired about the Foreign Trade Zone.

Mr. Laraway interjected that the Port of Coeymans is recognized as a Foreign Trade Zone and added that he can provide a letter to the Town.

Councilwoman Rogers asked if there were any additional comments.

Mr. Tom Ellis stated that he is a resident of Albany at 43 North Pine Avenue and added that for the past 3-4 years he has been working with residents of the Town, the S.C.R.A.P. Group, to block the siting of the alternate landfill site that Albany has for its solid waste and many other area municipalities. He continued by saying that he was asked to speak about the Powell & Minnock project and added that he is encouraging the Town to enforce its law and to prevent the project from going forward and went on to say that his concern is that if the Town were to grant a variance or change a law allowing the operation to go forward it would set a precedence and would embolden the City of Albany and their politicians and their General Services Department employees to think that they could get a variance or change in the law from the Town to allow the proposed landfill in the Town, which would weaken the Town's position in blocking the landfill. He went on by saying that he also noted that there is quite a bit of confusion relative to the nature of the project and added that DEC has indicated that there are actually two different applications that they received from Carver Laraway, one for 1,000 tons per day C&D Processing Facility as well as for a 3,400 ton per day Solid Waste Transfer Station, which needs to be clarified. He continued by saying that DEC issued a Negative Declaration on the project and said that it would not have a significant impact on the environment and added that he does not see how they can make such a declaration based on the confusion as to the application and a lot of other factors. He concluded by saying that he received a letter from DEC that he wanted to give to the Town.

Councilwoman Rogers asked if there were any other comments.

Ms. Kathleen Kelleher-Assael stated that she lives at 6 Fox Street and continued by saying that she is appalled that the Town Board does not know its own Town Law especially since they have been fighting the landfill for years and added that there are laws on the books about it because they bring it to the Town Board's attention on a regular basis. She continued by saying that there was a presentation about the Port of

Coeymans and the good that it will bring to the community and in turn they came back with the C&D Facility and concluded by saying that they are all a little confused.

Mr. Laraway stated that they are having conversations with people daily on different businesses and companies that are interested in the Port of Coeymans and added that these companies will help the community grow and put people back to work. He continued by saying that 96 people lost their jobs when P&M Brick closed and added that they are trying to put 100+ back to work in addition to being pro-recycle and pro-development. He concluded by reiterating that at anytime anyone is invited to come down so he can educate them and added that he is not trying to hurt the Town.

Councilwoman Rogers stated that she has a piece of correspondence from DEC and added that it would be a good time to read it.

Date: 08-22-08

Applicant: P&M Brick LLC

Facility: P&M Brick LLC

Application ID 4-0124-00012/00017

Permits Applied For 1- Article 27 Title 7 Solid Waste Management

Project is Located: Town of Coeymans in Albany County

Project Description:

This is a second notification of a permit application which P&M Brick, LLC has submitted to the Department for a permit to construct and operate a Construction and Demolition (C&D) Debris Processing Facility on the eastside of Rte. 144 at the former P&M Brick Factory site. The facility would process approximately 1,000 tons per day of materials such as concrete, masonry, asphalt, pavement, brick, soil, rock and uncontaminated wood. These materials would be transported to the facility by barges and trucks. Once the materials are processed they will be utilized for various construction projects.

Councilwoman Rogers state that public comment must be submitted in writing to the contact person no later than 09/11/08 or 15 days after the publication date of the notice, whichever is later.

A member of the audience inquired about the date of the correspondence.

Councilwoman Rogers stated that it was 08-22-08.

Councilman Touchette stated that he wanted to respond to some things and added that with regard to the landfill, last month the Attorney for the Town wrote a letter to DEC asking them again to reject the City of Albany's application as incomplete and continued by saying that if they didn't get a positive response they would set up a meeting with DEC to talk about it, which is a positive move. He went on by saying that for his own clarification he knows that there were 2 permit applications, one for the Construction and Demolition Debris Processing Facility and the second was for the transfer station, which was withdrawn and then asked Mr. Laraway the reason for the withdrawal.

Mr. Laraway stated that if there is any wood or plastic in the material it had to be transferred to another facility and added that DEC had advised to do two permits, one for the facility to process it and another one to get rid of it. He continued by saying that Supervisor Hotaling said that they didn't like the idea because it opened the door for more and in turn they withdrew it and added that he wanted everyone to know that they are recycling dirt, concrete and blacktop and they are putting it back to the original properties and concluded by saying that it is not garbage.

Mr. Travers interjected that it is prohibited by a Town Ordinance.

Mr. Laraway stated that there is a beneficial use for the material and then asked if he would rather see it go to a landfill.

Mr. Travers stated that he works on State policy and solid waste.

Mr. Laraway stated that this is what happened with the permit and added that it was by direction of DEC and added that the intent was never to bring in municipal waste.

Councilman Youmans stated that he believes that it is important to note that the Small Cities Grant to his understanding is not done and added that the Town Board wants to put a restrictive covenant that municipal waste cannot be brought in and continued by saying that he was not alone in saying that it was a major problem for them given the situation. He went on by saying that he understands that there are a lot of concerns with Albany trying to shove a landfill down their throats and added that no one is for that and to try to draw a parallel between what he is doing and the landfill, he does not see. He continued by saying that he does not believe that Mr. Laraway would spend 10 million dollars to build a deep water port with the anticipation of a landfill that may never happen and added that if this was his motivation for doing it he wasted a lot of money. He concluded by saying that every one of them including Supervisor Hotaling are opposed to a landfill in the Town of Coeymans and asked that they look at it with more of an open mind and went on to say that they are going to look into it and get a legal opinion about construction and demolition recycling and added that he would look at the law as being written and passed because Albany was trying to jam a landfill down their throats.

Mr. Travers interjected that the landfill was not even in the picture when the legislation was passed.

Councilman Youmans reiterated that they will look into it.

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PRESENTATION

Summer Recreation Program – Kevin Reinisch

Councilwoman Rogers stated that Kevin Reinisch is present to give a report on the Summer Recreation Program.

Mr. Kevin Reinisch introduced himself as the Director of the Summer Recreation Program and added that the five week program was a tremendous success with over 70 children participating. He continued by saying that they were blessed with great weather with the exception of one week and went on by saying that there are some issues that they need to improve on such as transportation, locations, weather issues and the purchase of equipment in addition to how they hire and who they hire for the position of counselors He concluded by asking if there were any questions.

Councilman Boehm thanked Mr. Reinisch and added that he did a great job. He continued by saying that it is a new program and it is only their second year and they are building on its success. He went on by saying that he along with Councilman Youmans, Village Trustee Case and Village Trustee Persico all agreed that transportation would be a great component to add next year in order to bring people from the Hamlet of Coeymans and Coeymans Hollow.

Mr. Reinisch stated that using Joralemon Park is also an option and reiterated that purchasing equipment is the main issue.

Councilman Boehm stated that they will build on the past two years.

Councilwoman Rogers interjected that this year was better than the first year.

Mr. Reinisch stated that there were over 70 participants this year as opposed to 50 the first year and added that the attendance is higher in the afternoon.

Councilman Youmans stated that in addition to thanking Mr. Reinisch he wanted to thank Mr. Racey and added that they are both a great asset to the youth of the community.

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SUPERVISOR'S REPORT

July 2008

Councilwoman Rogers read the Supervisor's Report.

FUND	BAL. FWD.	RECEIPTS	DISBURSE.	BALANCE
GENERAL	$683,578.71	$ 80,368.84	$241,262.25	$522,685.30
PART TOWN	$404,194.17	$475,199.04	$386,168.10	$493,225.11
SPEC. WATER	$ 17,225.23	$ 1,325.26	-0-	$ 18,550.49
HIGHWAY	$ 77,783.42	$352,424.59	$351,431.93	$ 78,776.08
BRIDGE CONST.	$ 35,408.52	$ 34.42	-0-	$ 35,442.94
TRUST & AGENCY	$ 10,267.28	$252,566.78	$258,656.10	$ 4,177.96
SEWER	$177,579.31	$ 766.88	$ 36,558.29	$141,787.90
SEWER CAP.	$112,169.21	$ 47.65	-0-	$112,216.86
			TOTAL REC. BAL.	$1,406,862.64

CERTFICATES OF DEPOSITS

				Maturity Date
National Bank of Coxsackie	Part-Town	60 Days	$507,087.61	09-24-08
National Bank of Coxsackie	A-Fund	60 Days	$405,670.09	09-24-08
National Bank of Coxsackie	Highway	60 Days	$256,565.47	10-22-08
National Bank of Coxsackie	A-Fund	90 Days	$117,162.63	08-27-08

SECTION 8 – HUD

Occupied Units	72
HUD Payments	$32,025.00
Admin. Fee	$ 40.89
Total HUD Pmt.	$32,065.89
Tenant Rent	$12,378.00
Contract Rent	$44,443.89
SECTION 8 CK.	$ 2,239.75
SECTION 8 SV.	$89,232.48
Total	**$91,472.23**

SAVINGS ACCOUNTS

Police Forfeitures/CK	$ 72.72
Police Forfeitures	$ 5,160.60
Unemployment	$ 4,017.34
Grove Cemetery/SAV	$40,294.49
Grove Cemetery/CK	$ -0-
Sewer Dedicated	$ 6,232.44
Total	**$55,777.59**

COLLATERAL COVERAGE	**FDIC COVERAGE**	**COLLATERALIZED**
National Bank of Coxsackie	$100,000.00	$2,212,066.56
Citizens Bank	$100,000.00	$ 27,107.17
First Niagara	$100,000.00	$ 153,147.00

Councilwoman Rogers asked for a motion to approve the report.

MOTION

On motion of Councilman Boehm, seconded by Councilman Youmans, the Supervisor's Report was accepted as presented.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Hotaling) – SO MOVED

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DEPARTMENT REPORTS

Building Department – July 2008

Councilwoman Rogers asked that Councilman Touchette give the Building Department Report.

Councilman Touchette continued by giving the report.

Highway Department – July 2008

Councilwoman Rogers asked that Highway Superintendent Deering give the Highway Department Report.

Highway Superintendent Deering continued by giving his report along with giving the Town Board his Tools & Equipment List as required by Highway Law in addition to asking for authorization to put surplus equipment out to bid.

Councilman Boehm inquired as to if they should authorize by motion the request to put surplus equipment out to bid.

Attorney for the Town Wukitsch stated that they should.

Councilwoman Rogers asked that Councilman Boehm offer a motion.

MOTION

On motion of Councilman Boehm, seconded by Councilman Touchette, authorizing the Superintendent of Highways to advertise for a 1969 966 Cat Loader with a minimum of $15,000.00, a V Plow with a minimum of $500.00 and a 1978 John Deere Tractor with a minimum bid of $500.00.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Hotaling) – SO MOVED

Councilman Boehm stated that the minimum bid of $500.00 seems low for the John Deere tractor.

Highway Superintendent Deering stated that it is old and added that it is just for the tractor.

Councilman Boehm inquired about the mower.

Highway Superintendent Deering stated that they are keeping the mower.

Councilman Youmans asked Attorney for the Town Wukitsch what Mr. Palange still needs to do in order for the road to be accepted as a Town road.

Attorney for the Town Wukitsch stated that his understanding is that he needs Planning Board approval.

Councilwoman Rogers inquired as to the status of the abandonment of Pape Hill Road.

Highway Superintendent Deering stated that it is going to go back to what it was.

Attorney for the Town Wukitsch stated that they are not going to do a formal abandonment because they want to be able to maintain the line.

Police Department – June & July 2008

Councilwoman Rogers asked that Chief Darlington give the Police Department Reports for June & July.

Chief Darlington continued by giving the reports.

Town Clerk – July 2008

Councilwoman Rogers asked that Town Clerk Millious give the report.

Town Clerk Millious continued by giving her report.

Sewer Department – July 2008

Councilwoman Rogers asked that Councilman Youmans give the Sewer Department Report.

Councilman Youmans continued by giving the report.

Councilwoman Rogers asked for a motion to approve the Building, Highway, Town Clerk and Sewer Department reports.

MOTION

On motion of Councilwoman Touchette, seconded by Councilwoman Rogers, the reports were approved as presented.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Hotaling) – SO MOVED

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OLD BUSINESS

Approval of Additional Construction Cost for Trash Receptacles

Councilman Youmans stated that Mr. Medina who lives in the Hamlet of Coeymans made an offer early in the season to build picnic tables that they were in need of and added that he did it for considerably less than the State Contract price. He continued by saying that in addition to that he agreed to build some wooden trash receptacles for $75.00 each and went on by saying that by the time that he had completed the picnic tables and was ready to build them the cost of the lumber had risen. He concluded by saying that the price is now $90.00 for each, which would be considerably more expensive under State Contract.

Councilman Boehm stated that it is a reasonable request.

Councilwoman Rogers asked for a motion.

MOTION

On motion of Councilman Boehm, seconded by Councilman Youmans, authorizing an additional $15.00 for each additional trash receptacle.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Hotaling) – SO MOVED

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NEW BUSINESS

Highway Superintendent Request to Put Surplus Equipment Up for Bid

Previously discussed.

Request for Part-Time Building Inspector to Attend Training

Councilwoman Rogers stated that there is a request for one of the part-time Building Inspectors to attend training at the State Fire Academy on October 20, 2008.

Councilman Boehm interjected that it is in Montour Falls, New York.

Councilwoman Rogers stated that the seminar is free but there is a registration fee of $25.00.

Councilman Boehm interjected that the registration fee is being picked up by the Village because he also does inspections for them and continued by saying that Mr. DeBacco does the bulk of the fire inspections for the Town. He added that he does not have a problem with him attending.

Councilwoman Rogers asked for a motion.

MOTION

On motion of Councilman Boehm, seconded by Councilman Touchette, authorizing Sante DeBacco to attend the New York State Fire Marshall's and Inspector's Association annual training seminar in Montour Falls.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Hotaling) – SO MOVED

Request for Chief Sewer Operator to Attend Training

Councilman Youmans stated that Chief Operator Breedlove has requested approval to attend training for Wastewater Collection Systems Operation and Maintenance and added that the fee is $220.00. He continued by saying that he will not incur any lodging, meal expenses or mileage because he is taking a Town vehicle.

MOTION

On motion of Councilman Boehm, seconded by Councilman Youmans, authorizing Chief Operator Breedlove to attend the training for a fee of $220.00
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Hotaling) – SO MOVED

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RESOLUTIONS

RES. #92-08 AUTHORIZE PROSECUTOR FOR THE TOWN TO HANDLE MISDEMEANOR VIOLATIONS
On motion of Councilman Boehm, seconded by Councilman Touchette, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Hotaling) – SO MOVED

WHEREAS, Martin G. Burke was appointed to serve as Prosecutor for the Town in matters related to traffic tickets and Town Code / Penal Law trial matters, and

WHEREAS, NYS Building Code offenses are Executive Law misdemeanors and can only be prosecuted by the District Attorney, and

WHEREAS, this situation has created logistical and legal issues that have delayed one case and the possible delay of several other Town cases, and

WHEREAS, Mr. Burke has requested and received written authorization of prosecutorial authority for NYS Building Code misdemeanors under Executive Law from the District Attorney.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby appoint Martin G. Burke, Esq. to prosecute Building Code misdemeanors under Executive Law for the Town of Coeymans.

Councilwoman Rogers asked if there was any discussion.

Councilman Boehm asked Mr. Burke if he would like to speak.

Mr. Burke introduced himself as the prosecutor for the Town of Coeymans and then thanked them for putting him on the agenda and preparing a resolution. He continued by saying that he wanted to provide some background and added are two types of code offenses, Town Code offenses with a maximum fine of $250.00 or 15 days in jail, which he currently prosecutes and NYS Building Code violations that are prosecutable as misdemeanors under the NY Executive Law with a maximum fine of $1,000.00 or 1 year in jail and can only be prosecuted by the District Attorney's Office. He went on by saying that the bifurcation of the prosecutorial duties for Town Code offenses has created several legal difficulties because it makes it difficult for the second prosecutor to prosecute an offense after it has been prosecuted by the first prosecutor in addition to in order to remedy the code violation it would cost the offender more than $250.00 to actually remedy the offense and it does not encourage the offender to remedy the code violation and added that they would rather pay the $250.00 fine because it would cost more to fix it than to fight. He continued by saying that in working with the Code Enforcement Office, this issue has reared its head in at least one case and there is a possibility that it will happen in other cases and went on by saying that he had spoken with Jared Sanford at the District Attorney's Office and had indicated to the DA's office that he would be willing to prosecute the Executive Law misdemeanors for NYS Building Code violations on behalf of the Town in addition to his authority that has already been granted by the Town to prosecute the Town Code violations. He added that the DA's office has granted him that authority and CEO Conrad has sent a letter to both him and the court and went on by saying that he is present to request that the Town Board authorize him to prosecute the NYS Building Code offenses, which are punishable as misdemeanors under the Executive Law and typically only the DA's office pursuant to County Law can prosecute misdemeanors but since they delegated authority for him to do it he is requesting that the Town Board does the same.

Councilman Boehm stated that it is an important addition and he believes that it will help with the backlog of cases.

RES. #93-08 AUTHORIZE JCAP GRANT APPLICATION
On motion of Councilman Touchette, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Hotaling) – SO MOVED

WHEREAS, the Town Court is desirous of making application for funding assistance to make improvements and enhancements to the Town's security and facility-related needs, and

WHEREAS, such assistance is possible through the New York State Unified Court System Justice Court Assistance Program (JCAP) application,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans authorizes the Town Justice Court to prepare such JCAP application and forward the completed application to Supervisor Ronald K. Hotaling, Jr., for signature and submission.

RES. #94-08 AUTHORIZE BIDS ON WWTP UV DISINFECTION PROJECT
On motion of Councilwoman Rogers, seconded by Councilman Youmans, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Hotaling) – SO MOVED

WHEREAS, the Town of Coeymans, herein called the "Municipality," agreed to accept State funding for certain improvements to the Coeymans WWTP, namely for UV Disinfection Installation and aeration tank modifications, under the 1996 Clean Water/Clean Air Bond Act – Title Section S6-0303 Water Quality Improvement Projects and Environmental Fund Article 17-14 Environmental Conservation Law; Performance Partnership Grants Public Law 104-134 Nonagricultural Non-point Source Projects as well as funds its portion of the project costs per Town Board resolution dated March 27, 2006, and

WHEREAS, the Municipality has received final approval by the New York State Department of Environmental Conservation of plans and specifications prepared by C.T. Male Associates, P.C. for those improvements to the Coeymans WWTP;

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Coeymans:

(1) That the Municipality advertises for receipts of bids on said project Thursday, August 28, 2008.
(2) That the Municipality receive bids on said project at the office of the Town Clerk, Town of Coeymans, Town Hall, 18 Russell Avenue, Ravena, NY 12143 until 2:00pm local time on Friday, September 19, 2008 and then at said office publicly read aloud.

RES. #95-08 APPOINT FULL-TIME POLICE OFFICER
On motion of Councilman Youmans, seconded by Councilman Touchette, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Hotaling) – SO MOVED

WHEREAS, the Town of Coeymans has a need for more full-time Police Officers, and

WHEREAS, Ryan F. Johnson has applied for transfer from the Town of Cairo Police Department, and

WHEREAS, the Albany County Department of Civil Service has approved this individual's lateral transfer, and

WHEREAS, Chief Darlington has reviewed this individual's application and experience record, and is satisfied that he meets the necessary qualifications,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans hereby hires Ryan F. Johnson as a full-time Police Officer at a rate of pay consistent with his years of service, and effective consistent with the requirements of his current position.

Councilman Boehm inquired as to how long he had worked for the Cairo Police Department.

Chief Darlington stated that he believes it was 3 years and continued by saying that he has been working part-time for the Town for approximately 1 year.

RES. #96-08 TRANSFERS OF FUNDS
On motion of Councilman Touchette, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Hotaling) – SO MOVED

WHEREAS, the following accounts has been exhausted because of unforeseen expenditures,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby authorize Supervisor Ronald K. Hotaling, Jr., to transfer the following amounts to the respective funds:

AMOUNT	FROM ACCOUNT	TO ACCOUNT
GENERAL FUND		
$ 2,984.97	A1990.4 Contingency	A1010.4 Town Council (Contract.)
$18,820.57	A1990.4 Contingency	A1620.4 Town Hall (Contractual)
$ 140.00	A3021.42 Police Equip.	A3120.48 Law Enforce. (Training)
$ 4,640.00	A1990.4 Contingency	A9010.8 Employee Bene. (Retire.)
HIGHWAY FUND		
$15,370.48	DB5130.2 Machinery (Capital Outlay & Equip.)	DB1910.4 Insurance
$ 583.27	DB5130.2 Machinery (Capital Outlay & Equip.)	DB5142.4 Snow Removal (Contractual)
$ 501.60	DB5130.2 Machinery (Capital Outlay & Equip.)	DB9010.8 Employee Benefits (Retirement)
SEWER FUND		
$ 2,103.60	SS8130.4 Contractual	SS9010.8 Employee Benefits (Retirement)

RES. #97-08 APPOINT UTILITIY VALUATION CONSULTANT TO ASSIST COUNSEL
On motion of Councilman Boehm, seconded by Councilman Touchette, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Hotaling) – SO MOVED

WHEREAS, in a Supreme Court proceeding entitled Lafarge Corporation , et al. v. Assessor for the Town of Coeymans, et al., Index No. 6488-08, petitioner Lafarge Corporation has challenged the assessment of its real property in the Town and seeks a reduction of the assessment of approximately $99 million to approximately $25 million, and

WHEREAS, it is necessary for the Town to retain an independent consultant to assist counsel for the Town in the defense of this claim.

NOW, THEREFORE, BE IT RESOLVED, that Laurence P. Farbstein of Industrial Utility & Valuation Consultants, Inc. is hereby retained to consult with the Attorney to the Town in accordance with the attached proposal.

Councilman Boehm stated he had spoken to the Assessor prior to the meeting and added that this could have some serious implications for the property and school taxes and continued by saying that they have to vigorously defend it.

Councilman Youmans stated that it is his understanding that if this were to occur it would have an effect of approximately $250,000.00 on the Town's budget, which would be substantial and coupled with the school's budget; all of the Town's residents would be looking at a major tax increase.

Councilman Boehm stated that the school has a vested interest financially and added that as it progresses they could ask them for extra funding if it moves to trial.

RES. #98-08 APPROVE AUGUST ABSTRACT
On motion of Councilman Youmans, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Hotaling) – SO MOVED

BE IT RESOLVED, that the Town Board, of the Town of Coeymans, does hereby approve and allow the following claims of vouchers for the August 2008 Abstract.

FUND	VOUCHER #	AMOUNT
GENERAL (A)		
General Pre-Pay	1475-1516,1676	$279,314.28
General	1560-1616	$128,828.57
	General Total	**$408,142.85**
PART-TOWN (B)		
Part-Town Pre-Pay	1517-1528	$ 47,221.35
Part-Town	1617-1634	$ 4,034.02
	Part Town Total	**$ 51,255.37**
HIGHWAY (D)		
Highway Pre-Pay	1529-1539	$ 58,508.00
Highway	1635-1664	$ 9,584.54
	Highway Total	**$ 68,092.54**
SEWER (SS)		
Sewer Pre-Pay	1540-1551	$ 17,326.78
Sewer	1665-1673	$ 9,615.12
	Sewer Total	**$ 26,941.90**
CAPITAL PROJ. (H)	1674	$ 3,200.00
	Capital Proj. Total	**$ 3,200.00**
COMMUNITY DEVELOPMENT (CD)	1675	$ 787.50
	Comm. Develop. Total	**$ 787.50**
	Total For All Funds	**$558,420.16**
TRUST & AGENCY (TA)		
Trust & Agency Pre-Pay	1552-1559	$320,939.14
	Trust & Agcy. Total	**$320,939.14**

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CORRESPONDENCE

- NYS Department of Environmental Conservation – P&M Brick (previously discussed)

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TOWN BOARD WORKSHOPS / MEETINGS

- Public Hearing, September 8, 2008, 6pm (Martins Hill Project)

- Town Board Meeting, September 8, 2008, 7pm
- Town Board Workshop, September 16, 2008, 6pm
- Town Board Meeting, September 22, 2008, 7pm

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ADDITIONAL COMMENTS

Councilwoman Rogers asked if there were any additional comments.

Chief Darlington stated that the new Crown Victoria has been in service for approximately 2 weeks and added that they were able to save $2,000.00 by using the Town's mechanic to install everything and added that it took him a little longer to do it but his hourly rate is much less. He added that the Police Department participated in a County wide checkpoint and went on by saying that the City of Albany receives a lot of money through Project Impact and the DA's Office is finding out that it is pushing the drug problem out of the City of Albany to the surrounding communities. He continued by saying that the purpose was to see what kind of things are going on outside of Albany to try to receive money for local municipalities in smaller towns and villages and as a result there were 2 DWI's, 8 aggravated unlicensed operators, 1 felony warrant out of the City of Cohoes and 1 of the DWI's was a felon. He concluded by saying that he would also like to request to be put on the next Workshop.

ADJOURNMENT TO EXECUTIVE SESSION

Councilwoman Rogers stated that they would be adjourning to Executive Session.

Attorney for the Town Wukitsch stated that they should note the reason why they are going into Executive Session.

MOTION

On motion of Councilman Touchette, seconded by Councilman Boehm to enter into Executive Session to discuss the terms of the P&M Brick loan agreement.
APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Hotaling) – SO MOVED

Time: 8:50pm

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RECONVENE MEETING FOR ADJOURNMENT

Councilwoman Rogers called the meeting back to order and asked for a motion to adjourn.

MOTION

On motion of Councilman Touchette, seconded by Councilman Boehm, the Town Board Meeting was adjourned.
APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Hotaling) – SO MOVED

Time: 9:15pm

Respectfully Submitted, **APPROVED:**

_____
Diane L. Millious, Town Clerk

MINUTES BOOKTOWN OF COEYMANS**
August 19, 2008 – Town Board Workshop Meeting – 6:00PM

A Town Board Workshop was held Tuesday, August 19, 2008 at 6:00pm at Town Hall, 18 Russell Avenue, Ravena, New York

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

ABSENT: Ronald K. Hotaling, Jr., Supervisor

ALSO PRESENT: Diane Millious, Town Clerk
Ed Vopelak, Engineer, C.T. Male

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Councilwoman Rogers opened the Workshop and led the Pledge of Allegiance.

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AGENDA ITEMS

- Martin's Hill Proposed Water District

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ADJOURNMENT

Councilwoman Rogers adjourned the Workshop.

Time: 6:50pm

Respectfully Submitted, **APPROVED:**

_____
Diane L. Millious, Town Clerk

A Special Town Board Meeting was held Tuesday, August 19, 2008 at 7:00pm at Town Hall, 18 Russell Avenue, Ravena, New York

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

ABSENT: Ronald K. Hotaling, Jr., Supervisor

ALSO PRESENT: Diane L. Millious, Town Clerk

****

Councilwoman Rogers called the meeting to order and led the Pledge of Allegiance.

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NOTICE
SPECIAL TOWN OF COEYMANS
TOWN BOARD MEETING

In compliance with Public Officer's Law, this will inform you that the Town Board of the Town of Coeymans has scheduled a Special Town Board Meeting for the purpose of discussing Town business. The meeting will be held at 7:00pm on Tuesday, August 19, 2008, following the regularly scheduled Town Board Workshop at Town Hall, 18 Russell Avenue, Ravena, New York.

By Order of the Town Board
of the Town of Coeymans
Diane L. Millious
Town Clerk

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RES. # 89-08 DESIGNATE COUNCILWOMAN TO PRESIDE OVER MEETING
On motion of Councilman Boehm, seconded by Councilman Youmans, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Hotaling) – SO MOVED

WHEREAS, the Town Supervisor is unable to attend and preside over the Special Town Board Meeting of August 19, 2008,

WHEREAS, Town Law, Section 63, authorizes the Town Board to designate a Town Board member to preside over a Town Board Meeting in the absence of the Town Supervisor, and

WHEREAS, the Town of Coeymans does not have a Deputy Supervisor,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby designate Councilmember Dawn Rogers to preside over the Special Town Board Meeting of August 19, 2008.

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AGENDA

- Designate Council Member to Preside Over Meeting
- Update on Court Grant for Renovations
- Review of C.T. Male Proposal for Services – F.E.M.A. Hannacroix Creek Project
- Discuss Martins Hill Water District – Establish Public Hearing Date
- Accept Map Plan & Petition for Martins Hill Water District
- Resolutions

- Authorize Highway Betterment Funds

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Update on Court Grant for Renovations

Judge Dardani stated that the Court System Action Plan audited Justice Courts in Towns and Villages and added that the findings were that most of the courts were in need of not only repair but also equipment to better enable the courts to serve the people. He added that another big issue was security, video surveillance, and walk through metal detectors, which were lacking in most of the Courts. He went on by saying that last year they received a grant for construction for $30,000.00 and continued by saying that this year they will be putting in for another construction grant for an additional $30,000.00. He added that they have a tentative plan and are currently waiting for Mr. Burns to get back to them. He continued by saying that they spoke with the Chief Architect in charge of the grants and was advised that once a grant is awarded they like to see that it is used in 6 months and added that unless they receive a letter from the Town Board stating the part that they will have in the construction and that they are in favor of the construction, the money will be taken back. He added that surveillance equipment and walk through detectors are on order and went on by saying that they do not want to lose the Construction Grant. He reiterated that they need a letter from the Town Board stating that they are in favor of the construction project.

Councilman Boehm inquired as to if he is asking that they approve money for the construction.

Judge Dardani stated that they want to know what the Town is going to do and added that they will not give money without the Town doing anything.

Councilwoman Rogers interjected that the Town could hang sheetrock.

Judge Dardani stated that was correct and added that the Town does not have to match it penny per penny.

Councilwoman Rogers stated that it could be done by someone in house.

Councilman Boehm inquired as to if it would mean providing the labor by the Community Beautification Department.

Judge Dardani stated that he can't tell them but rather he is asking that this be done and added that he believed that it was going to be done like the Police Department.

Councilwoman Rogers inquired as to when it is needed.

Judge Dardani stated that they need it as soon as possible so they can get the second grant in and added that he wanted to let them know that more money is out there.

Councilman Touchette inquired as to if they know what the total cost of construction is.

Judge Dardani stated that there is a tentative plan to push the office out over the Police Department and added that he is not sure of the cost per square foot and continued by saying that it will be much less if they take out the labor cost.

Councilman Boehm stated that it is great if they get the grant and don't have to match it and added that his only concern is that if the material goes over the amount allowed by the $60,000.00 in grants and continued by saying that if it is a $100,000.00 project the Town will have to pay $40,000.00. He went on by saying that they have to know the cost of material plus the labor.

Judge Dardani stated that once they have the letter from the Town Board they can put in for the grant for next year, which will make the total $60,000.00.

Councilman Youmans asked Judge Dardani what he wants the letter to say.

Judge Dardani stated that the letter should say that they are in favor of the construction grant as well as stating what the Town is going to provide.

Councilman Touchette stated that he is reluctant to do that without knowing what the total of the project will be and added that it sounds like he is asking that the Town pick up anything that the grant doesn't.

Judge Dardani stated that in a sense this is true.

Town Clerk Millious stated that in her experience with grants she has found that they want to see some participation from the Town and added that they want to see that there is interest.

Councilwoman Rogers inquired as to if they can get an estimate.

Judge Dardani stated that he is waiting for one and continued by saying that it won't be a guaranteed price.

Councilwoman Rogers stated that a rough estimate would be better than nothing.

Councilman Boehm stated that if the Town commits labor cost so they can get a total of $60,000.00, if a price comes in for a total of $150,000.00 the Town will not commit to paying the rest.

Judge Dardani stated that he understands and added that they need something.

Councilman Boehm stated that it is a good idea going forward and added that he sees the whole project working within the money that they will be getting in the grants and added that he shares Councilman Touchette's concern.

Judge Dardani stated that if they get the letter, they will be able to put in for an additional $30,000.00 and added that it does not mean that they will spend it. He reiterated that they need something in writing relative to what the Town will provide and added that they can specify a stipulation of construction cost as long as it does not exceed.

Councilman Boehm interjected that they can use Chief Darlington's brother.

Councilman Touchette stated that he was paid as a contractor and added that he is not a Town employee.

Councilman Boehm stated that he is paid per diem as they need him and continued by saying that if they can get the $60,000.00 and spend $5,000.00 - $10,000.00 it will be worth it and added that it could cost thousands more.

Councilwoman Rogers stated that with the drawings he must know approximately what the price is.

Judge Dardani stated that it hasn't been given to him yet.

Councilman Boehm inquired as to if he wants a letter of support stating that the Town will be willing to provide the labor for the construction cost. He reiterated that the Town is interested in the final cost and added that it won't be that the $60,000.00 is a down payment and the Town will pick up the rest of it.

Councilman Touchette stated that he is not willing to support that because it is open ended.

Councilman Youmans suggested that they say that they will provide some labor.

Councilman Boehm interjected that at this point it looks like Judge Dardani is looking for support for the project and that the Town is on board with it and added that if it gets pricey they will have to take a closer look at it.

Judge Dardani stated that they will have to see what the estimate is and added that they will take it from there.

Councilman Boehm asked Councilman Touchette if he had a problem with saying that they will support it.

Councilman Touchette stated that he supports it.

Councilman Youmans interjected that they want to do all they can to get money from the State to improve the Town's court.

Councilman Boehm stated that the letter can be that vague and say that they will utilize their resources to the best of their ability.

Councilman Touchette suggested that one of them draft a letter to discuss and approve at Monday's meeting and then asked that Judge Dardani draft a letter to give to Councilwoman Rogers.

Councilwoman Rogers suggested that Judge Dardani and Judge Reilly get together and draft a letter.

Judge Dardani stated that once they submit the letter they will be able to submit some drawings of where they intend to expand.

Councilman Touchette stated that they can approve the letter at Monday's meeting and get it in the mail.

Judge Dardani thanked the Town Board.

Review C.T. Male Proposal for Services

Councilwoman Rogers asked that Councilman Touchette cover this topic.

Councilman Touchette stated that at their last meeting they agreed to pursue the long-range and more detailed approach to the Hannacroix Creek debris removal and in turn solicited a letter from C.T. Male to draft a technical service scope to compile the permit applications to DEC and the ACOE. He continued by saying that on July 31st Supervisor Hotaling received a letter from C.T. Male and then read the following excerpt:

"As requested, we prepared this proposal to develop a technical services scope to compile permit applications to the US Army Corp of Engineers (ACOE) and to the NYS Department of Environmental Conservation (DEC) to remove gravel from Hannacroix Creek between the Sycamore County Club golf course and Joralemon Park on behalf of the Town of Coeymans. You indicated that the scope would be used to solicit competitive bids from several consulting firms, including C.T. Male."

He continued by saying that the lump sum fee to develop the Scope of Services is $4,500.00 and added that if authorized they will perform the work under the standard terms and conditions of agreement that accompanied the February 13, 2008 contract agreement.

Councilman Boehm stated that this is to get their specs and put it out to bid for the F.E.M.A. Project to remediate the creek bed where is borders Joralemon Park as well as properties in the Macintosh Lane area and added that they hope to expedite it.

Councilman Touchette interjected that they have already expedited it by 1-2 weeks already.

Councilman Boehm stated that the Highway and Beautification crews have been in the creek.

Councilman Youmans stated that he had spoken with Beautification Department Supervisor Perry and added that he had said that they spent quite a bit of time in the creek and did take a lot out.

Councilwoman Rogers stated that she spoke with Highway Superintendent Deering and he had said that the creek is pretty clean all the way down to the park and added that there is still a little more debris down at the bottom but he is waiting for DEC because he cannot put a truck through the creek.

Councilman Boehm stated that there is a B Stream, which is off the main stream and added that he does not think that they can touch it without a permit.

Councilman Youmans inquired as to if the $4,500.00 will be reimbursable.

Councilman Touchette stated that he believes that it is all reimbursable.

Councilman Youmans inquired as to if they need a motion.

Councilman Touchette stated that they need a motion to accept the proposal.

MOTION

On motion of Councilman Boehm, seconded by Councilman Touchette, accepting the C.T. Male proposal in the amount of $4,500.00 for the specs to remediate the creek bed as well as authorize Councilman Touchette to write a letter on behalf of the Town Board.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Hotaling) – SO MOVED

Martins Hill Water District & Establish Date for Public Hearing

Councilman Youmans stated that before they discuss this topic he would like to offer a motion.

MOTION

On motion of Councilman Youmans, seconded by Councilwoman accepting the map, plan and petition for Martins Hill Water District and file it with the Town Clerk's Office for public record.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Hotaling) – SO MOVED

Councilman Boehm stated that this is what they had discussed earlier at the Workshop and added that by adopting it they will be moving forward and setting a date for a Public Hearing.

Councilman Youmans asked Town Clerk Millious if she had a copy.

Councilman Youmans proceeded to give it to Town Clerk Millious and added that it is now on file with the Town Clerk and continued by offering a motion to establish a Public Hearing date.

MOTION

On motion of Councilman Youmans, seconded by Councilman Boehm, authorizing Councilwoman Rogers to establish the Public Hearing and read into the record the Order setting the Public Hearing. (partially read)

ORDER SETTING PUBLIC HEARING ON
ESTABLISHMENT OF MARTINS HILL ROAD WATER DISTRICT

WHEREAS, the Town of Coeymans wishes to establish the Martins Hill Road Water District to include twenty-one (21) properties generally along or adjacent to Martins Hill Road NYS Route 143) and Skyview Drive in accordance with New York Town Law Article 1 2-A; and

WHEREAS, a Map, Plan and Report has been prepared by CT. Male Associates, P.C. and duly filed in the office of the Town Clerk; and

WHEREAS, the Map, Plan and Report delineates the boundaries of the proposed water district, a general plan at the proposed system, a report of lie proposed method of operation, the source of

water supply and mode of constructing the proposed water district improvements;

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. The boundaries of the proposed water district are as follows:

All that certain tract, piece or parcel of land situate, lying and being in the Town of Coeymans, County of Albany, State of New York, along Route 143, and being more particularly bounded and described as follows:

BEGINNING at a point at the intersection of the Southwesterly boundary of the Town of Coeymans, County of Albany Tax Map Parcel No- 168.1 3-1 -10 with the Southeasterly boundary of Route 143 and runs thence from said point of beginning in a Northeasterly direction along the Southeasterly boundary of Route 143! a distance of 100± feet to its intersection with the Southeasterly projection of the Southwesterly boundary of Tax Map Parcel No. 168-13-1-17: thence in a Northwesterly direction crossing Route 143 and along the Southwesterly boundary of said tax map parcel 156± feet to its intersection with the Westerly boundary of Tax Map Parcel No. 168.13-1-17; thence in a Northerly direction along the Westerly boundary of said tax map parcel I 78± feet to its intersection with the Southerly boundary of Tax Map Parcel No. 168.13-1-20.2: thence in a Westerly direction along the Southerly boundary of said tax map parcel 152± feet to its intersection with the Westerly boundary of Tax Map Parcel No. 168.13-1-202; thence in a Northerly direction along the Westerly boundary of said tax map parcel 61 ± feet to its intersection with the Southwesterly boundary of said tax map parcel: thence in a Northwesterly direction along the Southwesterly boundary of Tax Map Parcel No. 168.13-1-20.2, a distance of 120± feet to its intersection with the boundary of Tax Map Parcel No. 168.13-1-11; thence in an Easterly direction along the Northerly boundary of said tax map parcel 530± feet to its intersection with the Westerly boundary of Tax Map Parcel Nos. 168.13-1-8.2 and 168.13-1-9; thence in a Northerly direction along the Westerly boundary of said tax map parcels 315± feet to its intersection with the Northerly boundary of Tax Map Parcel No. 168.13-1 -8.2; thence in an Easterly direction along the Northerly boundary of said tax map parcel 220± feet to its intersection with the Southeasterly boundary of said tax map parcel; thence in a Southwesterly direction along the Southeasterly boundary of Tax Map Parcel No. 168.13-1-8.2, a distance of 333± feet to its intersection with the Northeasterly boundary of said tax map parcel; thence in a generally Southeasterly direction along the Northeasterly boundary of said tax map parcel 235± feet to a point; thence through Tax Map Parcel No. 168.13-1-8.1 the following two (2) courses: 1) in a Northeasterly direction parallel to the Northwesterly boundary of Route 143, a distance of 30± feet to a point; and 2) in a Southeasterly direction forming an interior angle of 90 degrees to the above last described course and in part through a portion of the bed of Route 143, a distance of 50± feet to a point in the centerline of Route 143; thence in a Southwesterly direction along the centerline of Route 143, a distance of 470± feet to its intersection with the Northerly projection of the Easterly boundary of Tax Map Parcel No. 168.13-1-16; thence in a Southerly direction along the Easterly boundary of said tax map parcel, a distance of 278± feet to its intersection with the Southerly boundary of said tax map parcel; thence in a Westerly direction along the Southerly boundary of Tax Map Parcel No. 168.13-1-16, a distance of 107± feet to a point; thence in a Southerly direction parallel to the Westerly boundary of Tax Map Parcel Nos. 168.00-1-32.1 and 168.00-1-32.2, a distance of 240± feet to a point, said point being at the intersection of Southerly boundary of Tax Map Parcel No. 168.13-1-32.2 with the Southeasterly boundary of said Tax Map Parcel No. 168.00-1-32.2; thence in a Southwesterly direction along the Southeasterly boundary of said tax map parcel 164± feet to its intersection with the Easterly boundary of Tax Map Parcel No. 168.00-1-32.32; thence in a generally Southerly direction along the Easterly boundary of said Tax Map Parcel No. 168.00-1-32.32, a distance of 70± feet to its intersection with the Northerly boundary of Tax Map Parcel No. 168.00-1-32.32; thence in an Easterly direction along the Northerly boundary of said tax map parcel, a distance of 220± feet to a point on the Northwesterly boundary of Camille Drive; thence in a Southwesterly direction in part along the Northwesterly boundary of Camille Drive and along the Southeasterly boundary of Tax Map Parcel No. 168.13-1-32.3, a distance of 135± feet to its intersection with the Northerly boundary of Tax Map Parcel No. 168.00-1-37.21; thence in an Easterly direction along the Northerly boundary of said tax map parcel 50± feet to its intersection with the Easterly boundary of Tax Map Parcel No. 168.00-1-37.21; thence in a Southerly direction along the Easterly boundary of said tax map parcel along the Westerly boundary of lots facing U.S. Route

9W, a distance of 1,175± feet to its intersection with the division line between Tax Map Parcel No. 168.00-1-37.21 on the South and Tax Map Parcel No. 168.00-1-38 on the North; thence in an Easterly direction along the above last mentioned tax map parcel boundary 257± feet to its intersection with the Westerly boundary of Old Route 9W; thence in a Southerly direction along the Westerly boundary of Old Route 9W, a distance of 70± feet to its intersection with the Northerly boundary of Tax Map Parcel No. 168.00-1 -37.22; thence in a Westerly, Southerly and Easterly direction along the Northerly, Westerly and Southerly boundary of Tax Map Parcel No. 168.00-1-37.22, a distance of 1,277± feet to its intersection with the Westerly boundary of Old Route 9W; thence in a Southerly direction along the Westerly boundary of Old Route 9W, a distance of 250± feet to its intersection with the municipal division line between the Town of Coeymans, Albany County on the North and the Town of New Baltimore, Greene County on the South; thence in a Westerly direction along the above mentioned municipal division line 676± feet to its intersection with the Northwesterly boundary of Tax Map Parcel No. 168.00-1-37.21; thence in a Northeasterly direction along the Northwesterly boundary of said tax map parcel 269± feet to its intersection with the Southwesterly boundary of Tax Map Parcel No. 168.00-1-37.21; thence in a Northwesterly direction along the Southwesterly boundary of said tax map parcel 780± feet to its intersection with the Northwesterly boundary of Tax Map Parcel No. 168.00-1-37.21; thence in a Northeasterly direction along the above last mentioned tax map parcel boundary 568± feet to its intersection with the Westerly boundary of said Tax Map Parcel No. 168.00-1-32.32; thence in a Northerly direction along the Westerly boundary of said tax map parcel, a distance of 1,070± feet to its intersection with the above first mentioned Southwesterly boundary of Tax Map Parcel No. 168.13-1-10; thence in a Northwesterly direction along the above mentioned Southwesterly boundary of Tax Map Parcel No. 168.13-1-10, a distance of 125± feet to the point or place of beginning.

The Map, Plan and Report include a list of the tax map numbers of the parcels to be included in the proposed District and a map of the proposed District.

2. The improvements proposed to connect the 21 parcels to the existing 12" Village of Ravena water main at the Village Water Treatment Plant are installation of ±2,100 LF of 8" water main, three fire hydrants, service connections (including corporation at the main, water service to the property line and curb stop) and site restoration.

3. The maximum amount proposed to be expended for such improvement is Three Hundred Five Thousand Dollars ($305,000).

4. The proposed method to be employed for financing such improvement is issuance of general obligation serial bonds by the Town of Coeymans on behalf of the proposed District.

5. The cost of the District to each property for the first year of operation would be as follows: $350 fixed fee for water supply, operation and maintenance plus $905.13 to pay debt service on the Town's bonds, totaling $1,255.13. There would also be an initial $150 hook-up fee and the cost of installing individual service connections to the curb stop at the property line which would vary for each property.

6. A detailed explanation of how the estimated costs of the District were computed is included in the Map, Plan and Report which has been filed with the Coeymans Town Clerk and is available for public inspection.

7. The Coeymans Town Board shall meet at the Town Hall, Russell Avenue, Ravena, New York, on the 8th day of September, 2008, at 6:00 o'clock P.M. for the purpose of conducting a Public Hearing on the proposal to establish the Martins Hill Road Water District with the improvements and at the cost specified above, at which time and place all persons interested in the subject thereof may be heard concerning the same.

8. The Coeymans Town Clerk is hereby authorized and directed to publish a copy of this Order in ***The Ravena News Herald*** and post a copy of the same on the sign board of the Town of Coeymans, all in the time and manner required by law.

By Order of the Town Board of the Town of Coeymans
Diane L. Millious, Town Clerk

Councilman Boehm inquired as to if the entire Order will be in the News Herald.

Councilman Youmans stated that it would be and added that there are copies for anyone that would like to see it and continued by asking if Town Clerk Millious has a copy.

Town Clerk Millious stated that she does.

Councilman Boehm stated that she should also make it available in her office for the public to review.

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RESOLUTIONS

RES. #90-08 APPROVE HIGHWAY BETTERMENT & FILE NECESSARY PAPERS
On motion of Councilman Youmans, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Hotaling) – SO MOVED

WHEREAS, pursuant to Highway Law Section 10(27) the Commissioner of Transportation (the "Commissioner) may, upon the request of the municipality, perform for and at the expense of such municipality, any work of construction or reconstruction, including the removal and relocation of facilities, provided the Commissioner deems it practicable to perform such work for such municipality in connection with the performance of any work of construction, reconstruction or improvement under the Highway Law; and

WHEREAS, the Town of Coeymans is a municipality within the meaning of such section of the Highway Law ("Municipality"); and

WHEREAS, pursuant to Highway Law Section 10(27) the municipality, in connection with reconstruction of Route 143 from RM 1165 to Rte. 9W, Town of Coeymans, Albany County, wishes the New York State Department of Transportation ("NYSDOT") to perform certain work described in Schedule A (that describes the "Betterment') annexed to this resolution; and

WHEREAS, there is a substantial public interest in and benefit to the performance of the Betterment, which will be part of the State or municipal highway system and will be available for use by the general public; and

WHEREAS, NYSDOT has estimated the cost of the Betterment; and

WHEREAS, in connection with the Betterment Agreement and no later than NYSDOT'S award of contracts inclusive of the work contemplated by such agreement, the Municipality shall deposit in escrow with the State Comptroller, subject to the draft or requisition of the Commissioner, the amount of such cost estimate, to be expended by the State Comptroller on the costs of the Betterment so requested and approved or the return of the excess amount thereof, if any, to the Municipality; and

WHEREAS, upon completion and payment of the costs of the Betterment the Commissioner shall determine the costs thereof to be borne by the Municipality, and any excess of the deposit shall be paid to the Municipality on the warrant of the State Comptroller on vouchers approved by the Commissioner; and, in the event such costs exceed the amount of the deposit, the Municipality shall within 90 days of the receipt of notice from the Commissioner pay the amount of such deficiency to the State Comptroller; and

NOW, THERFORE, the Town Board, duly convened does hereby

RESOLVE, that the Town Board hereby approves the above-subject Betterment; and be it

FURTHER RESOLVED, the sum of $31,216.50 (Thirty-one thousand two hundred sixteen dollars and fifty cents) has already been appropriated from Coeymans Martins Hill Sewer District for deposit with the State Comptroller pursuant to a Betterment Agreement with

NYSDOT and expenditure on the draft or requisition of NYSDOT for betterment project costs in accordance with Highway Law § 10(27) and such Betterment Agreement; and be it

FURTHER RESOLVED, the additional sum of $14,068.00 (Fourteen Thousand sixty eight dollars and no cents) is hereby appropriated from the Coeymans Martins Hill Sewer District for deposit with the State Comptroller pursuant to a Betterment Agreement with NYSDOT and expenditure on the draft or requisition of NYSDOT for additional betterment project costs in accordance with Highway Law § 10(27) and such betterment; and be it

FURTHER RESOLVED, that the Town Supervisor be and is hereby authorized to execute all necessary agreements or other instruments on behalf of the Town of Coeymans in connection with the advancement or funding of the Betterment; and be it

FURTHER RESOLVED, that a certified copy of this resolution be filed with the State Comptroller and New York State Commissioner of Transportation by attaching it to the Betterment Agreement with NYSDOT, it being understood that upon completion of the Betterment by NYSDOT, NYSDOT shall transmit to this body a statement showing the actual costs and expenses of the Betterment and shall notify the fiscal officer of the amount due from or to be returned to the Municipality, as the case may be, and that any sum due to NYSDOT shall be paid by the Municipality within ninety (90) days after the date of transmittal of such statement, and the funds therefore shall be raised according to law and the terms of the Betterment Agreement, as applicable.

Councilman Youmans stated that the reason for the resolution is because during the construction project there were additional homes on Martins Hill that were deemed to have inadequate septic systems.

Councilman Touchette interjected that it was deemed by the Albany County Health Department.

Councilman Youmans added that the Gray Water Sewer System has already been approved by the Health Department.

Ms. Patricia Bruno in the audience inquired as to how far up the hill it goes and continued by asking if it will go as far as Palmer Drive.

Councilman Youmans stated that it stops at the Funeral Home.

Ms. Bruno stated that the Simons' house is across the street from there and inquired as to if all the residents of Martins Hill will be paying for this.

Councilman Youmans stated that they will be if they are included in the Gray Water Sewer System.

Ms. Bruno stated that she is.

Councilman Youmans stated that it is going to cost less than originally thought because there are now more people.

Ms. Bruno inquired as to how much it will cost per household and whether or not they will have to pay monthly or yearly.

Councilman Youmans stated that he does not have the figures in front of him.

Councilwoman Rogers stated that she does.

Councilman Youmans stated that this was decided long ago and has been accepted.

Ms. Bruno stated that she knew that and continued by saying that she just wanted to know how much money it was going to cost.

Councilwoman Rogers interjected that she does not have the figures.

Ms. Bruno stated that she is curious and added that they are going to be overwhelmed with the water project.

A member of the audience inquired as to if anyone else will be allowed in the system.

Councilman Youmans stated that they would not be and added that there will be people that will be paying for the sewer and water and continued by saying that there are four homes that fall under this category. He went on by saying that Code Enforcement Officer Conrad had stated that the Gray Water Sewer System is a fairly reasonable amount and it will be financed on a twenty year bond and relatively small compared to the water.

Councilwoman Rogers asked that Town Clerk Millious work with her on the filing of the resolution.

Town Clerk Millious stated that she would in addition to giving it to Confidential Secretary Lewandowski.

Councilman Youmans stated that it was originally $31,216.15 for the homes that were there and continued by saying that $14,000.00 was added to it to include the three additional homes. He added that he believes that over 20 years it is approximately $5,000.00 per home.

Ms. Bruno stated that it would be for 20 years.

Councilman Touchette interjected that he believed that it depended on how much work needed to be done and added that some people already have a suitable holding tank.

Councilman Youmans stated that he has been told that all but one of the septic tanks is suitable and added that he believes that it is Mr. Bushnell that has to upgrade his tank.

Councilwoman Rogers stated that this concluded what was on the agenda and continued by asking if there were any additional items.

Ms. Bruno stated that she knows that they are suppose to maintain their septic and put filter in before it goes into the line and continued by asking if anyone knows where they are suppose to get this filter and whether it has to be a particular filter.

Councilman Youmans stated that it is called a Zabel filter and continued by reading the following excerpt:

“It is the property owner’s responsibility to own, operate and maintain the septic tank with a Zabel filter per the Out of District Agreement. The Sewer District will review the septic tank and the Zabel filter installation prior to its connection to the effluent sewer.”

Councilman Youmans continued by saying that she will be made aware of it before it is hooked up.

Ms. Bruno stated that she still has to purchase one to get it in so they can look at it before the hook-up is done.

Councilman Youmans stated that he does not have that information right now and added that she can call Code Enforcement Officer Conrad the following morning and he will have every detail that she wants on it. He continued by saying that Code Enforcement Officer Conrad has been very instrumental in getting the Gray Water Sewer System designed and done.

Ms. Bruno inquired as to how many houses are going to be part of the Gray Water System.

Councilman Youmans stated that he believes that it was four and it is now seven.

Councilwoman Rogers asked if there were any additional comments, hearing none she asked for a motion to adjourn the meeting.

ADJOURNMENT

MOTION

On motion of Councilman Boehm, seconded by Councilman Touchette, the Special Town Board Meeting was adjourned.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Hotaling) – SO MOVED

Time: 7:35pm

***Respectfully Submitted*,** **APPROVED:**

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Diane L. Millious, Town Clerk

A Town Board Meeting was held Monday, July 28, 2008 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
Richard N. Touchette, Councilman

ABSENT: James Youmans, Councilman

ALSO PRESENT: Diane L. Millious, Town Clerk
Albert Deering, Highway Superintendent
David Wukitsch, Attorney for the Town

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

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AGENDA

- Public Announcements
  - Lafarge, Plant Modernization
  - Lafarge, Mercury Emissions
  - Capital Region Road Race
  - Closure of Rte. 143
- Public Comment
- Approval of Minutes
  - Town Board Meeting, June 23, 2008
  - Town Board Workshop, July 22, 2008
- Supervisor's Report – June 2008
- Department Monthly Reports
  - Building Department, May, June 2008
  - Highway Department, June 2008
  - Sewer Department, June 2008
  - Town Clerk, June 2008
- Old Business
  - Speed Limit Request Update
  - Authorization to Sign Professional Services Agreement for Administration of Economic Development Grant for P&M Brick
  - FEMA Project, Hannacroix Creek
  - 2008 Second Half Sewer Billing
  - Martins Hill Water Project
  - Zoning Ordinance Update
- New Business
  - Abandonment of Town Road
  - First Day Celebration Entertainment Proposal
  - Albany County Draft Mutual Aid Agreement
  - Time Clock Maintenance Proposal
  - Speed Limit Reduction Request, Zabel Hill Road
  - Speed Limit Reduction Request, Indian Hill Road
  - Public Services Answering Points (PSAP) Consolidation
  - Resignation of Coordinator of Cemetery Services & Assessment Aide
  - Sponsorship of Part-Time Police School Candidates
  - Active Shooter Training Request
  - IT Services for Police/Communications
  - CDBG Administrative Service Proposal
  - Semi Annual Performance Report for CDBG
  - First Quarter ALS Reimbursement, Ravena Rescue Squad
- Resolutions

- Amendment to Resolution #72-08
- Appoint Cemetery Coordinator
- Appoint Summer C.H.O.I.C.E.S. Supervisor
- Appoint Alternate Food for Thought Bus Driver
- Appoint Alternate Planning Board Member
- Appoint Appraiser, Vadney vs. Board of Assessors
- CDBG Port of Coeymans Lead Agency
- CDBG Port of Coeymans Negative Declaration
- Approval of Abstract, July 2008

- Correspondence
  - Albany County Executive
  - Gomez and Sullivan Engineers
  - Ravena-Coeymans-Selkirk Central School
  - Get Your Guts in Gear
- Town Board Workshops/Meetings
  - Town Board Workshop, August 19, 2008, 6:00pm
  - Town Board Meeting, August 25, 2008, 7:00pm

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OPENING COMMENTS

Supervisor Hotaling stated that the record should reflect the absence of Councilman Youmans who is out of town on business and added that he regrets that he is unable to attend. He continued by saying that the remainder of the Town Board is present as well as Attorney for the Town Wukitsch, Town Clerk Millious and Highway Superintendent Deering.

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PUBLIC ANNOUNCEMENTS

Lafarge Plant Modernization – Mr. John Reagan

Supervisor Hotaling stated that Mr. John Reagan was present from Lafarge to make some announcements about a couple of topics that some may have already read about in the newspaper. He continued by inviting Mr. Reagan to the microphone.

Mr. John Reagan introduced himself as the Environmental Manager from Lafarge and added that he present to announce some good news. He continued by saying that on July 9th Lafarge announced that they are taking the first step in modernizing their plant, which included submission of an Environmental Assessment Form (EAF), which is the first step in the State's SEQRA process for obtaining the necessary permits. He went on by saying that it is one step in a long process and a big commitment from Lafarge to modernize their facilities and continued by saying that some of the highlights of the project are as follows:

- Replacing two wet kilns with one dry kiln.
- Energy and fuel efficient.
- Excellent reduction in emissions.

He continued by saying that they will develop more information as they go through the SEQRA process and then went over a sketch of the proposed modernizations. He added that the capacity of the plant is yet to be determined but will be at least the same that it is now, which is 1.8 million tons of cement per year and added that they do not anticipate a great expansion at this point. He continued by saying that the existing kilns will continue to operate until the new kiln system is in place and added that there are not any major changes planned for the plant other than the kiln line. He went on by saying that it is a very large project without an exact dollar figure and added that they have reported that it will be hundreds of millions of dollars and a very large investment for the plant. He continued by saying that they anticipate retaining over 200 jobs and currently have 220 employees and added that they anticipate that it will be the same in the future and during the construction phase of the project they anticipate generating 800 jobs. He went on by saying that it takes approximately 3 years to procure and construct the planned project and added that 3 years after the date that they obtain the necessary permits to do the

project and after the Lafarge Board approves the final expenditure, construction will start and an optimistic outlook would be 2013 if the permitting goes without mishap. He reiterated that on July 9th they submitted a Environmental Assessment Form, which is the first step of the process and out of that DEC will determine Lead Agency and in turn they will go through a scoping phase and submit their scoping documents by early fall and in turn they will have a number of permit applications to submit followed by a draft Environmental Impact Statement in early 2009 followed by a series of Public Hearings in the Spring or Summer of 2009 and if everything goes well they are hoping that by the end of 2009 early 2010 they will have the necessary permits. He concluded by saying that it is an aggressive schedule and they are confident that it is a good project and continued by saying that it was important that they notified the Town and the public early and will be soliciting their input, look forward to hearing from them and coming back periodically to update them on the progress of the project.

Supervisor Hotaling inquired as to if he can speak to any other plants that have made this transition and the efficiency that has been accrued.

Mr. Reagan stated that Lafarge has several projects in some form in North America and added that they are in more advanced stages than this one. He continued by saying that there is a plant in South Carolina that has received the permits to construct already and a project in Illinois that began construction recently of a similar size facility and one in Canada that is also going through the permitting phase. He added that one of the things that is unique about their proposed facility is that they are proposing to use scrubbers for SOT control and went on by saying that there is no Lafarge plant in North America that has that technology as well as other environmental benefits compared to what they have currently. He added that he does not have exact numbers to quote because they are in the process of developing the design and continued by saying that when it gets to the time of permit applications they will have some pretty good estimates of dollar costs and emissions reductions.

Supervisor Hotaling thanked Mr. Reagan and then asked the Town Board if there were any other questions.

Councilman Boehm inquired as to whether or not the original plant where the smoke stacks are will be eliminated with this project.

Mr. Reagan stated that the old equipment will be run until the new kiln becomes operational and added that demolition will be included in the second phase of the project should Lafarge decide to pursue that second phase.

Supervisor Hotaling stated that Mr. Reagan had been present a couple months ago about the mercury emissions and added that the plan was that he would come back every couple of months to update them on the progress of the mercury mitigation.

Mr. Reagan stated that he reported a couple of months ago that Lafarge undertook a major study to access their mercury emissions and access the inputs to their process to determine what goes into the mercury emissions so that they can reduce the emissions. He continued by saying that there is not a requirement for them to do this and added that because of concerns from local citizens and the media they decided to tackle it head on and be forthcoming with people with information about the project. He added that the project has four separate events of sampling raw materials and fuels to access the inputs of the process as well as three series of stack tests to quantify what the mercury emissions actually are. He continued by saying that in early May they completed the first phase and the second phase was completed near the end of June with the first stack tests with two more events scheduled for late August and mid September, which will include two more stack tests and another series of raw materials input sampling. He added that he does not have any results to share yet and added that they are about a week away from any analytical results and will be happy to come back to report as they develop the data. He concluded by saying that with the project they are trying to access what the mercury emissions actually are as well as determining what goes into the process to cause the emissions and then in turn with the information they can figure out ways to reduce the emissions, which they plan on completing by late fall and in turn will be submitting a

report to the Department of Environmental Conservation as well as sharing the results with the Town.

Supervisor Hotaling asked if he was suggesting coming back in September or October.

Mr. Reagan stated that he would suggest September so that he can update them on the project as well as some data to share on the mercury emissions.

Supervisor Hotaling stated that he will schedule him for the second meeting in September, which is at the end of the month.

Mr. Reagan stated that back in late June they hosted the Town of Coeymans as well as a few others to their plant to review in more detail their mercury project as well as a tour of their facility.

Supervisor Hotaling asked if there were any other questions and continued by inquiring about the new process and whether or not it will dramatically impact the mercury emissions.

Mr. Reagan stated that it may because their fuel consumption will decrease by approximately 50% and added that they will also be installing a scrubber to control emissions, which will scrub some of the mercury out. He concluded by saying that one of the targets in the modernization project is to decrease mercury emissions.

Supervisor Hotaling thanked Mr. Reagan and continued by saying that there were two other public announcements on the agenda. He then moved to the next item on the agenda.

Capital Region Road Race

Supervisor Hotaling stated that he wanted to remind everyone that the Capital Region Road Race is scheduled for August 16th commencing at 10:00am and runs until 1:30pm. He continued by saying that it is the 3rd Annual and the route is published on the Town's website and went on by saying that they assemble at the High School and do a non-race event up Rte. 101 with the race beginning at Jarvis Road North. He added that it is a 20 mile race, which is a considerable challenge to those that are in that cycling event and continued by saying that there will be cooperation from volunteer organizations as well as the police who will be covering in certain areas of the Town. He concluded by saying that the public should be aware that the race will be ongoing throughout that 3-4 hour period.

Closure of Rte. 143

Supervisor Hotaling stated that the Route 143 Project is ongoing and they have been advised by NYS DOT that the period from August 11th through September 1st will require that the Martins Hill area road to be closed to traffic. He continued by saying that DOT has promulgated a detour, which he has considered posting on the website but has decided that because of the number of detour signs it will cause more confusion. He added that the signs are required to handle all types of vehicles on the road and went on by saying that there are certain detours depending on the class of the vehicle. He concluded by saying that for most drivers coming from the west to the Village they will be detoured to Acquetuck Road, which intersects with Rte. 9W and reiterated that it is for a three week period from August 11th through September 1st and added that if anyone has any questions they should stop by DOT's office next to Subway.

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PUBLIC COMMENT

Supervisor Hotaling invited the public to comment at this time.

Ms. Donna Pasquini stated that she lives at 29 Westerlo Street in Coeymans and added that she has a concern with the parking on Westerlo Street from Blaisdell to Civill and continued by saying that it is not only her concern because she has heard it from several other residents as well. She went on by saying that on her way to the meeting there were nine cars parked there, which makes you come to a dead stop if there is a car coming from the opposite direction and added that she has almost gotten hit and her daughter did get hit as well as another person getting run off the road and ending up on a lawn on the corner of New Street. She continued by saying that it is a two-way road and the cars narrow it and added that she is concerned with the large boats that are going up and down Westerlo Street as well as there being a dip for a storm drain, which people go around. She concluded by saying that it is causing problems for the every day residents.

Supervisor Hotaling inquired as to if she is talking about it from an enforcement perspective or taking a look at the wisdom in permitting the parking. He continued by saying that when the sidewalks were placed there it provided for parking in that area and it was deemed that those parked cars would provide adequate passage. He went on by saying that she made a good point with regard to the boat traffic this time of year and added that maybe they should take another look at it. He added that his recollection is that most of the homes that are between Civill and Blaisdell have off street parking available.

Ms. Pasquini stated that they all do with the exception of 53 Westerlo Street.

Supervisor Hotaling asked Highway Superintendent Deering if the catch basin is depressed in order to accommodate catching the water running down and added that if it were level not enough water would go into it and would run over top it.

Highway Superintendent Deering stated that this is his position.

Ms. Pasquini interjected that it is very deep and this is why people are avoiding it.

Supervisor Hotaling asked if anything could be done.

Highway Superintendent Deering stated that they did raise it and added that if they keep doing it there won't be enough water going into it.

Supervisor Hotaling asked that Highway Superintendent Deering take a look at it and added that vehicles do tend to avoid it, which could cause an issue for vehicles going up and down and asked that he also look into whether or not the design is required to be that deep.

Ms. Pasquini stated that there was one other thing that she wanted to bring up and added that the No-Parking signs from there to the corner have been taken down as well and added that a lot of signs have been taken down.

Supervisor Hotaling asked Highway Superintendent Deering about the signs.

Highway Superintendent Deering stated that on the corner going in to Blaisdell there is one on the right and from New Street up there are no parking signs and added that from there down you can park and there are no signs.

Ms. Pasquini stated that there are no signs because they have been ripped out, she added that there use to be one in the front of her house years ago and continued by saying that it use to be posted all the way down. She went on by saying that even the one at the corner of Civill has been taken down and is laying on the side of the road as well as the one at the corner of Blaisdell and going down Blaisdell there use to be no parking signs from there to Einie Drive and reiterated that someone is ripping down the signs.

Supervisor Hotaling asked Highway Superintendent Deering if he is familiar with the placement of the signs and where they are suppose to be.

Highway Superintendent stated that he has a chart.

Supervisor Hotaling stated that he refer to the chart and replace any that need to be replaced.

Highway Superintendent Deering reiterated that he would.

Ms. Pasquini stated that she wanted to make Highway Superintendent Deering aware of the fact that the signs are being ripped out as well as making the Town Board aware that there is a problem with parking and concluded by thanking the Town Board for their time.

Highway Superintendent Deering stated that there is a problem in the entire Town of Coeymans with signs being ripped down and added that those that are doing it do not realize the cost in putting a sign back up.

Supervisor Hotaling stated that it is not only the signs and added that it is other things that they have talked about such as holiday decorations and continued by saying that there is an element of disregard and disrespect that has heightened over the years.

Supervisor Hotaling asked if there were any additional comments.

Ms. Marcia Hall introduced herself and continued by saying that she lives on Greening Lane. She added that she is not a good public speaker and went on by saying that she would read her comments and continued as follows:

"I am here tonight along with several of my concerned neighbors to address the Town Board on the issue of applying for all required permits, which I understand will be reimbursed by F.E.M.A. so as to escalate the schedule to proceed with the project of cleaning debris from the Hannacroix Creek to help alleviate the flooding conditions, which many of us have experienced in recent years on Greening Lane and Macintosh Street. We are here collectively to show support for this project, we do consider this project to be critical and we are confident that this Board will vote to do so in a timely manner as is possible with the bureaucracy that they have to go through. We all appreciated the cooperation and positive attitude we were granted at the Workshop last week and want to thank you for that and are pretty confident that this Board will choose to do the right thing."

Supervisor Hotaling stated that they did have a thorough discussion at the Workshop and continued by asking if anyone else wished to comment.

Mr. Steven Moutopoulus stated that he lives at 31 Hannacreek Drive and added that over the past 12 years he has noticed that every year the flooding has gotten worse. He continued by saying that in 1995 he spoke with Kelt Vosburg the Highway Superintendent at that time who had said that it use to flood occasionally maybe once every 10-15 years and added that he was also told that the Highway crew use to clean out the creek. He went on by saying that since then he has not seen any work getting done in the creek and the debris has gotten worse every year with the creek bed widening. He continued by saying that within the last five years it floods once to twice a year, which surrounds his house and then stated that he had some pictures that he wanted to share with the Town Board. He added that with having three small children it is a big concern because of safety issues and went on by saying that they have to stay in the house. He added by saying that he does not understand why nothing has been done and continued by saying that in the past he had spoken to former Councilmen Griffin, Bruno and Conrad who had all said that it would be cleaned out. He concluded by saying that he hopes that this Town Board will deal with the issue before there is a tragedy of someone losing their home or a child being swept away.

Supervisor Hotaling stated that in his absence at the Workshop he was well represented and added that the issue was presented well to them. He continued by saying that cleaning debris out of a creek is one of the most frequent requests that they get and added that this one provides an opportunity for them to address because it goes through a park that is in control of the Town and in turn they have authority to do something, unlike Miller Road flooding because it is private property. He went on by saying that in this case

because of the April 07 rain storm it provided an opportunity for F.E.M.A. to come in and assess damage in a lot of areas that Highway Superintendent Deering has jurisdiction, with the largest project being the Hannacroix Creek where it goes through Joralemon Park. He concluded by saying that F.E.M.A. worked with them very productively during the preliminary stages of observing it and creating a public works project out of it and added that with the Board's permission they will go into that discussion, which was scheduled for later in the meeting under Old Business.

F.E.M.A. Project Update

Supervisor Hotaling stated that when F.E.M.A. came to them and talked about in their words an open checkbook project because there was no way to define the amount of money that it was going to require to clean out the creek bed, reconstruct the banks and provide a reasonable opportunity for the creek to stay within its banks during significant rain storms and spring melts. He added that they created a project for the Town and the first step that they took was to attempt to get a permit from DEC to start taking action and the application that was made was rejected as incomplete because DEC required more information and planning. He went on by saying that a Fluvial Geomorphologist was required by DEC to put forth a plan before they would contemplate an application and in order to find one of those individuals the engineering firm C.T. Male was contacted and in turn found one who was on the list as acceptable to DEC. He added that the Town Board authorized a $4,000.000 expenditure for the study to be undertaken and continued by saying that several months have passed and in turn they are dealing with extensions of F.E.M.A. projects because there is a fairly short window of opportunity to do projects. He continued by saying that it was an April 2007 event and they are only 2% into the project and are approaching August 2008 and added that by F.E.M.A. identifying it as a reimbursable project they are of the opinion that in spite of C.T. Male's June 18, 2008 letter to the Town to suggest that they not go forth with as much as $40,000.00 of engineering permit applications for Army Corp for DEC to be able to go into the creek and actually be able to move the rocks in the creek bed, which over the years has built up to create not a bed but rather a basin for water to spread to either side. He went on by saying that the uniqueness of the opportunity, even though it might be a multi-year process, is that it all will be reimbursed by the Federal Government if they dot the i's and cross the t's and added that it is worthwhile to all of the taxpayers of the Town of Coeymans because it is reimbursable and particularly worthwhile to those that live and have been dealing with the problem over the last couple of decades. He continued by saying that to that extent they have come to the correct conclusion that they are going to reject C.T. Male's recommendation of doing it only shortsighted and going in with chain saws because it is a quick and short term mitigation that can take place as the other process moves along. He concluded by saying that they will be seeking proposals from C.T. Male as well as other engineering firms to shepherd them through the whole larger scope of plan to get the permits from Army Corp and DEC and in turn get a plan to put out to bid and get a contractor to actually go in to move the debris, which won't be a permanent solution but it will help and probably buy them 20 more years.

Supervisor Hotaling asked the Town Board if they had any other comments.

Mr. Moutopoulus stated that Supervisor Hotaling had mentioned chain saws and continued by saying that this is something that should be addressed right away.

Supervisor Hotaling stated that he agrees.

Mr. Moutopoulus reiterated that it should be done as soon as possible as well as addressing the culverts that are all blocked in.

Supervisor Hotaling asked Highway Superintendent Deering if he knew what culverts he was talking about.

Highway Superintendent Deering stated that the ones that he looked at looked okay.

Supervisor Hotaling asked which ones in particular he was talking about.

Mr. Moutopoulus stated that where he is on the corner of Hannacreek and Macintosh on the other side going toward Ravena there are two culverts that are all filled in. He continued by saying that there might be three inches for flow and they are 24 inch culverts and reiterated that the whole area should be cleaned out and added that he believes that they were put there for a purpose.

Supervisor Hotaling asked that Highway Superintendent Deering take a look again.

Mr. Moutopoulus stated that he will take some pictures and bring them down.

Supervisor Hotaling suggested that he give them to Highway Superintendent Deering and added that he would appreciate that. He then asked if there were any other comments.

Councilwoman Rogers interjected that she believes that they are on the right path.

Supervisor Hotaling stated that the proper course of action if they are all of the same mind is that C.T. Male is willing to go either way and added that the best course of action at this point is for the Town Board to authorize the advertisement or the seeking of proposals from a few engineering firms and invite them to come and look at the site for their review. He added that they could come in and they could talk about the longer range plan for the Army Corp and engineering permits, the mitigation of the creek bed itself as well as the rehabilitation of the creek sides and banks to be able to make sure that the water that comes in there at various times of the year can make its way through safely.

Mr. Jerry Hall stated that part of it is a B stream that is between the main stream and their properties and continued by asking if it is also required to have all of the same permits as the main stream.

Supervisor Hotaling stated that he does not know the answer and added that Mr. Kurt LeBauer is present at the Board's request for this topic and added that he might be familiar with the B stream requirements.

Mr. LeBauer stated that he does not know for sure and would want to have a solid answer before he responds.

Mr. Hall asked who Mr. LeBauer was.

Supervisor Hotaling stated that he works for Laberge Engineering and added that he is present to hear about the problem because C.T. Male is totally familiar with it and he wanted to have another engineering firm to be familiar as well so that they could have some understanding of what options are available to the Town as well as the pathways that they have to endure in going for the permits that are required. He continued by saying that New York State does not make it easy and added that it will probably take two years before the first rock is picked out of the creek. He concluded by saying that they have to try and go for it and to call the end of the game early and take the easy road out will not be beneficial to those in the area as well as the general public because it is a reimbursable project.

Mr. Hall interjected that in speaking for himself as well as his neighbors they are able bodied and have chain saws and will help in anyway possible even if it is to alleviate the B stream problem. He continued by saying that they expect the Town to be there for them as well.

Supervisor Hotaling thanked Mr. Hall and added that he appreciates it.

Councilman Boehm stated that the creek borders the park and continued by asking if they can go in that section with chain saws.

Supervisor Hotaling stated that it is his understanding that they can go in with chain saws and added that they cannot bring equipment in.

Tape change – some dialect lost.

Supervisor Hotaling stated that the Town Board has reviewed the June 18th letter and recommendations from C.T. Male and if in agreement that they are of the opinion that they are going to continue to explore the permitting he will offer a motion.

MOTION

On motion of Supervisor Hotaling, seconded by Councilman Boehm, that the Town Board has reviewed the June 18th letter from C.T. Male and considering the recommendations contained therein and also hearing from the public at the Workshop as well as coupled with the fact that F.E.M.A. has indicted the project to be 100% reimbursable provided documentation can be submitted to them accurately, they move to seek proposals from engineering firms to have the full debris field removed from the creek bed and attempt to get plans to reconstruct the creek banks at the earliest opportunity and have the proposals submitted to the Town Board to make a decision as soon as possible and initiate funding up to the amount of $40,000 for Step II of the engineering plans for the project.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Youmans)

Supervisor Hotaling stated that he knows that Councilman Youmans would want the public to know that he is also unanimously in favor of going in this direction as well. He then thanked Mr. LeBauer for attending the meeting and added that he will convey to his firm as well as C.T. Male a Request for Proposals for the project and added that if he or any other member of his firm wants to visit the area he should get in touch with him within the next couple of days because he is going to be out of town for a while.

Councilman Boehm interjected that he wanted to follow up on the chain saw work and added that they are approaching August and the creek will be at its lowest point within the next month. He then asked Highway Superintendent Deering if he will be able to get his crew in there.

Highway Superintendent Deering stated that there is a lot of other work to finish first.

Councilwoman Rogers inquired as to if the Beautification crew can help.

Councilman Boehm stated that there is a small window of opportunity and reiterated that August is the driest month to get in there.

Supervisor Hotaling interjected that they also have an opportunity to bid it out.

Councilman Boehm stated that he would like to offer a motion to bid the project out and provide a cost for extricating the trees and stumps from that area.

Supervisor Hotaling stated that they would have to write out the bid specifications.

Councilman Boehm inquired as to if it would require them to do an inspection of the creek bed.

Supervisor Hotaling stated that when they request the bids they can offer an opportunity for any potential bidder to make an inspection.

Mr. Moutopoulus stated that as Councilman Boehm had said they have a small window and added that if they bid it out it will take more time and continued by saying that they are nervous that they will go through this again next spring.

Supervisor Hotaling stated that there is no reason why they won’t go through it again next spring because the creek bed will not have a rock picked out of it before then. He continued by saying that it is pretty level and the bed has built up to a point that when the water comes there is no bank to keep it in regardless of whether there are trees down or not. He reiterated that unless or until the debris is cleaned out of the creek bed they are going to be vulnerable.

Mr. James Perrotte stated that he lives in the same neighborhood and continued by saying that they are concerned with what is defined as eminent danger and what their recourse would be if there is eminent danger to their property and lives.

Supervisor Hotaling stated that he does not know the legal answer to that and continued by asking Attorney for the Town Wukitsch how he would define it.

Attorney for the Town Wukitsch interjected that he does not know what context he is using.

Mr. Perrotte stated that it would be eminent danger if there is water coming down the stream bed at such a capacity and volume that their houses and lives are in danger and continued by asking what recourse they would have and what they could do.

Supervisor Hotaling stated that the first response would be that emergency services would order them out of their homes.

Mr. Perrotte inquired as to what they can do to protect their property in that type of situation and continued by asking if they could pull out their chain saws if they feel as though there is eminent danger to their property in order to safe guard it from destruction. He went on by questioning why they are going through the permitting process and added that he understands the desire to go through the long term planning and processes to take care of the long term issue and continued by saying that the immediate concern of himself and his neighbors is what they can do when their property is in eminent danger. He added that one neighbor left to walk her dog and within a 20 minute time period she had 1 ½ feet of water in her basement, which to him was eminent danger because you could lose your house with that kind of water coming into a basement. He continued by saying that he understands that there are some legal issues and definitions that they have to go through to determine what eminent danger is and reiterated that it is a definition that they have to define because otherwise they will continue planning and not grab a hold of the immediate problem. He concluded by saying that some of the people are dealing with this on a daily basis and to him it is a definition of eminent danger and they should be able to take immediate emergency action to protect their property.

Supervisor Hotaling stated that if he is stating it in the context of going into a stream when you are not otherwise permitted to go in a stream, if you are undergoing eminent danger the stream would probably be too dangerous to go in to and added that you probably would not want to go in with a chain saw when it is actively running enough to flood a basement.

Mr. Perrotte interjected that it is like the old adage that you would drain a swamp rather than dealing with the alligators and added that they need to drain the swamp, which is the immediate concern, which will take care of the alligators.

An unidentified member of the audience stated that if there was some maintenance done to take care of the problem to begin with then they would not have to deal with the problem as it is now and added that they see up to 2 feet of water running through the water like they are in the stream.

Mr. Perrotte stated that he whole heartedly supports the Town Board's endeavor to seek a long term solution and added that when they get 2-3 inches of rain he wants to know that he can go in and take care of certain problems with taking safety precautions in mind. He reiterated that they should be able to deal with problems and take care of the eminent danger.

Supervisor Hotaling stated that absent emergency services being on site prohibiting him from doing it, he would think that he as an adult would have every opportunity to either place himself at risk or take the risk that he believes is necessary in order to protect what he believes that he needs to protect. He added that he is not going to be the one to say what they can or cannot do and went on by saying that if it is a situation where emergency services are on the scene and have taken over and require that they leave their

houses, he would suggest that they do that. He concluded by saying that until that happens it is their choice.

Mr. Perrotte stated that the picture that he has in his mind is that whenever flooding takes place, emergency services would arrive and then go through a process of filling sand bags and continued by asking how big the sand bags would have to be before they can actually go in and do something to their properties along the boundaries of the stream bed to prevent the water from coming back in. He added that the flow of water from the stream bed they should be able to address by certain actions to prevent the eminent danger from breaching the stream bed and coming onto their properties. He concluded by saying that this is why they need to have an understanding or definition of eminent danger and what they can do to address it.

Councilman Boehm interjected that there are a lot of variables and it will change, he continued by saying that if there is six inches of rain they are in eminent danger of flooding and added that if it does not rain and it starts to dry up they are in less danger. He continued by saying that by the very nature of where they built there houses they have placed themselves in danger because it is a very low area and continued by saying that if they can get someone in there in August to take some of the trees and stumps out it will take care of part of the problem and went on by saying that to remediate the whole creek bed will take a few years. He concluded by saying that in that period of time when there is a lot of rain there will be a danger of flooding and they might have to leave their homes because there is no way to prevent it.

Supervisor Hotaling asked if there were any other comments.

Councilwoman Rogers stated that as Councilman Boehm had said it should be done when the creek is low and added that if they can get Highway Superintendent Deering and Community Beautification Supervisor Perry to take a look at it to see how much is there and in turn have both the Highway crew and Community Beautification crew clear it out.

Councilman Boehm stated that they have to define the area of what they want to remove and added that it is basically the creek where it borders Joralemon Park. He continued by saying that they will do it as soon as possible when there is a dry period, which might be September or October and went on by saying that when it can be done safely they will do it. He concluded by offering a motion for a proposal to remove any logs in that area from local tree services.

MOTION

On motion of Councilman Boehm, authorizing a Request for Proposal for the removal of any logs in the area from local tree services and in turn based on the proposal and their reputation pick the best suited for the job.

Supervisor Hotaling asked for a second.

Attorney for the Town Wukitsch asked if there is any other staff available that can do work and continued by saying that he understands that under competitive bidding laws they are going to contract out services and they have to seek bids for the lowest responsible bidder. He continued by saying that there is a window of opportunity for a short period of time and added that he agrees with Councilman Boehm that they could go in and do some remedial work.

Supervisor Hotaling stated that there are four members of the Beautification staff and ten Highway staff.

Councilman Boehm asked Highway Superintendent Deering what his department is up against as far as work to be done and what it compares to and added that he knows that they are busy.

Attorney for the Town Wukitsch interjected that it is pretty urgent.

Highway Superintendent Deering stated that if it will only take a week he will fit it in his crew's schedule.

Councilwoman Rogers stated that if both his department and the Beautification Department get together it can be done.

Highway Superintendent Deering interjected that he has no problem with it for a week but can't if it will take weeks.

Councilman Boehm stated that he does not know how many stumps are in there.

Highway Superintendent stated that he didn't know either.

An unidentified member of the audience stated that it is not just stumps.

Mr. Jerry Hall interjected that a week would hit it hard.

Highway Superintendent Deering inquired as to if a week would be good.

Mr. Hall stated that they would put a big dent in it in a week.

Highway Superintendent Deering stated that he could give up a week.

Councilman Boehm inquired as to if he could commit the first week of August and work with Community Beautification Supervisor Perry in getting it done.

Highway Superintendent Deering stated that he could.

Councilman Boehm stated that he understands if something comes up that requires his immediate attention, like a road collapsing.

Highway Superintendent Deering stated that they won't be able to do it if the creek is high.

Supervisor Hotaling asked if the week of August 4th would be alright.

Highway Superintendent Deering stated that he has some chip sealing coming up and added that they will have to work around that.

Mr. Perrotte inquired as to if there were any other resources outside the Town and whether or not the Department of Corrections work crew and Department of Environmental Conservation Rangers are an option.

Supervisor Hotaling stated that they only have enough people that they have equipment and added that he does not know how many chainsaws are available.

Highway Superintendent Deering stated that he has approximately five.

Supervisor Hotaling stated that he does not know how many Community Beautification Supervisor Perry has and added that there is no sense in bringing the Department of Corrections if there is not equipment for them to use. He continued by saying that there is also a process that has to be followed and a lot of paperwork and added that he doubts that they will be able to get Rangers to come and do it.

Councilwoman Rogers interjected that if they have a crew of 10-12 and six chain saws they will be able to put a big dent in it in a week.

Supervisor Hotaling stated that they will designate the week of August 4th and added that Highway Superintendent Deering will redeploy his staff for then.

Councilman Boehm stated that Community Beautification Supervisor Perry can also plan for that week and reiterated that they should be either able to remove all the debris or put a big dent in it.

Supervisor Hotaling stated that it is his understanding that they will be able to go in the creek under the circumstances.

Councilman Boehm asked that Highway Superintendent Deering go and take a look at the area so they have an idea of what is out there and in turn he will have a better idea of how many man hours it will take. He continued by saying that he will withdraw his motion.

Supervisor Hotaling asked if there were any additional comments, Mr. and Mrs. Hall thanked the Town Board for their cooperation and added that they appreciate it. He continued by asking if there were any additional public comments, hearing none he moved to the next item on the agenda.

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APPROVAL OF MINUTES

Supervisor Hotaling stated that there were two sets of minutes for Town Board approval, a Town Board Meeting on June 23rd and a Town Board Workshop on July 22nd and then asked for a motion to approve them.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Boehm, the Town Board minutes were accepted as presented.
VOTE – AYES 4 – NAYS 0 – SO MOVED

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SUPERVISOR'S REPORT

May 2008

FUND	BAL. FWD.	RECEIPTS	DISBURSE.	BALANCE
GENERAL	$1,148,657.73	$497,136.21	$962,215.23	$683,578.71
PART-TOWN	$ 177,593.73	$280,87299	$ 54,272.55	$404,194.17
SPEC. WATER	$ 16,264.15	$ 961.08	-0-	$ 17,225.23
HIGHWAY	$ 131,078.81	$ 149.41	$ 53,444.80	$ 77,783.42
BRIDGE CONST.	$ 35,383.61	$ 24.91	-0-	$ 35,408.52
TRUST & AGCY.	$ 11,716.44	$217,161.57	$218,580.73	$ 10,267.28
SEWER	$ 180,479.32	$ 27,647.96	$ 27,647.96	$177,579.32
SEW. CAP. PROJ.	$ 112,121.58	$ 47.63	-0-	$112,169.21
			Total Rec. Bal.	**$1,518,205.86**

CERTIFICATES OF DEPOSIT

				Maturity Date
National Bank of Coxsackie	Part Town	60 days	$504,977.77	07-24-2008
National Bank of Coxsackie	A-Fund	60 days	$403,982.22	07-24-2008

National Bank of Coxsackie	Highway(DA)	90 days	$255,006.09	07-24-2008
National Bank of Coxsackie	A-Fund	90 days	$117,162.63	07-24-2008

Section 8 – HUD

Occupied Units	71
HUD Payments	$31,152.00
Admin. Fee	$ 81.78
Total HUD Pmt.	$31,233.78
Tenant Rent	$12,383.00
Contract Rent	$43,616.78
Section 8/CK	$ 4,156.50
Section 8/SV	$90,149.80
Total	$94,306.30

Savings Accounts

Police Forfeitures/CK	$ 72.50
Police Forfeitures	$ 5,157.10
Unemployment	$ 3,164.51
Grove Cemetery/SAV	$40,267.13
Grove Cemetery/CK	$ -0-
Sewer Dedicated	$ 6,228.21

COLLATERAL COVERAGE	FDIC COVERAGE	COLLATERALIZED
National Bank of Coxsackie	$100,000.00	$2,215,406.91
Citizens Bank	$100,000.00	$ 22,597.48
First Niagara	$100,000.00	$ 153,187.50

Supervisor Hotaling asked for a motion to approve the report.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Touchette, the Supervisor's Report was accepted as presented.
VOTE – AYES 4 – NAYS 0 – SO MOVED

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DEPARTMENT MONTHLY REPORTS

Building Department - May & June 2008

Supervisor Hotaling asked that Councilman Touchette give the Building Department Monthly Reports.

Councilman Touchette continued by giving the reports.

Supervisor Hotaling asked for a motion to approve the report.

MOTION

On motion of Supervisor Hotaling, seconded by Councilwoman Rogers, the Building Department Report was accepted as presented.
VOTE – AYES 4 – NAYS 0 – SO MOVED

Highway Department - June 2008

Supervisor Hotaling asked that Highway Superintendent Deering give his monthly report.

Highway Superintendent Deering continued by giving his report.

Supervisor Hotaling asked for a motion to approve the report.

MOTION

On motion of Supervisor Hotaling, seconded by Councilman Touchette, the Highway Department Report was accepted as presented.

VOTE – AYES 4 – NAYS 0 – SO MOVED

Sewer Department - June 2008

Supervisor Hotaling in lieu of Councilman Youman's absence gave the Sewer Department Monthly Report.

Councilman continued by giving the report.

Supervisor Hotaling asked for a motion to approve the report.

MOTION

On motion of Supervisor Hotaling, seconded by Councilwoman Rogers, the Sewer Department Report was accepted as presented.
VOTE – AYES 4 – NAYS 0 – SO MOVED

Town Clerk - June 2008

Supervisor Hotaling asked that Town Clerk Millious give her monthly report.

Town Clerk Millious continued by giving her monthly report.

Supervisor Hotaling asked for a motion to approve the report.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Boehm, the Town Clerk Report was accepted as presented.
VOTE – AYES 4 – NAYS 0 – SO MOVED

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OLD BUSINESS

Speed Limit Request Update

Supervisor Hotaling stated that he was in receipt of a copy of a letter dated July 11th to Mr. Franchini at the State Department of Transportation from Mark Kennedy, Regional Traffic Engineer and added that it talks about the speed reduction request for Jarvis Road North and Bushendorf Rd., previously made by the Superintendent of Highways. He continued by saying that it was submitted to DOT for review and in turn they noted that there is currently a 40mph speed limit posted on Bushendorf Road between CR 102 and Jarvis Road North, which was established by DOT in 1990 and continued by reading the following excerpt from the letter:

"Based upon our recent field investigation, we have determined that the existing 40 mph speed limit is appropriate for the conditions experienced along this highway. Jarvis Road North between CR 101 and its dead end does not currently have a posted speed limit and is, therefore, governed by the 55mph statewide speed limit. Based on our investigation, we have determined that 40mph is an appropriate speed limit for this highway. We have written the Notice of Order for this speed limit. Upon receipt of this Order, which is currently being filed with the Secretary of State, you may arrange to have the appropriate area speed limit signs installed in accordance with the NYS Supplement to the National Manual of Uniform Traffic Control Devices. During our investigation of the highways, we noted that there are no curve warning signs on either highway. We recommend that a review of these roads be undertaken to determine if curve warning signs, possibly with lower advisory speed panels should be installed."

Supervisor Hotaling inquired as to if the roads are County or Town roads.

Highway Superintendent Deering stated that they are Town roads.

Supervisor Hotaling inquired as to if Highway Superintendent Deering had gotten the Order yet.

Highway Superintendent Deering stated that he did get it and continued by saying that the signs are on order.

Supervisor Hotaling inquired about the curve signs.

Highway Superintendent Deering stated that he has some but has to order some more.

Supervisor Hotaling stated that the letter also suggests that he might want to give an advisory speed for lower than 40mph on the curve.

Highway Superintendent Deering stated that he has some and will put them up.

Supervisor Hotaling asked if there were any additional comments.

Councilman Boehm inquired as to if there is a certain number of feet that is required between speed limit signs.

Highway Superintendent Deering stated that that from the first one it is 200 feet until the next one and added that from the second one it is 1100 feet and then beyond that for the third.

Councilman Boehm interjected that there is only one sign on Stanton Road.

Highway Superintendent Deering stated that there were signs there but someone ripped them out.

Councilman Boehm stated that there is curve on Stanton Road by the farm where there should be a sign and added that he knows that it is not high priority but there should be a sign with an advisory speed.

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

Authorization to Sign Professional Services Agreement for Administration of Economic Development Grant for P&M Brick

Supervisor Hotaling stated that a couple months ago they engaged Laberge to do the SEQRA/NEPA and added that they authorized up to a $4,000.00 payment for that purpose. He continued by saying that he has the contract for the service that has already been authorized and went on by saying that he is now asking that the Town Board authorize his signature. He added that later in the meeting they they will be dealing with the entire aspect of the results of this effort in terms of the resolutions that they will be faced with for the SEQRA process.

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, authorizing the Supervisor to sign the contract for the administration of the Economic Development Grant for P&M Brick for purposes of the SEQRA.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Youmans) – SO MOVED

Supervisor Hotaling stated that he was affixing his signature and asked that Town Clerk Millious attest to that in the morning.

Town Clerk Millious stated that she would.

FEMA Project – Hannacroix Creek

Discussed earlier in the meeting.

2008 Second Half Sewer Billing

Supervisor Hotaling stated that at the last meeting they had engaged in dialog with the Village of Ravena's attorney on the Sewer Contract that expires in June. He continued by saying that at that time they anticipated moving ahead much more quickly than they currently are and as a result made a decision to hold off on the second half billing in anticipation of a tentative agreement. He went on by saying that it did not come to pass but they are still making progress and added that the Town Board has a fiduciary responsibility to make sure that the Sewer District is funded properly. He concluded by saying that he is now recommending that they release the second half sewer billing to the people in the Hamlet and begin to collect some money so they can operate the plant in the hopes that the negotiations will become more fruitful than they have been and they will have a contract soon.

Councilman Boehm inquired as to whether or not the Village agrees that they have more users.

Supervisor Hotaling stated that there are five elements that he along with Councilman Youmans had discussed with the Village counsel, Attorney Biscone and added that they are elements that are different from the contract that has been in place since 1967. He continued by saying that over time it has become more apparent that the elements are necessary in order for the Coeymans Sewer District to survive and level the playing field between the Town and Village. He went on by saying that there is a total number of users between the Town and Village that contribute their sanitary sewage to the plant and added that they want to create an apportionment of cost that are derived from the benefit that each community receives. He concluded by saying that it is on the table and continued by saying that it is moving but not as quickly as he would like and added that it is the simplest way to do it is counting units rather than spending thousands of dollars on meters because meters may or may not read accurately during the high flows. He then asked for a motion to authorize the billing to send out as soon as possible.

Councilman Boehm stated that unfortunately he would make the motion.

Supervisor Hotaling interjected that he would make it.

Councilman Boehm stated that he is not blaming anyone on the Town's end and added that there are two people at the Village who don't agree with the other Village Trustees and continued by saying that it is unfortunate that they have to do it this way and continued by making the motion.

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, authorizing the release of the second half billing for the Sewer Billing.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Youmans) – SO MOVED

Town Clerk Millious stated that there was a resolution done in December for the whole year along with the amount and added that if it changes it has to be noted.

Supervisor Hotaling stated that if it has changed he will make note of it and advise her officially in writing and added that he has not seen the amount yet.

Town Clerk Millious stated that she was advised that with meters they cannot do an annual amount and added that it should be done every six months.

Supervisor Hotaling stated that he was not aware of that and added that as they improve their technologies and get more efficient about the accuracy of the readings it should probably be done every six months as opposed to once a year and added that they will

take it under advisement for 2009. He concluded by saying that it will be sent out as soon as possible and then asked if there were any additional comments, hearing none he moved to the next item on the agenda.

Martins Hill Water Project – Map Plan and Report

Supervisor Hotaling stated that they discussed this topic at the Workshop and continued by saying that the cost is approximately $270,000.00 and adding that the missing link in the equation is whether or not the 21 or so parcels in the Martin's Hill Water Project are still on board as they were 3 years ago when they talked about the water being bad. He continued by saying that the cost far exceeds the Comptroller's threshold and added that it is going to require New York State approval. He went on by saying that before they take the steps to have resolutions, Public Hearings, NYS Comptroller review and hopefully approval he would like to be authorized to send out a letter to all of the parcel owners inviting them to the August 19th Workshop, which will hopefully be limited to this topic. He continued by saying that the letters will be sent Certified Mail and will implore them to attend and tell the Town Board whether or not they are with them on this because for the next 40 years they will be paying approximately $100.00 a month to get municipal water, which is debt service and water use based upon the current cost of 150% charged by the Village to outside of the Village users. He concluded by saying that it is an individual thing and added that if you don't have water, $100.00 a month is a small price to pay and added that he believes that the parcel owners should have the opportunity as well as responsibility to talk to the Town Board about taking it to the next step and continued by saying that they have already authorized $25,000 - $35,000 of General Fund tax dollars to perform the study and get the project plans developed and reiterated that they need to now hear from the parcel owners.

Councilman Boehm inquired as to if it will be decided by a majority of the parcel owners and whether or not it has to be more than half.

Supervisor Hotaling stated that he believes that at least 50% of the assessed value has to be in favor of it as well as 50% of the parcels.

Attorney for the Town Wukitsch stated that was correct.

Councilman Boehm inquired as to if they should notify in writing if they cannot attend the Workshop.

Supervisor Hotaling stated that he would say not because this is their opportunity and added that the next level will be a Public Hearing and referendum. He added that there is no point in putting more effort and money into it if the parcel owners don't want it and continued by saying that he would put together a letter in the next couple of days.

Zoning Ordinance Update

Supervisor Hotaling stated that he had sent a letter recently to Councilman Touchette and Councilman Boehm relative to a discussion with Ben Syden and Nicole Allen at a recent Workshop. He continued by saying that they reviewed options available at that point and it became obvious to the consultants as well as themselves that the next step has to be a more focused effort with a couple of Board members to work with Ben and Nicole on this project. He added that Councilman Boehm and Councilman Touchette were the obvious choices because of their experience on the Planning Board and added that Councilman Touchette said that he would but Councilman Boehm had not gotten back to him and then continued to ask Councilman Boehm.

Councilman Boehm stated that he is very much willing to do it and added that having served on the committee and seeing public input it can be a very controversial issue. He then inquired about the whole Board being involved because of the level of controversy.

Supervisor Hotaling interjected that he would urge that the whole Town Board not be involved because it places it in a public forum and added that he is not trying to avoid public input. He continued by saying that they have had public input for a couple of years

and went on by saying that it is time that they roll their sleeves up and sit down with the consultants and put together a plan. He concluded by saying that he is willing to defer his entire Board's judgment to Councilman Touchette and Councilman Boehm and added that he believes that the product that they come up with and place before the entire Board and by extension the public, will be one that he can defend.

Councilman Boehm agreed that the more people that they have involved, the more complicated it became.

Councilwoman Rogers interjected that they were not getting any where.

Councilman Boehm agreed that due to personalities and definitions they were not getting any thing done.

Supervisor Hotaling stated that he had also suggested that Code Enforcement Officer Conrad be involved and added that he has had some discussions with him and his involvement will be to act as an oversight for taking a look at the way that discussions are going and from his day to day operation within the Building Code and by extension Planning and Zoning, point out what he perceives to be pitfalls for them to consider.

Councilman Boehm inquired about legal representation such as Attorney Pempraze and added that ultimately an attorney will have to defend anything that they do and whether or not it would be appropriate to have her.

Supervisor Hotaling stated that he does not know about the development stage and added that before they go to the finalization stage they will run the draft by her for legal review. He continued by saying that Councilman Boehm is right that she will have to defend it and went on by saying that to have her sit with them during the planning stages would be costly hours. He concluded by saying that at this point he would like to reserve those hours for the end of the process and added that meeting on this topic should be made directly with contact between and among representatives from Laberge and with Councilmen Boehm and Touchette in order to get the project done.

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

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NEW BUSINESS

POD Agreement

Supervisor Hotaling stated that this topic was not on the agenda and added that Councilman Touchette and he attended a meeting earlier in the day regarding a Point of Dispensing Agreement. He then asked that Councilman Touchette summarize where they are with it.

Councilman Touchette stated that the Albany County Department of Health has put together a program to respond to large scale public health emergencies such as bioterrorism or a pandemic flu epidemic. He continued by saying that the plan is to designate and plan for a point of dispensing immunizations, prophylactics or vaccinations to meet the needs and added that they met with representatives of the Albany County Department of Health and determined that the Senior Projects is the appropriate point of dispensing within the Town. He concluded by saying that the Department of Health wants the Town to sign a Memorandum of Agreement that they will provide use of the facility in the event of an emergency and some other things that are not burdensome to the Town and then offered a motion.

MOTION

On motion of Councilman Touchette, seconded by Councilwoman Rogers, authorizing Supervisor Hotaling to sign the Memorandum of Agreement with the Department of Health.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Youmans) – SO MOVED

Supervisor Hotaling stated that this is built on the fact that the Town has a contract with Senior Projects already for $6,000.00 for access to the facility when they need it and this is why they will be signing the POD Agreement with the Department of Health. He continued by saying that a similar one will be considered by the Village Board, since it is a joint effort to create a Dispensing Plan and added that the Village also contracts for services at the Senior Center. He then asked if there were any other comments, hearing none he moved to the next item on the agenda.

Abandonment of Town Road

Supervisor Hotaling stated that Highway Superintendent Deering and Attorney for the Town Wukitsch have been working on the abandonment of Pape Hill Road and then asked Attorney for the Town Wukitsch to give an update.

Attorney for the Town Wukitsch stated that Highway Superintendent Deering had advised him that there was a portion of Pape's Hill Road that has not been maintained for at least a period of six years by the Town and added that it has been abandoned. He continued by saying that in order for the Town to formalize the abandonment, it is necessary for the Town Board and Highway Superintendent to sign a Certificate of Abandonment and file it with the Town Clerk.

Supervisor Hotaling asked if it only has to be filed with the Town's Clerk and whether or not it had to be filed anywhere else.

Attorney for the Town Wukitsch stated that it does not have to be filed anywhere else and added that he would also suggest sending a copy to the County.

Supervisor Hotaling asked that Highway Superintendent Deering send it to the County after it is signed and continued by saying that they need to have a motion authorizing all of the Board members along with Highway Superintendent Deering to sign the Certificate of Abandonment.

MOTION

On motion of Supervisor Hotaling, seconded by Councilman Boehm, that based upon the Highway Superintendent's recommendation coupled with the legal review formed by Attorney Wukitsch on behalf of the Town Coeymans authorizing all Town Board members and the Highway Superintendent to sign the Certification of Highway Abandonment that would indicate that Pape's Hill Road beginning at the intersection of Rte. 144 and running at an easterly direction for approximately 100 feet to the intersection of Section Street be hereby abandoned.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Youmans) – SO MOVED

Councilman Boehm inquired as to what happens when it is abandoned.

Attorney for the Town Wukitsch stated that it reverts to the adjoining land owners and added that who ever owns the property which was formerly a Town highway would revert back to them.

Councilman Boehm inquired as to if there has to be any action with regard to that.

Attorney for the Town Wukitsch stated that they do not.

First Day Celebration Entertainment Proposal

Supervisor Hotaling stated that for the record he was going to recuse himself from any participation on this topic and continued by saying that in preparation for the topics to come he is going to remain at the table but will not participate in any discussion and/or vote because the vendor is a close relative of his.

Councilman Boehm stated that last year they had their first First Day Celebration and Mr. Kevin Hotaling provided his services. He continued by saying that it was in conjunction with P.B. Coeymans Elementary and added that Mr. Hotaling provided DJ Service, bounce rides, cotton candy and sno-cones. He went on by saying that it was a lot of fun and he along with Supervisor Hotaling and Councilman Touchette were present and continued by saying that they want to do the same event, which will be on Wednesday, September 3rd. He added that the only change is the cost and last year it was $1,325.00 and this year it will be $1,090.00 because there will be one less bounce ride and continued by saying that this is the only change. He went on by saying that the manpower is supplied by Town Board members in addition to having the PTO helping with the vending of the sno-cones and cotton candy.

Councilwoman Rogers inquired as to the time.

Councilman Boehm stated that he believes that it starts approximately between 5:30 and 6:00pm and added that they like to start it early because it is a school night and continued by saying that he will double check the time. He then offered a motion.

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, authorizing the amount of $1,090.00 for this year's First Day Celebration on September 3, 2008 at Coeymans Landing Park.
VOTE – AYES 3 – NAYS 0 – ABSENT 1 (Youmans) – SO MOVED

Albany County Draft Mutual Aid Agreement

Supervisor Hotaling stated that he received a letter from Albany County Executive Breslin asking that they along with Attorney for the Town Wukitsch review the Draft Albany County Mutual Aid Agreement. He continued by saying that Attorney for the Town Wukitsch wrote a memorandum to the Town Board on July 18th and went on by saying that it falls under attorney/client missive and then asked that Attorney Wukitsch share with them any thing that he can that he has determined to be pertinent as to whether they will respond that they are interested.

Attorney for the Town Wukitsch stated that when they are presented with any contract, which is a binding obligation on the Town if they sign it, they want to know what they are getting into. He continued by saying that they would be getting into a legal framework for the provision of Mutual Aid Services in the event of an emergency or disaster and went on by saying that during an event there has to be some kind of orderly procedure set up for the provision of Mutual Aid among different municipalities. He added that the agreement provides for a reimbursement procedure to the provider of the services and continued by saying that a question arises as to if it obligates the Town to pull away services that might otherwise go to the Town of Coeymans, which would be a drain on their own resources. He went on by saying that the obligation that is created is not something that is mandatory and have to provide in every case and continued by saying that there needs to be an assessment by the providers of the fire emergency and police services as to whether or not it can be done without jeopardizing or in any way lessening the services that would be provided to the Town of Coeymans itself. He concluded by saying that there is not obligation to provide aid and assistance.

Supervisor Hotaling stated that generally speaking it is contemplated that if a disaster is occurring, it is not occurring county-wide but rather in one location. He added that if they can send a portion of their emergency services or assets to assist under the Mutual Aid

Agreement they can do that but they are not required to do that in the event that there is likelihood that the Town of Coeymans will have a similar event.

Tape change, some dialect lost.

Attorney for the Town Wukitsch stated that if there is something that they do not think is workable after it is put in practice, it can be terminated in 30 days with written notice and continued by saying that they can't absolve by notice any obligations that may have been incurred through the provision of Mutual Aid Services to the Town of Coeymans.

Supervisor Hotaling stated that there seems to be no significant downside to it and added that he believes that they are interested in participating in the development of it. He then asked if there were any other comments.

Councilman Boehm interjected that it is similar to mutual aid between fire companies.

Attorney for the Town Wukitsch stated that it is the same concept.

Councilman Touchette inquired as to if they are ready for a motion.

Supervisor Hotaling stated that a motion would permit him to convey by letter that the Town of Coeymans is interested in exploring this effort further with the County.

Attorney for the Town Wukitsch interjected that they have reviewed the Agreement and have not found anything objectionable.

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, authorizing a letter conveying that the Town of Coeymans is interested in exploring a Mutual Aid Services Agreement with Albany County.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Youmans) – SO MOVED

Time Clock Maintenance Proposal

Supervisor Hotaling stated that a time clock was purchased a couple of years ago and added that they have found that periodically it has to be worked on, which has not been burdensome in terms of cost. He continued by saying that they are now in receipt of an annual full service coverage agreement for $1,040.00 to cover all four sites for maintenance of the time clocks, which would be Town Hall, Waste Water Treatment Plant, Community Beautification and Highway. He then asked the Town Board if they want to authorize him to enter into a Service Contract, which is a State Contract price.

Councilwoman Rogers inquired as to how it was done last year.

Supervisor Hotaling stated that we paid as they came down to service.

Councilman Boehm inquired as to if there were any service calls for the four sites.

Supervisor Hotaling asked Highway Superintendent Deering if he had any calls.

Highway Superintendent Deering stated that there were a few service calls.

Supervisor Hotaling stated that Community Beautification Supervisor Perry had some calls as well in addition to some issues at Town Hall. He continued by saying that they probably used at least $1,040.00 for maintenance to the four sites. He then asked if anyone wanted to offer a motion.

Councilman Touchette stated that he had read the Agreement and added that it says "Company agrees to provide the Services, as defined herein" and continued by saying that he does not see where it defines the services.

Supervisor Hotaling stated that he does not know and added that they don't come on a monthly basis to service them unless you call but when you call for service or repair they come down and deal with it under the Service Contract. He reiterated that he does not believe that there is any monthly maintenance and continued by asking Highway Superintendent Deering what the problems have been at the garage.

Highway Superintendent Deering stated that the biggest problem has been with the time cards and the machine punching over a time already on the card.

Attorney for the Town Wukitsch interjected there is suppose to be a scope of work section attached to the Agreement and continued by saying that he does not see it. He went on by saying that it would define what the services are such as whether or not it would include parts or labor.

Supervisor Hotaling stated that they can hold off on it.

Attorney for the Town Wukitsch stated that he agrees with Councilman Touchette that it needs to be explained.

Supervisor Hotaling stated that they will hold it for further information.

Attorney for the Town Wukitsch interjected that he believes that it should be on the first page where it says Scope of Work and added that it indicates in paragraph seven that services are described in Scope of Work section. He added that the Scope of Work section does not describe what the services are.

Supervisor Hotaling stated that it states "full service 8-5 Monday through Friday" and continued by saying that it is an Annual Maintenance Contract where they come down to the four locations once a year and provide service. He added that as Attorney for the Town Wukitsch had pointed out it does not address parts and labor and continued by saying that he will ask that Confidential Secretary Lewandowski to contact them and ask for a better Scope of Service section.

Attorney for the Town Wukitsch interjected that they need more detail of what the scope of work is so they know what they are signing.

Speed Limit Reduction Request – Zabel Hill Road

Supervisor Hotaling stated that he was in receipt of a request for a reduction in speed on Zabel Hill Road from Highway Superintendent Deering. He continued by saying that Highway Superintendent Deering indicated that a resident of Zabel Hill Road contacted him to request that a speed limit of 30mph be considered and then read the following excerpt from the memo request:

"We agree that the current state speed limit of 55mph on that road is excessive and dangerous for pedestrians as well as motorists."

Supervisor Hotaling continued by asking Highway Superintendent Deering if he agrees with the 30mph and would make that recommendation or something less than 55mph.

Highway Superintendent Deering stated that he would like to see something less than 55mph.

Supervisor Hotaling inquired as to what the Town Board would like to do.

Councilman Boehm asked what road it would compare to and whether or not there is a comparable road where they reduced the speed limit and continued by saying that most of the roads are in the 40mph range.

Highway Superintendent Deering stated that in the 40mph range is probably what the DOT would come up with and added that whatever is determined by them is fine.

Supervisor Hotaling stated that he would forward it to the County who in turn will send it to DOT.

Speed Limit Reduction – Indian Hill Road

Supervisor Hotaling stated that in conjunction with the Zabel Hill Road request Highway Superintendent Deering is also requesting Indian Hill Road be reduced to 30mph. He continued by asking if the Town Board wishes for him to make two separate requests for the reductions.

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, authorizing Supervisor Hotaling to submit to the County a request for reduction in speed for Zabel and Indian Hill Roads.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Youmans) – SO MOVED

Public Services Answering Points (PSAP) Consolidation

Supervisor Hotaling stated that he was in receipt of a request sent to him by letter relative to consolidation of PSAP and added that he knew that Chief Darlington was not going to be present but thought that Officer Contento was going to be present. He continued by saying that as he understands it, the Town is a secondary PSAP, which is a Public Service Answering Point in Albany County. He added that the Town has a 24/7 operation for communications and when a 911 call comes in it goes to the County and is immediately transferred to the Town for dispatching and went on by saying that in the New York State Commission on Local Government Efficiency and Competitiveness in its April 2008 report strongly urges that consideration be given for consolidation of the PSAP's in and around the State of New York. He continued by saying that it would reduce the cost, provide updated technology, allow for more qualified and well trained staff to be on duty, reduce the use of sworn law enforcement personnel for dispatch, increase training opportunities, facilitating the closest unit response to incidents, minimize response times and increase overall effectiveness. He added by saying that he would agree to joining in the study and went on by saying that it does not mean that he is not happy with what is happening currently in Communications. He concluded by saying that any study to put together a plan that would convince all of them that with all things being equal they are going to get the same services for less dollars, they have to buy into a study and added that this is his recommendation for now and then asked what the Town Board's is and what direction they want to give him.

Councilman Boehm stated that he agrees with looking into consolidation and that a study is appropriate.

Collectively Councilman Touchette and Councilwoman Rogers agreed.

Supervisor Hotaling asked for a motion authorizing him to write back to County Executive Breslin and continued by reading the following excerpt from a letter that he received from him.

"This August we will be applying for a Grant from the Department of State to fund a study to quantify the benefits of PSAP consolidation and to recommend an implementation plan. Further grants may be available to help pay transition costs. We would very much like the Town of Coeymans to join in the study; your support would likely enhance our chances of receiving funding as well as enhancing subsequent benefits to our constituents."

Supervisor Hotaling continued by saying that he does not believe that they need to do a motion and added that he will be writing a letter.

Resignation of Coordinator of Cemetery Services & Assessment Aide

Supervisor Hotaling stated that he was in receipt of a resignation from the Cemetery Coordinator and Assessment Aide Zielonko and continued by reading the following:

June 30, 2008

Supervisor Ronald K. Hotaling, Jr. and Members of the Town Board,

I hereby submit my resignation from the position of Cemetery Coordinator and Assessment Aide for the Town of Coeymans, effective August 1, 2008. I have accepted full-time employment, which will prevent me from having the scheduling flexibility needed to continue these posts.

I wish to extend my gratitude to the Supervisor and Councilpersons, and extend best wishes for success in the future.

Sincerely,

Scott M. Zielonko

Supervisor Hotaling stated that Mr. Zielonko is assuming a full-time roll with a Funeral Parlor in Green County and added that as such he recognizes the conflict of his schedule and it turn would create a problem and then asked for a motion to accept the resolution.

MOTION

On motion of Councilman Boehm, seconded by Councilman Touchette, accepting the resignation of Scott Zielonko.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Youmans) – SO MOVED

Supervisor Hotaling asked if there were any additional comments.

Councilman Boehm stated that he wanted to thank Mr. Zielonko for his services as Assessment Aide and Cemetery Coordinator.

Resignation of Food for Thought Bus Driver

Supervisor Hotaling stated that he was also in receipt of a letter of resignation from a long time summer bus driver, Karen Beachler and continued by reading the following:

July 18, 2008

Dear Mr. Hotaling,

Please be advised that effective this date I am resigning from my position as bus driver for the Food for Thought Program.

I have enjoyed the 10 years of service that I provided and mostly enjoyed the children that I transported. Thank you for the opportunity of working for you and it was a pleasure.

Very truly yours,

Karen Beachler

Supervisor Hotaling stated that he had seen Ms. Beachler earlier in the day and added that she had mixed emotions about resigning and she truly loved driving for the Food for Thought Program but was offered another position at the school in her bus driving capacity that she could not turn down. He continued by saying that her back-up is now the primary driver and will they will be appointing a back up for her later in the meeting and then asked for a motion to accept the resignation.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Boehm, accepting the resignation of Karen Beachler.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Youmans) – SO MOVED

Sponsorship of Part Time Police School Candidates

Supervisor Hotaling stated that he was in receipt of a memorandum from Chief Darlington and added that at a Workshop Meeting he recommended that the Town of Coeymans be a sponsor for two candidates for part time Police Officer School. He continued by saying that the cost will be born by the candidates Mr. McDonough and Mr. Cross whom have both been with the Town for over a year and work in the capacity of part-time Telecommunicator. He went on by saying that in working in the capacity of part-time Telecommunicator and in working around law enforcement, it has peaked their interest in becoming a professional in law enforcement. He added that when the opportunity comes up for part-time school, coupled with the fact that it won't cost the Town anything, they may find that they have a couple of good police officers who know the area, live here and have a vested interest in the Town of Coeymans. He concluded by saying that it is a good recommendation on the part of the Police Chief and he would recommend that they authorize it to happen.

Councilman Boehm stated that he would like to have the option that if they come out of the academy as full-time Officers they be reimbursed at some point for the training that they invested.

Supervisor Hotaling stated that it is worthy consideration and added that it does not have to be considered at this time. He added that they know full well that $1,800. 00 will be coming out of their own pockets and they will be using their own vehicles because they know that it is a goal that they will achieve.

Councilman Boehm reiterated that when they become full-time officers and put in a couple of years of service they should look into possibly reimbursing them.

Supervisor Hotaling suggested that Councilman Boehm discuss with Chief Darlington a complimentary review as the school progresses then offered a motion.

MOTION

On motion of Supervisor Hotaling, seconded by Councilwoman Rogers authorizing the sponsorship for Frank McDonough and Ryan Cross for the Zone 14 Law Enforcement Academy located at Columbia Green Community College in Hudson on a part-time basis, which commences September 8, 2008.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Youmans) – SO MOVED

Supervisor Hotaling stated that there is a physical ability test on August 2nd that they have to take and pass before they start at the Academy and continued by wishing them luck.

Active Shooter Training Request

Supervisor Hotaling stated that he was in receipt of a request for Active Shooter Training and then asked Councilman Boehm to discuss the topic.

Councilman Boehm stated that Chief Darlington discussed Active Shooter Training at a Workshop and in turn he discussed it with him one on one and continued by saying that he wants to send an Officer for the training in order for that Officer to train the other Officers. He went on by saying that his point was well taken because during the school day there are three schools and added that this training will be valuable. He concluded by saying that Officer Albert will be taking the training and in turn he will bring the training back to the other Officers and hopefully develop a lot of communication with the schools and greatly enhance the safety of the community, which will be a good thing.

Supervisor Hotaling asked for a motion.

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, authorizing Officer Alberts to attend Active Shooter Training.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Youmans) – SO MOVED

IT Services for Police / Communication

Supervisor Hotaling stated that there was a request on the part of Chief Darlington for computer services for the server and PC's that have been installed in Communications and the Police Department. He continued by saying that there is a proposal from Newton Computer Associates for $85.00 an hour and added that it is critical to have someone when it is a 24/7 operation. He then asked for a motion to authorize this service.

MOTION

On motion of Councilman Boehm, seconded by Supervisor Hotaling, authorizing Chief Darlington to enter into a Contract with Newton Computer Associates at the rate of $85.00 per hour.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Youmans) – SO MOVED

Councilman Touchette stated that he supports the initiative and added that they might want to look at some kind of consolidated strategy for all of the Town's computers and servers.

Supervisor Hotaling stated that this provider would be specifically for Communications and the Police Department and added that Matt Canning does the balance of Town Hall and has since 2004. He continued by saying that he spoke with Mr. Canning and he does not feel that it would be appropriate for him to do Communications and the Police Department because he has a full-time job and it would be conflicting in terms of his ability to do that. He went on by saying that the next step budgetarily would be to consolidate it and hire an IT person that would be full-time.

Councilman Touchette stated that they could do that or they could provide some training in order for employees to do the more elementary things themselves so that they are not always depending on an outside source.

Supervisor Hotaling stated that an IT person would be primarily for repairs and fauxpas that may occur and continued by saying that he doesn't understand because it would take someone with expertise to fix them.

Councilman Touchette interjected that he is not sure what types of problems there are and reiterated that they should have a strategy on a town-wide basis for computer services and added that it is a long range suggestion.

Supervisor Hotaling stated that they could take a look at it for the 2009 budget and added that they could discuss either a larger strategy or hiring someone part-time as an employee with a set amount of hours to maintain the computers.

CDBG Administrative Services Proposal

Supervisor Hotaling stated he has estimated that they have or will spend approximately $5,000.00 in legal services on the CDBG Grant development and added that they have $16,000.00 for administrative services and have spent $4,000.00. He continued by saying that he signed the agreement earlier in the meeting on the SEQRA/NEPA aspect of it for a total of $9,000.00, which leaves $7,000.00. He went on by saying that they all know of the issues that have cropped up with the CDBG and the mixed messages that they have been getting and added that Internal Control Officer Puritan has reviewed very closely the HUD Manual and in turn put together some components of administration service for this grant that he feels are the elements which they must have and were conveyed

approximately 5 months ago. He continued by saying that he has a July 17th proposal for additional administrative services, which will not exceed $7,000.00 will contain the following:

- Maintain communication with the assigned OCR Economic Developer throughout the administration of the project.
- Provide photographs of progress quarterly during the project timeline.
- Review all applicable regulations to insure compliance with governing regulations.
- Set up program files and coordinate with the appropriate onsite staff for filing procedures.
- Develop the release of funds and required documentation.
- Develop the job creation form.
- Prepare semi-annual, annual and closeout reports.

He continued by saying that Laberge proposes a fee not to exceed $7,000.00 for these services and added that they are suggesting that it become an addendum to the contract that was previously approved for $4,000.00. He concluded by saying that he feels confident that they have conveyed to Laberge the urgency to the matter as they see it.

Councilman Boehm interjected that the maintenance of the records is crucial and they look at the Town level to make sure that it is all there.

Supervisor Hotaling asked if there were any additional comments or a suggestion for a motion to accept the proposal and authorize Laberge to prepare an addendum for the contract.

MOTION

On motion of Councilman Boehm, seconded by Councilman Touchette, accepting the proposal, which will be an addendum to the contract.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Youmans) – SO MOVED

Semi-Annual Performance Report for CDBG

Supervisor Hotaling stated that they had a deadline of July 31st to perform a semi-annual report for the CDBG and added that it is available to the Town Board for review. He continued by saying that if they approve the report and authorize him to sign it; he will sign it in on behalf of the Town and will send it in to the Office of Community Renewal.

MOTION

On motion of Councilman Touchette, seconded by Councilman Boehm, authorizing Supervisor Hotaling to sign the Semi-Annual Performance Report and forward it to the Office of Community Renewal.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Youmans) – SO MOVED

Supervisor Hotaling stated that the next one will be more thorough because there is going to be more activity and added that each one becomes more critical and the accuracy becomes more critical as well. He went on by saying that this is a task that Laberge will perform throughout the project.

First Quarter ALS Reimbursement – Ravena Rescue Squad

Supervisor Hotaling stated that he was in receipt of the first quarter payment from the Ravena Rescue Squad for ALS reimbursement in the amount of $4,003.68 for 38 calls under a formula that was previously in place in 2003. He continued by saying that he asked that Councilman Boehm and Councilwoman Rogers take a look at the process by which they get conveyed the dollars to determine whether or not it meets the needs for today's circumstances with regard to the contractual arrangement that they have with them and asked that they make some suggestions for some changes on how they get reimbursed on ALS and whether or not it can or should be increased back to the Town.

He went on by saying that they just received the bill for the first half of 2008 for paramedic services in the amount of $74,000.00, which is one of two bills that they are going to get and added that it is a critical service that they would never get rid of. He concluded by saying that it is a big expenditure and continued by saying that maybe they can take a look at how they can recapture something more than $4,000.00 a quarter to go toward the $150,000.00 expenditure.

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

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RESOLUTIONS

RES. #79-08 AMEND RESOLUTION #72-08
On motion of Councilman Touchette, seconded by Supervisor Hotaling, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – SO MOVED

WHEREAS, the Town Board approved Resolution #72-08 appointing seasonal part-time staff to operate the Summer Recreation Program, and

WHEREAS, the effective appointment date of July 9, 2008 to August 11, 2008 for the part-time seasonal Recreation Assistants and named contingents were incorrect.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans approves these appointments for the duration of the Summer Recreation Program July 7 to August 8, 2008.

RES. #80-08 APPOINT COORDINATOR OF CEMETERY SERVICES
On motion of Councilman Boehm, seconded by Councilman Touchette, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – SO MOVED

WHEREAS, the Town Board has accepted the resignation of the Coordinator of Cemetery Services, Scott Zielonko, and

WHEREAS, the Town of Coeymans is responsible for the Indian Fields and Grove Cemeteries, and

WHEREAS, the position requires a working knowledge of cemetery operations and an ability to work well with funeral directors, and

WHEREAS, Richard Hotaling, has previously been associated with Grove Cemetery and is familiar with the duties required, and

WHEREAS, this individual is currently a seasonal Laborer in the Beautification Department until September 30, 2008,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby authorize Richard Hotaling to assume the duties of the Coordinator of Cemetery Services. This change will become effective on August 1, 2008.

BE IT FURTHER RESOLVED, that when the seasonal laborer position expires on September 30, 2008, commencing on October 1, 2008, Richard Hotaling will be paid $50.00 per week to continue in the role of Coordinator of Cemetery Services.

RES. #81-08 APPOINT SUPERVISOR FOR C.H.O.I.C.E.S. EMPLOYEES
On motion of Supervisor Hotaling, seconded by Councilwoman Rogers, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – SO MOVED

WHEREAS, the Town of Coeymans has been approved to receive summer season personnel assistance through the C.H.O.I.C.E.S. Program, and

WHEREAS, these summer employees are being assigned to perform various seasonal tasks in the community, and

WHEREAS, the Town Board is desirous of providing supervision for these summer seasonal C.H.O.I.C.E.S. funded employees,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby authorize payment for the services of Ralph Surrano to provide the necessary and required supervision for these employees, and

BE IT FURTHER RESOLVED, that Mr. Surrano shall receive $1,000.00 for these services during the approximately five-week duration of the program. This payment will be made by voucher in the August 2008 abstract.

RES. #82-08 APPOINT FOOD FOR THOUGHT SUBSTITUTE BUS DRIVER
On motion of Councilwoman Rogers, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – SO MOVED

WHEREAS, Karen Beachler has resigned her position as the Food for Thought bus driver, and

WHEREAS, the Food for Thought Program is in need of an experienced back-up (substitute) driver, and

WHEREAS, the RCS Transportation staff has made a recommendation,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans authorizes the Supervisor to hire Tammy Tucker as the substitute bus driver at the hourly rate of $12.50.

RES. #83-08 APPOINT ALTERNATE PLANNING BOARD MEMBER
On motion of Councilman Touchette, seconded by Supervisor Hotaling, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – SO MOVED

WHEREAS, the Town Board is desirous of insuring expeditious Planning Board action on matters before it, and

WHEREAS, the Planning Board has suggested that an alternate member be appointed for times when a quorum is not present (one short), and

WHEREAS, the Planning Board suggests the Recorder of Minutes, Linda B. Ziegler, be considered as an alternate Planning Board Member.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans appoints Linda B. Ziegler as alternate Planning Board Member.

BE IT FUTHER RESOLVED, that Ms. Ziegler be scheduled for the requisite training for this position.

RES. #84-08 APPOINT APPRAISER FOR VADNEY VS. TOWN OF COEYMANS
On motion of Councilman Boehm, seconded by Supervisor Hotaling, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – SO MOVED

WHEREAS, in Supreme Court proceedings, entitled Vadney vs. The Board of Assessors of the Town of Coeymans, et. Al., Index #5935-07; Index #5942-07, petitioner Ann Marie Vadney has challenged the assessments on real property owned by her in the Town, and

WHEREAS, it is necessary for the Town to retain an independent appraiser to give an opinion as to the value of the real property.

NOW, THEREFORE, BE IT RESOLVED, that Chris L. Harland of Capstone Appraisal Group is hereby retained to prepare a court-ready appraisal in accordance with the attached proposal.

RES. #85-08 ADOPT 2008 SECTION 8 ANNUAL PLAN
On motion of Supervisor Hotaling, seconded by Councilman Touchette, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – SO MOVED
WHEREAS, the Town of Coeymans operates a Section 8 Housing Choice Voucher Program funded by the U.S. Department of Housing and Urban Development, and

WHEREAS, the Town of Coeymans is required by the U.S. Department of Housing and Urban Development to prepare and adopt a written Annual Plan that establishes local policies for administration of the Section 8 Housing Choice Voucher Program in accordance with regulations of the U.S. Department of Housing and Urban Development, and

WHEREAS, the Town Board of the Town of Coeymans has caused a written Annual Plan for 2008 to be prepared establishing local policies for administration of the Section 8 Housing Choice Voucher Program in accordance with regulations of the U.S. Department of Housing and Urban Development and has reviewed such written plan.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans hereby adopts the Annual Plan for 2008 for operation of the Town of Coeymans Section 8 Housing Choice Voucher Program.

RES. #86-08 APPROVE LEAD AGENCY STATUS
On motion of Councilwoman Rogers, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – SO MOVED

WHEREAS, the Town of Coeymans has received a Community Development Block Grant award of $750,000.00 from the New York Office of Community Renewal to provide operating capital to the Port of Coeymans, operated by P&M Brick, L.L.C., and

WHEREAS, the CDBG award requires that the Town demonstrates compliance with 6 N.Y.C.R.R. Part 617, the New York Quality Review Act (SEQRA), and

WHEREAS, the proposed action encompasses utilization of the grant award for operations and investment at the Port of Coeymans, located at 2170 NYS Route 144, wholly contained within the Town of Coeymans, and

WHEREAS, a full Environmental Assessment Form (EAF), Parts 1 and 2 have been completed for the proposed action, and

WHEREAS, a SEQRA Coastal Assessment Form has also been completed, as a project is situated with the New York State Coastal Zone, and

WHEREAS, the proposed action has been determined to be an Unlisted Action, pursuant to the SEQRA Regulations, and

WHEREAS, the following potentially involved and/or interested Agencies have been identified:

Involved Agencies:

- Town of Coeymans Town Board
  18 Russell Avenue
  Ravena, NY 12143

- New York State Office of Community Renewal
  38-40 Hampton Plaza, 9th Floor
  Albany, NY 12207

- Department of State
  Division of Coastal Resources
  One Commerce Plaza
  99 Washington Avenue
  Albany, NY 12231-0001

NOW, THEREFORE, BE IT RESOLVED, pursuant to the standards of the 6 NYCRR Part 617, the Town Board of the Town of Coeymans has concluded that it is the appropriate agency to serve as Lead Agency for the environmental quality review process for the proposed Unlisted Actions, and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Coeymans hereby declares its intent to be Lead Agency for the SEQR evaluation of the proposed action.

RES. #87-08 AUTHORIZE AND FILE NEGATIVE DECLARATION
On motion of Councilman Touchette, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – SO MOVED

WHEREAS, the Town of Coeymans Town Board has declared itself Lead Agency pursuant to the State Environmental Review Act (SEQRA) for the Port of Coeymans Community Development Block Grant Economic Development Project, and

WHEREAS, pursuant to SEQRA, the Town Board has prepared Parts 1 and 2 of the full Environmental Assessment Form (EAF), as well as a Coastal Assessment Form, and

WHEREAS, the Town Board has concluded that there will be no adverse impacts to the cultural, social, economic or environmental resources of the Town.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board adopts the findings and conclusion relating to probably environmental impacts contained within the attached Environmental Assessment Form (EAF) and Negative Declaration and authorizes the Town Clerk to execute the EAF and file the Negative Declaration in accordance with the applicable provisions of law.

RES. #88-08 APPROVE JULY ABSTRACT
On motion of Councilman Boehm, seconded by Councilwoman Rogers, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – SO MOVED

BE IT RESOLVED, that the Town Board, of the Town of Coeymans, does hereby approve and allow the following claims of vouchers for the July 2008, Abstract.

	VOUCHER #	**AMOUNT**
GENERAL (A)		
General Pre-Pay	1231-1285	$189,509.51
General	1327-1392,1472-1473	$ 35,071.15
	General Total	**$224,580.66**
PART-TOWN (B)		
Part-Town Pre-Pay	1286-1303	$379,053.67
Part-Town	1393-1407	$ 1,147.86
	Part Town Total	**$380,201.53**
HIGHWAY (D)		
Highway Pre-Pay	1287-1299,1471	$ 51,817.66
Highway	1408-1452,1474	$293,082.42
	Highway Total	**$344,900.08**

SEWER (SS)		
Sewer Pre-Pay	1300-1317	$ 9,566.93
Sewer	1453,1467	$ 19,975.90
	Sewer Total	**$ 29,542.83**
CAPITAL PROJ. (H)	1468-1470	$ 1,259.00
	Capital Proj. Total	**$ 1,259.00**
	Total For All Funds	**$980,484.10**
TRUST & AGENCY (TA)		
Trust & Agency Pre-Pay	1318-1326	$232,446.28
	Trust & Agcy. Total	**$232,446.28**

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CORRESPONDENCE

Albany County Executive

Supervisor Hotaling stated that he was in receipt of a letter from Albany County Executive Breslin relative to an extension of the National Incident Management System and added that they now need to take the compliance a step further. He added that the letter states that the emergency response capabilities and preparedness for the County and its jurisdictions must be more thoroughly established and more fully documented. He continued by saying that he has asked that Emergency Management Committee Chairman Bill Bruno to be prepared for contact from Captain Layton at the Albany County Sheriffs Department about the details of the training requirements that are part of the certification process.

Gomez and Sullivan Engineers

Supervisor Hotaling stated that he was in receipt of a correspondence from Gomez and Sullivan Engineers who have been contracted through DEC to perform detailed field reconnaissance and field surveys of structures and stream channels in portions of Albany County. He added that they will be performing ground surveys in support of New York Floodplain Mapping Program under F.E.M.A.'s Cooperating Technical Community partnership initiative and in turn the collected data will be used for conducting flood hazard analyses. He concluded by saying that they will be surveying both the Coeymans Creek and Hannacroix Creek and will be performing field reconnaissance the weeks of July 14th and July 21st with survey activities scheduled for the months of July, August and September.

Councilman Boehm inquired as to if this has anything to do with the F.E.M.A. project that was discussed earlier in the meeting.

Supervisor Hotaling stated that he didn't believe so.

Code Enforcement Officer Conrad stated that the Building Department participated in the F.E.M.A. review earlier in the year and added that they expressed their concerns for those areas not previously mapped. He continued by saying that it is important that they have an exact map flood location because the Town of Coeymans has a couple of areas along the Coeymans Creek and Hannacroix Creek that are not mapped.

Supervisor Hotaling stated that this is just a mapping effort and not related to the F.E.M.A. project.

Ravena-Coeymans-Selkirk Central School

Supervisor Hotaling stated that the new Interim Superintendent at R-C-S has written a letter thanking the Town for the support that they have given in the past in addition to asking that he be contacted with any ideas, issues or concern with the school district.

Get Your Guts in Gear

Supervisor Hotaling stated that Town Clerk Millious received a thank-you letter for the Town providing an opportunity for the use of Joralemon Park as a rest stop for the Get Your Guts in Gear – Ride of Chron's and Colitis that occurred on June 8th.

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TOWN BOARD WORKSHOPS/MEETINGS

- Town Board Workshop, August 19, 2008, 6:00pm
- Town Board Meeting, August 25, 2008, 7:00pm

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ADDITIONAL COMMENTS

Supervisor Hotaling asked if there were any additional comments.

Councilwoman Rogers – None

Councilman Boehm – None

Councilman Touchette – None

Town Clerk Millious stated that on August 18th hunting licenses go on sale and added that it was a pleasure working with Scot Zielonko.

Attorney for the Town Wukitsch stated that he wanted to raise an issue with regard to the Road Abandonment Certificate that was approved and authorized for signatures earlier in the meeting. He continued by saying that he would recommend holding the filing of the Certificate with the Town Clerk until they take a close look at it and added that it is because there are some sewer lines beneath the property. He added by saying that he has not had an opportunity to investigate all of the facts and circumstances and went on by saying that they can't just take it off the because there is a whole host of issues because if they abandon the road it reverts back to the adjoining owners and the Town no longer has any rights. He continued by saying that they could get an easement but it cannot be oral and has to be written, which raises a whole host of problems that he has to look into.

Supervisor Hotaling stated that there has to be a motion to rescind the action taken earlier.

MOTION

On motion of Supervisor Hotaling, seconded by Councilman Boehm, to suspend the filing of the Abandonment of a Town Road voted on earlier until they receive a memorandum of law from Attorney for the Town Wukitsch.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Youmans) – SO MOVED

Supervisor Hotaling stated that they will continue to keep it active but will hold it in suspension until they hear more information.

Code Enforcement Officer Conrad stated that he heard part of the Board's conversation with respect to Biers Road in Highway Superintendent Deering's monthly report and he

reported that it was all done with the Planning Board as far as the Bier's Road subdivision.

Supervisor Hotaling stated that he didn't say that and added that he said just the opposite.

Councilman Conrad stated that it will be on the agenda this month for anyone interested and added that the August meeting will be the preliminary meeting and then reviewed by the Planning Board to be deemed whether or not it is a complete application and in turn there will be two Public Hearings to assure that all sections of Town Law Section 277 & 278 and Chapter 145 are followed.

Supervisor Hotaling inquired as to why there will be two Public Hearings.

Building Inspector Conrad stated that this is the process when it is major.

Attorney for the Town Wukitsch inquired as to how long the Planning Board process will take.

Building Inspector Conrad stated that it is a 3-4 month process and added that it is not something that will happen over night.

Supervisor Hotaling inquired as to if with proper notice the Planning Board can hold Special Meetings and Public Hearings to do this.

Building Inspector Conrad stated that they can and added that they still have to go through the SEQRA process as well.

Supervisor Hotaling asked Attorney for the Town Wukitsch if it is worth it to try and advance it further.

Attorney for the Town Wukitsch stated that it has been going on for months and added that it is up to them.

Building Inspector Conrad stated that the application just came in July.

Supervisor Hotaling stated that he will just let them act at their own pace.

Attorney for the Town Wukitsch stated that he should leave it at their discretion.

Building Inspector Conrad stated that he just wanted to update the Board.

Supervisor Hotaling thanked Building Inspector Conrad and continued by asking if there were any additional comments, hearing none he asked for a motion to adjourn the meeting.

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ADJOURNMENT

Supervisor Hotaling asked for a motion to adjourn the meeting.

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, the Town Board Meeting was adjourned.
VOTE – AYES 4 – NAYS 0 – SO MOVED

Time: 9:50pm

Respectfully Submitted, **SO MOVED:**

_____
Diane L. Millious, Town Clerk

A Public Hearing was held Monday, July 28, 2008, at 6:30pm at Town Hall, 18 Russell Avenue, Ravena, New York

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

ABSENT: James C. Youmans, Councilman

ALSO PRESENT: Diane L. Millious, Town Clerk
James Mastrianni, President, Joseph E. Mastrianni, Inc.
Gregg Galucci, Vice President, Joseph E. Mastrianni, Inc.

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Supervisor Hotaling opened the Public Hearing and led the Pledge of Allegiance.

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NOTICE OF PUBLIC HEARING

Town of Coeymans Public Hearing Annual Plan for 2008
Section 8 Housing Choice Voucher Program

The Town Board of the Town of Coeymans will hold a Public Hearing on Monday, July 28, 2008, at 6:30pm, at Town Hall, 18 Russell Avenue, Ravena, NY 12143, for the purpose of receiving comments from the public on the Town's proposed Agency Plan for 2008 Section 8 Housing Choice Voucher Program.

Copies of the Agency Plan and all supporting documentation are available for review by the public at either of the following locations.

Town of Coeymans Town Clerk's Office 18 Russell Avenue Ravena NY 12143 (518) 756-2100	Joseph E. Mastrianni. Inc. 242 Union Street Schenectady, NY 12305 (518)372-4739 Ext. 26

By Order of the Town Board
Of the Town of Coeymans
Diane L. Millious
Town Clerk

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OPENING COMMENT

Supervisor Hotaling welcomed everyone and added that the purpose of the Public Hearing is to hear comments from the public on the Town's proposed Agency Plan for 2008 for the Section 8 Housing Choice Voucher Program He continued by saying that the record should reflect the absence of Councilman Youmans who is out of Town on business with the balance of the Town Board being present in addition to Town Clerk Millious, Mr. James Mastrianni and Mr. Gregg Galucci from Joseph E. Mastrianni, Inc. He went on by saying that they are present to respond to any questions or comments from the public as well as the Town Board and then asked if either Mr. Mastrianni or Mr. Galucci had any opening comments.

Mr. Mastrianni thanked the Town Board for holding the Public Hearing and added that it is required by HUD annually and the purpose is to allow the public to comment. He continued by saying that the Section 8 Program is HUD's Program to allow access to safe, sanitary and decent housing for the elderly, disabled and lower income families in

the community, which is done by subsidizing a portion of the rent based on the participants income. He added that a tenant will not pay more than 30% of their adjusted gross income for rent and went on to say that as tenants income rises their subsidy decreases and eventually as the income rises to a certain level they are no longer eligible for the program. He continued by saying that each Board member received a report entitled Town of Coeymans Section 8 Program Summary Statistics and added that it is a snapshot of the Program as of the current date and proceeded to go over the report highlighting the following:

- The program was initiated in 1978.
- Annual estimated Federal funding is $413,673.00.
- They can help up to 81 families at one time.
- There are 18 families on the waiting list.
- Preference is given to elderly and disabled.
- There were 155 inspections, 91 passed, 64 failed.
- Last year they spent $34,502.00 more than they were allocated, which was okay because they had a reserve that they were allowed to go into.
- They are on track with spending for this year.

Mr. Mastrianni went on by saying that he also included a copy of a letter from himself to Supervisor Hotaling addressing the Family Self Sufficiency Program, asking that the Town reinstate the Family Self Sufficiency Program in the Town of Coeymans and added that they had been administering a program for quite some time but the Town Board asked that they stop the program. He continued by saying that they believe that it is a good idea to reinstate the program because they have found that there are 29 families that could benefit from the program and added that there are 13 who would be good candidates. He went on by saying that the program works with participants to help them move out of assisted programs, off of welfare and into self sufficiency and continued by saying that some individuals can utilize their Section 8 voucher towards the purchase of a modest home, which fosters investment and the sense of ownership. He concluded by saying that along with the letter he included a fact sheet as well as an article from a newspaper talking about the successes of the program.

Supervisor Hotaling thanked Mr. Mastrianni.

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PUBLIC COMMENT

Supervisor Hotaling invited the public to comment at this time, hearing none he stated that the Public Hearing would remain open for approximately 12 more minutes and continued by asking the Town Board if they had any questions or comments.

Councilman Touchette inquired as to if the inspections are done by Joseph E. Mastrianni, Inc.

Mr. Mastrianni stated that they are and added that Mr. Galucci oversees the Inspection Department.

Councilman Touchette inquired about the 64 that failed the inspection the first time.

Mr. Mastrianni stated that there were 155 total inspections and of those 64 failed the first inspection and continued by saying that the majority of them go on to pass.

Councilman Touchette inquired about them passing either the second or third time.

Mr. Galucci interjected that there is no guarantee that they will pass and added that if they don’t pass the unit will not be assisted through the program.

Councilman Touchette inquired as to some of the reasons why a unit will fail.

Mr. Galucci stated that there are a variety of reasons and added that common reasons can be peeling paint in a unit constructed prior to 1978 and occupied by a child under the age of 6, smoke detectors not working, improperly working stoves or ovens, plumbing problems and broken windows. He continued by saying that they generally give the owner an opportunity to make the repairs and added that if it is a new unit coming into the program they have to make the repairs prior to the unit receiving assistance through the program. He added that if it is a unit that is already under contract they generally give the owner at least 30 days to make the repair and in turn they come and verify that the repair has been made.

Councilman Touchette inquired as to if there is any interaction with the Code Enforcement Officer.

Mr. Galucci stated that their requirements are less stringent than local Code and added that they have a good relationship with the Town's Building Department. He continued by saying if the Building Department becomes aware of any problems they let them know in addition to them notifying the Building Department prior to any new unit inspection to give the Town an opportunity to review their records to determine if there are any records of code problems to that particular property.

Councilman Boehm inquired as to if there is an opportunity for preference in the Family Self Sufficiency Program like they have for the Section 8 Program.

Mr. Mastrianni stated that typically elderly and disabled are not good participants in the Family Self Sufficiency Program.

Councilman Boehm inquired about preference given to Town of Coeymans residents.

Mr. Mastrianni stated that they have to draw from the current participants and added that if they are going to participate in the Family Self Sufficiency Program they have to be participants in the Section 8 Program.

Councilman Boehm interjected that they could come from anywhere in the Capital District.

Mr. Mastrianni stated that it would be open to only Town of Coeymans residents.

Councilwoman Rogers interjected that there are currently 29 possible candidates with 13 of them being strong candidates. She continued by asking about Family Self Sufficiency Program participation in surrounding Towns such as Bethlehem.

Mr. Galucci stated that Bethlehem does have a program and added that there are 3-4 participants and continued by saying that Bethlehem has a large population of elderly

Councilwoman Rogers inquired about the Town of New Baltimore.

Mr. Galucci stated that it is Greene County and added that they don't jurisdiction there, he continued by saying that in looking at Albany County as a whole the Towns of Colonie, Guilderland and Knox have large programs. He continued by asking Supervisor Hotaling for his feedback or whether he has any concerns.

Supervisor Hotaling stated that he would not be in favor of reinstating the Family Self Sufficiency Program and added that it will be a decision made by the entire Board. He continued by saying that a concern is that in the past year there were two instances of fraud in the HUD Program with the most recent one waiting to be judicated and added that it is still an allegation. He continued by saying that it would lead one to conclude that the seven annual inspections that took place at that location in the Village failed to recognize that it was a one family house.

Mr. Galucci interjected that he would disagree with that and added that they did the inspections and identified the property as a single family. He continued by saying that the issue there was with the occupants of that particular property and added that the

inspection process really is not designed to identify as to who actually lives at the property.

Supervisor Hotaling stated that he would respectfully disagree with his judgment in that there is no bearing on the occupants and added that it clearly does given the fact that in some instances in some of the homes that have passed inspections there does not appear to be adequate bedroom space or open air space, which they have talked about before. He continued by saying that the unit is inspected and they allow more people than is reasonable to be living in a unit.

Mr. Galucci interjected that they have no control over who actually lives in a unit and added that there is a lease stating who the proper occupants of the unit are and continued by saying that if they become aware of a situation where people don't belong in a unit, they respond to it accordingly and added that he believes that they did this in that particular fraud situation.

Supervisor Hotaling stated that the Public Hearing reached the 20 minute mark and then asked for a motion to adjourn.

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ADJOURNMENT

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Boehm, the Public Hearing was adjourned.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Youmans) – SO MOVED

Time: 6:50pm

Respectfully Submitted, APPROVED:

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Diane L. Millious, Town Clerk

MINUTES BOOKTOWN OF COEYMANS**
June 17, 2008 – Town Board Workshop Meeting – 6:00PM

A Town Board Workshop was held Tuesday, June 17, 2008 at 6:00pm 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

ABSENT: Richard N. Touchette, Councilman

ALSO PRESENT: Diane Millious, Town Clerk

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

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AGENDA ITEMS

- Historic Coeymans Landing Neighborhood Association
- Teen Challenge Park Use Request
- 2008-2009 Health Insurance Costs
- Highway Department Request for New Equipment
- Draft Mutual Aid Agreement
- Increased Legal Counsel Fees for Zoning Board of Appeals
- Communication Staffing
- Local Waterfront Revitalization Program

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ADJOURNMENT

Supervisor Hotaling asked for a motion to adjourn the Workshop.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Youmans, the Town Board Workshop was adjourned.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time: 8:10pm

Respectfully Submitted, **APPROVED:**

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Diane L. Millious, Town Clerk

A Special Town Board Meeting was held Wednesday, June 4, 2008, at 6:00pm 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
Gregory Darlington, Chief of Police
Daryl Purinton, Internal Control Officer

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Supervisor Hotaling called the meeting to order and led the Pledge of Allegiance.

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SUPERVISOR'S OPENING COMMENTS

Supervisor Hotaling stated that the record should reflect that there is a full Town Board present in addition to Town Clerk Millious and Chief of Police Darlington.

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READING OF NOTICE

Supervisor Hotaling asked that Town Clerk Millious read the Notice for the Special Town Board Meeting, which was published in the News Herald and placed at various locations around town.

NOTICE
SPECIAL TOWN BOARD MEETING

In compliance with Public Officer's Law, this will inform you that the Town Board of the Town of Coeymans has scheduled a Special Town Board Meeting for the purpose of discussing Town business. The meeting will be held at 6:00pm on Wednesday, June 4, 2008 at Town Hall, l8 Russell Avenue, Ravena, NY.

By Order of the Town of
Coeymans Town Board
Diane L. Millious
Town Clerk

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OVERVIEW OF AGENA

- Selection of Small Cities Grant Administration Consultant
- Discussion of Staffing Pattern Differences Between Class 1 and Class 2 Townships
- Executive Session

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SELECTION OF SMALL CITIES GRANT ADMINISTRATION CONSULTANT

Supervisor Hotaling stated that there have been some delays in processing some Request for Proposal receipts relating to in his opinion the manner in which the Request for Proposal was written and the proposals received. He continued by saying that it is complicated by the ever changing posture of the State of New York as it relates to the

Small Cities Grant that the Town has been awarded. He went on by saying that in an effort to get all of the players together, last Friday there was a meeting held at the Port of Coeymans in which he along with Councilman Boehm and Internal Control Officer Purinton attended as well as representatives from Small Cities, Carver Laraway, Mr. Laraway's Chief Financial Officer, Mr. Kirk who has been putting together the application for the grant and Attorney Lisa Pempraze who is guiding them through the process. He continued by saying that they asked some questions and got some answers, some of which changed as the meeting evolved and some that had been modified from the first meeting with Small Cities. He added that the Town sits as a player in the delay of getting the money out the door and in an attempt to do what they can with regard to the hand that they were dealt in terms of RFP's, Internal Control Officer Purinton has taken the opportunity to summarize the bids that were received, which the Town Board has in front of them. He continued by saying that their issue at hand is whether or not they move forward with the required SEQRA and NEPA reviews, picking somebody and either adding to that the balance of the administration or making a decision to do those reviews to provide an opportunity to get the money out the door, assuming the State of New York approves the reviews. He concluded by saying that it has been confusing and then asked Councilman Boehm if he had any further clarification to share.

Councilman Boehm stated that there is a sense of urgency in moving it forward and added that one of the components is to get the SEQRA and NEPA reviews started.

Supervisor Hotaling interjected that the reviews are the Town's part and added that if the delays are attributable to anything it can't be pointed in their direction at this point.

Councilman Boehm stated that he will speak with Attorney Pempraze and added that the Loan Agreement should go fairly quickly and they will then have to deal with SEQRA and NEPA and the administrative part of it. He continued by saying that if they administer it internally and utilize Internal Control Officer Purinton's resources it would be beneficial because you have to keep everything at the Town level and added that Internal Control Officer Purinton has been through the whole process and has attended the meetings, which has resulted in him having a fairly good handle on it. He added by saying that given the cost per hour to administer it, Internal Control Officer Purinton is in the ballpark to help them out with the administration, without performing any of the IDA's at this point. He concluded by saying that Mr. Laraway has indicated that he has the Phase I and Phase II binders full of things that he has done and went on by saying that it might save them some money there and added that he believes that it can and should be done in house.

Supervisor Hotaling stated that he has had the opportunity to have some discussion with Internal Control Officer Purinton about some of the administration and added that what might be part of any hesitation to assume any role with regard to this is the fractured way that they are getting information. He added that they don't know necessarily what the rules are as well as a critical piece of the follow-up, which are semi-annual and annual reports that are outside the scope of anyone's expertise at the Town as it relates to an over site of this project. He concluded by saying that he does not want to place him in jeopardy and added that trying to come up with a report that monitors the project without the expertise would be very difficult.

Councilman Boehm interjected that it seems that they are going to have to have someone in house to monitor the expertise of the people that have provided the report, whether it be Mr. Kirk or Laberge and hold it to a certain standard.

Supervisor Hotaling stated that it is true to a certain degree and added that the standard that they would have to hold it to is that they would have to prove in their files that they have the documentation to back up what is being propered to the State. He then asked that Internal Control Officer Puritan give an update of his review of the submissions of the Request for Proposals and guidance about the next possible steps.

Internal Control Officer Purinton continued by giving a bid summary for the administration of the CDBG as follows:

Community Development Block Grant Consultant Bid Summary

	CT Male*	The Chamber*	DBS Planning*	Laberge	ACHRA
Implementation/Orientation	$ 640.00	A	A	Not Addressed	Not Addressed
Grant Project Work Scope Verification	$ 1,780.00	A	A	Not Addressed	Not Addressed
SEQRA&SHPO&NEPA Verification	$ 5,100.00	Not Addressed	A	Not Addressed	Not Addressed
HUD and GOSC Regulations Compliance	$10,790.00	A	Partially A $105/hr. Plus Expenses	Town Responsibility	$1,200 Limited Services
Ongoing Grant Admin.	$ 7,860.00	A	$105/hr. Plus Expenses	Town Responsibility	$1,200 Limited Services
Preparation & Submission Of Release of Funds	$ 4,260.00	A	A only (1)	A only (1)	A only (1)
Grant Project Management	$26,310.00	A	$105/hr. Plus Expenses	Town Responsibility	Not Addressed
Miscellaneous	$ 3,620.00	A	$105/hr. Plus Expenses	Not Addressed	Not Addressed
2nd Generation Loan Administration	Not Addressed	50% of Interest Earned on Loans Outstanding	$105/hr. Plus Expenses	Not Addressed	Not Addressed
TOTAL	$60,360.00	A = $7,750.00 Annually	A = $4,000.00 Lump Sum	A = $8,000 Fee Not to Exceed	A = $6,800 Sum of tasks 1,2,3

* No limit administrative cost. Budget may or will be exceeded.

Questions and Comments

Councilman Touchette inquired as to if the Town's budget for it is $16,000.00.

Internal Control Officer Purinton stated that it is in total and added that it is for program delivery, which would include the loan generation, the environmental review and then the administration itself, which would be things like the annual and semi-annual report, accounting and bookkeeping.

Councilman Boehm inquired as to how much of the $16,000.00 had been used to date.

Supervisor Hotaling stated that he is not sure and added that he would guess a couple thousand dollars at this point as well as some fees for Attorney Pempraze that have not been billed.

Internal Control Officer Purinton stated that one of the things that he would do is go through their manual and try to work up a list of things that could be applicable to the program and in turn run it by the State to see what they think about it. He continued by saying that they could entertain sending out an RFP that is more articulate and added that the original one was too vague and not tailored to what they are interested in doing. He went on by saying that he would be able to do it and added that he could extract things that are relevant because when they have the audit they are suppose to be able to tell the

auditor what the significant compliance requirements were and in turn be able to demonstrate that they know them and have met them. He continued by saying that the new approach of outlining what might be applicable would give them a better framework to request an RFP and in turn might get better answers. He concluded by saying that a lot of the things were addressed that were not applicable because a lot, such as cost allocation, plan monitoring and setting up bank accounts can be done in house and added that the administrative compliance is going to be the pitfall and it would be better to have someone that can work with the State and address that.

Councilman Touchette inquired as to whether or not they will tell them in advance what the issues are.

Internal Control Officer Purinton stated that they say that it is in the manual.

Supervisor Hotaling stated that it is all encompassing for every kind of project possible and added that you don't know which rules apply and which don't.

Internal Control Purinton interjected that in addition there are HUD regulations that are not in the manual such as job creation that they quote and added that this one was targeted at 17,000 per job but the Federal Government will accept 35, which is a significant difference in the number of jobs to be created by the project and in turn gives them an out. He continued by saying that Mr. Laraway knows that and it is now leverage because they know the Federal regulations are stringent.

Councilman Boehm stated that the total percentage of the loan was $750,000.00 and continued by asking what percentage is for administrative costs.

Internal Control Officer Purinton stated that the loan can only be $734,000.00, which means that the rest is for administration.

Councilman Boehm stated that Attorney Pempraze does not have a cap and added that his concern is that the $16,000.00 is going to used up and the costs above it will be the Town's responsibility.

Internal Control Officer Purinton stated that grants are never without incurring costs and added that everyone will be in on it in terms of getting it going and continued by saying that it depends on the commitment that they made

Councilman Boehm inquired as to if the Town can bill out of the money, such as for Internal Control Officer Purinton's services.

Internal Control Officer Purinton stated that they can.

Councilman Boehm stated that it is a small chunk of money that everyone is trying to get some of and added that he does not know how much will be left.

Supervisor Hotaling stated that it will be the $734,000.00 for the loan.

Councilman Touchette stated that he does not know what the Preparation of Submission of Funds is going to require and added that the SEQRA is just an administrative type project as far as SEQRA goes, which will be Type 2 Unlisted Action and in turn will not take anyone very long to complete.

Supervisor Hotaling stated that he had gotten the impression that they had to delve into what the project was expected to be and apply SEQRA regulations for that and added that he didn't think that it was merely just administrative in terms of the CDBG administration. He continued by saying that they don't have to look at the whole area but for this particular project and what he intends to do operationally with the grant and loan it will be subject to SEQRA review.

Councilman Touchette stated that he understood that it would not involve what he is actually going to do on the ground and added that he could be wrong. He continued by saying that he does not know what is involved with the NEPA & SHPO.

Councilman Boehm stated that they agree that they should provide it before they do Phase I and Phase II.

Supervisor Hotaling stated that he called Ed Vopelak and asked whether or not the existence of Phase I and Phase II documents makes a difference and added that it may make some. He continued by saying that he believes that those documents were prepared as part of Mr. Laraway's due diligence and acquisition of the property when he first bought it to avoid buying a hazardous waste site. He added that it was part of the purchase due diligence and went on by saying that Mr. Vopelak minimized the benefit of those two things as it relates to the SEQRA review. He continued by saying that Mr. Vopelak stated that he wanted to send someone down to look at it at the Port of Coeymans and in turn he called Mr. Laraway but he has not gotten back to him to make the documents available. He went on by saying that he also had occasion to speak with Mr. Ben Syden from Laberge who is working with the Town on the Comprehensive Plan and added that in his submission he knows the parameters and quoted that it would not exceed $8,000.00 and went on by saying that as Internal Control Purinton had pointed out he seems to be only addressing potentially up to one draw of funds and the SEQRA & NEPA reviews. He continued by saying that in turn he called Mr. Syden and asked about doing just the SEQRA & NEPA reviews and what kind of fee it would be and added that the reply was that it would be 40 hours worth of work at $90.00 an hour, which would be $3,600.00. He went on by saying that he likes both CT Male and Laberge and added that he likes CT Male as an engineering firm but not as an economic development consultant and he likes Laberge as an economic development consultant but not as an engineering firm and continued by saying that they each have strengths in certain areas. He concluded by saying that Mr. Syden knows economic development and an easy way out for them would be to have Laberge do the SEQRA & NEPA reviews and in turn they would be in a position to move ahead and cannot be accused of holding it up.

Councilman Boehm stated that he believes that they should put a cap on Attorney Pempraze's fee and added that legal costs will take a lot of the $16,000.00 even with the significant savings of $3,600.00 with Laberge.

Supervisor Hotaling interjected that they can talk with Mr. Syden and tell him that there are semi annual and annual reports that are due and in turn ask him what he can do with the balance that is left.

Councilman Boehm stated that he agrees and continued by saying that they need to speak with Attorney Pempraze and ask for her to put a cap on her fee because of the number of meetings that she has been attending and continued by saying that it can go on for thousands of dollars. He then asked Internal Control Officer Purinton what he thought.

Internal Control Officer Purinton stated that the Loan Agreement is critical in terms of establishing the Town's control over the risks associated with the project.

Councilman Boehm stated that he agrees and reiterated that Attorney Pempraze should have a good idea of the scope of it and in turn give them a cap for her fee. He continued by saying that each time that she calls someone it is $150.00 to $200.00 and added that most of the money for administrative fees will go to her law firm. He concluded by saying that there needs to be a cap on it with Ms. Pempraze given the scope of the project.

Supervisor Hotaling stated that he does not know about capping and added that for the record he has not gotten the impression that Attorney Pempraze has tried to pad the bill. He continued by saying that she has met with some unfortunate occurrences and added that they would be remiss to put constraints on her that would end up being detrimental to the document itself because it is a critical piece. He went on by saying that they have heard him say before that he does not like these grants because of everything that goes along with them and added that the bottom line is if they can get the ¾ million out the

door and 60 plus jobs are created, which will be a boost to the rest of the area, even if they don't make money or it costs them $20,000.00, he believes it is a good thing.

Internal Control Officer Purinton interjected that they also have the opportunity that when the money starts getting repaid, they can reimburse them up to the 18%. He continued by saying that there is an opportunity for some deferred revenue to come back to them and they can keep track of the accounting so they can get their money back after the fact.

Councilman Boehm suggested that they share their concern with Attorney Pempraze and ask for her to give an estimate of what she expects the cost to be given the status of the Loan Agreement.

Councilman Touchette inquired about taking a different approach and having Supervisor Hotaling speak with Mr. Laraway about getting his people moving.

Supervisor Hotaling stated that he believes that the meeting last week was the impetus for that and continued by saying that he will reinforce it with Mr. Laraway.

Councilman Boehm interjected that Mr. Laraway expected to have the money in hand by now.

Internal Control Officer Purinton stated that they do have a reasonably good comparison because Mr. Kirk did say that he was going to spend about 40 hours at $4,000.00 lump sum and at $105.00 per hour he is not taking much advantage of the reviews that have already occurred.

Councilman Boehm reiterated that he is worried that the $16,000.00 for administrative costs will be gone.

Supervisor Hotaling stated that it is likely to be gone and continued by saying that they opened the door and allowed the application to go through and are now at a point where they have to move on with it and added that they would be the bad guys if they didn't.

Councilman Boehm interjected that he believes it is a good thing and a learning curve for them.

Supervisor Hotaling stated that whatever it costs and whether or not they can recoup some money he believes that they have to move ahead with it.

Councilman Youmans interjected that it will create 60 jobs.

Councilman Boehm stated that he would still like to get a chunk of the second generation.

Councilman Youmans stated that it is down the road and continued by asking Supervisor Hotaling if he believes that the easy way at this point is to have Laberge do the SEQRA, NEPA & SHPO for $4,000.00.

Supervisor Hotaling stated that he's not sure if the SHPO applies and added that Internal Control Officer Purinton had said that it is for historical preservation and added that it would be for an archeological dig that some projects are requiring before they can be started with grant money.

Councilman Youmans asked if this is the direction that they want to go.

Supervisor Hotaling stated that he believes that it is a reasonable, simple way to go.

Councilman Boehm stated that Laberge will do the SEQRA and NEPA and continued by asking about the administrative part.

Supervisor Hotaling stated that they should get the ball rolling on SEQRA and NEPA and get it in place for the State to approve it and in turn approve the Loan Agreement. He continued by saying that they would be staged whenever the door opens to release the

money and in the meantime be looking at someone like Mr. Syden or whomever else they think is appropriate in addition to asking what else can be done to take the Town off the reporting hook, which is two critical pieces, a semi-annual and annual report. He added by saying that he believes that Internal Control Officer Purinton stated that they can monitor internal accounting and added that he performed two function earlier in the day by filling out two forms, which was an authorized signature form for requesting funds and the designation of depository for the CDBG funds. He concluded by saying that those were two critical components that were done in approximately 15 minutes and added that the release of funds, once they have the documents together, could not be more than a ½ hour job and continued by saying that by doing those things in house they can go to someone like Mr. Syden and say that three steps are done and in turn ask for a break in focusing on the Town's need to get the annual and semi-annual reviews done so they are in compliance and the State is happy.

Councilman Boehm inquired as to if he should put it in the form of a motion for Laberge to do it.

Supervisor Hotaling inquired as to if there was any other discussion.

Councilman Touchette inquired as to if Laberge can get on it right away.

Supervisor Hotaling stated that they can and added that he had spoken with Mr. Syden earlier in the day.

Councilman Boehm stated that he would offer a motion.

MOTION

On motion of Councilman Boehm, seconded by Councilman Youmans, authoring Laberge Group to complete the SEQRA and NEPA portions of the Community Development Block Grant for a price not to exceed $4,000.00.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Supervisor Hotaling stated that it is stipulated that once it is in place they will continue to seek the best source of administration elsewhere with the remaining funds and added that he will notify Mr. Syden and report back to the Town Board as to the timeframe.

STAFFING PATTERN DIFFERENCES BETWEEN CLASS I AND CLASS II TOWNSHIPS

Supervisor Hotaling stated that the difference between Class I and Class II towns typically revolves around population and added that to the north the Town of Bethlehem is already a Class I town and have things in place such as Comptrollers and other processes for processing vouchers, which relieves the Town Clerk and Town Board of some responsibility. He continued by saying that Internal Control Officer has recently found a section of law that provides for towns the size of Coeymans to increase their level from Class I to Class II and added that he has discussed it with Internal Control Officer Purinton who in turn provided a flow chart. He went on by saying that his bottom line with Internal Control Officer Purinton was that he is not ready to make the leap to a Class I town and added that he thinks that they have the opportunity within the structure to do some things that would move them toward that and allow them to monitor the successes of the changes. He concluded by saying that whatever Board that follows will be able to make the decision to go to Class I.

Supervisor Hotaling asked that Internal Control Officer explain his flow chart.

Internal Control Officer Purinton stated that in a Class I town you can choose to have a Town Comptroller in addition to making the Comptroller the Accounting Officer and added as such the Accounting Officer position allows them to take the books and records from the Supervisor and perform those duties, which would mean that a bookkeeper would not be necessary. He continued by saying that with Class I and Class II you can have a Director of Purchasing and went on by saying that this person would make all

purchases for the town, which would centralize the control over authorization for purchases and added that the process is now decentralized.

Supervisor Hotaling stated that they all felt the brunt of that decentralized system in various ways and added that it could be a request for him to sign a purchase order that isn't supported by any documentation or any indication of phone quotes, written quotes, bidding process, or state contract consideration and in turn passed to the Town Board to sign off on. He added that this would be eliminated with a Director of Purchasing.

Internal Control Officer Purinton stated that you can have a Town Manager for either Class I or Class II and added that the Town Board would authorize the Town Manager to perform any administrative duties in lieu of the Supervisor at their discretion as well as designate a Town Engineer to oversee engineering projects. He continued by saying that he outlined how a purchasing, invoice processing and receiving system would work and went on to say that he was not going to go through it in detail. He added that everywhere there are parenthesis near a position it means that the position is optional like a Director of Purchasing and added that right now any Department Head could be put in that position. He went on by saying that if there is a Comptroller, which is optional, that person if they were an Accounting Officer would record those encumbrances and added that right now Town Law requires that you record encumbrances on an annual basis. He continued by saying that it would be beneficial to have a purchase order system to record them in real time so that the person who is actually making the requisition knows that there is sufficient budget money available at that moment when they are going to ask for the next purchase. He added that most of the computer systems that he has seen lately are modules where they deal with requisitioning, purchasing and receiving and continued by saying that some will actually require to issue a purchase order before you can pay an invoice. He went on by saying that with receiving it could be a difference between the purchasing of materials or services and added that if there is a central receiving option this is the option where all materials are received at one location or a couple of locations. He added that it would be important to bring in the concept of a receiving document, something that is numerically controlled so that they can measure all of their obligations and do a better job of processing the invoices, which can be done whether they go to Class I or not.

Supervisor Hotaling stated that in 2004 he started thinking about receiving slips and in turn called a former colleague from a prior job to find out about what the Sheriff's Department used for receiving slips. He added that it can be very adaptable to put in place here and continued by saying that it would give another document to show that someone ordered something, there was money to pay for it, the goods or services were received and someone signed for it, which would facilitate an easier result in an abstract. He concluded by saying that it would be a fairly simple thing to institute.

Internal Control Officer Purinton stated that he outlined the items that the Town Clerk is performing now and in turn the Town Board is suppose to receive the claims and audit them and then the Supervisor gets an abstract that orders him to make a payment on those claims that have been authorized by the Town Board. He added that with a Class I town the Comptroller can take charge of what the Town Clerk and Town Board are doing and everything including preparation of the abstract would then become the Comptroller's function. He went on by saying that he also gave them a copy of the Town Law for a Town Comptroller, Section 34, and added that the bottom line is that the Comptroller takes the place of the Town Clerk with respect to receiving the claims.

Councilman Boehm inquired as to if the Comptroller would be the Purchasing Officer.

Internal Control Officer Purinton stated that they would not be and added that the Director of Purchasing cannot be a Town Board Member or the Town Comptroller. He continued by saying that the Comptroller would take the place of the Town Clerk and receive all the claims, assign the claim number, receive the purchase order and match it, approve the claim and then prepare the abstract, which would mean that the Town Clerk would never see a claim. He added that a critical part is that the Town Board can require certification on the claim and went on by saying that Town Law Section 118 says that the Town Board may determine by resolution that a voucher be certified or verified and

continued by saying that they currently certify. He went on by saying that for verification they would have to add a step in between the Town Clerk and the Town Board receiving the batch of claims for verification and in turn that person would be able to match purchase order, receiving document invoice and vouchers and do some mathematical proof and then present them to the Town Board for review. He continued by saying that this would indicate that a verification procedure has been performed and in turn the Town Board would be able to make their approval and then the Town Clerk would be able to prepare the abstract based on those that are approved, which orders the Supervisor to pay.

Councilman Touchette stated that he was not clear on the difference between certified and verified.

Internal Control Officer Purinton stated that he understands that the vendor certifies the claim.

Councilman Touchette stated that verification would have to be Town staff.

Internal Control Officer stated that was correct and added that you can also request that a vendor give evidence to justify a claim. He added that if you go into other parts of the Town Law with respect to the audit of claims it states that the Town Board has certain authority in order to justify payment.

Supervisor Hotaling interjected that they have subpoena power.

Internal Control Officer Purinton stated that the verification process is a nice idea regardless of whether or not they go with a Comptroller and added that it would then take the burden off the public in knowing that the claims are being properly handled.

Supervisor Hotaling stated that it would be a learning process if they instituted a verification process and eventually department heads will get it on it and in turn it will tighten up the whole process starting from the department head's procurement of the good or service.

Internal Control Officer Purinton stated that it could be a long transition period depending on the participant's cooperation.

Councilman Touchette stated that currently they have the bookkeeper and Town Clerk doing this work and continued by asking if there are any other people involved.

Supervisor Hotaling stated that the Town Board signs the vouchers.

Internal Control Officer Purinton stated that the department heads are involved.

Councilman Touchette stated that doing it the other way there would be a Director of Purchasing and Comptroller and continued by asking if it would provide enough segregation of duties.

Supervisor Hotaling stated that it was subjective question and added that when Internal Control Officer Purinton propered the concept to him he said that he was not ready to take the Town Clerk and Town Board out of the equation. He added that it is important for each Town Board member to know what purchasing means and who is doing it for what reason and continued by saying that this is why he falls on the side of a modified Class I town without the designation. He went on by saying that they can go for verification and readjusting, redeploying and reassign tasks while keeping the Town Board and Town Clerk in the loop as well.

Internal Control Officer Purinton stated that it should reduce to some degree the Town Clerk's efforts because her process would become very mechanical in that it either is or isn't.

Supervisor Hotaling stated that at times she struggles with that process now in trying to get the verification done.

Internal Control Officer Purinton stated that she wouldn't have to do this now knowing that there is another process. He added that it does help them for the day in which they wish to convert to a computer because they will be positioned document wise to be able to address some of the demands that computers require as well as some of the benefits that they can provide such as real time knowledge of the available money in the budget. He added that this is a big critical issue that is missed a lot of times in local government.

Supervisor Hotaling stated that he would encourage not making any final decisions at this juncture and added that Councilman Touchette has a fervent interest as part of his liaison responsibilities and continued by saying that they can ask Internal Control Officer Purinton to take it to the next level in terms of demonstrating actually what would be in place and in turn put together a plan that they could walk through together and then bring back to their colleagues their conclusion.

Councilman Boehm stated that if they did implement it they would have to hire a Director of Purchasing and Comptroller.

Supervisor Hotaling stated that he is not advocating that and added that he is advocating keeping the Town Board and Town Clerk involved in the process and continued by saying that it would require a redeployment and retasking to the bookkeeper from a bookkeeper to a verification process. He went on by saying that the actual bookkeeping pencil to paper issue would some how shift to Auditor Sarah Morrison, who is now serving as the checks and balances for bookkeeping and added that based upon discussion about Bookkeeper Chmielewski's shortcomings in terms of bookkeeping and being overwhelmed in trying to learn it and with Auditor Morrison actually doing the bookkeeping in terms of checks and balances, they could embrace that and have Auditor Morrison perform the bookkeeping entries and use Bookkeeper Chmielewski in the verification process. He continued by saying that she would still perform some bookkeeping in terms of writing checks and closing out the abstract. He concluded by saying that this would close the loop on the department head's inadequacies in the purchase process, which would make their jobs easier and credible in signing their names on a voucher knowing that it has been verified for payment and added that his thought is that one way to do it is to pilot it.

Internal Control Officer Purinton interjected that they are not implicating more people at this point.

Supervisor Hotaling stated that at some point down the road someone might suggest that they be a Class I town and continued by saying that they can move toward that in a productive way that would be beneficial to the Town Board as well as all of the employees without making the designation of Class I.

Internal Control Officer Purinton interjected that they would not have to hire more people. He continued by saying that he also suggested that he come up with a plan to move them from where they are now to where they want to be and added that he would rework the flow chart.

Supervisor Hotaling stated that the second draft would include the decisions that they have concluded.

Internal Control Officer stated that the biggest option is to have verification and a real accounts payable process and added that they can decide whether they wish to authorize it regardless of its completeness.

Supervisor Hotaling asked Councilman Touchette if he wanted to engage with Internal Control Officer Purinton in the process.

Councilman Touchette stated that he would.

Supervisor Hotaling stated that he believes that it makes sense to take it to the next level and added that they would not be making a decision to move anything. He continued by saying that the next step might be to authorize the new plan in a pilot kind of way to see

if it works as well as being able to see a benefit initially from the procurement end of it. He went on by saying that at the last Town Board meeting Highway Superintendent Deering talked about the way he has been use to doing things and added that they need to get everyone on the same page in terms of purchasing. He concluded by saying that this is the way to do it without making dramatic changes and added that Internal Control Officer Purinton had indicated that a prior Town Board had tried to do this in the 70's and it was voted down and in turn operated under the statute that exists today by resolution to authorize moving from Class II to Class I and it was voted down.

Internal Control Officer Purinton interjected that it was because the Justices did not want to be on the Town Board.

Supervisor Hotaling stated that at that time there were three Town Board members as well as the justices and added that this is what the statute provided for Class II towns. He continued by saying that there was an intervening statute that allowed justices to be removed from the Town Board and be replaced by two more Councilmen.

Town Clerk interjected that they found this information on the General Code minute discs.

Supervisor Hotaling stated that in reading old minutes you will see Justice Jones and Justice Albano sitting on the Town Board making decisions along with the Council.

Councilman Youmans stated that before they implement anything he would like to see the plan on paper so he can understand it a little bit better.

Internal Control Officer stated that there will be an outcome as well as where they want to take it from where they are now.

Supervisor Hotaling stated that before they suggest that they entertain a pilot project, once the streamline procedure is in place and before they put it on the agenda they will distribute it to Board members for their consumption.

Chief Darlington inquired as to if it would be possible to have department head input as well and added that his operation is different in that his department runs 24 hours a day. He continued by saying that he does not know the procedure as far as where they are going with it and went on by saying that this concerns him.

Supervisor Hotaling stated that it would not preclude from middle of the night emergency purchases that he already has the authority to do any way. He added that as it progresses he will get to a certain point of verification that if in an emergency he fails to document anything up to that point he would be asked about it before it were to be moved to the next step and be paid. He reiterated that it will be an educational tool rather than a critical tool to get everyone to do it the same way.

Chief Darlington stated that he wholeheartedly look forward to it and added that vouchers are one of the biggest nightmares that they have.

Supervisor Hotaling interjected that it is also the biggest thing that taxpayers can point to and ask what is happening to tax dollars and added that this is why it has to be a spot on process.

Internal Control Officer Purinton stated that at this point only a Director of Purchasing would take Chief Darlington out of the loop and added that at this point he is a department head that has authority to purchase. He continued by saying that the question becomes what dollar threshold they set for a purchase order.

Supervisor Hotaling stated that they do have a purchase order threshold and added that they are also required to review the Procurement Policy on an annual basis, which they have not done and added that he does not recall any Town Board in the past doing it on an annual basis. He concluded by saying that they do have a Procurement Policy and

everyone is aware of it and added that they may be making some changes to it because it does need to be looked at.

Supervisor Hotaling asked if there were any other comments, hearing none he asked for a motion to adjourn to Executive Session, which is a request on his part to bring the Town Board up to speed on the employment history of a former employee and the current status of that employee as well a current employee based upon some information that he received.

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ADJOURNMENT TO EXECUTIVE SESSION

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Boehm, the Town Board Meeting was adjourned to Executive Session.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Supervisor Hotaling stated that the Town Board will be returning to reconvene for the purpose of ending the regular meeting. He continued by saying that he does not see any reason for Town Clerk Millious to stay and record that and added that if the Town Board wishes he will record motions, seconds and votes and provide it to Town Clerk Millious the following morning.

Collectively the Town Board agreed.

Time 7:02pm

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EXECUTIVE SESSION

Supervisor Hotaling called Executive Session to order at 7:10pm, discussion ensued regarding two personnel matters all Town Board members were present as well as Chief Darlington.

The Town Board discussed options and determined that the decision on appeal of March 17, 2008 termination of Marvin Powell to be completed and provided to same.

The Town Board discussed options to be discussed with Attorney for the Town Wukitsch in the matter of David Mergendahl.

Supervisor Hotaling asked for a motion to adjourn Executive Session.

MOTION

On motion of Councilman Touchette, seconded by Councilman Boehm, Executive Session was adjourned.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time 7:51pm

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RECONVENE MEETING TO FORMALLY ADJOURN

Supervisor Hotaling called the meeting back to order at 7:55pm and asked for a motion to formally adjourn.

MOTION

On motion of Councilman Youmans, seconded by Councilwoman Rogers, the Town Board Meeting was adjourned.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time 7:58pm

Respectfully Submitted, **APPROVED:**

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Diane L. Millious, Town Clerk

A Town Board Meeting was held Monday, May 27, 2008 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
Albert Deering, Highway Superintendent
Greg Darlington, Chief of Police
David Wukitsch, Attorney for the Town

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

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AGENDA

- Public Announcements
- Public Comment
- Approval of Minutes
  - Public Hearing, April 28, 2008
  - Town Board Meeting, April 28, 2008
- Supervisor's Report – April 2008
- Department Monthly Reports
  - Building Department, April 2008
  - Sewer Department, April 2008
  - Town Clerk, April 2008
- Old Business
  - Letter of Support for Empire Zone Status
  - Community Development Block Grant Agreement
  - Mosher Park Pool Passes
  - Agreement on Highway Expenditure Modification
  - Highway Superintendent Request, Biers Road
- New Business
  - Merger of Town Properties
  - Contract Authorization
  - Authorization to Sign Waste Management Contract for Beautification Department
  - Establish Public Hearing Date, Agency Plan for 2008 Section 8 Housing Choice Voucher Program
  - Request to Attend NYS Association of Chiefs of Police Conference
  - Alcove Reservoir
  - NY Capital Region Bicycle Road Race
  - Food for Thought Program
  - Evening on the Green Band Schedule
  - Village/Town Recreation Program Staff
  - Communication Improvements
- Resolutions
  - Establish Pool Pass Reimbursement Policy/Fund
  - Appoint Full-Time Court Clerk
  - Appoint Seasonal Laborer
  - Appoint Building Department Clerk
  - Appoint Part-Time Carpenter
  - Training Certification for Planning Board
  - Approval of Abstract, May 2008
- Correspondence
  - Highway Department

- Historic Coeymans Landing Neighborhood Association
- Town Board Workshops/Meetings
  - Town Board Workshop, June 17, 2008, 6:00pm
  - Town Board Meeting, June 23, 2008, 7:00pm

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OPENING COMMENTS

Supervisor Hotaling stated that the record should reflect that there is a full Town Board present in addition to Town Clerk Millious, Attorney for the Town Wukitsch, Chief of Police Darlington and Highway Superintendent Deering. He continued by saying that there are other staff members present who will be making New Business presentations and went on by saying that with the Town Board's permission he will move them to the beginning of the meeting because they have other commitments that they need to address.

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NEW BUSINESS

Food for Thought

Supervisor Hotaling stated that Danyell Crowley is the Town's Youth Services Coordinator and has been for a number of years and added that she has put together the Food for Thought Program each year. He continued by saying that she was present to discuss the 2008 Program and then asked that she go to the microphone.

Ms. Danyell Crowley stated that the Food for Thought Program is a free Program run by the Town of Coeymans and continued by saying that the only change this year is the dates. She went on by saying that the Program will run from July 14th through August 15th, which is a week later than when they normally start due to the 4th of July Holiday and swimming lessons. She added that the program is offered to children ages 5-11 who live within the Town of Coeymans and went on by saying that children between the ages of 12-14 can volunteer but must fill out an application. She continued by saying that the hours are 9:30-12:30 Monday through Friday and they have been approved by the R-C-S School District to use the Pieter B. Coeymans elementary school and added that she along with Principal Smith are working out space arrangements, which will most likely be the space they used last year. She went on by saying that busing will be from centralized locations and will hopefully be on the website and added that there are approximately 12 stops between the Village and Coeymans Hollow. She continued by saying that the Program holds an unlimited number of children with generally 80-85 a day and added that they serve between 125-150 children each year. She concluded by saying that registration forms will be available and can be obtained through her, the Pieter B. Coeymans Office, R-C-S Community Library and Town Hall and ask that they be brought back to her or Town Hall in addition to employee applications being available at Town Hall.

Supervisor Hotaling inquired as to how many openings there will be.

Ms. Crowley stated that she is always on site with one assistant as well as 8 staff members, 4 volunteers and 3-4 staff from the C.H.O.I.C.E.S. Program.

Supervisor Hotaling stated that being able to take an unlimited amount is different from a couple of years ago when she was trying to identify which weeks the attendance was going to be high or low.

Ms. Crowley stated that it is and is because of the staffing and amount of space that they have and added that they are able to split into groups of approximately 20. She continued by saying that there is a registration deadline date of June 30th, which will give them enough time to change the bus route if necessary as well as set-up the groups.

Supervisor Hotaling stated that her fact sheet also contained what the program offers and continued by reading the following:

"The program offers activities that require children participation, socialization, sharing and interacting. This includes but is not limited to arts and crafts, playground time, basic outdoor activities, reading program, games, puzzles and blocks. The R-C-S Community Library visits the program three days a week and provides stories, activities and book borrowing. This allows children who may not participate in summer reading to do so and allows children who cannot visit the library a chance for the library to come to them."

Ms. Crowley stated that the programs gives kids who will be starting kindergarten an opportunity to interact with those that they are going to go to school with and introduces a structured setting, which keeps them busy.

Supervisor Hotaling thanked Ms. Crowley and asked if there were any questions or comments from the Town Board. He then asked that Ms. Crowley give a copy of the fact sheet to Mr. Tucker for an article in the News Herald.

Alcove Reservoir

Supervisor Hotaling stated that Mr. Bill Bruno, Emergency Management Coordinator was present to respond to a letter that they were copy recipients, which was sent to Commissioner Robert Cross at the Albany Water Department from Scott Braymer, Dam Safety Section Environmental Engineer with DEC. He continued by saying that the letter talks about visual inspections that took place during the end of April on a couple of dams, the Alcove Dam in the Town of Coeymans and the Basic Creek Dam in the Town of Westerlo. He added that the visual observations required the letter to include some of the safety regulations that seem to be either not in place or shored up and then asked that Mr. Bruno briefly discuss the letter.

Mr. Bruno stated that his greatest concern regarding the matter is that several years ago he along with then Chief Brian Powell of the Coeymans Hollow Fire Department, met with the City of Albany regarding the Alcove Dam and an Emergency Action Plan and added that they did have a document, which they looked at. He continued by saying that they were assured that they could have a copy of the document but they never got it and went on by saying that the letter indicates that the City of Albany was not able to provide the inspector the plan. He added that with now having the letter he would like to move forward with getting the plan because the Hamlet of Coeymans Hollow is in jeopardy if the dam bursts as well as the Highway Department and Fire Department being in harms way. He continued by saying that it will give them a guide because they will be the first responders on the scene and will be a key player throughout the event if it should happen. He concluded by saying that the letter states that the dam is in good condition and added that he does not want to scare anyone but they should have a plan so they can be ready if something were to go wrong.

Supervisor Hotaling stated that Gilboa Dam issue and other dams in the news probably prompted this and added that Mr. Bruno's effort to get the Emergency Action Plan will be helpful to him and his emergency responder colleagues.

Mr. Bruno stated that as soon as he obtains a copy he will put it on file with the Town Clerk.

Supervisor Hotaling asked that when he obtains information he report it back to the Board and in turn they will give him an opportunity to speak again at a meeting. He continued by thanking Mr. Bruno and added that he was returning to the regular agenda for the meeting and moved to the next item on the agenda.

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PUBLIC COMMENT

Supervisor Hotaling invited the public to comment at this time and asked that those wishing to should go to the microphone and identify themselves as well as stating where the live.

Mr. James Donovan stated that he lives at 274 Tracey Road in Coeymans Hollow and continued by saying that he is present to speak to the Town Board about possibly letting all of the Town residents use the Mosher Park pool. He added that he had previously sent to each Council Member an e-mail requesting that they reconsider and allow all of the Town of Coeymans residents to use the pool like they have since he moved to the Town of Coeymans 20 years ago. He went on by saying that it is a beautiful facility where he along with his son, who has cerebral palsy, swim and added that his sons doctors like for him to get in the water for his disability and continued by saying that it is one sport that he has been able to excel at. He concluded by reiterating that he is asking that they reconsider and added that his close friend from the pool, Jimmy Persico was going to join him and request that the Town Board reconsider and let all Town of Coeymans' residents use the pool but he passed away on Memorial Day.

Supervisor Hotaling stated that the pool is on the agenda later in the meeting under Old Business to talk about what actions they had taken in terms of communication with the Village. He added that they could now discuss the topic and asked for comments from the Town Board.

Mr. Donovan interjected that he enjoyed the pool so much that he wrote a letter to the News Herald thanking the Town and Village for making it possible to have such a nice facility, which he calls the jewel of Ravena. He reiterated that he hopes that they will reconsider allowing them to use the pool for the summer.

Supervisor Hotaling stated that he could reserve the right to make comments in response to their comments. He added that he put it on the agenda because it was a topic of discussion at the Village Board Meeting last week and continued by saying that the Mayor took an opportunity to read portions of the letter that the Town Board had authorized him to write on the matter. He went on by saying that it goes back to their budget season last year that commenced in September and added that they have always tried to analyze programs that make sense and are effective spending of tax dollars. He continued by saying that with concern about how tax dollars are spent they decided to ratchet it down based on data for the past three years of the program and added that when he came into office in 2004, Town residents were not allowed to use the pool based upon some discussions that the Village and Town may or may not have had. He went on by saying that at that time the Town Board did negotiate a payment for the ability to go back into the Village pool as a means to offset the cost of running the pool. He continued by saying that in 2004 they agreed to collect some data to determine the actual percentage of use of Town residents to Village residents and added that they have had a program to provide an opportunity to get a permit and daily tickets for a means to offset some of the revenue as well as give the Village an opportunity to collect data as to the number of people coming from the Town. He went on by saying that their analysis of that during the budget season resulted in 47 permits being issued for 2007, which was down from previous years of 64 and 65 respectively for the three years that the program was in place and the cost to Town taxpayers was just under $8,000.00 for 47 families to use the pool which was based on a 15% share, which was the negotiated agreement that they arrived at in 2004. He continued by saying that it did not appear to him as Budget Officer, and by extension during the process to the Board, that this was a prudent expenditure given the fact that it appeared to be a service that was provided to a small number of people and affecting in a fairly substantial way $8,000.00 to provide the service and as a result was not included in the budget in 2008. He concluded by saying that the Village has every opportunity to create a program but instead chose to never charge anyone a fee for using the pool and in turn it would be up to the Town to create a program to allow Town residents to do so, which is not a prudent expenditure of tax dollars and in turn the Town Board asked that he communicate it to the Village, which he did and continued by saying that he wanted to read the portion from the letter that was not read at the Village Meeting last week. He continued by reading the following:

"However, as has been previously stated in my response to Ms. Deyo's email a few weeks ago, some charge by the Village of Ravena for other than village residents would be worthy of consideration. While the Village of Ravena has been opposed to any charge for any user in the past, the Town Board has asked that I include some examples of other municipal pool charges, for both residents and non-resident seasonal and day pass use of their respective facilities. Given the pressure on municipalities to be taxpayer watchdogs, it would appear that the concept of "those who use the service pay for the service" might well be placed for the pool complex. The Village of Ravena has a great resource for those who choose to utilize the pool and it is understandable that the revenue required to maintain it be generated, to some degree, from those who benefit. This concept would help to insure the availability of the service for years to come while limiting the direct impact on the general Village of Ravena taxpayer. Included herein you will find a few examples of pool charges from neighboring towns/villages for your information."

Supervisor Hotaling added that he included the Towns of Bethlehem, Guilderland and Colonie and continued by saying in every instance not only do they charge for out of village or town users, they also charge a fee to taxpayers within the community because they view it as a resource that really should be borne by those who benefit from the resource. He continued by saying that this is what they were suggesting that the Village adopt and added that it was disappointing for them to say that they are never going to charge for the pool in addition to saying that if the Town wants to do something they have to come to them with a program and money that would allow them to have their residents use the facility. He then asked if there were any additional comments and reiterated that it is the Village's pool and he does not see it as the Town's responsibility to create a program that would allow going into their pool and added that they should create their own program that would permit everyone to use the pool. He concluded by saying that it is understandable that either group, whether Town or Village, would be responsible for some payment to enjoy the resource and added that he believes that because the letter was a Town Board authorized letter, this is the Town Board's position as well.

Councilman Youmans stated that he does have some thoughts and added that he was not part of the Town Board when the decision was made. He continued by saying that after reviewing the data and the numbers, he is willing to defend the decision because there were only 47 families using the pool. He added that he believes that it was the right decision but he has been wrong before and went on by saying that he has only heard from two taxpayers that have an opinion about it. He continued by asking that anyone with an opinion, whether for it or opposed to it, to email the Town Board by following the links from the Town's website. He concluded by saying that he agrees that it is the Village's pool and if they want to allow anyone other than village residents to use it, it would be up to them to develop a fee schedule to do that and added that he does not believe that it is a function of the Town government to do.

Councilman Boehm stated that he does not believe that they made an unreasonable request in the letter to the Village and added that he saw the Village Meeting where they reacted to it, which was a lot of drama over nothing, He added that it was simply an opportunity for them to generate some revenue from people outside the Village and went on by saying that in reality they do charge the taxpayers of the Town for use of the pool in maintenance on the entire pool, which is not cost effective. He added that there also is a community pool at the school and for a small fee you can use it. He concluded by saying that there were a declining number of families using the Village pool and continued by saying that it didn't make sense for the number of people that derive the benefit.

Supervisor Hotaling asked if there were any additional comments.

Councilwoman Rogers stated that she agrees and added that the number of users is low and added that it is a lot of taxpayer dollars for those few that use the pool. She continued by saying that as Councilman Boehm had said there is a community pool now.

Mr. Donovan stated that Councilman Youmans had said that 47 families used the pool last year and added that there is a big difference between last year and this year in the

price of gas and continued by saying that more people will use the pool because they are not going to be able to afford the gas to travel. He went on by saying that the Village of Ravena would like for the Town of Coeymans to set up a fee policy and added that he would not mind paying to use the facility and would like to have a season pass, which he had previously discussed with Supervisor Hotaling. He concluded by saying that he understands that it is a tight budget and reiterated that in comparing the price of gas this year to the price last year, people are not going to travel and continued by saying that they might find that more town residents are using the facility and enjoying it like he does.

Councilman Boehm stated that by the same token they also have the increase in the price of gas for the police cars and highway vehicles.

Mr. Donovan stated that they had mentioned the pool at the school and continued by asking who would want to swim inside in the summer and added that you would want to be outside enjoying the sun and fresh air rather than being in a chlorinated room. He reiterated that he hopes that they will reconsider and find the money and added that they could collect the data for one year to see if it does change because people will be staying around town and not traveling.

Supervisor Hotaling thanked Mr. Donovan and continued by asking if there were any additional comments.

Councilman Youmans stated that Mr. Donovan made some good points and continued by saying that he would like to hear from more people. He continued by saying that as a Town Board they try to make decisions based on what they think the vast majority of the people would like them to do. He went on by saying that their e-mail addresses are very easy to get to and reiterated that he would like to hear from more people.

Supervisor Hotaling interjected that he would like to get comments as to the thought about where the program should emanate from and continued by saying that it seems to him that the Village of Ravena has every opportunity to permit either by a charge or whatever rules they want to promulgate. He continued by saying that if it is about sharing the cost of operation it would seem to him that the permit for out of Village residence would include a rate that would approach a percentage of the people using the pool as compared to Village residents. He added that it is not unheard of where people are all residents, Village and Town or all Town residents in the town pool, regardless of paying taxes to support that and other programs within the town but also be required to buy a season pass. He concluded by saying that he hopes that the Village or Ravena would take under advisement some of the suggestions and examples that they demonstrated that would permit them to come up with a feasible and reasonable plan to allow whomever to use the facility and if they are truthful in saying that they want anyone to come into the pool and in turn create a program to that would allow anyone to do so.

Mr. Donovan stated that it is his understanding that the Town Board does not want to set up a plan to let Town residents in but rather the Village of Ravena should come up with a plan.

Supervisor Hotaling stated that the budget does not provide it because the data did not show that the $8,000.00 was supported by the number of Town residents using the pool and added that an alternative and a preferred alternative would be for the people who own the resource to come up with a program.

Mr. Donovan inquired as to if the Town would support it if the Village came up with a program.

Supervisor Hotaling stated that they would not have to approach him because if they come up with a program, those wanting to avail themselves to the program would go to the Village to pay.

Mr. Donovan inquired as to what suggestions the Town Board might have for him to approach the Village to ask them to do this and whether or not he can because he lives in Coeymans Hollow.

Supervisor Hotaling stated that Ms. Deyo had e-mailed him as well as the Mayor and added that he responded to both and suggested a version of what he had told Mr. Donovan as far back as two months ago. He continued by saying that Ms. Deyo lives on Gedney Hill Road and added that she was concerned that it was outside the budget and wanted to know what could be done. He went on by saying that he is not sure if she followed up with it and added that the Village Board encouraged everyone to come to the Town to make their complaints.

Mr. Donovan stated that Councilman Youmans had answered his e-mail and told him to come to the Town Board and added that this is why he is present and continued by saying that he wishes that there were more present.

Supervisor Hotaling reiterated that from his perspective it is a Village resource and this is the place that people should go to say that they want to use the resource and then in turn come up with a program to permit them to do so. He added that it is his belief that it is the Village's opportunity to create a revenue source that will significantly offset their cost of operation of the pool, which was a total cost of $52,000 with 15% being paid for by the Town.

Mr. Donovan stated that he understands and continued by asking if there is anyone that can help him approach the Village to ask them to do this.

Supervisor Hotaling interjected that they just did help him and added that he believes that someone from the Village is watching the meeting.

Mr. Donovan stated that he wanted to know the proper approach.

Supervisor Hotaling stated that the Village has a similar situation and have two meetings a month, which are on Tuesday evenings and added that they also have a public comment period, which would be his opportunity to do so.

Town Clerk Millious interjected that a schedule of the Village meetings is on the Town's bulletin board.

Supervisor Hotaling stated that if he needs more information he can stop in at Town Hall.

Mr. Donovan stated that it seems like the pool has always been a political football between the Town and Village and in talking to other residents they don't understand why they butt heads over the pool.

Supervisor Hotaling interjected that he doesn't understand either and reiterated that it is their resource and in turn their program to create. He added that it has been a political football because they have seized the opportunity to make the Town the bad guy and continued by saying that over the years the Town has paid $27,000.00 for residents outside of the Village to use the pool out of a total cost of $54,000.00. He went on by saying that they have made great strides in reducing it back to where they are and continued by saying that according to them it does not appear to be cost effective at this point. He concluded by saying that it boils down to the f act that it is their resource and they can create a program tomorrow if they wish and added that Town government does not have a horse in that race but Town residents do because they will have choices to make as to whether or not they want to assume a season pass rate to take advantage of that resource.

Mr. Donovan inquired as to if the Village would have to bring it up for a vote and added that summer is going to be upon us in a few weeks.

Supervisor Hotaling stated that it would be a vote of their government and added that he does not believe that it would be a referendum vote.

Councilman Boehm interjected that this is why they addressed it as soon as they did so decisions could be made and added that the Village may see the wisdom in considering a reasonable cost to use the pool.

Mr. Donovan stated that he is now clear on the situation and added that he didn't know it was the Town's opinion on the pool. He continued by saying that he understands it more for when someone asks him about it and went on by saying that he believes that people will look at it from a different light as to how the Town stands with it.

Supervisor Hotaling interjected that he does not want to convince him one way or the other and added that this is the reality of how they see it and continued by saying that they may be off base as to what the public wants them to do. He went on by saying that the facts as they see them are simply stated in that it is a resource that belongs to them and they have every opportunity to create the program to allow whomever they want in.

Councilman Youmans stated that he would add to that by saying that the previous Town Board could not see taxing everyone for the benefit of relatively few and added that it hurts Mr. Donovan because he was one of the few that enjoyed the pool. He concluded by saying that they didn't feel that there was a benefit being derived that was commensurate with the cost.

Mr. Donovan inquired as to the amount each taxpayer would pay for the pool.

Supervisor Hotaling stated that in looking at the over all scheme of things it would be viewed as a drop in the bucket and added that it was more than just the number, it was the practice in this environment in government where you have to make choices about how you spend overall tax dollars. He continued by saying that their belief has been demonstrated in the last couple of budgets and it is that they try to operate under the benefit derived theory and if there are only a few people that are deriving a benefit then there has to be some kind of user fee/pass. He added that this atmosphere in government should be one that all governments embrace and added that apparently the Village does not see the wisdom in doing that because they have arbitrarily stated that they will never charge for the pool. He concluded by saying that the Village taxpayers, which he is one of, share the cost of the Village pool complex and added that he is fortunate enough to have an above ground pool in his backyard for himself, his children and children's children and he does not use the Village pool but apparently the cost of $50,000.00 is being borne by him proportionately and added that the cost of operating the pool could be significantly off set and borne for those that choose to access that resource.

Mr. Donovan inquired as to if there has been an outcry by Village residents that they are paying for Town residents to use the pool.

Supervisor Hotaling stated that he has never heard of any Village resident saying anything about it.

Mr. Donovan inquired as to if there is any dissention with Village residents saying that they don't want Town residents to use the pool.

Supervisor Hotaling stated that he is not aware of any.

Mr. Donovan stated that if Mr. Tucker were to include in his article about the Mosher Park pool that if people were to address the Village of Ravena and ask them, they might reconsider if there is an outcry.

Supervisor Hotaling stated that Mr. Tucker does not miss any opportunity to drive a nail between the Town and Village and added that he will probably take this opportunity as well.

Mr. Donovan stated that he wants to bring it to peoples attention and not only say that he is the only person that is fighting for the pool and reiterated that with the economic situation as it is today, more people might use it.

Supervisor Hotaling interjected that he has a valid point and added that they hear everyday that people won't be going as far as the use to. He continued by saying that as Councilman Youmans had said, they would like to have other input and added that budgets are their best estimate of what they are going to expect and went on by saying that clearly during the course of a season adjustments, amendments, additions, deletions and transfer of funds take place. He concluded by saying that just because they took action in last year's budget to eliminate it based upon what they believe are the proper facts, if there was a public outcry that says different, they can change it and added that they could also be told that they made the right choice and they should keep watch dogging taxpayer dollars to make sure that they are spending on those things that are necessary and for the public benefit of all.

Supervisor Hotaling asked if anyone else wished to make public comment.

Mr. George Babcock, Commander of the R-C-S American Legion Post 114 stated that they have put flags up in all of the cemeteries, re-roped some of them and wants to donate 4 flags to the Town to fly over the Town buildings.

Supervisor Hotaling thanked Commander Babcock and continued by saying that they do a great job at the cemeteries and it is a fitting tribute to those who have given the ultimate sacrifice.

Supervisor Hotaling asked if there were any additional comments, hearing none he continued to the next item on the agenda.

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APPROVAL OF MINUTES

Supervisor Hotaling stated that there were two sets of minutes previously tabled for Town Board approval and continued by asking for a motion to approve them.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Boehm, the Town Board Minutes for a Public Hearing on April 28th and a Town Board Meeting on April 28th were accepted as presented.
VOTE – AYES 5 – NAYS 0 – SO MOVED

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SUPERVISOR'S REPORT

May 2008

FUND	BAL. FWD.	RECEIPTS	DISBURSE.	BALANCE
GENERAL	$1,058,152.31	$1,211,617.67	$ 945,276.10	$1,324,493.88
PART-TOWN	$ 366,012.41	$ 52,237.02	$ 99,132.89	$ 319,116.54
SPEC. WATER	$ 48,649.39	$ 37,434.17	-0-	$ 86,083.56
HIGHWAY	$ 100,777.53	$ 68,138.51	$ 88,752.94	$ 80,163.10
BRIDGE CONST.	$ 35,328.30	$ 27.77	-0-	$ 35,356.07
TRUST & AGCY.	$ 4,566.66	$ 193,051.32	$ 189,727.08	$ 7,890.90
SEWER	$ 208,168.04	$ 19,021.94	$ 23,708.12	$ 203,481.86

SEW. CAP. PROJ.	**$ 115,353.91**	**$ 47.42**	**$ 3,326.00**	**$ 112,075.33**
			TOT. REC. BAL.	**$2,168,661.24**

CERTIFICATES OF DEPOSITS **MATURITY DATE**

National Bank of Coxsackie	Part-Town	60-days	$500,000.00	05-23-08
National Bank of Coxsackie	A-Fund	60-days	$400,000.00	05-23-08
National Bank of Coxsackie	Highway –DA	90-days	$250,000.00	07-22-08
National Bank of Coxsackie	A-Fund	90-days	$115,000.00	05-27-08

SECTION 8 – HUD

Occupied Units	74
HUD Payments	$31,234.00
Admin. Fee	$ 81.78
Total HUD Pmt.	$31,315.78
Tenant Rent	$13,639.00
Contract Rent	$44,954.78
Section 8 Ck.	$68,509.75
Section 8 Sav.	$ 3,677.77
Total	$72,187.52

SAVINGS ACCOUNTS

Police Forfeitures/Ck.	$ 72.66
Police Forfeitures	$31,234.00
Unemployment	$ 3,160.28
Grove Cemetery/ Sav.	$40,213.35
Grove Cemetery/Ck.	$ 7,125.04
Sewer Dedicated	$ 6,219.89
Total	$59,071.78

COLLATERAL COVERAGE	**FDIC COVERAGE**	**COLLATERALIZED**
National Bank of Coxsackie	$100,000.00	$2,327,437.44
Citizens Bank	$100,000.00	$ 80,117.12
First Niagara	$100,000.00	$ 153,830.85

Supervisor Hotaling asked for a motion to approve the report.

MOTION

On motion of Councilman Boehm, seconded by Councilman Touchette, the Supervisor's Report was accepted as presented.
VOTE – AYES 5 – NAYS 0 – SO MOVED

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DEPARTMENT MONTHLY REPORTS

Building Department – April 2008

Supervisor Hotaling asked that Councilman Touchette give the Building Department Monthly Report.

Councilman Touchette continued by giving the report.

Supervisor Hotaling asked for a motion to approve the report.

MOTION

On motion of Supervisor Hotaling, seconded by Councilman Youmans, the Building Department Report was accepted as presented.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Sewer Department – April 2008

Supervisor Hotaling asked that Councilman Youmans give the Sewer Department Monthly Report.

Councilman Youmans continued by giving the report.

Supervisor Hotaling asked for a motion to approve the report.

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, the Sewer Department Report was accepted as presented.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Town Clerk – April 2008

Supervisor Hotaling asked that Town Clerk Millious give her Monthly Report.

Town Clerk Millious continued by giving her report.

Supervisor Hotaling asked for a motion to approve the report.

MOTION

On motion of Councilwoman Rogers, seconded by Supervisor Hotaling, the Town Clerk Report was accepted as presented.
VOTE – AYES 5 – NAYS 0 – SO MOVED

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OLD BUSINESS

Letter of Support Request for Empire Zone Status

Supervisor Hotaling stated that they had discussed previously the request made by Carver Laraway to have a support letter written in support of his application for Empire Zone Status and added that the Town Board was interested in learning more about it and what it means for businesses like Mr. Laraway's. He continued by saying that they received a letter from Mr. Tom Leitz, Senior Economic Development Planner and the Empire Zone Coordinator for Albany County and continued by saying that originally he had received a phone call and in turn asked him to send a letter. He added that Mr. Leitz had stated that their administration of the 5-6 Empire Zones in Albany County far exceeded expectations and went on to say that he was willing to come down and talk to the Town Board about the support letter that Mr. Laraway was requesting and in turn he asked the Mr. Leitz put it in writing. He continued by saying that he does not know if the Town Board has had the opportunity to review it all and continued by saying that he had and the only thing that comes to mind, which might not be reflected, is that Powell & Minnock projects to create 50 jobs over five-years and they are not in addition to the 63 jobs that were intended to be created by the Small Cities Grant, 50 of which will be credible toward the Empire Zone Status. He concluded by saying that this is as much as he can tell them about it and continued by asking that the Town Board discuss it and determine whether or not they should send a support letter on behalf of Mr. Laraway.

Councilman Boehm stated that they should and added that he was in favor of it last time. He continued by saying that the job creation that they have at the Port is significant for the community and went on by saying that they need to do everything possible to support it. He concluded by saying that he would recommend that the Town Board generate a letter of support to create an Empire Zone at Powell & Minnock.

Supervisor Hotaling stated that it was not a motion and should not be treated as such and continued by asking if there were any other comments.

Councilman Touchette stated that he understands that the property tax refund and other credits do not affect the Town and continued by saying that he does not see that there is any risk to the Town or any adverse impact. He went on by saying that he also understands that the Town would not have any obligation or responsibility to administer any of the program. He concluded by saying that he would recommend a support letter.

Councilman Youmans stated that he would question the rest of the Town Board as to whether anyone sees a downside.
Collectively they said that they didn't.

Supervisor Hotaling stated that he believes that it is an excellent program and continued by saying that over the life of Empire Zones in general there have been many problems about the failure of the state and or county and or the person receiving the status to meet the threshold of what it was designed to do and added that to some extent it has been a detriment because the jobs have not been created. He continued by saying that he is comfortable with Mr. Leitz's assertions made to them through his letter and went on by saying that he agrees that a support letter should go in the hope that it will be administered as Mr. Leitz said it will be. He added that as Councilman Touchette had pointed out, the property tax refunds does not impact local property tax receipts and they will get a refund on those property taxes as well as a sales exemption on all taxable purchases but not Albany County 4% sales tax and a complete sales tax refund of 8% on sales tax on building materials for construction and renovation of the property. He concluded by saying that there are benefits that Mr. Laraway accrues and continued by saying that if the jobs are created in conjunction with Small Cities the average wage of $43, 332.00 will be the impetus that the Hamlet of Coeymans needs.

Councilman Boehm stated that there is meeting scheduled for the loan agreement and continued by asking if they should hold off based on the Small Cities loan negotiation.

Supervisor Hotaling stated that they are mutually exclusive and added that he believes that they can safely go ahead with the support letter.

Tape change – some dialect lost.

Councilman Youmans stated that the letter states that the process is anticipated to take 6-8 months.

Supervisor Hotaling stated that the process is the pre-application that has to be approved by the New York State Development Corp. followed by adoption of a Local Law by Albany County officially designating that particular site as an Empire Zone and then approval of a second more complex application by both Albany County and Empire State Development Corp. He then asked if there was a motion authorizing him to draft a letter of support on Mr. Laraway's behalf on Empire Zone status.

MOTION

On motion of Councilman Boehm, seconded by Councilman Youmans, authorizing Supervisor Hotaling to draft a letter to be signed by all Town Board members in support of the Empire Zone at P&M Brick.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Supervisor Hotaling stated that he would draft a letter for their review and signature within the next few days.

Community Development Block Grant Agreement

Supervisor Hotaling stated that the last Community Development Block Grant Agreement had run its course with a 45 day timeframe and added that he was unable to sign it and continued by saying that he now has a new one. He went on by saying that he would ask the Town Board to consider at best tentative authorization for him to sign the contract for the Small Cities loan and in turn have the tentative authorization confirmed after the May 30th Meeting at P&M where they will have representatives from P&M, the

Town of Coeymans as well as the attorneys involved and representatives from Small Cities. He concluded by saying that if anything were to go awry it will happen there and added that he would prefer signing it after that.

Councilman Boehm interjected that in some of the meetings that they have had with Small Cities and other individuals there have been contradictions of what each other has said and added that in this meeting everyone will be in the room and they can sort it out.

Supervisor Hotaling stated that he will need a motion to acknowledge the opportunity for him to sign the contract with the stipulation that the signing take place after the meeting.

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, authorizing Supervisor Hotaling to sign the contract with the stipulation that the signing take place after the meeting.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Mosher Park Pool Passes

Supervisor Hotaling stated that there was an inquiry with concern about unused pool coupons purchased in 2007 and added that in 2007 they allowed those left over from 2006 to be exchanged for 2007 coupons. He continued by saying that later in the agenda there is a resolution to create a scenario where budgetarily they will be able to refund those unused 2007 coupons.

Agreement on Highway Expenditure Modification

Supervisor Hotaling stated that Highway Superintendent had previously given them his list of roads that he wants to repair and added that it was after that the Town Board took it under advisement. He continued by saying that the list was approved and there was $230,000.00 of road repairs and went on by saying that since that time several people have raised the condition of Old Ravena Road. He added that the bridge has been delayed too often and will most likely not be completed until the later part of 2009 and then asked if there is anything that Highway Superintendent Deering can do to make the residents ride a smoother safer ride. He concluded by saying that in turn Highway Superintendent Deering had sent to the Town Board an amendment and then asked that he talk about it.

Highway Superintendent Deering stated that the road was spray patched and it is going to be double chip sealed, which will take care of a lot of the roughness. He added that once the bridge is done he wants to pave the road.

Supervisor Hotaling stated that three years ago when the bridge was suppose to be done it made sense to wait until the project was over with and continued by asking Highway Superintendent Deering what road was removed from the list when Old Ravena Road was added.

Highway Superintendent Deering stated that he removed Miller Road because there is some piping that has to be done...

Supervisor Hotaling stated that they have before them Highway Superintendent Deering's modification and then asked if there was any discussion, hearing none he asked for a motion to accept the modified Road List for 2008 to remove Miller Road and add Old Ravena Road.

MOTION

On motion of Supervisor Hotaling, seconded by Councilman Touchette, approving the modified road list for 2008.
VO"TE – AYES 5 – NAYS 0 – SO MOVED

Supervisor Hotaling stated that he would be signing and then passing the original to be signed by each Board member.

Highway Superintendent Request – Biers Road

Supervisor Hotaling stated that Highway Superintendent Deering had sent a memo dated May 21st and continued by saying that it is regarding the adoption of a new section of Biers Road. He continued by reading the following:

Dear Supervisor Hotaling and Town Board Members:

I have inspected and approved the agreed work by John Palange to a section of Biers Road, which will reroute the old section.

Since every thing is in agreement, I request that we move forward with the adoption of this new section of Biers Road and transfer the old section.

Sincerely,

Albert Deering
Highway Superintendent

Supervisor Hotaling inquired as to what Highway Superintendent Deering meant by saying move forward with the adoption.

Highway Superintendent Deering stated that it would be to accept the new road and transfer the old section.

Supervisor Hotaling stated that there is a process and continued by asking if Highway Superintendent Deering wants them to start the process.

Highway Superintendent Deering stated that from his understanding Attorney for the Town Wukitsch has everything in order.

Supervisor Hotaling inquired as to if there is a deed.

Attorney for the Town Wukitsch stated that Highway Superintendent Deering had talked to him many times about this and added that a lot of work has been done on his part to get it to the point where it is now. He continued by saying that it was his understanding that in picking up on the history from Highway Superintendent Deering and the prior Town Attorney, that the Town Board was on board with it 100%, He added that it is a multi-step process and went on by saying that he would outline the process for accepting a road from a private land owner and continued as follows:

1. The Highway Superintendent would need to inspect the road to determine whether or not it meets the appropriate standards. (which has been done)
2. County Highway Department approval would be required because of the proximity of the road to a County Highway. (which has been done)
3. The attorneys would prepare deeds representing the transfers. (which has been done)

Attorney for the Town Wukitsch stated that in order to prepare the deeds a survey had to be done and in turn there was a fee of $800.00 and continued by saying that he would suggest that it be split between the Town and Mr. Palange.

Supervisor Hotaling inquired about the survey.

Attorney for the Town Wukitsch stated that it was to prepare the descriptions that were necessary to include in the deeds.

Supervisor Hotaling inquired as to if it was local surveyor Mr. Hite.

Attorney for the Town Wukitsch stated that it was and continued by saying that since the acceptance of the dedication ultimately rests with the Town Board, the Town Board will need to pass a resolution accepting the dedication of the road from Mr. Palange and authorizing the transfer of the property from the Town to Mr. Palange and continued by saying that it would be a swap.

Councilwoman Rogers inquired as to if they would adopt the road before they switched deeds.

Attorney for the Town Wukitsch stated that they would be authorizing the filing of the deeds as well.

Supervisor Hotaling stated that they do not have a resolution at this point and added that he would not be comfortable adlibbing one.

Attorney for the Town Wukitsch stated that he could draft one and circulate it.

Supervisor Hotaling stated that if the Town Board wants to take it to the next level they can schedule it for the next Town Board Meeting and then asked if there were any concerns that the Town Board wants to address. He added that he had driven out to the road and negotiated the turn at various speeds in both directions and continued by saying that in coming from the County Route where it connects to the existing Biers Road he found it difficult to maintain his lane without encroaching the front left fender of the vehicle in the oncoming traffic lane. He concluded by saying that in his opinion he does not think that the transition is smooth enough to insure safe travel at the projected speed limit as well as wanting guard rails installed at the area of the culvert pipe, which is a 6 foot drop and either a stop sign or yield sign at the intersection of the County Route in addition to curve warning signs be placed in appropriate places in the area where the intersection from old to new takes place.

Highway Superintendent Deering stated that his plan is to put signs there.

Supervisor Hotaling stated that he would have difficulty accepting the road unless his concerns are addressed and added that Highway Superintendent Deering seems to agree with most of them. He continued by saying that if they were to adopt the road and in turn an unfortunate event takes place having not had those things addressed, they would be opening themselves up to tremendous liability.

Attorney for the Town Wukitsch stated that he cannot speak to it from an engineering perspective or highway construction perspective and added that if it is not safe and they approve and accept it there is a problem.

Supervisor Hotaling stated that he cannot say that it is not safe and added that he can only tell of his experience and observation as a driver for 45 years.

Councilwoman Rogers inquired as to whether or not you can put guard rails and signs on a road that has not been adopted.

Supervisor Hotaling stated that his question back to her would be whether or not they would build a Town rod and accept it and open it to the public without having the safety features addressed if Mr. Palange was not involved.

Councilwoman Rogers stated that they wouldn’t.

Supervisor Hotaling stated that this is the answer to her question.

Councilwoman Rogers stated that Mr. Palange is not going to do it and continued by asking if they can do it before it is adopted.

Supervisor Hotaling stated that it is a good question.

Councilman Boehm stated that he agrees with Supervisor Hotaling and added that he had an opportunity to drive the road and added that as you come down Biers Road toward the County Route the natural progression is on the existing road and you have to veer to go onto the new section. He continued by saying that in addition to the guard rails there needs to be a weight restriction over the culvert as well as a stop sign that Supervisor Hotaling had mentioned. He concluded by saying that he is not comfortable with adopting the road until those things are corrected.

Supervisor Hotaling stated that he is surprised by all of the background work that has been done and continued by saying that he didn't know the deeds were prepared. He added that with respect to the Charles Hite charge he believes that it is appropriate to split the charge and went on by saying that there are other safety construction devices that will also be at Town expense. He then asked Highway Superintendent Deering if he would build a Town road and say it was ready to go and open it up before it had everything done that he thought should be done.

Attorney for the Town Wukitsch interjected that if it is a question of signage and work that would be the responsibility of the Highway Department, it should not hold up the dedication of the road. He continued by saying that the party making the conveyance to the Town is required to prepare the road to specifications and propose it to the Town and in turn have their attorney prepare a deed describing the road in the correct fashion from a legal standpoint and then present it to the Town. He added that if the Town feels as though there are extra steps that need to be taken to insure that it is safe they can do that.

Supervisor Hotaling inquired as to it happening after the dedication.

Attorney for the Town Wukitsch stated that he does not see a problem with that and added that what they are looking for in terms of the dedication is whether or not the specifications have been met in terms of construction of the road, if there is County approval necessary has it been obtained, have the deeds been prepared accurately and submitted and has the Highway Superintendent inspected the property to determine that it meets specifications. He concluded by saying that putting up signs should not delay the dedication of the road.

Councilman Boehm inquired about the issue of the actual flow of the road and how it juts off.

Attorney for the Town Wukitsch stated that it is a different issue and is a construction issue and it has to be satisfied and added that Highway Superintendent Deering believes that it meets the standards necessary to be a Town road.

Supervisor Hotaling stated that he is the only person that has rendered his approval because it is his ultimate responsibility and continued by asking Councilwoman Rogers if she had personally seen it.

Councilwoman Rogers stated that she hadn't in the past week and added that she thought that the County was involved in making sure that it was correct at their end.

Highway Superintendent Deering stated that they sent a letter saying that it is fine and they approved it.

Supervisor Hotaling reiterated that from his perspective he would like a letter from Highway Superintendent Deering that is more strongly worded in terms of the Town's specifications and that they were met in this particular road and added that he authorizes him to seek the assistance of Attorney for the Town Wukitsch. He continued by saying that the intent of his letter was evident and went on to say that it has to have more detail and be more specific as well as certifying to the Town Board that it meets the specifications.

Highway Superintendent Deering asked Attorney Wukitsch if he had received a copy of his letter.

Attorney for the Town Wukitsch stated that he did and added that Supervisor Hotaling was right in that it does not say it that way.

Supervisor Hotaling stated that it is Highway Superintendent Deering's call and added that he recognizes that it is and continued by saying that he wants him to create a document that outlines his review and certification that the road meets the Town's specifications, which will be viewed as something that carries great weight with the Board as far as dedication to this. He reiterated that he can seek Attorney for the Town Wukitsch's assistance.

Collectively Highway Superintendent Deering and Attorney for the Town Wukitsch agreed to do this.

Supervisor Hotaling asked if there were any further comments, hearing none he moved to the next item on the agenda.

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ADDITIONAL NEW BUSINESS

Merger of Town Properties

Supervisor Hotaling stated that tax maps of Town property at Joralemon Park (4) and at the riverfront in the Hamlet of Coeymans (3) show separate parcels for adjoining properties and added that it is not clear and can be made simpler. He continued by saying that he is proposing that the Town Board authorizes him to work with the Assessor to fill out the appropriate merger documents to merge them into one parcel at the riverfront and Joralemon Park. He concluded by saying that it is a simple form for merging parcels and added that it won't be effective on this Tax Roll but will be on the next and then asked for a motion authorizing him to do this.

MOTION

On motion of Councilman Youmans, seconded by Councilman Boehm, authorizing the Supervisor to work with the Assessor to consolidate the three pieces of property at Coeymans landing and four pieces at Joralemon Park for convenience purposes.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Contract Authorization – Highway Department

Supervisor Hotaling stated that a contract was signed in 2006 and is between Highway Superintendent Deering and Milton Cat, which provides for semi-annual maintenance of the generator. He continued by saying that an expenditure came in May for $450.00 and it talked about a contract service and added that he asked for a copy of the contract, which was provided. He went on by saying that all contracts are approved by the Town Board and if they choose to do so they can retroactively approve a contract signed by Highway Superintendent Deering that runs for the period of March 2006 to March 1, 2009. He then asked if approval for the contract was given at that time.

Highway Superintendent Deering stated that it wasn't and added that he does not believe that he has the right to sign a contract as Highway Superintendent.

Supervisor Hotaling stated that he understands and added that it is not out to get him but rather to close a loop.

Highway Superintendent Deering stated that he believes that the Supervisor and Town Board should sign it.

Supervisor Hotaling stated that they can authorize Highway Superintendent Deering to execute the contract and this is what the motion will ask for and will run from March 2006 – March 2009.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Touchette, authorizing the Superintendent of Highways to enter into a contract for March 2006 to March 2009 in the amount of $900.00 a year.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Councilman Youmans stated that his question is that a purchase order was signed stating "I do hereby certify that sufficient funds are available in the Town Budget and are reserved to pay the amount of this order" and continued by asking whose signature it was. Supervisor Hotaling stated that it was his.

Councilman Youmans stated that it was signed on 05-01-08.

Supervisor Hotaling stated that the purchase order system has become a norm between the Highway Department and Supervisor's Office and added that when he received the purchase order it stated that it was for contract service and said attached but there was not anything attached and in turn he asked for it, which is what caused him to include it in the meeting.

Supervisor Hotaling stated that Highway Superintendent Deering had to leave and continued by asking him if there was anything else on the agenda that he needed to take care of before he left.

Highway Superintendent Deering stated that under correspondence on the agenda it lists Highway Department.

Supervisor Hotaling stated that it was a letter that he had sent to Lafarge and added that Highway Superintendent Deering had sent a letter and continued by reading the following:

To All of the Ravena Lafarge Group

The Town of Coeymans Highway Department wishes to extend our extreme gratitude for the generosity that your company has given us, especially in stone materials. This has not only been a financial relief, but also an example of your company's contribution to the entire community. Your commitment to a good neighbor policy is commendable and we here in the Town of Coeymans Highway Department want to let you know how much we appreciate all your aid.

Sincerely,

Albert Deering

Supervisor Hotaling stated that a copy of the letter came to him and the Town Board and continued by asking Highway Superintendent Deering what Lafarge had done.

Highway Superintendent Deering stated that they have given the Highway Department stone and shale and added that they have given a lot to the Town.

Supervisor Hotaling stated that Highway Superintendent Deering had to leave for another commitment.

Mr. Lazlo Polyak from the audience stated that on the agenda under New Business there is not a topic that he wanted to address and continued by asking when he can bring it to the Town Board's attention.

Supervisor Hotaling stated that the Public Comment period had passed and continued by asking the Town Board if they had a problem with Mr. Polyak addressing them.

Councilwoman Rogers inquired as to what the topic was.

Mr. Polyak stated that the topic is fuel prices and busing.

Supervisor Hotaling inquired as to if it is busing as related to the Food for Thought Program.

Mr. Polyak stated that it is CDTA busing.

Supervisor Hotaling stated that he and Mr. Polyak had a discussion earlier in the day about the fact that CDTA has chosen not to provide regular runs that would provide opportunities for residents in the community to travel back and forth to Albany. He continued by asking the Town Board if they wanted to hear Mr. Polyak's comments.

Councilman Youmans stated that they still have quite a bit to get through on the agenda.

Supervisor Hotaling inquired as to whether or not they would be willing to provide him the opportunity at the end of the meeting.

Councilman Boehm interjected that the public comment period had passed.

Councilwoman Rogers suggested that he be placed on the next meeting's agenda.

Councilman Youmans stated that they have a public comment period and set agenda and added that they can't change it for everyone that comes to a meeting that wants them to do so.

Supervisor Hotaling stated that he understands and added that Mr. Polyak had made a point of information. He continued by advising Mr. Polyak that he had been denied an opportunity to address the Town Board at this juncture.

Mr. Polyak inquired as to when he can address the Town Board.

Supervisor Hotaling stated that he can address the Board during the Public Comment period, which occurs at the beginning of the meetings and is typically at 7:05 – 7:10pm.

Mr. Polyak inquired as to if he can address them at the next Town Board Meeting.

Supervisor Hotaling stated that he could and added that he can also give him material on it if he has any.

Mr. Polyak stated that he does not have any and continued by saying that he just wanted to ask the Town Board to draft a letter to CDTA to see if they can do an analogy to see if it would be worth having 4-5 bus runs with the price of fuel.

Supervisor Hotaling stated that he had already given his comment.

Councilman Youmans stated that Mr. Polyak was absolutely right and added that he will personally work on drafting a letter.

Mr. Polyak stated that they should also send it to County Legislature Clouse.

Supervisor Hotaling stated that they are in agreement of the fact that CDTA is woefully inadequate in the Town and has been for decades. He continued by saying that with the price of fuel people are trying to find alternative ways to commute back and forth from work.

Mr. Polyak stated that he would like to see CDTA deny the fact that it would not be cost effective when there are enough people that want to use the bus.

Supervisor Hotaling thanked Mr. Polyak.

Authorization to Sign Waste Management Contract for Beautification Department

Supervisor Hotaling stated that the Beautification Department has utilized the dumpsters at Town Hall as well as the Highway Department in their efforts to clean up the parks. He continued by saying that as park use increases the dumpsters have filled up at the Highway Department, which was a concern. He added that they ordered a dumpster to be placed at the Beautification Department and in turn created a hybrid contract whereby between the months of April and September the dumpster will be emptied once a week and from October to March it will be done once a month. He concluded by saying that it is reflected in the contract that he signed on May 20th when the dumpster was delivered and continued by saying that it is before the Town Board so they can acknowledge its existence and offer a motion to accept his authorized signature on the contract and added that a stipulation of the contract was that it would not run past the OGS contract date, which is 02-20-10.

MOTION

On motion of Councilman Youmans, seconded by Councilwoman Rogers, authorizing the Supervisor to sign the contract with Waste Management as it is written.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Establish Public Hearing Date - Agency Plan for 2008 Section 8

Supervisor Hotaling stated that for those new to the Town Board, the requirement is for the Town Board to conduct a Public Hearing and added that the timeframes have been advanced by the Federal government. He continued by saying that this is why it is on the agenda so early and added that typically it is not until August. He went on by saying that because of the once a month meetings for June, July and August he would recommend that the Town Board establish a Public Hearing for the Agency Plan for the Town of Coeymans Section 8 Housing Choice Voucher Program at 6:30pm on June 23rd prior to the next Town Board Meeting.

Town Clerk Millious interjected that it has to be advertised at least 45 days prior to the Public Hearing.

Supervisor Hotaling stated that Town Clerk Millious was correct and added that it will have to be on July 28th at 6:30 prior to the Town Board Meeting and then asked for a motion.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Youmans, authorizing a Public Hearing on July 28th at 6:30pm.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Supervisor Hotaling asked that it be advertised in plenty of time so there is 45 days notice and continued by saying that he suspects that the public comment will be fairly minimal and if so he would propose to have on the agenda for the July meeting the adoption of the Agency Plan so they can meet HUD's deadline.

Request to Attend NYS Association of Chief's Police Conference

Supervisor Hotaling asked that Chief Darlington explain his request to attend the Association of Chief's Conference.

Chief Darlington stated that the New York State Association of Chief's annual training is at the Fort William Henry Hotel in Lake George and added that it is training for Chiefs on administrative issues. He added that the tentative training schedule was attached to his request and went on by saying that he is requesting to attend it.

Supervisor Hotaling stated that it looks like worthwhile training and continued by asking if meals are included.

Chief Darlington stated that they are.

Supervisor Hotaling stated that it is a total of $656.00 for four nights including lodging and meals and added that transportation will be provided by the vehicle that he has in his possession. He then asked if there were any questions or comments, hearing none Councilman Touchette moved on a motion.

MOTION

On motion of Councilman Touchette, seconded by Councilwoman Rogers, authoring Chief of Police Darlington to attend the NYS Assoc. of Chief's Annual Training in Lake George for a total cost of $656.00
VOTE – AYES 5 – NAYS 0 – SO MOVED

Alcove Reservoir

Discussed earlier in the meeting.

NY Capital Region Bicycle Road Race

Supervisor Hotaling stated that he was in receipt of a letter dated May 12th from the Capital Bicycling Club who is planning their third annual bicycle race in the Towns of New Scotland, Coeymans and Bethlehem. He continued by reading the following excerpt:

"We anticipate the event to run for approximately 3 ½ hours (10am – 1:30pm), with groups of cyclists in several fields. The race will be held under USA Cycling Permit and all municipalities will be provided with an insurance certificate."

Supervisor Hotaling continued by saying that they are a not-for-profit volunteer organization and added that as in the past they are anticipating donating monies to the organizations that support their effort and provide services to them such as last year donating $700.00 to the Ravena Rescue Squad, Coeymans Hollow Fire Department and Onesquethaw Fire Department. He added that this year they plan to raise additional funds and also donate to the Albany County Sheriff/EMS and the NYS Troopers Signal 30 Fund. He continued by saying that they plan on using the R-C-S High School for registration and parking and as a starting point will travel up CR 101 in a non-race circumstance until they get to Jarvis Road north. He added that he had spoken to Chief Darlington about the race and he did not see any issues.

Chief Darlington interjected that there is only one intersection at Bushendorf and Starr Road that they are responsible for.

Supervisor Hotaling inquired as to if he has enough staff to cover it.

Chief Darlington stated that he does.

Supervisor Hotaling stated that he does not know of what revenue it will bring to the Town and added that it will bring people to the Town for the day and might generate some revenue. He then asked if there were any additional comments.

Councilman Boehm stated that he is concerned with the posting of signs because some of them are small.

Councilwoman Rogers stated that by her house there are always two guys flagging where the racers turn on to Whitbeck Road.

Supervisor Hotaling inquired as to whether or not he is saying that there is not enough signage along the route.

Councilman Boehm stated that there should be signs saying that there is a race in progress on the day of the event.

Supervisor Hotaling stated that Chief Darlington has had discussion with the Club in the past regarding their practices and complaints from residents on Bushendorf Road and continued by asking if they have been responsive to it.

Chief Darlington stated that anytime that he has had discussion with them, they have been responsive.

Supervisor Hotaling inquired as to whether or not Councilman Boehm wants him to convey the concern with signage.

Councilman Boehm stated that he would like him to and reiterated that he would like for people to know about the event.

Supervisor Hotaling stated that last year it was included on the Town's website and it included the date and course and added that they can do it again.

Food for Thought Program

Discussed earlier in the meeting.

Evening on the Green Band Schedule

Supervisor Hotaling stated that Councilman Youmans has worked diligently on putting together an Evening on the Green Schedule and then asked that he talk about the program.

Councilman Youmans stated that it will be Thursday evenings from 6:30pm and 8:30pm at the gazebo at Coeymans Landing Park and added that there are some favorites returning as well as some new bands to the mix. He continued by reading the schedule as follows:

- July 3rd The Preachers
- July 10th Music Magic
- July 17th Frank Novko Band
- July 24th Folding Sky
- July 31st Peaceful Country
- August 7th Jeff Spencer Band
- August 14th Rick Rourke & Lost Wages
- August 21st Dusk til Dawn
- August 28th The Side Winders

Supervisor Hotaling inquired as to if Councilman Boehm had heard anything from the school about the first day celebration.

Councilman Boehm stated that it will be probably be on Wednesday and not Thursday and continued by saying that they can add the date to the schedule when he knows for sure.

Supervisor Hotaling inquired as to if it is his understanding that it will continue and this will be the 2nd annual.

Councilman Boehm stated that it is going forward.

Supervisor Hotaling asked that Councilman Boehm work with Councilman Youmans.

Councilman Boehm inquired as to the cancellation policy with Evenings on the Green.

Supervisor Hotaling stated that he recalls that if the weather seemed to be so threatening at 3:00pm and they believed it appropriate to cancel, they would notify the band and in turn they would make every effort to do it on the following Sunday. He added that he could get the details from Confidential Secretary Lewandowski.

Village / Town Recreation Program Staff

Supervisor Hotaling stated that he would turn the Village / Town Recreation Program staff over to Councilman Boehm and Councilman Youmans whom have had discussions with representatives of the Village Board.

Councilman Boehm stated that he, Councilman Youmans, Village Trustee Persico and Village Trustee Case met at Town Hall to discuss the Recreation Program and added that they are going to run it along the same parameters. He continued by saying that it will run approximately from July 8th through August 10th and added that Councilman Youmans is investigating the possibility of getting a bus so more people from outside the Village and Hamlet can attend. He went on by saying that they have hired a coordinator and will be hiring counselors and added that an article will be in the News Herald when the dates are definite.

Supervisor Hotaling stated that he thought that they were going to talk about authorizing the hiring of some individuals to be able to vet the candidates for counselors and added that July 8th is coming up fairly quickly and the next Town Board Meeting is not until June 23rd. He continued by asking if he and Councilman Youmans wanted to propose something to say that they have at least general authorization to hire whom ever the coordinators will be.

Councilman Youmans inquired as to if it needs to be in the form of a resolution.

Supervisor Hotaling stated that in the form of a motion would work.

MOTION

On motion of Councilman Boehm, seconded by Councilman Youmans, authorizing the hiring of a Recreation Coordinator so they can hire counselors and move forward with the preliminary work for the Program.

Supervisor Hotaling stated that they obviously have someone in mind and continued by saying that there was some question about availability for the entire program and in turn they were going to have someone for backup.

Councilman Boehm stated that there is a week that the Coordinator would not be able to work because of some educational study out-of- town and added that there would be a second person.

Councilman Youmans stated that both are well qualified.

Supervisor Hotaling stated that the motion is to be able to hire one or both of those individuals and have them fill out paperwork and get on the staff's payroll to be able to put in for the time spent vetting the candidates for the counselor positions.

Councilman Boehm stated that they would also be securing the equipment and preparing the actual spaces.

Supervisor Hotaling inquired as to the names of the two in mind.

Councilman Boehm stated that it is Kevin Reinisch and Ron Racey.

Supervisor Hotaling asked if the mover and seconder wanted to include the names in the motion.

Collectively it was agreed that they would.

MOTION

On motion of Councilman Boehm, seconded by James Youmans, authorizing the appointments of Kevin Reinisch and Ronald Racey as Recreation Coordinators for the 2008 Summer Recreation Program.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Councilman Youmans stated that he wanted to add that their meeting with Trustee Case and Trustee Persico was very cordial and fruitful.

Councilman Boehm stated that it would be amazing if they could work on other issues as well as they did on this.

Communications Improvements

Supervisor Hotaling asked that Chief Darlington discuss the most recent discussions, proposals and plans for the Communication Department's future.

Chief Darlington stated that as the Town Board is aware the terrain of the Town of Coeymans is very problematic to the current radio system that they are using for emergency services, the Highway Department and Police Department. He continued by saying that in the last seven months they have researching possible locations where they can better place a tower and give the Town as much coverage as possible without having to worry about switching to two or three different frequencies and trying to determine which one is going to be the best for them, which is a problem for the dispatchers because they are not sure which tower they are transmitting off from. He added that they checked a site on Gedney Hill at the Powell and Minnock Quarry and did tests there with all three fire companies, the rescue squad and continued by saying that they were getting between 90-90% coverage and went on to say that in order to get 100% coverage it would have to be perfectly flat terrain. He concluded by saying that with Supervisor Hotaling's approval he met with Mr. Laraway to discuss the opportunity to place a tower on his property, which he agreed to, provided his truck company can also be placed on the tower and added that it can be started as soon as they authorize it to be done.

Councilman Boehm inquired as to if there is an actual lease for the land.

Chief Darlington stated that one of the things that they had discussed was a Lease Agreement so that the Town is protected.

Supervisor Hotaling stated that he had suggested bringing Attorney for the Town Wukitsch into the loop to do a simple agreement that will permit them to do this.

Attorney for the Town Wukitsch asked that Chief Darlington e-mail to him the parties to the agreement and what they are leasing.

Supervisor Hotaling stated that the tower as approximately a $30,000.00 expenditure and added that Chief Darlington had discussed getting something akin to a telephone pole installed temporarily.

Chief Darlington stated that an immediate fix to the problem would be to place two 50 foot telephone poles in the ground and move the equipment. He continued by saying that they already have a storage container that holds their radios and generator from the old police station to put in place and reiterated that it would be a temporary fix until such time that they would be able to do the new tower.

Supervisor Hotaling stated that the temporary fix would also address some of the concerns that have been raised by other parties with communication problems and added that it would be a worthwhile effort. He continued by saying that if they get the authority to do the temporary placement it will be the real deal test for them, which would bolster their case to move ahead with the larger piece of equipment that would be a more permanent structure.

Chief Darlington stated that the Town has spent quite a bit of money trying to find a location and added that it seems that when the trees grow they lose coverage. He continued by saying that they have tried five different sites and have gone as far as Grafton as well as Lindskoog Road, where the current tower is but higher, and Martins Hill and added that so far this is the one that has provided the most coverage.

Supervisor Hotaling inquired as to if it will require other agencies, which are serviced by Town of Coeymans dispatch, to do certain things to adapt.

Chief Darlington stated that the only thing that they may have to do is change their PL tones and added that the fire departments may have to do some radio preprogramming and continued by saying that the Highway Department will be moving their tower to the new location. He concluded by saying that the nice thing is that they will own the equipment and service the equipment and added that it has been questionable with the Highway Department as well has the Police Department while being on the site and being told that a particular tower is theirs but know knowing if it really is and it is what you are paying for.

Supervisor Hotaling asked the Town Board if they wanted to give Chief Darlington authorization to move forward with it.

Collectively they decided that they did.

Supervisor Hotaling suggested that Chief Darlington and Attorney for the Town Wukitsch exchange information and come up with a Lease Agreement.

Attorney for the Town Wukitsch stated that he will do a simple Lease Agreement.

Councilman Touchette inquired as to what kind of timeframe they were looking at for the temporary service.

Chief Darlington stated that they have already spoken to Bullock Utilities and added that they have the capability of getting the poles. He continued by saying that the biggest concern is putting the poles in the ground and went on by saying that they have to make sure that the poles remain standing because of the shale and might have to put them in concrete. He concluded by saying that within 1-2 months they can have it done and added that licensing will be the biggest issue.

Councilman Boehm inquired as to if it could be an opportunity for cell phone providers because of the sporadic service in the Hollow.

Chief Darlington stated that if they choose that size tower it would be possible and would depend on whether or not they want to look at that issue.

Supervisor Hotaling asked that Chief Darlington remind them of the one approach that seemed feasible but was too far away main highways.

Councilman Boehm stated that the program was Municipal Tower Ownership Program and added that they come in and put up cell towers and run them and do everything and in turn the Town gains money from it. He continued by saying that they looked at the site and loved it as far as coverage but concluded that it was too far from any main highways.

Supervisor Hotaling interjected that it would not be productive for them.

Chief Darlington agreed and added that in his opinion they were looking for the easiest dollar and added that if they are putting up a tower and are able to do that it may be worthy for them to reach out to cellular companies. He continued by saying that Nextel put a tower in Westerlo and they are further away from the thruway than the Town of Coeymans.

Councilman Touchette inquired as to if there has been any more discussion with the school district.

Chief Darlington stated that he did have discussion with Mr. Jeff Clemens and added that the buses are already in negotiations with another company and have been offered three towers that will give them ultimate coverage. He added that they may be interested in doing it with their maintenance and inner building coverage and continued by saying that he also contacted the Albany County Sheriffs Department to see if they are interested. He concluded by saying that it could be anyone and they could share the cost and added that it they go to the cell tower size the cost goes up considerably.

Supervisor Hotaling stated that at this point they will work on the lease agreement and setting up the temporary service. He then asked if there were any other topics of New Business that are not on the agenda, hearing none he moved to the next item on the agenda.

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RESOLUTIONS

RES. # 63-08 ESTABLISH POOL PASS REIMBURSEMENT POLICY
On motion of Councilman Touchette, seconded by Councilman Youmans, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the Town of Coeymans previously had established a registration and use program permitting Town residents access to the Village of Ravena pool complex, and

WHEREAS, after three years of program data collection, the Town of Coeymans no longer provides funding for this program for 2008, and

WHEREAS, the Town Board is desirous of issuing refunds to those holding issued gate passes previously purchased in 2007,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans will refund monies expended on unused 2007 pool gate passes, with appropriate documentation submitted to the Town Clerk, and

BE IT FURTHER RESOLVED, that the Town Board amends the 2008 budget to provide funding for refunds by transferring $250.00 from B1990.4 contingency to B7180.4 Special Recreation.

RES. #64-08 APPOINT FULL-TIME COURT CLERK
On motion of Councilman Boehm, seconded by Councilwoman Rogers, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the Justice Court is desirous of an additional full-time Court Clerk to maintain staffing levels and service to the office, and

WHEREAS, the Justices have publicly advertised and interviewed candidates for the position, and selected a candidate who they determined has the necessary qualifications for the position, and

WHEREAS, this individual did not beet the current residency requirements for the position, and

WHEREAS, the Justices requested the Town Board waive the residency requirement for this individual, and

WHEREAS, following consultation with the Attorney for the Town, Local Law 1 for 2008 was enacted, following a Public Hearing and adoption by the Town Board that changed the residency requirement for Justice Court Clerks,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby appoint Ella Ruso to the position of Court Clerk, pending Civil Service review, at the hourly rate of $13.91, effective immediately.

RES. #65-08 APPOINT SEASONAL LABORER
On motion of Councilwoman Rogers, seconded by Councilman Youmans, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the Beautification Department is desirous of hiring an additional laborer to assist in maintaining the parks and cemeteries of the town during the spring and summer months, and

WHEREAS, the Albany County Civil Service Department has in prior years confirmed this job title as a non-competitive position and that this candidate meets the minimum qualifications,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby appoint Richard D. Hotaling to the position of seasonal laborer at an hourly rate of $!3.00, effective immediately.

Councilman Boehm inquired as to what the actual term of the appointment is.

Supervisor Hotaling stated that under the contract seasonal runs from May 1st to September 30th and added that it is within that timeframe and continued by saying that for further disclosure, Richard D. Hotaling is no relation to Ronald K. Hotaling and went on by saying that he will be voting on the resolution.

RES. #66-08 APPOINT BUILDING DEPARTMENT CLERK
On motion of Councilman Youmans, seconded by Councilwoman Rogers, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, Catherine Anderson has served as Clerk I in the Building Department on a provisional basis, and

WHEREAS, Ms. Anderson has taken and passed the Civil Service test for the position of Clerk I, and

WHEREAS, interviews have taken place with eligible candidates, and

WHEREAS, Building Inspection and Code Enforcement Officer Conrad is desirous of Ms. Anderson being appointed to this position,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans hereby appoints Catherine Anderson to the Albany County Civil Service title of Clerk I. This appointment is from Albany County Civil Service list/exam number 200707129 and takes effect immediately. Ms. Anderson will be subject to a probationary period ranging from 8-26 weeks to evaluate job performance.

Councilman Boehm inquired as to what determines the 8-26 weeks.

Supervisor Hotaling stated that it would be the department doing the evaluation and added that during the first evaluation phase around the 8 week mark if it is determined that the candidate is sufficient to be moved on it would be recommended to the Town Board that permanent status be acquired. He continued by saying that it can be extended up to 26 weeks but not past 26 weeks without getting back to the Town Board and Civil Service.

RES. #67-08 APPOINT PART-TIME CARPENTER
On motion of Supervisor Hotaling, seconded by Councilman Youmans, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the Town of Coeymans has been involved in several projects related to the utilization of town buildings for various purposes, and

WHEREAS, those projects have required reconstruction of interior and exterior areas, and

WHEREAS, the Town of Coeymans, through its departments, has been the recipient of grants including monies for rehabilitation, reconstruction and construction of town offices, and

WHEREAS, while the cost of contracted work has been well within construction estimates, the Town Board deems it to be in the best interest of the town and its projects, to hire an employee to further the future projects in and around town buildings and grounds, and

WHEREAS, the Albany County Department of Civil Service has confirmed the existence of a non-competitive carpenter title.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans hereby approves the hiring of William Darlington as a part-time carpenter to be called on an "as needed" basis to work on approved projects, and

BE IT FURTHER RESOLVED, that William Darlington be paid at a rate of $30.00 an hour, when authorized to work on said projects.

Supervisor Hotaling stated that it was discussed at a Workshop and added that it has also been discussed with Internal Control Officer Purinton who helped sort out the intricacies of this type of a relationship.

RES. #68-08 AUTHORIZE TRAINING CERTIFICATION FOR PLANNING BOARD
On motion of Councilman Touchette, seconded by Councilwoman Rogers, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the Planning Board has requested approval to attend A Local Government Planning & Zoning Workshop presented by the Capital District Regional Planning Commission,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby accept that training is satisfactory for the 4 hours required for statutory certification.

Supervisor Hotaling stated that this is a required resolution that goes along with their last Board Meeting approval to authorize the attendance of the Planning Board at this particular training session and added that statutory requires that they do a resolution. He added that Mr. Irwin was present to collect the resolution because the training is the following day and then gave it to him.

Planning Board Member Irwin thanked them and added that it is beneficial training because there are three new members and they will be learning new nuances for planning for the Town's future.

RES. #69-08 APPROVE MAY 2008 ABSTRACT
On motion of Councilman Boehm, seconded by Councilwoman Rogers, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

BE IT RESOLVED, that the Town Board, of the Town of Coeymans, does hereby approve and allow the following claims of vouchers for the May 2008 Abstract.

FUND	VOUCHER #	AMOUNT
GENERAL (A)		
General Pre-Pay	793-828,994	$135,965.60
General	881-929	$ 26,930.48
	General Total	**$162,896.08**
PART-TOWN (B)		

Part-Town Pre-Pay	829-843	$ 27,859.72
Part-Town	930-943	$ 1,714.51
	Part Town Total	**$ 29,574.23**
HIGHWAY (D)		
Highway Pre-Pay	844-854	$ 40,272.38
Highway	944-979	$ 8,672.97
	Highway Total	**$ 48,945.35**
SEWER (SS)		
Sewer Pre-Pay	855-873	$ 15,144.35
Sewer	980-991	$ 4,736.89
	Sewer Total	**$ 19,881.24**
SPECIAL WATER (SW)		
Special Water Pre-Pay	874	$ 73,870.34
	Special Water Total	**$ 73,870.34**
CAPITAL PROJ. (H)		
Capital Projects	992-993	$ 1,400.00
	Capital Proj.Total	$ 1,400.00
	TOTAL FOR ALL FUNDS	**$336,567.24**
TRUST & AGENCY (TA)		
Trust & Agency Pre-Pay	875-880	$198,714.19
	Trust & Agcy. Total	**$198,714.19**

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CORRESPONDENCE

Highway Department

Previously discussed.

Historic Coeymans Landing Neighborhood Association

Supervisor Hotaling stated that he received a letter dated May 20th from the Steering Committee of the Historic Coeymans Landing Neighborhood Association and continued by reading the following:

Dear Supervisor Hotaling:

On Saturday, May 10, members of the Historic Coeymans Landing Neighborhood Association performed a Hamlet-wide litter clean-up. We would like to publicly extend our appreciation to the following:

County Legislator Peter Clouse for his assistance in getting bags and safety vests from the NYS DOT.

Councilman Richard Touchette for helping with the litter clean-up as the representative of the Coeymans Town Board.

Chief Greg Darlington for having a police office come down to the Hamlet to slow down traffic on Main Street as well as to watch for speeders.

The Village of Ravena Mayor John Bruno and Town of Coeymans Highway Superintendent Albert Deering for the street sweeper and Town crew which came down a few weeks earlier. That eliminated much of the litter along the curbs that had to be picked up.

With all your help, the Hamlet of Coeymans is a cleaner and more attractive place in which to live.

Sincerely,

Steering Committee
Historic Coeymans Landing Neighborhood Association

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WORKSHOPS / MEETINGS

- Town Board Workshop – June 17, 2008, 6:00pm
- Town Board Meeting – June 23, 2008, 7:00pm

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ADDITIONAL COMMENTS

Supervisor Hotaling asked if there were any additional comments.

Chief Darlington stated that the ethics training that the Town Board authorized him to attend has been cancelled due to a lack of interest. He continued by saying that starting mid to late June and through the dates for the Evenings on the Green there will be a foot patrol and added that it will be primarily in the Hamlet of Coeymans. He concluded by saying that if the need arises or there is a lot of activity it will extend to the Village.

Supervisor Hotaling interjected that they will have a vehicle at their avail. He continued by asking if it would only be for Thursday evenings.

Chief Darlington stated that it will not only be Thursday evening and added that they also might be during the day and went on by saying that the quickest way to know what is going on is to have someone walking around interacting with the public.

Supervisor Hotaling stated that it will be beneficial because they had talked about the possibility of putting some kind of park personnel down there too make sure the ducks are not being fed and organize the boat traffic and added that it can be chaotic and an officer might be able to assist.

Chief Darlington stated that in the past it has been Thursday, Friday and Saturday when it is the busiest and added that this past weekend the parking area was full. He reiterated that the foot patrol will be in the evenings with some during the day.

Supervisor Hotaling stated that he had an occasion to be with Howard Downes who is an advocate for parks and access, POW's and MIA's and added that they had a discussion about his perception of the failed efforts at the Coeymans Landing park,. He continued by saying that the first two parking spots just south of the boat launch facing the river use to have handicap parking.

Chief Darlington stated that he remembers that there also use to be a limit of 2 hour parking.

Supervisor Hotaling stated that another thing that Mr. Downes mentioned is that people who go out on a boat and are passengers, go out and spend their day on the river, which

prevents others from having appropriate visual access to the river. He concluded by saying that some signage needs to be created to limit that parking or specifically say that no boat occupants should park their vehicles there.

Councilman Youmans interjected that there should not be any unattended vehicle parking and added that there are seniors that like to go to the river and it should not be so they cannot do that.

Supervisor Hotaling asked that Chief Darlington collaborate with whomever, whether it is the Highway Department or Community Beautification Supervisor Perry to be able to see what they can do to deal with it. He continued by saying that Mr. Downes also talked about the lack of hibachis and added that he is having Community Beautification Supervisor Perry take a look at it as well.

Chief Darlington interjected that they had also discussed times for the parks and added that it was never resolved.

Supervisor Hotaling stated that they did something around the calendar and added that they were open so many hours during the summer months and then cut the hours back in October.

Councilman Boehm stated that there is a sign at Joralemon that says it closes at 10:00pm.

Chief Darlington stated that he and Community Beautification Supervisor Perry will get together to come up with something specific.

Supervisor Hotaling stated that the officer on foot or anyone else having an issue with someone at the park should have something that they can point to in an enforcement way to settle the discrepancy such as parking or park hours and reiterated that there should be rules, regulations and signage for those things that routinely come up, which will help the enforcer in settling it.

Chief Darlington continued by saying that as a result of several complaints the Town of Coeymans Police Department in conjunction with the County of Albany is doing seatbelt enforcement and continued by saying that the Town of Coeymans is going a bit further and added that as a result of erratic driving because of cell phone usage they will be aggressively enforcing it effective June 1st.

Supervisor Hotaling interjected that it is for handheld cell phone usage.

Supervisor Hotaling continued by saying that Assessor VanValkenburg was present to talk about Grievance Day and then asked for her to give a summary.

Assessor VanValkenburg stated that there were 35 parcels for grievance and added that everything went smoothly. She continued by saying that they got in approximately 11 grievance forms in from Callanan Industries as well as 9-10 from Lafarge.

Supervisor Hotaling stated that the Grievance Board will be acting on those that made presentations as well as on the applications within a certain timeframe and continued by asking Assessor VanValkenburg when that will be.

Assessor VanValkenburg stated that they will be meeting for deliberation on Monday evening, June 2nd and added that within approximately two weeks from then the property owners will have their notice sent to them.

Supervisor Hotaling inquired as to if the Municipal Building venue worked out.

Assessor VanValkenburg stated that it has decreased in volume and added that maybe next year it can be back at Town Hall. She continued by saying that the problem is when people walk in without an appointment and in turn they don’t have any files accessible. She concluded by saying that she was pleased with the way that it went.

Supervisor Hotaling thanked Assessor VanValkenburg and continued by asking if there were any further comments.

Councilman Touchette asked that everyone keep Coeymans Fire Company Chief Rob Prior in their thoughts and prayers as he recovers from his injuries.

Supervisor Hotaling asked if there were any additional comments.

Councilman Boehm stated that the Ravena Rescue Squad is looking for Board members and added that if anyone is interested in serving the community in that capacity they should contact Ms. Star Ross at 756-2096.

Mr. Bill Price interjected that you can also access the website at Ravenarescue.com.

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ADJOURNMENT

Supervisor Hotaling asked for a motion to adjourn the meeting.

MOTION

On motion of Councilman Youmans, seconded by Councilwoman Rogers, the Town Board Meeting was adjourned.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time: 9:25pm

***Respectfully Submitted*,** **APPROVED:**

_____
Diane L. Millious, Town Clerk

MINUTES BOOKTOWN OF COEYMANS**
May 20, 2008 – Town Board Workshop Meeting – 6:00PM

A Town Board Workshop was held Tuesday, May 20, 2008 at 6:00pm at Town Hall, 18 Russell Avenue, Ravena, New York

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

ALSO PRESENT: Diane Millious, Town Clerk
Gregory Darlington, Chief of Police
Kevin Reilly, Judge
George Dardani, Judge

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Councilwoman Rogers opened the Workshop and led the Pledge of Allegiance.

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AGENDA ITEMS

- JCAP Grant & Security
- Ravena Rescue Squad
- Coeymans Hollow Fire District Communications
- Merging Town-Owned Lands Where Practicable
- NYS DEC Hudson River Estuary Grant Program
- J.H. Maloy Proposal for Water District

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ADJOURNMENT

Supervisor Hotaling asked for a motion to adjourn the meeting.

MOTION

On motion of Councilman Touchette, seconded by Councilman Boehm, the Town Board Workshop was adjourned.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time – 8:13pm

Respectfully Submitted, **APPROVED:**

_____
Diane L. Millious, Town Clerk

A Town Board Meeting was held Monday, May 12, 2008 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
Albert Deering, Highway Superintendent (arrived late)

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

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OPENING COMMENTS

Supervisor Hotaling stated that the record should reflect that there is a full Town Board in addition to Town Clerk Millious and added that Highway Superintendent Deering usually shows up later in the meeting. He continued by saying that he expected Mr. John Reagan from Lafarge to be present to discuss the company's response to the most recent article on mercury emissions and added that there was an arrangement that Mr. Reagan would be present to announce Lafarge's response in terms of the testing. He went on by saying that he expects that he is a bit delayed and will arrive momentarily and added that he will continue with the agenda and with the Board's permission return to Mr. Reagan when he shows up for the presentation.

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AGENDA

- Public Announcements
  - Lafarge Response to Mercury Emissions
  - R.C. Sportsman's Club Fishing Derby
- Public Comment
- Approval of Minutes
  - Public Hearing, April 28, 2008
  - Town Board Meeting, April 28, 2008
- Old Business
  - Hudson-Fulton-Champlain Quadricentennial
  - Approval of Expenditure of Highway Monies
  - Old Ravena Road
  - Ravena Rescue Squad
  - Letter of Support Request for Carver Laraway for Empire Zone Status
- New Business
  - Resignation of Highway Department Part-Time Clerk
  - Gedney Hill Road
  - Proposed DEC Regulation Amendment to Part 215 Relating to Open Fires
  - Request for Meeting, Zoning Board Members
  - Request for Training for Planning Board Members
  - Liaison for Historic Coeymans Landing Neighborhood Association
  - Upcoming Historic Coeymans Landing Neighborhood Association Events
  - Business Office Staffing
- Resolutions
  - Appoint Planning Board Member
  - Appoint Part Time Clerk, Highway Department
- Correspondence
  - Time Warner Cable
- Town Board Workshops/Meetings

- Town Board Workshop, May 20, 2008, 6pm
- Town Board Meeting, May 27, 2008, 7pm

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PUBLIC ANNOUNCEMENTS

R.C. Sportsman's Club Fishing Derby

Supervisor Hotaling stated that he was in receipt of a letter received by the Sewer Department from James Reilly, the R-C Sportsman's Club Fishing Derby Committee representative that announces that the Sportsman's Club in conjunction with the Ravena Fish and Game is sponsoring their 30th Annual Fishing Derby for the children who reside in the R-C-S School District on Sunday, June 15th from 9am to 11am at the Town of Coeymans Filtration Plant in the Hamlet of Coeymans. He continued by saying that for a number of years the Town has provided the venue for the Derby, which has been well attended and has been a lot of fun for the adults as well as the children and added that hot dogs and drinks have been provided at the completion of the derby as well as trophies. He went on by saying that typically the Town of Coeymans has received a request to donate the trophies for the event and added that in the past the Town Boards have authorized up to $100.00 for trophies. He continued by saying that the request does not seem to be reflected in the letter and then asked if the Town Board wanted to act on it now in anticipation of receiving the request and added that there is an opportunity to act at the next meeting on May 27th.

Councilman Boehm stated that he would prefer that they authorize the expenditure of $100.00 for trophies just in case there is some kind of time constraint.

Supervisor Hotaling stated that if it was in the form of a motion he would accept it as such.

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, authorizing Supervisor Ronald K. Hotaling, Jr. to authorize spending of up to $100.00 for trophies for the R-C Sportsman's Club Fishing Derby.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Supervisor Hotaling stated that he would move on with the agenda and added that they were still waiting for Mr. Reagan's arrival.

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PUBLIC COMMENT

Supervisor Hotaling invited the public to comment at this time and continued by saying that anyone wishing to speak should indicate so by raising their hand and added that when they get to the microphone they should identify themselves as well as where the live.

Ms. Inge Johnson stated that she lives on Indian Fields Road and added that she has lived there for 43 years. She continued by saying that she disagrees about the stopping of the burning of the leaves in a barrel that is out of sight.

Supervisor Hotaling stated that he would summarize what she is saying and added that it is on the agenda later in the meeting. He continued by saying that Ms. Johnson is opposed to the proposed change in regulation and went on by saying that there are proposed regulations on the part of the State of New York DEC known as part 215 Modification of Open Fires. He added that he was first exposed by this when Mrs. Biers contacted him to say that a number of flyers had been distributed in and around the area that suggested that they should call him to do something about it. He continued by saying that he gathered that it is a DEC proposal and added that they have every authority to change regulations

but the Town has every authority to voice their opinion one way or another. He went on by saying that if there are a significant number of constituents that they serve who have an opinion one way or the other then they should carry that message to those people who are making the determination. He continued by saying that on the DEC website he found a name, address and phone number for Robert Stanton who can be reached at (518) 402-8403 or e-mailed to 215fires@gw.dec.state.ny.us and added that comments will be accepted through 5pm on July 10, 2008. He went on by saying that he does not know whether or not in their discussion later in the meeting there will be a sense that the Town Board sees it as enough of an issue to raise from their perspective to send a letter for those who are opposing it and added that he had also received a letter from Mr. Shepard who will have an opportunity to speak later in the meeting. He continued by saying that Ms. Johnson had addressed leaves in her comment.

Ms. Johnson interjected that there is no pick-up for leaves.

Supervisor Hotaling asked Ms. Johnson if she had taken a look at the website.

Ms. Johnson stated that she did not.

Supervisor Hotaling stated that it addresses agricultural waste and added that it would be things that are exempt. He continued by reading the following:

"On site burning of agricultural waste as part of a valid agricultural operation on contiguous agricultural land larger than 5 acres actively devoted to agriculture and horticulture use provided such waste is grown on those lands"

Supervisor Hotaling continued by saying that they define agricultural waste as any waste from naturally grown products such as vines, trees, branches from orchards, leaves and stubble and added that it does prohibit the burning of agbags and continued by saying that he believes that they are fertilizer bags. He went on by saying that he does not know the distinction being made between leaves as Mrs. Johnson describes and leaves that they are describing in the exemptions and whether or not the leaves of a typical homeowners fall foliage falling to the ground would be burnable.

Mrs. Johnson interjected that she has flowers and stalks that she picks up in the spring and then puts them in a barrel to burn.

Supervisor Hotaling inquired as to whether or not she had asked Mr. Stanton the question.

Mrs. Johnson stated that he told her to write him a letter, which she will do.

Supervisor Hotaling inquired as to if he had given her any indication as to whether or not a distinction was made between that kind of agriculture purpose and horticultural or gardening.

Mrs. Johnson stated that he didn't say.

Supervisor Hotaling stated that as he read the exceptions it appears that typical bar-b-que grilling, outdoor cooking devices, small fires for cooking and campfires provided natural wood and not treated wood or painted wood is used. He added that smudge pots to prevent frost on crops, ceremonial or celebratory bonfires, small fires to dispose of a flag or religious items, emergency burning of dangerous contraband material on the part of the police or other public safety organization, prescribed burns according to part 194, fire training, fire rescue, arson training, individual open fires as approved by the Division of Air Resources in response to a outbreak of animal disease, individual open fires that are otherwise authorized under environmental conservation law by rule or regulation are all permitted. He continued by saying that when he read it in response to Mr. Biers' call as well as another call and Mr. Sheppard's e-mail, it didn't appear to him to be so outlandishly crazy that it is something that they should rise up and oppose and added that he could be convinced otherwise because the Town since the early 1990's there has been a Solid Waste Management Law that requires everyone in town to have a legitimate

disposal source of their solid waste. He went on by saying that there probably are people burning garbage.

Mrs. Johnson stated that she didn't think that there were and added that she would not burn garbage and continued by saying that she will burn papers such as cancelled checks.

Supervisor Hotaling interjected that he shreds his.

Mrs. Johnson stated that her neighbor shred and added that they still got into her account and continued by saying that she had all kinds of problems.

Supervisor Hotaling stated that there are very innovative people out there and added that he uses a cross shredder. He continued by saying that he understands that she is opposed to it and added that they will discuss it further later in the meeting. He then asked Mrs. Johnson if she had anything else to bring to the Board's attention.

Mrs. Johnson reiterated that she does not believe in garbage burning.

Supervisor Hotaling stated that he does not believe in it either and added that it is already prohibited in the law.

Mrs. Johnson thanked the Town Board.

Supervisor Hotaling asked if there were any additional comments.

Mr. John Sheppard stated that he wanted to read a prepared statement and also gave a copy for the record. He continued by reading the following:

My name is John Sheppard; I live on the west side of town at 70 Indian Hill Road.

Thank you Mr. Supervisor and members of the Council for this opportunity to talk about Revised Part 215, a proposed NYS regulation.

I would like to say right off that I am opposed to a portion of this proposed regulation and would like you to consider resolving your own opposition on behalf of your town residents.

A significant piece of the regulation, the burning of trash and other toxin emitting refuse ought to be banned. Burning household garbage and any rubber or plastic or petroleum based item is unhealthy for anyone downwind of this activity.

The proposed language I am opposed to bans the burning of yard waste and cleared brush across all of New York, even sparsely populated areas. This particular portion of the rule eliminates the long-standing small town exemption, which recognized the low impact that burning leaves and branches has on the environment. Most commercial operations have been banned from open burning for some time.

It is the banning of any outdoor burning, including simple yard waste by residents that is most objectionable for these reasons:

- Residential burning is occasional.
- Residents, especially in our town have little or no low cost alternatives.
- This town does not have yard waste pickup like other towns have.
- This town does not have a transfer station for residents to drop off waste.
- This regulation is not necessary in small towns of rural character.
- This state could reduce burning by exempting towns under 10,000 residents leaving only the smallest, most rural areas with the option to burn yard waste.
- For the Town of Coeymans to adhere to this rule, our tax burden would increase due to providing a way to dispose of this waste.

Ladies and gentlemen, in the State's documents available on their web site, the overwhelming attention is paid to burning trash and other waste products that produce

dangerous toxins. In fact the regulation allows farms to burn wastes that are grown on their land, such as cover crops, orchard trimmings and grape vines. This may be significant burning, yet the residents like me and my neighbors will be criminalized if we burn tree branches every three years.

Fire hazards are an important precaution, especially given the changes in weather patterns these days, which leaves some very dry lands at the risk of fire. This can be, and currently is provided for in county burning bans, which we've had lately. This is not rocket science. It is dry, residents are told to not burn. The brush pile can wait.

The regulations supporting documents describe how towns can deal with this: hire more employees to operate transfer stations. This is a cold analysis for towns that have no current means of doing this. Let's hike taxes to pay for this. This is not the time to burden towns and residents with higher taxes, especially when the mandate is unnecessary. The State also suggests that resident fees will increase to pay for the increased public service. Is this good timing? My gasoline costs are going through the roof, and I don't have to tell anyone here this news. Food is going up, everything is going up, and the States says it is OK to ask me to pay even more.

There is one more thing that appalls me. Campfires are OK; I like campfires and have them frequently in my yard so my kids and neighbor's kids can have their rural life, a right I believe we are entitled to. It is appalling because the DEC needs camping revenues to continue operating in the black. What is clean air worth? It is OK for 200 campfires to burn in the Adirondack and Catskill woods on any summer night in just one campground, but it is not OK for me to reduce my brush pile. This is arrogance and demonstrates that DEC is stomping on rural people and their rights simply because they can.

This regulation has no real organized opposition because the affected are little people who probably won't fight back. NYS can roll this back; they can exempt small town residents; their primary goal is to stop trash burning as evidenced in their supporting documents.

Ms. Hotaling and members of the Town Council, please strike back for us. It is only a matter of time before the State tastes their success in controlling rural activities, and takes away the rest of our lifestyle.

I encourage everyone in this room and all town residents in all small rural towns, to visit the DEC website (www.dec.ny.gov) and find information about this regulation under Proposed Regulations. Look for Proposed Part 215, Open Fires. Be sure to send in your comments to the e-mail address provided.

Thank you for your time.

Supervisor Hotaling thanked Mr. Sheppard and added that they were very thoughtful comments that he appreciates. He continued by asking if the only portion that he is opposed to is specifically yard waste and cleared brush.

Mr. Sheppard stated that was correct and added that it would be any residential yard waste.

Supervisor Hotaling inquired as to if there were any other areas of opposition.

Mr. Sheppard stated that he sees no other areas of opposition.

Supervisor Hotaling stated that he also suggested that an area of compromise would be to look at the rural character of the Town of Coeymans with 8,300 people and make it towns less than 10,000 to be exempt as opposed to less than 20,000.

Mr. Sheppard stated that currently it is towns with less than 20,000 are exempted from open burning.

Supervisor Hotaling stated that if they were to come to a consensus and opposition the message that Mr. Sheppard would like them to send is that particular area of that regulation change they oppose and as a proposed solution include the exemption for towns of less than 10,000.

Mr. Sheppard interjected that they should put the exemption back in and added that the State will decide the number, whether it be 10,000 or 20,000 to get the effect that they want and continued by saying that he would not touch any proposed regulation on the trash burning in burn barrels for the purpose of disposing solid waste.

Supervisor Hotaling thanked Mr. Sheppard for coming to the meeting and added that they encourage people to attend and speak because ordinary input results typically in good thoughtful decisions.

Councilman Youmans interjected that he has read the proposed regulation and added that he questions campfires because Mr. Sheppard asserted that it would mean that a campfire can only be in a campground.

Mr. Sheppard stated that he didn't make that implication and added that campfires are allowed in yards as long as it is not a raging campfire. He continued by saying that celebratory fires are also allowed if a permit is obtained as well as religious ceremonies. He added that he mentioned campfires because on any summer night there could be thousands of campfires in State campsites putting flumes of smoke in the air in sensitive natural areas, yet residents like him cannot reduce their brush pile.

Supervisor Hotaling asked if anyone else wished to speak.

Ms. Laurie Biers stated that she sees no reason why people can't have open campfires and added that she does not know of anyone that has ever died from the smoke from burning their brush and continued by saying that she can see not being able to burn their garbage. She added that in looking at the big picture, once they get done with the open fires they will be moving on to woodstoves because there are more and more people burning wood because of the price of fuel.

Supervisor Hotaling thanked Ms. Biers and continued by asking if anyone else wished to comment.

Mr. Adam Wills stated that he lives at 110 Indian Hills Road at the end of the road with a nice 13 acres of woods and added that he has two little boys. He continued by saying that he lives there because he grew up in the woods and he wants to raise his kids that way. He went on by saying that he has the same concern that everyone is voicing and added that there is even an exemption for people who make maple syrup, which he does with his boys. He continued by saying that from that aspect he is safe and added that he wants to keep the woods nice and cleaned up so it is safe and there is less fire hazard and added that the emphasis is on the yard waste and brush and this is what they are up in arms about. He concluded by saying that none of them think that burning garbage is a good idea because those pollutants are bad for you and went on by saying that he agrees with Mrs. Biers that if they do this the next thing will be those that burn firewood to help supplement the cost of heating their homes.

Supervisor Hotaling stated that they are saying if they get this and continued by saying that they already have this for towns greater than 20,000. He added that they are trying to extend it and put the prohibition on other municipalities as well. He continued by asking the people who had spoken if they had any discussion with Mr. Stanton to find out whether or not leaf burning and brush clearing would be prohibited.

Mr. Wills and Ms. Biers stated that they had.

Supervisor Hotaling inquired as to whether or not under the current proposal they would be prohibited.

Mr. Wills and Ms. Biers stated that they would be.

Mr. Wills stated that there is also reference to the size of parcel that you must have in order to qualify for the agricultural burning exemption. He reiterated that he is safe for now but he feels as though they will continue to regulate you as much as they can, which will do away with their kind of lifestyle.

Supervisor Hotaling stated that those who commented were welcome to stay as they move into the agenda and continued by asking if the Board wanted to openly discuss the Proposed DEC Regulation at this time which was part of the New Business section. He added that he didn't know if anyone would be present to speak but suspected that there would be based on his discussion with Ms Biers and e-mail from Mr. Sheppard. He went on by saying that he provided each Board member with a copy of the proposal and added that they just heard input and then asked if any Board member had any further comment or suggestions.

Councilman Boehm inquired as to if there is a Public Hearing scheduled.

Supervisor Hotaling stated that he didn't know if there would be a Public Hearing and continued by saying that DEC is taking comments until July 10th.

Mr. Sheppard stated that he had information that he could give to them and continued by giving it to Supervisor Hotaling.

Supervisor Hotaling stated that there are Public Hearings scheduled on June 23rd, June 24th June 25th, June 26th, June 30th and July 2nd at various places throughout the state and added that the closest ones are June 25th from 9:30am to noon at the DEC Central Office, 625 Broadway, Room 129, Albany and later on that same day from 5pm to 8pm and added that he will post it on the bulletin board in Town Hall.

Mr. Sheppard interjected that parking is free after 5pm.

Councilman Boehm stated that he lives in Coeymans Hollow and added that it makes sense not to burn garbage and continued by saying that when you clean your yard you do have yard waste and the only way to get rid of it is to burn it in a responsible manner. He reiterated that it does not make sense to burn garbage but it does make sense to allow residents to have the opportunity to burn yard debris and garden waste. He continued by saying that he would recommend that the Town Board, if in agreement, should draft a letter in support of the comments and send it to DEC on behalf of the people in the Town.

Councilman Touchette stated that he agrees and continued by saying that he understands that there are some other particulate matter and some by-products of burning leaves that can be aggregate of thousands of people burning things and does have an impact. He continued by saying that he does see where the argument lies and added that he would support a letter or statement to DEC recommending that the exemption be moved to towns with less than 10,000 people and residential yard waste be included as an exemption. He went on by saying that he understands that it does not impact bonfires in the yard.

Mr. Sheppard stated that was not true and added that he is referring to campfires where the regulation states 3 feet x 3 feet x 3 feet and added that anything beyond that would be considered a bonfire.

Councilman Touchette interjected that he meant a campfire and added that you would be able to have one in your yard with certain parameters. He continued by saying that he recently read an article a few weeks ago about this which stated that everything is included because it would be too hard to differentiate between who is burning what and went on by saying that if this is one of the reasons for the regulation, he does not agree with it. He reiterated that he would support a statement exempting residential yard waste in towns under 10,000 people.

Supervisor Hotaling stated that it would be the other exemptions as well but including in the exemptions residential yard waste in towns with less than 10,000 people.

Councilwoman Rogers stated that she agrees with 10,000 or less because once you hit the top of Martins Hill everyone burns their brush and leaves.

Councilman Boehm stated that they have to because there is no place to put it.

Councilwoman Rogers interjected that the Town of Coeymans does not offer pickup like the larger towns do.

Supervisor Hotaling stated that it does not mean that they can't do a pickup and continued by saying that there is a place on Jarvis Road where those things can be disposed of.

Councilman Youmans stated that he would go a step further and added that he is one for not regulating things that do not need to be regulated. He continued by saying that it is his opinion that they should write a letter voicing their opposition to changing the law.

Councilman Boehm stated that it would not be changing the law but exempting the burning of residential garden waste.

Supervisor Hotaling inquired as to whether or not Councilman Youmans is saying to maintain the 20,000.

Councilman Youmans stated that it is his opinion to maintain the 20,000 and continued by saying that they if the limit it to 10,000 future development could put the Town over 10,000. He added that there are huge corporations putting all kinds of pollutants in the air and went on by saying that he finds it hard to imagine that someone burning brush in their yard is going to be a bigger problem.

Supervisor Hotaling stated that there is some consensus in general to do a letter in opposition and asked that Councilman Boehm draft a letter to share with them and in turn form into some finalization to be signed off on by all of them and sent to Mr. Stanton.

Councilman Touchette stated that the 10,000 number came from someone in the audience.

Supervisor Hotaling stated that it was offered as an option.

Mr. Sheppard interjected that it was because he knew that the Town was under 10,000 and added that the existing exemption is 20,0000, which is what they want to do away with and added that this is what they are voicing their concern over.

Supervisor Hotaling asked if there was any further discussion.

Ms. Biers stated that Mr. Stanton wanted letters or e-mails sent to him by individuals so he could get some feedback so he had some public input. She continued by saying that she asked him if the open burn law would eventually get to the woodstoves and added that he didn't deny it.

Supervisor Hotaling asked if there were any other comments, hearing none he moved to the next item on the agenda.

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PRESENTATION

Lafarge – Response to Mercury Emission

Supervisor Hotaling stated that Mr. John Reagan from Lafarge was now present and added that there was an article the newspaper about the emissions coming out of Lafarge with regard to mercury. He continued by saying that during a meeting he raised the issue, which was of some concern and added that he knew that Lafarge was committed to making a response. He then invited Mr. Reagan to the microphone.

Mr. Reagan stated that he appreciates the opportunity to speak and continued by saying that he is the Environmental Manager for Lafarge at the Ravena Plant. He added that he was present to give them an update of where they stand with the mercury emissions issue and what they are doing about it. He went on by saying that it became an issue last fall and added that since 2004 they have been estimating their mercury emissions based on a stack test that was conducted in 2004, which was estimated to be about 380 pounds per year. He added that prior to 2004 the plant was estimating its mercury emissions based upon a stack test that was done in 1996, which was about 40 pounds per year, which was a big difference. He went on by saying that he's not sure which one is right or wrong and continued by saying that this is what they are going to try and prove and added that he wanted to make some points and continued as follows:

- The plant complies with all of the regulations in New York State that are amongst the strictest in the nation, which they are proud of and will continue to do.
- There are no current regulations for mercury, which makes it difficult but they have heard the concerns and they will do something about it.
- Last year, in cooperation with a request from the EPA, they conducted a 30 day study of their material inputs into their process to analyze for mercury.
- Based on the study analysis they estimated their emissions in 2007 to be approximately 161 pounds, which they believe is a better estimate.
- Lafarge voluntarily initiated a study in cooperation with NYS DEC to characterize the emissions from their stack and to look at the input store process, which is a study that will consist of 3 stack tests conducted over a period of 4 months and at least 30 days of collecting samples of all of their raw materials and fuel. From that data they hope to have a statistically valid estimate as to what the emissions actually are from the stack testing.
- From the material they hope to have some statistically valid data that can help them to determine ways to reduce mercury emissions.
- Once they have the data compiled, a report will be submitted to DEC, which will become public information and it will be shared with the Town.
- They will analyze the data to figure out how they can achieve lower mercury emissions.

Mr. Reagan stated that he appreciated the Board's time and continued by asking if there were any comments or questions. He added that he would be happy to come back to give an update.

Supervisor Hotaling stated that he had mentioned that they were doing the study in conjunction with DEC and continued by asking if there was a permit application process to perform the study.

Mr. Reagan stated that their Title 5 Permit is a permit to operate their air emission sources and added that the cycle is 5 years, which expired in 2006. He continued by saying that they submitted their application in a timely fashion and are committed to operating and added that DEC and Lafarge have been negotiating a permit condition to address mercury, which has not been finalized yet.

Supervisor Hotaling interjected that this might help finalize the application.

Mr. Reagan stated that he does not know if it will or won't and added that they think that the issue is so important that they will go ahead and do the study.

Supervisor Hotaling stated that Mr. Reagan had mentioned that is was in conjunction with DEC and continued by asking if they will be monitoring it.

Mr. Reagan stated that they submitted a study plan to them for their review and comments as well as inviting them to come in and observe their stack test and other testing. He continued by saying that they will submit updates to DEC and at the end of the project they will submit a report that summarizes the entire study.

Supervisor Hotaling asked if there were any other comments.

Councilman Youmans inquired as to if he had heard earlier that mercury outputs are not regulated by the EPA or DEC.

Mr. Reagan stated that was true and added that they are not regulated for cement plants and continued by saying that the State has just begun to regulate coal burning power plants and the compliance deadline is 2015.

Councilman Youmans interjected that it is fascinating to him that they are worried about burning sticks and twigs but can put all the mercury in the air that you want.

Supervisor Hotaling asked if there were any other comments.

Councilman Boehm inquired as to if there is any testing being conducted in the classrooms or at the school.

Mr. Reagan stated that they have offered to provide testing and added that they are looking into what testing they can do. He continued by saying that it is complicated because mercury is ambiguous in the environment and testing is difficult and went on by saying that they have authorized to provide them some assistance but have not finalized any kind of testing plan.

Councilman Boehm inquired as to if mercury is derived from the fuel that they burn in their kiln.

Mr. Reagan stated that mercury is naturally occurring in just about everything including limestone, fuel, dental fillings, fluorescent lights, etc.

Councilman Boehm inquired as to if the use of a better fuel source would reduce the emission.

Mr. Reagan stated that part of the process is to identify what the mercury content of the fuel is and in turn they can do further analysis to see how they can achieve reduction.

Supervisor Hotaling stated that some of the fly ash that they use as a component for fuel has mercury extracted from it before it is used.

Mr. Reagan stated that the fly ash is derived from coal burning power plants and is the ash from burning coal. He continued by saying that the coal burning plants are beginning to be regulated for mercury and added that one of the technologies they are using is an activated carbon, which absorbs mercury. He went on by saying that by regulation they are not allowed to use that fly ash and certify from their fly ash suppliers that they don't practice that.

Supervisor Hotaling stated that it is a study that is going to be going on for 3-4 months and continued by asking if there would be any value to coming back for periodic updates or whether or not he wants to report the findings at the end of the study.

Mr. Reagan stated that he doesn't think that they would have any useful data for at least 4-6 weeks and added that 2 months from now might make sense.

Supervisor Hotaling inquired as to if he thought by the July Town Board Meeting.

Mr. Reagan stated that there will probably be something to share by the end of July.

Supervisor Hotaling stated that they would schedule it for the July 28th Town Board Meeting and then thanked Mr. Reagan.

APPROVAL OF MINUTES

Supervisor Hotaling stated that there were two sets of minutes for Town Board approval, a Public Hearing on April 28th and a Town Board Meeting on April 28th and then asked if everyone had the opportunity to review them.

Councilman Youmans stated that he had just picked them up from his mailbox and added that he didn't have an opportunity to review them.

Supervisor Hotaling stated that if it was the sense of the Board the minutes would be tabled until the May 27th Town Board Meeting.

Collectively the Town Board agreed.

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OLD BUSINESS

Hudson-Fulton-Champlain Quadricentennial

Supervisor Hotaling stated that they had discussed at a Workshop the Town considering the value of having an event in conjunction with the Hudson-Fulton-Champlain Quadricentennial and added that he along with Councilman Youmans will be attending a meeting in Bethlehem on Friday, May 16th. He continued by saying that the thought was to ask the public for input as to what event they could potentially schedule because there is an opportunity to list any event on the Explore NY 400 website. He went on by saying that the 400th Anniversary of Henry Hudson's voyage up the Hudson River is going to be a big deal and added that since they have such great access to the river it would be an opportunity to have a celebration. He concluded by saying that he would ask that the Town Board members suggest that they empower a committee possibly consisting of a Town Board Member, other Town officials along with some citizens.

Approval of Expenditure of Highway Monies

Supervisor Hotaling stated that Highway Superintendent Deering had submitted his request for the expenditure of highway monies on April 28th, which he is required to do on an annual basis that states how he intends to expend $230,000.00 for fixing Town roads. He continued by saying that he handed the list to all Board members and encourages discussion either amongst themselves or with Highway Superintendent Deering.

Councilman Touchette stated that he had a couple of concerns and general questions and continued by saying that on Ruby Lane there are two storm water inlets and then asked if the project will include anything within the limits of the roadway and if it will be the whole circle.

Highway Superintendent Deering stated one piece that is saw cut will be and added that they are going up to where it is good.

Councilman Touchette inquired as to if there are two inlets.

Highway Superintendent Deering stated that there are.

Councilman Touchette stated that he also had a question about Riverview Drive and continued by saying that the pavement looks almost new.

Supervisor Hotaling stated that he believes that Highway Superintendent Deering is referring to the area where the pavement ends and goes beyond Richard Tracey's place and added that it is because it was a Town road acceptance that occurred just prior to Councilman Touchette getting on the Board.

Highway Superintendent Deering stated that they are going to where Trickey made the turnaround and paved it.

Councilman Touchette stated that it answers his question. He continued by saying that he has a concern about Waterboard Road and added that most of the access is for the City of Albany's property. He added that there are no Town residents on the road and it is mostly for the City of Albany's facility.

Highway Superintendent Deering and Councilwoman Rogers collectively stated that a lot of people use the road to cut through from Rte 143 to CR 111.

Supervisor Hotaling stated that it is not necessarily for people who live there but rather for people that travel there on a work week to and from.

Highway Superintendent Deering and Councilwoman Rogers collectively stated that was true.

Highway Superintendent Deering stated that it is a chip seal and not a paving.

Supervisor Hotaling inquired as to if there were any other comments.

Councilman Boehm inquired as to what part of Stanton Road is being done.

Highway Superintendent Deering stated that it is from the top of the hill where the shale bank is to Blodgett Hill Road.

Councilman Boehm inquired as to if the top of the hill is above the farm.

Highway Superintendent Deering stated that it is and added that it will be from the top of the hill and down and then to Blodgett Hill Road.

Councilman Boehm continued by asking if there were plans for patching and added that there are some real rough spots.

Highway Superintendent Deering stated that it will be spray patched and added that it is different compared to paving and added that it is a spray of oil and stone.

Councilman Boehm inquired as to if it will go down to Rte. 143.

Highway Superintendent Deering stated that it will be done where it is needed and added that there are 3-4 roads that will be done like that.

Councilman Touchette interjected that the list says that it will also be done to Jarvis Road, Kier Road and Blossom Hill Road. He continued by saying that the total for the roads is $230,000.00 and added that the total that Highway Superintendent Deering has itemized is $218,000.00 and continued by asking if it is a contingency fund.

Highway Superintendent Deering stated that there is some extra that he may use and continued by saying that it is only estimates and it can either go up or down.

Councilman Touchette inquired as to if it can go over $230,000.00.

Highway Superintendent Deering stated that it can't and won't.

Supervisor Hotaling stated that he has a question about Miller Road and added that it floods frequently. He continued by saying that the most recent FEMA visit talked about the flooding event there and the possibility of including some repairs on Miller Road in the project, which was rejected and has been in the past as well because it isn't something that they do under FEMA. He then asked Highway Superintendent Deering what he intends to do to Miller Road that would alleviate some of the flooding that occurs there and whether or not he will put a surface on it again and let it flood over again.

Highway Superintendent Deering stated that it is about all they can do and added that it is a chip seal. He continued by saying that there is some pipe work that is planned and he will be replacing some pipes that are rotted out.

Supervisor Hotaling stated that the recommendation was that when they have flooding there, in an attempt to relieve it, Highway Superintendent Deering may have to take some equipment there and cut across the road and put big swales in it to relieve the flooding. He went on by saying that it would be covered by FEMA but only if a particular storm event is declared.

Tape change – some dialect lost.

Supervisor Hotaling stated that he will be putting $26,000.00 into a road that he might have to cross cut to alleviate the flooding.

Highway Superintendent Deering stated that the $26,000.00 is to chip seal the road and continued by saying that he can't do anything about the water.

Supervisor Hotaling asked if there were any other comments, hearing none he continued by saying that the process now is for the Town Board to approve the list of roads as roads that Highway Superintendent will spend the highway money on and added that each member of the Board will have to affix their signature on the original document and in turn it will be forwarded to the County Superintendent of Highways for his signature and then returned to the Town.

Highway Superintendent Deering stated that the County Superintendent will keep a copy of it and then it will be submitted to the Town Clerk to be stamped in and filed.

Supervisor Hotaling stated that it is a process that has to take place and added that it begins with the Board's approval. He continued by asking if any of the roads on the three pages or portions thereof are not Town roads already dedicated to them as a Town road.

Highway Superintendent Deering stated that there are not any that he knows of.

Supervisor Hotaling stated that he wants a better answer than that and continued by asking if all of the roads and all sections that he intends to spend money on, legitimate Town roads.

Highway Superintendent Deering stated that they are all on the Town's road list and added that they must be Town roads in addition to being on a list that they get from the State.

Supervisor Hotaling stated that last year's submission had a road on it that they are still trying to negotiate deeds for and continued by asking if there were any circumstances like that on this year's list.

Highway Superintendent Deering reiterated that they are on the Town's road list and also on the DOT list where they get their C.H.I.P.S. from.

Supervisor Hotaling asked if there were any additional comments.

Councilman Touchette inquired as to whether or not it is the correct format and added that #1 is general repairs but permanent improvements are listed. He continued by saying that he believes that they are authorizing permanent improvements and not general repairs.

Supervisor Hotaling stated that Councilman Touchette is reading it in more detail than he has ever read it and continued by asking Highway Superintendent Deering if he will be doing general repairs or permanent improvements.

Councilman Touchette stated that his question is if there is a difference between general repairs and permanent improvements.

Councilwoman Rogers stated that the way that she looks at it is that it should be general repairs because none of it is ever permanent.

Councilman Touchette stated that if it's the way it has been done then it is ok.

Supervisor Hotaling stated that Councilman Touchette made a good point and added that he believes that it is a form that came from the County.

Highway Superintendent Deering stated that it is the same form that is in the Highway Superintendent's book.

Supervisor Hotaling stated that he was looking at distances and noticed that Stanton Road, Jarvis Road North, Kier Road and Blossom Hill do not have length.

Highway Superintendent Deering stated that it is because they will be patched. He continued by saying he put Miller Road on the list but might be changing it to another road if he doesn't get the pipe work done

Supervisor Hotaling asked for a motion to authorize Highway Superintendent Deering's Highway List.

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers accepting the Highway Road List submitted by Highway Superintendent Deering.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Supervisor Hotaling signed the Highway Road List and then moved it on for the rest of the Town Board to sign.

Old Ravena Road

Supervisor Hotaling stated that he continues to get inquiries on Old Ravena Road about the status or the north bridge crossing, which is a project that has been delayed a number of times. He continued by saying that there have been tremendous problems trying to get utility agreements going across the bridge and still do not have them in place and as a result the residents are getting frustrated. He went on by saying that in addition to the project delays there is concern with the remaining condition of Old Ravena Road and added that Highway Superintendent Deering had stated to the previous Town Board that he will not do any work on Old Ravena Road until the projects are done.

Highway Superintendent Deering interjected that he will only patch the road.

Supervisor Hotaling stated that patching needs to be looked at again and added that he would like for Highway Superintendent Deering and Highway Deputy Searles to take a look of Old Ravena Road to see if patching is something that needs to be done because he is getting a lot of complaints.

Highway Superintendent Deering inquired as to if the complaints have been recent because they have patched it once or twice.

Supervisor Hotaling stated that the complaint was received over the past weekend and reiterated that he wanted Highway Superintendent Deering to take a look at it. He continued by saying that the demolition of the old bridge will not take place until September or October and added that it will be the end of 2009 before a new bridge will be ready for travel, which will be another 18 months. He went on by saying that whatever they can do to allay frustrated residents' concerns would be good and added that they could take some of the $12,000.00 that is left over to do some patching. He concluded by saying that both bridges were suppose to cost 7 million dollars of which 5% was going to be the Town's share for approximately $350,000.00 and added that the north bridge alone will cost 8 million dollars.

Highway Superintendent Deering interjected that it is a long way from 6-7 million dollars total for both bridges.

Supervisor Hotaling stated that it is for the taxpayers to deal with and added that for those living on the road it is very frustrating for those that have to go south to go north. He continued by saying that the bridge was closed because it was unsafe and added that it was something that they didn't want to do but had to do because of liability. He reiterated that he would like something done to assist in the delayed time period.

Highway Superintendent Deering stated that he would take a look at it and continued by saying that some of the money could be moved around to do Old Ravena Road.

Supervisor Hotaling stated that the Highway Road List had been signed and added that it could now be forwarded to Mr. Franchini at DOT and in turn he can give appropriate copies to the Town Board.

Letter of Support Request from Carver Laraway for Empire Zone Status

Supervisor Hotaling stated that when he met with Mr. Laraway on issues related to the Small Cities Grant he expressed his request for a support letter for Empire Zone Status and continued by saying that he wants to know how the Town Board feels about it and added that he does not want the Town Board to view the sample letter as his letter. He went on by saying that P&M's application is in and added that support letters are suppose to accompany the application.

Councilman Boehm stated that he believes that Empire Zone Status is a positive economic impact and added that he believes that they should support it.

Supervisor Hotaling stated that earlier in the day he spoke with a representative from Albany County Economic Development about P&M Brick and added that Mr. Steven Fuller had spoken to him to weigh in with the Town about forwarding a support letter. He continued by saying that Mr. Fuller had indicated that the Town has some concerns with the Empire Zone, which he agrees with and went on by saying that he told him that he believes that it is a failed program that has been mismanaged by the State of New York since its inception and has been granted to people that do not deserve it and in turn he was advised that there are hundreds of such Empire Zones all run and administered by local county organizations. He continued by saying that he also touted the Albany County organization as the best in the state in terms of administering Empire Zone and in turn he asked that he demonstrate it to them and was advised that he will be sending some materials about how Albany County treats Empire Zone status and how that treatment exceeds expectations. He concluded by saying that upon receipt of the information the Town Board can review it and in turn decide if they want him to send the support letter.

Councilman Boehm interjected that a part of the problem with Empire Zone is that they don't meet the job creations they say they are going to and in turn they don't meet their target numbers. He continued by saying that in looking at what Mr. Laraway is proposing for jobs at P&M he believes that it is worthy of Empire Zone status.

Supervisor Hotaling asked if there were any additional comments or if they wanted to put a hold on it.

Collectively it was decided that they wanted to wait and get more information.

Ravena Rescue Squad

Supervisor Hotaling stated that Councilwoman Rogers and Councilman Boehm negotiated a contract with the Rescue Squad last year, which expired at the end of the year and continued by saying that he knows that they are still operating under the terms of the old contract. He then inquired as to how they are doing in getting new one.

Councilman Boehm stated that he spoke with Ms. Starr Ross earlier in the day and added that he will be attending their next meeting this Sunday at 7:00pm and continued by

inviting Councilwoman Rogers to attend. He went on by saying that he wants to get further information on the increase from last year to this year.

Supervisor Hotaling stated that he didn't want to suggest that other members of the Town Board can't go and added that he would caution and be concerned about groups of three going from a Board perspective because it would be viewed as a foilable meeting

Councilman Boehm suggested that they take a look at it at the next Workshop.

Supervisor Hotaling inquired as to if there was any other Old Business.

Highway Superintendent Deering inquired about the work on Old Ravena Road being held up and continued by saying that he had not talked to Mr. Papile lately about it.

Supervisor Hotaling stated that he had e-mails from Mr. Franchini and Mr. Papile and suggested that Highway Superintendent Deering take them and read them.

Councilman Boehm inquired about the Biers Road project.

Highway Superintendent Deering stated that he has not heard anything.

Councilman Boehm stated that there has been no attempt to block it off.

Highway Superintendent Deering stated that he is not going to block it off.

Councilman Boehm interjected that it is a problem because there is no stop sign at the end of the road.

Highway Superintendent Deering interjected that it is not a Town road and he can't do anything until it is turned over to the Town.

Councilman Boehm interjected that either way, it is a safety issue.

Highway Superintendent Deering stated that if he puts a barricade and someone runs into it there is a problem.

Councilman Boehm stated that there is a problem if someone goes to the end of the road and does not stop because there is not a stop sign.

Supervisor Hotaling stated that he understands Highway Superintendent Deering's position and continued by asking if the Town's original Biers Road is closed.

Highway Superintendent Deering stated that it isn't.

Supervisor Hotaling inquired as to if people are still traveling it and going the old way or if they are going the new way.

Councilman Boehm stated that he went the new way the other day.

Highway Superintendent Deering stated that the new way is not the Town's.

Councilman Touchette stated that he was there earlier in the day and added that there were a couple of cones at Copeland Hill Road and continued by asking if a compromise would be for the Town to loan Mr. Palange something that he could barricade the road with.

Councilman Boehm inquired as to if Highway Superintendent Deering had asked him to barricade the road.

Highway Superintendent Deering stated that he had put a barricade, which was moved and continued by saying that he has not discussed with the Attorney for the Town about someone running into them and holding the Town liable.

Councilwoman Rogers inquired as to why Mr. Palange has not made the corrections.

Highway Superintendent Deering stated that he doesn't know why and added that he's not sure what is going on at this point.

Councilman Boehm inquired as to who the contractor for the job is.

Highway Superintendent Deering stated that it is Dave Flach.

Councilman Youmans inquired as to whether or not Highway Superintendent Deering has the authority to instruct Mr. Palange to barricade it to prevent people from traveling on.

Highway Superintendent Deering stated that in his opinion he didn't think so.

Supervisor Hotaling interjected that in his opinion he does.

Highway Superintendent Deering stated that it is his road and not the Towns.

Councilman Youmans stated that it is a good question for Attorney for the Town Wukitsch and then suggested that he call him. He added that he agrees that it is his road and added that if someone gets hurt they will sue him as well as the Town.

Councilman Boehm inquired as to if Highway Superintendent Deering can contact Mr. Flach to see if he can provide the barriers and put them up.

Highway Superintendent Deering stated that he will talk to Attorney for the Town Wukitsch first.

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NEW BUSINESS

Resignation of Highway Department Part-Time Clerk

Supervisor Hotaling stated that he was in receipt of a copy of a resignation letter dated May 8th from part-time clerk Ruso to Highway Superintendent Deering. He continued by saying the Ella L. Ruso tenders her resignation based upon her anticipation of starting a full-time job and the fact that she is scheduled for surgery and wants to resign effective at the end of the pay period on May 11th. He then asked Highway Superintendent Deering if he was willing to accept the resignation.

Highway Superintendent Deering stated that he was.

Supervisor Hotaling asked for a motion to accept the resignation.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Boehm, accepting the resignation of Ella L. Ruso effective May 11, 2008.
VOTE – AYES 5 – NAYS 0 – SO MOVED

May 8, 2008

Albert Deering, Highway Superintendent
Town of Coeymans
1305 SR 143
Coeymans Hollow, NY 12046

Dear Albert:

As you know I am anticipating the start of a new full-time job and I am scheduled for surgery. Because of this situation, I would like to resign my position as part-time clerk for the Highway Department effective the end of his pay period, May 11, 2008.
I have enjoyed work for you, Scott and the team at the Highway Department. I appreciate your kindness and everyone's respect very much. Thank you for the opportunity to work for the Town of Coeymans Highway Department.

Sincerely,

Ella L. Ruso

cc: Town Board

Gedney Hill Road

Supervisor Hotaling stated that Gedney Hill Road is on the agenda because of an e-mail that the Town Board received as well as Highway Superintendent Deering and added that it covers a range of issues with respect to the road. He continued by saying that it is primarily related to the quarry on top and the truck traffic that goes to and from it. He went on by saying that they had been in receipt of Mr. Laraway's mining permit that DEC approved for another five years and added that Mr. Laraway on his own motion requested special conditions that related to the times that the trucks would operate based on when the school buses run and submissions to the Town by Mrs. Deyo. He went on by saying that based on Mrs. Deyo's submission outlining the time of the trucks commencing at 8:29 and ended at 9:32, he believes that the times are in compliance with those special conditions. He added that she goes into calling the situation more perplexing given the amount of taxes paid by the residents of the road, which continues to increase for the town pockets with the growth of homes on the road when compared to that derived from the quarry on the road. He continued by saying that she goes on to describe exorbitant taxes to live in their homes while the quarry is nominally taxed with the owners significantly profiting from the sale of rock extracted from the quarry and goes on by saying that the taxes adhered for the quarry are so ridiculously low given the values assessed on other vacant land and properties on the road. He went on by saying that he asked Assessor VanValkenburg to provide some data in addition to being present to follow-up any discussion that the Board may have and continued by saying that he has a list of values for all of the assessed values on homes and vacant land including the quarry and added that 17 homes have an assessed value of 3.89 million dollars and pay approximately 86% of the tax base, 18 vacant lands with an assessed value of $480,000.00 providing 11% of the tax base and the two remaining parcels, which are the quarry, with an assessed value of $136,000.00 that provides 3% of the total taxes on Gedney Hill Road. He added that he inquired as to if Assessor VanValkenburg saw it to be out of whack, and continued by saying that she didn't but also stated that it is tough to measure the value of quarries and reiterated that it does not seem out of whack.

Assessor VanValkenburg stated that there were no sales of quarries within town and added that there are not many sales of quarries anywhere. She continued by saying that they base the value on land schedules that were developed as a result of the revaluation and gave the quarry an additional 10% influence code because of the nature of the quarry vs. the rural vacant land, which drove from the land schedules those assessments and this is how they derived the value. She went on saying that short of sales they have no idea what the market is for quarries and continued by saying that she has some personal experience with a sale because her husband owned a shale bank and he did excavate and sell shale and added that 4-5 years ago they sold it. She added that the parcel had a large Morton building on it, which housed equipment, and the property sold for $135,000.00 - $140,000.00, which was for 15 acres of shale bank and the building. She reiterated that it is hard to put a number on a value if you don't have sales to compare it to and continued by saying that this is how they derived at it.

Supervisor Hotaling inquired as to if in her opinion there is credence to Mrs. Deyo's assertion that the property taxes on the two parcels are ridiculously low.

Assessor VanValkenburg stated that they are not considering the circumstances and added that they are paying more than the average land schedules for the vacant land and homes that sit on the property by 10% more of the land schedule.

Supervisor Hotaling stated that he called Assessor VanValkenburg because it was a component of Ms. Deyo's issue. He then asked if anyone had any questions for Assessor VanValkenburg.

Councilman Youmans stated that if someone is not happy with their assessment and what they pay in taxes there is a mechanism for reviewing that, which is not a function of the Town Board.

Supervisor Hotaling asked that Assessor VanValkenburg announce when Grievance Day is and the method in which someone would grieve that very issue.

Assessor VanValkenburg stated that Grievance Day is May 27th beginning at 9am and will run from 9am to 1pm, 2pm to 5pm and then 6pm to 9pm. She continued by saying that they have encouraged making appointments and added that all forms have to be filed on or before that day. She went on by saying that to date there are 9 appointments scheduled and a few have submitted applications but have not scheduled appointments and may or may not show up. She concluded by saying that there are applications and instructions in her office as well as being able to get them from the Office of Real Property Services website.

Supervisor Hotaling asked that Assessor VanValkenburg give her phone number for questions.

Assessor VanValkenburg stated that it is 756-8927.

Supervisor Hotaling continued by saying that there have been some concerns about the unsuitability, instability and safety about truck traffic on Gedney Hill Road and added that Mrs. Deyo suggests that it is owned by the Town of Coeymans and no truck restrictions have been put in place in spite of numerous calls over a five year period from residents of Gedney Hill. He then asked Highway Superintendent Deering why there have been no restrictions placed on the road.

Highway Superintendent Deering stated that he doesn't really know.

Supervisor Hotaling stated that he was not trying to make it a trick question and added that they have had this discussion before. He continued by saying that they make mention of the Cornell Local Roads Program study, which he believes that Highway Superintendent Deering has.

Highway Superintendent Deering stated that he does have it.

Supervisor Hotaling stated that he made reference to it the last time that this came up and continued by asking that Highway Superintendent Deering share with the Town Board what the discussion was about.

Highway Superintendent Deering stated that 30mph has been established and added that the police did a study on it for the truck traffic. He continued by saying that the cost to stabilize the road at that time was $60,000.00 per mile and added that it is probably a lot more now.

Supervisor Hotaling stated that it was quoted 6-7 years ago.

Highway Superintendent Deering stated that it was October 2003 and added that it was a chip seal at the time and added that the price at that time was $180,000.00 per mile to upgrade the road for trucks. He went on by saying that it will cost a lot of money to do the road and added that it is probably twice the amount to do it today.

Supervisor Hotaling stated that he had discussed the road with the Chief of Police subsequent to receiving the e-mail from Ms. Deyo and added that he had told him that he had officers out there to do random speed checks and had even stopped some of the trucks to check equipment. He continued by saying that Chief Darlington indicated that the trucks did not exceed, by any appreciable amount, the 30 mph speed limit as well as finding the trucks to be in good condition with no violations and the drivers seeming to be acting in a responsible and safe manner. He then asked Highway Superintendent Deering if he sees reason for any truck restrictions on the road at this point, and added that if he does he needs to raise it with the Town Board in some formal way.

Highway Superintendent Deering stated that before it was weight limits and added that with being a shale truck it is hard to say what is overweight.

Supervisor Hotaling stated that shale is not as dense as other materials and is probably lighter.

Councilman Boehm inquired as to when the road study was done.

Highway Superintendent Deering stated that it was in 2003.

Councilman Boehm continued by asking if their recommendation for the trucks at that time was dump trucks.

Highway Superintendent Deering stated that he believes it was tractor trailer as well because that is what they were running when they were making brick and continued by saying that there were also tri-axels. He went on by saying that banks and guide rails were also discussed and added that he would limit the tractor trailers.

Supervisor Hotaling inquired as to what he means by limit.

Highway Superintendent Deering stated that he would like to limit the number of hauls by tractor trailers to 3 and limit the tri-axels to no more than 5.

Supervisor Hotaling inquired as to if he is saying the number of hauls on a daily basis.

Highway Superintendent stated that it would be 3 tractor trailers and 5 tri-axels on a daily basis and added that he would also like to see some caution signs as well as making them contribute to the maintenance of the road. He went on by saying that he would like to see them pay for guide rails because there is not a guide rail program in the Town.

Supervisor Hotaling stated that it sounds like some road restrictions to him and added that when talking about things such as signage and restrictions it has to come from Highway Superintendent Deering.

Councilwoman Rogers inquired as to if Highway Superintendent Deering can write up what he had said about the limitations and what he wants.

Highway Superintendent Deering stated that he would.

Supervisor Hotaling stated that in turn he would put him in touch with the owner Mr. Laraway to negotiate it and added that he represents the Town and it is his area of expertise.

Councilman Boehm interjected that he does not understand the logic with the 3 tractor trailers and 5 tri-axels and continued by inquiring as to why he would not eliminate the class of the truck or weight.

Highway Superintendent Deering stated that a tri-axel can do the same thing as a tractor trailer.

Councilman Boehm stated that he believes that it is silly having tractor trailers on the road the way it is right now and added that he does not know how you would get by a tractor trailer on the curve by the farm house.

Highway Superintendent Deering stated that you can't get by a tractor trailer and added that you would have to show some courtesy. He continued by saying that this is where the sign would be and went on by saying that the public has to show some courtesy as well as the truckers.

Councilman Youmans added that it is his understanding that Highway Superintendent Deering is saying 3 tractor trailers a day or 5 tri-axels a day are the limit.

Highway Superintendent Deering stated that was his opinion.

Supervisor Hotaling inquired as to if it is because of the road condition or safety.

Highway Superintendent Deering stated that it is both because the trucks make ruts in the road and reiterated that he believes that they should have to pay for some of it. He continued by saying that years ago there was an account established for that.

Supervisor Hotaling inquired as to how long ago it was.

Highway Superintendent Deering stated that it was 25 years ago.

Supervisor Hotaling stated that John T. Biscone was Supervisor.

Highway Superintendent Deering stated that he had spoken to him about it and added that he agrees with it.

Supervisor Hotaling stated that is a fairly common occurrence for that type of relationship with an operation that has detrimental effects to regular town roads that would not ordinarily occur as quickly as that and added that Highway Superintendent Deering has to cultivate the idea. He continued by saying that as Councilwoman Rogers had suggested he should write down what he wants to see and in turn start a dialog with Mr. Laraway to see if those kinds of understandings can be reached and then ratified by the Town Board.

Councilman Youmans interjected that the e-mail states that between 8:29 in the morning to 9:32 there were 11 tractor trailers and added that he might be able to space it out.

Supervisor Hotaling stated that there is a lot of activity in the morning and added that he does not see it continuing all day long. He continued by saying that it might be a short lived situation of this magnitude because he is reconstructing the area at the port and went on by saying that the shale is being used to construct new road beds.

Councilman Touchette stated that he shares the concern about the safety and continued by inquiring as to whether weight restrictions would be the Highway Superintendent's authority.

Highway Superintendent Deering stated that he believes that he would have to bring it to the Town Board.

Councilman Touchette inquired as to if it would have to go to the County.

Supervisor Hotaling interjected that with speed limit they would be in the same position as they were before.

Councilman Touchette stated that he was inquiring about the process.

Supervisor Hotaling stated that he believes that it would have to go to the County and then to the State and added that in terms of signage it is the Town's road and with regard

to truck traffic and warning signs it is under Highway Superintendent Deering's authority to request.

Councilman Boehm stated that he disagrees completely and added that whether it is 3 or 5 trucks they should have an engineer look at it because it is a safety issue with tractor trailers. He added that it is a half-assed plan that is not going to get anything done and reiterated that they should hire an engineer to look at the road and in turn give them a recommendation of what they can do with the road based on weight and truck size.

Councilwoman Rogers stated that Highway Superintendent Deering does have prices but they are from 2003 and added that she can't imagine what the cost will be today.

Councilman Boehm stated that they should restrict the trucks and get an engineer to tell them what they need to know.

Supervisor Hotaling interjected that Highway Superintendent Deering has engineering money in his budget.

Councilman Boehm reiterated that they should have an engineering study and based on that recommend the types of trucks who should use the road in its current state and added that it needs to be based on scientific fact and not picking random numbers.

Councilman Youmans stated that an engineer could say to run as many tractor trailers and weigh it down as much as you want all day long and then inquired as to if this is an answer that he would be prepared to give the residents on that road.

Councilman Boehm stated that they need to see what an engineer will say and added that he believes that it will be a better answer than the numbers that they came up with.

Councilwoman Rogers interjected that it will be quite a bit of money out of the Highway budget to do it.

Highway Superintendent Deering stated that it is up to the Board and whether or not they want to do it.

Councilman Youmans stated that he sees Councilman Boehm's point and added that his question would be how long it will take to get it accomplished and what the cost would be. He continued by saying that there could be a safety concern and added that Highway Superintendent Deering seems to think there is and went on by saying that he is the expert.

Councilman Boehm interjected that he does know roads but is not an expert on truck traffic and size of trucks on that road and added that this is why they need to hire an engineer.

Councilman Youmans inquired as to if they should do something in the meantime while they are waiting for an engineer and report and whether or not they should take a measure sooner to limit what is going on there now.

Councilwoman Rogers stated that they should go by Highway Superintendent Deering's recommendations of no more than 3.

Councilman Youmans agreed and continued by saying that an engineer makes sense but in the meantime rather than do nothing they should go with Highway Superintendent's recommendation.

Councilman Boehm inquired as to Highway Superintendent Deering has a ball park figure for an engineer to do a study and report on the road.

Highway Superintendent Deering stated that he doesn't have one and has no idea.

Councilman Boehm stated that they saw a safety concern when the first study was done and added that they suggested major changes to the road for the truck traffic. He added that it was a lot of money and the Town didn't move forward because of the cost and went on to say that there is an issue because of the changes that were recommended. He concluded by saying that they can restrict the truck size for the road that they currently have based on the first study.

Councilman Touchette stated that the study should determine what is safe on the road and not as it exists now and continued by saying that he agrees that an engineer study is a good thing to do. He went on by questioning whether or not Highway Superintendent Deering has the authority to place limitations and restrict to a certain number of trucks on a public road.

Councilman Youmans interjected that he would think that he does.

Supervisor Hotaling stated that he does not know if he has any independent authority to do that and added that he believes that it would require action on the governing body to support any kind of recommendation to restrict access to that road by either the type of vehicle and/or number of vehicles.

Assessor VanValkenburg stated that they could find out if the heavy traffic load has an end point for what they are bringing down to P&M and continued by saying that maybe in a month it's going to go away and it will be back to normal.

Supervisor Hotaling interjected that this is what he believes and added that it is because of the construction process of building roads.

Assessor VanValkenburg stated that they would be spending a lot of money to get an engineering study done that ultimately won't have that big a bearing on the situation.

Supervisor Hotaling asked that Highway Superintendent Deering talk to Mr. Laraway about what is going on with the truck traffic and added that in turn he will put it on the Workshop agenda.

Highway Superintendent Deering stated that he would.

Councilwoman Rogers thanked Assessor VanValkenburg.

Councilman Youmans stated that he might say that next month is the last time that he will haul shale out of there.

Councilman Boehm interjected that it is an active shale bank and added that he can't imagine it being abandoned and not hauling from it.

Councilwoman Rogers interjected that it was quiet for years.

Councilman Youmans stated that it is worth finding out.

Supervisor Hotaling inquired as to if it is the plan.

Collectively everyone agreed that it is.

Supervisor Hotaling stated Highway Superintendent Deering should reach out to Mr. Laraway and in turn get back to him to frame a question to him as to what authority Highway Superintendent Deering possesses in terms of short term and long term authority and which mechanism they should use to get it accomplished. He reiterated that he believes that the amount of activity will diminish sooner rather than later.

Proposed DEC Regulation Amendment to Part 215 Relating to Fires

Supervisor Hotaling stated that this topic was discussed earlier in the meeting.

Request for Meeting – Zoning Ordinance Updates

Supervisor Hotaling stated that Ms. Nicole Allen from Laberge had contacted him by phone and advised that they are prepared to discuss the technical memorandum and in turn asked when the Town Board wanted her to come and discuss it.

Collectively it was decided that they wanted to discuss it at a Workshop.

Supervisor Hotaling stated that the May 21st Workshop agenda is quite full and continued by asking if they want to schedule it for June.

Collectively they agreed on the June Workshop.

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

Request for Training for Planning Board Members

Supervisor Hotaling stated that he was in receipt of a request from Planning Board Chairman Foronda and in turn he had asked that he be present at the meeting to explain the request. He continued by saying that he does not have anything for the Town Board other than the memorandum talking about a request for 7 members of the Planning Board to attend a May 28th Workshop put on by Capital District Planning Commission at Hudson Valley and the cost is $30.00 per person. He added that he does not know if it comports with the training requirements that New York State has set forth for Zoning Board and Planning Board members and continued by saying that he did have a conversation with Code Enforcement Officer Conrad earlier in the day and he had other aspects of the application at his avail and he said that any credits or certificates given to any members attending this would be contingent on the governing body establishing a resolution that suggests the training is satisfactory to be added in the annual training requirement. He concluded by asking if anyone had any suggestions and added that the training will take place the day after their next Town Board Meeting and went on by saying that he presumes if a resolution is in order it could be handled on the 27th.

Tape change – some dialect lost.

Supervisor Hotaling stated that to the extent possible he will ask that they car pool so that there are not multiple requests for mileage reimbursement.

Councilwoman Rogers stated that she would offer a motion.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Boehm authorizing the Planning Board to attend the training for $30.00 each for a total of $210.00 with the registration fee submitted by May 21st.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Supervisor Hotaling asked if there were any further comments, hearing none he moved to the next item on the agenda.

Liaison for Historic Coeymans Landing Neighborhood Association

Supervisor Hotaling stated that he has requested that they establish a contact between the Town Board and Historic Coeymans Landing Neighborhood Association. He continued by saying that there have been some communications that he has not been up to speed with and added that the last he had known they were scheduled to discuss at a Workshop the LWRP, which he was unable to attend, and was later advised that there was little to no discussion about the LWRP. He went on by saying that subsequent to the Workshop he received an e-mail from a representative of that organization asking again about the LWRP and continued by saying that he made reference to that Workshop as well as giving two Workshop dates for them to attend. He added that he then received an e-mail

stating that they are preparing for the May 20th Workshop, which they have not been placed on the agenda and added that they need to have some better lines of communication. He concluded by saying that some members of the Town Board have attended some meetings of their organization and then asked if anyone wanted to offer themselves up as a liaison between them and the Town Board.

Councilman Touchette stated that he would volunteer to do that.

Upcoming Historic Coeymans Landing Neighborhood Association Events

Supervisor Hotaling stated that he had recently read in the News Herald that the Village is having their annual Yard Sale on June 7th and added that his interest was peaked by the headline that said Village/Town Yard Sale. He then read the following from the article:

"This year there will be a new addition to the Ravena Yard Sale Day. The residents of Coeymans are joining, which will add dozens of new sale sites for yard sale shoppers to visit. The Historic Coeymans Landing Neighborhood Association will be putting together maps of yard sale locations for and Ravena or Coeymans residents who want to give them selling locations information. This is a service that the HCLNA is offering at no cost. The map distribution site will be outside the Coeymans Municipal Building the old firehouse on Main Street, Coeymans. The HCLNA is also supplying tables for residents to rent down by the grassy area near the gazebo at Coeymans Landing. Tables will be $15 for one day."

Supervisor Hotaling stated that after he read the article he called Councilman Boehm inquiring as to if he knew about it.

Councilman Boehm stated that he had read the same article and added that he did recall them coming to the Workshop and talking about the Yard Sale and the idea of a trash pickup. He continued by saying that the biggest focus that they focused on was that the HCLNA wanted to use the Municipal Building in the hamlet in case it rained and went on by saying that he didn't recall if they mentioned charging for the tables. He added that he does not think that it is a big deal whether they charge or not and continued by saying that the Municipal Building is vacant and it is a good community based organization, which Councilman Touchette will be the liaison for and in turn they will be able to clear up and clarify these issues in the future.

Supervisor Hotaling stated that he does not want to convey the message that he thinks it is not a good thing to do and added he believes that anytime an organization wants to use Town property and/or Town parks to raise revenue they should come to the Town Board and get absolute approve beforehand. He then asked if anyone wanted to offer a motion that suggests that the Town Board authorizes what he had just read.

MOTION

On motion of Councilman Boehm, seconded by Councilman Touchette, authorizing the Historic Coeymans Landing Neighborhood Association to utilize the park for the yard sale event as well as the Municipal Building for the distribution of maps.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Supervisor Hotaling inquired as to if they would have to put a Town employee at the Municipal Building on that day to open the building.

Councilman Boehm interjected that they would only be using the parking lot.

Councilman Touchette inquired as to if there are any insurance requirements.

Supervisor Hotaling stated that their insurance carrier would say absolutely.

Councilman Youmans interjected that they have not made official the document that they worked on for the use of Town parks.

Supervisor Hotaling stated that it is a document that has been in place for the last 2-3 years and as a result people have been providing proof of insurance.

Town Clerk Millious stated that the reservation is not complete until a Certificate of Liability is provided for the date of use.

Councilman Youmans inquired as to if it is Town policy.

Supervisor Hotaling interjected that it is Town practice and added that it was intended to be policy that was never promulgated in a final fashion in terms of the form because each time it was brought up there was someone that wanted to look at it again and address it in a different way. He continued by saying that in the meantime it has been utilized by the Town Clerk's office to comply with the wishes of the insurance carrier and added that during an insurance inspection it was determined that there needed to be a Town Facility Use Policy that provided insurance. He concluded by saying that as a result of the inspection they instituted the practice and added that the format that they use they obtained from NYMIR as a suggested format and made it a Town of Coeymans form in order to implement it and added that since that time members of the Town Board have made several efforts to change it and reiterated that insurance certifications have been required and submitted.

Councilman Youmans stated that he does not want to give the impression that they are against the HCLNA because they are group that as a Town Board they applaud. He continued by saying that they look forward to helping in their success.

Supervisor Hotaling interjected that it is not about the group but rather the process.

Councilman Youmans stated that he does not want to deny them and added that they need to revisit the issue and come up with not only a practice but a policy.

Councilman Touchette interjected that he would ask that they comply with the application process and added that they may waive some aspect of it but should have the proper paperwork.

Supervisor Hotaling stated that it should be for sites, the park and the parking lot of the Municipal Building.

Business Office Staffing

Supervisor Hotaling stated that Ms. Gail Bullock resigned a couple of weeks ago and added that there are currently two part-time staff members in the Business Office. He continued by saying that there is a need to cover the Human Resource role and went on by saying that there needs to be a separation of duties in terms of fiscal separations that need to be in place in order to comply with outside review. He went on by saying that there is a need to advertise for someone and added that the question is whether or not he should advertise for a part-time person or full-time clerk in order to perform the Human Resource role as well as the back-up for the other fiscal matters that are outstanding. He continued by saying that there is a relatively large list for a Clerk I position and added that based on the Municipal Home Rule they can ask for a separate Coeymans list to draw from. He concluded by asking whether or not the Town Board wants to authorize the advertisement for part-time or full-time.

Councilman Youmans inquired as to what the Supervisor's opinion is.

Supervisor Hotaling stated that Confidential Secretary Lewandowski is full-time and in not having any other full-time backup you can't predict that she will even have the opportunity to get out for lunch and added that with another full-time staff member that type of planning can take place between the two full-time employees to create office continuity where they know it needs to exist as well as in other areas. He continued by saying that it had to come to the Town Board before he could advertise for it and added that before he can do that, pursuant to union contract he has to post it.

MOTION

On motion of Councilman Youmans, seconded by Councilman Boehm, authorizing the Supervisor to post and advertise for a full-time Clerk I.
VOTE – AYES 5 – NAYS 0 – SO MOVED

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RESOLUTIONS

RES. #61-08 APPOINT PLANNING BOARD MEMBER
On motion of Councilman Boehm, seconded by Councilman Touchette, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the Planning Board has a vacancy due to the expired term of Board Member Richard Cumm, and

WHEREAS, the Town Board is desirous of filling this vacancy,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does herby appoint Winthrop M. Irwin to the Planning Board for a term to expire December 31, 2014.

Supervisor Hotaling stated that Mr. Irwin was a member of the Board and in 2007 he resigned effective 10-31-07 based upon his full-time employment requirement to do so in order to retire from CSX, which occurred in May. He continued by saying that he is looking forward to rejoining his colleagues on the Planning Board where he had some great input and added that he is pleased for the opportunity to have him back.

Councilman Boehm stated that he had an opportunity to serve with Mr. Irwin on the Planning Board and added that he will be a welcome addition.

RES. #62-08 APPOINT PART-TIME HIGHWAY CLERK
On motion of Councilwoman Rogers, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the Superintendent of Highways is desirous of filling the clerical vacancy created by the resignation of Ella Ruso, and

WHEREAS, the Albany County Department of Civil Service has reviewed and approved the candidate's qualifications, and

WHEREAS, the Superintendent has confirmed the candidate meets minimum qualifications for appointment,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby appoint Linda Biance to the position of part-time Clerk I, at the hourly rate of $10.97, effective immediately.

Supervisor Hotaling stated that Highway Superintendent Deering highly recommends this individual and inquired as to when she will be able to start.

Highway Superintendent Deering stated that it will be as soon as she is appointed.

Councilwoman Rogers stated that Ms. Biance worked with Highway Superintendent Deering prior to this appointment and added that they worked well together and it will be a good benefit to the department.

CORRESPONDENCE

Time Warner Cable

Supervisor Hotaling stated that he was in receipt of notification from Time Warner Cable indicating that their contracts for a variety of channels are coming to an end and they might not be able to continue to show them. He went on by saying that it is depending on contractual arrangements and renegotiations and added that it only affects a small number of people in the Town of Coeymans. He concluded by saying that it will be posted on the bulletin board for anyone interested.

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TOWN BOARD WORKSHOPS/MEETINGS

- Town Board Workshop – May 20, 2008, 6pm
- Town Board Meeting – May 27, 2008, 7pm

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ADDITOINAL COMMENTS

Supervisor Hotaling asked if there were any additional comments.

Councilman Touchette stated that he was present for the Historic Coeymans Landing Neighborhood Association Clean-Up Day and added that there were approximately 15 people there. He continued by saying that they picked up 18 bags of trash and added that it was a good event that did some good for the Hamlet and went on by saying that he commends those who participated.

Supervisor Hotaling asked if there were any additional comments.

Town Clerk Millious stated that she wanted to thank the Town Board for allowing her and her deputy to attend the Town Clerk's Association Annual Conference in Saratoga. She continued by saying that she would like to discuss at a Workshop some ideas, such as dog enumeration that other towns are doing.

Supervisor Hotaling asked if there were any additional comments.

Highway Superintendent Deering stated that he is still waiting on the third quote for the loader and in turn he will get together with the Board.

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

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ADJOURNMENT

Supervisor Hotaling asked for a motion to adjourn the meeting.

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, the Town Board Meeting was adjourned.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time: 9:28pm

Respectfully Submitted, **APPROVED:**

_____
Diane L. Millious, Town Clerk

A Town Board Meeting was held Monday, April 28, 2008 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: Valarie Besta, Deputy Clerk
Greg Darlington, Chief of Police
David Wukitsch, Attorney for the Town
Albert Deering, Highway Superintendent
George Dardani, Judge
Kevin Reilly, Judge

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

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OPENING COMMENTS

Supervisor Hotaling stated that the record should reflect that there was a full Town Board in addition to Deputy Clerk Besta filling in for Town Clerk Millious and Deputy Clerk Vatalaro, Attorney for the Town Wukitsch, Chief of Police Darlington, Highway Superintendent Deering, Judge Reilly and Judge Dardani as well as several Police Officers and family members.

AGENDA

- Public Announcement – Grievance Day
- Public Comment
- Presentation
  - Overview of 2008-2009 School Budget
- Approval of Minutes of Meetings
  - Town Board Meeting, April 14, 2008
  - Town Board Workshop, April 22, 2008
- Supervisors Report – March 2008
- Department Report Review
  - Building Department, March 2008
  - Waste Water Treatment Plant, March 2008
  - Town Clerk, March 2008
- Old Business
  - Town Roads, Existing and Proposed
  - Teen Challenge vs. Town of Coeymans Update
  - SABIC Integrated Plastics Global Community Day
  - Temporary Part-Time Clerk, Justice Court
- New Business
  - Justice Court Assistance Program Grant
  - Resignation of Part-Time Telecommunicator
  - Council Members Request to Attend NYSOSC Advanced Accounting School
  - Highway Superintendent Request to Attend 2008 Highway School
  - Training and Accommodations for Waste Water Treatment Plant Operator Trainee
  - Police Department Firearms Purchase
  - 400th Anniversary, Hudson Champlain Voyage
- Resolutions
  - Approve Reinstatement of Investigation Unit
  - Approve December 2007 Abstract
  - Approve April 2008 Abstract

- Correspondence
  - Community Beautification Department
- Town Board Workshops/Meetings
  - Town Board Meeting, May 12, 2008, 7:00pm
  - Town Board Workshop, May 20, 2008, 6:00pm
  - Town Board Meeting, May 27, 2008, 7:00pm (Due to Memorial Day)

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ADDITIONAL OPENING COMMENTS

Supervisor Hotaling stated that he was going to take the liberty of the chair and adjust the agenda to provide for a resolution to be introduced about the police presence in the room. He added that the Town Board and Chief Darlington discussed at length the staffing patterns within the Police Department and the function of its members as well as the progress that has been made in the last couple of years. He went on by saying that the progress has been palpable in terms of what has happened in the Town and Village as far as the Police Department having positive interventions in areas with quality of life issues as well as other areas of more significance in terms of criminal involvement. He continued by saying that it is due to the efforts of Chief Darlington's leadership as well as his supervisory staff and patrol officers who have sought after closure on some of the matters. He concluded by saying that after having the last discussion, Chief Darlington convinced them to agree on reinstituting a section of law enforcement that is investigatory and added that there are a couple of Officers who participated in investigations during their patrol duties and then asked that Councilman Boehm read into the record the resolution.

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RESOLUTION & OATH OF OFFICE

RES. #57-08 APPROVE REINSTATEMENT OF INVESTIGATION UNIT
On motion of Councilman Boehm, seconded by Councilwoman Rogers, the following resolution was APPROVED – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, Police Chief Darlington has recommended to the Board a reinstatement of an Investigation Unit, and

WHEREAS, Officers Prokrym and Gerald DeLuca currently have training and expertise in the investigative area and are performing that task routinely from their patrol assignments.

NOW, THEREFORE, BE IT RESOLVED, that these two individuals be assigned, effective immediately, as investigators at the rate of an additional $1.00 per hour per the Collective Bargaining Agreement.

Supervisor Hotaling stated that he would turn it over to Chief Darlington and one of the Justices for the Oath of Office.

Justice Dardani administered the Oath of Office to Officer Prokrym and Officer DeLuca in addition to Chief Darlington presenting them with a badge.

Supervisor Hotaling stated that he wanted to initiate a round of applause, which was followed by applause and then moved to the next item on the agenda.

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PUBLIC ANNOUNCEMENT

Supervisor Hotaling stated that Grievance Day for the 2008 Tax Roll is scheduled for May 27, 2008 at the Beautification Department Building, which is the old Coeymans Fire House at 70 South Main Street in Coeymans. He continued by saying that the Assessor

will be available from 9am – 1pm, 2pm – 5pm and 6pm – 9pm and added that the information will be posted on the Town's website as well as more announcements at other Town Board Meetings leading up to that day.

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PRESENTATION

Supervisor Hotaling stated that Superintendent Vicki Wright has been kind enough to present the School's Budget to the Town and Village over the last several years and added that she is present to give an overview of the proposed R-C-S Budget for the 2008-2009 year and then invited her to the microphone.

Ms. Wright thanked the Town Board for the opportunity to make the presentation and added that this is her fifth year in a row. She continued by saying that it is a pleasure this year to tell everyone that they have worked very hard and put together an 08-09 Budget that puts a lot of programs back in place for students and adds a lot of programs for the children and facilities as well as it being fiscally responsible to the taxpayers of the community. She added that she wanted to invite everyone to their Meet the Candidates (running for the School Board) evening on May 5th at 7pm in the High School prior to their regular Board Meeting and went on by saying that there are seven candidates running for four seats and they will speak at that meeting. She continued by saying that there is also a Public Hearing on May 12th at the high-school at 7pm and the vote on the Budget is May 20th from 7am to 9pm at the High School and added that she would encourage everyone to do their civic duty and vote on the budget, candidates for the School Board and the bus propositions. She went on by saying that there is a slight increase in the Budget of 2.17% under the current proposal, which brings them up to 41.89 million dollars and added that the tax levy, the amount to be raised by the taxpayers, increases 2.64%, which means that they have to collect 21.58 million dollars. She continued by saying that the projected tentative tax rate would increase anywhere from 1.91% up to 2.31%, depending on which of the 4 towns or villages you live in and added that the Town of Coeymans taxpayers will have a 2.17% increase. She went on by saying that as a result of State regulations the budget proposal and its resulting tax levy is $322,000.00 less than their Contingency Budget would be and added that they were very careful to make sure that they took everything out of the budget that they could take out and added in only those things that would increase the lifestyle and education that they provide for the children. She continued by saying that they were also very happy that for the second year in a row they had their Budget Advisory Committee in place and added that the Committee consisted of teachers, residents and community leaders and they met several times during the budget process beginning in January and ending in March and looked at every line item within the budget and in turn made brilliant recommendations to the Board of Education. She went on by saying that the Advisory Committee spoke directly to the Board of Education and there was an opportunity to have a question and answer time and a time to reflect on what was said and added that she really appreciates the time and energy that was spent coming before the Board. She continued by saying that over the past three years, because they are high ticket items, they had to cut the number of computers, hardware and software from the budget and added that it is time that they begin to put computers back into the budget and went on by saying that they will be adding approximately 200 computers for around $213,000.00 so they can get back up to 20% per year increase and keep the computers up to date as well as adding software and adaptive computer technology equipment for students with special needs. She added that a Technology Academy was created, which is a high tech school available to the public school districts to give students a different opportunity to go through high-school and went on by saying that next year there will be two ninth grade students going to the Academy as well as the one that is currently going who will be in 10th grade next year, which is a cost of $18,000.00 per student and continued by saying that they wanted to make sure that they were offering alternative pathways to graduation and felt that it was important to authorize two more students to go. She went on by saying that they also put in a new reading series and program at the elementary level so that the children have a combination and variety of methods in which to learn literacy, which is for K-2 students as well as adding some resources to enhance the curriculum grades K-3 because it is easier for students to stay at grade level if they can come prepared at that level rather than

using such things as retention or summer school to bring older students up to where they should be. She continued by saying that they are putting a lot of efforts in their elementary program and added that they also have the opportunity to get more state aid by spending more money on text books and will be purchasing an additional $90,000 of text books this year so they can get the maximum aid during the 08-09 school year and went on by saying that if you do not spend their complete allotment you don't get the maximum, which they felt was very important. She added that there is also another project called Lead the Way, which is another high-tech program starting at grade 7 and teaches the students things like robotics, nanotechnology and hands on and added that this year it will be for 7th and 8th grade and went on by saying that it is aided by BOCES and they will be getting some aid back in addition to ordering more ELMOS, which is the latest in technology making it easy for students and teachers making presentations and not having to go through all the steps of doing a power point presentation. She continued by saying that every year they ask for 5 buses and have never had a problem with the bus proposition and added that there has always been a radio system that has gone with the bus, and the services were purchased through BOCES and in turn they got state aid and went on by saying that BOCES has discontinued this and in turn they have to purchase new radios for the buses. She went on by saying that this year's proposition is for 4 buses and within the budget they have added money to buy new radios for the buses. She added that they have saved hundreds of thousands of dollars through energy savings and as a result they were able to cut the budget by $101,000.00 for electricity and natural gas usage and went on by saying that Matt Miller, Energy Manager and his supervisor Jeff Clemens has done everything that they can to make sure that they continue to save on energy sources. She continued by saying that they had done a historical data analysis to see how much was being paid in private tuition for students who have been required to attend special facilities because of their disabilities and found that they were over budgeting for those students and in turn reduced the budget by $300,000.00 based upon their need for 2008-2009 and planning for one additional. She went on by saying that in 2003 the district put together a Retirement Incentive Package, which several people have taken advantage of and added that 07-08 is the last year that the district will have to pay for it and as a result $300,000.00 was taken out of the budget. She added that four years ago the district leased four buses at a very good price and at the end of the lease they had to pay an agreed upon sum of money and in turn the buses would no longer be leased but owned by the district and continued by saying that each year the payment was $110,000.00 and this year was the last year that they had to pay so in turn they were able to take $110,000.00 out of the budget. She went on by saying that they feel that by cutting costs where they were able and adding costs where they needed for such things as diesel gasoline and heating oil they should be able to protect themselves in case the costs continue to rise. She concluded by saying that this is how the budget came together and added that she was happy to present it to the Town Board and then asked if there were any questions.

Supervisor Hotaling stated that they decreased the buses from 5 to 4 and put money in to buy radios and continued by asking if the radios were for the 4 new buses or the entire fleet.

Ms. Wright stated that it was radios for the entire fleet and added that they have to have them and would be out of compliance if they didn't.

Supervisor Hotaling inquired about the BOCES supported radios that are currently in the buses.

Ms Wright stated that they are old and BOCES will not support them, which means that they would not be able to get them repaired as well as not being able to communicate with the new buses. She continued by saying that they were going to put the radios in the proposition with the buses but because they didn't get the numbers soon enough or a contract from the company fast enough, they were not able to add it to the proposition without missing the deadline for notifying the public. She concluded by saying that in turn they backed down to 4 buses and added radios for the entire fleet into the budget itself.

Supervisor Hotaling inquired as to whether or not the radios will be able to communicate with the police communication system.

Ms. Wright stated that she didn't know and added that she will be happy to ask Jeff Clemons that question.

Chief Darlington stated that he would speak with Mr. Clemons and added that with the construction of possible towers he was interested in where the Town was going with their communication.

Ms. Wright interjected that they were hoping to become all one unit and continued by saying that they are not sure when that piece will fall into place and added that it would be great if Chief Darlington would speak with Mr. Clemons.

Supervisor Hotaling stated that it should be on the table for exploration.

Ms. Wright thanked Supervisor Hotaling and asked if there were any other questions.

Supervisor Hotaling thanked Ms. Wright and continued to the next item on the agenda.

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PUBLIC COMMENT

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

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APPROVAL OF MINUTES

Supervisor Hotaling stated that there were two sets of minutes for Town Board approval, a Town Board Meeting on April 14, 2008 and a Town Board Workshop on April 22, 2008. He then asked for a motion to approve the minutes.

Councilman Touchette stated that he was absent for the April 22nd Meeting and added that he would have to abstain.

Supervisor Hotaling stated that he could make his comment for the record and vote for the motion because he was present for one of the meetings and then asked if Councilman Touchette wished to abstain or vote aye with a notation.

Councilman Touchette stated that he would vote aye with a notation.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Boehm the minutes were approved as read.
VOTE – AYES 5– NAYS 0 – SO MOVED

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SUPERVISOR'S REPORT

Supervisor Hotaling continued by giving his report for March 2008.

FUND	BAL. FWD.	RECEIPTS	DISBURSE.	BALANCE
General	$1,336,980.80	$ 92,511.61	$ 371,340.10	$1,058,152.31
Part-Town	$ 497,157.18	$ 1,823.26	$ 132,968.03	$ 366,012.41

Special Water	$ 5,257.67	$ 43,391.72	-0-	$ 48,649.39
Highway	$ 84,494.20	$ 100,734.69	$ 84,451.36	$ 100,777.53
Bridge Const.	$ 35,309.21	$ 19.09	-0-	$ 35,328.30
Trust & Agcy.	$ 4,488.92	$ 208,780.32	$ 208,702.58	$ 4,566.66
Sewer	$ 159,593.18	$ 73,933.55	$ 25,358.69	$ 208,168.04
Sewer Cap. Proj.	$ 117,824.42	$ 50.24	$ 2,520.75	$ 115,353.91
		Total Rec. Bal.		$1,937,008.55

CERTIFICTE OF DEPOSITS

				Maturity Date
National Bank of Coxsackie	Part-Town	60 Days	$500,000.00	05-23-2008
National Bank of Coxsackie	A-Fund	60 Days	$400,000.00	05-23-2008
National Bank of Coxsackie	Highway DA	90 Days	$250,000.00	07-22-2008
National Bank of Coxsackie	A-Fund	90 Days	$115,000.00	05-27-2008

SAVINGS ACCOUNTS

Police Forfeitures/CK	$ 72.64
Police Forfeitures	$ 2,279.06
Unemployment	$ 3,158.20
Grove Cemetery/SAV	$40,186.93
Grove Cemetery/CK	$ 7,125.04
Sewer – Dedicated	$ 6,215.80
Total	$59,307.67

SECTION 8 HUD

Occupied Units	74
HUD Payments	$31,324.00
Admin. Fee	$ 81.78
Total HUD Pmt.	$31,315.78
Tenant Rent	$13,639.00
Contract Rent	$44,954.78
Section 8 – CK	$85,845.12
Section 8 – SV	$ 2,261.58
Total	$88,106.70

COLLATERAL COVERAGE	**FDIC COVERAGE**	**COLLATERALIZED**
National Bank of Coxsackie	$100,000.00	$2,327,437.44
Citizens Bank	$100,000.00	$ 80,117.12
First Niagara	$100,000.00	$ 153,830.85

Supervisor Hotaling asked for a motion to approve the report.

MOTION

On motion of Councilman Touchette, seconded by Councilman Youmans, the Supervisor's Report for March 2008 was approved as read.
VOTE – AYES 5 – NAYS 0 – SO MOVED

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DEPARTMENT REPORTS

Building Department – March 2008

Supervisor Hotaling asked that Councilman Touchette give the Building Department Monthly Report.

Councilman Touchette continued by giving the report.

Supervisor Hotaling asked for a motion to approve the report.

MOTION

On motion of Supervisor Hotaling, seconded by Councilwoman Rogers, the Building Department Monthly Report for March 2008 was accepted as presented.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Waste Water Treatment Plant – March 2008

Supervisor Hotaling asked that Councilman Youmans give the Waste Water Treatment Plant Monthly Report.

Councilman Youmans continued by giving the report.

Supervisor Hotaling asked for a motion to approve the report.

MOTION

On motion of Councilman Boehm, seconded by Councilman Touchette, the Waste Water Treatment Plant Monthly Report for March 2008 was accepted as presented.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Town Clerk – March 2008

Supervisor Hotaling asked that Deputy Clerk Besta give the Town Clerk's Monthly Report.

Deputy Clerk Besta continued by giving the report.

Supervisor Hotaling asked for a motion to approve the report.

MOTION

On motion of Supervisor Hotaling, seconded by Councilman Boehm, the Town Clerk's Monthly Report for March 2008 was approved as presented.
VOTE – AYES 5 – NAYS 0 – SO MOVED

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OLD BUSINESS

Town Roads – Existing & Proposed

Supervisor Hotaling stated that there is a need for Highway Superintendent Deering and staff to sit down with the Town Board and talk about the Town roads and where they are as well as what the length is for each and continued by saying that there have been some discrepancies in the annual reports as to the length.

Highway Superintendent Deering interjected that it could be a Road by Use.

Supervisor Hotaling stated that if it is truly a Road by Use it has to be acknowledged by the Town Board at some point and added that absent that acknowledgement he's not sure that they have closed the deal on some of the perceived areas where the Highway Department has provided service. He continued by saying that he wanted to set up something where Highway Superintendent Deering can bring down his information and they can provide the information from the Town Clerk's Office to the extent possible for those roads that have been accepted going back to the early 80's and compare the two. He went on by saying that they can determine where it is lacking and whether or not there needs to be some actions taken or possibly not taken to service those areas.

Highway Superintendent Deering stated that the road that he believes is in question is approximately 800 feet and added that the extra footage has never been added, which it should be and went on by saying that it helps the C.H.I.P.S.

Attorney for the Town Wukitsch inquired as to if there is a C.H.I.P.S. list.

Highway Superintendent Deering stated that there is.

Supervisor Hotaling interjected that this is the list that he is referring to and added that he believes that they are a little shy of what they are actually servicing and continued by saying that he wants to make sure that they are servicing what has been acknowledged by the Town Board. He reiterated that they need to sit down and put to closure and agreement as to what they are suppose to service and added that he does not want to short change the Town in terms of the C.H.I.P.S. He continued by saying that he also does not want to extend themselves in areas that they do not have authority and therefore assume liability to all of the taxpayers that should not exist.

Attorney for the Town Wukitsch stated that it was a fair and accurate summary and added that the first place to look in a municipality of this size and nature would be a C.H.I.P.S. list in terms of what are and are not Town roads. He continued by saying that the thing with User Roads or roads that are based on a prescriptive easement is they are not always easily identified and there are questions as to whether or not a segment of a road is truly a town road by use, which means continuous use in the sense up upkeep. He concluded by saying that sitting down and getting an accurate inventory is important and should be done.

Supervisor Hotaling interjected that it should be accurate to the number of Town roads as well as the length and distance and added that there are some with structures on it.

Highway Superintendent Deering stated that the Town list is different from the list that he sends for C.H.I.P.S.

Supervisor Hotaling stated that they should default to the Town's list because it is the list that determines the actions that the current and previous Boards have taken to identify Town roads.

Highway Superintendent Deering stated that he had questioned which list he should use for C.H.I.P.S. money with the prior Town Attorney and was advised to use the one that he uses to get the C.H.I.P.S. money.

Attorney for the Town Wukitsch interjected that it should be consistent.

Supervisor Hotaling stated that the Town list should be done over but only to the extent that there is a paper trail of action that would allow the Town list to conform with the C.H.I.P.S. list.

Tape change – some dialog lost.

Teen Challenge vs. Town of Coeymans

Supervisor Hotaling stated that he was waiting until Attorney for the Town Wukitsch was present for the Teen Challenge vs. Town of Coeymans litigation and continued by turning it over to him to bring the Town Board up to date.

Attorney for the Town Wukitsch stated that there was a State Supreme Court Article 78 proceeding commenced against the Town Zoning Board and the Town of Coeymans. He continued by saying that with the assistance of Code Enforcement Officer Conrad he is happy to report that they were able to obtain a dismissal of the case from Supreme Court Judge Egan. He went on by saying that it was dismissed because it was improperly commenced by the petitioners and added that this is where it stands at this point in time and continued by saying that he is working with Code Enforcement Officer in terms of next steps.

Supervisor Hotaling stated that there are some next steps that have to be contemplated based on previous actions of the Zoning Board of Appeals. He then asked if there were

any further questions or comments, hearing none he moved to the next item on the agenda.

SABIC Integrated Plastics Global Community Day

Supervisor Hotaling asked that Councilman Youmans give an update on the SABIC Integrated Plastics Global Community Day.

Councilman Youmans stated that the Global Community Day is when employees of SABIC come into local communities and do volunteer work and added that the projects that they undertake must meet certain criteria and have public benefit either educational or aesthetic. He went on by saying that he met with them and they have agreed to do some work around the gazebo and veteran memorial by planting flowers, spreading mulch and do some overall sprucing up. He added that he is grateful for their assistance and in turn he will keep the Town Board informed as to when the work is done.

Supervisor Hotaling interjected that the work will be done on May 15th and continued by asking if the Town will need to supply the materials.

Councilman Youmans stated that the Town will need to supply the materials.

Supervisor Hotaling inquired as to if there is a plan in place to have the necessary materials at the gazebo on that day.

Councilman Youmans stated that Community Beautification Supervisor Perry has taken the lead on meeting with them and the next step is for him to coordinate the materials and confirm with them that he will have the materials on site.

Temporary Part-Time Clerk – Justice Court

Supervisor Hotaling stated that on January 28th the Town Board took an action wherein a majority of the Board made an appointment of a part-time clerk and put a clause in saying that it would expire in 90 days, which it currently is and added that the expiration on the resolution was April 28th He continued by saying that he put it on the agenda for discussion and/or Town Board action to take relative to it and went on by saying that he was glad that the judges were present because at the request of one of them he didn't participate in the decision making process.

Councilman Boehm inquired as to whether or not there is any need for additional help anticipating the hiring of a full-time Court Clerk to continue the position.

Judge Dardani inquired as to whether it was in addition to the full-time Court Clerk.

Councilman Boehm stated that it would be until a full-time clerk is hired.

Judge Reilly stated that they need someone in the interim.

Judge Dardani stated that they just downloaded 221 e-mail tickets for two days, which is a lot of paper work. He continued by saying that they need someone part-time in addition to two full time clerks for things such as illness.

Councilman Boehm inquired as to whether or not they need the services of the current person in the position to fill in until the full-time person to be hired.

Judge Dardani stated that they need a full-time and part-time employee.

Councilman Boehm stated that he was not offering that and added that he was offering the services of the person who is currently in the position.

Judge Reilly stated that they need someone in there until the full-time person is hired.

Councilman Boehm inquired as to the timeframe.

Judge Reilly stated that they are ready to hire the person as soon as they can agree on that person.

Councilman Youmans stated that he thought the person was selected.

Judge Reilly stated that they made their recommendation and added that they need the agreement of the Town Board.

Councilman Youmans stated that this was the point of the Local Law.

Councilwoman Rogers stated that they did the Local Law earlier but did not commit to accept any application and added that the question to the judges is whether or not they want the current part-timer to continue until such time that they hire a full-time employee.

Councilman Youmans interjected that they are assuming that this person is willing to do that.

Judge Reilly stated that he had not and added that it was up in the air as far as if and when a full-time clerk would start and added that not having someone in there during the transition would not be good based on the workload.

Supervisor Hotaling stated that there was a Public Hearing on a Local Law that was essentially at the request of the judges to expand the opportunity for the candidate pool and added that this was the reason for the establishment of the proposed Local Law and the purpose for the Public Hearing. He continued by saying that if it is passed it will do only that and give the opportunity to expand the pool outside of the currently restricted Public Officer's Law Section 3 pool to be within the confines of the jurisdiction in which the person will be serving.

Attorney for the Town Wukitsch stated that he was correct.

Supervisor Hotaling stated that later in the meeting, procedurally there will be a majority of the Board Members approving Local Law 1-2008, which was at the request of the Judges and added that it was the result of not being able to find a candidate in town and wanting to expand their opportunities. He continued by saying that the next step will be to file the law with the Secretary of State, which cannot become effective until the filing takes place and added that he does not know how long it takes.

Attorney Wukitsch interjected that it can be filed by the end of the week.

Supervisor Hotaling stated that at that point it becomes a Local Law and the judges will be able to act on their efforts to identify a candidate if they see fit. He continued by saying that once it is filed and the judge's request a candidate, the hiring process will commence and added that unless there is a Special Board Meeting prior to May 12th this is when action of the Board will take place.

Judge Reilly stated that they have identified a candidate, which was submitted to the Board.

Councilman Youmans interjected that he feels that it is important to reiterate that it is the Town Judges who feel that there is not a candidate who resides in Town that they want to hire.

Judge Reilly stated that was correct and continued by saying that out of all of the candidates, which was over a dozen, only two came close and added that out of those two candidates their recommendation is the most qualified person as far as they are concerned.

Supervisor Hotaling stated that the original intent of the topic was that the expiration date of the part-time clerk for the Justice Court has come due and added that he was asking the Town Board members if he should move to New Business and not take any action or if

there is something else that they want to do in the interim knowing that potentially May 12th is a time in which action will take place.

Councilwoman Rogers stated that it should be left up to the judges to ask the current part-time employee if he wants to help them out until the time that they hire the full-time employee.

Judge Reilly stated that it would be easily done if they had the approval of the Board to extend the current time frame.

Supervisor Hotaling interjected that it could simply be a day to day extension.

Judge Reilly stated that if they have the approval of the Board they can do it the following morning.

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, approving employment on a day to day basis for the current part-time Court Clerk to fill the position until a full-time Court Clerk is hired on or about May 12th.

Supervisor Hotaling stated that Councilman Boehm identified the part-time position as a Court Clerk and added that it should be changed to clerk.

Councilman Boehm agreed.

Supervisor Hotaling asked Councilwoman Rogers if it was alright in terms of the second and the modification.

Councilwoman Rogers stated that it was.

Supervisor Hotaling inquired as to if there was any further discussion with regard to the motion.

Councilman Youmans stated that the current part-time clerk was sitting in the back of the room shaking his head no and continued by saying that it is safe to assume that he is not interested in doing that.

Judge Reilly interjected that they will do the best they can with what they have.

Supervisor Hotaling asked if there was a withdrawal of the motion or if they want to continue with the vote.

Councilman Boehm stated that he wanted to keep the motion based on the information that the Judges provided.

Supervisor Hotaling called for a vote and asked that his abstention be noted.

VOTE – AYES 4 – NAYS 0 – ABSTAIN 1 (Hotaling) SO MOVED

Judge Reilly stated that he will advise him in the morning officially as to what the decision is and whether or not there is an extension.

Supervisor Hotaling asked if there were any other Old Business topics for discussion, hearing none he moved to the next item on the agenda

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NEW BUSINESS

Justice Court Assistance Program Grant

Supervisor Hotaling asked that Judge Dardani discuss this New Business topic.

Judge Dardani stated that last year they applied for a JCAP Grant and added that he along with former Town Judge Pearson and Court Clerk Eissing had done a lot of work on the grant. He continued by saying that it is Grant ID #4109 and went on by saying that they have been awarded $29,815.48, which will purchase a handheld metal detector, a walk through metal detector, fax machine, jury box, computers, shredders, etc. and added that along with that they got $12,800.00 for construction.

Supervisor Hotaling inquired as to if the $12,800.00 is in addition to the $29,815.48.

Judge Dardani stated that $29,815.48 is the total amount awarded.

Supervisor Hotaling stated that the $12,800.00 is incorporated within the total award.

Judge Dardani stated that $12,800.00 has been earmarked for construction.

Supervisor Hotaling reiterated that it is part of the $29,845.48.

Judge Dardani stated that they should have received $12,800.00 this year and added that he spoke with Mr. Steve Gold from the Office of Court Administration who is the local person that they have to officially deal with as far as the money and added that he has advised that they need some drawings and pictures for the construction. He continued by saying that they know what they would like but not sure of what they can do as far as renovations go and then asked for help from the Building Department.

Supervisor Hotaling stated that he would suggest that they seek the services of an architect or designer to be able to work with Town staff. He continued by saying that they should be familiar with Building Codes, ADA mandates, and those types of things.

Judge Dardani stated that he didn't know who designed the recently constructed Police Department.

Supervisor Hotaling stated that it was a local individual who rendered some great assistance and added that it was not an architect or designer with a staff.

Judge Dardani inquired as to if it would be something that they would have to put out to bid.

Supervisor Hotaling stated that it is.

Judge Dardani stated that they want to get the project going and reiterated that the Office of Court Administration has requested pictures of what it looks like now.

Supervisor Hotaling stated that the construction of the Police Department did not use federal or state dollars and added that they may have to get an architect with stamped drawings and an engineer, which would cost a lot more. He continued by saying that he cannot give any more guidance than that and added that the Justice Department needs to figure out what they want and what the space will allow them to do in terms of maximizing the space they have and in turn they will need someone to put in on paper for them and bid it to those specifications.

Judge Dardani stated that he will work with Councilwoman Rogers, the Court liaison and have her communicate back to the Town Board.

Supervisor Hotaling stated that if there are any staff members or offices and units such as Code Enforcement that can render some assistance they are available and reiterated that ultimately he believes that it has to be stamped drawings. He then asked Attorney for the Town Wukitsch if he agreed.

Attorney for the Town Wukitsch stated that it sounds correct to him and that is the way that it needs to be done.

Judge Dardani stated that handicap accessibility is a big thing.

Supervisor Hotaling stated that he does not know if there are any time constraints and added that the earlier they get someone to put pen to paper the better.

Judge Reilly suggested that they meet at a Workshop to discuss the plan for now as well as the future.

Supervisor Hotaling stated that they could and added that the next Workshop is May 20th.

Judge Reilly thanked the Town Board.

Resignation of Part-Time Telecommunicator

Supervisor Hotaling stated that he received a letter from Chief Darlington, which was given to Chief Darlington by Telecommunicator 206, Scott Searles and continued by reading the following:

To: Sr. Telecommunicator Dawne LaMountain
Chief Greg Darlington

From: Telecommunicator 206 Scott Searles

It has been a pleasure serving the Town of Coeymans Police Department in my position as Telecommunicator. At this time I must submit my resignation for personal reasons, effective 05-01-08.

Scott Searles

Supervisor Hotaling stated that Mr. Searles is also Highway Superintendent Deering's Deputy Highway Superintendent and was a telecommunicator long before taking that position as well as being a Village employee. He added that he enjoyed being a telecommunicator and continued by saying that when he became full-time with the Highway Department it posed a bit of concern relative to the extra hours required. He then asked Chief Darlington if he had anything to add.

Chief Darlington stated that it was basically the mounting requirements of shift coverage and with the hours that he works at the Highway Department it was difficult and added that rather than creating friction he decided to step down.

Supervisor Hotaling asked for a motion to accept the resignation.

MOTION

On motion of Councilman Youmans, seconded by Councilman Boehm, the resignation was accepted effective 05-01-08.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Council Member Request to Attend NYSOSC Advanced Accounting School

Supervisor Hotaling stated that Councilman Touchette has requested to attend the Office of the State Comptroller Advanced Accounting School and added that Councilman Touchette already possesses several skills in this area and acts as the liaison for fiscal matters. He then asked that Councilman Touchette explain the request.

Councilman Touchette stated that the Office of the State Comptroller has two schools that they sponsor every year, basic accounting or government accounting and advanced accounting and continued by saying that a lot of information was presented during the Newly Elected Officials Workshop. He went on by saying that there are major differences in Town Governmental Accounting and the accounting that he is use to and added that he would like the opportunity to attend and learn more about Government Accounting and become familiar with it and in turn hopefully be a benefit to the Town.

Supervisor Hotaling stated that he endorses his request to go and offered the following motion.

MOTION

On motion of Supervisor Hotaling, seconded by Councilwoman Rogers, authorizing Councilman Touchette to attend the Advanced Accounting School in Kingston, NY as well as the fee of $80.00 to be paid in advance and if necessary travel costs in the event that there is not a Town vehicle for him to use.
VOTE – AYES 4 – NAYS 0 – ABSTAIN 1 (Touchette) – SO MOVED

Highway Superintendent Request to Attend 2008 Highway School

Supervisor Hotaling stated that he was in receipt of a request from Highway Superintendent Deering to attend 2008 Highway School, which is an annual request. He continued by saying that it will be held at Ithaca College from June 2-4 with a registration fee of $90.00. He added that there will also be lodging and meals attached to the attendance and then asked Councilwoman Rogers to offer a motion to approve his attendance.

Highway Superintendent Deering interjected that meals are included in the lodging fee.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Boehm, authorizing Highway Superintendent Deering to attend 2008 Highway School on June 2-4 as well as authorizing the $90.00 registration fee, and appropriate reimbursement for lodging.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Training & Accommodations for Sewer Treatment Plant Operator Trainee

Supervisor Hotaling stated that Mr. Lennon had completed his Basic Operations Course and added that there are two other levels that he has to complete before he receives his certification as an Operator. He continued by saying that it is held at SUNY Morrisville and the Basic Laboratory Course will be June 2-6 and the Activated Sludge Course will be June 9-12 and added that the cost for each course is $500.00. He went on by saying that the total stay will be 9 nights at the Lincklaen House for a total cost of $585.00 as well as a meal allowance of $45.00 per day.

Councilman Youmans interjected that it is important to note that they do need another Certified Operator and added that they have already sent him for the first part of the training and went on by saying that there is no point in stopping now.

Supervisor Hotaling stated that when you make a commitment to hire someone as an Operator/Trainee you have to be prepared to carry the commitment through. He added that he was hired provisionally and passed the test for Operator/Trainee and the next step is getting certified.

Councilman Youmans interjected that he demonstrates an eagerness to do so.

Supervisor Hotaling stated that was true and then asked Councilman Youmans to offer a motion.

MOTION

On motion of Councilman Youmans, seconded by Councilwoman Rogers authorizing John Lennon to attend training on June 2-6 and June 9-12 at Morrisville College at a cost of $500.00 per session as well his lodging at $65.00 per night and a meal allowance of $45.00 per day.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Police Department Firearms Purchase

Supervisor Hotaling stated that he was in receipt of a memo dated 04-25-08 from Chief Darlington for firearms purchases and continued by asking that Chief Darlington explain the memorandum.

Chief Darlington stated that as a result of abolishing the Village of Ravena Police Department the Town Police Department absorbed their equipment, which were different firearms. He continued by saying that currently the Officers carry on an average of three different firearms, which creates a safety issue as well as training costs. He went on by saying that a requirement is that each Officer using a firearm must be trained and certified annually, which means that they have to train each Officer on three different firearms and added that to purchase the ammunition gets quite expensive. He continued by saying that he called the Albany County District Attorney's Office and was advised that one of the programs that they have been doing is taking drug forfeiture money and assisting Police Departments with equipment that is needed. He concluded by saying that as a result of the number of firearms that are currently in their possession, it would cost approximately $5,800.00 to purchase new ones as well as the leather that goes with and added that the District Attorney has agreed to pay that full cost.

Supervisor Hotaling stated that they started out with approximately a $12,000.00 charge and will get a trade in of approximately $7,800.00 for the surplus firearms, which leaves a balance of approximately $5,800.00 and in turn the District Attorney's Office agrees to cover that amount with drug forfeiture money. He continued by saying that it will be a new standard weapon that everyone uses and once qualified they will not have to go through 3-4 qualifications with different weapons, which will be a cost savings.

Chief Darlington stated that the only cost will be the purchase of the ammunition and added that either way he would have to purchase ammunition.

Supervisor Hotaling stated that he applauds the District Attorney's Office and added that they did the same thing with vests and radios and have taken a proactive stance with law enforcement agencies that support their office in terms of our county.

Chief Darlington stated that whatever is requested is granted and added that he needs to get it in as soon as possible because other agencies will be looking for money.

Supervisor Hotaling stated that it is important that they move on it and added that he along with the Town Board support his efforts.

Chief Darlington stated that he needs approval to do it as well as have the Town Board confirm that the firearms that they have are surplus and they are authorizing a trade in.

Supervisor Hotaling asked for a motion.

MOTION

On motion of Councilman Boehm seconded by Councilwoman Rogers, authorizing a declaration from the Town Board stating that the Town's existing firearms are surplus and in turn authorizes the Chief to work with the District Attorney on the exchange for the new firearms.
VOTE – AYES 5 – NAYS 0 – SO MOVED

400th Anniversary – Hudson Champlain Voyage

Supervisor Hotaling stated that Councilman Youmans had met with two Quadricentennial representatives in Bethlehem and added that he knows that the Town of Bethlehem has begun to plan the Explore New York events for the 400th Anniversary of Henry Hudson's voyage up the Hudson River. He continued by saying that he is in receipt of a letter from the Hudson-Fulton-Champlain Quadricentennial Commission and went on by saying that it talks about giving them the opportunity to advise them of any events that they have planned. He added that it is an appropriate time to put it on the agenda and discuss the

possibility of planning an event at the riverfront and continued by saying that over the last several years due to fiscal constraints and other matters the fireworks that was enjoyed on July 4th have gone away. He went on by saying that there is an opportunity, if the Town Board sees fit, to engage members of the community, representing various parts of the community, to form a committee and put together some kind of an event so that the Town of Coeymans can also celebrate the Quadricentennial of Henry Hudson's exploration of the river. He concluded by saying that he has discussed it with Chief Darlington, who feels as though there would not be a problem with his department's ability to provide the controls and other necessary support for the event and then asked the Town Board about their feelings on establishing a committee, moving forward and earmarking a few thousand dollars, which could include fireworks as well as some other celebrations.

Councilman Boehm interjected that they should also reach out to the Coeymans Landing Neighborhood Association.

Supervisor Hotaling stated that he had thought of them and added that they have to make sure that they expand it to be a town-wide event and added that he has tried to identify a date for a Founders Day Celebration.

Councilman Boehm interjected that Tom Tucker had given them a date.

Donna Pasquini, a member of the audience stated that was true and added that the Neighborhood Association has the date written down but could not recall it and added that they have been approached about the Quadricentennial by the HFCQ.

Supervisor Hotaling stated that the first date that he had gotten from Dave Ross was sometime in February and added that it would be a tough time to have a celebration.

Donna Pasquini reiterated that they have a date.

Supervisor Hotaling stated that he would like to use it as a stepping stone to do an Annual Founders Day Celebration.

Councilman Youmans stated that some of the ideas that were presented at the meeting in Bethlehem were canoe, regatta, bike and running races between Bethlehem and Coeymans to tie the two towns together. He continued by saying that he and Supervisor Hotaling will be meeting in Bethlehem on May 18th to sit down and put some more ideas together.

Supervisor Hotaling stated that by then they can put together some thoughts and identify a plan to get a Committee going because it is just around the corner. He then asked if there were any additional New Business topics, hearing none he moved to the next item on the agenda.

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RESOLUTIONS

RES. #58-08 APPROVE DECEMBER 2007 ABSTRACT
On motion of Councilman Touchette, seconded by Councilman Boehm, the following resolution was APPROVED – AYES 5 – NAYS 0 – SO MOVED

BE IT RESOLVED, that the Town Board, of the Town of Coeymans, does hereby approve the December 2007 Abstract as follows:

FUND	VOUCHER #	AMOUNT
GENERAL (A)		
General	2692-2695	$5,458.55
	General Total	**$5,458.55**

PART-TOWN (B)		
Part-Town	2696	$8,000.00
	Part Town Total	**$8,000.00**
	Total for All Funds	**$13,458.55**

Supervisor Hotaling stated that he wanted to reemphasize that it is a December 2007 Abstract and added that they are bills encumbered for last year.

RES. #59-08 APPROVE APRIL 2008 ABSTRACT
On motion of Councilwoman Rogers, seconded by Councilman Touchette, the following resolution was APPROVED – AYES 5 – NAYS 0 – SO MOVED

BE IT RESOLVED, that the Town Board, of the Town of Coeymans, does hereby approve the April 2008 Abstract as follows:

FUND	VOUCHER #	AMOUNT
GENERAL (A)		
General Pre-Paid	523-564	$149,214.81
General	613-669,790	$ 27,642.27
	General Total	**$176,857.08**
PART-TOWN (B)		
Part-Town Pre-Paid	565-579	$ 26,601.01
Part-Town	670-691,791-792	$ 16,937.17
	Part Town Total	**$ 43,538.18**
HIGHWAY (DB)		
Highway Pre-Paid	580-590	$ 46,712.62
Highway	692-769	$ 42,057.32
	Highway Total	**$ 88,769.94**
SEWER (SS)		
Sewer Pre-Paid	591-606	$ 12,963.18
Sewer	770-784	$ 10,744.94
	Sewer Total	**$ 23,708.12**
CAPITAL PROJECTS (H)		
Capital Projects	785-788	$ 6,822.45
	Capital Projects Total	**$ 6,822.45**
COMMUNITY DEVELOPMENT (CD)		
Community Development	789	$ 375.00
	Community Development Total	**$ 375.00**
	TOTAL FOR ALL FUNDS	**$340,070.77**
TRUST & AGENCY (T&A)		
Trust & Agency		$163,783.65
	TRUST & AGENCY TOTAL	**$163,783.65**

Supervisor Hotaling stated that he was going to add a resolution, which was not prepared given the necessity for a Public Hearing prior to the Town Board Meeting. He continued by saying that he was going to ad lib the resolution and asked that Attorney for the Town Wukitsch make sure that he gets all of the elements in.

Attorney for the Town Wukitsch stated that it should be framed in terms of a resolution to enact Local Law 1-2008.

Supervisor Hotaling stated that he will introduce a resolution to enact Local Law 1-2008, which relates to the residency requirements for the candidate for Justice Court Clerk and then proceeded with the following:

RES. #60-08 AUTHORIZE ENACTMENT OF LOCAL LAW #1-2008
On motion of Supervisor Hotaling, seconded by Councilman Boehm and duly put to a roll call vote by Deputy Clerk Besta, the following resolution was APPROVED – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the Town Board of the Town of Coeymans received a request from the Justice Court to provide an opportunity to expand the pool of candidates that were seemingly restricted by Public Officers Law Section 3, and

WHEREAS, Attorney for the Town Wukitsch drafted a proposed Local Law 1-2008 to respond to that request, and

WHEREAS, a Public Hearing was scheduled and conducted on Monday, April 28, 2008 at 6:30pm, and

WHEREAS, public comments were heard on the matter, and

WHEREAS, the Town Board is prepared to move the proposed law to the next level,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans hereby approves and enacts Local Law 1-2008 relating to the residency requirements for Justice Court Clerks, and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Coeymans directs the Town Clerk and/or Attorney for the Town to file the appropriate law with the Secretary of State and upon such filing the law will become effective.

Attorney for the Town Wukitsch interjected that they need to do a roll call vote.

Supervisor Hotaling explained to Deputy Clerk Besta the procedure for a roll call vote.

Ms Besta continued by conducting a roll call vote.

Ronald Hotaling – AYE, Dawn Rogers – AYE, Thomas Boehm – AYE, James Youmans – AYE, Richard Touchette – AYE

Supervisor Hotaling stated that the Local Law passes and added that they are on the road to enacting Local Law 1-2008.

Attorney for the Town Wukitsch interjected that the Local Law needs to be placed on the Department of State local law forms, which require a certification from the Town Clerk's Office and added that he will get them to him within the next few days.

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CORRESPONDENCE

Town of Coeymans Beautification Department

Supervisor Hotaling stated that he was in receipt of a copy of a letter from the Beautification Department and added that they had received several requests, due to the nice weather, to accelerate the placement of the public docks at Coeymans Landing and continued by saying that originally the Beautification Department had focused on May 1st as a date in which the docks would be placed. He went on by saying that Mr. Perry made arrangements with Mr. Carl Allen to assist in the placement of the docks and in turn declined to submit a voucher for payment for his staff's services in making sure that the docks were secure. He concluded by saying that Parks & Recreation Maintenance Supervisor Perry sent a letter to Mr. Allen and continued by reading the following.

Dear Mr. Allen,

On behalf of the Town of Coeymans, I would like to thank you for your generous donation of equipment to put the Town docks into the water and secure them for the season. Eric's assistance in running the equipment was also much appreciated.

Be assured that the Town's avid fishermen were delighted they could launch their boats in anticipation of a successful catch that weekend.

Sincerely,

Nelson Perry

Supervisor Hotaling stated that he wanted to publicly thank Mr. Allen for his donation of time, equipment and staff.

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WORKSHOPS / MEETINGS

- Town Board Meeting, May 12, 2008, 7:00pm
- Town Board Workshop, May 20, 2008, 6:00pm
- Town Board Meeting, May 27, 2008, 7:00pm (Due to Memorial Day)

Supervisor Hotaling stated that there will also be a cleanup day in the Hamlet.

Councilwoman Rogers stated that Highway Superintendent Deering will be putting a truck at the Community Beautification building for disposal of the bags.

Ms. Pasquini stated that it will be on May 3rd and they will be meeting at the gazebo at 10:00am to clean up the Hamlet and added that the rain date will be May 10th.

Supervisor Hotaling inquired as to what cleaning up the Hamlet means.

Ms. Pasquini stated that they will be cleaning up the streets and sidewalks and picking up litter.

Supervisor Hotaling stated that this is not to be construed as an opportunity to dispose of things that you would ordinarily dispose of routinely with a waste hauler.

Ms. Pasquini stated that they will be picking up papers, plastic bottles, etc. and added that it is like the Adopt a Highway Program but they will be adopting the Hamlet.

Supervisor Hotaling inquired as to when the Highway truck will be there.

Highway Superintendent Deering stated that it will be there Friday afternoon at approximately 4:00pm.

Supervisor Hotaling asked if there will be Town staff there.

Councilwoman Rogers stated that there won't be staff present and added that the Town will just be providing the truck so that there is a place to dispose of the bags.

Ms. Pasquini invited the Town Board to participate as well as anyone else that wanted to.

Supervisor Hotaling asked if there were any other announcement of public events, hearing none he moved to the next item on the agenda.

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CLOSING COMMENTS

Supervisor Hotaling asked if there were any additional comments.

Councilman Touchette – Nothing at this time.

Councilman Boehm offered his congratulations to Officer DeLuca and Officer Prokrym and added that they will be important components of the Police Department moving forward as well as looking forward to Chief Darlington's comments on their progress.

Councilwoman Rogers – Nothing at this time.

Councilman Youmans stated that he wanted to echo what Councilman Boehm had said as well as thanking Mr. Searles for his services as a telecommunicator.

Deputy Clerk Besta – Nothing at this time.

Attorney for the Town Wukitsch – Nothing at this time.

Chief Darlington stated that the Hudson Valley Little League parade is Saturday, May 2nd and starts at noon. He continued by saying that this past weekend Officer Josh Weddell graduated from the Zone 14 Academy and is now officially a Police Officer. He added that the Town of Coeymans should be receiving a check for approximately $2,500.00 from a salvage company for an old police car, unit 924.

Supervisor Hotaling stated that they also received an insurance settlement on that and continued by saying that Chief Darlington was going to identify equipment that was salvaged from the car.

Chief Darlington stated that the bar lights, computer and radar were salvaged and added that the only way that they will know that the computer actually works is to install it in another car.

Supervisor Hotaling interjected that it appears to be intact.

Highway Superintendent stated that he sent specifications to the Town Board for a loader to go out to bid.

Supervisor Hotaling stated that in the 2008 budget Highway Superintendent Deering had provided for three options for a loader with the most expensive being $173,000.00 with the second one for $150,000.00 and the third one for $130,000.00. He continued by saying that with regard to the equipment the Town Board had placed two items in the budget, a boom arm for $29,000.00 and $173,000.00 for a loader because they didn't know which one Highway Superintendent Deering was going to buy. He then asked Highway Superintendent Deering which one he wanted to buy.

Highway Superintendent Deering stated that it is the one for approximately $170,000.00 and added that between the loader and the arm it was $202,000.00.

Supervisor Hotaling stated that there were three loaders that Highway Superintendent Deering had suggested and continued by asking which one he had submitted to spec out.

Highway Superintendent Deering stated that it would be the largest one for approximately $170,000.00.

Supervisor Hotaling stated that he had confirmed with the Bookkeeper that the budget does reflect that and continued by saying that they just received the first quarters sales tax revenue of $479,000.00, which worked out to be about $25,000.00 over last year and a bit over his projection for the budget. He continued by asking if the Town Board wishes to authorize Highway Superintendent Deering to begin specing the most costly of the three loaders and in turn begin the process and then asked Highway Superintendent Deering what his needs and intent are for the loader for the summer.

Highway Superintendent Deering stated that it will take the place of the loader that is old and added that it is a 1969.

Supervisor Hotaling inquired as to if there are projects in line and if he will put it in use as soon as he gets it.

Highway Superintendent Deering stated that he does and will put it right to use.

Councilman Youmans inquired as to if he expects that much life out of a new one.

Highway Superintendent Deering stated that he hopes so.

Councilman Touchette inquired as to if Highway Superintendent Deering had developed the specifications himself.

Highway Superintendent Deering that he had talked to someone about them and added that there was a lot left out.

Supervisor Hotaling inquired as to if there are any State Contracts.

Highway Superintendent Deering stated that some are State Contracts.

Supervisor Hotaling inquired as to if they will be seeking State Contracts.

Highway Superintendent Deering stated that the specifications for the new one is not on State Contract and added this is why he wants to offer it for bids.

Supervisor Hotaling inquired as to whether or not the specifications will fit State Contract machinery.

Highway Superintendent Deering stated that they probably could and would and added that he would like to hand in the specifications.

Councilman Touchette inquired as to whether or not there is a State Contract vehicle that meets the specifications.

Highway Superintendent Deering stated that there might be and added that he wanted to give everyone the opportunity to bid.

Supervisor Hotaling stated that the point that they are making is that if there is a State Contract vendor for something that fits the criteria then they are not into bidding and they would just buy it.

Councilwoman Rogers inquired as to if it is on State Contract.

Highway Superintendent Deering stated that it is not and reiterated that this is why he wants to put it out to bid.

Councilman Touchette inquired as to whether or not there are State Contractors.

Highway Superintendent Deering stated that there are probably 2-3 of them.

Councilman Touchette inquired as to if they would meet the specifications.

Highway Superintendent Deering stated that he doubts it and added that they will get close.

Supervisor Hotaling stated that the Board could allow him to explore what is out there in terms of what will meet the specifications as well as require him to seek State Contract vendors.

Councilwoman Rogers interjected that he should do it both ways.

Councilman Touchette stated that the vendors need to clarify whether or not the specifications would be under State Contract.

Highway Superintendent Deering stated that the vendors will specify what they have.

Supervisor Hotaling inquired as to who had worked with Highway Superintendent Deering in putting the specifications together.

Highway Superintendent Deering stated that it was Roger from Rochester.

Councilman Youmans stated that it sounds to him like Highway Superintendent Deering had speced out a particular piece of equipment that he feels will do the job for him best and added that it appears that he is leaning toward a certain one.

Highway Superintendent Deering stated that was true and added that it does not mean that it is going to be cheaper. He continued by saying that it will be up to the Board to decide and added that he can present what he wants but it does not mean that they are going to buy the one he wants.

Supervisor Hotaling stated that it also does not mean that the specs are going to be accepted to be put out to bid and added that he will be asking that Attorney for the Town Wukitsch take a look at it before it goes out for public consumption to make sure that there is not an indication of a specification for a particular piece of equipment to the exclusion of other pieces of equipment that are similar but not exact.

Attorney for the Town Wukitsch agreed.

Supervisor Hotaling stated that he would suggest that Highway Superintendent Deering do a bit more research to find out if there are pieces of equipment that can be substituted under State Contract and if so bring it to the Town Boards attention so that they can compare those pieces equipment with the likely piece of equipment it is being speced for. He then asked the Town Board if they are in agreement.

Collectively the Town Board agreed.

Councilman Boehm asked Highway Superintendent Deering if it was alright with him.

Highway Superintendent Deering stated that it has to be if that is what the Town Board wants and continued by saying that he would rather that it just go out to bid.

Supervisor Hotaling interjected that it should be in the form of a motion.

Councilwoman Rogers stated that they wanted to see if there was anything close to what Highway Superintendent Deering wants in a State Contract.

Supervisor Hotaling stated that for an example when the were looking for a generator recently the State Contract came in from Rochester at $27,000.00 and added that when they looked around they found someone in Town who speced the generator for $18,000.00 installed and continued by saying that the State Contract is not always the best bid. He went on by saying the he believes that they would be remiss as a government not to explore it because presumable State Contract vendors are ones that have been chosen by the State Department of General Services and because of the large number of clients they allegedly give good prices on things that you would not be able to find

elsewhere. He added that they were fortunate to find a vendor in Town who rebutted that presumption and continued by saying that they may find his vendor of choice to be similar but they cannot be sure and this is why they are reluctant to spec it out this way. He concluded by saying that Highway Superintendent Deering should speak with liaison Rogers to talk about his reason why he believes it is the right piece of equipment in addition to identifying State Contracts if any to try and compare apples to apples and concluded by saying that it could be apples to oranges but it is a base that they have to touch.

Attorney for the Town Wukitsch stated that it is part of their financial diligence.

Supervisor Hotaling asked Highway Superintendent Deering if he had anything else to discuss.

Highway Superintendent Deering stated that he wanted to hand in his road list for 2008.

Supervisor Hotaling stated that he will share it with the Town Board to get their input and added that they will act on it at the next meeting. He continued by saying that it is a requirement that they sign off on it if they are in agreement. He went on by saying that there is C.H.I.P.S. money in the amount of $79.000.00.

Highway Superintendent interjected that there is more this year.

Supervisor Hotaling stated that $79,000.00 is C.H.I.P.S. money and continued by saying that the Town Board added $150,000.00 for a total of approximately $230,000.00 for paving. He continued by saying that the $150,000.00 is tax dollars represented by sales tax revenue in addition to $79,000.00 from the State, which is ¼ of a million dollars worth of paving that they are authorizing this year. He added that the road list is 3 pages long and went on to say that Highway Superintendent Deering will stretch the money out to do as many roads as he possible can and reiterated that they will act on it at the next meeting.

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ADJOURNMENT

Supervisor Hotaling asked for a motion to adjourn the meeting.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Touchette, the Town Board Meeting was adjourned.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time: 8:53pm

Respectfully Submitted, **APPROVED:**

_____
Diane L. Millious, Town Clerk

A Public Hearing was held Monday, April 28, 2008 at 6:30pm 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: Valarie Besta, Deputy Clerk
George Dardani, Judge
Kevin Reilly, Judge

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Supervisor Hotaling opened the Public Hearing and led the Pledge of Allegiance.

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OPENING COMMENTS

Supervisor Hotaling asked that Deputy Clerk Besta read the Notice of Public Hearing, which was published in the Town's official newspaper the News Herald.

LEGAL NOTICE
PUBLIC HEARING
Proposed Local Law 1-2008

NOTICE IS HEREBY GIVEN that the Town of Coeymans will conduct a Public Hearing for the purpose of receiving comments on proposed Local Law 1-2008 to establish the residency requirements for the appointed office of Justice Court Clerk for the Town of Coeymans. The Public Hearing will be held on April 28, 2008 at 6:30pm prior to the Town Board Meeting at 18 Russell Avenue, Ravena, NY.

By Order of the Town Board
of the Town of Coeymans
Diane L. Millious
Town Clerk

Supervisor Hotaling stated that he would read into the record the proposed Local Law that was included in the Public Notice in the paper.

Proposed Local Law 1-2008

A Local Law to establish the residency requirements for the appointed office of Justice Court Clerk for the Town of Coeymans.

Be it enacted that the Town Board of the Town of Coeymans as follows:

Section I. Title: A Local Law to establish the residency requirements for the appointed office of Justice Court Clerk.

Section II. Authority: This Local Law is adopted pursuant to Municipal Home Rule Law Section 10[1][ii][a][1] that grants to local governments the authority to enact local laws regarding the qualifications of local officers. Furthermore, this Local Law recognizes that the State Legislature has amended Public Officers Law Section 3 numerous times expanding the residency requirements for appointed public offices, thereby rendering the statute a special law, not a general law.

Section III. Supersession: This Local Law shall supersede Town Law Section 23[1] in its application to the office of Justice Court Clerk for the Town of Coeymans.

Section IV. Residency requirements for the position of the Justice Court Clerk for the Town of Coeymans: The person holding the office of Justice Court Clerk in the Town of Coeymans need not be a resident nor an elector of the Town of Coeymans, provided, however, that such person shall reside in the county which such town is located or an adjoining county within the State of New York.

Section V. Inconsistency: All other local laws and ordinances of the Town of Coeymans that are inconsistent with the provisions of this local law are hereby repealed; provided however, that such repeal shall only be to the extent of such inconsistency and in all other respects this Local Law shall be in addition to such other local laws or ordinances regulating and governing the subject matter covered by this local law.

Section VI. Savings Clause: If any clause, sentence, paragraph, word, section or part of this Local Law shall be adjudged by any court of competent jurisdiction to be unconstitutional, illegal or invalid, such judgment shall not affect, impair or invalidate the remainder, thereof, but shall be confined in its operation of the clause, sentence, paragraph, work section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Section VII. Effective Date: This Local Law shall take effect upon filing with the New York Secretary of State.

Supervisor Hotaling stated that it concluded the wording for the proposed Local Law and continued by asking if there was any public comment. He added that anyone desiring to speak should sign in and continued by saying that those speaking should come to the microphone and state their name and public comment.

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PUBLIC COMMENT

Ms. Karol Beck continued by reading the following:

Hello, my name is Karol Beck. I was born and raised in the Town of Coeymans and previously introduced myself to each and everyone of you Board members with a letter dated April 16th so you are well aware why I am opposed to changing the existing law. I feel this Board and Court simply have no regard for the taxpayers of this town. When Richard Filkins and I were hired in March of 07 there was no mention of a position requiring a Civil Service qualification. I was told after 90 days the position would change from part-time to full-time, which was not true. In December the Civil Service requirement came to light to oust Mr. Filkins. Now the Board wishes to change the law to fill the position with a non-resident. I am a Civil Service qualified person, held the position for 90 days and I feel I should have the first shot at getting my job back. If you hire people who do not reside in the Town, their paychecks go to businesses out of town, they do not support our local Shop N Save, drugstores and such as we do as taxpayers. I totally oppose changing the law to hire residents outside our town. You the members of the Board want the taxpayers vote but you don't want to hire taxpayers or Town residents and that's the way I feel. Thank you very much.

Supervisor Hotaling continued by asking if anyone else wished to comment, hearing none he added that they are 7 minutes into the Public Hearing. He continued by saying that each time he conducts a Public Hearing he is told that they have to be open for 20 minutes but no one has ever shown him the statutory requirement but has traditionally held them open for at least 20 minutes in the event that someone either present or may show up care to provide a comment. He concluded by saying that with the permission of the Board he will ask that the sound be turned off until someone wishes to speak or at the end of the 20 minutes to close the Public Hearing.

Supervisor Hotaling stated that the remaining 12 minutes of the Public Hearing was silent and added that 20 minutes had been reached. He continued by asking if there was anyone else wishing to make a comment on the proposed Local Law 1-2008 relating to the

residency requirements for Justice Court Clerk candidates, hearing none he asked for a motion to close the Public Hearing.

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ADJOURNMENT

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, the Public Hearing was closed.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time: 6:51pm

Respectfully Submitted, **SO MOVED:**

_____
Diane L. Millious, Town Clerk

MINUTES BOOKTOWN OF COEYMANS**
April 22, 2008 – Town Board Workshop Meeting – 6:00PM

A Town Board Workshop was held Tuesday, April 22, 2008 at 6:00pm 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

ABSENT: Richard N. Touchette, Councilman

ALSO PRESENT: Diane Millious, Town Clerk
Gregory Darlington, Chief of Police

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AGENDA ITEMS

- Presentation of New Town of Coeymans Website – Frank Bruno
- Police Staffing Issues
- Discussion of Draft Local Law
- P&M Brick Letter of Support
- Ravena Rescue Squad ALS Payment
- Payroll Frequency

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ADJOURNMENT

Supervisor Hotaling asked for a motion to adjourn the meeting.

MOTION

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

Time: 8:10pm

Respectfully Submitted, **APPROVED:**

_____
Diane L. Millious, Town Clerk

A Town Board Meeting was held Monday, April 14, 2008 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 Touchette, Councilman

ALSO PRESENT: Lucinda Vatalaro, Deputy Town Clerk
Albert Deering, Superintendent of Highways

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

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OPENING COMMENT

Supervisor Hotaling stated that the record should reflect the presence of a full Town Board in addition to Deputy Clerk Vatalaro in the absence of Town Clerk Millious, and Highway Superintendent Deering.

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AGENDA

- Public Announcement
  - Assessor's Office, Hours of Operation
- Public Comment
- Approval of Minutes
  - Town Board Workshop, March 18, 2008 (previously tabled)
  - Town Board Meeting, March 24, 2008
  - Town Board Special Meeting, April 2, 2008
- Old Business
  - Speed Limit Reduction
  - Update on FEMA Projects
- New Business
  - Portable Sanitation Units for Town Parks
  - Local Law #1-2008 re: Residency Requirements for Court Clerk
  - Resignation of Part-Time Clerk
  - Resignation of Bookkeeper
  - Town Clerk Procedures for Cash Receipts & Other Cash
  - NY Municipal Insurance Reciprocal Annual Meeting
  - Albany County Application for Grant from Office for Small Cities
  - Relevy Process for Civill Housing PILOT Agreement
  - RFP's Received for CDBG Loan Administration
  - Albany County Tax Mapping
  - Albany County Municipal Services Board – Projects for Consideration
- Resolutions
  - Appointment of Bookkeeper
  - Interfund Loan for Community Development Fund Load
  - Annual Audit of Town Officials
  - Annual Audit of Justice Court
- Correspondence
  - Nationalgrid
  - New York State Department of State
- Town Board Workshops / Meetings
  - Town Board Workshop, April 22, 2008, 6:00pm
  - Public Hearing, April 28, 2008, 6:30pm
  - Town Board Meeting, April 28, 2008, 7:00pm

PUBLIC ANNOUNCEMENT

Supervisor Hotaling stated that he has a public announcement that reflects the office hour changes of the Assessor's Office. He continued by saying that those coming to the Assessor's Office can come any day Monday through Saturday and find staff members there and then read the following:

- Monday 9:00am – 12 noon
  5:00pm – 8:00pm (Assessor's Hours)
- Tuesday 8:00am – 4:30pm
- Wednesday 8:30am – 4:30pm
- Thursday 8:00am – 4:30pm
- Friday 9:00am – 12 noon
- Saturday 9:00am – 12 noon (Assessor's Hours)

Supervisor Hotaling continued by saying that the hours are posted at the new entrance at the north side of Town Hall as well as being on the website and on the bulletin board.

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PUBLIC COMMENT

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

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APPROVAL OF MINUTES

Supervisor Hotaling stated that there were three sets of minutes for Town Board approval, a Town Board Workshop on March 18th, a Town Board Meeting on March 24th and a Special Town Board Meeting on April 2, 2008 and continued by asking for a motion to approve them.

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, the minutes were approved as read.
VOTE – AYES 5 – NAYS 0 – SO MOVED

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OLD BUSINESS

Speed Limit Reduction – Rowe Road

Supervisor Hotaling stated that the Town Board had received a request from Highway Superintendent Deering to consider a speed limit reduction on Rowe Road. He continued by saying that the request was tabled on the part of the Town because when they looked it was only 800-1000 feet and added that there was a similar request from the Town of New Scotland to consider a speed limit on their portion of the road, which was the major portion. He went on by saying that they were going to wait until a determination had been made by the State on that request and added that in turn he received a call from DOT, which indicated that they had done their study and were going to grant the 40mph speed limit for the Town of New Scotland and suggested that it be extended for the small portion of the road in the Town of Coeymans. He continued by saying that the Town Board agreed to that and by letter dated April 1st to Mr. Mike Franchini from the Department of Transportation it advises that an order has been issued for a 40mph speed limit. He concluded by saying that signage should be placed and asked that Highway Superintendent Deering take whatever action is necessary for that.

Update on FEMA Projects

Supervisor Hotaling stated that last April there was a tremendous rain storm that caused significant damage and subsequent to that damage a Disaster Declaration was rendered by both the County and State, which brought in representatives from FEMA who examined several of the Town's projects. He continued by saying that there were high flooding waters in the Hamlet and significant portions of culverts and roads were approved for relief and added that the Highway crew is either in the process of or has finished the repair of the eroding shoulders. He went on by saying that the major project was identified as the Hannacroix Creek as it runs through Joralemon Park where the flooding had caused damage and added that FEMA was there and approved an open ended check, which began with a $200,000 reimbursement fund. He continued by saying that in order to go into the Hannacroix Creek they have to have DEC's permission and added that the permit application was deemed incomplete because DEC wants the plans of what they are going to do attached to it and in order to get the plans they had to engage the services of a Fluvial Geomorphologist, who is a specialist engineer that has the knowledge of determining what creek beds and shore lines should look like. He went on by saying that they are at the point now where that person along with Jim Huston from C.T. Male as well as an Army Corps Engineer representative met at the site to access the process for the permit and in turn took some pictures, data and had some conversations and will be forwarding their assessments to the Town as well as DEC in the form of an application for the remediation work that is required. He continued by saying that Mr. Marcuccio at DEC will be receiving an addendum to the application and in turn they can start the process of remediation in Joralemon Park and added that in walking along the creek bed you will see that the creek is full with rubble that is almost level with the sides, which would encourage flooding. He concluded by saying that hopefully the plan will mitigate the flooding and added that they have to do it in accordance with DEC rules, which only allows doing work in the creek from June to September and continued by saying that he will be requesting an extension from FEMA because they are just starting the assessment stage of the project.

Supervisor Hotaling continued by asking for an update on the rest of the projects, which included a culvert pipe and shoulder erosion.

Highway Superintendent Deering stated that all but a couple have been done.

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

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NEW BUSINESS

Portable Sanitation Units for Town Parks

Supervisor Hotaling stated that Blue Diamond has been the vendor for the sanitation units in the Town parks and continued by saying that there is no State Contract for them. He added that the cost from Blue Diamond to service Coeymans Landing and Joralemon Park is $533.20 per month, which is for two units for each park. He continued by saying that he checked into it and found that they are not required to have a handicap unit in addition to a regular unit and went on to say that they can have a handicap unit only, which would serve in both locations. He concluded by saying that there is an option that presents itself to the Board and then asked what their thoughts were and added that there is a possibility that they can make a decision to initially put just the handicap unit in the parks.

Councilman Youmans inquired as to if they would be in a position to call and have a second one delivered if necessary.

Supervisor Hotaling stated that he believes so and added that they are not under any contractual arrangement and continued by saying that the regular unit is $95.00 per month and the handicap unit is $160.00 per month, which would be a total of $255.00 for both parks with approximately $23.20 per week for fuel and cleaning.

Councilman Touchette stated that there are a certain number of uses per unit and continued by asking if they will exceed that with one unit.

Councilman Youmans stated that this was a good point.

Supervisor Hotaling stated that it is indeterminable by him at this point and added that he does not know in terms of the use.

Councilman Youmans stated that he would think that there is fairly heavy use at the river with Evenings on the Green, soccer games and boating.

Supervisor Hotaling interjected that they are not talking about thousands of dollars in difference and added that there is an opportunity to save a few dollars if they want. He continued by saying that if the Board is of the opinion that they should go with the two units at each location they need to understand that from May to October they will be paying $533.20 per month for each park.

Councilwoman Rogers suggested that they do it this year to find out the usage.

Councilman Boehm stated that he agrees with Councilman Youmans about the usage at the river where there is a lot of activity and added that he would leave the two units at the river and drop it to one handicap unit at Joralemon Park. He continued by saying that it is not a tremendous savings but it is a savings.

Supervisor Hotaling reiterated that they can always add a second one at Joralemon Park if necessary. He then asked if the Board was in agreement.

Collectively the Board agreed.

Supervisor Hotaling stated that they would be ordering two for Coeymans Landing and one for Joralemon Park.

Proposed Local Law 1-2008 – Residency Requirements for Court Clerk

Supervisor Hotaling stated that the Court has been in the process of identifying a candidate for a Court Clerk pursuant to the 2008 Budget as well as the agreement reached in January when the Board voted to put in a part-time person and resume the search for full-time. He then asked that Councilwoman Rogers bring them up to date as to the information that she received from the Court as well as what information Attorney for the Town Wukitsch has provided them.

Councilwoman Rogers stated that there is a qualified applicant for Court Clerk and added that they would have to change a Local Law to establish requirements to be out of the Town.

Supervisor Hotaling stated that there were several applicants, some whom were Town residents and one that was not but was a former resident and has roots in the Town of Coeymans her entire life. He continued by saying that there is a Public Officers Law Section 3 paragraph 8 that requires in part that a Town Court Clerk that is to serve outside the City of New York must be a resident of the political subdivision or municipal corporation of the state for which he shall be chosen or within which his official functions are required to be exercised. He added that at the end of March Councilwoman Rogers had received a letter signed by both Town Justices indicating that they have chosen the best candidate and would like that candidate appointed but there is an issue with regard to her residency. He continued by saying that upon further submission from the Court stating that the residency requirement exists in the Public Officers Law and that it does provide for the Town to enact a Local Law waiving the residency requirement. He went on by saying that he spoke with Councilwoman Rogers and in turn contacted Attorney for the Town Wukitsch who had provided a proposed Local Law that would handle it and continued by saying that the process would be that if it were introduced by a member of the Town Board and voted upon to be set forth for a Public Hearing, a Public Hearing would be held and the Law could be passed at an upcoming

Board Meeting. He concluded by saying that this would open up the option for the Judges to move outside of the Town boundaries to other Towns within the county and other contiguous counties to Albany County. He then asked that Councilwoman Rogers introduce Proposed Local Law 1-2008.

Councilwoman Rogers continued by reading the following:

Proposed Local Law 1-2008

Be it enacted that the Town Board of the Town of Coeymans as follows:

Section I. Title: A Local Law to establish the residency requirements for the appointed office of Justice Court Clerk.

Section II. Authority: This Local Law is adopted pursuant to Municipal Home Rule Law Section 10[1][ii][a][1] that grants to local governments the authority to enact local laws regarding the qualifications of local officers. Furthermore, this Local Law recognizes that the State Legislature has amended Public Officers Law Section 3 numerous times expanding the residency requirements for appointed public offices, thereby rendering the statute a special law, not a general law.

Section III. Supersession: This Local Law shall supersede Town Law Section 23[1] in its application to the office of Justice Court Clerk for the Town of Coeymans.

Section IV. Residency requirements for the position of the Justice Court Clerk for the Town of Coeymans: The person holding the office of Justice Court Clerk in the Town of Coeymans need to be a resident nor an elector of the Town of Coeymans, provided, however, that such person shall reside in the county in which such town is located or an adjoining county within the State of New York.

Section V. Inconsistency: All other local laws and ordinances of the Town of Coeymans that are inconsistent with the provisions of this local law are hereby repealed; provided however, that such repeal shall only be to the extent of such inconsistency and in all other respects this Local Law shall be in addition to such other local laws or ordinances regulating and governing the subject matter covered by this local law.

Section VI. Savings Clause: If any clause, sentence, paragraph, word, section or part of this Local Law shall be adjudged by any court of competent jurisdiction to be unconstitutional, illegal or invalid, such judgment shall not affect, impair or invalidate the remainder, thereof, but shall be confined in its operation of the clause, sentence, paragraph, work section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Section VII. Effective Date: This Local Law shall take effect upon filing with the New York Secretary of State.

Supervisor Hotaling stated that they now have a Proposed Local Law introduced by Councilwoman Rogers and continued by saying that he does not know if it is required to get a second for the introduction and added for the record he would like a second.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Touchette, authorizing the introduction of the Local Law.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Supervisor Hotaling asked if there was any further discussion on the wording of the Local Law, hearing none he stated that the second course of action will be that the Town Board has to establish the date for a Public Hearing, which will be in the form of a motion. He continued by asking Deputy Clerk Vatalaro how soon the Proposed Local Law could be published in the local paper.

Deputy Clerk Vatalaro stated that she believed that they can get it in this week's edition if it is received by noon on Tuesday.

Supervisor Hotaling stated that their best effort would be to get it to the local paper by noon, which will put it in for this Thursday's edition April 17th and added that if they establish the Public Hearing just prior to the next Town Board Meeting on April 28th at 6:30pm, it will provide enough days of public notice if they are successful in getting it in the paper. He then asked for a motion establishing the Public Hearing on April 28th at 6:30pm.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Boehm, establishing the Public Hearing on April 28th at 6:30pm.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Supervisor Hotaling asked Deputy Clerk Vatalaro if she believes that she will be reasonably successful in getting it to the paper.

Deputy Clerk Vatalaro stated that she would be.

Supervisor Hotaling stated that this will put forth the motion of the process to try to accommodate the Judge's request.

Resignation of Part-Time Clerk

Supervisor Hotaling stated that he received a letter of resignation from Ms. Gail Bullock who has worked as a part-time clerk in a Human Resource capacity for almost two years and added that she has indicated a desire to leave the position and her last day will be May 2nd. He then asked for a motion to accept the resignation.

MOTION

On motion of Councilman Youmans, seconded by Councilman Touchette, accepting the resignation of Ms. Gail Bullock, effective May 2, 2008.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Resignation of Bookkeeper

Supervisor Hotaling stated that he received a resignation letter from Ms. Rosemary Puckett who was the Bookkeeper and added that it indicates it is effective April 11, 2008. He continued by saying that Rosemary did a great job as Bookkeeper and went on by saying that she was evolving into a great Municipal Bookkeeper, which made her attractive to other employers and added that he believes that she enjoyed her time with the Town. He then stated that during the transition nothing is more important than keeping your fiscal house in order, which was evident to them when they first arrived in 2004 and added that this is what needed to be done. He continued by saying that they have turned the corner on that and he does not want to backslide on it and went on by saying that during the transition Ms. Puckett has agreed to make herself available in a part-time way payable by voucher to assist in the transition of the new bookkeeper. He concluded by saying that he is happy that she has done that and then wished her well in her new venture.

Supervisor Hotaling asked for a motion to accept the resignation.

MOTION

On motion of Councilman Youmans, seconded by Councilman Touchette, accepting the resignation of Ms. Rosemary Puckett, effective April 11, 2008.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Town Clerk Procedures for Cash Receipts and Other Cash

Supervisor Hotaling stated that an audit was developed some time ago and added that it was signed off by himself, Internal Control Officer Purinton and Town Clerk Millious and is now being presented to the Town Board. He continued by saying that this is a formality of approving the procedures that have been prepared by the Internal Control Officer working with the Town Clerk and signed off by the Supervisor. He then asked for a motion to accept two procedures, one for cash receipts and the second for other cash. He continued by asking if Deputy Clerk Vatalaro was familiar with what the other cash would be.

Deputy Clerk Vatalaro stated that it would be cash collected from other departments.

Supervisor Hotaling interjected that it would be cash from other outside sources like the Building Department and Police Department. He continued by asking if there were any other questions, hearing none he asked for a motion to move on it.

MOTION

On motion of Supervisor Hotaling, seconded by Councilman Touchette, accepting the procedures developed by the Internal Control Officer with the assistance of the Town Clerk and signed off by the Supervisor.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Supervisor Hotaling stated that they would be made part of the Procedures Book.

NY Municipal Insurance Reciprocal Annual Meeting

Supervisor Hotaling stated that he was in receipt of a notification of the annual meeting of the New York Municipal Insurance Reciprocal and added that it is local for anyone wishing to attend to cast their vote. He continued by saying that they can authorize him to sign the proxy to accept or reject the slate and went on by saying that it is the Town's liability insurance for all the departments. He added that the Town has paid five initiation payments with the last one being this year in the amount of $5,000.00 and went on by saying that they have to pay $35,000.00 up front in order to be a full fledged member, which will enable them to achieve greater savings on insurance. He then asked for a motion authorizing him to sign the proxy.

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, authorizing Supervisor Hotaling to sign the proxy and indicate a choice for the three candidates indicated on the proxy card.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Albany County Application for Grant from Office for Small Cities

Supervisor Hotaling stated that the County is preparing a grant application for submission for $750,000.00 and added that County Executive Breslin sent a letter to him talking about the benefits of doing that. He then asked if Councilman Boehm wanted to take the lead on doing it.

Councilman Boehm inquired as to whether or not it was the same application that they had worked on prior or if was a new application.

Supervisor Hotaling stated that the one last year was the Housing Trust Fund and added that they established a $300,000 Housing Trust Fund in their County Budget. He went on by saying that the Town did receive an introductory correspondence asking if they wanted to participate in this application as well. He continued by saying that he is being asked to send a letter of support to the Director of Small Cities in support of the County application. He then asked if this is something that the Town Board wishes him to do.

Councilman Boehm stated that he believes that it is a good idea to support their efforts and added that it will help subsidize the rental properties in the Town.

Supervisor Hotaling stated that he does not believe that they need a motion and added that he will send a letter. He continued by saying that he will keep them updated as to the progress and added that it is similar to what the Town applied for in terms of the Port of Coeymans.

Relevy Process for Civill Housing PILOT Agreement

Supervisor Hotaling stated that the Town has a PILOT (Payment in Lieu of Taxes) Agreement with Civill Senior Housing and added that it goes back 6-7 years. He continued by saying that they don't pay taxes directly and they have a PILOT Agreement to pay in accordance with what their gross rental income is and in turn it is dispersed amongst the town, county and school. He added that the school gets approximately 80% and the town gets approximately 12% with the balance going to the county. He went on by saying that over the years they have had some difficulty getting the PILOT requirement paid on time and continued by saying that he has a spread sheet showing the Civill Senior Housing is in arrears by $17,000 - $18,000. He added that it was in conjunction with an effort on the part of the Town Clerk's Office and Internal Control Officer Purinton to come up with the figure and continued by saying that on April 23rd he along with Mr. Purinton will have a meeting with Mr. Duncan Barrett, the person responsible for Civill Senior Housing and in turn they are going to advise Mr. Barrett that there is some money owed. He went on by saying that the Town has been remiss in conveying the schools portion to the school since 2000 and added that because of the arrears he had decided approximately 12 months ago that he was not going to give anything to the school until the Town's books were in order in terms of what Mr. Barrett owes the Town. He continued by saying that once the Town collects, they will convey to the school their portion, which is approximately $50,000 and added that within the next 4-6 weeks he will be sending it to the school. He went on by saying they needed to establish a process for a way to get their money even if it is unpaid and continued by saying that according to Internal Control Officer Purinton, based on his conversation with the Town Clerk, who had spoken with Anthony DiLella, Albany County Director of Finance, there is an opportunity in the statute for it to be relevied. He added by saying that if the bill is unpaid the Town Board would pass a resolution that would authorize Albany County to relevy on the following years tax bill, which would make the Town whole and the County would be left to get the money. He concluded by saying that he wanted to let the Town Board know that there is a process that they can employ and added that hopefully they will not have to use it and continued by saying that he will report back to the Board after the meeting to let them know where they are at with getting the payment.

RFP's Received for CDBG Loan Administration

Supervisor Hotaling stated that there were several RFP's (Request for Proposal) for the CDBG Loan and added that they have had some internal discussions about it. He then asked that Councilman Boehm give an update as to where they are and what they should do next.

Councilman Boehm stated that there were several RFP's received and added that some were fragmented in what areas they are going to cover. He continued by saying that he will be reaching out to Attorney Pempraze, who is helping them with the grant as well as contacting Chris Huntsinger, who is with the Office of Small Cities to guide them through the RFP's that they received and in turn will pick the best components of them because some of the agencies cannot cover an Environmental Review but can administer loan programs. He added that the RFP's seem to be all over the board and added that with the help of Attorney Pempraze and Chris Huntsinger they will sort through them and move forward with the loan agreement.

Supervisor Hotaling stated that it is a good course of action.

Albany County Tax Mapping

Supervisor Hotaling stated that Assessor VanValkenburg had talked with him briefly about Albany County Tax Mapping and in turn he had asked that she memo the Town

Board. He continued by saying that to date Albany County is without a contract for tax mapping services and added that Mr. John Davis, employed by Sipperly & Assoc. has been the tax map specialist for the county for many years. He added that the contract has expired and efforts have been made by the Albany County Director of Real Property Services, John Lynch, to alert the appropriate people at Albany County as to the importance of addressing a new contract. He went on by saying that according to Assessor VanValkenburg this will directly affect multiple departments such as the Planning and Zoning Boards, Census, Building and Assessor Departments, who rely on up to date information regarding ownership, subdivisions, right of ways and more. He then read the following excerpt from the memo:

"Mr. Davis' experience, knowledge and availability are of great value to the successful operation of tax mapping. I ask that the Town Board do whatever can be done to bring this issue of concern to Albany's attention as soon as possible."

Supervisor Hotaling stated that after his discussion with Assessor VanValkenburg he had called Assemblyman Clouse and left a message inviting him to call back either himself or Assessor VanValkenburg. He added that some pressure could be put on by Assemblyman Clouse to bring the contract to conclusion and added that he has been told that a competitor for the contract is from California and continued by saying that there would be a tax mapping service in California talking about how to map Albany County tax parcels, which might be able to be done with efficient software and GPS technology, He concluded by saying that Sipperly & Associates have provided good service and then asked the Town Board if he should write a letter to the County and express their concern that there is not a contract for tax mapping or whether they should just have Assemblyman Clouse get involved.

Councilman Boehm suggested that they wait to hear from Assemblyman Clouse and if necessary write a letter.

Collectively the Town Board agreed.

Albany County Municipal Services Board

Supervisor Hotaling stated that he has attended some Shared Municipal Services meetings and added that the Shared Municipal Services Board has been empowered within the county to talk about how municipalities can consolidate, conserve and do other things to save tax dollars under the spirit of Shared Municipal Services Agreements. He continued by saying that the most recent one that he attended talked about the Centralized Property Tax Administration Program and added that the State Office of Real Property Services was represented by Susan Savage who talked about the county getting some money to study centralized tax collection. He went on by saying that there are collectors of taxes in Town government as well as the school having a collector and added that it can be simplified by having the taxes collected in one location, such as the county collecting. He continued by saying that the county is considering applying for a grant to study the benefits of consolidated tax collection. He added that another thing that they are studying is a Health Insurance Consortium, which he signed on to be a part of and continued by saying that the County a few years ago became self-insured with Health Insurance and has saved some money and see that a continuation of it will achieve greater savings. He went on by saying that the question is whether or not the Town as a municipality as well as other municipal colleagues in Albany County, should join the Consortium to make it larger to be able to achieve even greater savings to a larger group number. He concluded by saying that he is very interested in it and has material to share with the Town Board and reiterated that they are moving ahead on seeing if it can extend itself to achieve even greater savings if they bring in Towns, Villages and School Districts.

Supervisor Hotaling asked if there were any other New Business topics that anyone wanted to discuss.

Councilman Boehm stated that he received an e-mail from someone in Town asking about Mosher Park Pool and what their plans were. He continued by saying that he

believes that it is a good time of year before the summer starts to let everyone know that last year the Town took out of the budget the $9,000 - $10,000 to enter into an agreement with the Village for paying 20% for the cost of the pool. He added that he wanted to let people know that the Town is not participating in the use of the pool because of the low numbers and cost involved and went on by saying that it is early and people can make other plans as well as being able to use the community pool at the school. He concluded by saying that it would seem to make sense for the Village to have some kind of system for those outside of the Village to use the pool, such as a pool pass system and added that hopefully they will make some arrangements to do that.

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RESOLUTIONS

RES. #53-08 APPOINT BOOKKEEPER
On motion of Councilman Touchette, seconded by Councilman Youmans, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the Bookkeeper for the Supervisor, Rosemary Puckett, tendered her resignation,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans hereby, at the request of the Supervisor, and in accordance with Town Law Section 29, appoints Nita J. Chmielewski as Bookkeeper, at the hourly rate of $20.00. This appointment is effective immediately.

Supervisor Hotaling stated that the departure of Ms. Puckett was unexpected and added that this gave him the opportunity to bring back into the fold the person who he believes played a great role in turning the fiscal corner when she served on the Board. He continued by saying that some may view it as loyalty on his part from a political perspective and added that perhaps you can say that because there is a hint of that and went on by saying that it is only to the extent that back in 2004 when they took office they had a mess and in turn because of their efforts they turned it around. He added that there is an opportunity for him to bring back in a fiscal way someone who had that as a foundation of her town and community service who has served the community in so many ways. He continued by saying that he has the benefit of a very energetic Board with two new members who have demonstrated to him very early that they are very interested and want to play a role in every part of Town government and added that he also feels blessed that he has the opportunity to bring Ms. Chmielewski back as he had also brought back Mr. Conrad to the Building Department and went on by saying that there is no one better that has the knowledge of the infrastructure than he does. He concluded by saying that as a Supervisor he is in the best position now to be able to move forward with the confidence of input from veteran people and the energy of new people as well.

Councilwoman Rogers inquired as to adding full-time or part-time to the resolution.

Supervisor Hotaling stated that it is just bookkeeper at this point and added that it is never going to be full-time. He continued by saying that it may be four days a week for the transition and as it settles out it will probably be Monday, Wednesday and Friday.

Councilman Boehm inquired as to whether or not she will adequately be able to make up for Ms. Puckett's absence or if they will need to hire again.

Supervisor Hotaling stated that ultimately he believes that it will be fine and added that they also have Sarah Morrison who is also serving the Town as the accountant and checker of the books a couple Saturdays a month as well as doing the AFR in addition to Internal Control Officer Purinton who will give his guidance.
Councilman Boehm inquired as to whether or not the actual hours when it is up and running will be less than Ms. Puckett's.

Supervisor Hotaling stated that it will likely be less at 21-24 hours a week as opposed to 35 hours a week.

RES. #54-08 AUTHORIZE GENERAL FUND TO LOAN SPECIAL GRANT FUND
On motion of Councilman Boehm, seconded by Councilwoman Rogers, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the Town Board has received a Small Cities Economic Development Grant from the New York State Office for Small Cities, and

WHEREAS, the Town anticipates the entire cost of the funds expended by the Special Grant Fund (CD) will be reimbursed by the grant, and

WHEREAS, the Town desires to proceed with the implementation of the project, and

WHEREAS, the Town is incurring costs in advance of reimbursement from the State,

NOW, THEREFORE, BE IT RESOLVED, that the General Town-Wide Fund (A) will loan the Special Grant Fund the funds necessary up to $16,000 to pay vouchers for program delivery and program administration expenditures as they come due until the grant draw down is completed, which will be used to repay the General Town-Wide Fund (A). The Special Grant Fund will repay the loan with no interest.

Supervisor Hotaling stated that the Attorney who substituted for Ms. Pempraze has submitted a bill and added that there are no monies yet to be disbursed. He continued by saying that the purpose is to establish a fund up to $16,000 to pay the bills until they get the other money disbursed to them.

Councilman Boehm stated that once the load is closed, the money will be repaid.

Supervisor Hotaling stated that the General Fund will be made whole quicker than the one on Martin's Hill.

Supervisor Hotaling stated that the next two resolutions are a result of a Special Audit Meeting, which was held April 2nd. He added that they conducted an audit of the books for the Supervisor, Town Clerk, Justice Court and small amount of books that the Police Department has. He concluded by saying that the results of the audit are in the Annual Audit of Town Officers book and the resolution will be a summary of the audit and added that the actual comments are contained in the book and can be accessed publicly.

RES. #55-08 AUTHORIZE COMPLETION OF AUDIT FOR TOWN OFFICIALS
On motion of Councilwoman Rogers, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the Town Board must complete or have completed an audit in accordance with Section 123 of Town Law, of all Town Officials that handle cash, and

WHEREAS, the Town Board has adopted an audit procedure, based on the Local Management Guide, Fiscal Oversight Responsibilities, published by the State of New York Office of the State Comptroller , on May 14, 2007, to be applied to the records of each Town Official that handles cash, and

WHEREAS, the Town Board has completed the audit on April 2, 2008.

NOW, THEREFORE, BE IT RESOLVED, that the records of the Town Supervisor have been reviewed by the following reviewers and have concluded as follows:

Board Member	Conclusion
Dawn Rogers	See attached checklist/comments
Thomas Boehm	See attached checklist/comments
James Youmans	See attached checklist/comments
Richard Touchette	See attached checklist/comments

The records of the Town Clerk have been reviewed by the following reviewers and have concluded as follows:

Board Member	Conclusion
Ronald Hotaling, Jr.	See attached checklist/comments
Dawn Rogers	See attached checklist/comments
Thomas Boehm	See attached checklist/comments
James Youmans	See attached checklist/comments
Richard Touchette	See attached checklist/comments

The records of the Receiver of Taxes have been reviewed by the following reviewers and have concluded as follows:

Board Member	Conclusion
Ronald Hotaling, Jr.	See attached checklist/comments
Dawn Rogers	See attached checklist/comments
Thomas Boehm	See attached checklist/comments
James Youmans	See attached checklist/comments
Richard Touchette	See attached checklist/comments

The records of the Town Clerk's collection of Water receipts have been reviewed by the following reviewers and have concluded as follows:

Board Member	Conclusion
Ronald Hotaling, Jr.	See attached checklist/comments
Dawn Rogers	See attached checklist/comments
Thomas Boehm	See attached checklist/comments
James Youmans	See attached checklist/comments
Richard Touchette	See attached checklist/comments

The records of the Town Clerk's collection of Sewer receipts have been reviewed by the following reviewers and have concluded as follows:

Board Member	Conclusion
Ronald Hotaling, Jr.	See attached checklist/comments
Dawn Rogers	See attached checklist/comments
Thomas Boehm	See attached checklist/comments
James Youmans	See attached checklist/comments
Richard Touchette	See attached checklist/comments

The records of the Police Chief's collection of bail and other cash receipts have been reviewed by the following reviewers and have concluded as follows:

Board Member	Conclusion
Ronald Hotaling, Jr.	See attached checklist/comments
Dawn Rogers	See attached checklist/comments
Thomas Boehm	See attached checklist/comments
James Youmans	See attached checklist/comments
Richard Touchette	See attached checklist/comments

The completed checklists, which include the reviewer's comments and conclusions are made part of this resolution.

Supervisor Hotaling stated that he did not participate in the audit for the records of the Town Supervisor and this is why his name was not listed and added that he can vote on the resolution because it accurately reflects what happened.

RES. #56-08 AUTHORIZE COMPLETION OF AUDIT FOR JUSTICE COURT
On motion of Councilman Youmans, seconded by Councilman Touchette, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the Town Board must complete or have completed an audit in accordance with Town Law Section 123 and Section 2019-A of the Uniform Justice Court Act, of all Town Justices, and

WHEREAS, the Town Board has adopted an audit procedure, based on the Local Management Guide, Fiscal Oversight Responsibilities, published by the State of New York Office of the State Comptroller, on May 14, 2007 to be applied to the records of each Town Justice, and

WHEREAS, the Town Board has completed the audit on April 2, 2008.

NOW, THEREFORE, BE IT RESOLVED, the records of Town Justice Dardani have been reviewed by the following reviewers and have concluded as follows:

Board Member	Conclusion
Ronald Hotaling, Jr.	See attached checklist/comments
Dawn Rogers	See attached checklist/comments
Thomas Boehm	See attached checklist/comments
James Youmans	See attached checklist/comments
Richard Touchette	See attached checklist/comments

The records of Town Justice Pearson have been reviewed by the following reviewers and have concluded as follows:

Board Member	Conclusion
Ronald Hotaling, Jr.	See attached checklist/comments
Dawn Rogers	See attached checklist/comments
Thomas Boehm	See attached checklist/comments
James Youmans	See attached checklist/comments
Richard Touchette	See attached checklist/comments

The completed checklists, which include the reviewer's comments and conclusions, are made part of this resolution.

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CORRESPONDENCE

Nationalgrid

Supervisor Hotaling stated that he was in receipt of a request from Nationalgrid for the Town's input on 2008 construction and whether or not any roadwork, water or sewer projects are planned. He added that he would think that they sent the State of New York something similar and the Rte. 143 project is already listed. He continued by saying that he would be giving Highway Superintendent Deering a copy of the letter as well as Chief Operator Breedlove and in turn they will indicate whether or not there are any projects planned for 2008 that will potentially impact Nationalgrid and their services. He added that Highway Superintendent Deering is doing road work out over the hill and then asked him if he is doing any road work in the Hamlet.

Highway Superintendent Deering stated that it is not directly in the Hamlet and added that they are doing work in the Riverview Drive area.

Supervisor Hotaling stated that there is gas there and then asked that Highway Superintendent fill out the form and in turn give it back to him to send back to Nationalgrid and added that the deadline is May 1st.

New York State Department of State

Supervisor Hotaling stated that he was in receipt of a correspondence from the Department of State regarding a consolidation of health insurance. He went on by saying

that there are many municipalities involved with more indicating that they want to be involved.

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WORKSHOPS / MEETINGS

- Town Board Workshop, April 22, 2008, 6:00pm
- Public Hearing, April 28, 2008, 6:30pm
- Town Board Meeting, April 28, 2008, 7:00pm

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ADDITONAL COMMENTS

Supervisor Hotaling asked if there were any additional comments.

Councilwoman Rogers inquired about Biers Road being open on the Copeland Hill end.

Highway Superintendent Deering stated that it is open.

Supervisor Hotaling inquired as to what that means.

Councilwoman Rogers stated that the new road that Mr. Palange had been working on is open.

Supervisor Hotaling inquired as to whether or not they had accepted it.

Councilwoman Rogers and Highway Superintendent Deering collectively stated that they haven't.

Supervisor Hotaling asked what it is doing open.

Highway Superintendent Deering stated that it is not open on behalf of him.

Supervisor Hotaling stated that it should be closed.

Highway Superintendent Deering stated that he could close it.

Supervisor Hotaling reiterated that the Town Board had not accepted it.

Councilman Boehm stated that he drove over it earlier and added that it is open and there is no stop sign or guard rails and continued by saying that it should be closed.

Highway Superintendent Deering stated that there are not any plans for guard rails.

Councilman Boehm inquired about guide rails over the culvert.

Highway Superintendent Deering stated that guide rails were not in the plan.

Councilman Boehm stated that it's not a good idea.

Supervisor Hotaling inquired as to if Highway Superintendent Deering would have put guard rails.

Highway Superintendent Deering stated that he would have by the pipe.

Supervisor Hotaling stated that Highway Superintendent Deering should make Mr. Palange do it and added that he approved the plans.

Highway Superintendent Deering stated that it was not in the road specifications.

Supervisor Hotaling stated that if the road is in the same condition when it comes to the Board for approval, he will have a problem approving it.

Councilwoman Rogers interjected that Mr. Palange will be finishing the corner soon.

Highway Superintendent Deering stated that was true.

Supervisor Hotaling asked if anyone else was concerned about not having guard rails by the culvert.

Councilwoman Rogers stated that she is concerned because if something happens she does not know who is liable.

Councilman Boehm stated that his concern is that there is not a stop sign and someone not familiar with the area could easily go on the county road without stopping for traffic.

Mr. Zabel interjected from the audience that there were cones with tape across the road and then someone stole the cones.

Councilman Boehm interjected that there needs to be something more substantial than the cones.

Councilman Youmans stated that it sounds like a hazard and added that he has corresponded with Mr. Palange who seems to be fairly reasonable with what he wants to do. He continued by saying that if Highway Superintendent Deering feels as though there should be a guard rail there, they should ask him to do it.

Highway Superintendent Deering stated that he could ask him.

Councilman Youmans inquired as to if there needs to be guard rails there.

Highway Superintendent Deering stated that he does not think that they need to be there.

Supervisor Hotaling stated that he thought that Highway Superintendent Deering had said that there should be by the culvert pipe.

Highway Superintendent Deering stated that he does not feel as though they are needed and continued by saying that there could be some warning signs.

Supervisor Hotaling inquired as to whether or not he would recommend accepting the road after the curve is fixed.

Highway Superintendent Deering stated that as far as he is concerned he would accept it.

Supervisor Hotaling inquired as to whether on not core samples were taken.

Highway Superintendent Deering stated that they had not and added that the road is fine and continued by saying if they drilled holes in the road there would be a mess.

Councilman Touchette inquired as to if the Attorney’s are still drafting it.

Highway Superintendent Deering stated that they have everything ready and added that they could speak with Attorney Wukitsch.

Supervisor Hotaling interjected that they don’t have to talk to Attorney Wukitsch because the request to accept the road will come from Highway Superintendent Deering and continued by saying that whatever form the road specification should take should be a discussion that Highway Superintendent Deering has with Attorney Wukitsch. He went on by saying that he had voiced that he didn’t like the elbow in the road and it is up to Highway Superintendent Deering to tell him that it is alright or has to be changed.

Highway Superintendent Deering stated that Mr. Palange is going to correct it and added that he personally thought that it was alright and added that he believes that he did a good job.

Councilman Boehm inquired as to how he could think it was a good job when all of the sudden you take a turn into a field.

Highway Superintendent Deering stated that some of the other roads such as Rowe are worse.

Councilman Boehm interjected that they are there to make them better.

Supervisor Hotaling asked if there were any additional comments.

Councilman Youmans stated that he wanted to thank Ms. Bullock and Ms. Puckett for their service to the Town and the way in which they exited with giving a month notice in one case and a fairly good one in the other as well as staying around to help with the transition.

Councilman Boehm stated that he would piggy back on what Councilman Youmans had said and added that any interaction was very professional and continued by saying that they are very competent people and he wishes them well.

Councilman Touchette stated that he also wishes them well.

Supervisor Hotaling asked if there were any additional comments.

Highway Superintendent Deering stated that he has not heard anything on his attending Highway School and continued by saying that he thought that it was going to be discussed at the Special Board Meeting.

Supervisor Hotaling stated that he thought it had been done.

Highway Superintendent Deering inquired as to whether or not it was sent in and paid and added that he didn't get a voucher.

Supervisor Hotaling stated that he would check into it and get back to him. He continued by asking if they are up against a deadline.

Highway Superintendent Deering stated that he may be as far a getting a room.

Supervisor Hotaling suggested that he make the room reservation and added that they will have the paperwork catch up with him. He continued by asking if there were any other comments, hearing none he asked for a motion to adjourn the meeting.

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ADJOURNMENT

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, the Town Board Meeting was adjourned.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time: 8:12pm

Respectfully Submitted, **APPROVED:**

_____
Diane L. Millious, Town Clerk

A Town Board Special Meeting was held Wednesday, April 2, 2008 at 6:00pm 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
Lucinda Vatalaro, Deputy Town Clerk
Daryl Purinton, Internal Control Officer
Rosemary Puckett, Bookkeeper
Sarah Morrison, Bookkeeper
George Dardani, Judge
Kevin Reilly, Judge
Tammy Eissing, Court Clerk
Gregory Darlington, Chief of Police

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

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READING OF SPECIAL NOTICE

Supervisor Hotaling asked that Deputy Clerk Vatalaro read the Public Notice for the Special Meeting that was published in the Town's official newspaper the News Herald.

NOTICE
SPECIAL TOWN OF COEYMANS
TOWN BOARD MEETING

Pursuant to Section 123 of Town Law, please tax notice that the Town Board of the Town of Coeymans has scheduled a Special Town Board Meeting on Wednesday, April 2, 2008 at 6:00pm for the purpose of an Annual Audit for the Town Clerk, Justice Court, and Bookkeeper. The meeting will be held at the Town of Coeymans Town Hall, 18 Russell Avenue, Ravena, New York.

By Order of the Town Board
of the Town of Coeymans
Diane L. Millious
Town Clerk

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AGENDA

2007 Audit

- Chief Fiscal Officer
- Justice Court
- Town Clerk
- Police Department

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OPENING COMMENTS

Supervisor Hotaling stated that the audit is pursuant to two sections of Town Law, Section 62 that requires the Town Board of every town to meet before the 20th of January

and added that they are late and have been for a couple of years. He continued by saying that they are making the transition in the effort to do the audit themselves as opposed to engaging the services of an auditing firm in the past and added that by Internal Control Purinton's presence and assistance they have created some forms, which enables them to do it themselves. He went on by reading the following excerpt:

"Requirement for the annual accounting shall not apply to a town having a Town Comptroller nor to a town which prior to the 20th day of January engages the services of a Certified Public Accountant or Public Accountant to make an annual audit to be completed within 60 days after the close of the town's fiscal year."

Supervisor Hotaling continued by reading the following excerpt from Section 123:

"Each person who as a Town Officer or employee who received or dispersed any monies in the previous fiscal year shall account with the Town Board for such monies and shall produce all supporting documents as authorized by Section 99B of the General Municipal Law. No member of the Town Board shall sit as such when any account in which he is interested is being audited in addition the Town Board shall examine the criminal and civil dockets of each Town Justice and shall cause to be entered in the minutes of the proceeding that such dockets have been duly examined and that the fines and fees therein shown to have been collected have been turned over to the proper officials as required by law. Each Town Officer and employee except a Town Justice as a part of submitting his books and records shall file with the Town Board a statement in writing showing his receipts and disbursements for the fiscal year."

Supervisor Hotaling stated that as Section 123 states, no member of the Town Board shall sit as such when any account in which he is interested is being audited and added that he would be removing himself from the Chief Fiscal Officer's audit. He continued by saying that he does not want anyone to feel as though they are encumbering a structure that is so rigid that it cannot be understood or questions asked about what they are doing. He went on by saying that they are still on the learning curve with performing the audit and added that as they do them on an annual basis they will get better at doing it. He concluded by saying that they will be asking the questions of the staff members responsible for each particular aspect in each account and continued by saying that for purposes of his records those persons are himself if necessary, Bookkeeper Puckett and Bookkeeper Morrison.

Supervisor Hotaling asked that each Councilperson take a fund and begin answering the questions and also asked that the record reflect that he is taking himself out of participation.

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AUDITS

Chief Fiscal Officer's Records

Councilman Boehm started with the first questions and then it rotated throughout the Council for each fund.

Bookkeeper Puckett and Bookkeeper Morrison responded.

Upon completion of the Chief Fiscal Officer's Records, Supervisor Hotaling returned as a participant.

Court Office

Supervisor Hotaling read the questions for Judge Dardani's records.

Judge Dardani and Clerk Eissing responded.

Supervisor Hotaling stated that Judge Pearson is no longer in office and continued by asking Internal Control Officer Purinton if Court Clerk Eissing can respond to the questions.

Internal Control Officer Purinton stated that she could.

Councilwoman Rogers continued by reading the questions on the checklist.

Court Clerk Eissing responded.

Receiver of Taxes

Councilman Youmans read the questions on the checklist.

Receiver of Taxes Millious responded.

Town Clerk

Councilman Touchette read the questions on the checklist.

Town Clerk Millious responded.

Water Collection

Councilman Boehm read the questions on the checklist.

Collector Millious responded.

Sewer Collection

Supervisor Hotaling read the questions on the check list.

Collector Millious responded.

Police Department

Councilman Youmans read the questions on the checklist.

Chief Darlington responded.

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ADJOURNMENT

Supervisor Hotaling asked for a motion to adjourn the meeting.

MOTION

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

Time: 8:22pm

Respectfully Submitted, **APPROVED:**

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Diane L. Millious, Town Clerk

A Town Board Meeting was held Monday, March 24, 2008 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 Touchette, Councilman

ALSO PRESENT: Diane L. Millious, Town Clerk
Valerie Besta, Deputy Clerk
David Wukitsch, Attorney for the Town
Greg Darlington, Chief of Police
Albert Deering, Highway Superintendent

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

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OPENING COMMENT

Supervisor Hotaling stated that the record should reflect that there was a full Town Board in addition to Town Clerk Millious, Deputy Clerk Besta, Attorney for the Town Wukitsch, Chief of Police Darlington and Highway Superintendent being present.

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AGENDA

- Public Comment Period
- Approval of Minutes of Meetings
  - Town Board Meeting, February 25, 2008
  - Town Board Meeting, March 10, 2008
  - Town Board Workshop, March 18, 2008
- Supervisors Report – February 2008
- Department Report Review
  - Building Department, January & February 2008
  - Waste Water Treatment Plant, February 2008
  - Town Clerk, February 2008
- Old Business
  - Rowe Road Speed Limit
  - Recycling Jurisdiction
  - Reconstruction of Rte. 143
- New Business
  - Request to Attend Empire State Law Enforcement Traffic Safety Conference
  - Request to Attend Ethics Train-the-Trainer Course
- Resolutions
  - Authorize Legal Services for Zoning Board of Appeals
  - Authorize American Tower Corporation Stipulation of Settlement
  - Appoint Part-Time Clerk Assessor's Office
  - Authorize Highway Betterment Funds
  - Authorize Execution of Water Agreement
  - Approve December 2007 Abstract
  - Approve March 2008 Abstract
- Correspondence
- Town Board Workshops/Meetings
  - Special Town Board Meeting, April 2, 2008, 6:00pm
  - Town Board Meeting, April 14, 2008, 7:00pm
  - Town Board Workshop, April 22, 2008, 6:00pm

- Town Board Meeting, April 28, 2008, 7:00pm

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PUBLIC COMMENT

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

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APPROVAL OF MINUTES

Supervisor Hotaling stated that just prior to the meeting they had determined that they were going to not consider the Town Board Workshop minutes of March 18th and added that there are two other sets of minutes for consideration, a Town Board Meeting on February 25th and a Town Board Meeting on March 10th. He then asked for a motion to approve the minutes.

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, to accept the minutes as presented.
VOTE – AYES 5 – NAYS 0 – SO MOVED

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SUPERVISOR'S REPORT

Supervisor Hotaling continued by giving the Supervisor's Report.

February 2008

FUND	BAL. FWD.	RECEIPTS	DISBURSE.	BALANCE
General	$570,897.76	$2,519,449.32	$1,753,366.28	$1,336,980.80
Part-Town	$741,591.88	$ 48,602.96	$ 293,037.66	$ 497,157.18
Highway	$ 5,254.36	$ 3.31	-0-	$ 5,257.67
Hgwy. Bridge	$ 34,676.94	$ 203,858.09	$ 154,040.83	$ 84,494.20
Trust & Agcy.	$ 35,295.91	$ 13.30	-0-	$ 35,309.21
Sewer	$122,864.90	$ 64,032.15	$ 27,303.87	$ 4,488.92
Sewer Cap. Proj.	$121,733.26	$ 661.16	$ 4,570.00	$ 117,824.42
			Tot. Rec. Bal.	**$2,241,105.58**

<u>CERTIFICATES OF DEPOSIT</u>

National Bank of Coxsackie	Part-Town	60 Days	$500,000.00	03-24-08
National Bank of Coxsackie	A-Fund	60 Days	$400,000.00	03-24-08
National Bank of Coxsackie	Highway – DA	90 Days	$250,000.00	04-22-08
National Bank of Coxsackie	A-Fund	90 Days	$115,000.00	05-27-08

SAVINGS ACCOUNTS

Police Forfeitures Checking	$ 72.62
Police Forfeitures	$ 2,277.51
Unemployment	$ 3,156.06
Grove Cemetery Savings	$36,279.15
Grove Cemetery Checking	$11,007.66
Sewer Dedicated	$ 6,211.58
Total	**$59,004.58**

SECTION 8 - HUD

Occupied Units	80
HUD Payments	$34,196.00
Admin Fee.	$ 81.78
Total HUD Pmt.	$34,277.78
Tenant Rent	$13,696.00
Contract Rent	$47,973.78
Section 8 Checking	$85,845.12
Section 8 Savings	2,261.58
Total	**$88,106.70**

COLLATERAL COVERAGE	**FDIC COVERAGE**	**COLLATERALIZED**
National Bank of Coxsackie	$100,000.00	$2,327,437.44
Citizens Bank	$100,000.00	$ 89,869.59
First Niagara	$100,000.00	$ 154,206.00

Supervisor Hotaling stated that in the Grove Cemetery savings of $36,279.15, there is money that is owed to the account for approximately $4,000.00. He continued by saying that he will be strategizing as to how to invest the money because it is an account that was known as the Perpetual Care Fund when it was owned by Grove Cemetery Association and is untouchable by the Town and went on by saying that they can only use the interest, which is currently next to nothing. He added that the Town has responsibility for Grove and Indian Fields Cemeteries, which is costing the Town tax dollars to take care of them. He concluded by saying that it is his belief and it should be considered when a cemetery dissolves and conveys itself to the Town, that the Perpetual Care Fund be conveyed in such a way that the Town can utilize it for its care and not by statute hold it harmless of any Town usage except for interest and added that they will invest the money until the law changes.

Supervisor Hotaling asked for a motion to approve the report.

MOTION

On motion by Councilman Touchette, seconded by Councilman Boehm, the Supervisor's Report was accepted as read.
VOTE – AYES 5 – NAYS 0 – SO MOVED

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DEPARTMENT REPORT REVIEW

Building Department Monthly Report – January / February 2008

Supervisor Hotaling asked that Councilman Touchette give the Building Department Monthly Reports for January and February.

Councilman Touchette continued by giving the report.

Supervisor Hotaling asked for a motion to approve the report.

MOTION

On motion of Supervisor Hotaling, seconded by Councilwoman Rogers, the Building Department Reports were accepted as read.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Waste Water Treatment Plant Monthly Report – February 2008

Supervisor Hotaling asked that Councilman Youmans give the Waste Water Treatment Plant Monthly Report.

Councilman Youmans continued by giving the report.

Supervisor Hotaling asked for a motion to approve the report.

MOTION

On motion of Councilman Touchette, seconded by Supervisor Hotaling, the Waste Water Treatment Plant Report was accepted as read.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Town Clerk Monthly Report – February 2008

Supervisor Hotaling asked that Town Clerk Millious give the Town Clerk's Monthly Report.

Town Clerk Millious continued by giving her report.

Supervisor Hotaling asked for a motion to approve the report.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Boehm, the Town Clerk's Report was accepted as read.
VOTE – AYES 5 – NAYS 0 – SO MOVED

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OLD BUSINESS

Rowe Road Speed Limit

Supervisor Hotaling stated that in January, Highway Superintendent Deering had suggested a 40 mph speed limit on Rowe Road and in turn an observation was made of the road area and there was some confusion as to the manner of the request that the Town of New Scotland allegedly made to the State. He continued by saying that it was clarified that the Town Clerk's Office in the Town of New Scotland had made the request on the behalf of a resident, which did not pass through the Highway Superintendent. He went on by saying that once that was determined, the Town Board at its February 25th Meeting decided to hold in abeyance, until New Scotland's request was acted upon, Highway Superintendent Deering's request for the approximate 1,000 feet located in the Town of Coeymans. He continued by saying that he received a call from Reid Shultes, Traffic Engineer with the DOT indicating that they are reviewing the Town of New Scotland's request and are about to grant the request for a 40 mph speed. He added that Mr. Shultes wanted to know if Coeymans, given the fact that there are several hundred of feet of road that would not be under the speed limit, would agree to the 40 mph speed limit as well. He went on by saying that he spoke on behalf of the Town Board that they have no objection to that and added that when it is approved it will be approved for the entire road and whether or not any signs should go up would be a function of Highway Superintendent's review. He concluded by saying that he would suggest a slower than 40 mph speed sign on the curve.

Highway Superintendent Deering inquired as to if they are going to put 40 mph on the Town of Coeymans end.

Supervisor Hotaling stated that they were and added that his phone call was to find out if there were any objections to extending the 40 mph into the small section that goes into

the Town of Coeymans and in turn he said that there were no objections to extending the speed limit all the way to CR 301.

Highway Superintendent Deering inquired as to if it was on behalf of the Town of Coeymans or Town of New Scotland in addition to whether or not the Town of Coeymans will have to follow the same procedure.

Supervisor Hotaling stated that there is no need to send the recommendation to the State and added that the purpose of the call was for Mr. Shultes to inquire as to whether or not the Town of Coeymans had any objections to it. He continued by saying that it was treated as though it was a request from the Town of Coeymans for the 40 mph in the Coeymans section as well.

Recycling Jurisdiction

Supervisor Hotaling stated that they had Attorney for the Town Wukitsch review the statutes in the case law relative to recycling jurisdiction when it became apparent to them that from DEC's perspective they lacked jurisdiction in the Village to deal with a constituents concern about the lack of recycling at the high-school. He continued by saying that this is how it came up and added that he knows that the school is governed by education law and falls under a different statutory umbrella. He went on by saying that Attorney for the Town Wukitsch had submitted something to the Town Board in writing and then asked that he summarize his review.

Attorney for the Town Wukitsch stated that he researched the specific issue of whether or not the Town has the power to enforce its Solid Waste Management Law within the Village of Ravena and added that it is his opinion that subject to some limited qualifications, the Town lacks that power and does not have the power to enforce the law in the Village. He went on by saying that it is a result of the statutory and constitutional limitations that he set forth in his memorandum and added that the substance is that generally the law provides that a town or municipality does not have the power to enforce its laws within another municipality or village. He added that there are two exceptions to the rule that are given and State Legislature has on occasion passed special legislation at the State level authorizing town-wide enforcement of a town Waste Management Law, such that the Town could enforce within a Village as well as it being permissible for a town and village to agree in writing that the Town Law would apply within the village and in turn it would be enforceable. He concluded by saying that given that the two exceptions are not met the general rule would apply and the Town would not be permitted to enforce the law within the Village.

Supervisor Hotaling stated that his opinion explains it more than DEC making a phone call saying that they cannot enforce it. He continued by saying that given the reality of the opinion, they have to make a decision whether or not they want to authorize him to communicate with the Mayor and Village Board that they do not have authority and in turn the issue will become whether or not the Village wants to agree to have it enforced or if they want to enact their own Recycling Solid Waste Management Law, which was anticipated to have been done back in the early 90's when the State mandated municipalities to enact such a law.

Councilman Youmans stated that they should communicate it to the Mayor.

Supervisor Hotaling stated that the Village could decide which option they preferred and added that he will communicate it to them at his first opportunity.

Councilman Touchette stated that they should also get back to the person that originally made the inquiry.

Supervisor Hotaling stated that it was someone in the Hamlet of Coeymans and added that Mr. Tucker from the News Herald has reported that the school has undertaken a cardboard, paper Recycling Program and added that the request that was made by the constituent was not focused exclusively on cardboard and paper. He continued by saying that it was the fact that glass, plastic and other recyclables that the State of New York

requires to be recycled, were not being recycled but rather commingled with the trash. He concluded by saying that it is not the Town's jurisdiction to enforce and added that it is the Education Departments.

Reconstruction on Rte. 143

Supervisor Hotaling stated that the State received bids from three contractors and are about to have a pre-award meeting to talk about the job, which will be awarded to the low bidder. He continued by saying that the betterment that they have in the project itself for the Gray Water Sewer System for Martins Hill Road is a subject of a letter and subsequent resolution later in the meeting. He added that the Martins Hill Water Project is also subject to a resolution later in the meeting and is something that is not yet a betterment but has been talked about being one in a meeting with DOT last week and continued by saying that some numbers have been presented to them. He went on by saying that they received information that the cost of such betterment would exceed what they anticipated spending for the water project approximately 15 months ago and added that it is up $80,000. He continued by saying that they will have to strategize with DOT, and the district users when Attorney Haffner gets his map plan and petition report ready to go so they can have it in front of them to do a referendum and added that currently the cost is $267,000 according to the estimate of DOT as a betterment. He went on by saying that he has had preliminary discussions with the Mayor trying to work out some options available to them about how they can explore portions of the bill differently and continued by saying that hopefully by the end of the week he will be able to move it along and in turn he will report back to the Town Board, particularly with Councilman Youmans who sat with him during negotiations on this matter with the Village. He then asked if anyone else had anything to add.

Councilman Boehm inquired as to when he anticipates the start of the project.

Supervisor Hotaling stated that the bid is suppose to be awarded mid April and added that the contractor is ready to mobilize and move in. He added that Rte. 9W up Martins Hill to the funeral parlor will be done first, which will be Phase I and continued by saying that there will be a period of time during the summer when the road will be closed at the top of the hill as they soften the curve and make the t-intersection with Deans Mill Road and Palmer Drive with a detour requirement of approximately three weeks. He added that the following year construction for the balance going out to Nolan Road will begin and continued by saying that it will be a two-year project.

Councilman Youmans interjected that it is important to let the people know that they did come to an agreement with the Village of Ravena on the water and added that they are now to the details of how to get the pipes in the ground so that everyone can afford it.

Supervisor Hotaling added that they have gone too far to turn back now and added that they are going to explore every option that they can to get it done and make it palatable to the people that desperately need the water. He continued by asking if there were any other Old Business topics that needed to be discussed, hearing none he moved to the next item on the agenda.

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NEW BUSINESS

Request to Attend Empire State Law Enforcement Traffic Safety Course

Supervisor Hotaling stated that he was in receipt of a request from Chief Darlington asking for authorization to attend the Empire State Law Enforcement Traffic Safety Conference and then asked that Chief Darlington explain the request.

Chief Darlington stated that it is a Conference that is being held at the Great Escape Lodge and is for two days. He added that the Conference addresses modern trends with traffic safety enforcement as well as other law enforcement related topics and continued by saying that the cost would be $90.00 for an overnight stay because the banquet is

included and is paid for by the DWI Grants. He went on by saying that Sgt. Contento's as well as his salary can be reimbursed by the Traffic Safety Grants.

Supervisor Hotaling stated that the total cost to attend is $90.00 for the room that Sgt. Contento and Chief Darlington will be sharing and continued by asking for a motion to authorize their attendance.

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, approving the expense of $90.00 for Chief Darlington and Sgt. Contento to attend the Conference.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Request to Attend Ethics Train-the-Trainer Course

Supervisor Hotaling stated that Chief Darlington had submitted a request to attend some training, which is Ethics Train the Trainer and then asked that Chief Darlington explain it.

Chief Darlington stated that the topic deals with ethics of law enforcement as a result of a lot of what they are seeing in the news as well as issues that arose in the Police Department. He continued by saying that this will allow him to become a trainer and do the actual training within his Department as well as in other law enforcement academies.

Supervisor Hotaling stated that this is quite a bit more costly than the previous request and added that he believes that it is worthwhile. He continued by saying that the cost is $645.00 for a four day conference, which will include the registration fee and added that he will be traveling back and forth in a Town vehicle. He then asked if there were any additional comments.

Councilman Youmans stated that the form indicates that the cost is $545.00 for ILEA members and continued by asking Chief Darlington if he is a member.

Chief Darlington stated that he is not.

Supervisor Hotaling asked for a motion to approve attendance at the Conference.

MOTION

On motion of Councilman Boehm, seconded by Councilman Touchette, authorizing $645.00 for Chief Darlington to attend the Conference.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Supervisor Hotaling asked if this is something that has to be paid up front.

Chief Darlington stated that a purchase order will suffice.

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RESOLUTIONS

Supervisor Hotaling stated that Aline Galgay served as counsel for the Zoning Board of Appeals as well as being Chair of the Zoning Ordinance Committee and continued by saying that she resigned approximately two months ago. He continued by saying that they received a proposal to fill the position and then asked that Councilman Touchette read the first resolution.

RES. #46-08 AUTHORIZE LEGAL SERVICES FOR ZONING BOARD OF APPEALS
On motion of Councilman Touchette, seconded by Councilwoman Rogers, the following resolution was APPROVED – VOTE 5 – NAYS 0 – SO MOVED

BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby appoint Lisa Pempraze, Esq. of, and for the law firm Segal, Goldman, Mazzotta & Siegel, P.C., to serve as legal counsel to the Zoning Board of Appeals for a yearly fee of $6,000 payable by monthly voucher submission.

BE IT FURTHER RESOLVED, that the Town Board authorizes Supervisor Ronald K. Hotaling, Jr. to sign this agreement.

Councilman Boehm stated that the letter indicates that it will be prorated for calendar year 2008 in the amount of $4,500 and the resolution states $6,000.

Supervisor Hotaling stated that it is $6,000 on an annual basis payable by monthly voucher submission of $500.00 each and continued by saying that the letter explains that for the first year it is prorated for $4,500 because it is not a full year.

Attorney for the Town Wukitsch inquired as to why the resolution is dated January 14th.

Supervisor Hotaling stated that it is because it is the date of the resolution that was on it when they hired Aline Galgay and continued by saying that it is a mistake and should say March 24, 2008. He reiterated that they are going to pay Ms. Galgay $500.00 a month beginning April 1, 2008.

Councilman Boehm interjected that the total is $4,500.

Supervisor Hotaling reiterated that it is a yearly fee of $6,000.00.

Councilman Boehm inquired as to why it does not state $4,500 for 8 months.

Supervisor Hotaling stated that the resolution is for a yearly fee of $6,000.

Councilman Youmans stated that if she serves next year for 12 months it will be $6,000.

Supervisor Hotaling stated that the yearly fee is $6,000 payable at $500.00 per month based on the agreement.

Supervisor Hotaling stated that Attorney for the Town Wukitsch worked diligently on the American Tower Corporation Stipulation Agreement and then asked that he brief them on his efforts.

Attorney for the Town Wukitsch stated that he worked closely with the Assessor in reviewing the matter and continued by saying that they believe together that the settlement, which has been proposed, is in the best interest of the Town. He added that it is so because by settling the case they will not be required to obtain an independent appraisal, which could be quite expensive as well as because of the settlement, the Town will not be responsible for any refund of taxes already paid and there will not be any immediate impact on the Town's fiscal situation. He concluded by saying that with Assessor VanValkenburg's input he believes that it is a reasonable settlement taking into account all of the factors and the Town Board should favorable consider it.

RES. #47-08 AUTHORIZE AMERICAN TOWER CORPORATION STIPULATION AGREEMENT

WHEREAS, a petition to review the assessment for the year 2007 of the Real Property of American Tower Corporation ("Petitioner"), in the Town of Coeymans, tax map number 129.-2-1, was filed and served upon the Town of Coeymans, and

WHEREAS, the Town and the Petitioner are prepared to enter into a stipulation and settlement of this action in accordance with the attached stipulation, and

WHEREAS, upon the recommendation of the Assessor, it appears to be in the best interest of the Town to settle said matter.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans authorizes and approves the settlement of this matter pursuant to the attached Consent Order and stipulation and directs the establishment of said assessment pursuant to the same, and the Attorney for the Town is authorized to consent to the entry of said Order to accomplish this settlement.

RES. #48-08 APPOINT PART-TIME ASSESSOR'S CLERK
On motion of Councilwoman Rogers, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE 5 – NAYS 0 – SO MOVED

WHEREAS, the Assessor is desirous of hiring additional part-time staff to provide the necessary coverage in the Assessor's office, and

WHEREAS, the Assessor has publicly advertised and interviewed several applicants for this position, and

WHEREAS, the Albany County Department of Civil Service has determined that the selected candidate meets the minimum qualifications for this position,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby appoint Anthony DiAcetis, Jr. to the position of part time Clerk I, at the hourly rate of $10.97, effective March 31, 2008.

Supervisor Hotaling stated that the original betterment was $21,160 and added that the amount has been deposited with the State in anticipation of the bids coming in based upon the State's best estimate of that portion of the contract at that level. He continued by saying that unfortunately the low bidder for the betterment share and the low bidder for the job came in at $27,144.78 and added that according to DOT and Mr. Boni it is something that occurs frequently in jobs such as this where the bids are done in segments. He went on by saying that they front load some of those tasks within the overall project with a higher amount to get a cash flow going as a contractor and then low ball the later amount. He concluded by saying that the betterment is in the early part of the project and this is why it is $27,144.78 in addition to it requiring a 15% add on for construction inspection and contingency, which is another $4,000.

Supervisor Hotaling stated that it is a large resolution and added that Councilman Youmans can read the highlights of the resolution.

Councilman Youmans interjected that it is important to let the people know that the money will be paid back by those receiving the benefit of the sewer system. He continued by saying that he is not sure what the highlights would be.

Attorney for the Town Wukitsch stated that they could waive a formal reading.

Supervisor Hotaling asked for a motion to waive the formal reading.

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers authorizing waiving the formal reading of the resolution.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Supervisor Hotaling stated that the motion was to waive the formal reading of the resolution that will add money to the betterment for the Gray Water Sewer Betterment and continued by asking for a motion to approve the resolution to add the amount of $10,056.50 to the already submitted $21,160.

MOTION

On motion of Councilman Youmans, seconded by Councilman Touchette, to authorize that they submit the additional $10,056.50 to the already submitted $21,160 for the betterment project of the Martins Hill Gray Water Sewer System.

VOTE – AYES 5 – NAYS 0 – SO MOVED

Councilwoman Rogers inquired as to if it is finished or if they will keep raising it.

Supervisor Hotaling stated that it is finished and continued by saying that hopefully they won't need the $4,000 for the contingency and added that some of it might come back to the Town as well. He continued by asking if there was any more discussion, hearing none he moved to the next item on the agenda.

RES. #49-08 AUTHORIZE HIGHWAY BETTERMENT AGREEMENT
On motion of Councilman Youmans, seconded by Councilwoman Rogers, the following resolution was APPROVED – VOTE 5 – NAYS 0 – SO MOVED

WHEREAS, pursuant to Highway Law Section 10(27) the Commissioner of Transportation (the "Commissioner") may, upon the request of a municipality, perform for and at the expense of such municipality, any work of construction, including the removal and relocation of facilities, provided the Commissioner deems it practicable to perform such work for such municipality in connection with the performance of any work of construction, reconstruction or improvement under the Highway Law; and

WHEREAS, the Town of Coeymans is a municipality within the meaning of such section of the Highway Law ("Municipality"); and

WHEREAS, pursuant to Highway Law Section 10(27) the municipality in connection with reconstruction of Route 143 from RM 1165 to Route 9W, Town of Coeymans, Albany County wishes the New York State Department of Transportation ("NYSDOT"0 to perform certain work described in Schedule A (that describes the "Betterment") annexed to this resolution; and

WHEREAS, there is substantial public interest in and benefit to the performance of the Betterment, which will be part of the State or municipal highway system and will be available for use by the general public; and

WHEREAS, NYSDOT has estimated the cost of the Betterment; and

WHEREAS, in connection with the Betterment Agreement and no later than NYSDOT's award of contracts inclusive of the work contemplated by such agreement, the Municipality shall deposit in escrow with the State Comptroller, subject to the draft or requisition of the Commissioner, the amount of such cost estimate, to be expended by the State Comptroller on the costs of the Betterment so requested and approved or the return of the excess amount thereof, if any, to the Municipality; and

WHEREAS, upon completion and payment of the costs of the Betterment the Commissioner shall determine the costs thereof to be borne by the Municipality, and any excess of the deposit shall be paid to the Municipality on the warrant of the State Comptroller on vouchers approved by the Commissioner; and, in the event such costs exceed the amount of the deposit, the Municipality shall within 90 days of the receipt of notice from the Commissioner pay the amount of such deficiency to the State Comptroller.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board, duly convened does hereby approve the above subject Betterment, and be it

FURTHER RESOLVED, the sum of $21,160.00 (twenty one thousand one hundred sixty dollars and no cents) is hereby appropriated from Coeymans Martins Hill Sewer District for deposit with the State Comptroller pursuant to a Betterment Agreement with NYSDOT and expenditure on the draft or requisition of NYSDOT for additional betterment project costs in accordance with Highway Law Section 10(27) and such betterment; and be it

FURTHER RESOLVED, that the Town Supervisor be and is hereby authorized to execute all necessary agreements or other instruments on behalf of the Town of Coeymans in connection with the advancement or funding of the Betterment; and be it

FURTHER RESOLVED, that a certified copy of this resolution be filed with the State Comptroller and New York State Commissioner of Transportation by attaching it to the Betterment Agreement with NYSDOT, it being understood that upon completion of the Betterment by NYSDOT, NYSDOT shall transmit to this body a statement showing the actual costs and expenses of the Betterment and shall notify the Fiscal Officer of the amount due from or to be returned to the Municipality, as the case may be, and that any sum due to NYSDOT shall be paid by the Municipality within ninety (90) days after the date of transmittal of such statement, and the funds therefore shall be raised according to law and the terms of the Betterment Agreement, as applicable.

RES. #50-08 AUTHORIZE EXECUTION OF WATER AGREEMENT
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 is desirous of creating a Water District for 21 parcels on and around Martin's Hill Road to remedy a long standing problem related to potable water, and

WHEREAS, a necessary component in the creation of this District is to acquire a supply of potable water, and

WHEREAS, the Village of Ravena, requested by Mayor John T. Bruno and Michael Biscone has approved the agreement,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans authorizes Supervisor Ronald K. Hotaling, Jr. to execute the Water Agreement on behalf of the proposed Water District, and

BE IT FURTHER RESOLVED, that the Town will commence the legal requirements to obtain approval of such District for the betterment of residents therein.

Supervisor Hotaling stated that they have all of the attached documents as well as the map being approved and continued by saying that the next step is for Attorney Haffner to prepare the resolutions necessary for submission for approval to the Comptroller. He added that the biggest thing that they have to do is figure out how they will pay for it and then thanked everyone for the work put forth to get it done.

RES. #51-08 APPROVE DECEMBER 2007 ABSTRACT
On motion of Councilman Touchette, seconded by Supervisor Hotaling, the following resolution was APPROVED – VOTE 5 – NAYS 0 – SO MOVED

BE IT RESOLVED, that the Town Board, of the Town of Coeymans, does hereby approve and allow the following claims of vouchers for the December 2007, Abstract.

	VOUCHER #	**AMOUNT**
GENERAL (A)		
General	2688-2690	$74,620.02
	General Total	**$74,620.02**

Supervisor Hotaling stated that this is a December 2007 Abstract and added that it is typically something that happens at the end of the fiscal year in trying to clear up last minute bills.

RES. #52-08 APPROVE MARCH 2008 ABSTRACT
On motion of Councilman Boehm, seconded by Councilwoman Rogers, the following resolution was APPROVED – VOTE 5 – NAYS 0 – SO MOVED

BE IT RESOLVED, that the Town Board, of the Town of Coeymans, does hereby approve and allow the following claims of vouchers for the March 2008, Abstract.

	VOUCHER #	AMOUNT
GENERAL (A)		
General Pre-Pay	296-329,341,516-517	$169,079.95
General	371-437,515	$ 64,928.72
	General Total	**$234,008.67**
PART-TOWN (B)		
Part-Town Pre-Pay	330-340,518	$ 30,027.14
Part-Town	438-454	$ 2,933.76
	Part Town Total	**$ 32,960.90**
HIGHWAY (D)		
Highway Pre-Pay	342-350,519-520	$ 49,435.05
Highway	455-494	$ 35,016.31
	Highway Total	**$ 84,451.36**
SEWER (SS)		
Sewer Pre-Pay	351-367,521	$ 16,751.02
Sewer	495-512	$ 8,607.67
	Sewer Total	**$ 25,358.69**
CAPITAL PROJ. (H)		
Capital Projects	513-514	$ 2,700.75
	Capital Proj.Total	**$ 2,700.75**
	Total for all Funds	**$379,480.37**
TRUST & AGENCY (TA)		
Trust & Agency Pre-Pay	368-370,521-522	$212,104.56
	Trust & Agcy. Total	**$212,104.56**

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CORRESPONDENCE

Supervisor Hotaling stated that there were no correspondence at this time and continued with the next item on the agenda.

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TOWN BOARD WORKSHOPS / MEETINGS

- **Special Town Board Meeting, April 2, 2008, 6:00pm**
- **Town Board Meeting, April 14, 2008, 7:00pm**
- **Town Board Workshop, April 22, 2008, 6:00pm**

- **Town Board Meeting, April 28, 2008, 7:00pm**

Supervisor Hotaling stated that he wanted to discuss the April 22nd Workshop and continued by saying that at the Organizational Meeting they had indicated a different date of April 15th.

Town Clerk Millious stated that April 15th is the day after the regular scheduled meeting on the 14th.

Supervisor Hotaling stated that it was obviously an error that they made at the Organizational Meeting and continued by saying that in recognizing the error they need to make a formal motion to formally modify the date from the 14th to the 22nd.

MOTION

On motion of Supervisor Hotaling, seconded by Councilwoman Rogers, authorizing the correction of the date and changing it from April 15th to April 22nd.
VOTE – AYES 0 – NAYS 0 – SO MOVED

****

ADDITIONAL COMMENTS

Supervisor Hotaling asked if there were any additional comments.

Chief Darlington stated asked that he be placed on the agenda at the April 22nd Workshop to discuss staffing for Communications and the Police Department.

Supervisor Hotaling inquired as to if it is something of an urgent nature.

Chief Darlington stated that it can wait until the Workshop.

Supervisor Hotaling stated that he can work it out with Councilman Boehm and Confidential Secretary Lewandowski to place it on the agenda.

Chief Darlington continued by saying that Communications is 90% moved and added that they are operating out of Town Hall at this time. He continued by saying that the following day they will fully vacate the Communications room that they were in at Village Hall. He went on by saying that they still occupy part of the old radio room downstairs as well as the antennas still being on the building. He continued by saying that there was a planning error between themselves and Albany County with their CAD system and currently instead of computerized dispatching they are back to the manual paper dispatching and added that it is his understanding that it should be installed within 3-4 weeks and concluded by saying that they have to get some more infrastructure put in Town Hall as well as it being his understanding that 911 money will pay for it.

Supervisor Hotaling stated that Chief Apple has indicated in their discussion that fiber optic is the way to go since it is the wave of the future and added that it puts them in a state of the art position. He then asked if there were any additional comments.

Councilman Youmans stated that in reference to the move of the Police Department out of the Village building, he would ask that they work hard at keeping those at the Village, particularly the Mayor, informed of exactly where they are in the process. He added that based on conversations that he has had with the Mayor in the past, there seems to have been a lack of communication and reiterated that he would like for him to be well informed.

Chief Darlington agreed.

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

ADJOURNMENT

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Boehm to adjourn the Town Board Meeting.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time – 7:55pm

Respectfully Submitted, **APPROVED:**

_____
Diane L. Millious, Town Clerk

A Town Board Meeting was held Tuesday, March 18, 2008 at 6:00pm at Town Hall, 18 Russell Avenue, Ravena, New York

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

ALSO PRESENT: Diane L. Millious, Town Clerk

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

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AGENDA

- Historic Coeymans Landing Neighborhood Association
- SABIC Plastics – 2008 Community Day
- Administering Loan Small Grant Cities Grant
- Town Facilities Use Form
- Request for Use of Town Facilities by Outside Groups
- Establish Workshop Date for Audit

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ADJOURNMENT TO EXECUTIVE SESSION

Councilman Boehm stated that he would recommend adjourning to Executive Session for contract negotiation.

MOTION

On motion of Councilman Boehm, seconded by Councilman Youmans, the Town Board Workshop was adjourned to Executive Session.
VOTE – 4 – NAYS 0 – ARRIVED LATE – 1 (Hotaling) – SO MOVED

Time: 6:50pm

****

RECONVENE MEETING AND ADJOURNMENT

The Workshop was brought back to order by Supervisor Hotaling at 8:00pm for the remainder of the agenda items.

Supervisor Hotaling asked for a motion to adjourn the Workshop.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Youmans, the Workshop was adjourned.
VOTE – 5 – NAYS 0 – SO MOVED

Time: 9:03pm

Respectfully Submitted, **APPROVED:**

_____
Diane L. Millious, Town Clerk

A Town Board Meeting was held Monday, March 10, 2008 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

ABSENT: Richard Touchette, Councilman

ALSO PRESENT: Diane L. Millious, Town Clerk
Greg Darlington, Chief of Police
Albert Deering, Highway Superintendent

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

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OPENING COMMENTS

Supervisor Hotaling stated that the record should reflect the absence of Councilman Touchette in addition to Town Clerk Millious, Chief Darlington and Highway Superintendent Deering present.

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AGENDA

- Public Comment
- Approval of Minutes
  - Town Board Meeting, February 11, 2008
- Old Business
  - Update on Martin's Hill Water
  - Update on Police Communications Move
  - Update on Small Cities Grant
- New Business Topics for Discussion and/or Action
  - Reimbursement for Cell Phone Use by Code Enforcement Officer
  - Request to attend Town Clerk Association Luncheon meeting
  - SEQR Lead Agency Coordination Request –NYSDEC
- Resolutions
- Correspondence
- Town Board Workshops / Meetings
  - Town Board Workshop, March 18, 2008, 6:00PM
  - Town Board Meeting, March 24, 2008, 7:00PM

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PUBLIC COMMENT

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

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APPROVAL OF MINUTES

Supervisor Hotaling stated that there was one set of minutes for approval, a Town Board Meeting on February 11, 2008 and continued by asking for a motion to approve the minutes.

MOTION

On motion of Councilman Youmans, seconded by Councilman Boehm, the minutes were approved as read.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Touchette) – SO MOVED

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OLD BUSINESS

Update on Martin's Hill Water

Supervisor Hotaling stated that he wanted to let the public know that documents were received from the Village two week ago and added that they communicated back to Attorney Biscone on a couple of items within the Agreement. He continued by saying that the language is satisfactory to all of the members of the Town Board and went on by saying that the only issues that remain are clarification on the payment for Attorney Biscone's services, which is and should be a Village expense, which was communicated back to Mr. Biscone as well as some alterations made to the District map that was originally under consideration. He added by saying that with the Board's permission he has forwarded back another District map, which represents the boundaries of the District that they would like to call the Water District as well as asking the Village if this is the District that they are willing to supply water to and added that if the answer is yes and they clarify Mr. Biscone's payment issue he sees it being moved to a map plan and petition amendment that would modify the boundaries and in turn start the process for Board review and ultimately the State Comptrollers review. He concluded by asking if there were any additional questions or comments, hearing none he moved to the next item on the agenda.

Update on Police Communications Move

Supervisor Hotaling asked that Chief Darlington give an update on the Police and Communications move.

Chief Darlington stated that they were hoping to have been switched over by now and added that unfortunately Albany County's technical people had some technical difficulty with communicating with Voorheesville through that phone system and in turn it was delayed. He continued by saying that they did have it up and running earlier in the day and half of the dispatchers are currently being trained and the other half will be trained the following day. He added that the communication glitch that they had, put a stop on everyone and continued by saying that they are now in the process of rescheduling everyone for the final move. He concluded by saying that they hope that on either Monday or Wednesday they will have everything and everyone fully in Town Hall and switched on here and switched off at the Village and added that they are hoping to have one console moved over this week and in turn testing the system prior to moving over the final one.

Supervisor Hotaling stated that they had discussion earlier in the day about a back up situation where they would have a period of time where they would have one telecommunicator in Town Hall and one at the Village in order to ensure that the transition is smooth.

Chief Darlington stated that it would not be for 24 hours that they would do that and added that currently for certain shifts they have two dispatchers on and during that time one would be at the Town building using the equipment making sure it is up and running and the other would be at the Village location.

Supervisor Hotaling interjected that the single midnight shift would be at the Village location and added that they do not anticipate any loss of service in terms of communications. He continued by saying that he had a brief discussion earlier in the day with one of the telecommunicators earlier in the day who had stated that he was very

impressed with the equipment and added that they have elevated their equipment to a point where they are now state of the art.

Chief Darlington stated that they have mirrored what the County has as far as capability.

Supervisor Hotaling asked if there were any additional questions or comments, hearing none he moved to the next item on the agenda.

Update on Small Cities Grant

Supervisor Hotaling stated that at the last Town Board Meeting there was a presentation from Mr. Kirk who talked about a Request for Proposal and in turn Mr. Kirk sent a draft copy. He continued by saying that he had some discussion with Councilman Boehm and added that he made some modifications to it as well as adding names to whom they are going to send it to perform the administrative services in conjunction with the CDBG Small Cities Grant, DBS Planning, Avalon Associates, Shelter Planning and Development, Laberge Group and C.T. Male Associates. He concluded by saying that he is hopeful that they are going to get a number of proposals to review and added that he believes that the deadline is April 4th and then asked Town Clerk Millious if that was correct.

Town Clerk Millious stated that it is April 4th by 3:00pm.

Supervisor Hotaling asked that Town Clerk Millious read into the record the Notice.

Town Clerk Millious continued by reading the following:

Public Notice

The Town of Coeymans has recently been awarded a Community Development Block Grant from the New York State Office for Small Cities to undertake a project that will assist a local business in developing and expanding the Port of Coeymans. As a result of this grant, the Town of Coeymans will require the services of a qualified individual or firm to assist in the implementation of this program. If you are interested in submitting a proposal for the Town's consideration, you many receive a request for proposal package by contacting the following address:

Town of Coeymans
Diane L. Millious, Town Clerk
18 Russell Avenue
Ravena, NY 12143
Telephone (518) 756-2100
Fax (518) 756-6844

All proposals submitted to the Town must be received by 3:00 pm on Friday, April 4, 2008. Any proposals received after this date will not be accepted or considered.

By Order of the Town Board
of the Town of Coeymans
Diane L. Millious
Town Clerk

Supervisor Hotaling stated that it will be in the paper this week and reiterated that they have until April 4th to submit the Request for Proposals. He added that in the mean time they will be discussing the frame work of some documentation for the loan at the next Workshop Meeting.

Councilman Boehm interjected that Ms. Pempraze; the Attorney representing the Town will be at the Workshop and added that everyone should have gotten a copy of the Loan Agreement. He continued by asking that each Town Board member take a look at the Agreement prior to the meeting and went on by saying that any questions that they may have will be answered. He added that a Chamber of Commerce Loan Officer as well as

Judy Eisgruber from Albany County Rural Alliance will be present and then asked if the Chamber of Commerce and Ms. Eisgruber should have been sent a Request for Proposal.

Supervisor Hotaling stated that he would be happy to add them to the list and send them out and continued by saying that there would be 7 proposals that the Town is going to send out to invite them to participate as well as anyone else that is conjured up as a result of the advertisement. He concluded by asking if there were any additional Old Topics for discussion, hearing none he moved to the next item on the agenda.

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NEW BUSINESS

Reimbursement for Cell Phone Use by Code Enforcement Officer

Supervisor Hotaling stated that we are living in a world of cell phones and fewer pagers and continued by saying that Code Enforcement Officer Conrad had a pager that was seldom used. He added that they had discussed it a while ago and in turn he offered up an opportunity for him to request approval from the Town Board to be reimbursed for 50% of the payment for his personal cell phone because most of the calls that he has are related to the Code Enforcement job that he does for the Town. He continued by saying that he had done a memorandum to the Town Board, which stated that his plan is $39.00 and half of that would be $20.00 a month as well as covering long distance calls and added that he has been told by telecommunicators that it is easier to reach him by cell phone rather than by pager.

Chief Darlington stated that was true and added that one of the problems with pagers is that they don't always actually make the page. He continued by saying that with a cell phone you have verification that you reached the person as well as being able to leave a voice mail message.

Supervisor Hotaling added that they have the same arrangement with Chief Darlington.

Councilman Youmans stated that for $20.00 a month he believes that it is a bargain and continued by asking if they are going to discontinue the pager.

Supervisor Hotaling stated that they already had discontinued it and turned it in and added that the charge for that was $4.99 per month.

Chief Darlington stated that he kept his pager because when you get towards Coeymans Hollow the cell service is not that great.

Supervisor Hotaling stated that with a motion they can authorize the arrangement to take place.

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, authorizing reimbursement to Laverne Conrad, Building Inspector for 50% of his personal cell phone bill for $20.00 per month.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Touchette) – SO MOVED

Request to attend Town Clerk Association Luncheon meeting

Supervisor Hotaling stated that he was in receipt of a request from Town Clerk Millious dated March 7th for her attendance at the Town Clerk Association luncheon and continued then asked Town Clerk Millious about the request.

Town Clerk Millious stated that she is asking to be approved for reimbursement for mileage and lunch to attend the Albany Schenectady County Town Clerk's Luncheon on March 28th and continued by saying that there are four luncheons a year. She added that

there will be a SARA Workshop along with the regular meeting and went on by saying that she is Vice-President of the Association and likes to make the meetings.

Supervisor Hotaling stated that it is appropriate attendance in representing not only the Town but also as an officer of the Association she is representing the Town well.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Boehm, authorizing reimbursement for mileage and lunch to attend the Town Clerk's Association luncheon.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Touchette) – SO MOVED

Town Clerk Millious thanked the Town Board.

Supervisor Hotaling inquired as to if she is going to use her own vehicle.

Town Clerk Millious stated that she was.

Supervisor Hotaling stated that it would be for mileage as well as the cost for the lunch.

SEQR Lead Agency Coordination Request – NYSDEC

Supervisor Hotaling stated that he was in receipt of a correspondence dated March 5th from Angelo Marcuccio, Environmental Analyst from the New York State Department of Environmental Conservation and continued by saying that he provided a couple of applications submitted by Carver Laraway representing the Port of Coeymans. He went on by saying that the interest that DEC has is that they want to be the Lead Agency on the applications but have to notify the Town first and in turn tell them whether or not the Town would like to be Lead Agency as well as the Town telling them of any issues that they see in the application process that concerns them and wants DEC to deal with during the SEQR Review. He added that each Town Board member has a copy of the letter along with two applications and continued by saying that he has a larger document that he will make available to each of them and went on by saying that they have 30 days to request being the Lead Agency or to submit issues of concern. He continued by asking that the Town Board bring any issue of concern to him and asked that they take the time to write them down in addition to sending it to the Building Department as well as the Planning Board and Zoning Board of Appeals for their review and to weigh in on whether or not they want to be declared Lead Agency. He concluded by saying that as Lead Agency it is nice to be in control but it also has a heavy responsibility in the SEQR process and added that DEC is better equipped to do it as long as they understand that they leave a door open for the Town to express their concerns.

Supervisor Hotaling asked if there were any additional New Business topics to bring before the Town Board.

Councilman Boehm inquired as to whether or not Supervisor Hotaling wanted to mention that he was going to have a meeting with Mr. Laraway on the SEQR issue.

Supervisor Hotaling stated that in reviewing some of the applications there are some concerns that he has initially and added that he does not want to raise them with DEC without giving Mr. Laraway the opportunity to respond. He continued by saying that if the Town Board sees fit he will be raising them with Mr. Laraway the following day to get his response before they reach out to DEC.

Councilman Touchette stated that he believes that it is appropriate to clarify the areas of concern.

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

Councilwoman Rogers asked Highway Superintendent Deering as to if he wanted to obtain approval for the four hour training for salt use.

Highway Superintendent Deering stated that he did not get it in writing because his secretary was not in.

Supervisor Hotaling inquired as to what they were referring to.

Highway Superintendent Deering stated that he wanted to have the four hour training on the salt usage from the same person that did the snow plow training.

Supervisor Hotaling stated that Councilwoman Rogers had mentioned it to him and added that he saw Mr. Franchini at a DOT Regional Meeting and he had mentioned that the County was going through this training and added that it was for how to properly dispense the salt, which would reduce the amount that they put down. He continued by saying that this would save money and added that other than a barrel oil, salt is the most precious resource that they have at this time of the winter because everyone is out of it and no one can get any. He then asked Highway Superintendent Deering what the training consists of.

Highway Superintendent Deering stated that they learn how to use the salt and put it down on the road and added that he was given a price.

Supervisor Hotaling stated that this is something that Highway Superintendent Deering has trained his crew.

Highway Superintendent Deering stated that there are times that he has messed up and added that this is why he would like the training.

Supervisor Hotaling inquired about the cost for the snow plow training and added that they had set $7,000 aside for it and continued by saying that they didn't come close to that amount.

Highway Superintendent Deering stated that it was approximately $2,800.

Supervisor Hotaling stated that they were ready to spend $7,000 for the plow training and added that it is well worth while for them to spend $600.00 to get the training on the salt.

Councilman Youmans inquired as to if salt conservation is part of the training.

Highway Superintendent Deering stated that it is and added that he believes that it is a good thing. He continued by saying that he was trying to get his crew in on the County training but they already had a large group.

Supervisor Hotaling inquired as to how quickly they can get the training.

Highway Superintendent Deering stated that he would make a phone call and find out and continued by saying that he wanted to get the approval first.

Supervisor Hotaling stated that there is a general consensus that the Town Board is on board with it and added that given the fact that they were prepared to spend $7,000 he does not believe that he does need authorization to do it and added that he would like a Purchase Order Request for it.

Highway Superintendent Deering stated that he will do that.

Supervisor Hotaling stated that there are no resolutions or correspondence and continued with the next item on the agenda.

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TOWN BOARD WORKSHOPS / MEETINGS

- Town Board Workshop, March 18, 2008, 6pm
- Town Board Meeting, March 24, 2008, 7pm

ADDITIONAL COMMENTS

Supervisor Hotaling asked if there were any additional comments.

Chief Darlington stated that the insurance company should be releasing a check for the Durango and added that they are starting to strip the equipment that they can use. He continued by saying that two new cars have been ordered and one should be here toward the end of March and the other in June.

Supervisor Hotaling inquired as to if the SUV will be the first one.

Chief Darlington stated that it will be because it was ordered in early January.

Councilman Youmans inquired as to what vehicles have been ordered.

Chief Darlington stated that they ordered a 2008 Durango and 2008 Crown Victoria.

Supervisor Hotaling stated that both vehicles were contemplated in the 2008 budget for replacement and added that they didn't feel as though they had to replace the newest Durango and thought they would be replacing the oldest one.

Chief Darlington stated that at some point he would like to come up with a plan on how to use the insurance money.

Supervisor Hotaling stated that the insurance money is going to be approximately $18,000.

Chief Darlington stated that it will be close to $20,000.

Supervisor Hotaling stated that they just recently had some Capital Accounts that they moved, which was for the landfill closure and work at Town Hall that they moved to the General Fund and added that they had to withdraw part of the resolution and create a Capital Account in the General Fund, which said in general that it could be used for such things as the purchase of equipment or vehicles. He continued by saying that there is approximately $50,000 that is sitting in the newly created account and added that the insurance reimbursement will be added to it. He concluded by saying that Chief Darlington could talk to his Department's liaison and ultimately to the Town Board about a plan to buy a third new vehicle and combine some money with the Capital Account.

Chief Darlington stated that he heard rumor that there is going to be some new security equipment for the Court Office.

Supervisor Hotaling stated that a grant came in that talked about equipment including a metal detector, lighting and security cameras.

Chief Darlington stated that he does not know what involvement the Town Board has and added that if it is involving security in Town Hall, the Police Department should be involved. He continued by asking if there is a way to involve them in the planning or recommendations on the security in the building.

Supervisor Hotaling suggested that the Court liaison speak with the Court Office.

Councilwoman Rogers stated that she can ask them and continued by saying that it seems to her that the Police Department would be part of it.

Councilman Boehm interjected that it makes sense that the Police Department monitor the security cameras.

Chief Darlington stated that the County is contracted with the State to maintain the roads during snowstorms and continued by saying that anytime there is any storm involving any amount of snow Rte. 9W, Church Street and Rte. 144 are treacherous. He continued by saying during the last snowstorm they had to shut down all three highways and added

that with the help of Highway Superintendent Deering's crew they were able to open them back up. He went on by suggesting that they meet with someone to see what they can do to improve it and added that the Police Department is flooded with calls from vehicles that can't drive on the roads in addition to their 4-wheel drive having problems and continued by saying that they have spoken about this in the past.

Supervisor Hotaling agreed that they had discussed it in the past and added that at the Regional DOT Meeting, which was after the last storm, he had spoken to Mr. Franchini about several things with one being that. He continued by saying that he had expressed deep concern to a point where there was a bit of anger because the County gets money from the State of New York and has been contracted to perform their tasks but fail to deliver, which puts Town of Coeymans residents at risk. He added that Mr. Franchini had indicated that he knew that there were difficulties in the past but did not know about the recent storm and went on by saying that he had told him that if cannot deliver the service he will go to the State and tell them that he is not doing his job in addition to asking Highway Superintendent Deering if he is willing to accept the contract from the State of New York to do it himself. He continued by saying that the Town takes their vehicles and perform their responsibilities on Town roads that are adjacent to the main roads and added that they are on the road anyway they might as well put the plow down and get the money from the State that the County is getting. He concluded by saying that Mr. Franchini promised him that it won't happen again and indicated that there might be a change of leadership or additional supervision to be rendered on County Route 111 in the near future, which might be beneficial to getting the job done and then asked that Chief Darlington continue to monitor the roads routinely and report back to them if the problem happens again and in turn he will carry the word out to Mike Johnson with the Department of Transportation that the County is not delivering and then asked Highway Superintendent Deering if he agrees.

Highway Superintendent Deering stated that he agrees.

Supervisor Hotaling stated that the County has a limited number of trucks and added that they do not come down this way.

Councilwoman Rogers interjected that they were down on the number of trucks and added for the last storm she believes that there were only two trucks.

Chief Darlington stated that any time he has spoken with them and the most that he ever heard that the County had was two and added that there is a lot of Town road to be covered with just two trucks.

Supervisor Hotaling stated that there might not be a need for concern for the balance of this season and added that it is only like to happen again. He continued by saying that they will keep on it and went on to say that he would like Highway Superintendent Deering to go along with him if he has to go to Mr. Johnson at the Department of Transportation.

Highway Superintendent Deering stated that he would.

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

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ADJOURNMENT

On motion of Councilman Boehm seconded by Councilwoman Rogers, the Town Board Meeting was adjourned.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Touchette) – SO MOVED

Time 7:31pm

Respectfully Submitted, **APPROVED:**

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Diane L. Millious, Town Clerk

A Town Board Meeting was held Monday, February 25, 2008 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 Touchette, Councilman

ALSO PRESENT: Diane L. Millious, Town Clerk
Albert Deering, Highway Superintendent
Gregory Darlington, Chief of Police
David Wukitsch, Attorney for the Town

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

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OPENING COMMENT

Supervisor Hotaling stated that the record should reflect that there is a full Town Board in addition to Town Clerk Millious, Attorney for the Town Wukitsch, Police Chief Darlington and Superintendent of Highways Deering. He continued by giving an overview of the agenda.

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AGENDA

- Public Comment
- Approval of Minutes
  - Town Board Meeting, January 28, 2008
- Supervisor's Report – January 2008
- Department Report Review
  - Sewer Department, January 2008
  - Town Historian Annual Report, 2007
  - Town Clerk, January 2008
- Old Business
  - Superintendent of Highways & Vehicle Control
  - Request to Set Speed Limit on Rowe Road
  - Small Cities Grant
  - Recycling Issue
  - Grey Water Sewer on Martin's Hill
  - Water District Agreement
- New Business
  - Contract for Services, Ravena Coeymans Historical Society
  - Waiver of Fees Request by Coeymans Hollow Fire Company
  - Request for Support, Albany County Rural Housing Alliance
  - New York Capital Region Bike Race
  - Request to Attend Town Clerk Conference 04/27-04/30/08
- Resolutions
  - Authorize Town Clerk and Deputy to Attend Town Clerk Conference
  - Rescind Portion of Resolution #130-07 RE: Capital Reserves
  - Establish New Capital Reserve Fund
  - Approve December 2007 Abstract
  - Approve January 2008 Abstract
- Correspondence
  - New York State Commission on Property Tax Relief
  - New York State Assemblyman Tedisco
- Town Board Workshops/Meetings

- Town Board Meeting, March 10, 2008, 7:00pm
- Town Board Workshop, March 18, 2008, 6:00pm
- Town Board Meeting, March 24, 2008, 7:00pm

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PUBLIC COMMENT

Supervisor Hotaling invited the public to comment at this time.

Mr. Daniel Boomer stated that he would like to ask the Town Board to look into having some "Welcome to the Town of Coeymans" refurbished and reinstalled at the Town borders. He continued by saying that the ones that were there are either gone, dilapidated or in disrepair.

Supervisor Hotaling stated that the signs are still upright in the areas of 9W south and Rte. 144 south and continued by saying that he was advised recently that the one coming in from the southern gateway is in trouble. He then asked Mr. Boomer if this is the one that he is referring to.

Mr. Boomer stated that it was as well as Rte. 111 and Rte. 32.

Supervisor Hotaling interjected that he believes that the one on Rte. 396 had fallen down.

Mr. Boomer stated that the one on Rte. 144 is looking shabby and continued by saying that it is a first impression of the Town and added that even if it was a simple, modest sign like the ones that were recently installed on Rte. 9W for the Town of New Baltimore, which is a small black sign.

Supervisor Hotaling inquired as to if it is metal.

Mr. Boomer stated that it is and added that it is a small tasteful sign that makes you aware that you are crossing into another Town.

Councilman Youmans interjected that it is a nice looking sign.

Mr. Boomer stated that the sign makes you aware of the fact that you are crossing into another town and added that we have to start selling our town before it dissolves completely. He continued by saying that everyone can agree that there needs to be new vitality both in businesses and homes.

Supervisor Hotaling interjected that this is why the Town embarked on a Comprehensive Plan and added that they are attempting to adjust the Zoning Ordinance to complement that and continued by saying that hopefully when it is done it will trigger the growth that Mr. Boomer is talking about.

Mr. Boomer stated that they have to be careful and not go too far and scare away new home builders.

Supervisor Hotaling thanked Mr. Boomer and added that his point is well taken on the gateway signs.

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OLD BUSINESS

Small Cities Grant

Supervisor Hotaling stated that he was going to take the liberties of the Chair and ask that Mr. Kirk step to the microphone and talk about the Old Business topic of Small Cities Grant and give them an update.

Mr. Kirk stated that there are three issues that they are working on concurrently with Lisa Pempraze, the Town's attorney for the project and added that he drafted a Loan Agreement, which he forwarded to her and in turn she is now negotiating the terms of the loan with P&M Brick and their attorney Donald Zee. He continued by saying that once she is comfortable with the terms in the final document she will present it to the Town Board for review. He added that they are also working on the environmental review and went on by saying that two are actually required for the project, which are NEPA (National Environmental Protection Act) that is triggered because it is federal money as well as SEQRA (State Environmental Quality Review Act) and continued by saying that both reviews need to be completed. He went on by saying that because the project is a financial project in nature under NEPA it falls under the categorically excluded category and added that they have to do an environmental check list and write some letters to certain agencies, which is a fairly simple process.

Supervisor Hotaling interjected that because it is categorically excluded it becomes a simple process which is filing forms.

Mr. Kirk stated that was correct and continued by saying that once it is done they can do a Request for Release of Funds, which is a Public Notice that takes 24 days. He continued by saying that the Notice gets filed and the Town receives comments through a certain date, which he believes is a 12-day waiting period and in turn the request for Release of Funds is forwarded to Small Cities where there is also a holding comment period of 7-10 days and added that if there are no comments or comments that require review they give the Release of Funds and the project is ready to go. He went on by saying that the SEQRA process is because it is financial in nature and it is a Type II project and they will have to do a short environmental SEQRA form, which is a two page form that is quick and easy and no other action will be required by the Town. He continued by saying that they are at the point where they have to decide who is going to do what and added that he has talked to Ms. Pempraze and advised that his firm can do it but will need a go ahead from the Town.

Councilman Boehm stated that those costs will come out of the $16,000.00 that was built in for legal costs.

Mr. Kirk stated that was correct and added that there is no cost to the Town and continued by saying that his guess is that all of this can be done for much less than the $16,000.00 and added that Ms. Pempraze's fees in terms of any review that she is doing now and negotiations for the contract also come out of that budget.

Councilman Boehm inquired as to what his estimate for the cost would be.

Mr. Kirk stated that it would be $3,000 - $4,000.

Supervisor Hotaling stated that this can and should be commenced as soon as possible so that the project can move along and added that it can move along even in light of the fact that the loan document negotiations are ongoing.

Mr. Kirk stated that the environmental review has to be done before the release of funds and added that Small Cities will also require that the Loan Agreement is in place prior to the release of funds.

Supervisor Hotaling inquired as to if Mr. Kirk's firm, DBS can perform both the NEPA and SEQRA responses.

Mr. Kirk stated that they can.

Supervisor Hotaling inquired as to if the Town Board had any thoughts.

Councilman Boehm stated that given the timeline and in knowing Mr. Kirk, he believes that DBS is more than capable of providing the service for them.

Supervisor Hotaling stated that it is open for discussion and then inquired as to if there were any other Town Board thoughts.

Mr. Kirk interjected that if the Town were to hire DBS, since it is federal funds and Small Cities dollars, because there is no limit in terms of minimum that they exceed, they would have to go through the RFP (Request for Proposal) process, which is not a big deal and could be done in 3 weeks. He continued by saying that he could start the environmental reviews and will clarify with Small Cities if a RFP is required.

Mr. Youmans inquired as to what a RFP is.

Mr. Kirk stated that it is a Request for Proposal.

Supervisor Hotaling interjected that it is basically a bid where the Town requests and sends out to various people who can perform this task a Request for Proposal and added that they will send back the proposal including the cost and in turn the Town will make the determination as to who it will be awarded to.

Mr. Kirk stated that depending on what he may find out from Small Cities, they might want to authorize the RFP so if he finds out that they do have to go through an RFP he will be able to do it and not wait until the next meeting.

Supervisor Hotaling interjected that at some point they would have to make the request by advertisement in a formal way.

Mr. Kirk stated that if they authorize the Request for Proposal he can get it ready for the Town to distribute and added that typically there is one Public Notice in the paper and direct solicits to 3-4 firms that are able to do the work.

Councilman Touchette inquired as to if the RFP would be to complete the NEPA and SEQRA.

Mr. Kirk stated that it would be to perform start up services for the Town for the project, which would include both the NEPA and SEQRA environmental reviews and added that there is going to be program income from the grant and they will have to come up a plan as to how the program income is going to be used, which can also be part of the program start up. He went on by saying that the money is in there to cover it.

Councilman Boehm stated that there are a couple of different options in using the money that comes from P&M and then asked that Mr. Kirk talk about another round of possible funding.

Mr. Kirk stated that they had discussed potential uses for program income through the P&M loan and possibly doing a Micro Enterprise Loan Program for local businesses, which can be discussed further and added that what they can do is go back to Small Cities under the competitive round, which is an annual round with a due date of April 21st. He continued by saying that they can go to Small Cities with a proposal to implement a Micro Enterprise Program in which they could request up to $400,000 and added that it could be set up for existing businesses with five or fewer employees or for anyone interested in starting up a business, which meets the criteria.

Supervisor Hotaling inquired as to if the $400,000 would be incorporated as seed money as part of their start up plan to entertain a Micro Enterprise Loan Program or if it would be a separate stand alone.

Mr. Kirk stated that it would be a separate stand alone and added that they could combine the two and if the Town decided that the best use for the P&M loan repayment would be a Micro Enterprise and you have the program set up, Small Cities in turn infuses the $400,000 because it would be a while before the Town would get enough capital through the loan repayment to address any significant Micro Enterprise Programs. He continued by saying that the $400,000 instantly capitalizes the program so they have the money to get on the street, which could fund 8-10 businesses and went on by saying that it is

basically jump starting the Micro Enterprise Program, which would be over a million dollars in local funding.

Supervisor Hotaling stated that they had discussed the ability of the administration of that to be done by someone else.

Councilman Boehm stated that he had mentioned the Chamber of Commerce administering the loan fund for them with a Loan Committee with representatives from the Town and added that if businesses were interested in getting a loan from the Town they would go through that process, administer the loan and send out the proper paper work, which would lessen the burden for the Town as well as legitimize the loan fund and separate it from the Town. He continued by asking if the funds would all be ear marked for Micro Loans or if they can use some for infrastructure.

Mr. Kirk stated that with P&M there is a lot more flexibility because the first generation of loan is going to P&M and added that with the repayment there is some flexibility and you can do a Micro Enterprise Loan Program as well as an infrastructure project if you have the balance in there and as a Town they feel as though it is a good way to spend the money. He continued by saying that the first generation $400,000 would have to go toward a Micro Enterprise Project with future retainments being used for something else and added that there is a great flexibility once they get past the first generation loans.

Councilman Boehm inquired as to if they are separate accounts.

Mr. Kirk stated that they don't have to be and added that it is easier to keep it in one account and continued by saying that the Chamber of Commerce is a good idea and they are set up to do it and it would work out well. He reiterated that once they get through the first generation as long as there is flexibility in the loan fund and it is primarily a Micro Enterprise Loan, they can make it a housing rehab revolving loan fund or infrastructure fund.

Councilman Boehm stated that another important component is the interest level of the Town, which they have to discuss and continued by asking if part of the application process is to identify business owners that may be interested in low interest loans.

Mr. Kirk stated that it is and added that they typically rely on a two faced approach and they will solicit small business owners directly anywhere in the Town of Coeymans and in turn they can convince Small Cities that there is an interest and there are businesses that will take advantage of the Program. He continued by saying that at this point there is not a commitment and added that they would just be gauging interest, which is part of the application process and added that if the application is funded anyone that participated in filling out a form can be considered as well as anyone that may come in after the fact and the money is there and they are eligible and is a project that is a good fit for the Town. He reiterated that they need to show the interest level prior to the application going in.

Councilman Boehm inquired as to if the Micro Loan Program is tied to job growth.

Mr. Kirk stated that it is and added that it would not be the same degree as the P&M project and continued by saying that at least 51% of the jobs created at P&M have to be low to moderate income jobs, which holds true with the Micro Enterprise Program. He went on by saying that any typically 100% of the jobs created through the Micro Enterprise Loan Program are low to moderate income and added that as long as they meet the low to moderate criteria they are good to go.

Supervisor Hotaling stated that the first part of Mr. Kirk's discussion dealt with the existing Small Cities Grant that they have and continued by saying that he is looking for a motion that will authorize the Town Clerk to advertise for a Request for Proposal that will complete the start up requirements for the Small Cities Grant that they have gotten for $750,000, which requires filling out the NEPA and SEQRA forms as well as preparing for the subsequent release of funds. He then asked for a motion.

MOTION

On motion of Councilman Boehm, seconded by Councilman Touchette, authorizing the advertising of the Request for Proposal.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Supervisor Hotaling stated that they will be providing Town Clerk Millious with language that they will use to advertise for the Request for Proposal.

Mr. Kirk stated that he will get language for the notice to them right away.

Supervisor Hotaling stated that with regard to the second topic there is a deadline of April 21st for the application to Small Cities under the competitive round and continued by asking if the Town Board members have given sufficient consideration to the $400,000 Micro Enterprise separate application and whether or not this is something that they want to do and involve themselves in light of the fact that they are already in the process of another one.

Councilman Boehm interjected that they need to know if there is an interest level for low interest loans in the business community. He added that it is a great opportunity for economic development for business owners to use a low interest loan and continued by saying that he believes that there is a need. He concluded by saying that they need some business owners to contact the Supervisor's Office or contact the Board members individually to show their interest.

Supervisor Hotaling stated that there's an outreach effort that Mr. Kirk had suggested, which is a questionnaire that can be filled out without committal.

Mr. Kirk stated that without committing the Town to anything, when he gets the Request for Proposal done he can do a one page interest form.

Supervisor Hotaling stated that from the Town's end, Assessor VanValkenburg can identify those pieces of commercial property that currently exist and in turn be able to get a mailing list and send out a cover letter to see if there is some interest out there.

Mr. Kirk stated that it would go a long way toward gauging the interest level and reiterated that he would put together a form.

Councilman Touchette inquired as to if they have determined what the repayment of the P&M loan is going to be used for.

Supervisor Hotaling stated that it is still in negotiation between Ms. Pempraze, attorney for the Town and Mr. Zee, attorney for P&M.

Councilman Touchette stated that he was referring to what the Town will do with the funds when they are repaid.

Supervisor Hotaling stated that they have some choices in terms of the second generation funds.

Councilman Touchette inquired as to if it will be the Town's decision to make.

Supervisor Hotaling stated that there are some options that include using some of it for Micro Enterprise Funding and then segmenting a portion into a pot of infrastructure reserve, which they can use if and when they see an area that is ripe for development.

Mr. Kirk stated that it has that flexibility as long as you are within the second generation of loaning. and added that he likes this program because there is a lot of flexibility.

Councilman Touchette inquired as to how specific they have to be going into this and whether or not they have to have percentages.

Mr. Kirk inquired as to if he was referring to P&M or the Micro Enterprise and added that the P&M is done and the money has been awarded.

Mr. Touchette interjected that he was referring to the second generation and added that this is what they are looking for in the RFP.

Mr. Kirk stated that the second decision is if the Town directly takes the loan repayments because there are a lot of restrictions and added that if it goes through a third party like the Chamber all the restrictions go away for the second generation. He continued by saying that they can set up an infrastructure project and say that 1/3 of the money went toward it.

Supervisor Hotaling interjected that the balance will be available for the Chamber to administer.

Mr. Kirk stated that if the Town takes the money and administers the money they are subject to all of the restrictions that go along with the Small Cities Program and added that any infrastructure that they would do as a Town in the future would still be restricted. He continued by saying that the benefit of going through an eligible not-for- profit like the Chamber is that they are a sub recipient of the Town so the Town dictates to some degree how the money is going to be allocated and the restrictions no longer apply because the money becomes defederalized once it goes through a not-for-profit.

Supervisor Hotaling stated that he does not want it to be viewed as a strategy to circumvent regulations.

Mr. Kirk stated that it's not and added that it was put in place for that and continued by saying that if the Town retains administrative responsibility and not name a sub recipient, they will have to do the reporting every year for second and third generation, which creates more work for Small Cities, more oversight and a lot more paperwork. He added that he is not saying that Small Cities will advocate using a sub recipient but they feel like it is a more streamlined way to do it and continued by saying that he does not think that it was intended to circumvent anything.

Supervisor Hotaling stated that he didn't want it to be received that way in the conversation.

Councilman Touchette inquired as to what point the Town will have to designate percentages if it goes through the Chamber and whether or not it will have to be done during the start up.

Mr. Kirk stated that he believes that it would be an appropriate time because they could sit down and decide which direction they want to go.

Councilman Touchette interjected that they would have to make a decision fairly quickly.

Mr. Kirk stated that it does not have to be very quickly and added that there is some flexibility. He continued by saying that the environmental review can take place right away and they can get the release of funds and reiterated that they do not have to have that plan in place right away.

Supervisor Hotaling stated that he is viewing the RFP just for the start up things and not necessarily making decisions upon repayment of either who they are going to have administer it and if so how it will be administered. He added that this is a decision that can be made outside the scope of the purpose of the initial RFP.

Mr. Kirk stated it can be and added that when he looks at start up, it is his own perspective and continued by saying that typically when a municipality hires his firm to do a start up they do the environmental review and program guidelines, which is basically what they are talking about with how that money will be used. He continued by saying that they do not have to do it right away and they have some time to think about how the money should be allocated to do the best for the Town.

Supervisor Hotaling stated that he is confused because that question has been asked and answered and went on by saying that the initial money is going to the Port of Coeymans.

Mr. Kirk interjected that he is talking about second generation.

Supervisor Hotaling stated that second generation really is not part of the start up RFP and added that they know where the money is going.

Mr. Kirk stated that they can do it either way and added that if they want to simplify it they can say that they want someone to do the environmental review and request for the release of funds and worry about the program income later.

Councilman Youmans stated that they are going to loan $734,000 to P&M and added that he would guess that payment would be due 30 days after it is received by P&M and continued by saying that they should have a path for the money for the first payment.

Mr. Kirk stated that the Town should make a decision as to whether they want to retain the administration of that or if they want to use a separate recipient. He added that they don't have to have it allocated up front because it would be a small amount of money and continued by saying that after a year there would be some real capital. He went on by saying that before the first payment they should decide where it will go.

Councilwoman Rogers inquired about leaving it in an account idle and continued by asking if there would be a penalty for leaving it too long.

Mr. Kirk stated that the P&M part is critical and the Town needs to get the money to them to get the process started so P&M can start the job creation. He added that the repayment is the Town's money and they can do what they want with it.

Councilman Youmans inquired as to whether or not they can send the money through a third party after a period of time when there would be a sizable amount.

Mr. Kirk stated that they could because they were not doing anything with the money and added that there would still be reporting requirements.

Councilman Boehm interjected that eventually the whole makeup changes because once it becomes second generation money the whole fund changes.

Mr. Kirk stated that once they loan out the money initially any loan repayment that goes through a third party not-for-profit that is eligible, the Town can do pretty much whatever they want with it and added that there are no restrictions in terms of use.

Councilman Boehm inquired as to if this money gains interest.

Mr. Kirk stated that it does and added that if the Town holds it, it cannot be interest bearing.

Councilman Touchette inquired as to if they decide to postpone some of the decisions, if they can use program funds to pay for the administration.

Mr. Kirk stated that they can and added that if there is not activity and they decide to think about it, there are not any administrative costs other than taking in the money and making the deposits.

Supervisor Hotaling stated at this juncture they are to determine whether or not the commercial study should be initiated to gauge the level of interest that they have in the community for the additional application, which he sees as not being harmful at this juncture. He then asked the Town Board what they thought.

Councilman Boehm stated that he believes that they should move ahead and added that they can gather the information and discuss it at the March 18th Workshop.

Mr. Kirk stated that if it is direct mail with a cover letter he would put in a specific date to have it back in because the application has to be in by April 21st and there is a lot that has to happen prior to that. He then inquired as to when the two Public Hearings took place for P&M.

Supervisor Hotaling stated that it was December 2007 and added that the first one was a general one for the grant itself and the second one was more specific.

Mr. Kirk stated that there would have to be two Public Hearings for this and added that it is the same requirement. He continued by saying that they would have to know by the March 18th meeting in order to have a chance of putting it together.

Supervisor Hotaling stated that there is only one Town Board Meeting after that to take any resolution action and added that there is a narrow window of opportunity.

Mr. Kirk stated that they could do the same as they did in December and have both Public Hearings on the same night.

Supervisor Hotaling inquired as to if there is another window of opportunity for applications in the 2008-2009 fiscal year.

Mr. Kirk stated that it is an annual round, once a year.

Councilman Touchette inquired as to if it is competitive.

Mr. Kirk stated that it is and added that there will be more than 300 applications for 65-70 funding allocations and added that it depends on what is asked for because they have changed some of the funding limits and for infrastructure you can ask for up to $600,000. He reiterated that it is very competitive.

Councilman Boehm stated that their window of opportunity is small but if they get public input back by the 18th and they hear what the Chamber of Commerce has to say about the administration of the loan fund, he would like to see them move forward.

Mr. Kirk stated that it is more difficult if it is competitive and continued by saying that with the Economic Development round it is easier because when you have a project you present it and if you're invited in you get the funding.

Councilman Boehm interjected that this was how they got the funding for P&M.

Mr. Kirk stated that the Economic Development round is another option for the Town and added that if another project comes along it is always available for them and continued by saying since P&M was applied for in 2007 the Town can apply again in 2008.

Councilman Boehm stated that it is more likely that a small to medium size business would benefit from it.

Mr. Kirk stated that if you have 12 employees or more it is eligible for the Economic Development open round.

Supervisor Hotaling asked that Councilman Boehm work with Mr. Kirk in getting the questionnaire for the mailing.

Councilman Boehm stated that it might make sense to have Mr. Kirk attend the Workshop on March 18th and added that it is a tight timeline and they have to set the Public Hearings if they decide to proceed with it.

Supervisor Hotaling stated that the first time to set the Public Hearings other than a Special Town Board Meeting will be March 24th.

Councilman Boehm inquired about setting the Public Hearings at the Workshop.

Mr. Kirk stated that he will be available for the Workshop.

Supervisor Hotaling stated that it is possible to take action at a Workshop and added that he has chosen since 2004 not to take any formal action at Workshops because they are not televised and as well attended. He continued by saying that they can hold a Special Town Board Meeting in order to establish the Public Hearings and added that he would like to be consistent and not take any action at Workshops. He concluded by saying that it is up to the Town Board and continued by saying that they are within their rights to act at Workshops.

Councilman Youmans inquired as to how much notice has to be given for a Special Meeting.

Supervisor Hotaling stated that it depends on how you do it and added that if it is done verbally it is 48 hours and that if it is in memo to him it is 24 hours and continued by saying that the law is specific as to Special Meetings upon the request of Board Members. He then asked the Town Board what they want to do.

Councilman Boehm stated that given the timeline they would have to call a Special Meeting.

Councilwoman Rogers inquired as to if it would be after the Workshop on the 18th.

Councilman Boehm stated that it would be.

Supervisor Hotaling stated that they could call a Special Town Board Meeting for later in that week.

Councilman Boehm inquired as to if they can have a Special Meeting during the Workshop.

Supervisor Hotaling stated that they could and reiterated that the law is specific as to the manner in which it is requested and continued by saying that it is usually a memorandum from a Town Board Member to the Supervisor.

Attorney for the Town Wukitsch interjected that as long as you post and provide adequate notice under the statue you can have a meeting at any time.

Supervisor Hotaling stated that there is a formality in the process to make the request but once you make the request it is adequate notice, which can be posting it in conspicuous public places as well as posting it on the website. He continued by saying that Town Clerk Millious takes great pains in putting it in various places in and around town so that people are aware of it. He concluded by saying that they can hold off until March 18th to see what Mr. Kirk's input is as a result of their effort with the survey.

Councilman Boehm inquired as to if the responses from the survey will come directly to them.

Mr. Kirk stated that it would be the best way.

Councilman Boehm stated that they will have some kind of indication as to the public's interest and support.

Mr. Kirk stated that as far as the meetings go, they do have just over a month before the application deadline and continued by saying that there is enough time. He continued by saying that if they do the survey and get 3 or less back, it probably won't happen and added that it is worth their effort now to find that out.

Supervisor Hotaling thanked Mr. Kirk and continued by moving to the next item on the agenda.

APPROVAL OF MINUTES

Supervisor Hotaling stated that there was one set of minutes for Town Board approval, a Town Board Meeting on January 28, 2008 and continued by asking for a motion to approve them.

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, the Town Board Minutes were approved as presented.
VOTE – AYES 4 – NAYS 0 – ABSTAIN 1 (Youmans) – SO MOVED

Councilman Youmans interjected that he was absent from the meeting and would abstain from the vote.

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SUPERVISOR'S REPORT

January 2008

FUND	BAL. FWD.	RECEIPTS	DISBURSE.	BALANCE
General	$381,841.43	$887,194.69	$698,138.36	$570,897.76
Part-Town	$783,477.14	$499,128.62	$541,013.88	$741,591.88
Spec. Water	$ 5,250.78	$ 3.58	-0-	$ 5,254.36
Highway	$111,828.31	$ 513.57	$110,886.68	$ 1,455.20
Bridge Const.	$ 35,275.82	$ 20.09	-0-	$ 35,295.91
Trust & Agcy.	$ 7,460.49	$228,636.14	$227,610.80	$ 8,485.83
Sewer	$ 91,535.63	$ 57,045.98	$ 25,716.71	$122,864.90
Sewer Cap. Proj.	$129,106.88	$ 99.95	$ 7,473.57	$121,733.26
			Total Rec. Bal.	$1,607,579.10

CERTIFICATES OF DEPOSITS

				Maturity Date
Citizens Bank	A-Fund	90 Days	$115,000.00	02-25-08
National Bank	Part-Town	60 Days	$500,000.00	03-24-08
National Bank	A-Fund	60 Days	$400,000.00	03-24-08
National Bank	Highway	90 Days	$250,000.00	04-22-08

SECTION 8 – HUD

Occupied Units	86
HUD Payments	$36,808.00
Admin. Fee	$ 122.67
Total HUD Pmt.	$36,930.67
Tenant Rent	$15,304.00
Contract Rent	$52,234.67
Section 8 Checking	$ 99,504.43
Section 8 Savings	$ 2,259.34
Total	**$101,763.77**

SAVINGS ACCOUNTS

Police Forfeitures/Ck.	$ 72.60
Police Forfeitures/Ck.	$ 2,276.06
Unemployment	$ 3,154.06
Grove Cemetery/Sav.	$36,256.11
Grove Cemetery/Ck.	$11,007.66
Sewer-Dedicated	$ 6,207.63
Total	**$58,974.12**

COLLATERAL COVERAGE	FDIC COVERAGE	COLLATERALIZED
National Bank of Coxsackie	$100,000.00	$881,685.40
Citizen's Bank	$100,000.00	$119,834.71
First Niagara	$100,000.00	$154,206.00

Supervisor Hotaling asked for a motion to accept the report.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Boehm, the Supervisor's Report was accepted as read.
VOTE – AYES 5 – NAYS 0 – SO MOVED

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MONTHLY REPORTS

Waste Water Treatment Plant – January 2008

Supervisor Hotaling asked that Councilman Youmans give the Waste Water Treatment Plant Monthly Report.

Councilman Youmans continued by giving the report.

Supervisor Hotaling asked for a motion to approve the report.

MOTION

On motion of Councilwoman Rogers**,** seconded by Supervisor Hotaling, the Waste Water Treatment Plant Report was accepted as presented.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Town Historian Annual Report

Supervisor Hotaling stated that the Town Historian, Mr. Marvin Wolfe provides an annual report, he continued by giving a summary of the report and then offered a motion to approve the report.

MOTION

On motion of Supervisor Hotaling, seconded by Councilman Youmans, the Town Historian Annual Report was accepted as presented.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Town Clerk Monthly Report – January 2008

Supervisor Hotaling asked that Town Clerk Millious give her monthly report.

Town Clerk Millious continued by giving her report.

Supervisor Hotaling asked for a motion to approve the report.

MOTION

On motion of Councilman Touchette, seconded by Councilman Boehm, the Town Clerk Report was accepted as presented.
VOTE – AYES 5 – NAYS 0 – SO MOVED

OLD BUSINESS

Superintendent of Highways & Vehicle Control

Supervisor Hotaling stated that the topic had been postponed from the January 28th Town Board Meeting and continued by asking if there were any Town Board comments.

Councilman Youmans stated that it is his understanding that Deputy Superintendent of Highways Searls takes the vehicle home with him in the event that there is a need for Highway Superintendent Deering to respond to an emergency situation and he cannot be reached. He then asked Highway Superintendent Deering if it is his opinion that Mr. Searls needs the vehicle to perform Highway Superintendent Deering's duties in his absence.

Highway Superintendent Deering stated that it is for when he cannot be reached.

Councilman Youmans inquired as to over the course of the last year how many times there are that he is called when he is needed.

Highway Superintendent Deering stated that it is approximately a dozen times.

Councilman Youmans inquired as to how many of those 12 times he would say that he was not available and Deputy Searls had to be called.

Highway Superintendent Deering stated that it was approximately 3-4 times and added that he is called by residents as well as being dispatched by the Police.

Councilman Youmans inquired as to when either he or Deputy Searls is called if they respond right to the scene of the problem.

Highway Superintendent Deering stated that he goes right to the scene where the problem is and in turn determine if he can handle it himself without going back to the garage to call someone in. He continued by saying that most of the time he can take care of the problem himself but if it is something big he has to go back to the shop and call someone in to help him.

Councilman Youmans stated that over the course of the last year it was 3-4 times that he was not reachable and Deputy Searls was called in and continued by saying that he has been approached by members of the public who do have an issue with using taxpayer dollars for a truck to go back and forth to someone's home. He added that it is a diesel truck and his guess is that it would approach at least $1.00 per mile when they factor in fuel and insurance and then asked if there is some kind of compromise that they can come to when they know that Highway Superintendent Deering is not going to be available such as vacation.

Highway Superintendent Deering stated that he has not taken a vacation since he has been in the position, which is dedication.

Councilman Youmans agreed that it is dedication and continued by asking if there might be a compromise when he knows that he is not going to be available and they could send his deputy home with the truck.

Highway Superintendent Deering stated that it is hard to determine when he is not going to be available and added that one time he was out of town at his grandson's football game and it took him over an hour to get back to the garage and continued by saying that it does not happen a lot.

Councilman Youmans stated that it comes down to the cost vs. the necessity and added that he has read the Comptroller's opinion as well as Town Law regarding that and continued by saying that there are other concerns with the Town Board that if they take it word for word and say that the Highway Superintendent has total control over every highway vehicle and can send a vehicle home with anyone he wants, in the future this

could create some problems and it could be decided that everyone could take a vehicle home. He added that Highway Superintendent Deering is a reasonable man and would not do this.

Supervisor Hotaling stated that it is a difficult situation and continued by saying that they found that it is pretty well settled in the opinion of most legal personnel that the Highway Law creates somewhat of an anomaly with respect to the Town Law. He added that it happens frequently in State statues that one acts at cross purposes with another and continued by saying that the law is settled in this case in terms of his ability to do it. He went on by saying that he is appealing more not necessarily to his ability to do it but rather to whether or not there is some reasonableness attached to how he exercises his authority.

Councilman Youmans stated that he is not questioning his authority.

Supervisor Hotaling stated that Councilman Youmans is questioning whether or not there is a compromise that can be obtained recognizing that he has the authority, however created in the statues of long ago and added that he is asking if there is something that can be arranged so that it would appease those who would view it as an inappropriate use of tax dollars.

Councilman Youmans stated that was true.

Supervisor Hotaling stated that this is the question as well as whether or not Highway Superintendent Deering had given it any thought and whether or not the way that it is happening now is the way that it has to be.

Highway Superintendent Deering stated that he does not know of any other way and continued by saying it is a past practice that has been done for years. He continued by saying that the fact that the truck is being taken out of town might be a question and added that when he was a Foreman he took the truck home.

Supervisor Hotaling stated that the other side of the coin is that they had asked Attorney for the Town Wukitsch and in turn he rendered some opinions as well as being provided some documents from the Comptroller that seem to suggest that the Comptroller is mandating state agencies to apply those lease values to their salary. He went on by saying that he will share with Attorney for the Town Wukitsch the material that he has obtained from the State Comptroller and the IRS and in turn Attorney for the Town Wukitsch can decide if it will modify or mitigate the position that he has give already. He then asked if there were any other comments.

Attorney for the Town Wukitsch stated that with what he has seen so far, if a worker can demonstrate that the use of the vehicle is needed or necessary as part of his or her job, the value of the use is not added to their income.

Councilman Touchette inquired as to if the employee or employer makes the decision.

Attorney for the Town Wukitsch stated that he thinks that the employer does because they are the one that decides whether it is compensation or not.

Councilman Youmans inquired as to in the case of the Chief of Police and Highway Superintendent whether on not they are in agreement.

Supervisor Hotaling stated that they were not only in agreement because the last Town Board passed the policy to fully exempt those two individuals recognizing the public benefit that is derived from them having the vehicle.

Attorney for the Town Wukitsch inquired as to whether or not the information he has obtained has changed that for those two individuals.

Supervisor Hotaling stated that this is a different category and continued by saying that it might change it for the deputy. He then asked if there were any additional comments.

Councilman Touchette stated that in his mind it is clear that the Town Board established a policy that the Chief of Police and Highway Superintendent are required to take their vehicles home for a public purpose and continued by saying that the Deputy Highway Superintendent is not required by Town policy to do that, which means that it is commuting and taxable income according to whatever formula they want to use and should be added to his W-2 at the end of the year and adjust his Social Security payment accordingly.

Supervisor Hotaling stated that Councilman Touchette has intimate knowledge of the IRS rules and regulations and continued by saying that he takes to heart some of the things that he says about this. He continued by saying that once it has been designated that something will be added to salary it gives an option to the employer as to how to calculate the value.

Councilwoman Rogers stated that it is contradictory because she went to a meeting at the Association of Towns and it was stated that the Highway Superintendent has full authorization to designate any highway vehicle to anyone he sees fit.

Supervisor Hotaling stated that it would be any highway vehicle under his jurisdiction.

Attorney for the Town Wukitsch stated that they are talking apples to oranges and added that they are not saying that he does not have the right to control the vehicles but rather that there may be some tax and income issues that they were referred to by Councilman Touchette and that it may be income to one employee but not another and added that as the employer they have to determine it.

Supervisor Hotaling stated that it does square with the position that they are going with and added that once they have come to the conclusion that the Superintendent of Highways has the authority, if he exercises that authority in addition to the Deputy and allows someone else to take a vehicle home routinely and uses it for commuting back and forth there would also be a question that the policy established by the Town Board is that they did not see the benefit even though there is a statutory authority that allows him to do that. He continued by saying that he believes that the IRS guidelines would apply there as well and added by saying that it is the law that creates the confusion. He concluded by saying that it is reasonable for the Town Board to create policies that act in the benefit of the taxpayers, no only those policies that include the use of a vehicle where a public benefit is derived but also prohibiting the use of a vehicle for commuting purposes where they believe that a public benefit does not exist and reiterated that it is perfectly proper for them to make those kind of policy judgments even when it conflicts with statutory authority.

Councilman Youmans interjected that Highway Superintendent has said that it is a requirement for the job for the Deputy to have the truck and continued by asking who they are to say that it isn't.

Councilman Boehm interjected that if he is only called 3-4 times during the year it is a waste of money and to him it seems unreasonable.

Request to Set Speed Limit on Rowe Road

Supervisor Hotaling stated that at the last meeting there was a request dated January 22nd from Highway Superintendent Deering to reduce the speed limit on Rowe Road in the Town of Coeymans and subsequent to that on February 12th he had personally gone out to Rowe Road and then contacted the Town of New Scotland and then his Town Board members to get permission to hold off on the letter to send to the County and ultimately the State because there were some questions as to the wisdom in the request given the fact that it appears that it is a very short distance of .04 miles. He continued by saying that based upon his conversation with the Town of New Scotland he was advised that the line is at or about the big rock that sits about 600 feet in from County Route 301.

Highway Superintendent Deering stated that the distance is .20, which is 1,080 feet and added that it is on his road list.

Supervisor Hotaling stated that it is 1,000 feet of road that according to Chief Darlington is hardly ever patrolled because they can view it from the intersection and there are no residence until you meet the New Scotland line in addition to him being advised that the Town of New Scotland told him that they did not put in a request for a speed limit change on Rowe Road. He added that Highway Superintendent Deering had indicated that the Town of New Scotland is in the process of making a change at their end of Rowe Road.

Highway Superintendent Deering interjected that they are.

Supervisor Hotaling stated that after that day he didn't do another thing with it and then added it to the agenda for the meeting. He continued by saying that Councilwoman Rogers had indicated that Highway Superintendent Deering was going to contact the Town of New Scotland and hopefully have some information for them.

Highway Superintendent Deering stated that he did and continued by saying that he had spoken with New Scotland Town Clerk Deschenes and was advised that she did submit a form, which Daryl was aware of and in turn it was sent to Mr. Franchini and then to Mr. Northrup, who is under Mr. Kennedy with the Department of Transportation.

Supervisor Hotaling inquired as to if the Superintendent of Highways for New Scotland had gone to the Town Board with the request.

Highway Superintendent Deering stated that he didn't know and added that he his aware of it.

Supervisor Hotaling stated that when he had spoken with him he was not aware of it and added that he had also stated that he didn't make a request to do it and then inquired as to if it is a requirement for the Town Supervisor to make the request.

Highway Superintendent stated that he didn't know.

Supervisor Hotaling stated that if the Town of Scotland has made a request for 40 mph, does Highway Superintendent Deering believe that it is still his position to try and get 40 mph for 1,000 feet of road. He continued by saying that he tried to drive 40 mph from the rock and added that by the time he got to 40 mph he was applying the brake for the intersection of 301.

Highway Superintendent Deering stated that Mr. Northrup from the Department of Transportation had suggested the speed and added that his boss Mr. Kennedy might change it.

Supervisor Hotaling stated that he agrees that 40 mph might work on the lengthier part of the road.

Highway Superintendent Deering stated that it would be 40 mph for the whole road because it would include the Town's portion once it is approved.

Supervisor Hotaling inquired about the 40 mph being extended across the Town line to Rte. 301.

Highway Superintendent Deering stated that it would be if the Town of Coeymans requests it too and added that it still has to go through the channels.

Supervisor Hotaling asked the Town Board if they had any additional comments and continued by asking if they still want him to send the letter.

Highway Superintendent Deering stated that he is doing it because Mr. Northrup had suggested it.

Councilwoman Rogers inquired as to if Highway Superintendent Deering feels the need for the change for that end of the road.

Highway Superintendent Deering stated that in his opinion there should be a speed limit on that end of the road and continued by saying that the whole road would be the same.

Supervisor Hotaling asked Chief Darlington if his department would enforce it if there is a speed limit on that end of the road.

Chief Darlington stated that they would.

Supervisor Hotaling inquired as to what his efforts of enforcement would be.

Chief Darlington stated that the only time that the speed limit would come in to play would be if there was an accident on the road and they were in excess of the 40 mph speed.

Supervisor Hotaling inquired as to what the excessive speed would be determined by.

Chief Darlington stated that it would be based on the accident investigation and continued by saying that it won't benefit law enforcement as far as posting it on the Town of Coeymans end and added that it may benefit the Town New Scotland because there are certain requirements for posting speed limit signs because it is by the second posted sign that counts for enforcement.

Supervisor Hotaling stated that he would suggest rather than send for a speed limit request they would allow the Town of New Scotland to put signs on the Town of Coeymans side indicating that they are approaching a 40 mph zone.

Highway Superintendent Deering stated that he cannot make that decision and added that he does not know if it is legal.

Councilman Youmans inquired as to how much time and effort is involved in making a speed limit request.

Supervisor Hotaling stated that from the Town's perspective it is writing a letter to the County, in turn the County has to conduct a traffic study on 1,000 feet of road to determine if a speed limit change is appropriate and if so what the recommended one would be. He added that once the study is done and they have reached a conclusion they forward their recommendation to the State Department of Transportation who will ultimately make the decision many months from now. He continued by saying that the Town of Coeymans is a town of the second class and not able to set their own speed limits and added that the Association of Towns has recommended giving authority to local governments to make their own speed limit decisions.

Attorney for the Town Wukitsch interjected that it would be for Town roads.

Chief Darlington stated that they would have to post the speed limit.

Supervisor Hotaling reiterated that for many years the Association of Towns has suggested it to the legislature.

Councilman Youmans stated that the answer to the question is that they have to write a letter.

Supervisor Hotaling stated that there is minimal effort of the Town's part and added that it is a request in his judgment that could be perceived as being frivolous.

Attorney for the Town Wukitsch interjected the ordinarily the proponent of a speed limit reduction is either a resident who lives along the road or a user of the road who feels as though the speed limit is unsafe and it should be reduced. He continued by asking how this is coming before the Town Board.

Superintendent of Highways Deering stated that someone had requested it.

Supervisor Hotaling interjected that it was requested that the speed limit go across the line.

Highway Superintendent Deering agreed.

Councilman Touchette inquired as to whether or not the State ultimately grants the speed reductions.

Attorney for the Town Wukitsch stated that they don't.

Supervisor Hotaling stated that they overwhelmingly do not.

Councilman Touchette suggested that they wait to see what happens with the Town of New Scotland's request and continued by saying that they can take action then.

Councilwoman Rogers stated she believes that Councilman Touchette had a good idea and added that they should wait until they see how New Scotland makes out.

Highway Superintendent Deering stated that it was fine with him and continued by saying that it was Mr. Northrup from the Department of Transportation who suggested that the whole road be 40 mph and added that this is why he brought it before the Board.

Attorney for the Town Wukitsch stated that it would make sense to have the whole road the same speed limit and added that you would not want to have a little piece of road 55 mph.

Supervisor Hotaling interjected that you can't even get to 40 mph on that piece and added that they would be putting signs up that recommends a speed of 25 mph on that stretch of road. He continued by saying that in order to make it a safe ingress and egress, 25 mph is appropriate. He concluded by saying he believes that waiting is a good idea and continued by asking if they wanted a formal rescinding of his directive to send it in now and hold it in abeyance until they hear of the success or failure of the Town of New Scotland's request.

Councilwoman Rogers stated that she would offer a motion.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Boehm, to withdraw and hold in abeyance the request for a speed limit reduction on the section of Rowe Road that is in the Town of Coeymans.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Small Cities Grant

Supervisor Hotaling stated that they had discussed this earlier in the meeting and continued by saying that there is still a document that was to be returned within 45 days of receipt and added that he has already exceeded that time limit because he received it December 24th and continued by saying that the Town Board has not authorized him to send the document back in. He then inquired as to if Mr. Goldman was going to do something by talking to Mr. Rabito and whether of not anyone had know if he did.

Councilman Boehm stated that Ms. Pempraze was taking over for Mr. Goldman and added that he does not know if she had mentioned that particular document and continued by saying that he would ask her.

Supervisor Hotaling stated that if necessary Mr. Rabito could initiate another document with a different date for him to sign.

Recycling Issue

Supervisor Hotaling stated that Attorney for the Town Wukitsch is working on putting together a response for them on recycling and continued by saying that the question was whether or not the Town of Coeymans has jurisdiction over recycling pursuant to its Solid Waste Management Law enacted in 1991, at the High School in the Village of Ravena, given the fact that the Village of Ravena does not have a Solid Waste Management Law and whether or not Town Law applies in the Village.

Supervisor Hotaling stated that preliminary indications are that in his discussions with DEC the Town does not have jurisdiction and continued by saying that it is an unique situation because the High School has another regulatory agency, the Education Department, which would trump the Town and Village on anything that goes on there, including code enforcement. He went on by saying that the school is not a great example and added that the response should be framed in general if the Town were to apply it in other areas of the Village and whether or not they would have jurisdiction. He concluded by saying that he would put the topic off until the March 24th Meeting

Grey Water Sewer on Martins Hill

Supervisor Hotaling stated that there was a copy of a letter that he received from the Department of Health to Mr. Ed Vopelak and continued by saying that it asked 10 questions about the Gray Water Sewer design that Mr. Vopelak had submitted to the Department of Transportation. He continued by saying that by the time that the letter came the Gray Water Sewer System was already included in the Route 143 realignment and the Town had already approved $21,000 to be forwarded to DOT, which they accepted. He went on by saying that the final design plans that they made reference to at the last meeting include the construction of the Gray Water Sewer System as designed and added that on February 11th the Health Department had 10 questions about it. He concluded by saying that Mr. Vopelak did respond to the questions with the assistance of Mr. James Boni who is the Design Engineer from the Department of Transportation and added that they have not heard back from the Department of Health.

Councilwoman Rogers stated that they won't actually know how many are going to be installed because some of the septic tanks are ok and others are not.

Supervisor Hotaling stated that the Department of Transportation has agreed that they will allow existing septic tanks if they are properly maintained and have integrity and added that those septic tanks that are currently in the State's right-of way can remain there if they have integrity as determined by the Town. He continued by saying that if it is not deemed to have integrity the replacement tank has to be out of the right-of-way and added that the State is being very flexible. He went on by saying that there was another request for someone to hook up from across Rte. 143 on the north side and added that there are 2-3 homes that could potentially be included in the build but the Department of Health is not making a judgment as to the degree of failure that their current septic system has.

Councilwoman Rogers stated that it would be good if they did because the rates would go down.

Supervisor Hotaling stated that was true and added that instead they choose to write a 10 question letter after the project is in place.

Water District Agreement

Supervisor Hotaling stated that earlier in the day he received hand delivered a letter from Attorney Michael Biscone, who is representing the Village of Ravena and with the letter was a 4 page document and map that is titled the Water District Agreement. He went on to say that there is one original, which has been signed by John T. Bruno, Mayor and added that he thought they would be getting a final draft for comment. He continued by saying that he gave it to all the Town Board members to become familiar with and determine whether or not the contents of the Agreement coincides with the agreements

that he and Councilman Youmans had left the meeting with. He suggested that they send it to Attorney Haffner as soon as possible and have him go over the Agreement as presented as well as the district lines that have been apparently altered by the Village of Ravena and try to determine why the alteration took place.

Councilman Youmans interjected that it would be a good question.

Supervisor asked if it meets with the Board's agreement and added that time is of the essence. He continued by saying that he wants to make sure that their beliefs at that time are in the agreement and meet Attorney Haffner's approval.

Councilman Youmans stated that he believes that it is important to say that the State Department of Transportation, who will be doing the realignment project, has given them a deadline of March 31st and added that they have said that the pipes have to be in the ground by then. He went on by saying that they also have to get it before the Comptroller for review, which will take at least 60 days.

Supervisor Hotaling stated that they had a map plan and report ready for January 2007, which was the initial requirement for creating a Water District, which was updated on May 4, 2007 and stands at that position right now awaiting the complementary requirement for the supply of the water, which they are in the final stages of right now. He continued by saying that once it is in there and the map plan and report are updated they need a resolution setting a Public Hearing, which has to contain a lot of details and notices and subsequent to that there is a Public Hearing where they take comments from the public and after that the Town Board if they see fit will pass a resolution establishing the District subject to a 30 day Permissive Referendum. He went on by saying that State Comptroller approval is also required to insure that all the elements of the resolution are contained legally as well as in the event that the bonding for the project exceeds the threshold there is a special review that the Comptroller does to allow the project to continue. He added that once it is done a final order is then prepared by the Town's attorney, which creates the district and added that the process without any stumbles takes 60 days. He continued by saying that this cannot take place until there is a document that is acceptable by both the Village and Town and added that it could take longer than the 60 days because the Permissive Referendum for 30 days might illicit some information from those people in the District who would now be in opposition because of the cost. He concluded by saying that they really are still in the state of flux and added that they might be alright because the State is rarely on time.

Councilman Youmans stated that he is not willing to accept a March 31st deadline and added that rather than give up now he believes they should charge full speed ahead and do everything that they can so in the end if it is not done they can feel confident that they did everything possible.

Supervisor Hotaling stated that he believes that is prudent and continued by saying that the Town has committed thousands of dollars of General Fund money trying to get the problem solved for those that have demonstrated that their drinking water is not drinkable and added that they are fixing the sewer and want to do the water as well and agreed that they need to keep moving forward. He concluded by saying that he would forward it to Attorney Haffner and ask that he get back to him as well as reviewing the map as presented by the Village and keep it moving forward.

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

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NEW BUSINESS

Contract for Services – Ravena Coeymans Historical Society

Supervisor Hotaling stated that Mr. Ralph Biance has returned to the Town of Coeymans and also his role as President of the Ravena Coeymans Historical Society. He continued

by saying that the had met with him on February 11th and prepared an Agreement for Exchange of Services or Compensation, which states that the Town of Coeymans needs the services of preservation and protection of our local history and the Historical Society needs monetary funds to carry out its objectives for the Town of Coeymans. He added that it is in the budget for $1,000 and then asked for a motion to authorize him to sign the agreement.

Councilman Boehm inquired as to the amount that they received last year.

Supervisor Hotaling stated that the Historical Society and Alcove Preservation Association were not in the budget for 2007 and continued by saying that they were added this year in the amount equivalent to the Veteran's organizations, which is $1,000.

Councilman Youmans inquired as to if this relieves the Town of having a Town Historian as well.

Supervisor Hotaling stated that it does not and added that they work well and fairly close together and compliment each other.

Councilman Touchette stated that he would offer a motion.

MOTION

On motion of Councilman Touchette, seconded by Councilwoman Rogers, authorizing Supervisor Hotaling to sign the Contract for Exchange of Services or Compensation with the Ravena Coeymans Historical Society and to issue the check for $1,000.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Supervisor Hotaling stated that the check can be processed as a pre-pay.

Waiver of Fees Request by Coeymans Hollow Fire Company

Supervisor Hotaling stated that Councilman Touchette is the liaison for the Fire Districts and continued by asking that he explain the request for the waiver of fees.

Councilman Touchette stated that Ingalls and Associates Engineering Firm on behalf of the Coeymans Hollow Volunteer Fire Company requests that all fees for permits and variances in association with the planning and construction of their new firehouse be waived. He continued by saying that he believes that when Coeymans Fire Company embarked on a similar construction project, the Town waived the fees for the variances and planning processes but not for the actual Building Permit. He went on by saying that he would recommend that they treat this request in the same manner.

Supervisor Hotaling stated that it was a reasonable position and continued by asking if there were any additional comments, hearing none he asked for a motion.

MOTION

On motion of Councilman Touchette, seconded by Councilwoman Rogers, authorizing to waive the Planning Board fees and any other associated fees with the planning process for the construction of the Coeymans Hollow Fire Department firehouse, with the exception of a Building Permit fee because there are some building inspections that have to occur.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Request for Support – Albany County Rural Housing Alliance

Supervisor Hotaling stated that Albany County Rural Housing is about to apply for a grant in the amount of $75,000 for the RESTORE Home Repair Program and continued by saying that they have been asked by letter to them from Judy Eisgruber, Executive Director to support their application. He continued by saying that they have done this in

the past and added that he would recommend that they do it again and then asked for a motion.

MOTION

On motion of Councilman Boehm, seconded by Councilman Youmans, authorizing the Supervisor to send a letter of support for Albany County Rural Housing's grant application.
VOTE – AYES 5 – NAYS 0 – SO MOVED

New York Capital Bike Race

Supervisor Hotaling stated that the Capital Region Bike Race has been brought to his attention by phone calls from a gentleman on Bushendorf Road and continued by saying that he has issues about the fact that the Town of Coeymans permits this bicycle race to take place with no benefit to the Town. He added that his view is that no money is spent by the approximate 600 people that come to town and continued by saying that the complaint focuses on the fact that the practice has commenced and they are creating a hazard riding abreast on the road in addition to litter being deposited on his lawn. He went on by saying that he believes that there is some merit in his complaint about them riding abreast as opposed to single file and added that it could be a problem because some of the roads are narrow. He concluded by saying that the request is asking them to reconsider and withdraw their support for the bike race to take place and added that he has had discussions with Chief Darlington about this and then asked that Chief Darlington address the topic.

Chief Darlington stated that the race has been well organized and added that as far as the Town is concerned there is one intersection that they provide a Police Officer for. He continued by saying that the Police Department has not received any complaints regarding the actual bike race itself.

Supervisor Hotaling inquired as to if they have received any complaints regarding the practice for the race leading up to the race.

Chief Darlington stated that he personally has observed 6-7 bikers riding abreast on Bushendorf Road and added that he cannot say for sure that these are bikers practicing for this race.

Supervisor Hotaling interjected that they could be recreational riders.

Chief Darlington stated that they use Joralemon for parking as well as other places throughout the Town and added that there are Vehicle and Traffic Laws that require riding single file. He continued by saying that they could remind them to do this as well as having the patrols stop when they are seeing the riders unloading their bikes to remind them.

Supervisor Hotaling stated that they should be told that there have been some complaints as well as wanting everyone's safety to be paramount. He continued by asking how the Town Board feels about the continuation of the race, which will be the third year and added that the perception to the person that complained was that it serves no useful purpose to the Town of Coeymans in addition to creating a burden.

Councilman Boehm stated that he does not believe that it is a problem and added that he thinks it is a great idea and he believes that it is an isolated case. He continued by saying that the gentleman from the Bicycle Club comes before them each year and went on by saying that if they bring the problem to his attention he would be more than willing to report it to the people that practice as well as the racers. He added that they do donate money to both the Rescue Squad and Coeymans Hollow Fire Department as well as believing that with them being staged at the high school there is an economic benefit to having it in the Town. He concluded by saying that it is far more dangerous with the ATV's and dirt bikes that there are on the Town roads.

Councilwoman Rogers interjected that it is only one complaint in three years.

Supervisor Hotaling stated that this is the only one that he is aware of and added that there may have been others. He then asked Highway Superintendent Deering if he had received any.

Highway Superintendent Deering stated that there were a few bottles on some lawns.

Councilman Youmans stated that it also attracts 600 people to the Town.

Councilman Touchette interjected that it is good publicity for the Town rather than making the news for something bad happening and added that maybe they could provide some barrels for the bottles to be thrown in.

Supervisor Hotaling stated that the consensus is that they are not going to withdraw their approval for the race to take place in the Town and added that he will provide Chief Darlington names and email addresses so that he can remind them if they are members of the Club that will race in August, to be more mindful of the need to stay in single file so no one gets hurt.

Request to Attend Town Clerk Conference 04/27-04/30

Supervisor Hotaling stated that he was in receipt of a request from the Town Clerk to attend the Annual Conference in Saratoga and added that she has allocated money in her budget for her as well as her deputy to attend. He then asked Town Clerk Millious who she intends to bring.

Town Clerk Millious stated that she wants to bring Deputy Vatalaro

Supervisor Hotaling inquired as to if the total was for both.

Town Clerk Millious stated that they share a room and continued by saying that it is too far to commute everyday because it goes from early morning into the evening. She added that she chooses to go to this because it is all Town Clerks and it is a good thing.

Supervisor Hotaling stated that he does not have any opposition to it and continued by asking how the Town Board feels.

Councilwoman Rogers stated that she is budgeted for it and added that it is fine with her.

Supervisor Hotaling asked for a motion.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Youmans, authorizing Town Clerk Millious and her Deputy to attend the Town Clerk's Annual Conference.
VOTE – AYES 5 – NAYS 0 – SO MOVED

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RESOLUTIONS

RES. # 41-08 AUTHORIZE TOWN CLERK AND DEPUTY TO ATTEND CONFERENCE
On motion of Councilman Touchette, seconded by Councilwoman Rogers, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the New York State Town Clerk's Association Annual Conference will be held in Saratoga, NY, April 27 – April 30, 2008, and

WHEREAS, in lieu of attending the Association of Towns Convention in New York City this year, the Town Clerk and Deputy Town Clerk desire to attend the Town Clerk's Conference, and

WHEREAS, a registration fee in addition to pre-payment for meals, lodging and classes is required,

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk and Deputy Clerk are authorized to attend the Town Clerks Conference in Saratoga, NY, April 27-April 30, 2008, and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Coeymans authorizes pre-payment for the registration, meals, lodging and classes in addition to submission by voucher for Monday nights meal and round-trip mileage for reimbursement.

RES. #42-08 RESCIND PORTION OF RESOLUTION #130-07 – CAPITAL RESERVES
On motion of Councilman Boehm, seconded by Supervisor Hotaling, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, two inactive Capital Reserve Accounts were closed by resolution on November 26, 2007, and

WHEREAS, the proceeds of these Capital Reserves were returned to the fund that originally financed the project as follows:

Capital Reserve for Landfill	$18,881.60	General Fund
Capital Reserve for Town Hall	$32,626.35	General Fund

WHEREAS, in accordance with Paragraph 9, Section 6-C of the Municipal Laws of New York State the restricted nature of these reserves must be maintained,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans hereby rescinds a portion of Resolution #130-07 relating to the Capital Reserve.

Supervisor Hotaling stated a resolution that they passed last month had several components, two of which were listed and added that Municipal Law prohibits transferring those things back to a General Fund but you can designate them for similarly situated projects. He added that by rescinding it, the following resolution takes those funds and establishes a new Capital Reserve Fund for an intended purpose that is consistent with General Municipal Law. He concluded by saying that they have to rescind a portion of what was done previously in order to be able to do what they are going to do in the following resolution.

Councilman Touchette inquired as to if either are subject to a permissive referendum.

Supervisor Hotaling stated that to his knowledge they are not and added that it would only be if they were initially subject to a permissive referendum. He continued by saying that the Capital Reserve for the landfill, which goes back to the early 90's was closed by an Order of Consent and added that he can't speak about the one for Town Hall but will check it out. He concluded by saying that it appears that the law says that it shall be subject to permissive referendum if the authorization of the creation of the fund initially was subject to one, which he cannot speak to from his vantage point now and went on by saying that he would be willing to amend the resolution to include a statement that says in the event that either of the funds were subject to a permissive referendum, then the same shall apply to that particular fund in this transfer.

Attorney for the Town Wukitsch interjected that the wording will work.

Tape change – Some dialect lost.

RES. #43-08 ESTABLISH CAPITAL RESERVE FUND
On motion of Councilwoman Rogers, seconded by Councilman Touchette, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the Capital Reserves for Landfill and Town Hall have been inactive for several years, the original purpose of the projects have been met, and the remaining balances are no longer needed, and

WHEREAS, in accordance with Paragraph 9, Section 6-C of the Municipal Laws of New York Stat the restricted nature of these reserves must be maintained,

NOW, THEREFORE, BE IT RESOLVED, that the remaining fund balance in Capital Reserve for Landfill and Town Hall be transferred to a new Capital Reserve to be used for acquiring vehicles, equipment, improvements to facilities and construction of new facilities that are the responsibility of the (A) General Town-Wide Fund.

Supervisor Hotaling stated that this is the result of the previous resolution and added that permissive referendum may or may not apply and continued by saying that this is the intended new transfer to a Capital Reserve Fund that is more flexible and used in acquiring vehicles, equipment, improvements and construction of new facilities. He went on by saying that they need to redeploy the resources to more appropriately needed reserves.

RES. #44-08 APPROVE DECEMBER 2007 ABSTRACT
On motion of Councilman Youmans, seconded by Councilwoman Rogers, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

BE IT RESOLVED, that the Town Board, of the Town of Coeymans, does hereby approve and allow the following claims of vouchers for the December 2007, Abstract.

FUND	VOUCHER #	AMOUNT
GENERAL (A)		
General	2679-2685	$1,784.32
	General Total	**$1,784.32**
HIGHWAY (D)		
Highway	2686	$ 82.13
	Highway Total	**$ 82.13**
SEWER (SS)		
Sewer	2687	$ 86.77
	Sewer Total	**$ 86.77**
	Total for all Funds	**$1,953.22**

Supervisor Hotaling stated that they are about to close out 2007 and added that Bookkeeper Puckett and Accountant Morrison are working to meet the deadline for the Annual Financial Report of March 31st. He went on by saying that there are going to be some transfers to accommodate some of the needs that were left over from the 2007 Budget and added that it is anticipated that the transfer resolution will be prepared for the March 24th Town Board Meeting.

RES. #45-08 APPROVE JANUARY 2008 ABSTRACT
On motion of Councilman Touchette, seconded by Supervisor Hotaling, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

BE IT RESOLVED, that the Town Board, of the Town of Coeymans, does hereby approve and allow the following claims of vouchers for the February 2008, Abstract.

FUND	VOUCHER #	AMOUNT
GENERAL (A)		
General Pre-Pay	87-130,185-188	$1,246,097.22
General	198-235	$ 29,863.82
	General Total	**$1,275,961.04**
PART-TOWN (B)		
Part-Town Pre-Pay	131-149,189-190	$ 537,433.57
Part-Town	236-251	$ 9,085.26
	Part Town Total	**$ 546,518.83**
HIGHWAY (D)		
Highway Pre-Pay	150-162,191-192	$ 100,599.97
Highway	252.286	$ 17,973.17
	Highway Total	**$ 118,573.14**
SEWER (SS)		
Sewer Pre-Pay	163-178,193-194	$ 22,585.16
Sewer	287-293	$ 4,631.94
	Sewer Total	**$ 27,217.10**
CAPITAL PROJ. (H)		
Capital Projects	294-295	$ 5,875.00
	Capital Proj.Total	**$ 5,875.00**
	Total For All Funds	**$1,974,145.11**
TRUST & AGENCY (TA)		
Trust & Agency Pre-Pay	179-184,195-197	$ 235,920.93
	Trust & Agcy. Total	**$ 235,920.93**

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CORRESPONDENCE

New York State Commission on Property Tax Relief

Supervisor Hotaling stated that he was in receipt of a letter from Thomas R. Suozzi, Chairman of the New York State Commission of Property Tax Relief and continued by reading the following excerpt:

"In the Governor's Executive Order creating the Commission, he charged us with examining the root causes of New York's property tax burden, identifying ways to make the State's property tax system fairer and developing a fair and effective school property tax cap to hold the line on property tax growth."

He continued by saying that the letter indicates that there are going to be Commission meetings in various locations around the state and added that the one closest to us is in Albany on Wednesday, April 23, 2008. He went on by saying that the letter indicates that there are multiple ways that members of government and constituents can get involved.

He concluded by saying that you testify directly, submit written testimony or attend one of their meetings and added that the notice will be placed on the bulletin board in Town Hall as well as encouraging members of the Town Board to attend and participate.

New York State Assemblyman Tedisco

Supervisor Hotaling stated that he was in receipt from a correspondence from James Tedisco, Assembly Minority Leader and added that he suggests from his perspective that families need help now and cannot wait for a bureaucratic Commission appointed by Governor Spitzer to seal their fate. He added that both correspondences are trying to get the same result and added that Mr. Tedisco suggests that they as a governing body should pass a resolution, which he has not read yet and went on by saying that he has put it out there for the Town Board's review at this point. He continued by saying that he wants to see if it make sense as to whether or not it makes sense for them to do either individually or collectively and if so he will put it back on the agenda and if it doesn't they will wait for the work of the Commission to take effect. He concluded by saying that hopefully they will enact not only a budget but within that budget a property tax relief cap.

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TOWN BOARD WORKSHOPS / MEETINGS

- Town Board Meeting, March 10, 2008, 7:00pm
- Town Board Workshop, March 18, 2008, 6:00pm
- Town Board Meeting, March 24, 2008, 7:00pm

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ADDITIONAL COMMENTS

Supervisor Hotaling inquired as to if there were any additional comments.

Councilman Touchette stated that he wanted to bring to everyone's attention the situation that the Food Pantry's are finding themselves in and added that they are soliciting funds in order to buy more food for the Food Pantry because the amount of food being received from the food bank has declined in addition to less food being donated by companies because there is less damage in packaging. He continued by saying that he would encourage anyone to make donations either in food or monetary funds to help our neighbors that are less fortunate.

Supervisor Hotaling asked if there were any additional comments.

Attorney for the Town Wukitsch stated that there are several road issues that he is working on and added that there is one that he has been working on with Highway Superintendent Deering involving Biers Road, which is basically a road swap. He continued by saying that a piece of property is going to be transferred to the Town and another piece of property being transferred to Mr. Palange and went on by saying that there are certain steps that they need to do before they can complete the process and added that the first is to get a survey done so that they have an accurate description of the properties, which has been completed. He continued by saying that using those surveys the next step is to prepare deeds, which describe the properties and allow the transfers back and forth, which also has been done and in turn the Highway Superintendent has to conduct an inspection of the property and determine whether or not the Town should accept it using State Law and the applicable Town guidelines, which has also been done. He went on by saying that the next step is to get approval from Albany County because the property adjoins a County highway and they need to obtain approval from the Albany County of Public Works, which has not been done and added that the contact has been made by Highway Superintendent Deering with the County and in turn they sent a letter stating that a work permit has been issued and they want all work to be completed in accordance with two different sketch plans and indicated that if the work is not completed in accordance with the plans they will consider it to be a violation of the permit and will impose penalties under Section 136.6 of the Highway Law. He concluded by saying that

they said in the letter that when the Town is ready for an on site inspection by the County to determine whether or not it has been done properly, they are to arrange for that.

Highway Superintendent Deering stated that he had called the County and in turn had spoken with Attorney for the Town Wukitsch.

Attorney for the Town Wukitsch stated that they cannot complete the transaction until the County has signed off and issued an approval based on the on site inspection. He continued by saying that he received a phone call from Mr. Palange's attorney and added that he wants them to understand that they are moving through the process but it is taking some time.

Supervisor Hotaling thanked Attorney for the Town Wukitsch's update and continued by saying that Highway Superintendent Deering had indicated that he had completed his inspection and continued by asking if he had communicated that to anyone. He added that until they get all of the components presented to them as a package, they are not ready to act.

Attorney for the Town Wukitsch stated that was correct.

Supervisor Hotaling continued by saying that as a component it would have to be something from the Superintendent of Highways stating that it meets Town specifications and continued by saying that from his own personal perspective, and has talked to Highway Superintendent Deering about the way that it intersects with the current Biers Road, he finds it difficult to accept it as a safe intersection because it requires someone to make an elbow turn rather than a rounded turn.

Highway Superintendent Deering stated that it is going to be corrected and added that Mr. Palange has put it in writing that he will correct it in the summer time.

Supervisor Hotaling inquired as to if Highway Superintendent Deering's inspection as to whether or not it meets specifications is being held in abeyance until it is done or if it meets the specifications now.

Highway Superintendent Deering stated that it meets specifications now because it is in writing that it is going to be done.

Supervisor Hotaling inquired about accepting it in writing and agreeing that it meets the specifications before the work is done.

Highway Superintendent Deering stated that was true as long as Attorney for the Town Wukitsch agrees with it.

Attorney for the Town Wukitsch interjected that he is just as concerned about that as he is and added that in order for them to accept a formal dedication of the property the County has to sign off on it without any qualifications or any threat of penalties, which he does not have.

Supervisor Hotaling inquired as to if the County's inspection is something that occurs at their intersection of the County road only or if it is the entire length of the road.

Attorney for the Town Wukitsch stated that it is in accordance with certain sketches that they provided to the Town and added that it would be the entire road. He continued by saying that they point out that any variation to the plan or sketches is a violation of the permit.

Supervisor Hotaling inquired as to if there is an inference that there are such violations.

Attorney for the Town Wukitsch stated that he does not know why it would be in the letter and added that the County has to give final approval and until they do he would advise the Town not to accept the deed.

Councilman Touchette inquired as to if they issued the permit in the first place or if it is after the fact they are going to come down and issue a permit and continued by asking if they reviewed the plan before it was built.

Supervisor Hotaling inquired as to if the plans that they reviewed, were ultimately the plans that were used to build the road.

Highway Superintendent Deering stated that Mr. Palange redid the plans and in turn the County saw them and added that it was his understanding that the only thing that they are suppose to look at is the intersection.

Supervisor Hotaling stated that this is not what the County indicated to Attorney for the Town Wukitsch.

Attorney for the Town Wukitsch stated that the letter says that the existing Biers Road must be reconfigured as per the enclosed sketches.

Supervisor Hotaling inquired as to if the sketches depicts the entire road.

Attorney for the Town Wukitsch stated that it shows a culvert plan and section as well as a cross section at a drive-way center line.

Supervisor Hotaling stated that it is a cut into their road like an intersection and added that they are moving it to the other side of the barn, which is the area that the County is concerned with and added that it has to meet with their specifications. He continued by saying that his concern is the other section of the road.

Councilman Boehm inquired as to where the driveway is going to be because there is one on Biers Road as well as the County road.

Highway Superintendent Deering stated that he does not know exactly where it will be.

Councilman Boehm inquired as to if there is any concern about through traffic and people driving through where they use to.

Highway Superintendent Deering stated that it is suppose to be redone and narrowed down and added that it has been confusing. He reiterated that Mr. Palange did put it in writing that he would correct the curve.

Councilman Boehm stated that he is not comfortable with it until he corrects it.

Councilman Youmans interjected that if he were going to spend that kind of money putting a road in he would have had the plans drawn up for the way that it was going to be and inquired as to if the curve was in the plans that they had.

Supervisor Hotaling stated that they did not have any plans.

Highway Superintendent Deering stated that the former Town Board and Town Attorney had the plans.

Supervisor Hotaling interjected that the Town Board did not play a role in approving any of the plans and added that they only looked at them and continued by saying that the plans that they looked at have been altered. He then inquired as to if Highway Superintendent had taken a core sample of the road to make sure that it was built to specifications.

Highway Superintendent Deering stated that he was there watching the road being built.

Supervisor Hotaling stated that it does not answer his question about a core sample being taken and continued by asking if he is convinced that it does anyway.

Highway Superintendent Deering stated that he is and added that he has been around long enough to determine that.

Councilman Boehm continued by saying that he had a question about Oak Street and continued by asking what is holding it up.

Highway Superintendent Deering stated that he thought it was in the works.

Councilman Boehm stated that there was a resident that was concerned and had indicated that she had contacted Highway Superintendent Deering.

Highway Superintendent Deering stated that she did several times.

Supervisor Hotaling inquired as to what she was told.

Highway Superintendent Deering stated that he had gone and spoken with Attorney Michael Biscone and he had said to do whatever they need to do.

Councilman Boehm inquired as to if they need the deed for that.

Highway Superintendent Deering stated that he thought so and added that he's not sure what the need.

Councilman Boehm asked Attorney for the Town Wukitsch as to whether or not they need the deed to proceed.

Attorney for the Town Wukitsch stated that this is something that they are going to attend to.

Highway Superintendent Deering stated that he had wanted to make a cul-de-sac and added that there are too many hands in the pie and now it has been changed.

Supervisor Hotaling stated that it goes back to the sub-division.

Councilman Boehm stated that he remembers it from when he was on the Planning Board and continued by saying that he thinks that there is a time limit and he is concerned that it will expire.

Highway Superintendent Deering stated that he was told that it is 10 years.

Councilman Boehm asked if this is something that they can expedite and get it done before it expires.

Supervisor Hotaling stated that Attorney for the Town Wukitsch has been conveying the information and has been in contact with the prior Town Attorney. He then asked if there were any additional comments.

Chief Darlington stated that the generator has been installed and is up and running and added that he will be getting a price for a remote enunciator so that they can monitor the generator from inside Communications when it is running to make sure that it is not going to overheat or run out of fuel. He continued by saying that the tower and antennas have been installed as well as the anticipated switch over for Communications to be fully operating by March 12th. He went on by saying that there was a question with regard to radio problems amongst other Town departments and added that he wanted to let the Town Board know that they are actively extensively searching for a tower site as well as two new cars being ordered and continued by saying that they lost one of their good cars due to an unfortunate accident.

Supervisor Hotaling inquired as to how the claim process is going for that.

Chief Darlington stated that it has been very slow and added that the Insurance Company is going to look into what the status is.

Supervisor Hotaling asked if there were any additional comments.

Highway Superintendent Deering stated that he had received a correspondence in the mail indicating that the County of Albany is going to be getting the salt for them.

Supervisor Hotaling stated that it seems to say that they order the salt and sand and Mr. Franchini is suggesting that Highway Superintendent not file a requirement letter with OGS because that will also double their delivery and they don't have any place to store it.

Highway Superintendent Deering stated that they won't have storage room to store the Town's salt and added in the past they have ordered the salt and stored it between theirs.

Supervisor Hotaling stated that the letter states that they are going to be ordering all of the salt for the Town and added that our salt is going to be there and there will be room for our salt. He continued by reading the following excerpt:

"Albany County will be ordering all salt and sand for your town for the 2008-2009 snow and ice season. Do not file a requirement letter with NYS OGS for salt as we will not be able to store it in our Coeymans shed"

Supervisor Hotaling continued by saying that when he reads it, it says to him that they are going to be ordering the salt and have room for the salt but if Highway Superintendent Deering puts in another requirement letter there will be an excess of salt that they won't be able to store. He went on by inquiring as to is Highway Superintendent Deering orders anything other than the general salt and sand.

Highway Superintendent Deering stated that he orders salt and won't be ordering anything after this year and continued by saying that he also orders magnesium, which goes in the mixture.

Supervisor Hotaling stated that they are still going to have the salt at the shed but the County will be ordering it and inquired as to if Highway Superintendent Deering had talked to them about how much to order.

Highway Superintendent Deering stated that he will be speaking to them.

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

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ADJOURNMENT

Supervisor Hotaling asked for a motion to adjourn the meeting.

MOTION

On motion of Councilman Boehm, seconded by Councilman Youmans, the Town Board Meeting was adjourned.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time: 9:31pm

Respectfully Submitted, **APPROVED:**

_____
Diane L. Millious, Town Clerk

A Town Board Meeting was held Monday, February 11, 2008 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 Touchette, Councilman

ALSO PRESENT: Diane L. Millious, Town Clerk
Albert Deering, Highway Superintendent

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

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OPENING COMMENT

Supervisor Hotaling stated that the record should reflect that there is a full Town Board in addition to Town Clerk Millious and Highway Superintendent Deering. He continued by saying that there will be a presentation prior to the regular agenda items.

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AGENDA

- Public Comment
- Presentation
  - Coeymans Hamlet Neighborhood Association, Update on Coeymans Hamlet Design
- Approval of Minutes
  - Town Board Meeting, January 14, 2008
  - Town Board Workshop, January 22, 2008
- Old Business
  - Community Development Block Grant
- New Business
  - Request to Set Speed Limit on Rowe
  - Exchange of Services Contract, Senior Projects of Ravena
  - NYS Building Officials Conference Membership Renewal
  - Request for Training for Code Enforcement Officers
  - Authorize Forwarding POTW Design, Planning & Flow Management Annual Certification Form to C.T. Male & Return for Signature & Forwarding to DEC
  - Approval for Sewage Treatment Plant Operator to Attend Training Course and Associated Charges
- Resolutions
  - Appointment of Part-Time Police Officer
- Correspondence
  - New York State Department of Transportation
  - Assembly Standing Committee on Local Governments
- Town Board Workshops/Meetings
  - No February Workshop, Association of Towns Conference
  - Town Board Meeting, February 25, 2008, 7:00pm
  - Town Board Meeting, March 10, 2008, 7:00pm
  - Town Board Workshop, March 18, 2008, 6:00pm

PUBLIC COMMENT

Supervisor Hotaling invited the public to comment, hearing none he moved to the next item on the agenda.

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PRESENTATION

Coeymans Hamlet Neighborhood Association – Update on Coeymans Hamlet Design

Supervisor Hotaling stated that this is the attempt of the Historic Coeymans Landing Association in their concerted effort to get to the point of making a presentation. He added that he is excited to see what they have to present and continued by saying that he believes that those present will be pleased with the presentation, which will be also be available for those watching the meeting at home. He then introduced Deborah Fahrbach who would be giving the presentation on behalf of the Association and asked that she give an overview of the history of the Association and their effort and how it has evolved to this point, which will segway into other introductions and the presentation. He concluded by asking that the Town Board move to the audience section in order to move the screen to the center of the room.

Ms. Fahrbach introduced herself and continued by saying that she is a member of the Steering Committee of the Historic Coeymans Landing Neighborhood Association and added that the Association has been together for 7 months and they are happy that there has been progress made in a relatively short amount of time. She continued by saying that the Association got its start with funding through the W.K. Kellogg Foundation, which is administered through Albany County Rural Housing Alliance and added that there has been improvement over the last five years to homes in the Hamlet because of that funding in addition to the Town making some improvements along the waterfront. She went on by saying that they feel as though the Association is the next step, which is resident involvement to work with the Town, Kellogg Foundation and Albany County Rural Housing to move things along and take resident input and be able to move forward with what residents would like for the Hamlet, which is what the Association is all about and added that they feel as though the time is right to begin to move forward with the next step. She continued by saying that the Association is the brain child of Judy Eisgruber from Albany County Rural Housing Alliance and John Bonafide who among other things is a local Historian and added that they got funding through Kellogg to begin the Association because if there is not resident support the changes don't continue and advancement does not continue to be made. She went on by saying that with the funding they introduced to the Association Cheryl Doble, who is an Associate Professor with the SUNY College of Environmental Science and Forestry in Syracuse, who in turn came to most of their meetings with groups of graduate students who looked at the Hamlet and interviewed residents and talked to those that attended meetings and asked their opinions on things that they liked and disliked and what their dreams for the Hamlet are and what they can see the Hamlet becoming. She continued by saying that they took all of the information and helped create some concrete ideas about how to move forward in making the Hamlet the kind of place that the residents suggested that they wanted it to be and added that they actually created a Draft Vision Statement. She went on by saying that she wanted to emphasize that it is not a statement of what it is but rather what they would like the Hamlet to be and continued by reading the following:

"Coeymans Landing is a small riverfront community distinguished by its active waterfront, historic character, architecture, and beautiful natural surroundings. The Hamlet is a pleasant pedestrian neighborhood with community facilities, small businesses and accessible parking. Well maintained streets and property reflect the community pride and sense of caring. The river and surrounding natural areas provide recreation opportunities for the Hamlet, Town and surrounding region."

She continued by saying that this is a place that she wants to live and added that those who have attended the meetings as a group have decided that they want to move forward

with making the statement a reality and to work toward whatever needs to be done to do so. She added that the Town Board has told them that they would like to work with them and they know it to be true because they have had Board members attend almost all of their meetings. She went on by saying that they outlined vision goals and action steps and added that she would not be going through them all because she had handed them out prior to her presentation and continued by saying that she wanted to highlight those that they felt to be most significant and read as follows:

- Work with Town leaders to achieve the Neighborhood Association's vision through planning and infrastructure upgrades.
- Enhance businesses along the river front and bring business down to the waterfront.
- Make a concerted effort to welcome new residents to the Hamlet and make sure that they feel as though it is a community that they would like to continue to live in.
- Maintain historic structure of the Hamlet.
- Have people feel happy, safe and proud to live in the Hamlet.

She continued by saying that she wanted to thank a few people including the Town Board and added that they want to thank John Bonafide and Judy Eisgruber for their help in creating the Association and especially Judy for her continued support with organizing and attending all of the meetings over the seven months as well as Cheryl Doble and the graduate students that have worked with her in their outstanding work. She went on by saying that the models along the wall were created by the graduate students from what they heard the Association say as far as what they want in the Hamlet as well as what they could see themselves what the Hamlet could be and added that those that live in the Hamlet cannot see all of the possibilities. She continued by saying that the students have spent countless hours with the designs that are quality and lovely and added that they were a pleasure to work with as well as thanking the approximate 60 residents that have attended their meetings, which is outstanding for a small Hamlet. She concluded by saying that she was going to turn the presentation over to Cheryl Doble, Associate Professor SUNY College of Environmental Science & Forestry in Syracuse to do a power point presentation, which will explain one of the final drafts that they came up with and the students defined and added that she will be talking about what could be in the Hamlet. She then invited Ms. Doble to give her presentation.

Ms. Doble thanked Ms. Fahrbach for the introduction and continued by saying that they have had a wonderful experience in Coeymans this past fall working with the graduate students and added that when they were first called to work with the community their intent was to give the students an opportunity to work with community members. She went on by saying that this was a process working with the community helping them to explore ideas and articulate a vision and continued by saying that this was a community project that Ms. Fahrbach had described very well. She added that they asked a lot of questions and in turn got lots of information and had attended a number of meetings over the course of the fall and they are now in the process of trying to finalize things in a document to leave with the Association so that they can continue to move forward. She continued by saying that it was a process of exploration and they asked questions like how they use the community, where did they go, where do people gather as well as asking what places are sacred that they want to protect in the future and not want to see change, which was helpful for the students to understand what the community values. She went on by saying that this was a starting place for them as designers and added that there were some concerns that came as well as identifying opportunities, which they can begin to build on to address some of the concerns. She continued by saying that they went from this understanding to drafting a vision, which was read earlier and then put together a series of goals and in turn worked on them to refine and refocus them and once this was done they began to identify action steps to accomplish the goals. She went on by saying that by the second meeting they brought back three models and added that one of the things that what she loves about design is that it gives you an opportunity to explore options, which you always have and added that sometimes you don't realize that you have as many as you do and continued by saying that in turn you make choices as far as what is going to fit, given the time and place and what you really want to do and added

that in thinking about the future for the community there are many options. She went on by saying that the students came back with a series of models to share some of the ideas that they felt were built on what they learned from the community and added that there was discussion about each model and in turn they came back with more detailed design studies that looked at issues such as circulation on Main Street and redevelopment of the riverfront. She continued by saying that the final step, which is still a work in progress, is beginning to think about what the big ideas and big moves are and as landscape architects they began to look at how you would express the vision through changes in the landscape itself. She went on by saying that the conclusions that the students came to following the meetings was that there are three critically different areas in the Hamlet, the Main Street area, the residential neighborhood between Main Street and the river and the river front. She continued by saying that the drawing expresses some of the big ideas that came out of the planning and stated that she would start with the Main Street area and identified the following:

- Main Street is important to the community and holds the history through the architecture and memories associated with it.
- Traffic is higher, the streets are narrow and the steep bank to the west constrains Main Street.

She continued by saying that they looked at a lot of different solutions and felt that what was important is celebrating Main Street and beginning to think about Main Street as a scene between the Hamlet and the Town as well as the thinking about the whole corridor as an entrance to the Hamlet. She went on by saying that some of the things that seemed important were rehabilitating, looking at adaptive reuse of some of the buildings, reorienting some of the buildings to take advantage of the view of the river, restoring and saving the architecture that is there. She added that it is going to be very important to work with the Department of Transportation on the process in making it an entrance and continued by saying that she thinks that the entrance to the Hamlet begins just before the bridge over the creek and went on by saying that you should know that in coming into the Hamlet you are coming into something special. She continued by saying that some of the recommendations were ideas of traffic changes and improving the connections that bring the Town down to the Hamlet and added that they believe that there is room on the building side of the street for enlarged sidewalks and lower lighting and looking at the placement on that side of the street rather than the western side of the street so it actually creates a separation from the street so you are not feeling the traffic going right by you as well as some whimsical ideas from the students such as sculptures with water flowing out of them that reflected the water. She added that one of the issues that is important is to slow the traffic and improve sight lines and visibilities in addition to another important issue of where Westerlo Street goes down to the river and continued by saying that they were looking at bumping out the curbs so you can actually have clear visibility. She went on to say that some of the issues related to Main Street are traffic and improving visibility at the two intersections that connect the Town to Main Street and improving the pedestrian crossing at those two locations and to also mark the street the importance of the street and its connection to the river. She added that after a lot of study of Main Street they believe that there is real potential for some of the ideas and reiterated that they would have to involve the Department of Transportation and continued by saying that the idea for Main Street is to celebrate the history, protect the structures and work toward slowing the traffic and making it a more pleasant pedestrian area than it currently is.

Ms. Doble continued by saying that the second area is the residential neighborhood area that it is between Main Street and the river and added that it is a fantastic area because it has the scale of the historic settlement that was there, which is the spacing of the building is close together and when you walk through it is very comfortable. She added that there were some challenges noted in their meetings and listed them as follows:

- A number of buildings are deteriorating.
- Vacant lots have broken the pattern of buildings that use to be there.

- Inconsistent levels of maintenance by homeowners.

She continued by saying that their feeling is that there is a lot that can be done to improve the pedestrian feeling in that area and make it walkable and added that a lot of people had stated that they are not comfortable walking in certain areas of the Hamlet at night. She went on by saying that one suggestion is to reestablish and transform the area along Pape Street into a pedestrian corridor that links Main Street all the way down through the Hamlet and added that there would be an addition of lighting as well as fencing to separate private property from the pedestrian walk and continued by saying that they need to strengthen some of the pedestrian routes. She went on by saying that another item that came up was vacant lots and added that one of the thoughts was that some of the vacant lots could temporarily be parking gardens, which would integrate some intentional parking on some of the vacant properties. She added that there is a lot of space for parking in the public area but in the residential area because of the narrow streets there is not much room for resident parking and continued by saying that it would clean up the vacant lots, give them a use and someone would be caring for them. She went on by saying that another thing that came up is that they don't want to block the view of the river and added that one of the wonderful things about the Hamlet is the grade change, which is great for the view and added that there would be vegetation planting but it would be lower and you would be able to see over the top of it. She continued by saying that in addition to creating a pedestrian walk along Pape Street they would also recommend looking at Second Street as a combined pedestrian and vehicular street where the paving would slow cars moving through them and people would be able to walk along them in addition to possibly developing a sidewalk along First Street adjacent to the street. She added that all of this would be to try to encourage, facilitate and make more pleasant walking in that area and continued by saying that vision planning is about getting a vision and putting ideas out there and trying to refine them and went on to say that all of the ideas need to be further explored in terms of feasibility. She continued by saying that another idea was bridging across the creek, which would extend the pedestrian network to the north and to the harbor area being redeveloped and then coming off the public lands with a nature trail. She added that as they come up with the ideas in turn they have to think about how they can accomplish them and continued by saying that there is funding available for nature and pedestrian trails.

Ms. Doble continued by saying that they spent a lot of time talking about the third area, which is the river front and added that they came away with the sense that it is a tremendous resource for the entire town and not just the Hamlet. She went on by saying that there is a lot of public land and added that their thoughts were focused on what can be done to make it more useful and a better resource for the town. She added that it was expressed that a lot of visitors come in and use the boat ramp but there is not as much down there that draws Town's residents to use that area. She continued by saying that they started to look at different ways that you could take advantage of it and build it into a stronger town resource and added that one thought was that you could build a natural amphitheatre using the grade of the property in addition to extending the circulation over to the area going to Yanni's and the riverfront. She went on by saying that one of the things that the students were trying to do in response to the comments that they heard was to provide more public resources along the river and added that they were hearing this especially from the kids because they want to see more activity down there. She continued by saying that they were looking to try and accommodate a lot of different uses and added that they reorganized the parking, which is a huge area and when it is not organized people can park randomly and in turn you would not be getting the maximum benefit of the space. She went on by saying that another idea that they explored was a Coeymans Community River Center, which would be an activity center for water and river related ideas and added that it could become a boat house or a place to have a private concession with someone renting or a space for programs for the youth such as rowing, sailing or kayaking courses. She continued by saying that people that live in the community could leave smaller boats down there and there would be a launching area out front and added that a lot of communities have created community boathouses and water facilities. She went on by saying that there were also ideas about bringing in more entrepreneurial and commercial activity in the area such as a farmers market and coffee shop, which would mix the public investment along with private investment. She added that a shelter could be used for summer youth programs, festivals, flea markets, etc. in

addition to the possibility of a skate board park with trails going off to the south. She stated that they were trying to explore how you capture the river and resources so that the whole town can take advantage of it. She continued by saying that they also explored how you bring private development, such as Yanni's and how you connect it to the public activities that are going on so there is a sense on continuity along the riverfront and added that a river walk continuing to Yanni's with more public parking is something that they thought about. She went on by saying that the idea is that all of the pieces, private and public start to connect to one another and it would give a sense of character to the area and added that they would be creating edges that separate where they need to separate and join where they want it to join.

Ms. Doble concluded by saying that a lot of ideas came out of the planning that were not physical and added that she had showed them their explorations through the models and illustrations and added that they are at the point of departure and that they need to look at some of the ideas in more detail and begin to think how they can be initiated.

Ms. Fahrbach stated that she hoped that everyone could see that the Association was working with talented people who tried to listen to the things that were said about the Hamlet and things that they wanted to see happen in the Hamlet and added that they could not have done it on their own. She continued by thanking Ms. Doble and the graduate students as well as thanking the Town Board for allowing them to do their presentation in addition to looking forward to working together to bring some more things to fruition to the Hamlet. She concluded by saying that for anyone interested there will be an Association meeting on February 21st at 6:00pm at the Town of Coeymans Municipal Building and adding that they continue to look for input and opinions about the way that they would like the Hamlet to evolve.

Supervisor Hotaling stated that from his perspective the presentation was very impressive and added that it projected a vision, which is not what it is but what it can be. He continued by saying that the Town Board has always recognized the potential for the river and the Town has been blessed with an access where you don't have to go across rail road tracks or down a big escarpment to get to it. He went on by saying that as members of the Town Board they can see the vision and added that it is palpable and on the cusp of making a difference and continued by saying that the Small Cities grant that they have for the old brickyard will energize employment opportunities and with employment comes needs for things such as lunch, coffee, a place to live and recreate. He concluded by saying that it is a building block and beginning, which he will support to every extent possible and added that he believes that it is the feeling of other members on the Board.

Supervisor Hotaling asked if there were any comments from the Town Board.

Councilman Touchette stated that he was also impressed with the thoughtfulness and level of professionalism of the plans and added that it is exciting. He continued by saying that he had attended a few of the meetings and added that he is looking forward to working with the Association in getting it going and making it happen. He concluded by saying that it is the time to do this and if they do not do it pretty quick the opportunity is going to be lost, which he recognizes.

Councilman Boehm stated that he had attended some of the brain storming sessions when they were writing down the ideas and added that it has come a long way since then. He continued by saying that the presentation had some great conceptual ideas that they need to support in order to move forward. He concluded by saying that it is beautiful area with a lot of potential.

Councilwoman Rogers stated that it was a great presentation and added that she would like to attend the next meeting on the 21st and get involved with it as well.

Councilman Youmans stated that it was a very impressive presentation and added that he drives through the Hamlet almost everyday to look around because there is a lot to see there. He continued by saying that there is a ton of potential and he supports any redevelopment or rebuilding that they can do there because it is a tremendous resource

that the Town has and concluded by saying that he would like to see them use it to their benefit.

Ms. Fahrbach interjected that she wanted to make people aware of the website, which is www.historic-coeymams.org.

Supervisor Hotaling stated that he had included their next meeting in the upcoming Workshops and Meetings, which he will be going over at the end of the meeting. He continued by saying that there are many people who have given great time and effort to join and help plan with the Association and continued by asking if there were any other comments from those in the audience.

Mr. Keith Boxley stated that he has been a resident for almost three years and resides on Second Street and continued by saying that he didn't think about the lot across the street when he bought the house and added that he didn't buy it for an investment. He continued by saying that there is a gazebo in his back yard and you look right down to the river, which is one of the best views around here. He added that all three presentations show the lot as a park and added that he didn't have that in mind for community property and went on by saying that everyone is not 100% behind it. He went on by saying that some of it is conceptual possibilities but not necessarily 100% is supported by everyone. He concluded by saying that a big emphasis can be cleaning up the trash such as soggy mattresses, wrecked cars, and litter as well as lighting the sidewalks.

Supervisor Hotaling stated that if he has been here for three years he has been the recipient of some assistance from the Town in an attempt to do that because they sent out some postcards about a year ago and added that they continue to make an effort to try to do that. He continued by saying that in a fair assessment, those that live there would have to say that there has been some progress and added that it may not have been as quick or as one would like. He concluded by saying that they will do everything that they can to encourage it and added that it is not necessarily about government solving it all but rather neighbors respecting each other and as a neighborhood they have to understand the value of their property as well as their neighbors property and the role that they can play in bringing back the entire Town to where they all want to take it.

Mr. Charles Brooks stated that he lives in the Hamlet and added that one of the things that the Association is looking to do is exactly what Supervisor Hotaling had just said, which is looking to get the neighborhood people together and get a good relationship between the Town Board and neighborhood. He continued by saying that it is not a one-way street and they are not coming to the Town telling them what to do and added that there are many grants out there, such as the Kellogg Grant that has been fantastic and went on by saying that there are all kinds of grants for things such as lighting, sidewalks, small towns, waterfront and paths.

Supervisor Hotaling interjected that there was information given to him a couple of weeks ago called Safe Access to Schools, which has a lot to do with constructing sidewalks and added that some of their effort in the past couple of years has been directed to the Church Street area improving the sidewalks. He continued by saying that this is an effort that they are going to take every year in conjunction with Highway Superintendent Deering's crew as well as the Community Beautification crew and added that they now have the expertise to build sidewalks and will use this expertise to the extent that they can on an annual basis with the funding that is available. He went on by saying that there is a grant that suggests that sidewalks can be created to provide safe access for the children to get to school with the presumption that the school is Pieter B. Coeymans. He concluded by saying that he had given it to the Board members asking for their comments and continued by saying that this might be something that they can explore in addition to possibly lighting and added that hopefully with the proper representatives being placed in the right places at the time they would be able to benefit from their assistance in making their colleagues aware of the beauty of the Hamlet and the investment in the money that can attract businesses and economy to this region.

Supervisor Hotaling asked if there were any additional comments.

Mr. Robert Rayow stated that he lives at 7 Westerlo Street in the Hamlet and added that he has one more comment about the littering and old cars left around and continued by saying that some of the biggest offenders are people that do not live there. He went on by saying that he wonders what can be done about the absentee landlords in letting the buildings deteriorate and added that nothing seems to be done.

Supervisor Hotaling stated that maybe nothing seems to be done and added that he knows of one example and there was weeks worth of trash left on the lower part of Westerlo Street and they had unsuccessfully sent letters to the landlord and with some assistance they did get some response. He went on by saying that they realize that there are pockets of resistance and they are going to do their best to take care of it.

Supervisor Hotaling asked if there were any additional comments.

Councilman Youmans interjected that he would like to commend the Association for banding together and putting so much time into this and added that everyone on the Town Board is willing to work with them and concluded by thanking them.

Supervisor Hotaling invited the audience to stay for the balance of the meeting and continued by moving to the next item on the agenda.

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APPROVAL OF MINUTES

Supervisor Hotaling stated that there were two sets of minutes from previous meetings for Town Board approval, a Town Board Meeting on January 14, 2008 and a Town Board Workshop on January 22, 2008. He then asked for a motion to approve the minutes.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Touchette, the Town Board Minutes were approved as presented.
VOTE – AYES 4 – NAYS 0 – SO MOVED

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OLD BUSINESS

Community Development Block Grant

Supervisor Hotaling stated that one of the primary topics of the January 22nd Workshop was to discuss with their counsel the Small Cities Grant Agreement for the Port of Coeymans and added that there were some documents that were given to him for potential signature to move the dispensing along. He continued by saying that he has not been advised that Mr. Goldman has completed his efforts to have meetings and discussions with Mr. Kirk and Mr. Laraway and added that he believes that they are at a standstill with the signing.

Councilman Boehm stated that negotiations are going on with the Loan Agreement between Mr. Laraway's attorney and Mr. Goldman and added that they discussed at the Workshop what they should look for.

Supervisor Hotaling inquired as to if anyone has heard anything back.

Collectively the Town Board stated that they hadn't.

Supervisor Hotaling stated that it would be tabled until the next meeting on February 25th.

Councilman Boehm stated that he would call Mr. Goldman to see what has happened.

Supervisor Hotaling interjected that he did get an invoice for Mr. Goldman's efforts to be reviewed by the Board and then moved to the next item on the agenda.

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NEW BUSINESS

Request to Set Speed Limit on Rowe Road

Supervisor Hotaling stated that he was in receipt of a letter from Highway Superintendent Deering dated January 22nd with a request for the Town Board to consider reducing the speed limit on Rowe Road. He continued by saying that the request is to make the speed limit 40 mph, which is what the Town of New Scotland is undertaking for their end. He then asked if anyone had any questions or comments.

Highway Superintendent Deering stated that this is the Town of Coeymans portion of the road and added that the Town of New Scotland is sending in the request to have their portion reduced to 40mph.

Supervisor Hotaling inquired as to if they have to undertake the same efforts as far as going to the County and State.

Highway Superintendent Deering stated that they do and it is the same process.

Supervisor Hotaling asked members of the Board if they are familiar with the area and whether or not it would be appropriate to submit for 40 mph. He continued by saying that for Councilmen Touchette and Youmans benefit, that as a town of the second class they do not have the opportunity to establish speed limits and added that they have to send it to the County to undertake a study and in turn they send the results to the State Department of Transportation for the State officials to determine whether or not the request should be granted, modified or rejected. He went on by saying that it is an arduously slow process and they are still waiting for the last couple that were sent and added that his belief is that most often it is rejected. He concluded by saying that if the Board see fit by motion they can direct him to forward the request to Mr. Franchini, the Commissioner of Public Works for Albany County and ultimately from him to reach Mr. Johnson for review of the Department of Transportation.

Councilman Youmans inquired as to what the speed limit is currently.

Highway Superintendent Deering stated that it is 55 mph.

Councilman Youmans stated that it seems fast for that road and continued by asking if Highway Superintendent Deering feels as though 40 mph is appropriate and if this is what it will be when you cross over into the Town of New Scotland.

Highway Superintendent Deering stated that it is appropriate and will be the speed when you cross over into the Town of New Scotland.

Supervisor Hotaling inquired as to whether the Town or County is responsible for the road.

Highway Superintendent Deering stated that the Town is responsible for their portion.

Supervisor Hotaling inquired as to if it is a Town road.

Highway Superintendent Deering stated that it is for the Town's portion and added that the other portion is a town road in New Scotland.

Councilman Boehm stated that Stanton Road is 40 mph and added that Bushendorf Road is 35 mph, which is a 5 mph difference and continued by saying that for consistency sake and ease of enforcement, given the rural nature of the roads, could Highway Superintendent Deering look at a consistent speed limit.

Highway Superintendent Deering stated that he would like to see that and added that the Department of Transportation makes the judgment for the speed limit. He added that in some cases they have agreed with the Town and have even made it lower than the recommendation. He concluded by saying that they are still waiting on their requests for Bushendorf Road and Jarvis Road North

Councilman Boehm inquired as to if there is a consistent difference between Bushendorf, Jarvis and Stanton Road and added that 35 mph seems reasonable for most of the roads.

Tape change – some dialect lost

Highway Superintendent Deering stated that he thought they could put signs up to lower the speed on the curves and was advised that he cannot count the curves.

Councilman Boehm stated that on Stanton Road there is a curve by the farm and there is not a sign reducing the speed or warning about the curve and continued by saying that on Bushendorf there is a limited sight distance and went on by asking if there are plans for putting up additional signs.

Highway Superintendent Deering stated that it will be yellow signs and added that Bushendorf Road is in the works. He continued by saying that they replaced the 40 mph signs and added that if the speed is reduced to 35 mph as requested they will do all of the signs at once.

Supervisor Hotaling inquired as to if there is a consensus that they should move the request to the next level.

Collectively it was agreed that there is.

Supervisor Hotaling asked for a motion.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Youmans, authorizing the Supervisor, at the Superintendent of Highways request, to forward to the County the request for a reduction of speed on Rowe Road to 40 mph.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Supervisor Hotaling asked if there was any further discussion.

Highway Superintendent Deering stated that in the past he has said that if it were up to him he would like to see all of the roads 30 mph.

Supervisor Hotaling stated that they tried this in the past and it was denied and continued by saying that when he was a Councilman they requested for any roads not otherwise posted to be 30 mph, which was reasonable and added that as the government of the Town they are not authorized to make the decision. He concluded by saying that he will forward the request to Mr. Franchini to make the entire length of Rowe Road in the Town of Coeymans 40 mph.

Highway Superintendent Deering interjected that it is the Town of Coeymans portion of Rowe Road and added that he can get him the actual footage.

Supervisor Hotaling stated that was not necessary and added that the request will be the entire length of Rowe Road in the Town of Coeymans to the Town of New Scotland line.

Exchange of Services Contract – Senior Projects of Ravena

Supervisor Hotaling stated that the Exchange of Services Contract for the Senior Projects of Ravena is similar to those that were approved for Alcove Preservation Association, Veterans of Foreign Wars and American Legion. He added that the Senior Projects of

Ravena is a place that provides emergency shelter, meals, training room facilities and income tax services for residents and in return for that supplemental funding in their effort to provide recreation, congregate dining, Meals on Wheels, social activities and transportation for seniors, the Town is providing $6,000.00 in funding, which is consistent with the last several years. He continued by saying that by approval of the Board by motion it will authorize him to sign the contract and present it to Ms. Albano for her signature and in turn pay them $6,000.00 for their services.

MOTION

On motion of Councilman Boehm, seconded by Councilman Touchette, authorizing the Supervisor to sign the Contract for Exchange of Services with the Senior Projects in the Town of Coeymans in the amount of $6.000.00
VOTE – AYES 5 – NAYS – SO MOVED

NYS Building Officials Conference Membership Renewal

Supervisor Hotaling stated that he had received a request from the Building Department to renew the membership of the New York State Building Officials Conference Inc. (NYSBOC) for membership for Code Enforcement Officers Cashin, Weidman and Conrad and added that Code Enforcement Officer DeBacco obtains his membership through the Village of Ravena. He continued by saying that with a motion they can approve $40.00 per person for the membership renewal for each CEO.

MOTION

On motion of Councilman Touchette, seconded by Councilwoman Rogers, authorizing payment for the annual membership in the amount of $40.00 per person for CEO's Cashin, Weidman and Conrad to the New York State Building Officials Conference.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Request for Training for Code Enforcement Officers

Supervisor Hotaling stated that he was in receipt of a request on behalf of the Building Department to begin to collect some of the required 24 credit hours on an annual basis in order to maintain their certification. He continued by saying that CEO Conrad has requested that CEO's Cashin and Weidman be authorized to attend a training seminar at the Italian American Community Center sponsored by New York State Building Officials Conference (NYSBOC) and added that by attending they will receive 3 credit hours with the cost being $30.00 per person. He then asked for a motion to authorize the attendance.

MOTION

On motion of Councilman Touchette, seconded by Councilman Boehm, authorizing CEO's Cashin and Weidman to attend the training seminar sponsored by the New York Building Officials Conference at the Italian American Community Center at a cost of $30.00 per person
VOTE – AYES 5 – NAYS 0 – SO MOVED

Supervisor Hotaling interjected that they will be taking a Town vehicle, which will eliminate a cost associated for mileage.

Authorize Forwarding POTW Design, Planning & Flow Management Annual Certification Form to C.T. Male & Return for Signature & Forwarding to DEC Approval for Sewage Treatment Plant Operator to Attend Training Course and Associated Charges

Supervisor Hotaling stated that he had requested that this topic be added to the agenda and continued by saying that there was a letter dated January 29th to the Coeymans Sewer District from Koon S. Tang, P.E. with the Bureau of Water Compliance at the Department of Environmental Conservation. He continued by saying that as Chief Fiscal Officer he is required to certify in writing to ENCON that the Town of Coeymans is

complying with the provisions of 6 NYCRR Part 750-2.9(c) and added that the certification requirement must be met by the permittee on an annual basis with a deadline for submission of March 28, 2008. He went on by saying that last year they forwarded it to Ed Vopelak at C.T. Male who has intimate knowledge of the sewer operations and has helped with the design and upgrades and added that it is his suggestion that they authorize him to ask Mr. Vopelak to fill out the required form, which has to be right and timely. He then asked for a motion to engage Mr. Vopelak to fill out the report by the deadline of March 28, 2008.

MOTION

On motion of Councilman Youmans, seconded by Councilwoman Rogers, authorizing the Supervisor to send the form to Mr. Vopelak for completion.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Approval for Sewage Treatment Plant Operator to Attend Training Course and Associated Charges

Supervisor Hotaling stated that Mr. Lennon has been at the Waste Water Treatment Plant for approximately a year and added that he has taken and passed the Civil Service test as a trainee and in turn was appointed from the Civil Service list. He continued by saying that Mr. Lennon has to undergo the certification to be a Waste Water Treatment Plant Operator and added that there is now a 60 hour course, which is the initial phase of the certification process that is being offered at SUNY Morrisville for a fee of $900.00 as well as lodging and meal fees. He went on by saying that a prerequisite of the course is six-months experience in plant operation, which Mr. Lennon has an Operator Trainee. He concluded by saying that it is worthy of a motion to allow him to take the course because it is necessary that he get the certification.

Councilman Youmans interjected that as it stands all the Town has is Larry Breedlove who is certified to run the plant and continued by offering a motion.

MOTION

On motion of Councilman Youmans, seconded by Councilman Boehm, authorizing Operator Trainee Lennon to attend the training at a cost of $900.00 plus costs associated with meals and lodging.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Supervisor Hotaling stated that they will codify what the meals and lodging means boils down to in terms of transmitting the information to Chief Operator Breedlove.

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RESOLUTIONS

RES. #040-07 APPOINT PART-TIME POLICE OFFICER
On motion of Councilman Boehm, seconded by Councilwoman Rogers, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the Chief of Police has conducted a search for available part-time police officers to supplement the monthly schedule and provide the coverage desired,

WHEREAS, the recommended candidate has been forwarded to Albany County Civil Service for qualification review,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby appoint Ryan F. Johnson as a part-time Police Officer effective immediately, but contingent upon availability from his current position and pending Civil Service review. This appointment will be compensated at the rate designated in the current Council 82 Collective Bargaining Agreement.

Supervisor Hotaling stated that this appointment is a result of a recommendation made by Chief of Police Darlington.

Councilman Boehm stated that Chief Darlington had brought this up at a previous meeting and continued by reading the following submitted by him:

"At a previous Town Board Meeting I presented five names for consideration in which we hired four. Since then full-time Officer VanEps has resigned and I am asking that the Town Board hire the 5th name presented. Ryan Johnson is currently certified and works full-time provisionally with the Town of Cairo Police Department. He is due to be hired as permanent full-time and is interested in transferring to our Department. I have spoken to Albany County Civil Service and he is eligible for a lateral once his probation is completed."

Councilman Boehm stated that the Chief of Police asked that they consider the appointment and added that everyone had gotten a copy of his resume and cover letter.

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CORRESPONDENCE

New York State Department of Transportation

Supervisor Hotaling stated that he was in receipt of a document dated February 7, 2008 from James Boni, Project Manager with the Department of Transportation and continued by saying that he is the Project Manager for the Rte. 143 to Nolan Road redesign. He added that it is a complete set of contract documents that are set to be released March 6, 2008 and construction of the project is scheduled to begin in the spring of 2008 and currently scheduled to be completed in November 2009. He continued by saying that the documents will be in his office for public inspection and review by the Town Board. He went on by saying that Mr. Boni has tried to give some timelines as to the other projects that they have going and added that within the project documents plans are included for a Gray Water Sewer System for Martins Hill in which the Town has placed in the State's hand a betterment amount of $21,600.00. He continued by saying that the only thing remaining is the water system up Martins Hill to those people who do not currently have palatable water and added that their negotiations with the Village of Ravena have been ongoing for a long duration and went on by saying that he can report that approximately 15 days ago in a conversation with the lawyer representing the Village of Ravena, that after a meeting attended by himself, Councilman Youmans and representatives from the Village and the counsel for each side, it was reported that there was an agreement and he will be receiving a letter for the supply of water by the Village of Ravena to this Water District, which he has not received to date. He went on by saying that Mr. Boni had indicated earlier in the day that it is a very critical stage and they are reaching a point where if the water system is not in place by March 31st the reconstruction of the road will prevent it and added that even if he received the letter now he does not believe that it can be done now because the document has to be prepared, the State Comptroller has to review the cost associated with the build and deem it to be palpable under the State's guidelines, which is currently $570.00 a year and will probably not be under that threshold. He reiterated that the water system has to be in place by March 31st and if it isn't, the reconstruction of the road will prevent it from happening and concluded by saying that he does not see how it can be done in spite of their best efforts.

Councilman Boehm stated that prior to becoming a Board member he recalls watching a meeting where residents of Martins Hill brought in pots of black water and filters and continued by saying that they can put in the Gray Water Sewer System but they still won't have water that they can drink. He continued by saying that it is unfortunate that the Village cannot see the urgency of the matter.

Councilman Youmans interjected that it seems like a simple matter but as they found out it is not.

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

Assembly Standing Committee on Local Government

Supervisor Hotaling stated that he was in receipt of a correspondence from the Standing Committee on Local Government and continued by saying that it is a notice to the public that he will hang on the bulletin board. He continued by saying that on Wednesday, February 27th at 10:30am in the Roosevelt Hearing Room in the Legislative Office Building in Albany there will be a Public Hearing on Municipal Participation in the New York's Communities Initiative, which is funding that may play into some of the Hamlet issues. He continued by reading the following excerpt:

"Restore NY was established in the 2006-2007 New York State Budget to provide eligible municipalities with financial assistance to encourage economic development and neighborhood revitalization. A total of $300 million was dedicated to this program in the New York State Budget with $50 million appropriated for State Fiscal Year 2006-2007, $100 million appropriated for 2007-2008 and 150 million appropriated for 2008-2009. The program goals of Restore NY are to improve housing stock, encourage commercial investment and revitalize urban centers."

He continued by saying that the testimony with regard to this will be to convince the Committee members of the need in various areas and the importance of the funding to be placed in the final budget and added that any member of the Board, if they wish, can attend. He went on by saying that as they move into the State's budget fiscal year of April 1st to March 31st they might want to be cognizant of the Restore NY funds that are available for grants such as projects that they saw earlier in the meeting.

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TOWN BOARD WORKSHOPS / MEETING

- No February Workshop, Association of Towns Conference
- Town Board Meeting, February 25, 2008, 7:00pm
- Town Board Meeting, March 10, 2008, 7:00pm
- Town Board Workshop, March 18, 2008, 6:00pm

Supervisor Hotaling stated that on March 21, 2008 at 6:00pm the Historic Coeymans Landing Association will hold a meeting at the Coeymans Municipal building on South Main Street and added that the website that they have established is www.historic-coeymans.org.

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ADDITIONAL COMMENTS

Supervisor Hotaling stated that earlier in the day he had received a call from a resident and in turn spoke to Deputy Highway Superintendent Searls about Blodgett Hill and continued by asking Highway Superintendent Deering if he made any contact with Mr. Franchini.

Highway Superintendent Deering stated that he had made contact with Mr. Franchini and added that he will be checking into it.

Supervisor Hotaling stated that there have been several car/deer incidents in the straight-of-way and the person had suggested that signs to warn motorists of the prevalence of deer would be helpful. He added that he would suggest a sign at one end of the straight-of-way and at the intersection of Tracey Road.

Highway Superintendent Deering reiterated that Mr. Franchini is going to check into it.

Supervisor Hotaling stated that the person had also suggested no passing and added that there is a passing opportunity, which from her perspective is very dangerous and continued by saying the he does not know if there is a study that Mr. Franchini could entertain. He went on by saying that Highway Superintendent Deering should raise this with him as well.

Highway Superintendent Deering stated that he did raise that with him and he will also be looking into that and added that Mr. Franchini was going to personally call this person.

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

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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: 8:27pm

Respectfully Submitted, **APPROVED:**

_____
Diane L. Millious, Town Clerk

A Town Board Meeting was held Monday, December 22, 2008 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
David Wukitsch, Attorney for the Town

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

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OPENING COMMENT

Supervisor Hotaling stated that the record should reflect a full Town Board in attendance as well as Town Clerk Millious and Attorney for the Town Wukitsch and added that Chief Darlington would not be attending because he was ill and Highway Superintendent Deering was dealing with the weather.

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AGENDA

- Public Announcement
  - SEMO Ice Storm Information
- Public Comment
- Approval of Minutes
  - Town Board Meeting, 12-08-08
  - Town Board Workshop, 12-16-08
- Supervisor's Report – November 2008
- Department Reports
  - Building Department – November 2008
  - Highway Department – November 2008
  - Sewer Department – November 2008
  - Town Clerk – November 2008
- Old Business
- New Business
  - Pre-registration for Association of Towns Training School & Annual Meeting February 15-18, 2009
  - Alcove Preservation Society Contract for Services
  - Ice Storm Aftermath
- Resolutions
  - Approve Grant of Easement re: Parthenon Properties, LLC
  - Amend 2009 Budget for Sewer Fund
  - Establish of 2009 Sewer Rates
  - Approve Interfund Loan for Highway Fund Part Town of Coeymans
  - Approve Transfer of Funds
  - Approve December 2008 Abstract
- Correspondence
- Town Board Workshops/Meetings
  - Organizational Meeting, 01-01-09, 10am

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PUBLIC ANNOUNCEMENT

SEMO Ice Storm Information

Supervisor Hotaling stated that he was given a correspondence from the State Emergency Management Office relating to NYS Insurance Department availability and continued by reading the following:

The New York State Insurance Department has established a hotline for the purpose of answering insurance questions relating to damages sustained from the weekend ice storm. The hotline is being staffed by people from the department between the hours of 8:00am-5:00pm. The number is 1-800-339-1759. You can refer any insurance questions received to the hotline and this number is usually prominently posted in the EOC or Emergency Management Office, as well as other County Departments such as Social Services, Aging, Public Health and the like.

Supervisor Hotaling stated that the Town has been advised that they can refer any insurance questions to that number as well as the Dispatch Center doing the same and added that this information has been posted on the Town's website.

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PUBLIC COMMENT

Supervisor Hotaling invited the public to comment at this time

Ms. Sylvia Lawler stated that she is a resident of the Town of Coeymans and added that her comments relate to Mr. Laraway's operation at the Port of Coeymans. She continued by saying that when they met with Mr. Laraway at a Town Board Meeting earlier in the year after the last loading of the barge he assured them that the next time a barge was loaded it would be quieter, which was not the case. She went on by saying that it may have been a little quieter and added that she was surprised that the loading was not done more during the day and was from 9am through the night for 2-3 nights in a row. She continued by saying that Mary K. Pape could not come to the meeting but wanted the Town Board to know that they could hear it down Rte. 144. She concluded by asking if the Town had discussed how it might be addressed.

Supervisor Hotaling stated that it is a comment period and not a question and answer period and added that he will give an answer. He continued by saying that members of the Town Board have discussed it individually and also have complained and added that at this point the Town Board has done nothing to address it other than indicate that it is an Industrial Zone. He went on by saying that he had discussed it with Mr. Laraway earlier in the day and he had indicated that the mitigation efforts with regard to lining the box as well as some adjustments made to the skid plates where the box actually goes on the ship and added that the noise level the last time was in the 60's and this time were in the mid 50's.

Ms. Lawler interjected that she has a problem with him conducting the tests and added that she believes that they should be independent tests and added that she understands that it is an Industrial Zone but if she had all night parties three nights in a row that disturbed her neighbors she would be under arrest. She continued by saying that it is not right and it is unconscionable that his bottom line is disturbing the entire Hamlet. She concluded by saying there has to be a way to remedy it by hours of operation and added that she cannot believe that as a Town, businessman and neighbors cannot come to some kind of a solution that is mutually acceptable by all.

Supervisor Hotaling stated that he believes that Mr. Laraway's presence at the last meeting and his contact earlier in the day indicates an indication of his willingness to continue to work with his neighbors.

Ms. Lawler interjected that it was a lot of noise for a number of nights.

Supervisor Hotaling stated that Councilman Touchette had also made a complaint and added that other members of the Town Board did their own individual assessments after

hearing the concerns of Councilman Touchette and they could speak themselves. He continued by saying that he was told that there were no other calls or complaints made and then asked Ms. Lawler if she had called to make a complaint.

Ms. Lawler stated that she didn't make a complaint because she figured that the Police were busy because of the ice storm and the aftermath and the other storms coming through and added that she decided to wait and come to the meeting to make her comment. She concluded by saying that she didn't see that there would be anything that anyone could or would do.

Supervisor Hotaling thanked Ms. Lawler and continued by asking if anyone else wished to make a comment.

Ms. Cynthia Kunz stated that she lives in the Hamlet and added that she did hear the noise but did not contact Supervisor Hotaling because of it. She continued by saying that she stands by what she had said at the last meeting when she spoke about it and went on by saying that it would be nice to see some compromise.

Supervisor Hotaling thanked Ms. Kunz and then asked if there was anyone else that wished to comment on that subject.

Councilman Touchette stated that he wanted to comment and added that he went to the Police Department and filed a report and is awaiting a call back from the Chief of Police. He continued by saying that the noise level was somewhat subdued and went on by saying that maybe because of the positioning of his house you can hear the noise through closed windows and added that it was keeping him awake. He concluded by saying that he does not understand that there is nothing that the Town can do to solve the problem and continued by asking Attorney for the Town Wukitsch if there is some doctrine of peaceful enjoyment of your property.

Attorney for the Town Wukitsch stated that he was referring more to a private property right and added that it would be an adjoining neighbor making so much noise that it interferes with your ability to enjoy your own property. He added that he believes that there are doctrines such as public nuisance and things of that sort that could be used to address public concern if the noise level is interfering with enjoyment of your property and could be brought to Mr. Laraway's attention. He went on by saying that through some form of negotiation they could reach a compromise without going beyond that level of discussion and concluded by saying that this is what he would recommend.

Supervisor Hotaling interjected that he didn't know if Attorney for the Town Wukitsch was present for the last time that they had this discussion and added that there were several residents including Ms. Lawler and Ms. Kunz talking about the October incident when the last ship was in. He added that Mr. Laraway was present and talked about some mitigation efforts and went on by saying that he does not know if that qualifies as negotiating and working with the community. He concluded by saying that he wanted to let Attorney for the Town Wukitsch know that it occurred.

Attorney for the Town Wukitsch stated that there is something to be said for some form of independent verification that the noise levels have been reduced other that Mr. Laraway's say so and added that he is not trying to impugn his integrity or question his judgment but some members of the public appear to believe that the noise level has not been mitigated. He concluded by saying that the only way to know that it is true is to get some kind of independent examination and added that if it is zoned Industrial he is entitled to conduct industrial activity on the property and went on by inquiring as to whether there is not a Noise Ordinance on the books.

Councilman Touchette stated that there is.

Supervisor Hotaling interjected that the level of decibels is 100.

Attorney for the Town Wukitsch inquired as to if he can generate noise up to 100.

Councilman Youmans stated that he can at his property line, which is pretty loud.

Attorney for the Town Wukitsch agreed that it is loud and continued by asking if Mr. Laraway has assured them that he is not exceeding the level.

Supervisor Hotaling stated that he has made statements that he was not exceeding the level in October and added that he had indicated in a conversation earlier in the day that it was dropping from the 60's in October to the 50's now.

Councilman Touchette inquired as to whether or not the Town can regulate a business that it is operating in an Industrial Zone.

Attorney for the Town Wukitsch stated that he had said that if it rises to the level of a nuisance where he is interfering with the public's general enjoyment of the adjoining properties, it is something that they can take up with him. He added that to rise to the level of a public nuisance it has to be severe and significant because he is in an Industrial Zone and it would take a lot and continued by saying that he has not listened to the level of noise.

Supervisor Hotaling inquired as to whether or not duration plays a role in it and added that this time it went from Wednesday through Saturday night. He added that the last time the ship was in was when the noise raised to that level, which was in October and went on by saying that it was a two month period. He asked if the public nuisance that Attorney for the Town Wukitsch was referring to is not only intensity but duration as well.

Attorney for the Town Wukitsch stated that there would be no question about it and added that they would look at both.

Councilman Boehm interjected that part of the problem is that it is 24 hours a day and added that they load it until it is full. He continued by saying that noise at 3:00am is a lot more offensive than it is at 3:00 in the afternoon.

Ms. Lawler stated that this is where they could compromise and added that there needs to be set hours of operation and added that Mr. Laraway's bottom line would suffer a little bit but people would be able to sleep. She continued by saying that although it is an Industrial Zone it does not have the regular buffers and residents are right up against it as well as the reflective quality of the water that greatly magnifies sound. She concluded by saying that she believes that they need to sit down with Mr. Laraway to see what can be done.

Supervisor Hotaling stated that dialog as an official sit down has not occurred but did occur in a public forum at a past meeting. He added that without prompting, Mr. Laraway called earlier in the day to suggest that he might be present to talk about the noise studies that he did based on the most recent event.

Attorney for the Town Wukitsch inquired as to whether or not he would be willing to share the report.

Mr. Steve Kelly stated that there is a report that was not formally ready for the meeting and added that it will be ready for the next meeting.

Attorney for the Town Wukitsch stated that he would like to see it.

Supervisor Hotaling stated that he wanted to offer Mr. Kelly an opportunity to make comment and then invited him to do so.

Mr. Steve Kelly stated that he was present representing the Port of Coeymans and added that Clough Harbor did a report for the decibel readings and continued by saying that they did not have it for this meeting. He went on by saying that it did come down a little bit and added that as a company they understand the problem and tried to make some more changes and concluded by saying that they are doing the best that they can.

Supervisor Hotaling asked that he expand upon the changes that have been made and added that he knows that they lined the box.

Mr. Kelly stated that the box for the actual loading was lined with rubber and added that there's definitely a difference from the previous ship. He continued by saying that with the skid steer, they put a rubber bucket on it for when it scrapes the ground to try and get the product in the bucket because they felt as though it was making more noise than the actual loading of the material.

Supervisor Hotaling inquired about the rubber on the skids.

Mr. Kelly stated that they actually put a rubber box on it like you use for plowing snow, which quieted down the sound.

Supervisor Hotaling stated that he was describing it incorrectly and added that he thought that the change was when the box went on the ship.

Mr. Kelly stated that they were on walkie-talkies and in various spots around the area and the Hamlet.

Supervisor Hotaling stated that they were in communication and knew when the actual dropping was taking place.

Mr. Kelly stated that they did it on two-way radios so they knew when a drop was being made and what it sounded like and in turn documented it.

Councilman Boehm inquired as to if one part of the process is noisier than the rest.

Mr. Kelly stated that there are different times that it is going to be noisier when they are loading depending on the specific product and added that they tried to do the lighter stuff at night. He went on by saying that they are trying to compare the noise of the actual dumping to the activity on the dock.

Councilman Boehm inquired about limiting the hours.

Mr. Kelly stated that unfortunately if they can't load the ship in the required period of time they will not come to their port and added that it is a shipping industry and they work on a 24 hour clock and continued by saying that it is not a financial bottom line as it was described earlier.

Councilwoman Rogers inquired as to if it will be 3-4 times a year.

Mr. Kelly stated that it seems to be the trend.

Supervisor Hotaling interjected that he had heard that this ship was unexpected.

Mr. Kelly stated that it was unexpected and added that they were not expecting it until early January. He added that he cannot commit to the frequency but he expects that it will be 4 times a year.

Supervisor Hotaling thanked Mr. Kelly and asked if there were any additional comments.

Councilman Youmans stated that he was sorry that Ms. Lawler and Ms. Kunz had left the meeting and added that he wanted to let them know that on Friday he spent approximately an hour in the area listening. He continued by saying that he sat near Ms. Lawler's at the Yacht Club and on the hill by the port's new entrance and added that he witnessed the operation taking place but did not hear anything that approached the level that they had heard the last time when there were many complaints. He concluded by saying that it was toned down drastically and reiterated that he wanted everyone to know that he did spend some time and he applauds them on the effort that they have made in quieting it down to the point that it currently is.

Mr. Kelly thanked Councilman Youmans.

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

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APPROVAL OF MINUTES

Supervisor Hotaling stated that there were two sets of minutes for Town Board approval a Town Board Meeting on December 8, 2008 and a Town Board Workshop on December 16, 2008. He then asked for a motion to approve the minutes.

MOTION

On motion of Councilwoman Rogers seconded by Councilman Boehm, approving the minutes as read.
VOTE – AYES 5 – NAYS 0 –SO MOVED

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SUPERVISOR'S REPORT

Supervisor Hotaling continued by giving his report for November 2008.

FUND	BAL. FWD.	RECEIPTS	DISBURSE.	BALANCE
GENERAL	$ 285,446.17	$ 78,577.46	$241,895.70	$ 122,127.93
PART TOWN	$1,175,854.54	$ 2,117.69	$ 84,135.13	$1,093,837.10
SPEC. WATER	$ 49,018.08	$ 25,778.52	$ 73,748.34	$ 1,048.26
HIGHWAY	$ 90,423.98	$ 17.36	$ 46,229.63	$ 44,211.71
BRIDGE CONST.	$ 35,456.97	$ 17.36	$ -0-	$ 35,474.33
TRUST & AGENCY	$ 3,555.64	$218,474.31	$213,905.09	$ 8,124.86
SEWER	$ 13,902.30	$ 52,256.48	$ 28,156.03	$ 38,002.75
SEWER CAP.	$ 302.98	-0-	-0-	$ 302.98
			TOTAL REC. BAL.	$1,343,129.92

CERTFICATES OF DEPOSITS

				Maturity Date
National Bank of Coxsackie	A-Fund	90 Days	$117,900.92	02-27-2009
National Bank of Coxsackie	Highway	90 Days	$258,141.98	01-26-2009

SECTION 8 – HUD

Occupied Units	82
HUD Payments	$35,520.00
Admin. Fee	$ 40.89
Total HUD Pmt.	$35,560.89
Tenant Rent	$14,985.00
Contract Rent	$50,545.89
SECTION 8 CK.	$ 2,042.64
SECTION 8 SV.	$75,760.91
Total	**$77,803.55**

SAVINGS ACCOUNTS

Police Forfeitures/CK	$ 72.81
Police Forfeitures	$ 3,250.25
Unemployment	$ 4,027.91
Grove Cemetery/SAV	$40,400.57
Grove Cemetery/CK	$ -0-
Sewer Dedicated	$ 6,248.84
Total	**$54,000.38**

COLLATERAL COVERAGE	FDIC COVERAGE	COLLATERALIZED
National Bank of Coxsackie	$100,000.00	$1,834,956.46
Citizens Bank	$100,000.00	$ 86,364.54
First Niagara	$100,000.00	$ -0-

Supervisor Hotaling asked for a motion to approve the report.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Touchette, the Supervisor's Report was approved as read.
VOTE – AYES 5 – NAYS 0 – SO MOVED

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DEPARTMENT REPORTS

Building Department – November 2008

Supervisor Hotaling asked that Councilman Touchette give the Building Department Report.

Councilman Touchette continued by giving the report.

Supervisor Hotaling asked for a motion to approve the report.

MOTION

On motion of Supervisor Hotaling, seconded by Councilman Youmans, the Building Department Report was approved as read.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Highway Department – November 2008

Supervisor Hotaling asked that Councilwoman Rogers give the Highway Department report.

Councilwoman Rogers continued by giving the Highway report.

Supervisor Hotaling asked for a motion to approve the report.

MOTION

On motion of Supervisor Hotaling, seconded by Councilman Boehm, the Highway Department Report was approved as read.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Sewer Department – November 2008

Supervisor Hotaling asked that Councilman Youmans give the Sewer Department Report.

Councilman Youmans continued by giving the report.

Supervisor Hotaling asked for a motion to approve the report.

MOTION

On motion of Councilman Boehm, seconded by Councilman Touchette, the Sewer Department Report was approved as read.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Town Clerk

Supervisor Hotaling asked that Town Clerk Millious give her report.

Town Clerk Millious continued by giving her report.

Supervisor Hotaling asked for a motion to approve the report.

MOTION

On motion of Supervisor Hotaling, seconded by Councilwoman Rogers, the Town Clerk's Report was approved as read.
VOTE – AYES 5 – NAYS 0 – SO MOVED

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OLD BUSINESS

Supervisor Hotaling stated that there were not any Old Business topics on the agenda and continued by saying that he had added the 2009 Attorney for the Town Proposal and asked that Councilman Boehm discuss the documents that he had given him based on their discussion with Attorney for the Town Wukitsch.

Councilman Boehm stated that based on their discussion with Attorney for the Town Wukitsch prior to the meeting they have amended the retainer and fees for professional legal services to reflect a reduction from $23,000.00 to $22,000.00 and quarterly payments will go from $5,750.00 to $5,500.00. He continued by saying that he also wanted to report that the Town Board is very pleased with the services that Attorney for the Town Wukitsch has been providing the Town and that they appreciate his offer, which is a savings to the Town. He concluded by offering a motion.

MOTION

On motion of Councilman Boehm, seconded by Councilman Touchette, authorizing the Supervisor to enter into an agreement with Attorney for the Town Wukitsch in the amount of $22,000.00.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Supervisor Hotaling asked that Attorney for the Town Wukitsch get an agreement to him for his signature. He continued by asking if there were any additional topics for Old Business.

Councilman Touchette stated that they had a proposal from C.T. Male to do the design work for the Justice Court and continued by asking if they had moved forward with it and if not where they stand with the process.

Supervisor Hotaling stated that it was his understanding that they did not move forward with it and added that he had some discussions with Court Clerk Eissing and in turn she was looking to get someone to do a floor plan for the existing structure as opposed to going over the Police Department. He continued by saying that he believes that someone did come in and is doing some sketch work for the existing interior space trying to make it more effective and added that they are trying to redesign the existing foot print as well as add some new equipment. He concluded by saying that nothing formal has happened as a result of that.

Councilman Boehm inquired about the Snow Emergency Parking that they had discussed at the previous Workshop.

Supervisor Hotaling stated that they had gotten input from Attorney for the Town Wukitsch, Chief Darlington and Highway Superintendent Deering on parking restrictions and added at the Workshop it was the Town Board's opinion that they were not going to move forward with parking regulations on some streets that may not need to restrict

parking completely. He added that they are going to reexamine it to see if parking on one side of the street can be permissible and went on by saying that they are trying to determine how to institute a Snow Emergency when declared by the Town Supervisor based on consultation with the Chief of Police and Highway Superintendent, that can restrict parking on town street and roads for a specific duration for an event. He concluded by asking Attorney for the Town Wukitsch if it requires a law or ordinance or if they can pass a resolution authorizing him to declare one.

Attorney for the Town Wukitsch stated that he will look at it and added that generally there is a set of parking regulations that have been established by Local Law already on the books. He continued by saying that under the equal dignities rule they have to make a change by Local Law because they already have a Local Law.

Supervisor Hotaling asked that Attorney for the Town Wukitsch take a look at and see if he can extract it out and make a simple paragraph saying that under such circumstances there is a Snow Emergency.

Councilman Boehm stated that the wording can be as simple as saying that after 3 inches of snow you are not allowed to park on town streets for a 24 hour period or until the snow is cleared.

Attorney for the Town Wukitsch inquired about moving away from the parking under ordinary weather circumstances.

Supervisor Hotaling stated that he should move away from the parking at this point and added that it can be reexamined at some other time with an eye toward allowing some permitted parking on some of the roads where they were previously saying they were going to prohibit parking. He went on by asking if there were any additional Old Business topics to discuss, hearing none he moved to the next item on the agenda.

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NEW BUSINESS

Pre-Registration for Association of Towns Training School & Annual Meeting February 15-18, 2009

Supervisor Hotaling stated that the Association of Towns Training School and Annual Meeting will take place February 15-18 and as in previous years a motion has been requested of the Board to permit the pre-registration for those that will be attending it, which saves a few dollars and went on by saying that it is $100.00 if you pre-register and $135.00 to register there. He then asked for a motion authorizing him and his staff to institute the pre-registration process.

MOTION

On motion of Councilman Youmans, seconded by Councilwoman Rogers, authorizing the Supervisor and his staff to institute the pre-registration process for the 2009 Association of Towns Annual Meeting and Training School.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Councilwoman Rogers inquired as to when he would like to have the registration forms handed in by.

Supervisor Hotaling stated that January 1st starts the new budget year and added that by the first 10 days in January he would like to have them so they can be forwarded to the Association of Towns.

Alcove Preservation Society Contract for Services

Supervisor Hotaling stated that the Alcove Preservation Society has submitted a voucher along with a Contract for Exchange of Services or Compensation between themselves

and the Town of Coeymans. He continued by saying that they cite the Town's continued need for preservation of historical significance in and around the Alcove area and replacement of Historic District signs and added that they are in need of funding to assist in their mission to preserve and convey to future residents the history of the Alcove community. He went on by saying that $1,000.00 was approved in the 2008 budget for that purpose and added that the contract is signed on December 18, 2008 by Thomas A. Sweeney and is before the Town Board to authorize him to execute the other half of the document and issue the check and then asked for a motion.

MOTION

On motion of Councilman Touchette, seconded by Councilwoman Rogers, authorizing the Supervisor to execute the contract and authorize payment in the amount of $1,000.00 to the Alcove Preservation Association.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Supervisor Hotaling stated that they would process the voucher as soon as possible.

Ice Storm Aftermath

Supervisor Hotaling stated that the ice storm was historical in nature in terms of the thickness of the ice and the devastation that took place in and around the Capital District. He added that they did institute Emergency Management Signal 40 at approximately 2am when both he and the Mayor were contacted and he was at the Emergency Management Center from 3am to 6pm. He went on by saying that Emergency Management Coordinator Bill Bruno was there heading up the efforts with the assistance of Chief Darlington. He continued by saying that he wanted to put out a lot of kudos to the Highway Department, who in once instance went off the road and had to be towed out. He added that there were countless calls for trees down, which resulted in power outages and through the coordinated efforts of the Emergency Management Committee they got a head start on getting a generator to set up a shelter at the Ravena Grange as well as having a shelter at the Senior Center to provide shelter as well as food. He continued by saying that by the end of the first day the Village power was restored and the need for the shelter at the Senior Center was diminished and in turn they established the Ravena Grange as a Red Cross shelter staffed by two Red Cross staff from Albany and the majority of the food that was used was donated by the Golub Price Chopper Corporation. He added that in these emergencies, Mr. Neil Golub tells the Red Cross to take what they need off the shelves and went on by saying that he wanted to put out a lot of thanks to the Price Chopper Corporation. He continued by saying that the Fire Companies were doing pump outs in the Village as well as the Hamlet and Coeymans Hollow and added that the County was reluctant to declare an emergency and at 9am he declared an emergency in the Town of Coeymans. He went on by saying that certain counties were declared a FEMA disaster area and the Town was ahead of the curb in putting together the documentation for that and added the they estimated approximately $75,000 and the Village added another $45,000 and as a result they have an opportunity to take advantage of their efforts in terms of documentation. He continued by saying that the problem has not gone away and there are still a lot of trees down and in discussing it with Highway Superintendent Deering and Community Beautification Supervisor Perry, between the two crews they will periodically be picking up debris placed along the side of the road by the property owner, with some of it not taking place until Spring. He went on by saying that this event was comparatively short in duration compared to the 1987 snowstorm when it was days and added that they have to be prepared, if relief needs to be, to figure out some way to provide relief after he has been there for so many hours to act on behalf of the Town Board. He concluded by saying that they will figure it all out and added that you get better as you practice, which happens usually when there is a crisis and continued by saying that he appreciates those on the Town Board that stopped by and showed an interest and then asked if there were any other comments from the Town Board.

Councilman Touchette stated that he wanted to echo Supervisor Hotaling's comments and commend the Emergency Management Committee, Fire Companies, Town staff, Ravena Grange and the Senior Center for everything that they did. He added that he especially wanted to thank the Highway Department, who hasn't gotten a break in weeks

and are still out there tonight and continued by saying that he wanted to especially thank them for a job well done.

Councilman Boehm stated that he also wanted to thank the same and added that he stopped by the Ravena Grange where there were some overnight guests and continued by saying that without hesitation they opened the Grange up, which was important because by the second night it gets cold in your house. He concluded by saying that he really appreciates their efforts.

Councilwoman Rogers stated that she agreed that everyone did a great job and added that those in Coeymans Hollow were out for three days.

Councilman Youmans stated that he would echo the same things and added that it is important for people to know the level of professionalism that they have in Mr. Bruno and Chief Darlington and the others that took part and continued by saying that it is comforting to know that they are there and looking out for residents.

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

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RESOLUTIONS

RES. # 125-08 APPROVE GRANT OF EASEMENT RE: PARTHENON PROPERTIES, LLC
On motion of Councilman Touchette, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED.

WHEREAS, the Town has been offered a grant of a drainage easement across property of J & B Deli (Parthenon Properties, LLC) for storm water purposes, and

WHEREAS, the Town Board has determined it is in the Town's interest to accept a grant of said drainage easement, and

WHEREAS, the easement has been reviewed by the Attorney for the Town.

NOW, TEREFORE, BE IT RESOLVED, that the Town Board hereby accepts the grant of easement, a copy of which is annexed hereto.

Supervisor Hotaling asked Attorney for the Town Wukitsch what the Town's responsibility is.

Attorney for the Town Wukitsch stated that it has to be filed in the County Clerk's Office as an ordinary deed would be.

Supervisor Hotaling asked Town Clerk Millious if she were aware of this.

Attorney for the Town Wukitsch interjected that he filed it and he can give him the as filed copy.

Supervisor Hotaling stated that this is a result of the pipe that was placed in the back part of J&B property, diagonally across from Oak Brook and joining into a distribution box of Mr. Flach's behind Way's Furniture where it enters into the Village storm water system.
Supervisor Hotaling stated that he wanted to introduce the next resolution and added that it requires an amendment of the 2009 Budget for the Sewer Fund. He added that the Town and Village efforts to come together on an agreement for the treatment of their wastewater sewage has not come to fruition for a variety of reasons and continued by saying that by his judgment it appears that their failure to pay the Town of Coeymans since June 2008 might be an effort on the Village's part to suggest that if they don't pay for long enough the Town will agree to a situation that is less than equal in terms of apportionment of the cost. He continued by saying that because of not paying since June

the Town has had to borrow approximately $100,000.00 from the B Fund to maintain itself for the balance of 2008 and are not at a point where it cannot continue to happen and as Supervisor and the person fiscally responsible for the Town in general, they cannot let the fiscal integrity of the Sewer District and its users fall into fiscal calamity.
He concluded by saying that as a result he is suggesting by resolution an amendment to the 2009 Budget for the Sewer Fund and continued by reading the resolution.

RES. # 126-08 AMENDMENT OF 2009 BUDGET FOR SEWER FUND
On motion Supervisor Hotaling, seconded by Councilman Youmans, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the 2009 Tentative, Preliminary and Adopted Budgets for Sewer was premised on the Town of Coeymans and Village of Ravena coming together to produce an agreement on sewer services, and

WHEREAS, no agreement has been produced, and

WHEREAS, the Town Board is responsible for and is authorized to insure the fiscal soundness of its Sewer District through Town Law Sections 194-A, 198 and 202-a, General Municipal Law Sections 451, 452, and 453, and any other applicable New York State statute, and

WHEREAS, the Town Board finds it necessary, in light of the absence of a valid agreement with the Village of Ravena to accept and process the sewer waste of Village residents, to amend the 2009 Budget,

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

REVENUES	**FROM**	**TO**
SS2120 Sewer Rents	$154,665.00	$ -0-
SS2122 Sewer Charges	$ -0-	$ 91,210.00
SS2374 Sewer Services – Other Gov.	$294,235.00	$523,215.00
EXPENDITRUES		
SS8130.4 Contractual (Joint)	$125,000.00	$190,525.00
SS8130.5 Contractual (Town)	$ 60,000.00	$ -0-
SS9950.0 Transfer, Capital Proj. Fund	-0-	$160,000.00

Supervisor Hotaling asked if there was any additional discussion.

Councilman Boehm stated that he has not been directly involved in the sewer negotiations and added that Supervisor Hotaling and Councilman Youmans have been and added that he is confident that they have made every effort to reach out to the Village who has been stone walling them. He reiterated that they have to be fiscally responsible for the Sewer District and unfortunately it had to come to this and then thanked Supervisor Hotaling and Councilman Youmans for their efforts.

Supervisor Hotaling stated that the following resolution is a result of the amended budget and added that it is now the duty and responsibility for the Town to establish the 2009 Sewer Rates. He continued by saying that Councilman Youmans has worked with him on the matter since his inception on the Town Board and then and asked that that he introduce the resolution.

RES. # 127-08 ESTABLISH 2009 SEWER RENTS
On motion of Councilman Youmans, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the Town Board of the Town of Coeymans is required to establish the 2009 Sewer Rates for the users of the Coeymans Hamlet Sewer District, and

WHEREAS, the 2009 Budget, as amended, contains $623,686.00 in appropriations, with revenue primarily derived from the Sewer Rents from the users of the District, and

WHEREAS, users of the Coeymans Hamlet Sewer District are comprised of various classifications, both within the District and outside the District, and

WHEREAS, currently there are two "out of district" users, the Village of Ravena (VOR) and the Martin's Hill Grey Water Sewer (MHS), and

WHEREAS, the billing for such service is based on the Budget approved by the Town Board and will be apportioned on a cost per unit basis. A unit is generally described as each individual user per parcel.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby establishes the following per unit rates for each classification of sewer use for 2009:

Residential	$210.00 / year
Commercial	$210.00 / year
Vacant Parcel	$100.00 / year

BE IT FURTHER RESOLVED, that the Town Board hereby directs that the out of district users be billed at the following per unit rates for 2009:

VOR	$315.00 / year *
MHS**	$210.00 / year

* This was 150% pf the District rate.

** The MHS will also be responsible for repayment of construction debt, once a schedule for such payment is established.

BE IT FURTHER RESOLVED, that the Town Board directs that the VOR shall not be charged for vacant properties which are not connected to the sewer system, and

BE IT FURTHER RESOLVED, that the Town Board shall determine the appropriate units for each property and each out of district user, and

BE IT FURTHER RESOLVED, that the Town Board authorizes and directs the Town Supervisor, Assessor, Chief Wastewater Treatment Plant Operator, Code Enforcement Officer and the Town Clerk to take any actions necessary to effect this resolution, and

BE IT FURTHER RESOLVED, that the Town Board, in its discretion and on a case by case basis, may require, pursuant to Town Law §194-a security for the payment of sewer rents. Such security may be, but is not limited to, letters of credit, cash deposits, security deposits, surety bond or bonds.

Supervisor Hotaling stated that the out of district rate represents 150% of the in district rate of $210.00, which is multiplied by 150% for a total of $315.00 per year per unit in the Village of Ravena.

Councilman Boehm stated that the 150% rate is the same rate that the Village charges the Town for water.

Supervisor Hotaling stated that was correct and added that one of the things that they talked about during negotiations was that in order to get some agreement, initially they had offered the Village an opportunity to be rated the same as those in the Sewer District. He continued by saying that since that didn't happen they have reached a point where the only reasonable choice is to treat the out-of-district user in the Village of Ravena similar to the water user in the Hamlet of Coeymans who pays 150% of the Village rate, which is a balance and equal application of the rates. He concluded by saying that he has a summary of this in a letter to go to the Village of Ravena and added that passage of the

resolution approves issuance of the bills to be mailed by Town Clerk Millious and the Sewer Department.

Supervisor Hotaling stated that the next resolution was due to the fact that they have not made all the transfers from Highway appropriations that currently have money to Highway appropriations that are depleted from money and added that it is more of an issue of cash on hand. He went on by saying that the Highway Department in 2008 has been hit hard with increased costs of fuel and materials such as salt and cash has become a scarce commodity at the end of the year and the resolution is designed to loan the Highway fund some money from B-Fund with no interest to allow them to pay the bills in the upcoming abstract.

RES. #128-08 APPROVE INTERFUND LOAN FOR HIGHWAY FUND PART-TOWN
On motion of Councilwoman Rogers, seconded by Councilman Youmans, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the Highway Fund has bills that are due, and

WHEREAS, the Town desires to pay these bills on time,

NOW, THEREFORE, BE IT RESOLVED, that the General Part-Town Fund (B) will loan the Highway Fund Part Town (DB) the funds necessary, up to $50,000.00, to pay vouchers as they come due. The Highway Fund Part-Town will repay the loan with no interest.

Supervisor Hotaling stated that the following resolution were transfers identified so far that have to be done.

RES. #129-08 APPROVE TRANSFER OF FUNDS
On motion of Councilman Boehm, seconded by Councilwoman Rogers, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the following accounts has been exhausted because of unforeseen expenditures,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby authorize Supervisor Ronald K. Hotaling, Jr. to transfer the following amounts to the respective funds:

GENERAL FUND

Amount	From Account	To Account
$ 75.00	A7550.4 Celebrations (Contractual)	A1010.4 Town Council (Contractual)
$19,419.44	A1440.4 Engineer (Contractual)	A1620.4 Town Hall (Contractual)
$ 538.52	A1650.2 Central Communications (Equipment)	A1650.4 Central Comm. (Contractual)
$ 1,387.67	A7550.4 Celebrations (Contractual)	A1660.4 Central Store Room (Contractual)
$ 1,143.36	A3020.43 Communications (Contractual)	A3020.41 Communications (Contractual)
$ 2,035.51	A3120.43 Law Enforcement (Contractual)	A3120.42 Law Enforcement (Contractual)

$10,945.75	A3020.1 Law Enforcement (Personal Services)	A3120.46 Law Enforcement (Contractual)
$ 445.64	A3120.43 Law Enforcement (Contractual)	A3120.48 Law Enforcement (Contractual)
$ 124.31	A3120.43 Law Enforcement (Contractual)	A3120.49 Law Enforcement (Contractual)
$ 730.81	A3510.4 Dog Control (Contractual)	A3510.1 Dog Control (Personal Services)
$ 14.21	A7270.4 Band Concerts (Contractual)	A8810.1 Grove Cemetery (Personal Services)
$ 5,911.13	A7110.4 Parks (Contractual)	A9030.8 Employee Benefits (Social Security)

PART TOWN

$ 2,856.39	B3620.1 Safety Inspections (Personal Services)	B8010.4 Zoning Board (Contractual)
$ 1,719.77	B1990.4 Contingency	B9030.8 Employee Benefits (Social Security)
$ 914.04	B3620.4 Safety Inspections	

HIGHWAY FUND

$ 9.55	DB5130.4 Machinery (Contractual)	DB9045.8 Employee Benefits (Life Insurance)

Supervisor Hotaling stated that this was the first of the end of the year transfers as a result of budgetary moves that have to be made to cover appropriations that have been depleted due to unforeseen expenditures and added that there will be many more to follow, particularly in Highway.

RES. # 130-08 APPROVE DECEMBER 2008 ABSTRACT
On motion of Councilman Touchette, seconded by Councilman Boehm, the following resolution was APPROVED –VOTE – AYES 5 – NAYS 0 – SO MOVED

FUND	VOUCHER #	AMOUNT
GENERAL (A)		
General Pre-Pay	2319-2364	$307,564.20
General	2412-2462	$ 24,126.37
	General Total	**$331,690.57**
PART-TOWN (B)		
Part-Town Pre-Pay	2365-2386	$493,559.00
Part-Town	2463-2469	$ 1,126.62
	Part Town Total	**$494,685.62**
HIGHWAY (D)		
Highway Pre-Pay	2387-2394	$ 31,400.77
Highway	2470-2498	$ 6,521.67
	Highway Total	**$ 37,922.44**

SEWER (SS)		
Sewer Pre-Pay	2395-2408	$ 20,960.30
Sewer	2499-2508	$ 9,681.57
	Sewer Total	**$ 30,641.87**
CAPITAL PROJ. (H-28)		
Martins Hill	2509	$ 154.00
	Capital Proj.Total	**$ 154.00**
CAPITAL PROJ. (H-30)		
Hannacroix Creek	2510-2511	$ 3,519.62
	Capital Proj. Total	**$ 3,519.62**
COMMUNITY DEV. (CD)		
Community Development	2512	$ 523.67
	Community Dev. Total	**$ 523.67**
	Total for all Funds	**$899,137.79**
TRUST & AGENCY (TA)		
Trust & Agency Pre-Pay	2409-2411	$193,318.63
	Trust & Agency Total	**$193,318.63**

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CORRESPONDENCE

Supervisor Hotaling stated that there were no correspondence to report at this time and moved to the next item on the agenda.

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WORKSHOPS / MEETINGS

- Organizational Meeting, January 1, 2009, 10am

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CLOSING COMMENTS

Supervisor Hotaling asked if there were any additional comments.

Councilwoman Rogers stated that she wanted to wish everyone a safe and happy holiday.

Councilman Touchette stated that he had set in on some on the meetings of the Emergency Management Committee and added that the fact that things went so well during the recent ice storm was not an accident and was due to the fact that the members put in a lot of work and dedication to their positions. He continued by thanking those people for doing their job that no one sees until it is needed and then wished everyone a Merry Christmas.

Councilman Boehm wished everyone a Happy Holiday.

Councilman Youmans stated that some members of the public may not know that last year Highway Superintendent Deering had his staff trained for one man plowing, which previously required two people in a truck, one to drive and one to operate the plow and

added that it has been a considerable savings to the Town. He continued by saying that he watched Mr. George LaMountain plow his road and watched him operate the wing and drive the truck and the level of intensity and attention that they have to have to do that must be exhausting. He concluded by saying that they do an excellent job and he would tell anyone to drive out of town and come back in during a snowstorm and they will notice that the Town of Coeymans roads are kept up good. He concluded by saying that he wanted to thank those guys who have worked so hard doing such an excellent job.

Supervisor Hotaling stated that there is a dramatic difference when you go from the pavement in Greene County into Albany County and added that it is done with no small measure to the effort that Highway Superintendent Deering and his crew have taken to maintain the roads.

Town Clerk Millious wished everyone a safe and Happy Holiday and added that she is awaiting the tax bills.

Attorney for the Town Wukitsch wished everyone a Happy Holiday and added that he is looking forward to working with the Town Board in 2009.

Supervisor Hotaling stated that Happy Holidays goes without saying and added that he wanted to echo those comments. He went on by saying that he wanted to get back to the sewer matter and added as the Supervisor and Town Board they represent those in and outside of the Village and it is a difficult circumstance that they find themselves in when making decisions with regard to the Sewer District. He continued by saying that he wants everyone to understand that it is not about pitting one against the other but rather about their responsible role to make sure that the Sewer District is run right and added that they have many hats as a Town Board, which include representing people of the Town but also to take care of the Special Districts to insure their integrity. He went on by saying that the action that they took, as the only member of the Town Board who has a Village residence, his sewer bill will increase as well as two of his children who live in the Village and many others that they are associated socially with them. He continued by saying that they have to get to the point where there has to be a fair and equitable apportionment and unless or until they see the effort on the other side of the negotiating table, they will have to continue to make sure that they preserve and protect the Coeymans Hamlet Sewer District, which is their obligation. He added that it is unfortunate that the matter has resulted in adversarial atmosphere between the municipalities but the Town Board in its role representing all residents continues to desire a time when the acrimony will be eliminated because only then can they do the people's business effectively and appropriately, which is what they are trying to do. He concluded by saying that he hopes that an incorrect message is not being sent as a result of their action because they continue to work toward less acrimony and elimination of such and added that this is what he hopes to get across.

Supervisor Hotaling wished everyone a Happy Holiday and then asked for a motion to adjourn the meeting.

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ADJOURNMENT

MOTION

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

Time: 8:23pm

Respectfully Submitted, **APPROVED:**

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Diane L. Millious, Town Clerk