

MINUTES BOOKTOWN OF COEYMANS**
January 1, 2004 –Town Board Organizational – 5:00PM

A Town Board Organizational Meeting was held Thursday, January 1, 2004, at 5:00 PM at Town Hall, 18 Russell Avenue, Ravena, New York

PRESENT: Ronald K. Hotaling, Jr., Supervisor
Frank D. Stanton, Council Member
Dawn Rogers, Council Member
Nita J. Chmielewski, Council Member
Laverne Conrad, Council Member

ALSO PRESENT: Diane Millious, Town Clerk

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

SUPERVISOR’S OPENING COMMENTS

Supervisor Hotaling wished everyone a Happy New Year and thanked those that attended the Swearing In Ceremony for himself along with Council Members Conrad and Chmielewski and that it was heartening to see all of the fine people that supported them and to join them for the celebration. He then asked Town Clerk Millious to read the Notice of Special Meeting.

Town Clerk Millious read the following Legal Notice that appeared in the Ravena News Herald

**Town of Coeymans
Organization Meeting
Notice**

Notice is hereby given that the Organizational Meeting of the Town Board of the Town of Coeymans has been scheduled for Thursday, January 01, 2004, at 5:00PM. The Meeting will be held at Town Hall, 18 Russell Avenue, Ravena, New York.

**By Order of the
Town of Coeymans
Supervisor Elect
Diane L. Millious
Town Clerk**

Town Clerk Millious advised that the Notice was changed to reflect that the Meeting was by the order of Supervisor Elect.

Supervisor Hotaling interjected that the change was discussed and also at the Swearing In Ceremony he announced that the Organizational Meeting would be held at 5:00PM. He continued by stating that he had a few brief remarks before he moves to the Resolutions of Organization and read the following:

Again, I want to welcome you to the 2004 Organizational Meeting of the Town of Coeymans. This is the meeting where necessary resolutions are brought before the Town Board for their consideration. Certain appointments must be considered and other aspects of Town Government require confirmation, or in some cases, reconfirmation. In preparing for this meeting, the Board was conscious of the fact that audits for the year 2001 and 2002 have not yet been done. Also, with regard to 2003, Supervisor Scalzo had advised that the mid-year departure of the Fiscal Management staff person made it increasingly difficult for him and the Board to have an updated fiscal picture. Temporary Town Hall staff redeployment assisted him tremendously, and I am confident in his statement made at the last Town Board Meeting with regard to the efforts of his administration to insure fiscal integrity. I extend to him and the previous Board my appreciation for their efforts on behalf of the Town and its residents. With all of the above in mind, I am anxious to work with the group of people sitting at this table. The returning Council Members, Frank Stanton and Dawn Rogers, have eagerly participated with me and the new Council Members, Nita Chmielewski and Larry Conrad in an effort to come up with ideas to help government serve you better. We have already identified areas of efficiency by the consolidation and re-structuring of some Town Hall functions. In addition, we are close to finalizing what we hope will work out to be a significant savings in the maintenance and cleaning of Town Hall and

MINUTES BOOKTOWN OF COEYMANS**
January 1, 2004 –Town Board Organizational – 5:00PM

other buildings. I am convinced that this Board will prove to be hard working, creative and ever mindful of the costs associated with decisions made. We will be open-minded and always willing to hear from the people we serve with great pride, thank you.

Supervisor Hotaling moved to the organizational resolutions and explained that he will ask each Town Board Member to read a resolution and that he will not be participating in the reading but will participate in the voting and discussion.

RESOLUTIONS

RES. #1-04 SET TOWN BOARD MEETINGS FOR 2004

On motion of Council Member Conrad, seconded by Council Member 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 2004. Please note that Town Board Meetings start at 7:00pm.

January	01	June	07
January	12	July	12
January	26	August	09
February	09	September	13
February	23	September	27
March	08	**October	12
March	22	October	25
April	12	November	08
April	26	November	22
May	10	December	13
May	24	December	27

** Tuesday due to Columbus Day

RES. #2-04 SET TOWN BOARD WORKSHOPS

On motion of Council Member Rogers, seconded by Council Member Stanton, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the following discussion among members of the 2004 Town Board during transition since the elections of 2003, 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 2004 as Workshop Meetings. These meetings will take place on Tuesday evenings, commencing at 7:00pm.

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

Discussion – Supervisor Hotaling stated that there were some ideas as far as Workshops and how to make them more effective and determined that the Tuesday evening Workshops on the dates presented would work best given the fact that their colleagues in the Village are meeting on the same evening with their Village Board Meeting which puts them in a position that the previous Town Board did not enjoy as there were times that it was difficult to establish meeting nights that both Boards could attend. He concluded that he believes that this will provide an opportunity at least 12 times a year for both the Village Board and Town Board to be in session either in a Workshop or a Meeting one night a month which would provide an opportunity to meet on those items that are of

MINUTES BOOKTOWN OF COEYMANS**
January 1, 2004 –Town Board Organizational – 5:00PM

mutual concern to both Boards and he believes that this will work best and that he has discussed this with the Mayor and he agrees with the position and looks forward to some areas of mutual agreement.

RES. #3-04 SET 2004 HOLIDAYS

On motion of Council Member Stanton, seconded by Council Member Chmielewski, 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 Holidays for 2004.

January	01	New Years Day
January	19	Martin Luther King Day
February	16	President’s Day
May	31	Memorial Day
July	05	Independence Day
September	06	Labor Day
October	11	Columbus Day
November	02	Election Day
November	11	Veteran’s Day
November	25	Thanksgiving Day
November	26	Day after Thanksgiving
December	24	Christmas Eve

RES. #4-03 SET PLANNING BOARD MEETING DATES

On motion of Council Member Chmielewski, seconded by Council Member Stanton, 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 2004. Please note that the Planning Board Meetings start at 7:00PM.

January	05	July	19
February	02	August	02
March	01	September	20
April	05	October	04
May	03	November	01
June	14	December	06

RES. #5-04 SET ZONING BOARD OF APPEALS MEETING DATES

On motion of Council Member Conrad, seconded by Council Member 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 the Zoning Board of Appeals Meetings starting at 7:00PM.

January	28	July	28
February	25	August	25
March	24	September	22
April	28	October	27
May	26	November	17
June	23	December	15

RES. #6-04 DESIGNATE DEPOSITORY BANK

On motion of Council Member Rogers, seconded by Council Member Stanton, 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 Town Law, Section 64 (1), 20 and 35, that National Bank of Coxsackie, Fleet Bank, 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

MINUTES BOOKTOWN OF COEYMANS**

January 1, 2004 –Town Board Organizational – 5:00PM

that all Town Officials responsible for monies are hereby required to deposit said monies into said depository.

RES. #7-04 AUTHORIZE PAYMENT IN ADVANCE OF AUDIT

On motion of Council Member Stanton, seconded by Council Member Chmielewski, 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, electric, gas, telephone, postage, freight and express charges. In addition, all payroll and employee benefits payable and due at specific times.

RES. #8-04 AUTHORIZE PRE-REGISTRATION AND ATTENDENCE FOR ASSOCIATION OF TOWNS CONVENTION

On motion of Council Member Chmielewski, seconded by Council Member Conrad, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the Association of Towns had developed an in-office, pre-registration procedure for the 2004 Annual Meeting, and

WHEREAS, the Association of Towns has offered a preferential pre-registration rate of \$100.00 per person,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board, of the Town of Coeymans does hereby authorize the Supervisor to take advantage of the preferential pre-registration rate of \$100.00 per person.

FURTHER 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 15-18, 2004, and the Town will reimburse them at a per-diem of \$75.00 per day.

RES. #9-04 APPOINT DELEGATE AND ALTERNATIVE FOR ASSOCIATION OF TOWNS CONVENTION

On motion of Council Member Conrad, seconded by Council Member Stanton, 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 15-18, 2004 and Council Member Nita J. Chmielewski as an alternative.

RES. #10-04 SET MILAGE RATE

On motion of Council Member Rogers, seconded by Council Member Chmielewski, 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 Town Law, establishes the rate of .375 cents per mile for the authorized use of personal vehicles by Town Employees in performance of their duties.

RES. #11-04 AUTHORIZE SUPERVISOR TO EXECUTE AGREEMENTS BETWEEN THE TOWN OF COEYMANS AND CONTRACTUAL EMPLOYEES, CSEA & COUNCIL 82

On motion of Council Member Stanton, seconded by Council Member Rogers, the following resolution was APROVED – VOTE – AYES 5 – NAYS 0 – 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. #12-04 DESIGNATE OFFICIAL TOWN NEWSPAPER

MINUTES BOOKTOWN OF COEYMANS**

January 1, 2004 –Town Board Organizational – 5:00PM

On motion of Council Member Chmielewski, seconded by Council Member Stanton, the following resolution was APROVED – 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. #13-04 APPOINT SUPERVISOR AS LIASION TO SNOWMOBILE GRANT

On motion of Council Member Conrad, seconded by Council Member Rogers, the following resolution was APROVED – 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 liaison to the Snowmobile Grant and resolves in him the authority to execute the necessary documents in furtherance of the administering of this grant.

RES. #14-04 SET JURY DUTY RATE

On motion of Council Member Rogers, seconded by Council Member Chmielewski, the following resolution was APROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

BE IT RESOLVED, that the Town Board, of the Town of Coeymans, will allow five-dollars (\$5.00) per day for being called for Jury Duty and twenty-dollars (\$20.00) per day for serving as jurors at trials held by the Town Justices.

Discussion – Supervisor Hotaling interjected that this rate has stayed the same for a number of years and he will talk to the judges to get their input as to if the rate is still appropriate.

RES. #15-04 APPOINT DEPUTY TOWN CLERK

On motion of Council Member Stanton, seconded by Council Member Rogers, the following resolution was APROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, that the Town Clerk Diane Millious desires to appoint a Deputy Town Clerk and has selected an individual for that position,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby acknowledges the Town Clerk's appointment of Lucinda Vatalaro as Deputy Town Clerk. This appointment is for a term to expire on December 31, 2004.

RES. #16-04 APPOINT PART-TIME CLERKS FOR TOWN CLERK

On motion of Council Member Chmielewski, seconded by Council Member Conrad, the following resolution was APROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the Town Board is desirous of providing the Town Clerk with an opportunity to hire two part-time clerks to assist in the duties of the office of Town Clerk, and

WHEREAS, the Town Clerk has recommended two individuals for these positions,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board, of the Town of Coeymans, does hereby appoint Linda Libertucci and Fran Farrell to the positions of part-time clerks in the Town Clerk's Office.

RES. #17-04 APPOINT FREEDOM OF INFORMATION OFFICER, RECORDS MANAGEMENT OFFICER & REGISTRAR OF VITAL STATISTICS

On motion of Council Member Conrad, seconded by Council Member Chmielewski, the following resolution was APROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

BE IT RESOLVED, that the Town Board, of the Town of Coeymans, does hereby appoint Diane Millious as Freedom of Information Officer, Records Management Officer and Registrar of Vital Statistics for a term to expire on December 31, 2005.

MINUTES BOOKTOWN OF COEYMANS**
January 1, 2004 –Town Board Organizational – 5:00PM

Discussion – Council Member Conrad inquired as to if the date should be December 31, 2004.

Supervisor Hotaling stated that the Town Clerk's term expires December 31, 2005 and he believes that the appointment as Freedom of Information Officer and Records Management Officer can be coterminous with the term as Town Clerk, in the past it has been for one year and he suggests that they right this and the Town Board adopt it as a two-year term because that would be the end of the term.

RES. #18-04 APPOINT TOWN ATTORNEY

On motion of Council Person Rogers, seconded by Council Person Stanton, the following resolution was APROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

BE IT RESOLVED, that the Town Board, of the Town of Coeymans, does hereby appoint Joseph Rotello to the position of Town Attorney. This appointment is for a two year term to expire on December 31, 2005.

Discussion – Supervisor Hotaling interjected that this is a two-year term, the Town Attorney is appointed with the advent of the Supervisor's term and remains Attorney for that same two year term.

RES. #19-04 APPOINT PLANNING BOARD CHAIRMAN

On motion of Council Member Stanton, seconded by Council Member Chmielewski, the following resolution was APROVED – 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, 2004.

RES. #20-04 APPOINT PLANNING BOARD MEMBER

On motion of Council Member Chmielewski, seconded by Council Member Stanton, the following resolution was APROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the term of Town of Coeymans Planning Board Member Jane Feeney has expired effective December 31, 2003 and,

WHEREAS, the Town Board is desirous of filling the vacancy created by the expired term,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans, does hereby appoint Cynthia Kunz to the seven-year term on the Planning Board to expire December 31, 2010.

RES. #21-04 APPOINT HEARING OFFICER

On motion of Council Member Conrad, seconded by Council Member Rogers, the following resolution was APROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the Town of Coeymans has adopted an Employees Handbook which covers Town personnel policies and practices; and

WHEREAS, the Handbook addresses discipline procedures; and

WHEREAS, the process and procedures for such Discipline Hearing require the review of the violation and the rendering of recommendation of an impartial Hearing Officer,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby appoint Kevin J. Reilly to the position of Hearing Officer. Compensation has been established at the following rate:

\$250.00 for Reviews
\$100.00 for Written Decision

MINUTES BOOKTOWN OF COEYMANS**

January 1, 2004 –Town Board Organizational – 5:00PM

This appointment will expire on December 31, 2004.

RES. #22-04 APPOINT CIVIL DEFENSE DIRECTOR

On motion of Council Member Rogers, seconded by Council Member Chmielewski, the following resolution was APROVED – 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 for a term to expire on December 31, 2004. Compensation for this position is \$1,500.00 per year.

Discussion – Supervisor Hotaling stated that the balance of this Committee as well as other Committees will be reviewed as they are not sure who are members and who desires to remain or if there are others interested in being members. He added that at the next couple of Town Board Meetings they will be establishing all of the Committees necessary to advise the Town Board as to its decision making.

RES. #23-04 APPOINT TOWN HISTORIAN

On motion of Council Member Stanton, seconded by Council Member Conrad, the following resolution was APROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

BE IT RESOLVED, that the Town Board, of the Town of Coeymans, does hereby appoint Marvin Wolfe to the position of Town Historian for the Town of Coeymans, for a term to expire on December 31, 2004. Compensation for this position is \$300.00 per year.

Discussion – Supervisor Hotaling stated that Mr. Wolfe has done this for a number of years and that he enjoys doing it and is well qualified.

RES. #24-04 APPOINT MARRIAGE OFFICEIR

On motion of Council Member Chmielewski, seconded by Council Member Stanton, the following resolution was APROVED – 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 Office for the Town of Coeymans with the responsibilities as determined by Town Law.

RES. #25-04 APPOINT TOWN ENGINEER

On motion of Council Member Conrad, seconded by Council Member Rogers, the following resolution was APROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the Town Board of the Town of Coeymans is desirous of maintaining continuity of engineer services for projects ongoing and in the future,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board names Patrick Prendergast as the Engineer for the Town of Coeymans for 2004. His services will be provided on an as needed basis.

RES. #26-04 APPOINT BINGO INSPECTOR

On motion of Council Member Rogers, seconded by Council Member Stanton, the following resolution was APROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby appoint Christopher Biscone as Bingo Inspector with a term to expire December 31, 2004.

RES. #27-04 APPOINT SAFE COUNSELORS

On motion of Council Member Stanton, seconded by Council Member Conrad, the following resolution was APROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the Town Board of the Town of Coeymans acknowledges the need for the continuance of the S.A.F.E. Program for the balance of the school year.

MINUTES BOOKTOWN OF COEYMANS**

January 1, 2004 –Town Board Organizational – 5:00PM

NOW, THEREFORE, BE IT RESOLVED, the following appointments are made as part-time S.A.F.E. Counselors at the rate of \$8.00 per hour:

Patrick Alicandro
Francesca Ferrusi
Jessica Ingraham
Brendan Principato
Marcie Pry

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby appoint Samantha Eissing, as S.A.F.E. Director part-time, at \$10.50 per hour.

RES. #28-04 APPOINT YOUTH SERVICES DIRECTOR

On motion of Council Member Chmielewski, seconded by Council Member Rogers, the following resolution was APROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

BE IT RESOLVED, that the Town Board, of the Town of Coeymans, does hereby appoint Danyell Crowley as Youth Services Director at \$10.25 per hour.

RES. #29-04 APPOINT ADMINISTRATOR OF ACCESS

On motion of Council Member Conrad, seconded by Council Member Rogers, the following resolution was APROVED – 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, N.Y.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby appoint William Price 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. #30-04 APPOINT PART-TIME CUSTODIAL SUPERVISOR

On motion of Council Member Rogers, seconded by Council Member Chmielewski, the following resolution was APROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

BE IT RESOLVED, that the Town Board of the Town of Coeymans, does hereby appoint Ralph Bianca as part-time custodial work supervisor, to be paid bi-weekly at the rate of \$11.80 per hour.

RES. #31-04 APPOINT YOUTH ADVISORY COMMITTEE CHAIRPERSON

On motion of Council Member Stanton, seconded by Council Member Rogers, the following resolution was APROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

BE IT RESOLVED, that the Town Board, of the Town of Coeymans, does hereby appoint Youth Services Coordinator Danyell Crowley as the Chairperson of the Youth Advisory Committee.

RES. #32-04 APPOINT SOLID WASTE COMMITTEE CHAIRMAN

On motion of Council Member Chmielewski, seconded by Council Member Stanton, the following resolution was APROVED – VOTE – AYES 4 – NAYS 0 – ABSTAIN 1
SO MOVED

BE IT RESOLVED, that the Town Board, of the Town of Coeymans, does hereby appoint Councilman Laverne H. Conrad as Chairman of the Solid Waste Committee

Discussion – Supervisor Hotaling stated that this applies to the earlier comments about previous Committees, they will appoint Councilman Conrad as the Chairman and there will be other members either that are already on the Committee or in addition to that will be appointed within the next couple of meetings.

MINUTES BOOKTOWN OF COEYMANS**
January 1, 2004 –Town Board Organizational – 5:00PM

Councilman Conrad stated that he will abstain from the vote as he was named Chairman of the Committee.

RES. #33-04 APPOINT CONFIDENTIAL SECTETARY TO THE SUPERVISOR

On motion of Council Member Conrad, seconded by Council Member Stanton, the following resolution was APROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

BE IT RESOLVED, that the Town Board, of the Town of Coeymans, does hereby authorize Supervisor Ronald K. Hotaling, Jr. to appoint a Confidential Secretary pursuant to Town Law, Section 29, Subdivision (15), and

BE IT FURTHER RESOLVED, that the Town of Coeymans Supervisor does hereby appoint Mary M. Lewandowski as Confidential Secretary to the Supervisor.

RES. #34-04 APPOINT BOOKKEEPER TO SUPERVISOR

On motion of Council Member Rogers, seconded by Council Member Chmielewski, the following resolution was APROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the Town Board, of the Town of Coeymans, does hereby authorize Supervisor Ronald K. Hotaling, Jr. to appoint a Bookkeeper pursuant to Town Law.

NOW, THEREFORE, BE IT RESOLVED, that at the recommendation of the Supervisor, Lillian Foss is appointed Bookkeeper to Supervisor Ronald K. Hotaling, Jr.

Supervisor Hotaling stated that this concluded the resolutions for organization and as he indicated there will be others that will follow and there will also be clarification once they determine the rates for the contractual arrangements for the employees under both the Union Contracts and also what was set forth in the budget by the previous Town Board passage of that. He added that at some forthcoming meeting they will be announcing the resolution for the employees. He added that for the however purpose of continuity he was asking for a motion to authorize the current employees of the Town of Coeymans who remain and not specifically mentioned, to continue their authority to act on behalf of the people of the Town of Coeymans if it becomes necessary to do this. He concluded by saying that he's not sure that it is necessary but if the Board is more comfortable with a resolution it could be done, however he does not think that they need one. Hearing no additional comments he moved to inviting anyone to make any comments on what has done or perhaps what can be done.

PUBLIC COMMENT

None at this time.

TOWN BOARD COMMENTS

Supervisor Hotaling stated that he wanted to give an opportunity to each of the Town Board Members to speak.

Council Member Chmielewski – Stated that she had a few words that she wanted to say, she added that she is honored to be back working for the residents of the Town of Coeymans again and is ready to do the job that is needed to bring the accountability and professionalism back to Town Hall. She concluded by saying that she would like to thank everyone that attended the Swearing in Ceremony earlier and that it was a great show of support and then wished all of the residents of the Town a happy and healthy New Year.

Council Member Stanton – Stated that he wanted to congratulate Ronnie, Larry and Nita and that there is a Town Board that has lived in the community all of their lives and there is a Town Board that will have great continuity with the Village as well as the people of

MINUTES BOOKTOWN OF COEYMANS**
January 1, 2004 –Town Board Organizational – 5:00PM

the Town. He added that he believes that they will do a lot for the Town and that there is a team that will work for everyone in the Town.

Council Member Rogers – She said as Council Member Stanton had done, she wanted to congratulate the new members and that she believes that they will move forward without the arguing that had occurred with the previous Board.

Supervisor Hotaling interjected that there will be times that they will disagree with each other, however discussion is healthy as long as they respect each other and maybe even agree to disagree as long as they move ahead to do Town business.

Council Member Conrad – Stated that he wanted to thank everyone that supported them as a team and it was nice to come in as a team and it makes you feel better when you are trying to represent the whole community because without the team effort that is present with the current Council Members they would be remiss in saying thank-you for understanding the need for the team to be put there. He added that he will promise to keep his mind open and wishes to hear from anyone that has any questions whether they feel to make them public or otherwise and should not be afraid to call and ask. He concluded by saying that they plan on being an open-minded Board in trying to resolve for the best for the entire community and not just a few.

Supervisor Hotaling extended an invitation to Town Clerk Millious to speak.

Town Clerk Millious stated that she wanted to wish the Board a Happy New Year and look forward to working with them.

Supervisor Hotaling interjected that they are looking forward to working with her as well.

Supervisor Hotaling stated that he wanted to acknowledge the presence of the new Town Justice Virginia Pearson in the audience and extended his congratulations to her. He concluded by saying that they are looking forward to a great relationship with the Justice Department as well.

ADJOURNMENT

Supervisor Hotaling stated that he would entertain a motion to adjourn.

On motion of Council Member Stanton, seconded by Council Member Rogers, the meeting was adjourned. VOTE – AYES – 5 – NAYS 0 – SO MOVED

Respectfully Submitted,

APPROVED:

Diane L. Millious, Town Clerk

MINUTES BOOKTOWN OF COEYMANS**
January 1, 2004 –Town Board Organizational – 5:00PM

A Public Hearing was held Monday, December 27, 2004, at 6:30PM at Town of Coeymans, Town Hall, 18 Russell Avenue, Ravena, New York.

PRESENT: Ronald K. Hotaling Jr., Supervisor
Frank D. Stanton, Councilman
Nita J. Chmielewski, Councilwoman
Laverne Conrad, Councilman

ABSENT: Dawn Rogers, Councilwoman

ALSO PRESENT: Diane L. Millious, Town Clerk

Supervisor Hotaling opened the Public Hearing and led the Pledge of Allegiance.

Supervisor Hotaling asked that Town Clerk Millious read the following notice.

NOTICE OF PUBLIC HEARING

Please take notice, pursuant to Section 452 of the General Municipal Law, a Public Hearing will be held by the Town Board of the Town of Coeymans at Town Hall, 18 Russell Avenue, Ravena, New York at 6:30pm on Monday, December 27, 2004. The Public Hearing will be regarding the setting of the Sewer Rates.

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

PUBLIC COMMENT

Supervisor Hotaling stated that there was no one present for Public Comment but the opportunity would be available for approximately 15-20 minutes. He then asked that Councilman Conrad present the procedure for setting the 2005 Sewer Rates.

Councilman Conrad stated that in the past it had been an unfair system and this Town Board has come up with what they believe to be a more equitable formula and it will be a benefit-derived system. He continued by saying that as years have gone by vacant parcels have dropped from the billing, which now totals approximately 60 parcels that are not being charged. He added that billing for use will be broken up into a 4-unit basis, it would now be 1 unit for the parcel and 3 units for the use for a total of 4 units at \$45.00 per unit.

Supervisor Hotaling interjected that a multiple family dwelling should not be confused because units are not derived by the number of residence and then gave an example by stating that a 10 family apartment house is 1 unit for the land and 3 units for each dwelling for a total of 31 units, which then would be multiplied by \$45.00 for a total of \$1,395.00 and added that previous billings for the same building was \$1,800.00 which is a savings of \$405.00 by changing the units.

Councilman Conrad gave an example by saying that Civill Senior Housing in the past was 29 units with only 15,000 gallons of water being allowed for the 29 combined and it is now 88 units at

\$45.00 per unit for a savings of approximately \$2,000.00. He added that most residential will not go over 80,000 gallons of water and the higher users will pay more because it is now a benefit derived system. He continued by saying that they will be updating the Local Law to further explain and define a unit because it has been interpreted differently by past Town Boards and they want to stop this from happening in the future. He went on to say that the 2005 rates will entail a couple of steps to include every residential or commercial use per parcel and will be 3 units and every parcel, whether vacant or occupied will be 1 unit with an additional unit for every 10,000 gallons over 80,000 per year and each unit will be \$45.00 and there will be a 5% penalty for payment after 30 days and an additional 1% per month thereafter.

Councilman Conrad reiterated that it is a benefit derived system and those using more will pay more, which will be a more fair system.

Supervisor Hotaling added that it is just the beginning and a work in progress and they, as a Town Board will continue to look at it throughout the year in their attempt to keep benefit derivation as the key. He added that they have to charge something in order to maintain and run the Sewer District.

Supervisor Hotaling asked if there were any additional comments, hearing none he stated that the Public Hearing would remain open for an additional 4 minutes for comment. He then asked that Town Clerk Millious comment on her new location.

Town Clerk Millious stated that her office is now located in Town Hall, 18 Russell Avenue, which was formerly the Building Department and there were notices posted and it was in the News Herald.

Supervisor Hotaling added that there is a handicapped entrance by the Court Office.

Town Clerk Millious added that there is also a mailbox by the Court Office entrance if anyone cannot make it in during regular business hours.

Supervisor Hotaling asked if there was any additional comment, hearing none he asked for a motion to adjourn the Public Hearing.

ADJOURNMENT

On motion of Councilwoman Chmielewski, seconded by Councilman Stanton, the Public Hearing was adjourned. VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Rogers) SO MOVED

Respectfully Submitted,

APPROVED:

*Diane L. Millious
Town Clerk*

A Workshop Meeting was held Tuesday, December 21, 2004, at 7:00 PM at Town Hall, 18 Russell Avenue, Ravena, New York

PRESENT: Ronald K. Hotaling, Jr., Supervisor
Frank D. Stanton, Councilman
Dawn Rogers, Councilwoman
Nita J. Chmielewski, Councilwoman
Laverne Conrad, Councilman

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

AGENDA ITEMS

- • Sewer Extension on Clement Avenue – Discussion with Mr. George McHugh
- • Acquisition of Property – Discussion with Ms. Maria Bowers
- • Draft Dates for 2005 Workshop & Town Board Meetings – Presented by Councilman Conrad

ADJORNMENT

MOTION

On motion of Councilman Stanton, seconded by Councilwoman Rogers, the meeting was adjourned. 8:00pm.

VOTE – AYES 5 – NAYS 0 – SO MOVED

Respectfully Submitted,

APPROVED:

*Diane L. Millious
Town Clerk*

A Regular Town Board Meeting was held Monday, December 13, 2004 at 7:00pm at Town Hall, 18 Russell Avenue, Ravena, New York

PRESENT: Ronald K. Hotaling Jr., Supervisor
Frank D. Stanton, Councilman
Dawn Rogers, Councilwoman
Laverne Conrad, Councilman

ABSENT: Nita J. Chmielewski, Councilwoman

ALSO PRESENT: Diane L. Millious, Town Clerk
Scott Giroux, Chief of Police

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

OVERVIEW OF AGENDA

Supervisor Hotaling stated that Councilwoman Chmielewski was absent and continued by giving an overview of the agenda.

- Public Announcement
- Public Comment
- Approval of Minutes
 - Public Hearing, November 3, 2004
 - Town Board Meeting, November 22, 2004
- Supervisor's Report – November 2004
- Department Report Review
 - Building Department
- Old Business Update and Discussion
 - Dental Coverage for Town Employees
- New Business Topics for Discussion and/or Action
 - Establishment of Public Hearing Date
 - Police Officer Resignations
 - Assessor Clerk Resignation
 - Award Estimate for Town Clerk Flooring
 - Appointment of Operator I
- Town Board Meetings/Workshops

PUBLIC ANNOUNCEMENT

Supervisor Hotaling asked that Councilman Stanton make a public announcement with regard to the town parks.

Councilman Stanton stated that there have been some reports of people hunting on town park property and hunting is not allowed.

Supervisor Hotaling asked that Chief Giroux announce to the patrols to take a ride through Joralemon Park from time to time.

Councilwoman Rogers suggested that it be posted for no hunting.

PUBLIC COMMENT

Supervisor Hotaling invited the public to make comment to the Town Board.

Mr. Jeremy Richardson – Stated that he was present to address the enforcement of the no parking issue on Westerlo Street and the lack of off-street parking.

Supervisor Hotaling stated that the parking laws have not been changed but were overlooked for the past few years.

Chief Giroux stated that at the suggestion of a previous Town Board they were asked to turn a “blind eye” to the parking situation.

Discussion ensued about land that exists behind Mr. Richardson’s home that might be appropriate for off-street parking and another piece of public property that might be used as well.

APPROVAL OF MINUTES

Public Hearing – November 3, 2004
Town Board Meeting – November 22, 2004

MOTION

On motion of Councilman Stanton, seconded by Councilwoman Rogers, the minutes were approved as presented.

VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Chmielewski) – SO MOVED

SUPERVISOR’S REPORT

November 2004

FUND	BALANCE FWD.	RECEIPTS	DISBURSEMENTS	BALANCE
GENERAL	\$612,503.68	\$ 34,453.72	\$ (153,317.50)	\$ 493,639.90
FEMA	\$ 43,866.75	\$ 27.95	-0-	\$ 43,894.70
PART-TOWN	\$147,187.21	\$ 1,372.05	\$ (16,730.62)	\$ 131,828.64
SPEC. WATER	\$ 93,917.97	\$ 5,392.48	\$ (71,679.78)	\$ 27,630.67
TRUST & AGCY.	\$ 561.91	-0-	-0-	561.91
HIGHWAY	\$648,997.43	\$ 343.26	\$ (99,979.44)	\$ 549,361.25
SEWER	\$244,733.26	\$ 29,507.10	\$ (14,511.46)	\$ 259,728.90
			TOTAL REC. BAL.	\$1,506,645.97

SAVINGS ACCOUNTS

SECTION 8 - HUD

Unemployment		\$ 5,704.26	
Grove Cemetery	\$ 54,287.65	HUD Payments	\$37,248.00
Sewer-Dedicated	\$ 6,042.46	Admin. Fee	\$ 322.16
Total		\$ 66,034.37	
		Tenant Rent	\$17,734.00
		Contract Rent	\$52,761.00

Occupied U

Total HUD

COLLATERAL COVERAGE

FDIC COVERAGE

COLLATERALIZED

National Bank of Coxsackie	\$100,000.00	\$1,144,470.26
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MOTION

On motion of Councilman Stanton, seconded by Councilwoman Rogers, the Supervisor's Report for November 2004 was approved.

VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Chmielewski) – SO MOVED

DEPARTMENT REPORT REVIEW

Building Department – November 2004

Supervisor Hotaling gave an overview of the Building Department Report and then asked for a motion to approve it.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Stanton, the Building Department Report was accepted as presented.

VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Chmielewski) – SO MOVED

OLD BUSINESS

Dental Coverage for Town Employees

Supervisor Hotaling stated that in April 2004 the Town Board discontinued coverage for Council 82 membership for dental and have been in grievance negotiations and they reached an agreement that the Town and the union would seek alternative dental plans to satisfy the grievance and get Council 82 members back on coverage. He continued by saying that there was a presentation by Delta and Council 82 had someone come down that was a Global Benefit Administrator focused on dental and health and it was determined that the CSEA Employment Benefit Fund, which carries dental insurance for CSEA members called the Sun Rise Plan can also be offered to Council 82 members. He added that it is the Town Boards intent to move ahead and settle by Memorandum of Agreement the grievance that initiated in April 2004 with Council 82 and have the union

agree with the Town that this would be the dental plan. He then asked for a motion to move forward with the Town Attorney to negotiate with Council 82.

Councilman Conrad interjected that it was the Town Board's intent to get everyone on a town-wide uniform plan rather than have two separate dental plans.

MOTION

On motion of Councilman Conrad, seconded by Councilman Stanton, authorizing the Town Supervisor and Town Attorney to move forward on the Memorandum of Agreement if Council 82 is so willing.

VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Chmielewski) – SO MOVED

Supervisor Hotaling asked if there was any further old business for discussion.

Councilman Conrad stated that during the budget process there were some discussions with the Ravena Rescue Squad and things got a bit tense. He added that it was the Town Board's interest to work out some kind of a contract for ambulance service in the Town and as a result ended up taking \$26,000.00 out of the budget for the EMT and as a result of the Public Hearing and meetings with the Rescue Squad it was put back in the budget. He added that the paper reported that the Town Board was reluctant in putting it back into the budget, which was not the case, and they put back the EMT for \$26,000.00 and offset it with \$26,000.00 in funding to be paid as a result of soft-billing money. He continued by saying that in addition to that there was a flyer from the Rescue Squad asking every taxpayer to pay \$10.00, which would amount to approximately \$30,000.00. He added that as a result of their meeting with the Rescue Squad the Town Board offered to put back in \$20,000.00 that the Town anticipates from the soft billing, which would leave a \$6,000.00 difference. He concluded by saying that the Rescue Squad is giving the wrong impression that the Town Board cut out \$26,000.00 and he then asked that Mr. Tucker address that issue.

Supervisor Hotaling interjected that he did not perceive any reluctance on the Town Board's behalf and he hopes that the dialog continues with the Rescue Squad. He added that they will be looking early in 2005 the possibility of setting up Ambulance Districts and they will be moving ahead as willing participants.

Councilman Conrad stated that he understands that the soft-billing may not be the ultimate answer because there are some calls that they do not receive anything for but on the other hand there are calls that they will get approximately \$400.00 for and on an average it appears that there are over 1000 calls per year but he is not sure what the percentage is that they get paid for. He added that according to Section 198 of Town Law there has to be a contract and through the contract they are authorized to do the soft billing. He concluded by saying that the Rescue Squad is leading the public to believe that the Town Board cut out \$26,000.00 and they are asking for a \$10.00 donation from every taxpayer when in fact the Town is giving approximately \$20,000.00 back from the ALS portion and all that is on the table is \$5,000.00 to \$6,000.00.

Supervisor Hotaling interjected that donations are well needed and a viable source of revenue and they do not want to discourage that but hope they would be sought after and willingly provided by the residents for reasons other than might have been stated in the flyer. He added that they would like to get this resolved in a legal way in that the service that they are providing is authorized and they are trying to satisfy comptrollers concerns about the lack of contract because every service or goods provided should be by voucher or legitimate contract that authorizes the Town Board to engage a tax dollar for a service. He concluded by saying he believes that they can move ahead and talk about establishing districts and from that he is hoping for a positive progression.

Supervisor Hotaling asked if there was any other Old Business, hearing none he moved to the next item on the agenda.

NEW BUSINESS

Establishment of Public Hearing Date

Supervisor Hotaling asked that Councilman Conrad explain this next item.

Councilman Conrad stated that each year by resolution the Town Board sets the rates for the upcoming years Sewer Billing, which is done in two parts, January and July and in previous years it has been done in various ways. He added that technically according to law it is an annual billing but the current billing system does not allow that to be done and it is billed in two separate billings, which is authorized in December, prior to January 1st. He then asked that the Town Board entertain the idea to schedule a Public Hearing prior to the next Town Board Meeting, for the establishment of rates.

Supervisor Hotaling interjected that they had established the 2005 appropriations for the operation of the Sewer Plant and the need for the dollar amount of rents to be collected in addition to working with the Village Board giving them the percentage breakdowns and responsibilities for the operation, maintenance and capital construction. He concluded by saying that they have to take a look at the established budget and figure out the rents that are needed based upon the users in the Coeymans Sewer District and the rates will be in place by the 1st of the year.

Discussion ensued about scheduling a Public Hearing on December 27, 2004 prior to the Town Board Meeting at 6:30pm.

MOTION

On motion of Councilman Stanton, seconded by Councilman Conrad establishing a Public Hearing on Monday, December 27, 2004 at 6:30pm for the purpose of hearing the public's concerns and presentation on the Sewer Rates for 2005.

VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Chmielewski) – SO MOVED

Supervisor Hotaling asked that Town Clerk Millious provide the appropriate notice to the media with regard to the Public Hearing.

Police Officer Resignations

Supervisor Hotaling stated that there were two Police Officer resignations.

November 23, 2004

Chief Scott D. Giroux

15 Mountain Road
Ravena, NY 12143

Dear Chief Scott D. Giroux,

I would like to take the opportunity to thank you for employment with the Town of Coeymans Police Department. I have learned a great deal in the nine months that I have worked for this Department. This knowledge and experience will help me to achieve the goals in the law enforcement field.

As you are aware I have accepted a full-time police officer position with the Village of Ravena Police Department. My start date being December 1, 2004. I will no longer be able to work for the Town of Coeymans Police Department.

Please make this resignation effective December 1, 2004.

Sincerely,

Kenneth G. Beck, Jr.

November 29, 2004

Mr. Ronald K. Hotaling, Jr., Supervisor
Town of Coeymans
18 Russell Avenue
Ravena, NY 12143

Dear Supervisor Hotaling:

This is in response to the letter I received from Chief Giroux dated November 9, 2004. I regret to inform you that as of December 1, 2004, I have decided to resign from the position of police officer for the Town of Coeymans.

I have been employed by both the Town of Coeymans and the Village of Catskill Police Department since September 7, 2004. I have enjoyed working for the community in which I live but due to the fact that you are forcing me to choose, I have chosen to stay in Catskill, as there is a possibility of a full-time position. Considering the Town of Coeymans Police Department is depending more and more on part-time police officers, it saddens me to be forced to make this choice at all. I have always given the Town of Coeymans Police Department the opportunity of assigning my shifts before the Village of Catskill Police Department. With this in mind, I fail to understand why the Coeymans Police Department would object to my working for another department during the times when my services were not needed by Coeymans. However, as this is the policy you choose to enforce then I must respectfully submit my resignation.

I appreciate the knowledge and experience that I have gained from working for the town and will carry with me as I work for other agencies. If you have any questions, please feel free to contact me regarding this matter at 756-8701 or 376-6286.

Respectfully,

Stephen C. Dietz, Jr.

cc: Town of Coeymans Board
Scott Giroux, Chief of Police

MOTION

On motion of Councilman Conrad, seconded by Councilman Stanton, accepting the resignations of Police Officers Beck and Dietz.

VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Chmielewski) – SO MOVED

Supervisor Hotaling asked if Chief Giroux had anything to add.

Chief Giroux stated that there may be the possibility of getting another one or two part-timers and he has started putting together a pool.

Assessor Clerk Resignation

To: Mr. Hotaling – Supervisor

From: Dawn DeRose

RE: Resignation

Date: November 22, 2004

Thank you for the opportunity to return to the Assessment Clerk position, but at this time I will need to decline. Please accept my resignation dated August 26, 2004.

Thank you.

Dawn DeRose

Supervisor Hotaling stated that this was previously put on hold with the possibility of Ms. DeRose returning to the position and this was the formal acceptance of the resignation dated August 26, 2004.

MOTION

On motion of Councilman Stanton, seconded by Councilwoman Rogers, to accept the resignation of Ms. DeRose from the Assessment Clerk position.

VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Chmielewski) – SO MOVED

Award Estimate – Town Clerk Flooring

Supervisor Hotaling stated that the Town Clerk is now residing back in Town Hall that formerly housed the Building Department, which has moved downstairs to an office that now houses Building, Planning, Zoning and the Assessor's Office. He then asked Town Clerk Millious if she had any comments.

Town Clerk Millious thanked everyone who helped with the move and stated that she believes it will be better with her office in Town Hall. She added that if anyone needed a notary but could not get in the building because of physical constraints, she or her Deputy would go to them.

Supervisor Hotaling stated that during the renovations there was a need to piece together the linoleum and as the result of taking down some walls more linoleum was needed and it was put out for quotes. He continued by saying that the linoleum had already been installed due to the fact that the Town Clerk had to vacate the prior location by January 1st. He added that the bid was not awarded to the low bidder because that vendor could not match the linoleum that needed to be added to the existing linoleum. He concluded saying that the linoleum is in and operational and asked that the Town Board sanction the installation by Fori's Carpet and Vinyl and asked for a motion.

MOTION

On motion of Councilman Conrad, seconded by Councilman Stanton authorizing the installation of linoleum by Fori's Carpet and Vinyl.

VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Chmielewski) – SO MOVED

Appointment of Operator I – Highway Department

Supervisor Hotaling stated that the Town Board was in receipt of a memo from Highway Superintendent Deering dated November 14, 2004 stating that a new employee Herbert Williams was hired to fill the open Operator I position and he would start November 23rd and to contact him if there were any questions. He added that it was before the Town Board to consider and discuss.

Councilman Conrad stated that he has reservations about the process and this employee has been working for two weeks without being appointed and technically he is not an employee until the resolution comes through the Town Board. He continued by saying that there is another employee that was hired without a resolution and he is already on the payroll and he does not know why

Supervisor Hotaling stated that they are issues appropriately raised and are worthy of discussion but Highway Superintendent Deering is not present and they will take it up with him in letterform.

Councilman Conrad stated that the process has to be worked out because it is putting them in a bad position with the budget and funding.

Councilman Stanton interjected that an employee should not start work until there is a resolution and proper paperwork has been filled out.

Supervisor Hotaling reiterated that Highway Superintendent was not present in addition to the Town Attorney to weigh in on the legalities of the differentials and distinctions between Highway Law and Town Law and from what he knows and has been told, the Town Board is the authorizing authority for hiring and firing.

Councilman Conrad stated that the Highway Superintendent Deering has the right to hire and fire but the funding is totally in control of the Town Board as well as the legalities of having appropriate proper appointments and insurance in place.

Councilwoman Rogers interjected that they need to talk with Highway Superintendent Deering.

Supervisor Hotaling stated that there may be another side to this but on the surface it appears that they need to talk about the process.

Councilman Conrad stated that in the meantime there is someone on the payroll that they cannot authorize.

Supervisor Hotaling stated that with respect to Mr. Williams he did not believe that any of them had any concerns and his appointment would be appropriate by motion.

MOTION

On motion of Councilman Conrad, seconded by Councilman Stanton, to approve the appointment of Herbert Williams to the position of Operator I at the entry-level rate as prescribed under CSEA contract.

VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Chmielewski) – SO MOVED

Supervisor Hotaling stated that in regard to the other employee on the payroll without a resolution, they would look into it in the morning.

RESOLUTIONS

None at this time.

CORRESPONDENCE

CDPHP – Rates for 2005

Supervisor Hotaling stated that he had a letter from CDPHP indicating that the New York State Department of Insurance did not approve the 2005 rate filings and they were required to re-file their premium rates, however it has been confirmed that the rates that were originally budgeted for are accurate.

DEC – Clean Water / Clean Air Bond Act

Supervisor Hotaling stated that he received a letter dated December 6, 2004 that had been written to Highway Superintendent Confidential Secretary VanAlstyne from DEC, which talks about a Clean Water/Clean Air Bond Act Grant for the salt storage barn and it indicates that the DEC has yet to receive any of the information requested in the May 26, 2003 letter relative to an executed contract to hold the \$105,000.00 for construction of the new salt storage barn. He added that there have been discussions and a topic for an upcoming Workshop will be a step to resolve a more appropriate location by virtue of an acquisition of some property. He then asked what the Town Board would like to do as far as him looking into the matter.

Collectively it was stated that it was believed that Superintendent Deering had taken care of the information that had been requested.

Supervisor Hotaling stated that he would look back into the records as well as speaking with Highway Superintendent Deering as to whether or not he had communicated with DEC.

MOTION

On motion of Councilman Conrad, seconded by Councilwoman Rogers, authorizing the Supervisor to make an attempt to secure the grant money for the salt shed

VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Chmielewski) – SO MOVED

Supervisor Hotaling stated that he would communicate to DEC what the Town Board's concerns have been as far as location and funding.

Supervisor Hotaling stated that he also received two other letters from DEC regarding samples of water for the SPDES permit parameters and not all samples were within permit limits in addition to a revision letter which stated that the plant was experiencing a storm event at the time of the testing and might have added to the results. He added that he had communicated with DEC and advised that it is clear that as discussed with Waste Water Treatment Plant Chief Operator Breedlove, it is clear that the abnormal readings were the result of the major storm event and that another date be set for a new reading on a normal weather date.

Supervisor Hotaling stated that he was also in receipt of a letter from DEC indicating that representatives from DEC had conducted an annual inspection of the Waste Water Treatment

Plant and assigned an overall marginal rating identifying some problem areas with cause for concern. He added that he had communicated to DEC that the Town Board knows that the plant is in need of an upgrade and have applied and received a grant and the Town is continuing to explore options to provide the necessary repairs on upgrades within the authorized dollar amounts as well as reminding them that initial bids as well as re-bids on a reduced scale project were reviewed and the amounts far exceeded the grant amount and were higher than the Town Board had authorized bonding for the project. He continued by saying that in spite of the problems the Town Board is committed to finding a satisfactory resolution balancing the plant needs with the Sewer District's ability to pay and the Town has requested an extension of the project's contract from March 2005 to March 2006 in a letter to DEC dated November 17, 2004. He added that it was also suggested by DEC that the level of staffing should be increased and he replied to them that the Town Board has funded for staffing at a level which they believe can be supported by it's sewer rent constituency. He concluded by saying that hopefully they will be able to move ahead with a project that they can afford and at the same time satisfy DEC.

TOWN BOARD MEETINGS/WORKSHOPS

Workshop Meeting – December 21, 2004
Town Board Meeting – December 27, 2004

ADDITIONAL COMMENTS

Councilman Conrad stated that at the last Planning Board Meeting some members of the public were present and the issue was brought up concerning LaFarge's landfill permit extension and voiced their concerns about raising the height elevation of the landfill. He added that the cutoff for public comment is December 17, 2004 and can be done online at DEC and if there are enough concerns the comment period could be extended. He concluded by saying that he wanted to make the people of the Town aware of the fact that there is an industrial landfill at LaFarge and have had one for many years and this is a permit to extend the height limit.

Councilman Conrad continued by saying that the Onesquethaw Planning Conservancy is addressing several issues with the Clean Water Act and the containments that get into the stream in the Coeymans Creek area and some members of the Planning Board have expressed a desire to become participants for training in Biodiversity Training.

Councilman Conrad stated that they have also gotten a letter from the New Baltimore Citizen's Committee's attorney with regard to a zoning situation that the Town Board has attempted to address and at this point it has gone through some Planning Board procedures. He continued by saying that he would like the Town Board to take the next step in authorizing the Town Supervisor to obtain quotes from a Municipal Planner with the specific area being from the river to the Village and from the Town of Bethlehem to Town of New Baltimore line in order to address requests from residents to make some zoning changes in those areas.

MOTION

On motion of Councilman Conrad, seconded by Councilwoman Stanton, authorizing the Town Supervisor to engage in getting quotes from Municipal Planners.

VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Chmielewski) – SO MOVED

Councilman Conrad interjected that there is also grant money available through the Greenway, which the Town of Coeymans has become part of and asked that it be added to the motion.

ADJOURNMENT TO EXECUTIVE SESSION

Supervisor Hotaling asked for a motion to adjourn to Executive Session for personnel matters.

MOTION

On motion of Councilman Conrad, seconded by Councilman Stanton the meeting was adjourned to Executive Session. Time 8:25pm

VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Chmielewski)

RECONVENE MEETING

Supervisor Hotaling reconvened the meeting and stated that no action was taken and then asked for a motion to adjourn the meeting.

ADJOURNMENT

MOTION

On motion of Councilman Stanton, seconded by Councilman Conrad, the meeting was adjourned. Time 9:15pm

VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Chmielewski)

Respectfully submitted,

APPROVED

Diane L. Millious
Town Clerk

A Regular Town Board Meeting was held Monday, November 22, 2004 at 7:00pm at Town Hall, 18 Russell Avenue, Ravena, New York

PRESENT: Frank D. Stanton, Councilman
Dawn Rogers, Councilwoman
Nita J. Chmielewski, Councilwoman
Laverne Conrad, Councilman

ABSENT: Ronald K. Hotaling, Jr., Supervisor

ALSO PRESENT: Diane L. Millious, Town Clerk
Albert Deering, Highway Superintendent
Scott Giroux, Chief of Police
Joseph Rotello, Town Attorney (Arrived for Executive Session)

Councilwoman Chmielewski opened the meeting and led the Pledge of Allegiance.

Councilwoman Chmielewski asked that Councilman Conrad read the following resolution.

RES . # 122-04 AUTHORIZE DESIGNATION OF TOWN BOARD MEMBER TO PRESIDE OVER TOWN BOARD MEETING IN THE ABSENCE OF TOWN SUPERVISOR

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

WHEREAS, the Town Supervisor is unable to attend and preside over the Town Board meeting of November 22, 2004, and

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 Nita J. Chmielewski to preside over the Town Board meeting of November 22, 2004.

OVERVIEW OF AGENDA

Councilwoman Chmielewski stated that there was a full Town Board and continued by giving an overview of the agenda.

- • Public Announcements
- • Public Comment Period
- • Approval of Minutes of Meetings
 - Town Board Meeting – November 1, 2004
 - Special Town Board Workshop – November 5, 2004
 - Town Board Workshop – November 8, 2004
- • Supervisor's Report – October 2004

- • Department Report Review
 - Town Clerk Monthly Report – October 2004
 - Police Department – October 2004
 - Building Department Monthly Report-October 2004
- • Old Business Update and Discussion
- • New Business Discussion and/or Action
 - Agreement to Expend Highway Monies
- • Resolutions
 - American Tower Corporation
 - Approval of December 2001 Abstract
 - Approval of December 2003 Abstract
 - Approval of November 2004 Abstract
- • Correspondence
 - Association of Towns
- • Town Board Meetings/Workshops/Hearings
 - December 13, 2004, 7p.m. Town Board Meeting
 - December 21, 2004, 7 p.m. – Town Board Workshop

PUBLIC ANNOUNCEMENTS

Christmas Tree Lightings and Parade

Councilwoman Chmielewski stated that the Town of Coeymans is joining with the Village of Ravena for the annual Tree Lighting Ceremony and Christmas Parade to be held on Friday December 3, 2004 and the festivities will begin with the lighting of the Town Tree at the gazebo at Coeymans Landing at 6:45pm and then the parade will proceed to the Village of Ravena for their Tree Lighting Ceremony with caroling, there will be refreshments at the Ravena Fire House with Santa Claus.

Councilwoman Chmielewski asked that Chief Giroux summarize the next announcement.

Hamlet of Coeymans Parking Plan

Chief Giroux stated that as previously discussed, in an attempt to reinforce a parking plan in the Hamlet of Coeymans, primarily the Westerlo Street corridor between Main Street and Colvin, there will be no parking anywhere on the north side of Westerlo Street. He added that all of the signs match the Town Code and the police will begin aggressively enforcing it beginning December 1, 2004. He continued by saying that earlier this month they started putting warnings on vehicles that they have found in violation in addition to making note of the plate number. He concluded that he hopes that everyone will cooperate and effective December 1st there won't be a problem.

Job Openings – Part-Time Clerk, Assessor's Office – Part-Time Drivers, Highway Dept.

Councilwoman Chmielewski stated that there was an opening for a part-time clerk in the Assessor's Office and continued by reading the classified ad that was submitted to the Ravena News Herald.

Councilwoman Chmielewski stated that there were openings for part-time drivers for the winter season at the Highway Department and continued by reading the classified ad that was submitted to the Ravena News Herald.

PUBLIC COMMENT

Councilwoman Chmielewski invited the public to comment at this time, hearing none she moved to the next agenda item.

APPROVAL OF MINUTES

Town Board Meeting – November 1, 2004
Special Town Board Workshop – November 5, 2004
Town Board Meeting – November 8, 2004

MOTION

On motion of Councilman Stanton, seconded by Councilwoman Rogers the minutes were approved.

VOTE – AYES 4 – NAYS 0 – ABSENT 1 (HOTALING) – SO MOVED

SUPERVISOR'S REPORT – October 2004

FUND	BAL. FWD.	RECEIPTS	DISBURSE.	BALANCE
GENERAL	\$ 48,641.70	\$547,507.61	\$ (233,645.63)	\$362,503.68
FEMA	\$ 43,814.75	\$ 52.00	-0-	\$ 43,866.75
PART-TOWN	\$160,739.31	\$ 2,396.36	\$ (115,948.46)	\$ 47,187.21
SPEC. WATER	\$ 58,548.76	\$ 35,369.21	-0-	\$ 93,917.97
T & A	\$ 561.91	-0-	-0-	\$ 561.91
HIGHWAY	\$260,872.82	\$ 344,194.35	\$ (206,069.74)	\$398,997.43
SEWER	\$105,564.18	\$ 73,551.74	\$ (84,382.66)	\$ 94,733.26
			TOTAL	\$1,041,768.21

CERTIFICATE OF DEPOSIT

GENERAL \$250,000.00
PART TOWN \$100,000.00
SEWER \$150,000.00
HIGHWAY \$250,000.00

SAVINGS ACCOUNTS

UNEMPLOYMENT \$ 5,699.76
GROVE CEMETERY \$53,626.18
SEWER DEDICATED \$ 7,345.29
TOTAL \$66,671.23

SECTION 8-HUD

OCCUPIED UNITS 87
HUD PAYMENTS \$37,167.89
ADMIN. FEE \$ 281.89

COLLATERAL COVERAGAE

NBC

FDIC

\$100,000.00

COLLATERLAIZED

\$2,165,628.49

TOTAL HUD PMT	\$36,886.00
TENANT RENT	\$18,862.00
CONTRACT RENT	\$53,860.00

MOTION

On motion of Councilman Stanton, seconded by Councilman Conrad, the Supervisor's Report was accepted as read.

VOTE – AYES 4 – NAYS 0 – ABSENT 1 (HOTALING) – SO MOVED

DEPARTMENT REPORT REVIEW

Town Clerk Report – October 2004

Town Clerk Millious gave the Town Clerk's Report for October 2004.

On motion of Councilman Stanton, seconded by Councilwoman Rogers, the Town Clerk's Report was accepted as read.

VOTE – AYES 4 – NAYS 0 – ABSENT 1 (HOTALING) – SO MOVED

Police Department Report – October 2004

Chief of Police Giroux gave the Police Report for October 2004.

On motion of Councilman Conrad, seconded by Councilman Stanton, the Police Report was accepted as read.

VOTE – AYES 4 – NAYS 0 – ABSENT 1 (HOTALING) – SO MOVED

Building Department Report – October 2004

Councilman Conrad gave the Building Department's Report for October 2004.

On motion of Councilman Conrad, seconded by Councilman Stanton, the Building Departments Report was accepted as read.

VOTE – AYES 4 – NAYS 0 – ABSENT 1 (HOTALING) – SO MOVED

OLD BUSINESS

Councilwoman Chmielewski stated that there was no Old Business to report and asked if anyone had any Old Business to bring before the Town Board.

Councilman Conrad stated that he has had some discussions with members of the public regarding the budget and there was one comment that led the public to believe that New Baltimore did not pay anything to the Rescue Squad. He added that New Baltimore does pay \$9,400.00 a year directly to the Rescue Squad and it has nothing to do with the Town of Coeymans.

NEW BUSINESS

Agreement to Expend Highway Moneys

Councilwoman Chmielewski stated that the Town Board was in receipt of an Agreement to Expend Highway Moneys from Highway Superintendent Deering to do paving on two roads, Lindskoog Lane and Mueller Lane.

Discussion ensued between Councilwoman Chmielewski and Highway Superintendent Deering regarding what has been spent to date and what is remaining in the Highway budget for this type of work as well as what specifically will be done to the roads.

MOTION

On motion of Councilman Conrad, seconded by Councilwoman Rogers, to allow the Highway Superintended expend highway monies on Lindskoog Lane and Mueller Lane.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (HOTALING) – SO MOVED

RESOLUTIONS

RES. # 123-04 AUTHORIZE AND APPROVE SETTLEMENT OF AMERICAN TOWER CORPORATION

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

WHEREAS, a petition to review the assessment for the year 2004 of real Property of American Tower Corporation, in the Town of Coeymans, tax map numbers 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 and the Town Attorney it appears to be in the best interest of the Town to settle said matters.

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 stipulation and directs the establishments of said assessments pursuant to the same, and the Town attorney is authorized to consent to the entry of said order to accomplish this settlement.

RES. #124-04 APPROVE DECEMBER 2001 ABSTRACT

On motion of Councilwoman Rogers, seconded by Councilman Stanton, 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 December 2001 Abstract.

ABSTRACT	VOUCHER #	AMOUNT
Part-Town (B)		

Part-Town	2120	\$1,845.04
	General Total	\$1,845.04

RES. # 125-04 APPROVE OF DECEMBER 2003 ABSTRACT

On motion of Councilman Stanton, seconded by Councilman Conrad, 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 December 2003 Abstract.

ABSTRACT	VOUCHER #	AMOUNT
GENERAL (A)		
General Pre-Pay	2070	\$100.26
	General Total	\$100.26

RES. # 126-04 APPROVE NOVEMBER 2004 ABSTRACT

On motion of Councilman Conrad, seconded by Councilwoman Rogers, 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 November 2004 Abstract.

FUND	VOUCHER #'S	AMOUNT
GENERAL (A)		
General Pre-Pay	2071-2085	\$126,144.27
General	2121-2229	\$ 25,013.53
	General Total	\$151,157.80
PART-TOWN (B)		
Part-Town Pre-Pay	2086-2095	\$ 9,172.30
Part-Town	2230-2234	\$ 5,713.28
	Part-Town Total	\$ 14,885.58
HIGHWAY (D)		
Highway Pre-Pay	2096-2101	\$ 29,480.53
Highway	2235-2271	\$ 70,498.91
	Highway Total	\$ 99,979.44
SEWER (SS)		
Pre-Pay Sewer	2102-2111	\$ 10,177.57
Sewer	2272-2279	\$ 4,333.89

	Sewer Total	\$ 14,511.46
GROVE CEM. (TE)		
Pre-Pay Grove	2112-2113	\$ 126.84
Grove	2280-2282	\$ 252.45
	Grove Total	\$ 379.26
SPECIAL WATER (SW)		
Pre-Pay Special Water	2115	\$ 71,679.78
	Special Water Total	\$ 71,679.78
	TOTAL FOR ALL FUNDS	\$ 352,593.32
TRUST & AGENCY (TA)		
Trust & Agency Pre-Pay	2116-2119	\$ 152,462.81
	Trust & Agcy. Total	\$ 152,462.81

CORRESPONDENCE

Association of Towns

Councilwoman Chmielewski read a letter from Association of Towns.

Dear Supervisor:

I am happy to report to you that the NYS Senate passed legislation during their special session on November 18 that will restore the fine moneys to local courts that was taken away during the passage of the State Budget in August. Similar action was taken by the Assembly earlier in the fall.

This positive action occurred because you and your fellow officials responded the Association's request to contact your legislators and ask them to reconsider their position on this issue. Now that both houses have responded to our needs, we need to carry the effort one more step. I am asking you to write to Governor Pataki, and to ask him to sign into law S.7757/A.11845 which would restore the original justice fine distribution which was in effect prior to August of 2004. Please write the Governor at:

Governor George Pataki
Executive Chamber
New York State Capitol
Albany, NY 12224

Fax: (518) 474-1513
Email: [legislative.secretary @chamber.state.ny.us](mailto:legislative.secretary@chamber.state.ny.us)

In your letter please explain that town budgets rely on the fine revenue distributed pursuant to the provisions of Section 1803 of the V & T Law to cover a large share of the cost of local justice

court operations which, if unavailable, would, among other things, result in increases in the property taxes of already overburdened local residents.

Thank you for your assistance with this important fiscal issue.

Kindest regards,

G. Jeffrey Haber
Executive Director

MOTION

On motion of Councilman Conrad, seconded by Councilman Stanton, authorizing the Town Supervisor or his agent to prepare and send a letter to the Governor's Office.

VOTE – AYES 4 – NAYS 0 – ABSENT 1 (HOTALING) SO MOVED

TOWN BOARD MEETINGS/WORKSHOPS

December 13 –Town Board Meeting – 7 p.m.

December 21 – Town Board Workshop – 7 p.m.

Councilwoman Chmielewski asked if there was anything additional to bring before the Town Board.

Councilwoman Rogers wished everyone a Happy Thanksgiving.

Councilwoman Chmielewski asked for a motion to enter into Executive Session for litigation and personnel matters.

ADJOURNMENT TO EXECUTIVE SESSION

MOTION

On motion of Councilman Stanton, seconded by Councilman Conrad, to adjourn to Executive Session for litigation and personnel matters. Time 7:38pm

VOTE – AYES 4 – NAYS 0 – ABSENT 1 (HOTALING) SO MOVED

RECONVENE MEETING FOR ADJOURNMENT

Councilwoman Chmielewski reconvened the meeting at 8:15pm.

Councilwoman Chmielewski stated that personnel matters were discussed in Executive Session and the following motions were the result of the discussions.

MOTION

On motion of Councilman Conrad, seconded by Councilman Stanton, to ratify the action taken November 16, 2004 regarding the confidential settlement of the disciplinary issue against Kyle Rivers.

VOTE – AYES 4 – NAYS 0 – ABSENT 1 (HOTALING) SO MOVED

On motion of Councilman Conrad, seconded by Councilwoman Rogers, to ratify the confidential settlement regarding the disciplinary action against Brian Burns.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (HOTALING) SO MOVED

ADJOURNMENT

On motion of Councilman Stanton, seconded by Councilwoman Rogers, the meeting was adjourned. Time 8:30pm
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (HOTALING) SO MOVED

Respectfully submitted,

APPROVED:

*Diane L. Millious
Town Clerk*

A Regular Town Board Meeting was held Monday, November 08, 2004 at 7:00pm at Town Hall, 18 Russell Avenue, Ravena, New York

PRESENT: Ronald K. Hotaling Jr., Supervisor
Frank D. Stanton, Councilman
Dawn Rogers, Councilwoman
Nita J. Chmielewski, Councilwoman
Larry Conrad, Councilman

ALSO PRESENT: Diane L. Millious, Town Clerk
Scott Giroux, Chief of Police
Joseph Rotello, Town Attorney
Albert Deering, Highway Superintendent

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

OVERVIEW OF AGENDA

Supervisor Hotaling stated that there was a full Town Board and the record should reflect as such.

- • Public Comment Period
- • Public Announcements
- • Approval of Minutes of Meetings
 - Town Board Workshop – October 25, 2004
 - Special Town Board Meeting – October 26, 2004
- • Adoption of 2005 Budget
- • Old Business Update and Discussion
 - Hamlet Parking Plan
 - Former Town Prosecutor Voucher Submission
- • New Business Discussion and/or Action
 - Mohawk & Hudson Humane Society contract
 - New York State & Local Retirement System Prepayment Option
- • Resolutions
 - Amend October 2004 Abstract
 - Onesquethaw-Coeymans Watershed Council Support
- • Correspondence
- • Town Board Workshops
 - Special Workshops November 15 & November 29 - Cancelled
 - November 16 – 7 p.m.

PUBLIC COMMENT

Supervisor Hotaling invited the public to comment at this time.

Linda Marshall – stated that she is a resident and taxpayer of the Town of Coeymans and voiced her concern with the Town of Coeymans looking at industrial development along Rte 144 and the Hudson River and the lack of industrial development along the 9W corridor. She continued by voicing her concern with a rumor that a large parcel of land in the area of the Hudson River and Coeymans Creek had been sold and asked that Environmental Impact Studies be requested and Form 239 requested through the Albany County Planning Board.

Discussion ensued between Ms. Marshall and Councilman Conrad as far as what has been done relative to zoning and what the future plans are in addition to discussion about the different types of industrial zones.

Councilman Conrad stated that there would be Public Hearings relative to zoning changes and she would be welcome to attend and make comments.

Ms. Marshall thanked the Town Board.

Supervisor Hotaling asked if anyone else wished to make comment to the Town Board.

Mr. Mark Mahar – stated that he was the Captain of the Ravena Rescue Squad and was disturbed about being approached by a reporter regarding the Town Board questioning the finances/assets of the Rescue Squad in addition to being asked what the problem was between the Town of Coeymans and the Town of New Baltimore.

Supervisor Hotaling stated that he had spoken to a reporter and continued by explaining what he had said to the reporter regarding the Town's position with issues relative to the Rescue Squad and the Town of New Baltimore in addition to issues relative to the \$26,000.00 which was expected from the Town for the EMT-D services.

Councilman Conrad continued the discussion regarding information that was found relative to accounting figures that that were listed for the Ravena Rescue Squad and the accountability of the soft-billing money.

Mr. Mahar gave a brief summary of some of the figures and stated that the Rescue Squad is running "in the black" and has a new ambulance coming in December that is paid for.

Collectively it was decided that there needs to be a meeting with the Town Board and members of the Ravena Rescue Squad to work out a contract agreement and possibly have an Ambulance District set up.

PUBLIC ANNOUNCEMENTS

Assessor

Supervisor Hotaling stated that the Sole Assessor, Laura VanValkenberg was appointed by the Town Board effective November 1, 2004 and has announced that her hours will be Saturday from 9am to 12 noon and Tuesday evenings from 6pm to 8pm or by appointment through the Supervisor's Office at 756-6006.

Veterans Day

Supervisor Hotaling stated that the Veteran's Association has announced that they will honor the Nation's Veterans during a ceremony at Memorial Plaza on Main Street at 11am on Veteran's Day.

Grand Union

Supervisor Hotaling stated that he wanted to bring everyone up to date as best he could about the closing of Grand Union on November 6, 2004 and that a week prior to that he had a discussion with County Executive Mike Breslin and the president of the Senior's Board of Directors, Mr. Anthony DiAcetis about the concerns and problems that might arise with the closing and the seniors reliance on the store. He added that he had advised Mr. Breslin that the Town would like to receive additional funding from the County to provide an increase in the number of trips of the senior's van to area grocery stores in the Glenmont area. He continued by saying that this was done and reported back and in turn he has spoken with the Director of the Office of the Aging and he has committed to working with Ms. Terri Albano, Mr. DiAcetis and the Town of Coeymans in order to attempt to get an increase in funding to increase the frequency. He concluded by saying that Grand Union is contemplating reopening but limited in size and scope of what they will offer and this may not serve the needs of the seniors in town and if this is true they will have to get together in an attempt to get CDTA busing within the town.

Mr. Tom Tucker stated that they will open up as Best Yet and this will be the first one in the United States. He added that they will be selling bulk items but also sell a lot of the same products.

APPROVAL OF MINUTES

Town Board Workshop - October 25, 2004
Special Town Board Workshop - October 26, 2004

MOTION

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

VOTE – AYES 5 – NAYS 0 – SO MOVED

ADOPTION OF 2005 BUDGET

Supervisor Hotaling stated that the Preliminary Budget was the subject of a Public Hearing on November 3, 2004 and subsequent to hearing the 18 speakers with comment, 5 on the issue of police staffing and 17 on the issue of EMT-D funding, the Town Board met on November 5, 2004 at a Workshop for the purpose of reviewing the comments and during the Workshop further comments were heard about the EMT-D funding.

Supervisor Hotaling continued by addressing each issue that was raised during the Public Hearing and then gave the Town Board's decision for each item. The issues that were discussed were the EMT-D funding, the Police Department staffing cuts, the concern with the Special Recreation appropriations and revenues not matching, the community beautification and funding for the bridge reconstruction on Old Ravena Road. (audio and video available)

Supervisor Hotaling then asked that the Town Board consider a motion to transform the revised Preliminary Budget in to a final document for 2005.

MOTION

On motion of Councilwoman Chmielewski, seconded by Councilman Conrad, to adopt the Preliminary Budget as amended as the adopted Budget for 2005.

VOTE- AYES 5 – NAYS 0 – SO MOVED

OLD BUSINESS

Hamlet Parking Plan

Supervisor Hotaling stated that Chief Giroux was there to discuss the transition period and implementation of the Coeymans Hamlet Parking Plan.

Chief Giroux explained the process for the new signs, notification or warning phase and enforcement of the plan.

Former Town Prosecutor Voucher Submission

Supervisor Hotaling stated that Ms. Deidre Keating the former Town Prosecutor had submitted a voucher for trial preparation on a case for Coeymans Town Court for mid January 2004 in the amount of \$337.50.

Discussion ensued regarding payment of the voucher whether it is in part or in full because a new Town Prosecutor was appointed January 2004. (audio and video available for specifics)

Supervisor Hotaling suggested that they explore all of the options and table the item until the next meeting.

MOTION

On motion of Councilman Stanton, seconded by Councilwoman Rogers, to table the item until the next meeting.

VOTE – AYES 5 – NAYS 0 – SO MOVED

NEW BUSINESS

Mohawk & Hudson Humane Society Contract

Supervisor Hotaling stated that they are in receipt of the 2005 Contract for the Mohawk & Hudson Humane Society and added that it increased from \$1,000.00 to \$1,500.00.

Discussion ensued between Chief Giroux and Town Board Members. (audio and video available for specifics)

MOTION

On motion of Councilman Stanton, seconded by Councilwoman Rogers, authorizing the Supervisor to execute the contract with Mohawk & Hudson Humane Society for the period of 01/01/05 – 12/31/05.

VOTE – AYES 5 – NAYS 0 – SO MOVED

New York State & Local Retirement System Prepayment Option

Supervisor Hotaling stated that payment is now due to the New York State Retirement System for remaining 2003 charges and coming due for 2004. He continued by giving the different payment options available to municipalities.

Discussion ensued amongst the Town Board. (audio and video available for specifics)

Request from Part-Time Police Officer

Supervisor Hotaling stated that Chief Giroux had presented to the Town Board a part-time employment request for an officer to do police work outside of the Town of Coeymans in another municipality.

Discussion ensued amongst the Town Board. (audio and video available for specifics)

RESOLUTIONS

RES # 120-04 AMEND OCTOBER 2004 ABSTRACT

On motion of Councilwoman Chmielewski, seconded by Councilman Stanton, 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 Abstract of October 2004 as follows:

FUND	CHANGE FROM	CHANGE TO
HIGHWAY	\$ 46,947.68	\$ 46,655.18
HIGHWAY TOTAL	\$106,362.24	\$106,069.74
TOTAL FOR ALL FUNDS	\$438,538.56	\$438,246.06

RES. # 121-04 SUPPORT ONESQUETHAW-COEYMANS WATERSHED COUNCIL

On motion of Councilman Stanton, seconded by Councilman Conrad, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the Town Board recognizes the need for environmental conservation of our woodland resources and habitats and incorporating their protection into land use planning and,

WHEREAS, the New York State Department of Environmental conservation's Hudson River Estuary Program offers training for the identification and mapping of ecologically significant habitats,

NOW, THEREFORE, BE IT RESOLVED, the Town Board of the Town of Coeymans, hereby support the Onesquethaw-Coeymans Watershed Council's application for funds from the Hudson River Program, in accordance with the provisions of the Hudson River Estuary Management Act (ECL II-306) of the New York State Department of Environmental Conservation, in an amount not to exceed \$1,000 to support Biodiversity Assessment Training through a joint program of the Estuary Program and Hudsonia Ltd., and upon approval of said request, supports the Council to enter into and execute a project agreement for such financial assistance to fund a Biodiversity Assessment Program.

CORRESPONDENCE

Supervisor Hotaling stated that there was no correspondence to report at this time.

TOWN BOARD WORKSHOPS

Supervisor Hotaling stated that Special Workshops scheduled for November 15th and November 29, 2004 have been cancelled and asked for a motion to do so.

MOTION

On motion of Councilman Stanton, seconded by Councilman Conrad to cancel the Workshops. VOTE – AYES 5 – NAYS 0 – SO MOVED

Supervisor Hotaling asked that Town Clerk Millious to take the appropriate action in notices to cancel the Workshops.

- • Town Board Workshop – November 16, 2004, 7pm

CLOSING COMMENTS

Supervisor Hotaling asked if there were any additional comments.

Councilman Conrad extended his thanks to the Planning Board for the members that took the time to attend a Training Session.

Supervisor Hotaling interjected that Councilman Conrad had taken the time to attend himself and thanked him for doing so.

Councilman Stanton thanked Town Clerk Millious and her staff for helping with the audit in collecting data for the auditors to complete the audits leading up to the current year. He continued by thanking Councilwoman Chmielewski for her efforts as well.

Supervisor Hotaling asked if there were any additional comments.

Highway Superintendent Deering requested an Executive Session to discuss a personnel matter.

ADJOURNMENT TO EXECUTIVE SESSION

Supervisor Hotaling asked for a motion to adjourn the meeting to Executive Session for the purposes of personnel matter

MOTION

On motion of Councilman Stanton, seconded by Councilwoman Chmielewski, the meeting was adjourned.

VOTE – AYES 5 – NAYS 0 – SO MOVED

Supervisor Hotaling stated that the formal adjournment of the meeting will occur subsequent to the Executive Session.

FORMAL ADJOURNMENT

Supervisor Hotaling called the meeting back to order at 9:30pm and asked for a motion to adjourn the meeting.

On motion of Councilman Conrad, seconded by Councilman Stanton, the Town Board Meeting was adjourned. Time 9:30pm

VOTE – AYES 5 – NAYS 0 – SO MOVED

Respectfully submitted,

APPROVED:

Diane L. Millious
Town Clerk

A Special Town Board Workshop Meeting was held Monday, November 5, 2004 at 7:00pm at Town Hall, 18 Russell Avenue, Ravena, New York

PRESENT: Ronald K. Hotaling Jr., Supervisor
Dawn Rogers, Councilwoman
Nita J. Chmielewski, Councilwoman
Larry Conrad, Councilman

ABSENT: Frank D. Stanton, Councilman

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

The following Notice appeared in the Ravena News Herald and was posted at various locations.

**NOTICE
SPECIAL TOWN BOARD
WORKSHOP 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 Workshop Meeting for the purpose of considering public comment regarding the Preliminary Budget made at the Public Hearing. The meeting will be held at 7:00pm on Friday, November 5, 2004 at Town Hall, 18 Russell Avenue, Ravena, New York.

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

AGENDA

Budget Discussion

Discussion ensued regarding recommendations made at 11/03/04 Public Hearing relative to the police staffing reductions, EMT-D Funding, Snowmobile Grant and Old Ravena Road bridge reconstruction funding.

Public input was permitted for EMT-D Funding.

ADJOURNMENT

On motion of Councilwoman Rogers, seconded by Councilwoman Chmielewski,
the Special Town Board Workshop was adjourned. Time 8:00pm
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Stanton)

Respectfully Submitted,

APPROVED:

Diane L. Millious, Town Clerk

A Public Hearing was held Wednesday, November 3, 2004, at 7:00PM at Town of Coeymans, Town Hall, 18 Russell Avenue, Ravena, New York.

PRESENT: Ronald K. Hotaling Jr., Supervisor
Frank D. Stanton, Councilman
Dawn Rogers, Councilwoman
Nita J. Chmielewski, Councilwoman
Laverne Conrad, Councilman

ALSO PRESENT: Diane L. Millious, Town Clerk

Supervisor Hotaling opened the Public Hearing and led the Pledge of Allegiance.

OPENING COMMENTS

Supervisor welcomed everyone to the Public Hearing for the Preliminary Budget for calendar and fiscal year 2005 and added that the hearing will focus on the development of the budget for 2005. He continued by saying that the full Board was present and then asked Town Clerk Millious to read the Notice of Public Hearing.

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Coeymans will meet and review said Town of Coeymans Budget for January 1, 2005, and hold a Public Hearing, thereon, at the Town Hall, 18 Russell Avenue, Ravena, New York, at 7:00pm on Wednesday, November 3, 2004.

Pursuant to Section 108 of Town Law, listed below are the proposed salaries of Elected Officials.

Supervisor	(1)	\$25,000.00
Councilmen	(4)	\$32,000.00
Justice	(2)	\$30,160.00
Hgwy. Supt.	(1)	\$42,848.00
Town Clerk	(1)	\$34,279.00

A copy of the Preliminary Budget is available at the Town Clerk's Office, 15 Russell Avenue, Ravena, New York, where it may be viewed, and a copy obtained during regular business hours.

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

SUPERVISOR'S OPENING COMMENTS

Supervisor Hotaling gave an overview of the budget process and continued by explaining that during the process they were advised by Albany County that a \$231,000.00 appropriation had to be included for bridge work on Old Ravena Road and when added it would result in a tax rate increase of 14%. He added that the Town Board determined it was unacceptable so they started

to look at other areas where they could achieve savings and the Preliminary Budget as it stands is currently a tax rate increase of .99% and the rate per thousand of assessed valuation is \$4.95 which is an increase of 5 cents per thousand. He continued by stating that according to Town Law and as Budget Officer he was responsible for obtaining the Fire District's Budgets within the Town of Coeymans and they must show by funds the proposed appropriations and estimated revenues, estimated fund balances, the amount of taxes to be raised, salaries of elected officers and such other information as prescribed by the State Comptroller. He added that Coeymans Hollow Fire District proposes to raise by taxes \$185,648.00, the prior rate per thousand was \$1.27 and the new rate is \$1.33, an increase of 4.32%, which is due to the loss in assessed valuation in the amount of 6 million dollars and the Coeymans Fire District proposes to raise by taxes \$289,895.00, the prior rate per thousand was \$1.25 and the current rate projected is \$1.88, which is an increase of 50.27%.

Supervisor Hotaling continued by stating that there was a sign in sheet for those wishing to make comment and then invited the public to make comment and asked that each speaker state their name and if they belonged to an organization to state that as well.

PUBLIC COMMENT

Mr. Anthony Bosari – Stated that he was a resident of Magnolia Circle and he did not have any comment, he was there to observe.

Ms. Carol McDonald – Stated that she was a resident Stanton Road in Coeymans Hollow and questioned the EMT services being eliminated from the budget as well as the difference between the EMT vs. paramedic services and her concern as to how the cutting of the EMT would be managed.

Supervisor Hotaling stated that \$26,000.00 was removed for EMT services, however \$233,995.00 remains for paramedic services.

Councilman Conrad stated that advanced life support remains in the budget through the paramedics and the only change is the price tag

Mr. Richard Stevens – Stated that he was Staff Director for Council 82 and he was there representing the Coeymans Police Department. He continued by voicing his concern with the proposed cuts to the Police Department Budget with the cutting of two full-time police officers as well as his past concerns regarding the elimination of the detective positions and School Resource Officer.

Supervisor Hotaling stated that for purposes of clarification the School Resource Officer reduction/elimination was done in April 2004 and was never contemplated for the 2005 budget. He continued by saying that the budget does not cut the Police Department and provides 43 shifts of cars per week, which is 2 cars every shift, every day for 7 days. He added that they have redeployed police staff in a more cost effective way to provide more coverage.

Ms. Shannon Shoemaker – Stated that she was the Assistant Director for Hillcrest Drive Community Residents, which is a home for eight developmentally disabled adults. She voiced her concern with the cutting of the EMT services because six of the clients are medically frail and asked that the Town Board continue to support paid EMT's during daytime hours.

Mr. Mark Mahar – Stated that he was Captain of the Ravena Rescue Squad and voiced his concerns with the proposed cuts of the EMT services and the safety of the community and asked the possibility of it being put back in the budget.

Councilman Conrad stated that if they can come to some kind of an agreement with the Rescue Squad through the Soft Billing process to refund the \$26,000.00 out of the Soft Billing it could be put back in. He also expressed his concern about EMT's paid by the Town of Coeymans to cover calls in New Baltimore.

Mr. Mahar gave statistics regarding the number of calls and those that responded and further stated that if the paid EMT's are taken out of the budget the Rescue Squad will lose 12 EMT's and mutual aid and this will be detrimental to the community.

Councilman Conrad stated that past administrations since 1997 have tried to sit down and contract with the Ravena Rescue Squad to work out the on-going issues.

Collectively it was agreed that the Town Board and Ravena Rescue Squad should meet to work out an agreement.

Ms. Jane Noblett – Stated that she was a resident of 53 Magnolia Circle and she was there to add her support for EMT services and would like to see it put back in the budget.

Mr. Dave Hodgkinson – Stated that he was representing the Ravena-Coeymans-School District administration and their feeling is for the need to keep the EMT services in the budget because the school depends on this.

Mr. Jerry DeLuca – Stated that he was a taxpayer of the Town as well as a part-time Police Officer for the Village of Ravena and continued by questioning the expenditure for the bridge on Old Ravena Road and the possibility of paying the debt over an extended period of time.

Supervisor Hotaling stated that the Town of Coeymans is full of debt and it was their concerted effort not to achieve anymore and they will be acquiring more debt with respect to sewer upgrades in order relieve a moratorium that DEC has placed on the plant. He added that the budget also provides for a police vehicle, 1 ton dump-truck, a vehicle for the Highway Superintendent and a roller, which will be funded by tax dollars and without debt.

Councilwoman Chmielewski interjected that when the Town Board took office in January the debt for the Town was \$862,771.00.

Councilman Conrad interjected that they paid debt this year that was not appropriated for in the 2004 budget and there is also \$231,000.00 for 2005 and approximately \$85,000.00 for 2006 and this is why they decided not to bond it out over an extended period of time.

Mr. DeLuca continued by saying that he was critical of the Town Board in the Spring with the elimination of the Detective positions and School Resource Officer and that he has the same criticism now with the cutting of two full-time Officers and he believes that the quality and ability of the Police Department to serve the public will be compromised with part-time Officers filling in.

Ms. Ro Woodard – Stated that she is Vice-President of the Ravena Rescue Squad and continued by stating that the community needs to let the Town Board know that money should be put back in to keep the EMT service for three days a week. She added that the rescue squad's mission is to provide emergency services and transportation to the community.

Supervisor Hotaling stated that as previously advised; the Town Board would like to sit down with the Rescue Squad and hopefully work out an agreement. He concluded by saying that the Town Board are those appointed to take care of the tax dollars for the Town of Coeymans and when there is information that the EMT/D that is funded by the taxpayers is now being used in other areas because of a contract that Ravena Rescue has with other entities, it is a problem and tax dollars should not cross the line.

Ms. Woodard stated that she has spoken with Supervisor Louis from the Town of New Baltimore and they now realize that it is an issue between the Rescue Squad and the Town of New Baltimore to work out in order to assure that any EMT hired by the Town of Coeymans does not cross the line.

Councilman Conrad interjected that the main problem is that under Section 198 of Town Law, the Town is responsible for providing services and when the services are provided it must be by contract.

Ms. Susan Scarine – Stated that she is a resident of the Town and voiced her disagreement with cutting two full-time positions in order to use part-time officers, which would only benefit the Town financially. She added that as far as the EMT's, she is raising a grand-daughter with a life threatening illness and when she calls an ambulance during the day she expects one to be there.

Mr. Gerry McDonald – Stated that he is a resident of Stanton Road, Coeymans Hollow and he is hearing a lot of talk about statistics and the number of calls and he wanted to share with the Town Board that he was a statistic two years ago when he had a severe heart attack and it was emergency personnel that had the savvy to get him to Albany Medical Center. He added that he had a 10% chance of survival and he believes that a delay in services would be a matter of life and death.

Mr. Andrew McKenzie – Stated that he is the Executive Director of New Visions, formerly ARC and that they took over the Hillside House operations on September 1, 2004. He added that he represents approximately 50 individuals that live in the home and 20 are characterized as medically frail with special needs and voiced his concern with the cutting of the position.

Mr. Al Visconti – Stated that he is a resident of the Village and asked why the cut was originally made and what the savings would be per thousand for taxpayers. He then asked that the EMT-D be put back in the budget.

Supervisor Hotaling stated that it was part of the overall budget process and some of the reason was to encourage dialog with the Rescue Squad and the Town of Coeymans. He added that the tax increase would go from .99% to 2.24% and it is currently \$4.95 per thousand, if the \$26,000.00 was put back in it would be \$5.01 per thousand, which is an increase of .06 per thousand.

Mr. Laslo Polyak – Stated that he is a Village resident and that a number of people had spoken from Corporate Executives to citizens that have never been to a Board Meeting and he wanted to remind the Town Board that taxes are paid primarily for public safety.

Mr. Lee French – Stated that for 37 years he has been a member of the Ravena Rescue Squad and has been a NYS Instructor for 32 years and teaches for the EMT Program. He added that he does not understand the budget and asked for an explanation of lines items such as Special Recreation and the contractual obligation, band concerts and community beautification. Mr. French concluded that he wanted the Town Board to think about whether community beautification or saving lives is more important.

Supervisor Hotaling explained that Special Recreation is not a contractual obligation and it is for a Snowmobile Grant administered by the State of New York to the Mystery Lake Trail Riders for the grooming of snow mobile trails and the work that they perform on the trails is reimbursed by the State of New York. He added that the band concerts are individual contracts that are signed for Evenings on the Green and the community beautification is workers hired in the summertime to tidy up the Town Parks and plant flowers and it is a cost associated with the purchase of flowers and other shrubs.

Mr. Joe Firstiun – Stated that he is an EMT for Ravena Rescue and Assistant Chief for New Baltimore Fire Department and added that there is concern about EMT's going to New Baltimore. He continued by saying that not one time did they not respond because of where the call is and the Town of Coeymans gets a lot of benefit out of the New Baltimore EMT's. He concluded by saying that they are not picking where they are going and an EMT should be available for when the ambulance has to go.

Councilman Conrad pointed out that the Town of New Baltimore EMT's are part of the Ravena Rescue Squad and not a separate organization and he is trying to separate the Town of New Baltimore from the Town of Coeymans.

Mr. John Neri – Stated that he is a resident of Ravena and he wanted to commend the Town Board for what they have to do and since 2002 the Town Board has been in a position of spending more money than they have had to spend and now the Town Board has to make some tough decisions to cut spending. He continued by adding as previously stated they may want to reconsider bonding the money for the Old Ravena Road Bridge project and pay over time because the bridge is going to last over 100 years and a lot of taxpayers who will travel the bridge in the years to come should help pay for it. He added that they may also want to consider coming up with an agreement with the Ravena Rescue Squad to have a Town Employee be the paid EMT-D who could work be a clerical "floater" for the Town and take EMT calls when they come in. He continued by voicing his concern about two full-time individuals losing their jobs and they might want to look at some other areas of the budget or have employees start contributing toward their health insurance, which is paid 100% by the Town. He added his concern about the duplication of services between the Village and Town, in addition to the Town's Communication Center which is budgeted for over \$200,000.00 while at the same time every taxpayer is paying for a county wide dispatch, which is E911 in Voorheesville and they might want to look at the areas of duplication. He concluded by asking about the sales tax reduction of \$70,000.00 from the tentative to preliminary budget.

Supervisor Hotaling stated that the reduction of sales tax was because of the changes that occurred between the tentative and preliminary budgets and there was a shift in sales tax dollars, the largest being the DA Fund for the bridge repair and the entire \$231,000.00 was funded by sales tax distribution and the appropriation was not known at the time of the tentative budget. He continued by saying that there is 1.68 million dollars anticipated in county sales tax revenue and it is distributed among the funds, Highway, Part-Town and the DA bridge repair is funded completely and what is left over is put in the A Fund to help keep down taxes. He continued by saying that as far as the Health Benefits, the most recent contract negotiated with CSEA, effective April 2003 states that those employees hired since that date are required to contribute 10% of the cost of the health insurance benefits and pointed out that most of the employees are either in the category of union status and at the end of the contracts they will be talking about the need for the employee to start contributing a portion of health benefits. Supervisor Hotaling concluded by saying that the Town Board has contemplated the discussion about the duplication in coverage with the Communication Center and they intend to take the discussion into the next year for further discussion but it is something that can't just end at the end of a year, it would be a long range process with a significant transition period.

Mr. Pat Linger – Stated that he wanted to make some clarification that not everyone that runs on the ambulance is a member of Ravena Rescue and that there are 17 EMT's in New Baltimore, 12 are members of Ravena Rescue and there are times when the other 5 ride the ambulance when they are available and needed. He added that he does not believe that it will change whether the paid EMT is there or not and if there is someone available they will respond.

Mr. Jerry DeLuca – Stated that the Snow Mobile Grant line item indicates that there is an expenditure of \$10,000.00 and only \$5,000.00 is showing as a revenue.

Supervisor Hotaling stated that the Snow Mobile Grant process has changed and he will take a look at it.

Ms. Starr Ross – Stated that she is President of the Ravena Rescue Squad and that the issue is not a Town vs. Rescue Squad issue because there will be people in the budget of 2005 who will not receive medical care and this is the issue and it's not about the \$26,000.00. She added that the Town is using it as a levy to draw the Rescue Squad into a contract, which they have not been able to agree upon within the last 6-7 years and people's safety will be compromised. She continued by asking about the Community Beautification line item in the budget and how it affects the Highway Department.

Supervisor Hotaling explained that the Community Beautification line represents 3 people from the Highway Department being redeployed as part of a utilitarian labor force that will perform the work in areas outside the Village of Ravena. He added that this is a new program by this Town Board because they believe that the Town needs a utilitarian labor force outside of the Highway Department to perform duties not totally related to highway and they can better perform work in the Hamlet by building sidewalks, doing park maintenance and Grove Cemetery maintenance.

Mr. Lee French – Stated that he understands that the State has taken away money from the Court System for traffic fines and asked if it might be possible if they fund an EMT Program by having a fee of \$5.00 for every fine to get money back in the Court System.

Supervisor Hotaling explained that Towns had imposed a fee for traffic fines to create revenue but the Legislature decided that they can't do that because the fines are related directly to what the original charge was and it will go to the jurisdiction under the statute where the original charge was made, which is the State of New York and all fine money goes to the State of New York. He then explained how the loss of this revenue affects the budget and the significant impact that it will have. He added that the State had said that for a one year period a Town can create a Local Law to impose a surcharge of \$25.00 for any traffic fine and they decided to place the surcharge for only a one year period would not be the right thing to do and they are hopeful that the Legislature will change this and the money will go back to the Towns, in doing so this will be unanticipated revenue and a windfall for the Town.

Supervisor Hotaling asked if there was any further comment, he continued by thanking everyone for attending the Public Hearing and sharing their thoughts. He added that the Town Board is now obligated to establish a Workshop to consider the comments and suggested Friday, November 5, 2004 at 7:00pm. He then asked for a motion to set the meeting.

MOTION

On motion of Councilman Stanton, seconded by Councilman Conrad, establishing a Workshop for the purpose of reviewing comments relative to the Preliminary Budget on Friday, November 5, 2004 at 7:00pm.

VOTE – AYES 5 – NAYS 0 – SO MOVED

Supervisor Hotaling asked that Town Clerk Millious post proper Notice for the Special Workshop and added that statutorily it is required that the Budget is passed by November 20, 2004 and it is his hope that the Budget will be set up for review in its final stage for November 8, 2004.

Supervisor Hotaling asked if there was any other business before the Board and then asked for a motion to adjourn the Public Hearing.

ADJOURNMENT

MOTION

On motion of Councilman Stanton, seconded by Councilwoman Chmielewski, the Public Hearing was adjourned. Time 9:10pm
VOTE – AYES 5 – NAYS 0 – SO MOVED

Respectfully Submitted,

APPROVED:

Diane L. Millious, Town Clerk

A Workshop Meeting was held Monday, November 1, 2004, at 6:00 PM at Town Hall, 18 Russell Avenue, Ravena, New York

PRESENT: Ronald K. Hotaling, Jr., Supervisor
Dawn Rogers, Councilwoman
Nita J. Chmielewski, Councilwoman
Laverne Conrad, Councilman

ABSENT: Frank D. Stanton, Councilman

The following Notice appeared in the Ravena News Herald and was posted at various locations:

**NOTICE
ADDITIONAL TOWN BOARD
WORKSHOP MEETINGS**

In compliance with Public Officer's Law, this will inform you that the Town Board of the Town of Coeymans has scheduled additional Monday Workshop Meetings as follows:

September 20, 2004
October 4, 2004
October 18, 2004
November 1, 2004
November 15, 2004
November 29, 2004

The meetings will be held to discuss Town business. The meetings will be held 6:00pm at Town Hall, 18 Russell Avenue, Ravena, NY.

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

AGENDA

Delta Dental – Presentation

Mr. Dennis Battle gave a presentation regarding dental coverage for the Police Department and discussed the benefit of “self insurance” and then offered a variety of options.

Officer Darlington did not attend as anticipated; Sergeant Washington was invited to attend but did not show.

ADJOURNMENT

On motion of Councilwoman Rogers, seconded by Councilwoman Chmielewski, the Workshop was adjourned. Time 6:45pm
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Stanton)

Respectfully Submitted,

APPROVED:

Diane L. Millious, Town Clerk

A Special Workshop Meeting was held Thursday, October 26, 2004 at 6:00pm at Town Hall, 18 Russell Avenue, Ravena, New York

PRESENT: Ronald K. Hotaling Jr., Supervisor
Frank D. Stanton, Councilman
Dawn Rogers, Councilwoman
Nita J. Chmielewski, Councilwoman
Larry Conrad, Councilman

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

The following Notice was posted at various locations:

NOTICE

**ADDITIONAL
TOWN BOARD WORKSHOP
MEETINGS**

In compliance with Public Officer's Law, this will inform you that the Town Board of the Town of Coeymans has scheduled additional Tuesday Workshop Meetings as follows:

October 05, 2004
October 26, 2004

The meetings will be held to discuss Town business. The meetings will be held 6:00pm at Town Hall, 18 Russell Avenue, Ravena, NY.

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

Supervisor Hotaling announced that the start time of 7:00pm made at the Town Board Meeting on 10-25-04 was made in error. He added that the Town Board was present in Town Hall at 6:00pm but the meeting did not commence until 7:00pm to accommodate any member of the public interested in the Board's discussion.

AGENDA

Finalization of 2005 Budget

ADJOURNMENT

On motion of Councilwoman Chmielewski, seconded by Councilman Stanton, the Special Town Board Workshop was adjourned.

Time 8:30pm

VOTE – AYES 5 – NAYS 0 – SO MOVED

Respectfully Submitted,

APPROVED:

Diane L. Millious, Town Clerk

A Regular Town Board Meeting was held Monday, October 25, 2004 at 7:00pm at Town Hall, 18 Russell Avenue, Ravena, New York

PRESENT: Ronald K. Hotaling Jr., Supervisor
Frank D. Stanton, Councilman
Dawn Rogers, Councilwoman
Nita J. Chmielewski, Councilwoman
Larry Conrad, Councilman

ALSO PRESENT: Diane L. Millious, Town Clerk
Albert Deering, Hgwy. Superintendent
Joseph Rotello, Town Attorney

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

OVERVIEW OF AGENDA

Supervisor Hotaling stated that for the record there was a full Town Board and continued by giving an overview of the agenda.

- • Public Comment Period
- • Public Announcements
- • Public Notification
- • Approval of Minutes of Meetings
 - Special Town Board Meeting – October 4, 2004
 - Special Town Board Workshop – October 4, 2004
 - Special Town Board Workshop – October 5, 2004
 - Special Town Board Workshop – October 7, 2004
 - Special Town Board Meeting – October 11, 2004
 - Special Town Board Workshop – October 12, 2004
 - Town Board Meeting – October 12, 2004
 - Town Board Workshop – October 18, 2004
 - Town Board Workshop – October 19, 2004
- • Supervisor's Report – September 2004
- • Department Report Review
 - Police Department – September 2004
- • Old Business Update and Discussion
- • New Business Discussion and/or Action
 - Mystery Lake Trail Riders
- • Resolutions
 - Appointment of Sole Assessor
 - Approval of December 2003 Abstract

- • Approval of October 2004 Abstract
- • Correspondence
David Manthey
- • Town Board Meetings/Workshops/Hearings
October 26, 2004, 7p.m. – Finalization of 2005 Preliminary Budget
November 1, 2004, 6 p.m. – Presentation by Delta Dental of New
York
November 3, 2004, 7:00 p.m. – Hearing on Preliminary Budget

PUBLIC COMMENT

Supervisor Hotaling invited the public to comment at this time.

Audio and video available for specifics.

Ms. Ro Woodard, Vice President of the Board of Directors of the Ravena Rescue Squad - Voiced her concern with the omission of \$26,000.00 for funding the EMT Program.

Discussion ensued between Ms. Woodard and Town Board members.

Discussion ensued between Town Board members and Ms. Starr Ross regarding the Agreement between Albany County and the Town of Coeymans.

Councilman Conrad voiced his feelings on the establishment of formation of a Tax District for the Rescue Squad and the possibility of dialog with the Rescue Squad.

Supervisor Hotaling stated that the finalization of the Preliminary Budget will be October 26, 2004 and then turned over to the Town Clerk for availability to the public and then public comment can be heard at the Public Hearing on November 3, 2004.

Mr. Rod Reiner, Captain of the Bethlehem Ambulance Service – Voiced his concern with the shortage of daytime volunteers for the Rescue Squad and his support of the EMT Program.

Mr. Ed Domanico – Voiced his support for the EMT Program.

Ms. Starr Ross – Commented on the benefits of a Tax District and added that it would be a lengthy process and asked that the EMT Program be kept in the budget for 2005. She then presented the Town Board the 3rd quarter check for the ALS Billing in the amount of \$5,543.00.

Supervisor Hotaling asked if there was any additional comment, hearing none he moved to Public Announcements.

PUBLIC ANNOUNCEMENTS

Supervisor Hotaling stated that there were two public announcements.

Extended Hours for Absentee Ballots

Albany County Board of Elections is announcing that they are extending their hours for distribution of Absentee Ballots on Tuesday, October 26, 2004 from 8:30am to 8:00pm and Saturday, October 30, 2004 from 9:00am to 1:00pm and those visiting should use the Lodge Street Entrance. Those wishing absentee ballots mailed to them must have the application for the ballots to the Board by October 26, 2004, either by mail or person and it must be postmarked by October 26, 2004 and applications may be filled out and absentee ballots picked up in the Election Board Office up to the day before the November 2nd General Election and those mailed must be postmarked not later than November 1st.

2004 Holiday Season Referrals

Supervisor Hotaling announced that he received from Joseph Mastrianni's Office Holiday Season Referrals. He continued by reading the following:

Thanksgiving – Call Equinox at (518) 434-0131 or 434-6135 for information about dinners and take out or delivered meals.

Holiday Food Basket – Albany area food pantries will offer food baskets to participants in their service areas. Individuals or families may go to only one pantry. Participants should call Food Pantries for the Capital District at (518) 458-1167 for information about which pantry will assist them.

Thanksgiving Turkeys (and trimmings while they last) – Call the Salvation Army at (518) 463-6678 for details.

Christmas – Call Salvation Army at (518) 463-6678, or call the City Mission at (518) 462-0459. Amounts of food and gifts will depend on the donations the agencies receive from the public.

Holiday "Adopt A Family and Food Baskets – For income qualified residents of rural Albany Count, call Hilltowns Community Resource Center at (518) 797-5256. Amounts of food and gifts will depend on the donations the agencies receive from the public.

Coats for Kids – Albany County Opportunity Incorporated (ACOI) – Call (518) 463-3175.

C.H.O.I.C.E.S. – Located in Ravena at the Faith Plaza, Route 9W, will have Toys for Tots and Coats for Kids. Call (518) 756-8650 for information.

A.W. Becker Elementary School, Ravena-Coeymans-Selkirk School District – If your child attends this school, call the school, (518) 756-5200 directly for assistance. If a family is chosen, assistance consists of a coat and a gift per child.

Pieter B. Coeymans Elementary School, Ravena-Coeymans-Selkirk School District – If your child attends this school, call the school (518) 756-5200 directly for assistance. There is an “Adopt A Family” Program.

Bethlehem Central School District Elementary Schools – If your child attends Hamagreal Elementary School (518) 439-4905; Slingerlands Elementary School (518) 439-7681; Elsmere Elementary School (518) 439-4996 – Call the schools directly and ask for the nurse’s office. All holiday assistance programs run through the nurse’s offices.

Bethlehem Central School District Middle and High Schools – If your child attends either of these schools call Pat Fritts (518) 439-4154, for information about the “Adopt A Family” Program.

Boys and Girls Club of Albany (518) 462-5528 – The Club has a Christmas party and gifts for its members. Call for membership information.

Supervisor Hotaling stated that there are some additional surrounding school districts and the entire announcement will be posted in Town Hall for details.

APPROVAL OF MINUTES

Special Town Board Meeting – October 4, 2004
Special Town Board Workshop – October 4, 2004
Special Town Board Workshop – October 5, 2004
Special Town Board Workshop – October 7, 2004
Special Town Board Meeting – October 11, 2004
Special Town Board Workshop – October 12, 2004
Town Board Meeting – October 12, 2004
Town Board Workshop – October 18, 2004
Town Board Workshop – October 19, 2004

MOTION

On motion of Councilman Stanton, seconded by Councilwoman Chmielewski the minutes were approved.

VOTE – AYES 5 – NAYS 0 – SO MOVED

SUPERVISOR'S REPORT – September 2004

FUND	BAL. FWD.	RECEIPTS	DISBURSE.	BALANCE
GENERAL	\$271,402.37	\$ 67,501.77	\$(290,262.44)	\$ 48,641.70
FEMA	\$ 43,785.33	\$ 29.42	-0-	\$ 43,814.75
PART-TOWN	\$171,965.86	\$ 1,815.50	\$(13,042.05)	\$160,739.31
SPEC. WATER	\$ 37,628.83	\$ 20,919.93	-0-	\$ 58,548.76
T & A	\$ 561.91	-0-	-0-	\$ 561.91
HIGHWAY	\$334,910.87	\$ 1,079.84	\$ 75,117.99	\$260,872.82
SEWER	\$116,974.93	\$ 23,942.44	\$(35,353.19)	\$105,564.18
			TOTAL	\$678,743.43

CERTIFICATE OF DEPOSIT

GENERAL \$650,000.00
5,695.69
SEWER \$200,000.00
\$52,841.09
HIGHWAY \$150,000.00
7,340.04

SAVINGS ACCOUNTS

UNEMPLOYMENT \$
GROVE CEMETERY
SEWER DEDICATED \$
TOTAL \$65,876.82

SECTION 8-HUD

OCCUPIED UNITS 81
HUD PAYMENTS \$36,069.35
ADMIN. FEE \$ 201.35
TOTAL HUD PMT \$34,868.00
TENANT RENT \$19,575.00
CONTRACT RENT \$52,286.00

COLLATERAL COVERAGAE

NBC

FDIC

\$100,000.00

COLLATERLAIZED

\$2,183,827.85

MOTION

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

Supervisor Hotaling stated that he had received a report from the HUD administrator for the Family Self-Sufficiency Program and the latest figures are for October 2004 where there are 25 family participants with a total of 17 escrow accounts and 2 have ended participation in the program. He added that it is a program that encourages self-sufficiency and an escrow is established and from the account there is the ability for the client to take from the account for family needs.

DEPARTMENT REPORT REVIEW

Police Department – September 2004

Supervisor Hotaling stated that Chief Giroux was not present and continued by giving an overview as follows: there were 852 calls for service of which 246 were emergency, there were 606 non-emergency calls, 89 cases were developed, 10 are open, 79 are closed and there were a total of 22 arrests and 155 traffic tickets issued. He added that a full-time Village Police Officer will be appointed at the November 16, 2004 Village Board Meeting.

Supervisor Hotaling stated that in the Chief's absence he would announce that this time each year a Car-Deer Collision Warning is given to members of the public and continued to read the following:

Police would like to remind all motorists that "Car-Deer Collision Season" is once again here. During this time of year the instances of car/deer collisions dramatically increase. An average of 50,000 deer are struck by automobiles on New York State highways each year; the majority of them are between late October and December. This time of year is when deer are "in rut" and tend to be on or near the highway when they normally wouldn't be, especially during morning and evening drive time hours. Drivers should slow down in areas where there are deer crossing signs. Watch the sides of the roads; where there is one deer, others are usually around. If you see a deer, slow down, keep control of your car and stay calm. Should you strike a deer, do not approach it; an injured deer's antlers and sharp hoofs can cause you serious injury. Pull to the side of the road and call Police.

OLD BUSINESS

Supervisor Hotaling stated that there is none to report at this time and asked if any members of the Board wanted to bring up, hearing none he moved to New Business.

NEW BUSINESS

Mystery Lake Trail Riders

Supervisor Hotaling stated that he would be presenting a second grant payment based upon a grant that was put together several years ago for the Mystery Lake Trail Riders through the Department of Environmental Conservation and because of the good trail grooming and continued maintenance of the trails and development of new trails the club will continue to receive funding. He added that on behalf of the Town of Coeymans he was presenting a check in the amount of \$2,059.44 to Mr. Stanton, the President of the club.

Councilman Stanton stated that he in turn wished to present it to the club's grant writer, Mr. Bob Williams and asked that he tell of some of the work that they do.

Mr. Williams thanked Councilman Stanton and stated that they are a volunteer Snow Mobile Club funded by New York State and they groom and maintain trails in the Town of Coeymans and the money goes toward this endeavor. (Audio and video available for specifics)

Discussion ensued regarding developing the grant for next year because it has changed.

Supervisor Hotaling asked if there were any additional New Business agenda items, hearing none he moved to resolutions.

RESOLUTIONS

RES. # 117-04 APPOINT SOLE ASSESSOR

On motion of Councilman Stanton, seconded by Councilman Conrad, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – SO MOVED

WHEREAS, the Town of Coeymans has been without the services of an Assessor since August 2004, and

WHEREAS, applications were sought, resulting in the receipt from several candidates, and

WHEREAS, interviews have been held for candidates at an October 2004 Town Board Workshop, complemented by recommendation from the Board of Assessment Review,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans hereby appoints Laura VanValkenburg as Sole Assessor for the Town of Coeymans at an annual salary of \$23,000.00, effective November 1, 2004. Ms. VanValkenburg will fill the unexpired term of Ms. Tina Dimitriadis with an expiration date of September 30, 2007.

Supervisor Hotaling welcomed Ms. VanValkenburg and invited her to introduce herself to the public.

Ms. VanValkenburg thanked the Town Board for the appointment and stated that she welcomes the opportunity to meet and talk with taxpayers and looks forward to getting started.

RES. #118-04 APPROVE DECEMBER 2003 ABSTRACT

On motion of Councilwoman Chmielewski, seconded by Councilman Stanton, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – SO MOVED

ABSTRACT	VOUCHER #	AMOUNT
PART-TOWN (B)		
Part-Town	1953	\$ 2,500.00
	General Total	\$ 2,500.00

RES. #119-04 APPROVE OCTOBER 2004 ABSTRACT

On motion of Councilman Conrad, seconded by Councilwoman Chmielewski, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – SO MOVED

ABSTRACT	VOUCHER #	AMOUNT
GENERAL (A)		
Pre-Pay	1878-1898	\$143,397.26
General	1954-2006	\$ 88,998.37
	General Total	\$232,395.63

PART-TOWN (B)		
Pre-Pay	1899-1911	\$ 9,239.63
Part-Town	2007-2016	\$ 4,208.83
	Part Town Total	\$ 13,448.46
HIGHWAY (D)		
Pre-Pay	1912-1925	\$ 59,414.56
Highway	2017-2044	\$ 46,947.68
	Highway Total	\$106,362.24
SEWER (SS)		
Pre-Pay Sewer	1926-1941	\$ 61,837.30
Sewer	2045-2066	\$ 22,545.36
	Sewer Total	\$ 84,382.66
GROVE CEMETARY(TE)		
Pre-Pay	1942	\$ 51.88
Grove	2067-2068	\$ 590.00
	Grove Total	\$ 641.88
CAPITAL PROJ. (CAP)		
Pre-Pay		
Capital Projects	2069	\$ 1,307.69
	Capital Proj. Total	\$ 1,307.69
	TOTAL FOR ALL FUNDS	\$438,538.56
TRUST & AGCY. (TA)		
Pre-Pay	1943-1952	\$181,783.23
	Trust & Agcy. Total	\$181,783.23

ESTABLISHMENT OF PUBLIC HEARING – PRELIMINARY BUDGET

Supervisor Hotaling stated that he would like the Town Board to consider the establishment of a Public Hearing with respect to the Preliminary Budget. He added that the Preliminary Budget needs to be advertised in order to comply with the statutory five day framework for the Public Hearing and he wanted authority to ask that Town Clerk Millious give the Notice of Public Hearing on Wednesday, November 3, 2004 at 7:00pm. He then asked for a motion.

MOTION

On motion of Councilman Stanton, seconded by Councilwoman Chmielewski, authorizing Town Clerk Millious to advertise and post the Notice of Public Hearing.

VOTE – AYES 4 – NAYS 0 – SO MOVED

ADDITIONAL BUSINESS

Supervisor Hotaling asked if there were any other resolutions or motions before the Town Board at this time.

Councilman Conrad stated that he wished to make a motion to authorize the Supervisor to engage in contract for administrative purposes the services of Tabner, Ryan and Kinery for work dealing with the administrative parts of the Town's districts.

MOTION

On motion of Councilman Conrad, seconded by Councilman Conrad, authorizing the Supervisor to engage in a contract for administrative services on the Town of Coeymans districts with Tabner, Ryan and Kinery.

VOTE – AYES 4 – NAYS 0 – SO MOVED

CORRESPONDENCE

David Manthey – Bateau DeSager

Supervisor Hotaling stated that he received a thank-you note from Mr. David Manthey, the captain of the Bateau DeSager that participated in the reenactment of the burning of Kingston and docked at Coeymans Landing overnight during the voyage to Kingston. He added that the note thanked the Town of Coeymans for permission to camp at the Landing and that the people were very friendly which made for a very pleasant experience.

TOWN BOARD MEETINGS/WORKSHOPS/HEARINGS

Budget October 26, 2004, 7:00pm – Finalization of 2005 Preliminary
November 1, 2004, 6:00pm – Presentation by Delta Dental of NY
November 3, 2004, 7:00pm – Public Hearing, Preliminary Budget

ADJOURNMENT

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

MOTION

On motion of Councilman Stanton, seconded by Councilwoman Rogers, the Town Board meeting was adjourned.
VOTE – AYES 4 – NAYS 0 – SO MOVED

Respectfully submitted,

APPROVED:

*Diane L. Millious
Town Clerk*

**A Workshop Meeting was held Monday, October 19, 2004 at 7:00pm at
Town Hall, 18 Russell Avenue, Ravena, New York**

PRESENT: Ronald K. Hotaling Jr., Supervisor
Frank D. Stanton, Councilman
Nita J. Chmielewski, Councilwoman
Larry Conrad, Councilman

ABSENT: Dawn Rogers

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

AGENDA

Finalization of Tentative Budget

Budget discussion ensued.

ADJOURNMENT

On motion of Councilman Conrad, seconded by Councilman Stanton, the
Workshop Meeting was adjourned at 11:00pm.

VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Rogers)

Respectfully Submitted,

APPROVED:

Diane L. Millious, Town Clerk

**A Workshop Meeting was held Monday, October 18, 2004 at 6:00pm at
Town Hall, 18 Russell Avenue, Ravena, New York**

PRESENT: Ronald K. Hotaling Jr., Supervisor
Frank D. Stanton
Dawn Rogers, Councilwoman
Nita J. Chmielewski, Councilwoman (arrived 9:45pm)
Larry Conrad, Councilman

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

The following Notice of Additional Workshop Meetings was posted in various locations.

**NOTICE ADDITIONAL
TOWN BOARD WORKSHOP
MEETINGS**

In compliance with Public Officer's Law, this will inform you that the Town Board of the Town of Coeymans has scheduled additional Monday Workshop Meetings as follows:

September 20, 2004
October 4, 2004
October 18, 2004
November 1, 2004
November 15, 2004
November 29, 2004

The meetings will be held to discuss Town Business. The meetings will be held 6:00pm at Town Hall, 18 Russell Avenue, NY.

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

EXECUTIVE SESSION – 6:00-6:30pm

Selected Assessor Interview

BUDGET DISCUSSION

Waste Water Treatment Plant

Budget discussion ensued with Chief Operator Breedlove

Justice Department

Discussion ensued with Judge Dardani and Judge Lisa.

ADJOURNMENT

The Workshop was adjourned at 1:00am.

Respectfully submitted,

APPROVED:

Diane L. Millious, Town Clerk

A Special Workshop Meeting was held Tuesday, October 12, 2004 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
Larry Conrad, Councilman

ABSENT: Frank D. Stanton, Councilman

ALSO PRESENT: Diane L. Millious, Town Clerk

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

The following Notice was posted at various locations:

NOTICE

TOWN OF COEYMANS SPECIAL WORKSHOP BUDGET MEETINGS

Please take notice that the Town Board of the Town of Coeymans has scheduled Special Budget Workshop Meetings for the following dates:

10-07-04 at 4:00pm
10-09-04 at 1:00pm
10-11-04 at 9:00am
10-12-04 at 6:00pm
10-18-04 at 6:00pm

The meetings will be held at Town Hall, 18 Russell Avenue, Ravena, NY.

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

BUDGET DISCUSSION

Town Clerk

Budget discussion ensued with Town Clerk Millious

ADJOURNMENT

The Special Town Board Budget Workshop was adjourned at 6:30pm.

Respectfully submitted,

APPROVED:

Diane L. Millious, Town Clerk

A Regular Town Board Meeting was held Tuesday, October 12, 2004 at 7:00pm at Town Hall, 18 Russell Avenue, Ravena, New York

PRESENT: Ronald K. Hotaling Jr., Supervisor
Dawn Rogers, Councilwoman
Nita J. Chmielewski, Councilwoman
Larry Conrad, Councilman

ABSENT: Frank D. Stanton, Councilman

ALSO PRESENT: Diane L. Millious, Town Clerk
Scott Giroux, Chief of Police
Joseph Rotello, Town Attorney

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

OVERVIEW OF AGENDA

Supervisor Hotaling stated that Councilman Stanton was absent and the record should reflect as such.

- . Public Comment Period
- . Public Announcements
- . Approval of Minutes
 - Special Town Board Meeting – August 24, 2004
 - Town Board Workshop – September 13, 2004
 - Town Board Workshop – September 20, 2004
 - Town Board Workshop – September 21, 2004
 - Town Board Meeting – September 27, 2004
- . Supervisor's Report – August 2004
- . Department Report Review
 - Town Clerk Monthly – September 2004
 - Building Department Monthly – September 2004
- . Old Business Update and Discussion
- . New Business Discussion and/or Action
- . Resolutions
 - Local Government Records Management Grant
 - Hamlet Traffic Controls
- . Correspondence
- . Town Board Workshops
 - October 18, 2004, 6:00pm
 - October 19, 2004, 7:00pm

PUBLIC COMMENT

Supervisor Hotaling invited the public to comment at this time.

Ms. Susan Peters – introduced herself as the founder and CEO of Cherokee Ridge Animal Rescue and a resident of 78 South Jarvis Road. She continued by saying that she understood that she was under “fire” by some of her neighbors and she is there along with some volunteers to explain what they do at the Rescue and to straighten a few things out.
(audio and video available for specifics)

Dialog was exchanged between Town Board members and Ms. Peters. (audio and video available for specifics)
Several volunteers of the Rescue voiced their support, Brian Debule, Joe Wilsey, Eunice Wilsey, Vicki Drobner, Thomas Barns, Lynn Carlson (audio and video available for specifics)

PUBLIC ANNOUNCEMENTS

Supervisor Hotaling stated that he wanted to thanks those involved with the placement of the flag pole at Town Hall. He continued by thanking Mr. Don Dzekciorius for donating the pole, LaFarge for donating the ball on top, Ralph Biance, Highway Superintendent Deering and his staff for the installation.

Supervisor Hotaling stated that on October 13, 2004 a replica of a 1790 bateau, the DeSaber, owned and crewed by the Schenectady County Historical Society will be docked at Coeymans Landing as part of their voyage to Kingston to participate in the reenactment of the Burning of Kingston on the 227th anniversary of that event. He added that they will be camping at Coeymans Landing and have invited anyone that would like to stop in to do so.

APPROVAL OF MINUTES

Special Town Board Meeting	- August 24, 2004
Town Board Workshop	- September 13, 2004
Town Board Workshop	- September 20, 2004
Town Board Workshop	- September 21, 2004
Town Board Meeting	- September 27, 2004

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Conrad the minutes above were approved.

VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Stanton)

On motion of Councilman Conrad, seconded by Councilwoman Rogers the minutes for the September 27, 2004 Town Board Meeting was approved.

VOTE – AYES 3 – NAYS 0 – ABSTAIN 1 - ABSENT 1 (Stanton)

Councilwoman Chmielewski was absent for the meeting and abstained from the vote to approve the minutes.

SUPERVISOR'S REPORT – August 2004

FUND	BAL. FWD.	RECEIPTS	DISBURSE.	BALANCE
GENERAL	\$364,024.82	\$ 43,312.21	\$(135,934.66)	\$271,402.37
FEMA	\$ 43,699.97	\$ 85.36	-0-	\$ 43,785.33
PART-TOWN	\$ 29,852.33	\$151,446.24	\$(9,332.71)	\$171,965.86
SPEC. WATER	\$ 37,395.37	\$ 233.46	-0-	\$ 37,628.83
T & A	\$ 561.91	-0-	-0-	\$ 561.91
HIGHWAY	\$ 79,683.27	\$292,548.81	\$(37,321.21)	\$334,910.87
SEWER	\$ 93,592.80	\$ 50,507.97	\$(27,125.84)	\$116,974.93
			TOTAL	\$977,230.10

CERTIFICATE OF DEPOSIT

GENERAL \$650,000.00
5,691.48
SEWER \$200,000.00
\$52,934.26
HIGHWAY \$150,000.00
7,334.61

SAVINGS ACCOUNTS

UNEMPLOYMENT \$
GROVE CEMETERY
SEWER DEDICATED \$
TOTAL \$65,960.35

SECTION 8-HUD

OCCUPIED UNITS 81

HUD PAYMENTS \$36,342.00

ADMIN. FEE \$ 201.35

COLLATERAL COVERAGAE

NBC

FDIC

\$100,000.00

COLLATERLAIZED

\$2,209,770.82

TOTAL HUD PMT \$36,543.35
TENANT RENT \$19,660.00
CONTRACT RENT \$53,788.00

MOTION

On motion of Councilman Conrad, seconded by Councilwoman Chmielewski, the Supervisor's Report for August 2004 was accepted as read.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Stanton)

DEPARTMENT REPORT REVIEW

Town Clerks Monthly Report – September 2004

Building Department Monthly Report – September 2004

Supervisor Hotaling stated that with the Town Boards permission he would waive the reading of the reports and they will be available to the public.

Supervisor Hotaling asked Town Clerk Millious if she had anything to report.

Town Clerk Millious reported Sportsmen License sales for the month were almost \$8,000.00 and out of that amount the Town makes \$424.67. She added that there will be another pick on November 1st for areas left over for the Deer Management Permits.

MOTION

On motion of Councilwoman Rogers, seconded by Councilwoman Chmielewski, the Building Department Report and Town Clerk's Report for September 2004 were accepted as presented.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Stanton)

OLD BUSINESS

Supervisor Hotaling stated that there were no items listed on the agenda under Old Business and asked if there were any topics that a Board Member wanted to raise.

Councilman Conrad inquired about the lights by Pieter B. Coeymans as to whether or not it needed to be turned on, left off or fixed.

Supervisor Hotaling stated that he would follow up with the schools Superintendent Ms. Vicki Wright or if it was the Board's pleasure they could have it turned off.

Councilman Conrad pointed out that it has not been used in years and is costing the Town \$14.00 a month.

Supervisor Hotaling stated that Ms. Wright has not indicated a need for the flashing light on Church Street and asked for a motion to contact Central Hudson and have the meter disconnected.

MOTION

On motion of Councilman Conrad, seconded by Councilwoman Chmielewski, authorizing Supervisor Hotaling to contact Central Hudson to have the meter disconnected.

VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Stanton)

Supervisor Hotaling asked if there was any additional Old Business, hearing none he moved to New Business.

NEW BUSINESS

Supervisor Hotaling stated that there is no New Business to report and his time has been devoted to the Tentative Budget and meeting with the Board and Department Heads.

He then asked if there was any other New Business, hearing non he moved to the next agenda item.

RESOLUTIONS

Supervisor Hotaling stated that the first resolution for consideration was requested by the Town Clerk relative to a Local Government Records Management Grant.

RES. #115-04 AUTHORIZE CONTRACT WITH JETTNER & SICKLER FOR GRANT WRITING

On motion of Councilwoman Chmielewski, seconded by Councilman Conrad, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Stanton)

WHEREAS, the Town of Coeymans has designated space for record retention and this environment is not fire proof nor temperature and humidity controlled and the shelving is unsuitable and incomplete for record holdings, and

WHEREAS, there is no timely retention and disposition of record holdings and no Record Retention Program in place, and

WHEREAS, the Town Clerk, duly appointed as the Records Management Officer (RMO) seeks to mitigate these circumstances through a Local Government Records Management Improvement Fund (LGRMIF) grant application for the 2004-2005 grant application cycle, with a deadline date of December 1, 2004, and

WHEREAS, funds would be requested for; labor and material to remove wood shelving, installation of fire proof sheetrock, purchase and installation of proper lighting and dehumidifier, purchasing proper 18 gauge steel shelving (approved by State Archives), hiring a consultant to create a needs assessment, hiring a temporary clerk; to be trained by the consultants to conduct an inventory using the New York State Retention Schedule and to use the State Archives Inventory Sheets, and purchase access data base for the temporary clerk to do data entry, and

WHEREAS, the above funds would be granted June 30, 2005 and the program would be conducted, installed and created by June 30, 2006, and

WHEREAS, the Town Clerk/RMO, with limited time and labor resources for the research and writing process for this grant would like to retain the services of Records Management Consultants, Jettner and Sickler and upon the Town Clerk's request have submitted a quote for \$1,200.00, and

WHEREAS, the aforementioned consultants have an excellent track record for funding results and have submitted their client list and resumes, and

WHEREAS, the Town Clerk is requesting authority to contract Jettner and Sickler to write the 2004-2005 grant application to the New York State Archives on behalf of the Town of Coeymans,

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk is granted the authority to contract Jettner and Sickler in the amount of \$1,200.00 for the purpose of grant writing for the Town of Coeymans for the 2004-2005 grant application cycle to New York State Archives.

Discussion – Supervisor Hotaling asked if there was any discussion or if Town Clerk Millious had any comments.

Town Clerk Millious stated that it is a good thing and there is a great need for the records room and there is money available for grants. She added that Jettner and Sickler have been very successful in obtaining grants for other municipalities.

Supervisor Hotaling interjected that based on the Town's circumstances and needs and the fact that the Town has not had any grants awarded in a ten year period; the chances for a grant and the amount are favorable.

Supervisor Hotaling stated that at the last meeting the Town Board implemented the Parking Plan presented by Chief Giroux and along with that were stop sign placement suggestions and following consultation with Town Attorney Rotello it was suggested that this be separated out in terms of a resolution that would comply and be specific with the placement.

Town Attorney Rotello interjected that there is also an Order to do so.

RES. #116-04 AUTHORIZE THE ERECTION OF STOP SIGNS

On motion of Councilman Conrad, seconded by Councilwoman Rogers, the following resolution was APPROVED –) VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Stanton

WHEREAS, the Chief of Police has done a study of the Hamlet of Coeymans in relation to parking and traffic controls, and

WHEREAS, the Town Board of the Town of Coeymans has implemented the Parking Plan, and

WHEREAS, all of the roads affected by the Plan are town roads which intersect only with other town roads,

NOW, THEREFORE, BE IT RESOLVED, that the Chief of Police and Superintendent of Highways coordinate their efforts to ensure that stop signs are erected in accordance with New York State Department of Transportation regulations at the following intersections as described in Schedule A. (attached)

Schedule A
Hamlet Stop Sign Locations

Location	At Intersection With	Side of Intersection	Direction of Traffic
Blaisdell Avenue	Westerlo Street	SE	N
Colvin Avenue	Westerlo Street	SE	N
Civill Avenue	Westerlo Street	SE	N
Civill Avenue	Frangella Drive	NW	S

Civill Avenue	Frangella Drive	SE	N
Einie Drive	Frangella Drive	NW	S
Einie Drive	Blaisdell Avenue	SW	E
Fifth Street	Westerlo Street	NW	S
First Street	Westerlo Street	SE	N
Frangella Drive	Blaisdell Avenue	SW	E
James Drive	Blaisdell Avenue	NE	W
New Street	Westerlo Street	NW	S
Second Street	Westerlo Street	SE	N

CORRESPONDENCE

Supervisor Hotaling stated that there were none to report at this time.

TOWN BOARD WORKSHOPS

October 18, 2004, 6:00pm – Budget Workshop Meeting
October 19, 2004, 7:00pm – Workshop Meeting
October 25, 2004, 7:00pm – Regular Town Board Meeting

Supervisor Hotaling stated that he would like to be able to make some decisions relative to the Preliminary Budget at the October 19th Workshop and it is his plan to advertise for a suggested Public Hearing date on October 27, 2004 at 6:00pm.

ADJOURNMENT

Supervisor Hotaling asked for a motion to adjourn the meeting.

MOTION

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

Time 8:07pm

VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Stanton)

Respectfully submitted,

APPROVED:

Diane L. Millious
Town Clerk

**A Special Workshop Meeting was held Monday, October 11, 2004 at 9:00am
at Town Hall, 18 Russell Avenue, Ravena, New York**

PRESENT: Ronald K. Hotaling Jr., Supervisor
Frank D. Stanton, Councilman
Dawn Rogers, Councilwoman
Nita J. Chmielewski, Councilwoman
Larry Conrad, Councilman

ALSO PRESENT: Scott Giroux, Chief of Police

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

The following Notice was posted at various locations:

NOTICE

TOWN OF COEYMANS SPECIAL WORKSHOP BUDGET MEETINGS

Please take notice that the Town Board of the Town of Coeymans has scheduled Special Budget Workshop Meetings for the following dates:

10-07-04 at 4:00pm
10-09-04 at 1:00pm
10-11-04 at 9:00am
10-12-04 at 6:00pm
10-18-04 at 6:00pm

The meetings will be held at Town Hall, 18 Russell Avenue, Ravena, NY.

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

BUDGET DISCUSSION

Police Department & Communications

Budget discussion ensued with Chief of Police Giroux.

ADJOURNMENT

The Special Town Board Budget Workshop was adjourned at 1:30pm.

Respectfully submitted,

APPROVED:

Diane L. Millious, Town Clerk

**A Special Workshop Meeting was held Thursday, October 7, 2004 at 4:00pm
at Town Hall, 18 Russell Avenue, Ravena, New York**

PRESENT: Ronald K. Hotaling Jr., Supervisor
Frank D. Stanton, Councilman
Dawn Rogers, Councilwoman
Nita J. Chmielewski, Councilwoman
Larry Conrad, Councilman

ALSO PRESENT: Albert Deering, Highway Superintendent

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

The following Notice was posted at various locations:

NOTICE

TOWN OF COEYMANS SPECIAL WORKSHOP BUDGET MEETINGS

Please take notice that the Town Board of the Town of Coeymans has scheduled Special Budget Workshop Meetings for the following dates:

10-07-04 at 4:00pm
10-09-04 at 1:00pm
10-11-04 at 9:00am
10-12-04 at 6:00pm
10-18-04 at 6:00pm

The meetings will be held at Town Hall, 18 Russell Avenue, Ravena, NY.

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

BUDGET DISCUSSION

Highway Department

Budget discussion ensued with Highway Superintendent Deering.

ADJOURNMENT

The Special Town Board Budget Workshop was adjourned at 5:00pm.

Respectfully submitted,

APPROVED:

Diane L. Millious, Town Clerk

A Special Town Board Workshop was held Monday, October 5, 2004, at 6:00PM at Town Hall, 18 Russell Avenue, Ravena, New York

PRESENT: Ronald K. Hotaling Jr., Supervisor
Frank D. Stanton, Councilman
Dawn Rogers, Councilwoman
Nita J. Chmielewski, Councilwoman
Laverne Conrad, Councilman

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

The following Notice of Additional Workshop Meetings was posted in various locations.

**NOTICE ADDITIONAL
TOWN BOARD WORKSHOP
MEETINGS**

In compliance with Public Officer's Law, this will inform you that the Town Board of the Town of Coeymans has scheduled additional Workshop Meetings as follows:

October 5, 2004
October 26, 2004

The meetings will be held to discuss Town business. The meetings will be held 6:00pm at Town Hall, 18 Russell Avenue, Ravena, NY.

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

AGENDA TOPICS

- Preliminary Review of Assessor Candidate Interviews
- Tentative Budget Discussion

ADJOURNMENT

The Special Town Board Workshop was adjourned at 8:45pm

Respectfully submitted,

APPROVED:

Diane L. Millious, Town Clerk

A Special Town Board Workshop was held Monday, October 4, 2004, at 6:00 PM at Town Hall, 18 Russell Avenue, Ravena, New York

PRESENT: Ronald K. Hotaling Jr., Supervisor
Frank D. Stanton, Councilman
Dawn Rogers, Councilwoman
Nita J. Chmielewski, Councilwoman
Laverne Conrad, Councilman

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

The following Notice of Additional Workshop Meetings was posted in various locations.

**NOTICE ADDITIONAL
TOWN BOARD WORKSHOP
MEETINGS**

In compliance with Public Officer's Law, this will inform you that the Town Board of the Town of Coeymans has scheduled additional Monday Workshop Meetings as follows:

September 20, 2004
October 4, 2004
October 18, 2004
November 1, 2004
November 15, 2004
November 29, 2004

The meetings will be held to discuss Town Business. The meetings will be held 6:00pm at Town Hall, 18 Russell Avenue, NY.

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

OVERVIEW OF AGENDA

- **Assessor Interviews**

6:00pm – Francis Fuchs
6:30pm – Patricia Ann Downes
7:00pm – Deborah Corbari
7:30pm – Laura VanValkenburg

ADDITIONAL AGENDA ITEM

The Town Board Members met with the Zoning Board of Appeals and their Attorney, Mr. Brick.

ADJOURNMENT

The Special Town Board Workshop was adjourned at 11:00pm.

Respectfully Submitted,

APPROVED:

Diane L. Millious, Town Clerk

Diane L. Millious, Town Clerk

A Special Town Board Meeting was held Monday, October 4, 2004, at 5:30 PM at Town Hall, 18 Russell Avenue, Ravena, New York

PRESENT: Ronald K. Hotaling Jr., Supervisor
Frank D. Stanton, Councilman
Dawn Rogers, Councilwoman
Nita J. Chmielewski, Councilwoman
Laverne Conrad, Councilman

ALSO PRESENT: Diane L. Millious, Town Clerk

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

NOTICE OF SPECIAL MEETING

Town Clerk Millious read the following Legal Notice, which was posted and appeared in the Ravena News Herald.

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 4, 2004 at 5:30pm. The purpose of the meeting will be for the Town Clerk to submit the Tentative Budget to the Town Board. The meeting will be held at Town of Coeymans Town Hall, 18 Russell Avenue, Ravena, New York.

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

PRESENTATION OF TENTATIVE BUDGET

Supervisor Hotaling asked that Town Clerk Millious formally present the Tentative Budget to the Town Board.

Town Clerk Millious presented a copy to each Town Board member.

SUPERVISOR'S MESSAGE

Supervisor Hotaling read the following:

Tonight, the Town of Coeymans Tentative Budget is presented to the Town Board

This budget preserves the core services that government provides to its constituency, while at the same time, explores and suggests new ways to maximize the work force and achieve efficiencies.

This budget provides new equipment to the Highway, Police and others, but does not acquire this equipment by borrowing money. All new equipment is paid for by funds appropriated in 2005.

This budget provides for the continued upgrade of Town Hall by providing monies for further renovation and the blacktop for the parking area. The budget also provides monies for fencing to be installed around the playground area at Joralemon Park.

This budget redeploys some existing staff to create a multi-use labor force in the Part-Town Fund that can address such things as park and cemetery maintenance, sidewalk construction and utility labor needs at Highway, Sewer, Town Hall, etc.

This budget reduces the number of full-time police officers by one, while creating an intermediate supervisor position to insure compliance and quality within the police force.

This budget does not continue funding the EMT/D contract, but in doing so, creates an opportunity for dialogue between the Town Board and the Ravena Rescue Squad in an attempt to clarify the role each entity plays in ensuring emergency response to the public.

This budget reinforces the Summer Recreation Program and provides funding for Evenings on the Green and other celebrations in 2005.

This budget also provides for return of the Town Clerk's Office to Town Hall and achieves a savings of at least \$6,000.00 as a result of that.

This budget also meets the challenges of higher costs in health insurance, retirement, and employee contracts brought about by the problems associated with a depressed economic outlook, drastic cuts in revenue due to New York State budget issues, and a continued diminishment of federal dollars trickling down to the local level.

In summary, it is a budget that attempts to provide the government we need, but at a cost we can afford.

The amount to be raised by taxes is reduced compared to 2004 but, due to a loss of \$5,000,000 in assessed valuation since then, the tax rate is 1 percent higher than last year.

I hope the Town Board and the public understand that this budget is an essential component of our effort to enhance the quality of life here in the Town of Coeymans, while meeting our goal to curtail the recent history of escalating taxes.

I look forward in working with the Town Board and the community during the budget process.

Supervisor Hotaling asked if there was any other business or comments from the Town Board.

Councilman Conrad thanked Supervisor Hotaling for his efforts in having the Tentative Budget out on time as required by the fiscal calendar and attempting to make life a little bit easier with only a 1% increase.

Supervisor Hotaling stated that the Tentative Budget reflects the Coeymans Hollow Fire District budget, however the Coeymans Fire District did not have theirs ready but in the meantime he had a call from Mr. John Frangella who in turn stated that he has a tentative figure of \$285,000.00. He added that as soon as he has a final figure he will incorporate it in the budget.

Supervisor Hotaling asked if there was any additional business.

Councilman Conrad stated that he wanted to bring the Town Board up-to-date on the Kruger Road situation with regard to Mr. Grouse's concerns about water flowing on to his property and Mr. Schwencke's concern about what he believes to be the Town taking his property in addition to the pending Brandow subdivision and he would be presenting to the Planning Board some information later in the evening. He continued by giving an update of his findings and what he plans on proposing to the Planning Board in regard to changing it from a minor subdivision to a major subdivision in order to address some of the problems that have been identified (audio and video available for specifics)

Supervisor Hotaling asked if there was anything more that needed to come before the Town Board, hearing nothing additional he asked for a motion to adjourn the Special Town Board Meeting.

ADJOURNMENT

On motion of Councilman Stanton, seconded by Councilman Conrad, the Special Town Board Meeting was adjourned.

VOTE – AYES 5 – NAYS 0 – SO MOVED

Time 5:47pm

Respectfully submitted

APPROVED:

Diane L. Millious, Town Clerk

**A Regular Town Board Meeting was held Monday, September 27, 2004 at 7:00 PM
at Town Hall, 18 Russell Avenue, Ravena, New York**

PRESENT: Ronald K. Hotaling Jr., Supervisor
Frank D. Stanton, Councilman
Dawn Rogers, Councilwoman
Laverne Conrad, Councilman

ABSENT: Nita J. Chmielewski, Councilwoman

ALSO PRESENT: Diane L. Millious, Town Clerk
Scott D. Giroux, Chief of Police
Albert Deering, Highway Superintendent
Joseph Rotello, Town Attorney

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

SUPERVISOR'S OPENING

Supervisor Hotaling noted that Councilwoman Chmielewski was absent and the record should reflect the same.

OVERVIEW OF AGENDA

Supervisor Hotaling gave an overview of the agenda.

- Public Comment Period
- Approval of Minutes of Meetings
 - Special Town Board Meeting-August 24, 2004
 - Town Board Meeting, September 13, 2004
 - Town Board Workshop, September 20, 2004
 - Town Board Workshop, September 21, 2004
- Supervisor's Report - July 2004
- Department Report Review
 - Police Department Monthly Report - August 2004
- Old Business Update and Discussion
 - Postage Meter
- New Business Topics for Discussion and/or Action
 - Voter Registration Days
 - Gift/Donation from Coeymans Heritage Fund
 - Lawn Mower-Sewer Department
- Resolutions

- Hamlet Parking
- Voting Machine Custodian
- Payment of December 2003 Abstracts
- Payment of September 2004 Abstracts
- Correspondence
 - McNamee, Lochner, Titus & Williams (Wukitsch)
- Town Board Workshops
 - October 4, 2004 - 6:00pm - Assessor Interviews

PUBLIC COMMENT

Supervisor Hotaling invited the public to comment at this time. Mr. George Schwencke – stated that he is a resident of Kruger Road and continued by voicing his concern about a sub-division and the intent to move the road in addition to wanting to know the current status of Kruger Road.

Discussion continued – Audio and video available for specifics.

Councilman Conrad suggested that they have Town Attorney Rotello look it over and then discuss it at a Special Workshop with the Town Attorney, Superintendent of Highways and the Town Board.

Discussion ensued regarding the date to meet for the Special Workshop; it was collectively decided to meet on Wednesday, September 29th at 7:00pm.

MOTION

On motion of Councilman Conrad, seconded by Councilman Stanton to schedule a Special Workshop on September 29, 2004 at 7pm.

VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Chmielewski)

Supervisor Hotaling asked that Town Clerk Millious post the appropriate notices.

Supervisor Hotaling asked if there was any additional comment from the public.

George LaMountain, Fire Chief of the Ravena Fire Department read the following:

To Highway Superintendent Deering,

The Ravena Fire Department would like to take this opportunity to thank you for your services during the flooding conditions at Four Seasons and Parkside. Once again your services were needed to assist emergency services and as always it was greatly appreciated. Thank you very much Albert for your services during the flooding.

Supervisor Hotaling asked if there was any additional comment.

Ms. Nicole Traver – a resident of Jarvis Road South expressed her concerns with Cherokee Ridge Animal Rescue and the owner Sue Peters and the possibility of a group meeting with all parties involved.

Discussion ensued – audio and video available for specifics.

Ms. Marline Stanton voiced her concerns and asked some questions. (audio and video available for specifics)

Councilman Conrad stated that the Town Board, Planning Board and Zoning Board have no jurisdiction and they should now look to see who governs the Hudson Mohawk Humane Society.

Supervisor Hotaling stated that there are now issues such as the rats that they are now obligated to follow-up on.

Councilman Conrad stated that the Town Board has made beyond a reasonable gesture to try to resolve some of the problems and they were hoping that there were certain organizations that would step up to the plate. He added that the Town Board's responsibility is to investigate the situation and make a determination that they have done their best to try to protect the people.

Supervisor Hotaling added that if it is not under their jurisdiction then they would report it to those jurisdictions that have responsibility and this is what they have done on several occasions.

Chief Giroux interjected that there are two ways to deal with it, the first being regulatory, which has been done but then there is another which would be a quality of life issue and it would be dealt with in a civil manner, which would mean a lawsuit.

Councilman Conrad stated that they would speak with the Town Attorney and see if they can find some other avenues to see what they can do.

Ms. Traver reiterated that she wanted a group meeting with all parties involved and then thanked the Town Board.

Supervisor Hotaling stated that they will be engaging the Town Attorney on several other legal matters and as part of the legal strategy session they will explore what avenues they have in trying to resolve the issue.

Supervisor Hotaling asked if anyone else wanted to comment.

Mr. Dan Grouse – a resident of Kruger Road, stated that he is a neighbor of Mr. Schwencke and he has an issue with Mr. Brandow and the way that water flows over the road and takes all of the gravel off his private road. He added that he does not know if it is a Town issue or an issue with Mr. Brandow.

Councilman Conrad stated that there will be a meeting Wednesday evening at 7:00pm and he was welcome to come to discuss the issue.

Supervisor Hotaling asked if anyone else wanted to make public comment, hearing none he moved to the next agenda item.

APPROVAL OF MINUTES

MOTION

On motion of Councilman Stanton, seconded by Councilman Conrad, the Minutes for August 24, 2004, September 13, 2004, September 20, 2004, and September 21, 2004 were tabled.

VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Chmielewski)

SUPERVISOR'S REPORT

Supervisor Hotaling read the following report:

August – 2004

FUND	BAL. FWD.	RECEIPTS	DISBURSE.	BALANCE
GENERAL	\$1,030,669.66	\$150,428.73	\$ (817,073.57)	\$ 364,024.82
FEMA	\$ 43,663.50	\$ 36.47	-0-	\$ 43,669.97
PART-TOWN	\$ 35,455.58	\$ 3,673.11	\$ (9,276.36)	\$ 29,852.33
SPEC.WATER	\$ 36,404.04	\$ 991.33	-0-	\$ 37,395.37
Trust & Agcy.	\$ 561.91	-0-	-0-	\$ 561.91
HIGHWAY	\$ 276,738.67	\$ 521.91	\$ (197,577.31)	\$ 79,683.27
SEWER	\$ 277,603.30	\$ 44,086.90	\$ (228,097.40)	\$ 93,592.80
			Total Rec. Bal.	\$2,130.745.17

CERTIFICATE OF DEPOSIT

GENERAL \$650,000.00

SEWER \$200,000.00
HIGHWAY \$150,000.00

SAVINGS ACCOUNTS

UNEMPLOYMENT	\$ 5,686.99
GROVE CEMETARY	\$ 53,756.75
SEWER DEDICATED	<u>\$ 7,328.83</u>
TOTAL	\$ 66,772.57

SECTION 8 – HUD

OCCUPIED UNITS	79
HUD UNITS	\$35,809.00
ADMIN. FEE	\$ 161.08
TOTAL HUD PMT.	\$38,044.08
TENANT RENT	\$21,916.00
CONTRACT RENT	\$57,725.00

COLLATERAL COVERAGE

FDIC COVERAGE COLLATERALIZED

NATIONAL BANK OF COXSACKIE	\$100,000.00	\$1,903,597.38
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MOTION

On motion of Councilman Stanton, seconded by Councilwoman Rogers the July 2004 Supervisor's Report was accepted as read.

VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Chmielewski)

DEPARTMENT REPORTS

Police Department Monthly Report – August 2004

Supervisor Hotaling gave a summary as follows: service calls 669 of which 198 were emergency calls split between EMS and the police, 471 non-emergency calls, 76 of 88 cases that were developed were closed, 25 arrests and 82 traffic tickets issued.

Supervisor Hotaling asked if Chief Giroux had anything additional to report.

Chief Giroux reported that the activity trend for the summer was greatly reduced from past summers.

MOTION

On motion of Councilman Stanton, seconded by Councilman Conrad, the Police Department Report for August 2004 was accepted as presented.

VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Chmielewski)

OLD BUSINESS UPDATE AND DISCUSSION

Postage Meter

Supervisor Hotaling stated that there was authorization at the last meeting for him to enter into a contract with Neopost for \$16.95 a month and in attempting to do that it was discovered that Pitney Bowes contract does not expire until March 31, 2005. He added that Neopost could not guarantee the \$16.95 a month but would offer a price lower than competitors.

NEW BUSINESS

Voter Registration Days

Supervisor Hotaling announced that Voter Registration Days would be on Wednesday, October 6, 2004 from 5pm to 9pm and Saturday, October 9, 2004 from 1pm to 9pm at Town Hall, 18 Russell Avenue.

Gift/Donation – Coeymans Heritage Fund

Supervisor Hotaling stated that the Town has received gateway banners, seasonal banners, and dining and boating banners from the Coeymans Heritage Fund in addition to having the hardware to hang them. He then asked that Highway Superintendent to assist in hanging them and Mr. John Bonafide will help with the placement. Supervisor Hotaling thanked the Coeymans Heritage Fund for their generous donation.

Lawn Mower – Sewer Department

Supervisor Hotaling stated that the Highway crew has been diligently mowing Grove Cemetery and his staff is using a mower that was once a Sewer Department mower and it has a rear discharge, which is important because it does not spray grass on the monuments. He added that the Town has the opportunity to purchase a Wheel Horse Lawn and Garden Tractor and the plan is for the Sewer Department to purchase the private sale 1990 Wheel Horse Lawn and Garden Tractor for \$1,400.00 and in turn the Sewer Department will sell their mower to Grove Cemetery for a price of \$500.00. He concluded that this would upgrade the equipment for both. He then asked for the Boards permission to engage in both transactions.

MOTION

On motion of Councilman Stanton, seconded by Councilman Conrad, authorizing Supervisor Ronald K. Hotaling to engage in both transactions.

VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Chmielewski)

RESOLUTIONS

Supervisor Hotaling stated that the Town Board had previously discussed a memorandum from Chief Giroux to adopt a parking plan for the Hamlet of Coeymans

and it was suggested by Town Attorney Rotello that a resolution should be in place to engage and implement the plan.

RES. #111-04 AUTHORIZE HAMLET PARKING PLAN

On motion of Councilwoman Rogers, seconded by Councilman Stanton, the following resolution was APPROVED - VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Chmielewski)

WHEREAS, the parking situation in the Hamlet of Coeymans has deteriorated since the original modifications to the Town Code in the year 2000, and

WHEREAS, the Chief of Police has developed a five-step plan to control the parking problems in the Hamlet and return the modifications made in 2000,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does adopt the plan as developed by Chief Giroux and authorizes the Town Supervisor, Ronald K. Hotaling, Jr. to approve necessary funding for the signs required, and direct Highway Superintendent Deering to coordinate with Chief of Police Giroux on the placement of such signs.

Discussion ensued regarding the time frame of the plan, notification and warning period before enforcement and how many signs are needed in addition to a source for obtaining them. Discussion then followed about the stop signs that are to be done at the same time and whether or not a resolution had to be specific to the placement of new signs in order to be enforceable.

Chief Giroux suggested that the resolution be left as is and another to be prepared for the next meeting specific to the stop signs.

RES. #112-04 APPOINT VOTING MACHINE CUSTODIAN

On motion of Councilman Conrad, seconded by Councilwoman Rogers, the following resolution was APPROVED - VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Chmielewski)

WHEREAS, the Town of Coeymans must appoint voting machine custodians to maintain the voting machines used in elections held within the Town of Coeymans, and

WHEREAS, the Town had trained voting machine custodian whose term expired December 31, 2003,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board appoints Robert Traver to the position of Voting Machine Custodian for the Presidential General Election to be held November 2, 2004.

Discussion – Supervisor Hotaling stated that Mr. McNaughton is having surgery and will be unable to serve and Mr. Traver has offered his services.

RES. #113-04 APPROVE DECEMBER 2003 ABSTRACT

On motion of Councilman Stanton, seconded by Councilman Conrad, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1
(Chmielewski)

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 2003 Abstract.

ABSTRACT	VOUCHER #	AMOUNT
GENERAL (A)	1877	\$348.01
	GENERAL TOTAL	\$348.01
SEWER (SS)	1735	\$551.00
	SEWER TOTAL	\$551.00
	GRAND TOTAL	\$899.01

RES. #114-04 APPROVE SEPTEMBER 2004 ABSTRACT

On motion of Councilman Conrad, seconded by Councilwoman Rogers, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1
(Chmielewski)

ABSTRACT	VOUCHER #	AMOUNT
GENERAL (A)		
Pre-Pay General	1645-1672	\$164,487.86
General	1736-1820	\$125,426.57
	General Total	\$289,914.43
PART-TOWN (B)		
Pre-Pay Part-Town	1673-1688	\$ 11,951.03
Part Town	1821-1823	\$ 1,091.02
	Part Town Total	\$ 13,042.05
HIGHWAY (D)		
Pre-Pay Highway	1689-1703	\$ 51,327.39
Highway	1824-1857	\$ 14,167.12
	Highway Total	\$ 65,494.51
SEWER (SS)		

Pre-Pay Sewer	1704-1722	\$ 17,906.83
Sewer	1858-1874	\$ 15,681.97
	Sewer Total	\$ 33,588.80
GROVE CEMETARY (TE)		
Pre-Pay	1723-1725	\$ 140.31
Grove	1875-1876	\$ 207.26
	Grove Total	\$ 347.57
	Grand Total	\$402,039.79
TRUST & AGCY. (TA)		
Pre-Pay	1726-1734	\$234,446.09
	Trust & Agcy.	\$234,446.09
	Total	

COORESPONDENCE

McNamee, Lochner, Titus & Williams (Wukitsch)

Supervisor Hotaling read the following:

September 24, 2004

Hon. Ronald Hotaling, Supervisor
Town of Coeymans
18 Russell Avenue
Ravena, NY 12143

RE: #93604 – Town of Coeymans v. Village of Ravena
#93641 – Village of Ravena v. Town of Coeymans

Dear Supervisor Hotaling:

Please be advised that the Appellate Division has appointed three referees to conduct the hearing in the above referenced matter. The litigation will resume in the very near future.

Please advise as to how you would like me to proceed in this matter.

Respectfully,

David J. Wukitsch

cc: Joseph Rotello, Esq.

Supervisor Hotaling stated that it indicates that negotiations with respect to the annexation issue had ended and the court was notified of the failure to come to an agreement and as a result the court has appointed three referees to conduct a hearing.

He added that they should be notified soon of the date and time.

TOWN BOARD WORKSHOPS

- October 4, 2004 at 6pm – Assessor Interviews

Supervisor Hotaling stated that candidates for the position of Assessor will be interviewed at the workshop and there are four applicants. He added that in addition to that he was asking that the Town Board authorize a Special Town Board Meeting just prior to that at 5:30pm for the purpose of Town Clerk Millious to present to the Town Board the Tentative Budget for 2005. He added that Town Law requires that he submit to the Town Clerk by September 30, 2004 and within 5 days there has to be a Special Meeting for the Town Clerk to present it to the Town Board for the beginning of the budget review process with an effort to go to a Preliminary Budget and ultimately after a Budget Hearing to a Adopted Budget voted in place by November 20, 2004.

MOTION

On motion of Councilman Conrad, seconded by Councilman Stanton, authorizing a Special Town Board Meeting on October 4, 2004 at 5:30pm.

APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Chmielewski)

Supervisor Hotaling asked that Town Clerk Millious provide appropriate Notice of Special Town Board Meeting.

Supervisor Hotaling stated that he would like to have Workshops very frequently to go over the budget and also to provide an opportunity for the Town Board to interview Department Heads about their budgets. He added that he would like to move quickly with the budget process and have the 2005 Adopted Budget in place by Election Day.

Discussion ensued with Town Clerk Millious regarding available dates and it was collectively decided to schedule October 5th and October 26th at 6pm.

MOTION

On motion of Councilman Conrad, seconded by Councilman Stanton authorizing Special Workshop Meetings for October 5th and October 26th at 6pm.

APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Chmielewski)

ADDITIONAL COMMENTS

Supervisor Hotaling asked if there were any additional comments.

Highway Superintendent Deering submitted to Supervisor Hotaling a 2004 inventory for equipment and tools, which is required under Town Law 142 subsection 3. He added that he would in turn make copies for each Town Board member.

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

ADJOURNMENT

On motion of Councilman Stanton, seconded by Councilwoman Rogers, the Town Board Meeting was adjourned. Time 8:30pm

APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Chmielewski)

Respectfully submitted,

APPROVED:

Diane L. Millious, Town Clerk

**A Town Board Workshop was held Tuesday, September 21, 2004, 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
Laverne Conrad, Councilman

ABSENT: Frank D. Stanton, Councilman

Supervisor opened the meeting and led the Pledge of Allegiance.

AGENDA ITEIMS

- • Village Water Rent Bill
- • Sewer Project Extension Request

ADJOURNMENT

The Town Board Workshop was adjourned at 9:15pm.

Respectfully submitted,

APPROVED:

*Diane L. Millious
Town Clerk*

**A Town Board Workshop was held Monday, September 20, 2004, at 6:00pm at
Town Hall, 18 Russell Avenue, Ravena, New York**

PRESENT: Ronald K. Hotaling Jr., Supervisor
Frank D. Stanton, Councilman
Dawn Rogers, Councilwoman
Nita J. Chmielewski, Councilwoman
Laverne Conrad, Councilman

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

NOTICE OF SPECIAL MEETING

The following Notice appeared in the News Herald and at various locations throughout the Town.

NOTICE

ADDITIONAL TOWN BOARD WORKSHOP MEETINGS

In compliance with Public Officer's Law, this will inform you that the Town Board of the Town of Coeymans has scheduled additional Monday Workshop Meetings as follows:

September 20, 2004
October 04, 2004
October 18, 2004
November 01, 2004
November 15, 2004
November 29, 2004

The meeting will be held to discuss Town Business. The meetings will be held 6:00pm at Town Hall, 18 Russell Avenue, Ravena, NY.

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

AGENDA ITEMS

- Emergency Cost Associated With Hurricane Ivan
- Highway Department Salt Shed

- Highway Department Purchase Order

ADJOURNMENT

The Town Board Workshop was adjourned to Executive Session for a personnel matter.

Time 8:20pm

Respectfully submitted,

APPROVED:

Diane L. Millious, Town Clerk

A Town Board Meeting was held Monday, September 13, 2004, at 7:00pm at Town Hall, 18 Russell Avenue, Ravena, New York

PRESENT: Ronald K. Hotaling, Jr., Supervisor
Dawn Rogers, Councilwoman
Nita J. Chmielewski, Councilwoman
Laverne Conrad, Councilman

ABSENT: Frank D. Stanton, Councilman

ALSO PRESENT: Diane L. Millious, Town Clerk
Albert Deering, Highway Superintendent
Scott D. Giroux, Chief of Police
Joseph Rotello, Town Attorney

Supervisor opened the meeting and led the Pledge of Allegiance.

SUPERVISOR'S OPENING

Supervisor Hotaling noted that a Town Board was missing a member, Councilman Stanton. He added that the record should reflect that Councilman Stanton is absent.

OVERVIEW OF AGENDA

Supervisor Hotaling gave an overview of the agenda for the meeting.

- • Public Comment Period
- Public Announcement
- Approval of Minutes of Meetings
 - Special Town Board Meeting 06-21-04 - Previously Tabled
 - Town Board Meeting 08-09-04
 - Special Town Board Workshop Meeting 08-10-04
 - Town Board Meeting 08-17-04
 - Bid Opening 08-20-04
- • Department Report Review
 - Town Clerk Report - July 2004
 - Town Clerk Report - August 2004
 - Police Department Report - July 2004
 - Building Department Report - August 2004
- • Old Business Update and Discussion
 - Summary of Food for Thought Program
 - S.A.F.E. Program 2004-2005

- Albany County Sheriff EMT/D Program
- Bingo Inspector Position
- Hamlet Parking Plan
- • New Business Topics for Discussion and/or Action
 - Evening on the Green – Rain Date 9/16 - Folding Sky
 - Resignation of Sole Assessor
 - Youth Services Director Status
 - Postage Meter
 - Highway Superintendent Request to Pave Acquetuck Road
- • Resolutions
 - 2004 Budget Modification
 - Marvin and Company
 - Board of Assessment Review Re-Appointment
 - Animal Control Officer Appointments
 - Resolution Supporting Restoration of Traffic Fine Revenue
- • Correspondence
 - Time Warner Cable-Update
 - Albany County Department of Health
 - NYS Office of Parks, Recreation & Historic Preservation
 - Request for use of Coeymans Landing
 - Department of Environmental Conservation
- • Town Board Workshops
 - September 21, 2004 – 7:00-Village Water Rent Bill

Supervisor Hotaling added that at 7:30 the agenda would be interrupted for a presentation for the North Bridge replacement on Old Ravena Road and would be led by representatives from Albany County and Clough Harbor Engineering to share information and answer any questions that the public may have.

PUBLIC COMMENT PERIOD

Supervisor Hotaling invited the public to make comment to the Board at this time.

Mr. Anthony DiAcetis – introduced himself as a resident of Palmer Drive. He continued by stating he wanted to address the extension of water on Martin's Hill, Palmer Drive and that area as far as Spoor Development.

The Town Board listened to Mr. DiAcetis comments and discussion ensued. (audio and video available for specifics)

Supervisor Hotaling asked if there was any further comment from the public, hearing none he moved to the next item on the agenda.

PUBLIC NOTIFICATION

Supervisor Hotaling stated that in the Police Report there was a part that he believed was worthy of public notification and continued by reading the following:

“The police have received reports of additional bear sightings in the Coeymans Hollow and Alcove area. The latest incident a bear entered the back yard of a Lawson Lake resident and was eating out of the birdfeeder, the bear then walked up to the back door and looked around and left the area. No damage was reported and police would like to inform residents that if you should encounter a bear, do not approach it, stay indoors and call police. The State Department of DEC tracks sightings, but suggests that unless the bears are causing damage or are becoming aggressive you should simply avoid them and remove potential food sources, take in pet foods and garbage pails, bar-b-q grills should be cleaned after each use, consider removing bird feeders and other potential food sources.”

Supervisor Hotaling stated that he wanted to take the opportunity to read from the report and make public notification.

PUBLIC ANNOUNCEMENT

Supervisor Hotaling stated that Mr. Howard Downes had reminded him that several months ago Bill Burns and Albert Deering had donated some POW flags at the Coeymans Landing and Highway Garage and he wanted to publicly thank them for their efforts in that regard. He added that there are POW flags at Town Hall and when flags are tattered they are replaced and if anyone sees one that needs to be replaced they should notify his office.

APPROVAL OF MINUTES

Supervisor Hotaling stated that there were several sets of minutes that needed approval. He added that there was a set that had been previously tabled for 06-21-04. He then asked Councilman Conrad if this was the set that he had concerns about and if he wanted to separate it out for approval.

Councilman Conrad stated that it was agreed that the way that the minutes were typed were word-for-word from the audio tape, however he did indicate in the next meeting that he disagreed with the analogy of the wording and would leave them stand as they are.

Supervisor Hotaling stated that Councilman Conrad had taken the opportunity to clarify even further and they would move forward with the approval of the Special Town Board Meeting on 06-21-04 that was previously tabled. He then asked for a motion.

MOTION

On motion of Councilman Conrad, seconded by Councilwoman Chmielewski, the 06-21-04 Special Town Board Meeting Minutes were approved as read.
VOTE – AYES 4 – NAYS – 0 – ABSENT 1 (Stanton) SO MOVED

Supervisor Hotaling asked if everyone had the opportunity to review the balance of the minutes and then asked if they should take them separately or collectively.

Councilwoman Chmielewski stated that she had a problem with the August 9, 2004 Minutes but they can be accepted as presented. She added that there seems to be some words left out of sentences and typographical errors and she would show them to Town Clerk Millious after the meeting.

Supervisor Hotaling stated that he would entertain a motion to accept the Minutes of the Town Board Meeting of 08-09-04, the Special Town Board Workshop Meeting on 08-10-04, the Town Board Workshop on 08-17-04 and the Bid Opening on 08-20-04.

MOTION

On motion of Councilwoman Chmielewski, seconded by Councilwoman Rogers the Meeting Minutes are subject to submission of Councilwoman Chmielewski's changes to Town Clerk Millious for minor adjustments and then approved as read.
VOTE – AYES 4 – NAYS – 0 – ABSENT 1 (Stanton) SO MOVED

MONTHLY REPORTS

Town Clerk Monthly Reports – July and August 2004

Supervisor Hotaling asked that Town Clerk Millious point out and make reference to any aspect that she sees fit.

Town Clerk Millious continued by giving her Monthly Reports for June and July 2004.

Supervisor Hotaling asked for a motion to approve the Town Clerk Reports for June and July 2004.

MOTION

On motion of Councilman Conrad, seconded by Councilwoman Rogers, the Town Clerk's Monthly Reports for June and July 2004 were accepted as read.
VOTE – AYES 4 – NAYS – 0 – ABSENT 1 (Stanton) SO MOVED

Police Department Monthly Report – July 2004

Supervisor Hotaling stated that a portion of the Monthly Report was already read during the Public Announcement with respect to the bears. He continued by reading the following from the report, there were 699 calls for service of which 217 were of an emergency nature. He concluded by saying that the balance of the report is fairly routine in regard to the weekly blotter reports that appear in the paper.

Supervisor Hotaling asked for a motion to accept the Police Department Report for July 2004.

MOTION

On motion of Councilman Conrad, seconded by Councilwoman Rogers, the Police Department Monthly Report for July 2004 was accepted as presented.

VOTE – AYES 4 – NAYS – 0 – ABSENT 1 (Stanton) SO MOVED

Building Department Monthly Report – August 2004

Supervisor Hotaling stated that the Building Department Monthly Report indicates that fees collected for the month were \$1,225.00 on a total estimated cost of building for \$317,600.00. Supervisor Hotaling asked Councilman Conrad if he wanted to share anything else on the report, hearing none he asked for a motion to accept the report.

MOTION

On motion of Councilman Conrad, seconded by Councilwoman Chmielewski, the Building Department Report for August 2004 was accepted as presented.

VOTE – AYES 4 – NAYS – 0 – ABSENT 1 (Stanton) SO MOVED

OLD BUSINESS

Summary of Food for Thought Program

Supervisor Hotaling stated that the Food for Thought Program that took place at the Grace Methodist Church was an overwhelming success and there were approximately 60 children that attended. He added that he wanted to thank Grace Methodist Church and their elders for permitting the Town to have the program there. He added that in addition he also wanted to extend thanks to Danyell Crowley who ran the Food for Thought Program as the Youth Services Director for the Town of Coeymans and she did an excellent job.

S.A.F.E. Program 2004-2005

Supervisor Hotaling stated that on the last of the school year in June 2004, the sponsorship of the S.A.F.E. Program by the Town of Coeymans ceased. He added that over the summer Ms. Crowley worked with County and State Officials in order for her to obtain a permit and license to continue to run the program at P.B.

Coeymans Elementary and to the best of his knowledge the program has started. He continued by saying the he knows that all of the parents that participated in the Town sponsored program were contacted and he does not believe that it is now called S.A.F.E., however it is a similar Before and After School Program and he would encourage anyone that would like to participate in the program to call Ms. Crowley and the number would be available at Town Hall.

Albany County Sheriff EMT/D Program

Supervisor Hotaling stated that a few months ago they reviewed two contracts that were sent from the Albany County Sheriff's Department, a Paramedic Program which was \$220,000.00 and as authorized by the Town Board the contract was signed, the second was a contract for EMT/D services. He added that it was a concern to the Board given the fact that it was \$37,000.000 and called for EMT/D five days a week. He added that the previous Town Board in their efforts to institute the program with the County, funded it for three days a week counting on the fact that Thursday's would be covered by LaFarge and Tuesdays the rescue squad had adequate coverage on their own. He continued by saying that the contract that was offered for them to sign was different from that and called for five days a week and an amount in excess of what was budgeted and the Town Board did not choose to authorize him to sign the contract. He continued by saying that after some discussion with Assistant County Attorney, Craig Denning he now has a revised contract and then asked that the Town Board give consideration to authorize him to execute the contract for EMT/D services because it clearly reflects not to exceed three days per week Monday-Friday, 12 hours a day between the hours of 6am and 6pm. and also services rendered during the contract period shall not exceed the sum of \$26,000.00 which was the budgeted amount for 2004.

Supervisor Hotaling asked that the Board consider authorizing him to sign and execute the contract for EMT/D services for 2004.

MOTION

On motion of Councilman Conrad, seconded by Councilwoman Chmielewski, authorizing Supervisor Hotaling to sign and execute the contract as currently proposed.

VOTE – AYES 4 – NAYS – 0 – ABSENT 1 (Stanton) SO MOVED

Bingo Inspector Position

Supervisor Hotaling stated that the Bingo Inspector has expressed a desire to be replaced and they are currently looking for a replacement and added that the current Inspector has indicated that she will stay until a replacement is found. He concluded by saying that if anyone is interested in the position at a rate of \$50.00 a month should contact his office.

Councilman Conrad stated that he believes that they should consider that position during budget planning because it is considerably more work than it has been in the past.

Supervisor Hotaling concluded by thanking Bingo Inspector Pasquini for continuing her service with the Town.

Supervisor Hotaling stated that there was one more agenda item under Old Business, the hamlet parking plan, and at this time there would be an interruption of the agenda for a presentation given by Mr. Tony Papile, Project Manager from Clough Harbor for the replacement of the Old Ravena Road North Bridge.

PRESENTATION

Public Information Open House – Replacement of Old Ravena Road North Bridge

Supervisor Hotaling stated that he was opening up the Public Information Open House for the replacement of the Old Ravena Road North Bridge over the CSX railroad tracks. He continued by saying that it was scheduled for 7:30pm and was planned to be woven in to the Town Board Meeting and Mr. Tony Papile, Project Manager for both the north and south bridges was there to discuss the replacement of the north bridge. He then introduced Mr. Papile and stated that in turn Mr. Papile would introduce the people that had come with him for the presentation.

Mr. Papile stated that it was a Public Information Meeting for the replacement of the Old Ravena Road North Bridge over the CSX tracks and added that with him from Albany County was Mr. Michael Franchini, Deputy Commissioner, Albany County Department of Public Works in addition to representatives from Clough Harbor who is the consulting engineer for Albany County for the project. Mr. Papile continued by saying that he would be giving a short presentation to explain the project and where they are at and what the process is and then it would be followed by questions. He added that he wanted to thank everyone for being so patient with the project and at a Public Informational Meeting there are two reasons for having them, the first so they can inform and let the public know where they are at with the project, what they are conceiving and what the preferred alternatives are at this point on the project and the second is to get public input. He continued by saying that public input can be done by asking questions or making comment on comment forms that are available and they can be turned in or mailed, the form will then become a part of the public record for the project and end up in the design report that is submitted to the Department of Transportation and Federal Highway Administration and then added that everyone should sign in so there is a record of everyone that is present.

Mr. Papile continued by giving an update of the project. (audio and video available for specifics)

Mr. Papile asked if there were any general questions and added that anything specific could be addressed in the back of the room because Supervisor Hotaling wanted to continue with the meeting.

Several members in the audience asked questions and made comments. (audio and video are available for specifics)

Supervisor Hotaling thanked Mr. Papile and his staff for coming to the meeting and that the questions would continue in the back of the room.

CONTINUATION OF OLD BUSINESS

Hamlet Parking Plan

Supervisor Hotaling stated that they left off prior with Old Business agenda items and would be resuming with the next item, which was a Hamlet Parking Plan. He continued by saying that the Town Board members had a discussion at a Workshop about this in the early part of August and now have had time to reflect on it. He then introduced Chief Giroux and asked that he provide some sense of an overview and then he would ask for the Town Board to consider its implementation or whatever modifications they would suggest before the implementation and also go over the transition with the public.

Chief of Police Giroux continued by giving his proposed Hamlet Parking Plan which also included changes in stop sign placement and discussion ensued amongst Chief Giroux and Town Board members. (audio and video available for specifics)

Supervisor Hotaling stated that if the Town Board agreed they would table the final determination until a resolution could be put forth after input from the Town Attorney. He continued by stating that the Old Business section of the agenda was concluded.

Councilman Conrad stated that he had another item and that he had brought it up previously a couple of times. He added that the Planning Board had offered up to the Town Board and asked that the Town Board approve the Minutes By-Laws of the Planning Board. He added that there were some points of concern and a need for clarification on a couple of items and then expressed his desire to put the matter to rest for the Planning Board. He concluded by asking that the Board Members look it over.

Councilwoman Chmielewski stated that some of the items she would like to take up with Chairman Peter Foronda before the adoption of the By-Laws. Supervisor Hotaling stated that they should be able to accomplish this within the next two weeks.

Councilman Conrad stated that he wanted to get it on the agenda so they can get it approved and off the list of things to do.

Supervisor Hotaling asked if there were any other Old Business items, hearing none he moved to New Business.

NEW BUSINESS

Evening on the Green – Rain Date 09-16-04

Supervisor Hotaling stated that an Evening on the Green scheduled for 08-12-04 had been cancelled due to inclement weather and the band Folding Sky has graciously agreed to a rain date of 09-16-04. He added that he wanted to thank Mr. Tom Dolan for the offer.

Resignation of Sole Assessor

Supervisor Hotaling stated that as all of the Board Members are aware the Sole Assessor, Tina Dimitriadis submitted her resignation effective August 27, 2004 and she has accepted a position in another community. He then asked for a motion to accept the resignation.

MOTION

On motion of Councilman Conrad, seconded by Councilwoman Chmielewski, the resignation of Tina Dimitriadis was accepted.

VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Stanton) SO MOVED

Supervisor Hotaling asked if there was any other discussion relative to the resignation.

Councilwoman Rogers stated that she wishes her well.

Supervisor Hotaling stated that they had received three resumes and asked that the Town Board aggressively move ahead in order to identify a successor.

Discussion ensued regarding the advertisement for the position. (audio and video available for specifics)

Letter of Resignation

August 16, 2004

Mr. Ronald Hotaling, Supervisor
Town of Coeymans, Town Board Members
18 Russell Avenue
Ravena, NY 12143

Dear Town Board Members,

I hereby notify you of my resignation of Sole Appointed Assessor for the Town of Coeymans. In accordance with the Town of Coeymans Handbook, I am giving my two (2) weeks notice being my last day of employment on August 27, 2004.

I have been offered the position of Sole Assessor for the City of Troy and for reasons of professional challenge and growth that this offers, I have accepted it.

I thank you for the past 3 ½ years that I have served the Coeymans community.

Sincerely,

Tina K. Dimitriadis

Resignation of Part-Time Assessor Clerk

Supervisor Hotaling stated that he received a memorandum from the part-time clerk in the Assessor's Office, Dawn DeRose and she has accepted employment elsewhere and is informing them that she is willing to stay with the Town for the transition period to provide guidance to the new clerk and then shortly after she will make her resignation effective. He added that the memorandum indicates that her last day of employment would be 08-26-04 but there has been discussion since then and have agreed to her staying with the Town for the transition period. He concluded that he would choose not to officially accept the resignation at this time.

Discussion ensued regarding whether the position should remain part-time consistent with this year's budget and then during the 2005 budget discussion they can explore their options as well as discussion of the position pertaining to Civil Service (audio and video available for specifics)

Supervisor Hotaling stated that the Board's decision has to be made known to him so that he could move forward on the advertisement, hearing no discussion he postponed the decision for the next couple of days.

MEMO

To: Ronald Hotaling – Supervisor

From: Dawn DeRose

Date: August 23, 2004

I regretfully have to inform you that Thursday, August 26, 2004 will be my last day of employment with the Town of Coeymans. Before my vacation I was under the impression that I needed to look elsewhere for employment due to Civil Service. The insecurity of my present position, I have found employment elsewhere.

Youth Services Director Status

Supervisor Hotaling stated that he was given a memorandum from Danyell Crowley, Youth Director and she indicated that she can no longer work full-time for the Town of Coeymans because she initiated her own before and after school program and is requesting a change in status from full-time to part-time.

MEMO

To: Ron Hotaling

From: Danyell Crowley

Date: Monday, August 30, 2004

RE: Full-time to Part-time

I am sending you this memo to remind you that on Wednesday, September 8, 2004, I am starting college full-time and on Monday, September 13, 2004 the new before and after school program begins and I will no longer be able to work for the Town of Coeymans full-time. As we have recently discussed, I am very willing to stay on part-time as needed for any hours you may have available on Tuesdays and Thursdays (days I am not in college).

I would like to use up 5.0 hours of sick time and 2 hours of vacation time on Tuesday, September 7, 2004. Technically Friday, September 3, 2004 will be my last day actually in the office full-time. (We are closed Monday and I am off Tuesday). For the rest of the week September 6-10, I am not available to work, but I am available any Tuesday/Thursday after this time.

Thank you.

Supervisor Hotaling stated that he knew that there were a variety of input and positions on the matter and then opened it up for discussion.

Discussion ensued regarding her request for part-time status on an as needed basis and use of her time. (audio and video available for specifics)

Supervisor Hotaling stated that each had stated their position and he would accept a motion either way.

MOTION

On motion of Councilman Conrad, seconded by Councilwoman Rogers accepting the full-time resignation to a position on an as needed basis, making the position part-time.

VOTE – AYES 3 – NAYS 1 (Chmielewski) – ABSENT 1 – (Stanton) SO MOVED

Postage Meter

Supervisor Hotaling stated that this is an issue that has been a problem for Town Hall and the Pitney Bowes lease expired on 08-31-04 and they have been trying to determine if Pitney Bowes is worthy of renewing. He continued by going over a comparison for proposals from three companies and discussion ensued. (audio and video available for specifics)

Supervisor Hotaling stated that he had submitted a Purchase Order Request for the IJ25 Neopost Postage Meter for a 36 month contract at \$16.95 a month and then asked that the Town Board authorize the contract.

MOTION

On motion of Councilman Conrad, seconded by Councilwoman Rogers, authorizing Supervisor Hotaling to enter into a contract with Neopost for 36 months at \$16.95 a month.

VOTE – AYES 3 – NAYS 1 (Chmielewski) – ABSENT 1 – (Stanton) SO MOVED

Highway Superintendent's Request to Pave Acquetuck Road

Supervisor Hotaling stated that in submitting the request for the Highway Department's 2005 budget, incorporated in it was a request for Acquetuck Road to be paved this year. He added that it was entwined in the 2005 material and overlooked and he suggested that Highway Superintendent Deering be present for the meeting with his request. He added that this road would be in place of Deyo Road Extension which was on the original list but because of a problem with the deed it was not done.

Discussion ensued regarding the fact that there was a request to pave Acquetuck Road but the work has already been completed in addition to discussion of the need for repairs and a new roof at the Highway Department (audio and video available for specifics)

Supervisor Hotaling asked for a motion to authorize the paving of Acquetuck Road.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Conrad authorizing the paving of Acquetuck Road.

VOTE – AYES 3 – NAYS 1 (Chmielewski) ABSENT 1 (Stanton) SO MOVED

RESOLUTIONS

Supervisor Hotaling stated that there were five resolutions and the first one was a budget modification to the 2004 Budget to accommodate Board Members to attend the Association of Towns Town Conference and the budget had a total of \$700.00 and to attend the conference it is quite a bit more than that.

RES. #106-04 MODIFY 2004 BUDGET

On motion of Councilwoman Chmielewski, seconded by Councilman Conrad the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Stanton) SO MOVED

WHEREAS, the following accounts have been exhausted because of unforeseen expenditures,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby authorize the Supervisor Ronald K. Hotaling, Jr. to modify the 2004 Budget as follows:

Amount	From Account	To Account
\$2,231.80	A1990.4 Contingency Account	A1010.4 Town Contractual
Account		

Supervisor Hotaling stated that there have been consistent requests since January 2004 for audits for 2001, 2002 and 2003 and the effort has always been to be in a position by this time to move forward with the 2005 budget development with a clear understanding of where 2001, 2002, and 2003 has been given the fact that there have been no audits. He continued by giving an update of what the process has been and the plan for where it is going. (audio and video available for specifics)

RES. #107-04 DISENGAGE MARVIN & CO. AS AUDITOR AND ENGAGE MARVIN & CO. ACCOUNTING SERVICES

On motion of Supervisor Hotaling, seconded by Councilwoman Chmielewski, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Stanton) SO MOVED

WHEREAS, the Government Accounting Office Independent Standards have altered the relationships between auditor and client, and

WHEREAS, the Town Board wishes to facilitate the closure of the financial picture of the Town for the years 2001, 2002, 2003, and

WHEREAS, the previous Town Board in letters dated 11-12-01, 06-09-03 and 12-01-03 engaged Marvin & Company to perform audits for the aforementioned years, and

WHEREAS, since January 2004, the Town Board has taken several steps to expedite the data collection process for presentation for audit, but has found the process of reconstructing the data to be cumbersome, ineffective, costly, and

WHEREAS, the Town Board has concluded that to continue the present plan for full audits would not be prudent or cost effective,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans hereby disengages Marvin & Company as out auditor for the years 2001, 2002 and 2003, and is desirous of engaging with Marvin & Company for accounting services to assist the Town Board in acquiring a workable understanding of the Town's fiscal status, and

BE IT FURTHER RESOLVED, that the Town Board authorizes Supervisor Ronald K. Hotaling, Jr. to notify Marvin & Company of the decision to disengage them as our auditor, and the Supervisor is further authorized to enter into an agreement with Marvin & Company for accounting services on behalf of the Town of Coeymans.

RES. #108-04 REAPPOINT BOARD OF ASSESSMENT REVIEW MEMBER

On motion of Councilwoman Rogers, seconded by Councilwoman Chmielewski, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Stanton) SO MOVED

WHEREAS, the term of Henry T. Mormile on the Board of Assessment Review is to expire on September 30, 2004, and

WHEREAS, the Town Board has met with Mr. Mormile and determined his services to be of value to the Town, and

WHEREAS, Mr. Mormile has expressed an interest in retaining a seat on the Board of Assessment Review,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby appoint Henry T. Mormile to a five-year term on the Town of Coeymans Board of Assessment Review to expire September 30, 2009.

Councilman Conrad stated that the new appointees should be notified that an Oath of Office should be taken and filed with the Town Clerk within 30 days

RES. #109-04 APPOINT ANIMAL CONTROL OFFICERS

On motion of Councilman Conrad, seconded by Councilwoman Rogers, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Stanton) SO MOVED

WHEREAS, the Town of Coeymans has been without the services of an Animal Control Officer to respond to citizen calls for assistance relating to domestic or wildlife complaints, and

WHEREAS, two town residents, Henry Traver and James Shear have expressed an interest in sharing the duties of this position,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby appoint Henry Traver and James Shear as Animal Control Officers on an on-call basis, at the rate of \$10.15 per hour.

Supervisor Hotaling gave a background of the Budget Bill and its being included in a compromise with the Legislature and Governor to change the distribution of fines and taking them from municipalities and placing them in the State Treasury. (audio and video available for specifics)

RES. #110-04 SUPPORTING RESTORATION OF TRAFFIC FINE REVENUE

On motion of Councilwoman Chmielewski, seconded by Councilman Conrad, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Stanton) SO MOVED

WHEREAS, Vehicle and Traffic Law, §1803 governs the disposition of fines and penalties collected in connection with convictions pursuant to the Vehicle and Traffic Law, and

WHEREAS, Chapter 56 of the Laws of 2004, effective August 20, 2004, changed the distribution of the fines taking them away from municipalities and placing them in the State Treasury, and

WHEREAS, this change in the fine and penalties distribution formula will result in a loss to local taxpayers of more than \$20 million in fine monies – monies which have historically been used to fund justice court operations, and

WHEREAS, the Town of Coeymans will likely lose \$100,000.00 in anticipated fine revenues, and

WHEREAS, the State Budget provision with its immediate effective date will result in significant 2004 deficits and will negatively impact town property tax rates for 2005,

NOW, THEREFORE, BE IT RESOLVED, that the Town of Coeymans calls for the restoration of the original fine distribution formula in order to provide towns with necessary revenues to fund Justice Court operations, and

BE IT FURTHER RESOLVED, that the Town of Coeymans urges the passage of legislation introduced by Senator Bonacic (§.7757) and Assemblyman Cahill which amends the Vehicle and Traffic Law to restore this source of revenue to local governments, and

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to Governor George Pataki, Joseph L. Bruno, Majority Leader of the Senate; Sheldon Silver, Speaker of the Assembly; Senator Elizabeth Little, Chair of the Local Government Committee; Assemblyman Robert Sweeney, Chair of the Local Government Committee; Senator Owen Johnson, Chair of the Finance Committee, Assemblyman Herman D. Farrell Jr., Chair of the Ways and Means Committee; Senator John A. DeFrancisco., Chair Judiciary Committee; Assemblywoman Helene E. Weinstein, Chair Judiciary Committee; Senator Neil D. Breslin – 46th District and Assemblyman Pat M. Casale – 108 District.

Supervisor Hotaling stated that from September to December of 2004, the Town will be negatively impacted by 90% of the revenue that they would have anticipated from the court and it will have obvious impact in developing the budget for 2005 and will have an impact on Property Taxes for 2005. He concluded by saying that it is a tremendous blow to the local community and it should not have happened.

CORRESPONDENCE

Time Warner Cable – Letter 08-13-04

Supervisor Hotaling gave an update of the ongoing discussions between Time Warner Cable and MSG and Fox Sports New York in regard to the carriage of these networks on Time Warner Cable.

Albany County Department of Health – Memo 08-12-04

Supervisor Hotaling gave an overview of the memo from the Albany County Department of Health regarding potential bat exposures and the procedure if there happens to be an encounter with a bat.

NYS Office of Parks, Recreation & Historic Preservation – Letter 08-18-04

Supervisor Hotaling advised that the Cornelius & Agnietje Vanderzee Farm on VanDerzee Road is to be considered for nomination to the National and State Registers of Historic Places.

Request for Use of Coeymans Landing – Letter 08-25-04

Supervisor Hotaling stated that there was a request for use of Coeymans Landing by a group that will be rowing and sailing a replica of a 18th century boat and they would like to camp at Coeymans Landing. He continued by saying that anyone who would like to see the boat and would like to know about the purpose of the voyage can go to the Coeymans Landing on October 13th and there is a schedule of events that can be obtained from the Supervisor's Office. He then asked for the Town Board's permission to sign the permit to authorize the use of the Landing.

Department of Environmental Conservation – Letter 09-03-04

Supervisor Hotaling stated that he was in receipt of a copy of a letter addressed to Chief Operator Breedlove indicating that an inspection of the Leachate Treatment Plant occurred on 09-01-04. He added that the facility was operating satisfactorily during the inspection and was rated accordingly and the inspection report is available.

TOWN BOARD WORKSHOPS

September 21, 2004 – 7:00pm – Village Water Rent Bill

Supervisor Hotaling stated that he would like the Town Board to consider additional Workshops for budget planning and critical areas of unfinished business for Monday evenings and if the Town Board agreed they could be scheduled for 6:00pm. He then asked for a motion to direct the Town Clerk to do a Notice of Special Workshops for Monday evenings through November 30, 2004.

MOTION

On motion of Supervisor Hotaling, seconded by Councilman Conrad, authorizing Town Clerk Millious to post for Town Board Workshops at 6pm every Monday that is not a Town Board Meeting with the exception of Columbus Day, between now and the end of November.

VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Stanton) SO MOVED

ADDITIONAL COMMENTS

Councilwoman Chmielewski stated that the discretionary spending freeze has come to an end and she would like that it be extended through December 31, 2004.

Discussion ensued (audio and video available for specifics)

Supervisor Hotaling asked for a motion to extend the spending freeze.

MOTION

On motion of Councilwoman Chmielewski, seconded by Councilwoman Rogers, authorizing the extension of the discretionary spending freeze through December 31, 2004.

VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Stanton) SO MOVED

Supervisor Hotaling asked if anyone else had anything to bring before the Town Board's or public's attention.

Councilwoman Chmielewski stated that she wanted to thank Cornell Cooperative Extension and Mr. Tom Dolan and his staff for providing five young people to do jobs around the Town.

Councilwoman Rogers stated that she wanted to remind everyone of Primary Day, September 14th and the polls are open from noon to 9pm.

ADJOURNMENT

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Conrad, the Town Board Meeting was adjourned. Time 9:23pm

VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Stanton) SO MOVED

Respectfully Submitted,

APPROVED:

Diane L. Millious, Town Clerk

A Special Town Board Meeting was held Tuesday, August 24, 2004, at 6:00 PM at Town Hall, 18 Russell Avenue, Ravena, New York

PRESENT: Ronald K. Hotaling, Jr., Supervisor
Frank D. Stanton, Councilman
Dawn Rogers, Councilwoman (arrived at 6:13PM)
Nita J. Chmielewski, Councilwoman
Laverne Conrad, Councilman

ALSO PRESENT: Diane L. Millious, Town Clerk
Joseph Rotello, Town Attorney
Pat Prendergast, Consulting Engineer

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

OVERVIEW OF AGENDA

Supervisor Hotaling gave an overview of the agenda.

- • Waste Water Treatment Plant Bid Review
- • Payment of August 2004 Abstract
- • Sewer Fund Capital Projects

SUPERVISOR'S OPENING COMMENTS

Supervisor Hotaling stated that four members of the Town Board were present and Councilwoman Rogers was absent and in addition Town Clerk Millious, Town Engineer Patrick Prendergast and Town Attorney Rotello were present.

Supervisor Hotaling asked that Town Clerk Millious read the Notice for the Special Town Board 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 Tuesday, August 24, 2004 at 6:00PM. 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 of
Diane L. Millious
Town Clerk

WASTE WATER TREATMENT PLANT BID REVIEW

Supervisor Hotaling noted that the meeting's original purpose was to go over the bids that were opened on August 20, 2004 at 2:00pm for a sewer project that they received bids for a month prior that were far in excess of the project estimates and far in excess of the those monies that were in grant back to the Town. He added that Engineer Prendergast did a re-specification and re-bid with the intention of holding down the cost and there were three bidders. He then turned the meeting over to Engineer Patrick Prendergast to identify and quantify the bids and talk about the options that the Town now has to go forth with the project.

Mr. Prendergast stated that in June 2004 the project was put out to bid and the project consisted of two new 40 ft. diameter clarifiers, each one capable of handling one million gallons of flow a day and also replace all of the mechanical aerators with new aeration equipment, there would be new blowers in a fiberglass building, and new aeration headers and inside the building there would be new secondary sludge pumps, new primary sludge pumps, and new piping network between the two, new flow meters and electric route and associated electrical upgrades to go with the project. He continued by saying that it was advertised far and wide and it was all over the state and he only received two bids at the June opening and in talking to the contractors it was discussed that there is a lot of work going on and there is a lot of treatment plant work and most contractors are busy and he could not generate the interest. He added that he went to one of the contractor's office and went over the bid to see where the dollars were involved and the aeration equipment looked like it was going to be a lot of money so he put it back out to bid with the aeration portion missing in addition to eliminating the handrail for \$30,000.00 and he also moved the clarifier 10 feet which eliminated the need for sheeting. He went on to say that the bids dropped from 1.2 million dollars to \$865,000.00, which was a big improvement but still more than what was originally budgeted for the project, which was \$685,000.00. He added that he had spoken with Ken Kosinski at DEC and it was discussed that DEC gives grants for 1-2 million dollars to communities and the fact that they don't always use all of the money. He added that Mr. Kosinski was going to look to see if there is any project that had any unexpended funds that maybe they could add. He continued by saying that it was also discussed as to whether a clarifier could be removed for now and other things added to bring it up to \$685,000.00 and if it would be acceptable to DEC and Mr. Kosinski indicated that it would be alright and if another grant program opens up and the Town needs another \$250,000.00 - \$300,000.00 to finish the project, it would probably be a pretty easy thing to get approved by them.

Councilman Conrad inquired as to how he would know that he can bring it right up to \$685,000.00.

Engineer Prendergast stated that he would do it by a Change Order and he had already spoken to the contractor, Ed Harkins, who was the low bidder, and by removing a clarifier it would be \$250,000.00 less, which brought it down to \$615,000.00. He added that he would then negotiate it back up looking at different line items that he would ask for prices on. He went on to say that he would recommend awarding it at \$865,000.00 with a Change Order in hand for a \$250,000.00 deduction which would be signed at the same time and then the contract would be \$615,000.00 and then add some of the extras such as concrete repairs to get it up to a \$650,000.00 level and see how the project goes which will allow for such things as rock removal or extra repair or any other unexpected expense.

Councilman Conrad inquired as to the rock removal and why he picked it.

Engineer Prendergast stated that there might be some rock removal. He added that before he put the project out to bid he had some soil bores done and at certain depths down 12-13 feet they may hit rock and by the time that they excavate across 40 feet there could be some rock that has to be removed, which could be a significant expense. He continued by saying that he estimated 100 cubic yards of rock is a line item of \$27,500.00.

Supervisor Hotaling stated that as a taxpayer he is appalled that the State is willing to take one clarifier away and not spend the money because he believed that the project was based on the premise that there is moratorium and the Town could not do anything else because there were so many problems.

Engineer Prendergast stated that the moratorium came about the same time as the Consent Order from DEC and the Consent Order started when Chief Operator Breedlove and crew were fixing a pump station and the back-up pumps could not keep up with the flow and there was a big sewage spill and in turn DEC came down and fined the Town and issued the Consent Order.

Supervisor Hotaling asked if any of the repairs will rectify this.

Engineer Prendergast stated that the new clarifier helps with the suspended solids going out of the plant in rainy weather.

Councilman Stanton inquired as to if it will increase the supply or demand.

Councilman Conrad interjected that it will increase the protection.

Engineer Prendergast stated that it is protection against sending out suspended solids. He added that the problem is that if you look back at the records at the Waste Water Treatment Plant, there are not a lot of records that show suspended solids violations because the operators do not go out and take samples on rainy days because they know that it does not look good, so in the reports it looks pretty good and in looking at the records it might not be justified based on that. He continued by saying that long ago and passed on for generations it has been a practice not to take

samples on a rainy day because the suspended solids are washing out into the river and the results would look terrible but in fact if you take samples on a rainy day, you would see this. He concluded by saying that the other thing is that you can look at the chlorine contact tank and see mud and sludge because the water runs through and the solids get washed out of the final clarifiers and even the tiny tank will help settle more solids and a big tank will do a much better job.

Councilman Conrad inquired about the piping and if it would remain the same equivalent for when the other clarifier is added.

Engineer Prendergast stated that it would remain the same and he would make it a "plug in" job for the next time, there would be two sludge lines that go out, one to the new clarifier and another one out 10 feet that would be capped and would go to the other clarifier when it was added in the future.

Councilwoman Chmielewski asked if plans had to be submitted to the State in order to get \$800,000.00 to do the project.

Engineer Prendergast stated that they discussed it and put together a general purpose budget before they applied for the grant and at the time based on jobs that he had seen for the year, the \$685,000.00 should have covered the new clarifiers and new aeration equipment but since that time other things got added into the project from the Chief Operator and DEC and even after the Town got the grant for \$685,000.00, one thing added, which will cost quite a bit of money will be the concrete repairs and hydraulic upgrades, which were not in the original scope of work. He added that the steel I-beams that were added is a \$12,000.00 item and was added by the Chief Operator and was one of the first things that was cut from the project.

Supervisor Hotaling asked if these types of things are what drove the price so high.

Engineer Prendergast stated that it was a combination of items but what really drove it so high was the price of materials, the price of steel and the contractor had said that from June to August the price of the steel pipe went up 13% and there is a shortage of cement and that drives the prices up.

Councilwoman Chmielewski inquired about the job being piecemealed and whether or not DEC had said that it had to be done at once and if the Town would still receive the same amount of money if only one clarifier was put in now.

Engineer Prendergast stated that was correct because DEC considers it to be improvements to the Waste Water Treatment Plant, which is what they want to see, in addition to helping the Town get additional funds in the future to do the other items that were already approved and there will be no redesigning. He added that DEC has a complete set of plans that they have already stamped approved and the Town will be doing pieces of the project at a time and when new monies are available the other items can be added.

Councilwoman Chmielewski inquired as to if this will suffice with DEC.

Engineer Prendergast stated that they will be happy with it and the first clarifier to be done will be the one closest to the hill side and it will be set up so that this will be done for now and more will be added later. He added that if grant money becomes available or the Village would like to contribute and for \$250,000.00 the other clarifier can be added back in between now and the end of the project and there have been projects before where money has been tight in the beginning and it was awarded and then took a Change Order for a deduct and as the job went along it was decided to add back in and they end up getting what they originally bid.

Councilman Stanton stated that the first time it was priced for \$685,000.00 and the first time bids came back over a million dollars.

Engineer Prendergast interjected that there were only two bidders within all of New York State.

Councilman Stanton stated that it sounds like a state job that was figured at 28 million and it ended up being 55 million.

Councilman Conrad stated that what it ended up being was there was so much work that they didn't care if they got the job and if they could bid high and get it they would end up making the time to do it.

Engineer Prendergast stated that the contractor that was low bidder last time at 1.2 million only dropped his bid \$30,000.00 for the re-bid and \$400,000.00 worth was taken out of the project. He added that the contractor that was the low bidder is the same contractor that redid the primary clarifiers last year, Harkins Mechanical. He added that they do quality work and he has not had any problems with them as far as Change Orders.

Supervisor Hotaling stated that the Town Engineer had set out a scenario whereby they would accept the Change Order to deduct/negotiate the Change Order and then asked Town Attorney Rotello if he had discovered anything.

Town Attorney Rotello stated that he does not believe that you can accept a bid first and there was a case where certain elements had to be reached such as negotiations with no one other than the low bidder. He then quoted an excerpt from the case:

"contract specs may not be changed or material variances waived, public agencies should not attempt to force a low bidder into making unfair concessions by threatening to reject all bids"

Town Attorney Rotello continued by saying that it is a synopsis of what the holding appears to be in the case with a little bit different wording and then quoted:

"the agency can withhold rewarding the contract pending post bid negotiations with the low bidder"

Attorney Rotello stated that this means that the negotiations would be done before it was awarded as long as there is no record suggesting favoritism, fraud or corruption and the competitor bidder is fairly and properly established as the lowest responsible bidder in the round of bidding, and the bidding process was never challenged. He continued by saying that a municipality may under no circumstance make concessions on a public project through post-bid negotiations with the lowest possible bidder.

Supervisor Hotaling asked Town Attorney Rotello if his suggestion is that they should not award the bid but do not reject the bids either, rather keep it in limbo.

Town Attorney Rotello stated that was correct and suggested that they go through the bids received and establish first whether any of the companies have any relation to anyone in the Town of Coeymans or locally.

Supervisor Hotaling stated that at the Bid Opening it was established that there were three bidders and he believed that Harkins Mechanical was the low bidder.

Town Engineer Prendergast interjected that there were three companies and Harkins was the low bidder and added that Bast Hatfield was next with a bid of \$881,000.00.

Town Attorney Rotello stated that the record should properly reflect and establish that Harkins was the lowest responsible bidder.

Councilman Conrad interjected that they should postpone the awarding of the bid until a post-agreement is reached with the lowest bidder.

Town Attorney Rotello stated that they are going to award the postponing based on the fact that there is a lowest responsible bidder and it is the Town Board's position that they are going to be able to advance the public's interest in attempting to negotiate with that bidder.

Councilman Conrad stated that then they could award the bid.

Town Attorney Rotello stated that they could not.

Councilman Conrad stated that they would then postpone the bid as he had said earlier.

Engineer Prendergast inquired as to when it is being postponed until.

Town Attorney Rotello stated that they will have to postpone the awarding or rejection until they have the opportunity to engage with the lowest responsible bidder.

Councilman Conrad and Stanton collectively replied that this has already been done.

Town Engineer Prendergast stated that he has been through the bid and the bid is alright as far as the paperwork goes and \$615,000.00 was negotiated.

Town Attorney Rotello inquired as to if the \$615,000.00 included the modifications.

Councilman Conrad stated that it included the removal of a clarifier.

Supervisor Hotaling stated that this is not a modification of an original bid; there is a modification of the original fax that the contractor is bidding on, which would give him some pause to do what they are currently doing.

Engineer Prendergast stated that it needs to be awarded based on the bid that was turned in and the first Change Order should be a deduction for \$250,000.00 and then it won't have to be bid out again.

Attorney Rotello stated that it is a different scenario to award the low bidder to do a Change Order and he does not believe that it is what he previously quoted from a case.

Engineer Prendergast interjected that the case talks about negotiating prices.

Supervisor Hotaling stated that the elements are that there are three bids and the lowest responsible has been identified and then Engineer Prendergast was authorized not to accept or reject the bids but to renegotiate with the lowest responsible bidder and then go back to the Town Board to see if it meets their approval.

Attorney Rotello stated that a point in fact with the case referred to earlier and quoted:

"it was the fluctuating prices of copper and after some negotiations an accord was reached where they felt that copper prices go below a certain level and at the time of shipment GE would reduce its bid to reflect the decrease and an increase in copper prices beyond the original bid would not be passed along to the authority"

Supervisor Hotaling interjected that he's sorry that Attorney Rotello had just read that because it was a different scenario from what they are doing and he is uncomfortable with it because if they go back and take one clarifier away and give a new price it is a different kind of negotiation than the fluctuating prices of copper.

Attorney Rotello stated that it seems to be a scenario where they would not get into a jam because there is a low bidder and before accepting any bids they would go back and negotiate with the low bidder and he does not think that there is a problem because the premise of competitive bidding is that taxpayers get the best "bang for the buck" and this is the Town Board's role.

Supervisor Hotaling stated that who are they to say that the removal of one clarifier would have been a ½ million dollar item to one of the two other bidders.

Councilwoman Chmielewski interjected that Bast Hatfield, the second lowest bidder, was only a \$16,000.00 difference than the lowest bidder and if they tried to negotiate the same with them they might come in for less money.

Supervisor Hotaling stated that it could come in at \$550,000.00.

Councilwoman Chmielewski stated that it could or even come in at the same price.

Councilman Conrad stated that Engineer Prendergast removed \$400,000.00 worth of work and only got a reduced bid of \$30,000.00 from Standard Construction.

Councilman Conrad stated that as bad as he wants this project done this bothers him.

Councilman Stanton interjected that Bast Hatfield is all non-union.

Councilman Conrad stated that they have both union and non-union.

Engineer Prendergast interjected that they have to pay prevailing wages.

Town Attorney Rotello stated that from his general interpretation, there are editorial notes in the case law and in his second reading of it, he is not sure if that is how he would editorialize it. He added that he's not sure that he would editorialize it because if you got yourself in a jam there is a lot a room for interpretation beyond how the editors highlighted the elements.

Councilman Conrad stated that based on what was said he understands where Supervisor Hotaling is coming from and he agrees because they were eliminating one item and he would have felt better if Bast Hatfield had said they would deduct \$250,000.00 but to remove \$400,000.00 worth of work from the project, take out a clarifier at \$250,000.00, which he feels is a much more needed item, they would be further ahead to make it at the old bid prices and get \$400,000.00 worth of work for a lot less money. He added that they will be still be stuck doing other repairs that are going to be needed in the future and they will pay 2/3 of the going rate for \$400,000.00 less money and there are other scenarios that they have to be careful of.

Supervisor Hotaling stated that he has been advised by the Bonding Agent, Mr. Donegan, that if they award the bid and borrow money to deal with it in excess of \$550,000.00 then the new threshold exceeds the million dollar threshold and that puts them in a different scenario in terms of who the people are that can bid on the note and also requires the Town to file financial reports that they do not have, 2001, 2002 and 2003 are not available. He added that with this being said, they would be hard pressed to ask for a dollar more than the \$550,000.00, and it was discussed at the last workshop about possibly trying to hold it down, even though there is \$700,000.00 as a possibility, trying to hold it down to make it \$350,000.00 or \$400,000.00, the amount that they have to borrow, keeping under the \$1,000,000.00 threshold and bring in to play the usual lenders like National Bank of Coxsackie or Scotia Bank who usually bid and give favorable response because they know the

Town of Coeymans. He concluded by saying that they would use the smaller amount as the revolving fund for the project and this is a factor in light of the fact that they ask for a larger project.

Councilman Conrad interjected that they would be a long time getting the rest of financial information together if they go up to a million dollars and even if they find someone to do it there is a time frame, which they would not be able to meet.

Supervisor Hotaling stated that contact has to be made in the upcoming week to put the Notice of Sale out and this has to be done by August 31, 2004 to meet any requirements.

Engineer Prendergast stated that anything that is borrowed toward a capital improvement the Village has to give half of it.

Councilman Conrad interjected that they are contractually obligated to 50% of a capital improvement but the Town is also suppose to give them a look/see at what they are doing prior to making any improvements.

Engineer Prendergast stated that there have been copies of the plans for quite some time and the Village knew that the project was going out to bid and they did not indicate that they didn't like it.

Councilman Conrad stated that he's sure that the Village is relying on Engineer Prendergast's expertise at this point and if they had not had him it may have been a different synopsis.

Engineer Prendergast stated that if the Town needed another \$200,000.00 to award it at the \$865,000.00 level, \$100,000.00 would come from the Village and the Town would take \$100,000.00 out of their pocket to make it work.

Councilman Conrad stated that the same synopsis had crossed his mind but he does not know where they stand with the Village in order to reduce the amount from the 1 million dollar threshold by doing a separate contractual item with the Village for borrowing if they have that kind of money.

Engineer Prendergast stated that he believes that they do have that kind of money in their Sewer Fund.

Councilman Conrad stated that the Village only charges ½ of the rate that the Town charges for users and he's not sure and cannot be making statements for what the Village has.

Supervisor Hotaling interjected that they have gotten themselves into a mess.

Councilman Conrad stated that they have been dropped in as a matter of proxy by being elected to the positions and not knowing fully what they were in for.

Councilwoman Chmielewski inquired as to what DEC is saying as far as what has to be done.

Engineer Prendergast stated that they would like to see the Town get the best value for the Sewer Plant for the money that they want to give them and know that all kinds of things are needed and this money will make improvements.

Councilman Stanton interjected that the contractor is willing to come down \$200,000.00 for one clarifier and asked if they would come down any more.

Town Attorney Rotello stated that he would read from the previously discussed case:

“GE submits a 28 million dollar bid, which is \$200,000.00 less than a bid by someone else, after the bid is opened the Transit Authority makes inquiries of GE and asks if certain costs listed under item 20 be eliminated because they are duplicative

Supervisor Hotaling asked if he had stated that the bid was more or less.

Town Attorney Rotello stated that it was less, GE agreed to eliminate some items under item 20 and lowered its bid to \$891,000.00 and then the Transit Authority expressed their concerns about fluctuating prices of copper and then negotiated an accord with placing a ceiling cap on the copper prices. He added that the case stated that they ultimately rejected all bids and GE started an Article 78 to enjoin them from re-bidding and compel them to award the bid to GE because it was the low bid. He continued by saying that the case was settled and it was awarded the GE and the next highest bidder brought action to challenge the process. He concluded by saying that the facts are there, they are renegotiating by saying reduce the price and not the items.

Engineer Prendergast interjected that they are reducing items by taking some things out.

Town Attorney Rotello stated that they can't do that; they can't negotiate anything that altered the bid other than reducing the price.

Councilman Conrad asked as to when Harkins would begin the project if they proceeded to award the bid.

Engineer Prendergast stated that work would start immediately because they are just finishing another sewer plant and are looking for somewhere to send the crew.

Councilman Stanton inquired as to if the project was priced this year.

Engineer Prendergast stated that the prices are from last Friday.

Councilman Stanton inquired as to what date the original pricing was.

Engineer Prendergast stated that they applied for the grant at the end of 2001 and it was awarded sometime in 2002.

Supervisor Hotaling interjected that there was a proposed start date of May 2002 with completion in December 2002.

Councilman Stanton stated the original estimate given by Engineer Prendergast was \$685,000.00.

Engineer Prendergast stated that it was for 2 clarifiers and the aeration upgrade.

Councilman Conrad interjected that this did not include the I beams, concrete and other additional items.

Engineer Prendergast stated that there was previously an aeration project that was put out for bid 5-6 years ago with an estimated cost of \$60,000.00 and it came in at \$120,000.00 and the Town Board said it was twice what they allowed for and would not approve it.

Councilman Stanton stated that he could see it being up 30-40%.

Councilman Conrad inquired about taking out the aeration system and if it was just the piping and blowing system like in standard aerators.

Engineer Prendergast stated that was correct and in the re-bid he left out the aeration items because maybe someone at the plant could put in the aerators themselves.

Councilman Conrad stated that the Village has a work force that they use constantly and are willing to work and they manage to build elevators and things of that nature, which reduces the overall cost of the project and maybe they can get the cost of the project down underneath where they need to be and this might be something that they ultimately can do themselves.

Engineer Prendergast stated that the phase of the work that he put in the re-bid is skilled work which entails pouring 300 yards of concrete and running cranes and might be challenging for someone that has not done this type of work before, and the aeration equipment they could do because it is light duty labor and the old mechanical aerators could be torched out. He concluded by saying that there is a lot that they could do but the particular scope that he put out for bid may be above them.

Councilman Conrad stated that his problem with it is getting rid of the second clarifier because he is looking for the ultimate increase in capacity of the plant to alleviate the problem and he does not want to have to go back to the drawing board in 2006 to add another clarifier that originally would have cost \$250,000.00 but would then cost \$450,000.00 and that is where they are headed.

Engineer Prendergast stated that was correct and if they look at the low bid of Harkins at \$865,000.00, \$582,000.00 would come from the State, which would leave \$280,000.00 or \$140,000.00 for the Town and \$140,000.00 for the Village. He concluded by saying that this would be \$865,000.00 worth of improvement for \$140,000.00.

Councilwoman Chmielewski inquired as to if the Village had already paid \$100,000.00.

Supervisor Hotaling stated that they paid one portion, which went toward engineering design costs, which was outside the scope of the grant and it is his understanding that they paid \$50,000.00 cash and in turn the Town used that along with other money borrowed to operate the plant and then had to borrow \$125,000.00 to make up for it. He concluded that they are down \$125,000.00 before they reach the start line.

Councilman Conrad stated that he was not on the Board in 2001 and 2002 when it started and being that the engineer costs are outside the scope of the contract, he then asked Engineer Prendergast what his services have cost the Town thus far.

Engineer Prendergast stated that he's not sure off the top of his head and he had originally put in an estimate of \$50,000.00 for not only process engineering, which is what he does in the bidding but also electrical, survey, soil work, which he subcontracts and then pays out of the \$50,000.00. He added that out of the \$50,000.00, he was paid approximately \$30,000.00, which most of it came out of 2003 when most of the work was done.

Councilman Conrad interjected that Engineer Prendergast's 1099 for 2003 was \$44,000.00 and he was curious because he is seeing numbers that are astonishing in engineering costs.

Engineer Prendergast reiterated that it included the surveyor, soil engineering work, electrical work plus other assignments that he did for the Town, which included work at the Leachate Plant.

Councilman Conrad stated that it why he asked the question and he realizes that there were other projects but he didn't see anything else that was dramatic and the primary expense of the \$44,000.00 was the project at the Sewer Plant and that was only 2003. He then asked about the original design work that he did for the grant.

Engineer Prendergast stated that the grant application did not include much design work, it was more sketches and ideas and meetings with the Town and it was a \$3,000.00 item.

Councilman Conrad stated that for practical purposes they can assume that for 2001 he did the design, in 2003 it was the primary crux of the project plus in 2004 they are at \$25,000.00.

Supervisor Hotaling interjected that it was \$20,000.00.

Engineer Prendergast stated that one of the items, which was not included in the original \$50,000.00 estimate, was for electrical engineering and the Town spent \$5,000.00 this year for electrical engineering.

Councilman Conrad interjected that this was for the finalizing of the drawings.

Engineer Prendergast stated that this was something that he had not anticipated in his original estimate because he thought that the electrical work would be simple but when he started getting involved with it he saw that it was over his head so he asked for and got proposals from an electrical engineering firm and this was also added in. He continued by saying that he had also done work for the Highway Department salt storage building in addition to \$6,000.00 - \$7,000.00 last year for Joralemon Park where he had designed a septic system and put it out to bid in addition to a construction inspection and \$4,000.00 for a survey and this would have been in his 1099.

Councilman Conrad stated that this is \$10,000.00 that he can take off the \$44,000.00.

Engineer Prendergast stated that these are items that he can think of off the top of his head.

Councilman Conrad stated that this is why he is asking because he was not on the Town Board and he is now looking at numbers.

Supervisor Hotaling stated that he had spoken with Engineer Prendergast earlier in the year and it was discussed that in the budget for 2004 there was \$5,000.00 appropriated for engineering costs for the Sewer Plant and the invoice for January exceeded that.

Engineer Prendergast stated that he wished that he had more experience in municipal finance and how things go because he does not know how they pay for things and his understanding was when he was called upon for his services, he assumed that they could pay for it.

Councilman Conrad stated that he would like to stick with the original plan but some things are thrown within the realm of reality such as the financing and if they exceed the 1 million dollar threshold, this is a detriment in starting the project.

Engineer Prendergast inquired as to if it was if they bonded the money.

Councilman Conrad stated that it is if they borrow in excess of 1 million dollars for this particular project.

Supervisor Hotaling interjected that if they were going to be consolidating something that is out there, adding to it \$550,000.00 or \$700,000.00 worth of work, that total when it was sent out for sale again would exceed the 1 million dollar threshold.

Councilman Conrad inquired as to if it might be possible that they speak with Harkins because it is his personal feeling that the \$100,000.00 that was borrowed by the previous Board was for operating costs.

Supervisor Hotaling stated that it went for that but it was not intended for that.

Engineer Prendergast stated that they did do \$60,000.00 to \$70,000.00 worth of improvements at the Sewer Plant last year.

Councilman Conrad interjected that it was prior and a separate piece that Harkins did.

Supervisor Hotaling stated that he didn't know if it was something that was done frequently, but Donegan mentioned that they could put it out in two sales and stay under 1 million dollars in each one of them.

Councilman Conrad inquired as to what they have expended at this point against the million.

Supervisor Hotaling stated that it was \$450,000.00.

Councilman Conrad asked if it was only this project.

Supervisor Hotaling stated that it was not, it is what they were going to consolidate because there are other issues.

Councilman Conrad stated that the first \$65,000.00 was a whole separate item and it was in 2003.

Engineer Prendergast interjected that it was for emergency repairs to the primary clarifiers, which was another thing that he was asked to design and put out for bid.

Councilman Conrad stated that it was \$65,000.00 and he remembers reading it in the minutes and maybe they can pick up the \$65,000.00.

Supervisor Hotaling interjected that it was outside the scope of the current project.

Councilman Conrad stated that it is not within the scope of the current project.

Supervisor Hotaling stated that they should not get confused because the 1 million is not necessarily all the current project, they are putting out a BAN sale that includes a substantial portion of the current project and refinancing from previous, which included other things such as vehicles for other departments. He reiterated that the 1 million is not for the current project alone.

Councilwoman Chmielewski interjected that it is for various different items.

Councilman Conrad stated that they have to keep their BAN limit down as much as possible in order to even get the current project off the ground.

Supervisor Hotaling stated that Karen from Donegan's office had said that the other option would be to only take so much money now for the project and if the project was split up during the following year they could go out for another BAN next year, which both together would be over 1 million dollars but separately it would be under the threshold for the financial reports.

Councilman Conrad stated that it sounds good with the plan that was presented for bringing the second clarifier online. He then asked Engineer Prendergast when he would expect the project to be completed.

Engineer Prendergast stated that the contract is worded that they would have to be done by February 15, 2005.

Councilman Conrad interjected that they would try to get the concrete work done early.

Engineer Prendergast stated that the first thing that they do is turn in the shop drawings for approval then they excavate and pour one clarifier, then pour the other clarifier, and then they do the pipe work. He added that the mechanical work can be done later as well as the concrete work but they would not be interested in the cost associated with it.

Councilman Conrad stated that the concrete done later would be too costly. He then added that he is for moving ahead with the project and seeing what they can do.

Supervisor Hotaling inquired as to how they could move ahead because they are constrained with moving ahead immediately.

Engineer Prendergast inquired about asking the Village what they think of spending \$140,000.00 of their money.

Councilman Conrad asked Attorney Rotello if they pull out the clarifier would they be violating the bid process.

Attorney Rotello stated that it is his opinion that it would and it would be whether or not anyone would say anything about it and if they did the Town would be in a jam.

Councilwoman Chmielewski interjected that they are talking about a lot of money and someone might say something.

Attorney Rotello stated that if the market is such that people don't need the work, have lots of work and are doing high bids, they probably won't care that they lost the bid. He added that he believed that he didn't think so.

Engineer Prendergast stated that he believes the only one that would have a gripe is the second lowest bidder and Bast Hatfield is a big company and may have a lawyer on staff.

Councilman Conrad asked Engineer Prendergast how much it would cost to build the clarifier.

Engineer Prendergast stated that the estimate is \$250,000.00 and if you use that and say that it is what is worth.

Councilman Conrad interjected that there is \$500,000.00 for two clarifiers.

Engineer Prendergast stated that was correct and there is approximately \$80,000.00 - \$100,000.00 worth of sludge pumps and piping and electrical is about a \$60,000.00 item.

Councilman Conrad inquired as to what the bid was reduced to.

Engineer Prendergast stated that it was \$865,000.00.

Supervisor Hotaling interjected that the bid was \$865,000.00 and reduced to \$615,000.00.

Engineer Prendergast stated that it was a \$250,000.00 deduction.

Councilman Conrad stated that it seems reasonable to him because \$500,000.00 of the \$865,000.00 is for the two clarifiers and another \$100,000.00 in pumps and miscellaneous, and \$60,000.00 for electrical brings it up to \$760,000.00.

Engineer Prendergast stated that there are also other things such as yard restoration, repaving, erosion control, setup, insurance, bonds.

Supervisor Hotaling inquired as to how they missed it so much in the estimates.

Engineer Prendergast stated that the estimate was two years old and costs have gone through the roof.

Councilman Conrad interjected that concrete is 75 a yard and two months ago it was 60 a yard.

Attorney Rotello stated that he had not researched the issue of awarding it to the low bidder with a change order and the change order is the elimination of something. He added that this is a separate issue than going before the bid is awarded and negotiate with the low bidder because there is still the option of saying that they want him to do the work but don't want to be charged for certain things such as the landscaping.

Councilman Conrad interjected that like he had mentioned the black top and some other items.

Attorney Rotello stated that they would not be saying that they wanted it taken out but rather keep it in and not charge for it.

Supervisor Hotaling inquired as to how much the concrete work would be and if it was 300 yards.

Councilman Conrad interjected that it is 75 a yard and in place it would be double that.

Supervisor Hotaling stated that it would be \$45,000.00.

Engineer Prendergast stated that in place the contractors are using 600+ a yard because they are using vertical forms and round forms and there is a lot of rebar in it because it has to handle 16 feet of hydraulic bed and it's not like a foundation wall, it has rebar every 12 inches.

Councilman Conrad stated that the other reason is because of the steel prices.

Engineer Prendergast stated that there is a lot of steel and the concrete is a lot of money.

Councilman Conrad stated that rebar has doubled in price.

Attorney Rotello stated that it is probably going to go up more when they start rebuilding the plant.

Councilman Stanton stated that DEC saw the plan two years ago and the price projected was \$685,000.00. He then inquired as to why the grant was not increased to take in account the rise in material costs.

Supervisor Hotaling stated that for clarification purposes it was reviewed two years ago but only approved a few months ago.

Engineer Prendergast stated that they approved of the final plan but he had worked with them for a long period of time.

Councilman Stanton inquired as to if they said something as to how low the price was at that time.

Engineer Prendergast stated that it was not low at that time and he had just put out a 30 ft. diameter clarifier for the Village of Valatie that he got for \$285,000.00 with new sludge pumps and everything else and this is a 40 ft. diameter clarifier plus he knew that the aeration project had just gone up \$120,000.00 and he called it \$180,000.00. He added that this is how the estimate was put together and it was based on the cost that he had seen in that year and since that time there have been increases along with the supply and demand factor, which is 20% that they added for their profit.

Councilman Conrad inquired as to how long the clarifier is overall.

Engineer Prendergast stated that is 17 ft. high. He added that he knows that the Town is getting gouged but this is the market at this time and he cannot get any cheaper prices.

Councilman Conrad inquired about the tanks like the Village is using for their water that are sections that they keep putting up from the bottom.

Engineer Prendergast stated that they can do a steel package plant but the only problem is that after 5-6 years the metal starts rusting and the sewage is corrosive and it comes to a point when you can't sand blast and paint enough. He added that the concrete should be good for 100 years, which would protect future taxpayers.

Supervisor Hotaling stated that he was going to call the Board to closure on discussion with the pleasure of the Board in terms of moving the meeting along.

MOTION

On motion of Councilman Conrad, seconded by Councilwoman Chmielewski, that based on information provided by Town Attorney Rotello and Engineer Prendergast, they will table any decision until they can gain more information on some possible further financing abilities, whether it is through the Village or the Town's bonding agent.

Supervisor Hotaling stated that there was a motion on the floor to table the award of the bid after reviewing the bid presentation by the Town Engineer and Town Attorney and asked for a second.

Councilwoman Chmielewski seconded the motion.

Discussion – Councilman Conrad stated that they need to finalize which way they are going to go as they have heard several possibilities of which he liked hearing. He added that he believes they would be best served to investigate the possibilities from the bonding agent the probabilities that were discussed, two possible separate bonds and if they do this they can go ahead with the second clarifier.

Supervisor Hotaling interjected that the two separate bonds would not let out two bonds simultaneously, it is a segmented process.

Councilman Conrad stated that he understands that but this will guarantee that if it is done before the end of the project, which will put them at the end of next year, they will be able to add the second clarifier back in.

Tape Change – a break in the discussion.

Supervisor Hotaling stated that this would be a small project by comparison for next year's projects for this company.

Town Engineer Prendergast stated that next year's projects have not been bid yet so they do not know what they will be awarded, they never know what's coming out and this project is a good size for them now.

Councilman Conrad stated that the next meeting date is September 13th and this will give them some time for investigation prior to that meeting to come up with some

ideas and give the Village the opportunity to share some ideas and ask them if they are willing to finance a portion of the project.

Supervisor Hotaling stated that based on past conversations with the Village on a lot of matters pertaining to the infrastructure he is not sure if he wants to lead in with this one.

Councilman Conrad stated that maybe they will have some discussion for the Town, but the one that he is really interested in is the possibility of a bond now and a bond later. He added that they would originally give the Change Order to reduce it.

Councilwoman Rogers interjected that then they would take it out permanently.

Councilman Conrad stated that it would be put back in if they figure out a way to get the money.

Councilwoman Chmielewski inquired as to if Attorney Rotello had just said that they could not take it out without re-bidding it again.

Supervisor Hotaling interjected that they would have to award the bid of \$865,000.00.

Attorney Rotello stated that he would have to research that specific issue of awarding the bid and then doing a change order.

Councilwoman Chmielewski stated that now they are changing the bid.

Councilman Conrad interjected that Attorney Rotello has until September 13th to do the research when they will make a decision.

Town Attorney Rotello stated that he would research whether or not they can award the bid and then do a Change Order.

Engineer Prendergast interjected that he has done it before and maybe he just never got challenged.

Town Attorney Rotello stated that it was not illegal or a crime and then asked Engineer Prendergast if there was an expiration time frame as far as how long the bid is good for.

Engineer Prendergast stated that bids are legally good in New York State for 45 days after receipt.

Councilman Conrad interjected that they will have to make a decision at the next meeting.

Engineer Prendergast stated that after the 45 days the contractor can walk away and if they wait 45 days the Town may have to extend his timeframe at the other end. He

added that the contract with the State reads that the Town will spend the money by March 31, 2005.

Supervisor Hotaling interjected that this was an extension that they had asked for any way.

Engineer Prendergast stated that it was correct and they asked for a one year extension and it was granted and he had indicated to them that the work would be completed by February 15, 2005 just to give them an extra month.

Councilman Conrad stated that there was a motion on the floor and then asked if there was any more discussion.

Supervisor Hotaling stated that there was a motion on the floor to postpone the final determination of the bids until the next meeting, September 13, 2004 and in the meantime the Town Attorney will research some additional questions and the Town Board represented by whomever will have discussion with the Village to bring them up to speed with where the Town is at and in turn get some input from them. He concluded by saying that on the 13th they will have a plate of options, some of which they can buy into, some of which they may not be able to and then they will move from there.

Supervisor Hotaling then asked for the vote.

VOTE – AYES 5 – NAYS 0 – SO MOVED

Supervisor Hotaling stated that he did not believe that it was necessary for Engineer Prendergast to be present for the remainder of the meeting and stated that they would move ahead with paying some bills, one on the items on the agenda that they already touched upon and will not be discussing any further, was discussion for Mr. Donegan's office to determine the specifics of the split project BAN.

Engineer Prendergast stated that Supervisor Hotaling had his number if they think of any other ideas or have any other questions and he would be glad to help out.

Supervisor Hotaling interjected that Engineer Prendergast should update DEC with the challenges that they are facing and the intent to explore them and make a decision and have a resolution at the next meeting.

Engineer Prendergast thanked the Town and excused himself.

Attorney Rotello also excused himself and stated that if anything came up they could call him on his cell phone.

RESOLUTIONS

RES. #105-04 APPROVE AUDIT OF CLAIMS FOR AUGUST 2004

Supervisor Hotaling asked that if there is a motion for such that consideration is given for adding the resolution that was discussed prior to the meeting and it bears the signature of all four Council Members for review. He then asked Town Clerk Millious what the voucher number would be.

Town Clerk Millious stated that if they were going to add a voucher it would be number 1644 and then verified that it was to be added to the General Fund.

Supervisor Hotaling stated that was correct and he was adding \$500.00 to make the total \$12,411.80 and change the General total to \$135,934.66 and then make the total for all funds \$210,073.51.

Supervisor asked for the Town Board to consider those figures on the proposed resolution before they make the motion he would appreciate consideration of a motion for payment.

Councilman Stanton made the motion.

Supervisor Hotaling stated that Councilman Stanton made a motion to offer the resolution and move for its adoption that the Town Board pay its August Abstract in the amounts specified in the resolution.

Supervisor Hotaling asked if there was any discussion or any comments relative to the totals that they saw, he added that he did not see any thing unusual and then asked for the vote.

On motion of Councilman Stanton, seconded by Councilwoman Rogers, the resolution changed to reflect the amounts discussed prior to the meeting 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 August 2004 Abstract.

ABSTRACT	VOUCHER #	AMOUNT
GENERAL (A)		
Pre-Pay	1457-1477	\$123,522.86
General	1521-1586,1644	\$ 12,411.80
	General Total	\$135,934.66
PART-TOWN (B)		
Pre-Pay	1478-1490	\$ 8,774.36
Part-Town	1587-1591	\$ 558.35
	Part Town Total	\$ 9,332.71
HIGHWAY (D)		

Pre-Pay	1491-1499	\$ 28,318.92
Highway	1592-1614,1616-1624	\$ 8,538.89
	Highway Total	\$ 36,857.81
SEWER (SS)		
Pre-Pay Sewer	1500-1515	\$ 11,760.06
Sewer	1625-1640	\$ 15,365.78
	Sewer Total	\$ 27,125.84
GROVE CEMETARY(TE)		
Pre-Pay	1641-1643	\$ 822.49
Grove		
	Grove Total	\$ 822.49
	Total All	\$210,073.51
	Funds	
TRUST & AGCY. (T&A)		
Pre-Pay	1516-1520	\$152,115.92
Trust & Agency		
	Trust & Agcy.	\$152,115.92
	Total	

Supervisor Hotaling stated that there were no other items on the agenda and asked the Town Board if there were any additional items to discuss that were not on the agenda.

Councilman Conrad stated that in light of their previous discussions of the Sewer Plant and being well aware of some of the items that they are hit with as far as financing for the Sewer District, and some of the repairs that need to be made and some of the contracts that they need to upgrade before December they should probably ask for some advice from the Sewer District Attorney Mr. Tabner, whether it be through Town Attorney Rotello or Supervisor Hotaling to find out his availability or whether or not questions can be posed to him because there are certain things about the Sewer District. He added that they need to know how to proceed with what they can or cannot do with their law and the drafting of it and that they would like to re-draft the law by December in order to get it so though they are somewhat more in line with the amounts that are being charged and items that are not currently in the contract or defined in the contract.

Supervisor Hotaling stated that he did not know if the contact that Town Attorney Rotello had with any attorney would result in any charges or if it would be a courtesy call with a pro-bono response. He added that this particular attorney had been involved with the previous Town Board and seems to be the expert in this area. He concluded by saying that by not being aware of any charges does not mean that there won't be any and Councilman Conrad's point is to maybe consider a motion to authorize him to engage Mr. Tabner if necessary for purposes of a review of their

current situation with respect to the sewer contract and any recommendations that he might make in light of their efforts to modify it by December of this year.

Councilman Conrad stated that it is two things and it is the Sewer Contract and the Local Law that they need to address.

Councilwoman Chmielewski interjected that it has to be done very shortly.

Councilman Conrad stated that some of the things cannot be done in the Sewer Law until they know for sure how to proceed because there are several questions that have arisen after reading the contract and after laying out the Sewer District he was shocked and there are some items that have gotten his mind boggled and the timeframe that it would take to research could probably be done by Mr. Tabner off the tip of his tongue.

Councilwoman Chmielewski stated that Mr. Tabner did a lot of work when he came to the Public Hearing and you could tell that he knew exactly what he was talking about and he was the one that answered all of the questions.

Councilman Conrad stated that he believes that there are enough questions to be answered again to have some legal advice and he's not sure if they are going to be involved with any money aspect.

Councilwoman Chmielewski stated that she is sure that he will charge for his time but it is money well spent because he has a lot of background and knows a lot about it and he did his homework for the meeting.

Councilman Conrad stated that he believed that they should authorize Supervisor Hotaling to proceed.

Supervisor Hotaling stated that he wanted to caution that proceeding with authority to engage Mr. Tabner is one thing but proceeding with the questions is probably outside the scope of his knowledge at this point. He added that given Councilman Conrad's research in it, it needs to be a joint effort either by small group or an individual going to him and telling him what needs to be looked at and then asking him the questions. He added that Councilman Conrad has questions and input on how it should be but needs to have confirmation.

Councilwoman Chmielewski stated that Mr. Tabner should be invited to meet with Supervisor Hotaling and Councilman Conrad.

Councilman Conrad stated that he would not have a problem going to Mr. Tabner's office in trying to save some money. He added that he may have a busy schedule and to ask a few questions may not warrant him coming down for so much per hour.

Councilwoman Chmielewski interjected that Councilman Conrad knows exactly what he wants to ask Attorney Tabner and can get clarification one way or the other.

Councilman Conrad stated that he didn't want to engage in any cause that the Town Board was not aware of and he had spoken with Supervisor Hotaling briefly about it and there are several items that he was totally unaware of and a few things just came to light and he's not sure what to do at this point and until he does, he does not want to speak out of turn. He added that it could affect the Town's Sewer District costs and does not want to incur any undo cost to the District.

Councilwoman Chmielewski interjected that sometimes you have to spend money in order to make money or save money.

Councilman Conrad stated that as long as the Board is willing to pay if any cost occurs and Attorney Tabner has always been a gentleman in the past and as Supervisor Hotaling had indicated, he has given the Town a lot of free information in the past. He added that he didn't want the Town Board to be "blind sighted" if they end up with a bill for a couple hours worth of work on Mr. Tabner's behalf.

Councilwoman Chmielewski stated that she did not believe that any of them would have a problem with a couple hours worth of work but if it went in to the thousands it would be a different story.

Councilman Conrad stated that he was not asking for anything drastic at this point and he would just be asking for informational input from him with regard to the Town's Sewer Contract and Sewer Local Laws that need to be updated. He added that in watching over the years, Mr. Tabner has had some input with restructuring the new law.

Supervisor Hotaling asked if there was a motion to authorize him to engage Mr. Tabner's services.

MOTION

On motion of Councilman Stanton, seconded by Councilman Conrad authorizing the Town Supervisor to engage Mr. Tabner's services.

VOTE – AYES 5 – NAYS 0 – SO MOVED

Supervisor Hotaling asked if there were any further questions or comment.

Councilwoman Rogers inquired about the RV hookups to the Sewer Plant and the fees associated with it.

Supervisor Hotaling stated that he didn't know anything about it.

Councilman Conrad stated that it was discussed about being a dumping station and he does not know what the fees would be.

Supervisor Hotaling stated that he had just been given by Councilwoman Rogers a copy of a letter dated February 10, 2003 from Chief Operator Breedlove to Ted Kosinski in reference to a phone conversation. He then quoted the following from the letter:

“the Town of Coeymans would like to have a dumping station for RV’s at the Waste Water Treatment Plant. We would only allow unloading when the plant’s employees are on duty and we would unload with a primary bar rack and make sure that the greater flow did not upset the plant. Initially we would allow sewer district users for no fee and Town residents for a small fee. Please notify us if there are any requirements or more information that you need.”

Supervisor Hotaling asked if anyone was aware if the previous Board had approved it.

Councilman Conrad stated that he didn’t believe that they had done anything with it.

Councilwoman Chmielewski stated that she didn’t think so either and then stated that Councilwoman Rogers and Councilman Stanton were on the Board at that time.

Supervisor Hotaling stated that it had nothing to do with the Board and it was Chief Operator Breedlove asking Mr. Kosinski for permission.

Councilwoman Chmielewski stated that it came up at a Town Board Meeting because she remembered hearing about it.

Supervisor Hotaling asked if anyone knew if Mr. Kosinski had gotten back to Chief Operator Breedlove saying what the requirements were and what had to be done.

Councilman Conrad reiterated that he did not believe that anything had developed and would ask Chief Operator Breedlove.

Councilwoman Chmielewski inquired as to if this came about when the previous Board was talking about allowing campers at Joralemon Park.

Councilwoman Rogers stated that she didn’t believe so and didn’t recall it ever being discussed.

Councilman Stanton and Councilwoman Chmielewski collectively stated that it was discussed at a Town Board Meeting about allowing camping and hook-ups at Joralemon Park.

Councilman Conrad reiterated that it was at a Town Board Meeting.

Councilwoman Rogers stated that she did not remember it.

Supervisor Hotaling asked for a motion to adjourn the meeting.

ADJOURNMENT

MOTION

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

Time 7:30pm

Respectfully Submitted,

APPROVED:

Diane L. Millious, Town Clerk

A Bid Opening was held on Friday, August 20, 2004 at 2:00PM, at the Town of Coeymans Town Hall, 18 Russell Avenue, Ravena, New York.

PRESENT: Diane Millious, Town Clerk
Pat Prendergast – Consulting Engineer

ALSO PRESENT: Ronald K. Hotaling, Jr. Supervisor
Larry Breedlove, Chief Sewer Plant Operator
Dean Mello, Bast Hatfield, Inc.

The following Legal Notice appeared in various publications:

NOTICE TO CONTRACTORS

Sealed bids for contract No. 02381 comprising construction of two new clarifiers and aeration improvements at the Town's Wastewater Treatment Facility are sought and invited by the Town of Coeymans, Albany County, New York, as set forth in plans and specifications prepared by Patrick J. Prendergast, P.E., Consulting Engineer, 127 Fordham Road, Valatie, New York, 12184 (518 758-7500).

Bids will be received by the Town of Coeymans, at Town Hall, 18 Russell Avenue, Ravena, New York, until 2:00pm on the 20th day of August 2004. The bids will be publicly opened and read aloud at that time.

All bid documents and all contract documents, including specifications governing the contract, may be examined between the hours of 8am and 4pm, at the Town Hall, 18 Russell Avenue, Town of Coeymans, New York, starting August 6, 2004. Copies of the bid documents can be obtained from the Town Clerk.

There will be no pre-bid meeting. Contractors may inspect the project site by making an appointment with the Treatment Plant Operator, Larry Breedlove, at 518 756-6180.

Work under Contract 02381 requires various forms of insurance including a Performance Bond. This project has been funded through a grant from the New York State Department of Environmental Conservation. As such, certain MBE and WBE goals have been established (see contract documents).

Each bidder must deposit with his bid, security in the amount of not less than five percent (5%) of the base bid in the form of a certified check or a bid bond subject to the conditions of this proposal.

No bid will be accepted unless a signed Certification of Non-Collusion is submitted with the bid.

The Town of Coeymans expressly reserves the right to waive any informalities in or to accept any bid or to reject any and all bids or to award on any or all items as the interest of the Town of Coeymans may appear to require.

No bidder may withdraw his bid within forty-five (45) days after the actual date of the bid opening.

By Order of the Town Board
of the Town of Coeymans

Ronald K. Hotaling,
Supervisor

BID OPENING

- Harkins Mechanical \$ 865,000.00
- Bast Hatfield Inc. \$ 881,000.00
- Standard Construction Corp. \$1,174,000.00

Respectfully Submitted,

APPROVED:

Diane L. Millious, Town Clerk

A Town Board Workshop was held Tuesday, August 17, 2004 at 7:00 PM at Town of Coeymans, Town Hall, 18 Russell Avenue, Ravena, New York.

PRESENT: Ronald K. Hotaling, Jr., Supervisor
Frank D. Stanton, Councilman
Dawn Rogers, Councilwoman
Nita J. Chmielewski, Councilwoman
Laverne H. Conrad, Councilman

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

AGENDA TOPICS

- Drug Testing Policy
- Employee Handbook
- Highway Salt Shed Request
- Hamlet Parking Plan
- Sewer Fund Capital Projects Time Line

RECESS

MOTION

On motion of Councilman Stanton, seconded by Councilwoman Chmielewski, the meeting was recessed to Executive Session to discuss litigation regard Labor Management PERB. Time 8:20pm
VOTE – AYES – 5 – NAYS 0 – SO MOVED

RECONVENE

The meeting was called back to order at 10:00pm for the purpose of adjourning the meeting.

ADJOURNMENT

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Conrad, the meeting was adjourned. Time 10:02pm
VOTE – AYES – 5 – NAYS 0 – SO MOVED

Respectfully submitted,

APPROVED:

Diane I Millious
Town Clerk

A Special Town Board Workshop Meeting was held Tuesday, August 10, 2004 at 6:00 PM at Town Hall, 18 Russell Avenue, Ravena, New York

PRESENT: Ronald K. Hotaling, Jr., Supervisor
Frank D. Stanton, Councilman
Nita J. Chmielewski, Councilwoman
Larry Conrad, Councilman

ABSENT: Dawn Rogers, Councilwoman

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

The following Notice of Special Town Board Meeting was distributed pursuant to Town Law.

****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 Tuesday, August 10, 2004 at 6:00pm. The meeting will be held at 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

AGENDA ITEMS

- EMT Training Grant – Mr. Lee French

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ADJOURNMENT

On motion of Councilman Conrad, seconded by Councilwoman Chmielewski, the Special Town Board Workshop was adjourned.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Rogers)

Time 7:30pm

Respectfully Submitted,

APPROVED:

Diane L. Millious
Town Clerk

**A Town Board Meeting was held Monday, August 9, 2004, at 7:00pm at
Town Hall, 18 Russell Avenue, Ravena, New York**

PRESENT: Ronald K. Hotaling, Jr., Supervisor
Frank D. Stanton, Councilman
Dawn Rogers, Councilwoman
Nita J. Chmielewski, Councilwoman
Laverne Conrad, Councilman

ALSO PRESENT: Diane L. Millious, Town Clerk

Supervisor opened the meeting and led the Pledge of Allegiance.

OVERVIEW OF AGENDA

- • Public Comment Period
- • Approval of Minutes
 - Public Hearing 07-12-04
 - Town Board Meeting 07-12-04
 - Town Board Workshop 07-20-04
 - Special Town Board Meeting 07-26-04
- • Department Report Review
 - Police Department Report – June 2004
 - Building Department Report – July 2004
- • Old Business
 - Parks Entertainment – July 8, 2004
 - Annexation Litigation Update
- • New Business
 - Expenditure of Highway Monies
 - Rate for Hauling Sludge
 - Resignation of Animal Control Officer
- • Resolutions
 - Agreement with Mohawk & Hudson River Humane Society
 - Northeast Drug Testing, Inc.
- • Correspondence
 - Albany County Department of Health
 - Coeymans-New Baltimore Citizens Committee
 - Time-Warner Cable
- • Town Board Workshops/Special Meetings
 - August 10, 2004 – Town Board Workshop
 - August 17, 2004 – Town Board Workshop
 - August 24, 2004 Special Town Board Meeting
- • Executive Session
 - Legal Strategy in Contract Issue Arbitration

PUBLIC COMMENT PERIOD

Supervisor Hotaling invited Public Comment, hearing none he moved to the next item on the agenda.

APPROVAL OF MINUTES

Supervisor Hotaling stated that there were four sets of minutes for Town Board approval and asked for a motion and second.

MOTION

On motion of Councilman Conrad, seconded by Councilman Stanton, the Minutes for the Public Hearing and Town Board Meeting on 07-12-04, the Town Board Workshop on 07-20-04 and the Special Town Board Meeting on 07-26-04, were approved as presented.

VOTE – AYES – 5 – NAYS 0 – SO MOVED

DEPARTMENT REPORT REVIEW

Police Department Report – June 2004

Supervisor Hotaling presented the report and stated that it was submitted a couple of days after the last Town Board Meeting and it was delayed for presentation until this meeting. He added that there were 773 calls for service of which 229 were emergency calls and 130 traffic tickets were issued. He continued by saying that the Chief of Police has submitted a six-month analysis of the Police Department Personal Service Budget and it shows that due to the discretionary spending freeze the Department is \$42,288.96 under budget for police personal services and communications personal services. He concluded by saying that it was worthy to note not only for themselves but also for public consumption.

Supervisor Hotaling asked if there were any questions or comments regarding the Police Department Report, hearing none he moved to the Building Department Report.

Building Department Report – July 2004

Supervisor Hotaling presented the Building Department Report and indicated that \$3,190.00 was collected in fees for the month of July for 18 Building Permits or Certificates of Compliance for an estimated cost of construction of \$583,400.00.

Supervisor Hotaling stated that both reports would be available to the public at either Town Hall or the Town Clerks Office and then asked if there were any questions or comments regarding the Building Department Report, hearing none he moved to the next item on the agenda.

OLD BUSINESS

Parks Entertainment – July 8, 2004

Supervisor Hotaling stated that he wished to give a clarification for something that was said at the last meeting and continued by saying that they had discussed the concern about the change in venue for one of the summer entertainments at Coeymans Landing Park. He added that in summary due to the threat of inclement weather the DJ was moved into a restaurant at the Landing and during the course of discussion it became a possibility to the owner of the restaurant and the owner of the Landing, who came to Town Hall the next day after the meeting, that it was their impression that some members of the public might have thought that they were the ones that initiated the request to move the entertainment into the restaurant. He continued by saying that the Town Board knew then and now that it was not true and he wanted to issue a clarification to the public who might have felt that way and it was a representative of Town Government that suggested that the venue be changed in the event of inclement weather. He added that neither Mr. Yanni or Mr. Allen played any role in the decision and that they both have been very supportive of the summer entertainment over the years and in the early years they did provide cover in an outside forum when it was the Muddy Rudder. He concluded by saying that it has been resolved that the entertainment stays in the gazebo and in the event of inclement weather it will either be delayed or cancelled.

Annexation Litigation Update

Supervisor Hotaling stated that he wanted to share with the public the efforts of the Town Board with respect to litigation that arose last year over the proposed annexation of some property that currently is located in the Town and the proposal is to have the property annexed into the Village of Ravena for the purpose of development. He added that last year the Town Board and Village Board “came to blows” on the issue, the Village suggested that the annexation should proceed and the Town suggested that it should not and a lawsuit was initiated. He continued by saying that the lawsuit has been in court since then and there was an attempt in August 2003 to have a case conference and a gag order was imposed by the court and both Boards minded the order and proceeded to the end of the year with little progress. He added that after the administration changed in 2004 there was a Joint Workshop in March with the Village Board and both agreed that the negotiations should continue so that it would not cost the Village or Town any more dollars in terms of litigation and court costs and they should proceed with trying to reach settlement pursuant to the threshold established by Municipal Law. He continued by saying that they exchanged some letters subsequent to that and on July 22nd there was a meeting with the Village and as it was announced in March it would be a

private meeting because it was negotiations with respect to a lawsuit between the Village and Town. He added that the Town Board met with the Village Board in an effort to negotiate and achieve the statutory threshold which under Municipal Law requires each municipality to achieve an overall public interest threshold for the annexation to proceed and the Boards efforts were to open the negotiations up to allow each Board to achieve their own comfortability with the public interest thresholds. He continued by saying that it became apparent at the end of the meeting that it was not likely to result in that level of comfortability with the threshold of overall public interest. He concluded by saying that there have been some discussions since then and he was publicly announcing that he does not believe that the negotiations of the settlement would be productive if they continue and invited the Board to discuss it with him further and then asked that the Board move in a formal way to end the discussions and negotiations on the annexation of Town land into the Village and to turn it back over to the court process who might move it forward or request additional discussions but it would be counterproductive to continue to discuss in areas that he does not believe that they can meet a statutory threshold of protecting the people of not only the Town but also the Village with respect to the overall public interest of the annexation.

Supervisor Hotaling then asked that the Town Board “weigh in” with him and either agree or move, or make some alternative suggestion.

Councilman Conrad stated that for purposes of getting it on the table he would make a motion.

MOTION

On motion of Councilman Conrad, seconded by Councilwoman Rogers, authorizing the Supervisor to proceed in the manner discussed previously.

Supervisor Hotaling stated that for clarification the motion was to authorize him to notify the courts that the efforts with respect to negotiations have been futile to this point and they believe that it would be unproductive if they were to continue and they are turning it back over to the court for any action that they would deem appropriate. He then asked if there was any further discussion.

Councilman Conrad stated that he was not sure what they could discuss with respect to the gag order and both the Village and Town have their own opinions and hold firm in the way that they feel about the end result and in not blaming either one the court should resolve the issue.

Supervisor Hotaling stated that for clarification both the Village and the Town Boards have their own opinions but the fundamental viewpoint of this Town Board and hopefully the previous Board is that the threshold of the overall public interest is an interesting statutory threshold to meet and unless or until they collectively and individually comfortable that in turning land to another municipality results in the overall interest of the public, they should not do it and they have reached the point

that they will not achieve that level of public interest and since it is a statutory requirement he can not see them moving forward with any productivity.

Councilwoman Chmielewski stated that she agrees that they are under the gag order and that they went to the table with good intentions to try to settle it but the Village Board had also taken some action at one of their Village Meetings as far as what they were going to do with the annexation so there was no further discussion to be had at their Joint Meeting.

Councilwoman Rogers interjected that a decision was already made prior to the meeting with the Town.

Councilwoman Chmielewski stated that the only thing to do at this point is to turn it back over to the court.

Supervisor Hotaling then asked for a vote of the motion to authorize him to notify the court of their decision to end negotiations and turn it back over to the court for any action that they deem appropriate.

VOTE – AYES 5 – NAYS 0 – SO MOVED.

NEW BUSINESS

Expenditure of Highway Monies

Supervisor Hotaling stated that they had before them a submission from the Highway Superintendent for the expenditure of Highway money and asked that someone open the discussion.

Discussion ensued regarding the number of documents and collectively it was decided that there were three pages.

Highway Superintendent Deering interjected that he had another that he wanted to submit for approval.

Supervisor Hotaling stated that there was approximately \$84,450.00 for the expenditure of Highway money and that Highway Superintendent had talked about \$135,000.00 being set aside for this year. He then asked what the \$135,000.00 was comprised of.

Highway Superintendent Deering stated that it was C.H.I.P.S. and Town tax money.

Supervisor Hotaling asked if there was a breakdown of the money.

Collectively it was decided that it was approximately \$60,000.00 in C.H.I.P.S. and \$75,000 in Town tax money.

Supervisor Hotaling stated that there is a request in the three pages of approximately \$84,000.00.

Highway Superintendent Deering interjected that C.H.I.P.S. money can only be used where it has not been used within the past ten years.

Supervisor Hotaling stated that he did not know that.

Councilman Stanton wanted it clarified that C.H.I.P.S. money can only be used where it has not been used within the past ten years.

Highway Superintendent Deering stated supposedly that it how it works.

Councilman Conrad interjected to a point.

Highway Superintendent Deering reiterated to a point with maintenance.

Councilman Stanton asked if the deed for Deyo Road Extension had been turned over to the Town.

Highway Superintendent Deering stated that there was not a deed for any of it and added that there are not deeds for a lot of Town Roads.

Councilman Conrad asked if there was conversation with the owner to turn it over to the Town.

Highway Superintendent Deering stated that there was and he would have to check with Attorney Rotello.

Councilwoman Chmielewski interjected that it was within the last couple of years.

Supervisor Hotaling stated that Attorney Rotello would be at the meeting later and they could ask him about the deeds.

Councilwoman Chmielewski asked the Town Clerk if she knew that any of the deeds were filed in her office.

Town Clerk Millious stated that she would have to take a look.

Councilman Conrad stated that they would have to be signed by both the Superintendent of Highways and the Town Board.

Supervisor Hotaling interjected that he knows that he has not signed any since January.

Councilman Conrad stated that he was present at the meetings when the discussions had taken place in October and November of last year when they discussed work that was being done on the road and as he recalls the owner and his daughter were at a meeting and had suggested that he would turn over that portion

of the road. He added that he does not have a problem with spending the money when it becomes a town road and he knows that they are using it now but have not used it for seven years for it to statutorily be considered a Town Road. He concluded by saying that he knows that it is their intent and they may have to incur some incentive for Mr. Campbell to turn the property over to the Town.

Highway Superintendent stated that he did not have a problem with that.

Councilman Conrad interjected that he understands that all town roads needed to be treated alike.

Supervisor Hotaling asked if it would be all right to exclude it at this point and asked which road he was going to do first.

Highway Superintendent Deering said that it was not a problem because he had another one to hand in and would do that one instead.

Councilman Conrad asked that it be handed to the Supervisor at this time because they are at a Public Meeting.

Supervisor Hotaling stated that for the Board's purposes it is a fourth page regarding SR 143 leading to a dead end.

Highway Superintendent Deering interjected that it is for Spoor Development, Elm Street and Nolan Road.

Supervisor Hotaling continued by saying that it is approximately 1,200 ft., moto-paved, for an approximate cost of \$17,495.00, the Spoor Road piece of it is approximately \$28,000.00 and the Elm Street piece of it is approximately \$8,200.00, which brings the total to approximately \$54,000.00 and in adding that to the \$82,000.00 it is approximately \$135,000.00.

Councilman Conrad interjected that it would change if they back out Crudo Road.

Supervisor Hotaling stated that Crudo Road was approximately \$26,000.00, which would then make the total approximately \$110,000.00.

Councilman Conrad interjected that they need to keep up with the Town Roads.

Councilman Stanton stated that he would make a motion authorizing the Superintendent of Highways to proceed with the repairs of the roads.

Councilman Conrad interjected that it would be with the exception of Crudo Road.

Councilwoman Chmielewski added that it would be until they found out about the deed.

Councilman Stanton continued by saying that he agrees with Councilman Conrad, the roads have to be kept up and the Town should have a plan to take the amount of roads and do so many miles a year and not let them go.

Highway Superintendent Deering asked if they could proceed with Deyo Road Extension if Town Attorney Rotello advised that there is a deed.

Supervisor Hotaling stated that it could be amended to include Deyo Road Extension, it will be excluded for the purpose of the current approval and when the deed is satisfied they will revisit it.

Highway Superintendent Deering then asked if they did not approve Deyo Road could he then submit for another road.

Councilwoman Chmielewski stated that they would take it under consideration.

Supervisor Hotaling asked that Highway Superintendent Deering identify to the extent possible the roads and costs for 2005 in order to plan for the budget.

Councilman Stanton interjected that Highway Superintendent Deering has been working well on it and only so many miles can be done a year.

MOTION

On motion of Councilman Stanton, seconded by Councilman Conrad to authorize Highway Superintendent Deering to proceed on the roads submitted with the exception of Deyo Road Extension until they can determine if there is an actual deed on file as it being a town road.

VOTE – AYES 5 – NAYS 0 – SO MOVED

Supervisor Hotaling indicated that he would sign the Agreements for the Expenditure of Highway Monies and on the one with Deyo Road he would asterisk and exclude it.

Supervisor Hotaling stated that while the other Board Members are signing the Agreements he would move ahead with the meeting. He then asked Councilman Conrad to summarize the next new business topic.

Rates for Hauling Sludge

Councilman Conrad stated that they have been reviewing the bills and there have been some problems with the number of gallon totals that have been showing up on the vouchers for payment.

Supervisor Hotaling interjected that for clarification it is sludge at the Waste Water Treatment Plant and then asked Councilman Conrad to explain to the public what they are talking about.

Councilman Conrad continued by saying that at the Waste Water Treatment plant there is a by-product called sludge, which has to be hauled to the Albany South Plant and the Town pays for proper processing of the material and to get it there they use Blue Diamond Septic. He added that in looking through the contract it

became known that last December the contract had expired and it also appeared that the gallons were somewhat in conflict with what was being charged on the vouchers. He continued by saying that in lieu of that problem they scheduled a meeting with Blue Diamond and came up with a cost of .312 cents per gallon in order to alleviate the gallonage problem when ever the different size trucks are being used to haul the sludge to Albany so it does not matter what size truck is being used the Town pays the same price per gallon and this will keep the price constant to the Town and in the event that the contract is expired this is to make up in the interim until they can advertise for a new bid or make any further decisions. He concluded by saying that he assumes that it will be put out to re-bid but it will take some time and they need this is order to pay bills.

Supervisor Hotaling stated that the bid last year anticipated a 4,000 gallon haul each time and because of some frothing of the sludge it took up approximately 200gallons of space so it became 3,800 gallons per haul. He added that there came a time shortly after the first of the year Blue Diamond used a back-up truck, which was called for in the contract, but it was not specific that the back-up truck had to be the same capacity and in fact wasn't, the back-up truck was a 3,000 gallon truck, which reduced the capacity down to 2,800 gallons. He continued by saying that as Councilman Conrad pointed out each time there were X number of trips the Town paid per trip as opposed to per gallon and they felt as though they were getting short changed on the amount of sludge being hauled for the same amount of money because it resulted in more trips, which was more money and less sludge was being hauled. He concluded by saying that there is now an agreement that satisfies both sides, which will get them through the balance of the year and the Town will pay per gallon as opposed to per trip and it will be the same rate per gallon no matter how many gallons there are.

Supervisor Hotaling stated that he had a submission from Mr. Jasinski, the owner of Blue Diamond, which has a line for his signature and with the Town Boards authorization by motion and approval he would sign the agreement.

Councilwoman Chmielewski asked if Chief Operator Breedlove was asked why there is so much foam.

Councilman Conrad stated that there is a germ in the sludge and the cost for the chemical to eliminate it would be very expensive.

Councilman Stanton interjected that the chemical is \$400.00 and they might as well haul the foam.

Councilman Conrad stated that it is cost prohibited.

Supervisor Hotaling added that to Mr. Jasinski's credit, he waits for the foam to settle and then adds more.

Councilman Stanton interjected that there is a micro-organism that causes the foam.

Councilman Conrad stated that it is because of the actual storage of it and the older type design of the equipment, there are areas that do not clean themselves as readily as the other stuff to keep the material constantly circulating and it allows the micro-organism to duplicate itself, which causes the foam.

Supervisor Hotaling then asked for an authorization by motion to sign the agreement.

MOTION

On motion of Councilman Stanton, seconded by Councilman Conrad, authorizing the Supervisor to sign the agreement with Blue Diamond for hauling the sludge on a per gallon basis.

Councilman Conrad asked that the motion be re-worded to include up until the time that they decide to re-bid.

Councilman Stanton agreed.

VOTE – AYES – 5 – NAYS – SO MOVED

Resignation of Animal Control Officer

Supervisor Hotaling stated that he was in receipt of a resignation letter passed on from Chief Giroux, for the resignation of the Animal Control Officer, Ray Rossman, as of July 30, 2004. He then asked for a motion to accept the resignation of Mr. Rossman.

MOTION

On motion of Councilman Conrad, seconded by Councilwoman Chmielewski, accepting the resignation of Ray Rossman, effective July 30, 2004.

July 30, 2004

To: Scott

From: Ray Rossman

Due to my full-time job, I Ray Rossman am resigning from ACO of Coeymans as of today's date.

Ray Rossman

Councilwoman Rogers asked if they should now advertise for the position.

Supervisor Hotaling stated that with the Boards permission he would ask Confidential Secretary Lewindowski to put together an ad and contact the News Herald.

Councilwoman Rogers interjected that an advertisement for the Bingo Inspector's position should also be done.

Supervisor Hotaling stated that Ms. Donna Pasquini has indicated her desire to leave the position of Bingo Inspector at the earliest opportunity but has graciously agreed to stay on until such time as they have a replacement but their commitment is to seek a replacement as soon as possible. He added that they should separate that and deal with Mr. Rossman's resignation. He then asked for the vote on the resignation.

VOTE – AYES – 5 – NAYS – SO MOVED

Supervisor Hotaling stated that the Town Board has authorized him to advertise for an Animal Control Officer in an upcoming edition of the News Herald and as Councilwoman Rogers pointed out there is a need for a Bingo Inspector as well.

Councilwoman Chmielewski inquired as to how many applicants there were the last time that they advertised for the position of ACO.

Supervisor Hotaling indicated that Mr. Rossman was the only one and Chief Giroux anticipates the same response this time, however there is someone whose interest has peaked and he hopes that he can get an actual application. He added that regardless, the position has to be advertised and open to the public.

Councilwoman Chmielewski inquired as to what happens in the interim when an ACO is needed.

Supervisor Hotaling stated that in the absence of an ACO they can either contact a surrounding community for assistance from their ACO who has the expertise and equipment or a Police Officer would be called to handle an emergent situation.

Supervisor Hotaling stated that in regard to the Bingo Inspector, there was another applicant in addition to Ms. Pasquini, but they will also advertise that as well. He continued by stating that for public information, a Bingo Inspector is someone that on behalf of the Town Board, monitors the venues of the Knights of Columbus and Senior Center for \$50.00 a month. He concluded by saying that if you are an inspector, you cannot play bingo at the same time and anyone interested should apply.

RESOLUTIONS

Supervisor Hotaling stated that the first resolution is for an agreement with the Mohawk & Hudson River Humane Society, which is where the ACO would take animals to be housed temporarily until the owners can comply or eventually it would be the place where animals could be euthanized that have been taken into custody of the Town.

Councilman Conrad interjected that the agreement is under Article 7 of the Agriculture and Markets Law.

RES. #103-04 AUTHORIZE EXECUTION OF AGREEMENT WITH MOHAWK & HUDSON RIVER HUMANE SOCIETY

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

WHEREAS, the Town of Coeymans desires to contract with the Mohawk & Hudson River Humane Society to obtain municipal shelter services as provided in Section 115 of the Agriculture and Markets Law, and

WHEREAS, the Town desires to contract with the Mohawk & Hudson River Humane Society to harbor dogs seized by the Town under Section 118 of said Law until redeemed or adopted,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby authorize Supervisor Ronald K. Hotaling, Jr. to enter into agreement with the Mohawk & Hudson River Humane Society to provide services for the period January 1, 2004 to December 31, 2004 at a rate of \$1,000.00 per year.

Discussion – Supervisor Hotaling stated that for purpose of clarification, January 1, 2004 they were still doing this but it took the Mohawk Hudson & River Humane Society until June to realize that they did not send the contracts out. He added that they have been providing the service since January 1, 2004 and will be doing the same through December 31, 2004. He concluded by saying that the \$1,000 per year is much less than it was in prior years when the Town had local kennels provide the service, particularly when a dog had to be housed for a long period of time.

Councilman Conrad inquired as to the proper name as to whether it is Mohawk & Hudson River Humane Society or if it is Mohawk Hudson & River Humane Society

Supervisor Hotaling stated that it is Mohawk & Hudson and it is incorrect in the second whereas.

RES. #104-04 AUTHORIZE EXECUTION OF CONTRACT WITH NORTHEAST TESTING INC.

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

WHEREAS, the Town Board of the Town of Coeymans is desirous of fulfilling its requirement to comply with the Omnibus Transportation Employee Testing Act of 1991, Controlled Substances and Alcohol Use Testing as outlined by the Department of Transportation in 49 CFR Parts 40, 382, and 391 of the Code of Federal Regulation and,

WHEREAS, the contract for this testing has expired December 2003 and,

WHEREAS, the Town Board has conducted a search for the appropriate vendor to provide this service,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans authorizes Supervisor Ronald K. Hotaling, Jr. to execute a contract with Northeast Testing Inc., PO Box 428, Guilderland, New York 12084 for a one-year period to commence August 1, 2004, providing the drug testing needs of the Town of Coeymans. Costs incurred will be pursuant to an established schedule of fees.

Discussion – Supervisor Hotaling asked that Councilman Conrad explain the resolution.

Councilman Conrad stated that the original contract was suppose to expire in August, it was originally obtained through the County and was handled through Memorial Hospital and Samaritan Hospital. He added that they backed out of their contracts in January and started to set up contracts with each Town and Village individually because of requirements through the Privacy Act. He added that the company does not provide for any of the supervisory training as required under the Omnibus Law and the Town would have to go elsewhere to receive the training and Northeast not only provides the training but also provides on-site drug testing so that the employees will not have to leave the site, the Supervisor will ascertain those that need the drug testing and it will be performed at the site, there will be no lost time for an employee to transport another employee to have the test performed at a facility. He continued by saying that this company will help save money with the aspects mentioned and in addition the rates are lower than the previous company. He concluded by saying that there are vouchers that have to be used for pre-employment testing and it has to be an original and not a copy, there are a couple of laboratories that can be used, it can be done on a walk-in basis and the Town will receive the results the next day.

Highway Superintendent Deering inquired as to the effective date.

Councilman Conrad stated that it is August 1, 2004.

Highway Superintendent Deering stated that he has someone that has an appointment for pre-employment testing at another place and he thought that this is what was agreed until there was something in place.

Councilman Conrad stated that he will not be in the Drug Pool and it is not in the consortium and it has to be in the consortium to meet the requirements and he should not go any place else because this is the purpose of getting the vouchers and the contract signed.

Highway Superintendent Deering interjected that it is a new employee.

Councilman Conrad stated that it does not matter, for any employee it has to be in the consortium. He then advised Highway Superintendent Deering that they need a total list of those with a DL licenses and their ID numbers to be submitted to Northeast.

Highway Superintendent Deering stated that he would try to get in touch with the person but he thought that it was discussed that they could temporarily send them somewhere else for the testing.

Councilwoman Rogers stated that he was correct, it was discussed because they were not sure that there would be something in place.

Councilman Conrad interjected that it was discussed that they might possibly do that but it was never acted upon because they were not sure of the requirements. He continued by saying that the problem is that with the CDL drivers under the Omnibus Act CDL drivers have to be in a consortium or drug pool of which 50% are tested for drugs and 25% are tested for alcohol and the numbers have to be done on an annual basis in that consortium and you have to be a member of the consortium in order to make the numbers work and the drug test will fulfill one of the requirements for the pre-testing. He concluded by saying that the vouchers are available and all they need is a list of names and then the person for the pre-employment testing can go to one of the labs and one of them is Lab Corps in Delmar.

Highway Superintendent Deering asked if he could get the address for the Lab so that he could call the individual and direct the person in question to the proper location.

Councilman Conrad interjected that the vouchers are also available.

Councilman Stanton inquired as to if the company is available anytime during the day.

Councilman Conrad stated that there is a 24 hour call number and they either make arrangements to meet the individual and supervisor at their facility at 1500 Central Avenue or arrange with a lab to take the person to for the testing. He continued by saying that it requires an officially trained supervisor and the individual has to be escorted to and from the facility and it has to be done in a specific time frame. He concluded by saying that in order for this to be done the contract has to be signed immediately.

Supervisor Hotaling asked if there was any further discussion relative to the drug testing, hearing none he called for a vote.

Supervisor Hotaling stated that they would get the information to Highway Superintendent Deering and apologized for any inconvenience the new policy may have caused the proposed candidate for employment but they would be better served to follow the consortium rules so it does not have to be done over again.

Councilman Conrad asked that Highway Superintendent Deering get the list of CDL and non-CDL drivers along with their ID numbers to the Supervisor's Office.

Councilwoman Chmielewski asked Highway Superintendent Deering if it is a new driver that he is hiring and did he just get one because he wanted two.

Highway Superintendent Deering stated that this would be a new driver and there is one already in there.

Supervisor Hotaling interjected that it is an on-going issue that needs to be resolved.

Councilwoman Chmielewski asked if this driver was ready to go.

Highway Superintendent Deering stated that he hoped so.

CORRESPONDENCE

Albany County Department of Health

Supervisor Hotaling stated that he was in receipt of a memo from James Crucetti the Albany County Health Department Commissioner and it discusses Lyme Disease and the patterns of Lyme Disease that has been prevalent and moving further north in New York State. He then quoted from the memo:

“Columbia County recently recorded the greatest number of human cases of Lyme Disease in the state and nation.”

He continued by saying that it is a pretty prevailing statistic and it is our neighbor across the river to the south. He continued by reading the following excerpt:

“Due to the migration patterns and increase in the deer population, it is anticipated that more residents in Albany County could be exposed to ticks that are infected with the Lyme Disease organism.”

He continued by saying that they have set forth on an education measure and advised that there are 200 “Alert” signs and 100 “Warning” signs that are available through a grant that they received and they are asking anyone in the local jurisdiction if they want any. He added that he had asked Confidential Secretary Lewandowsky to make a call and she was the first to call and he is currently in receipt of 5 signs, which can be posted at possibly Joralemon Park and Coeymans Landing to remind people of the danger of ticks.

Coeymans New Baltimore Citizens Committee

Supervisor Hotaling stated that he received a letter from the Coeymans New Baltimore Citizens Committee subsequent to the Workshop Meeting devoted to Gedney Hill thanking them for listening to their concerns relative to the safety and the lack or permit restrictions associated with the mining operation. He continued by saying that during the meeting they discussed a couple of potential options and he’s not sure where they are with it and that one of the options was to rezone.

Councilman Conrad stated that he did meet with the Planning Board at one of their meetings and they did touch on the subject along with rezoning a parcel in the hamlet and he is awaiting input from them at this point. He added that they are going to look closer at the New Baltimore end of the parcel that is currently not zoned.

Supervisor Hotaling stated that it was also discussed about the Town having some jurisdiction about the hours of operation and road restrictions with the major thing being rezoning.

Councilman Conrad stated that they were suppose to get back in touch with the Town Board regarding the WPA Funded road which would make it impossible for the Town Board to restrict any limits on weight.

Councilwoman Chmielewski asked if the Planning Board was going to make this a priority.

Councilman Conrad stated that it would not be for Gedney Hill however the hamlet rezoning was a priority and currently there is very little activity on Gedney Hill and there has been talk of the brickyard being offered up for sale and he's not sure to what extent the information is true.

Supervisor Hotaling stated that there is something to be said about doing all of the rezoning at the same time because the process is arduous.

Councilman Conrad stated that the Town Board has the right to make any modifications and changes and at this point in time they are fulfilling their obligations by asking the Planning Board for their input and hopefully the information will be forthcoming. He added that they have been working on the rezoning process since April when two individuals requested rezoning in the hamlet area and it has been since 1961 that any real changes have been made and there are still residential/agriculture districts in the hamlet and it does not fit with the general residential neighborhood that there is currently. He concluded by saying that the Planning Board is looking into it and reviewing it and the Town Board is waiting for their recommendations in writing and as soon as they receive it they will have to notify the surrounding townships in writing and establish the Lead Agency followed by Public Hearings for input from the public and there is a lot to be done at this point as they are in the beginning stages.

Time-Warner Cable

Supervisor Hotaling stated that this correspondence only impacts a small portion of the Town, which he believes are the northern sections or 9W and Rte. 144 and these people have Time Warner Cable because Mid-Hudson Cable is not available to them. He added that the Town has been receiving a small franchise fee from Time Warner on a quarterly basis. He continued by saying that Time Warner is in a disagreement with MSG/Fox Sports NY, which has resulted in discontinuance of carriage of these networks on Time Warner Cable System in the Town of Coeymans. He then read the following excerpt from the letter:

“Despite Time Warner Cable’s ongoing efforts to negotiate a new Carriage Agreement for MSG and FSNY, both networks are sticking to unreasonable demands for programming that has diminished in value over time.”

Supervisor Hotaling concluded by saying that there are two sides to every story and MSG/Fox Sports NY might not agree, but either way for those affected there will be a screen crawl advising customers of the situation.

Councilman Conrad stated that in researching he noted the original agreement entered into for the Town’s portion of Time Warner Cable and then asked if the agreement had expired because he did not find a renewal.

Supervisor Hotaling stated that he did not know but they could look into it.

Councilman Conrad interjected that the original agreement was not with Time Warner.

Supervisor Hotaling interjected that it was Adams Russell and Time Warner took over.

Councilman Conrad stated that it was one more thing that has been lingering and hopefully Town Clerk Millious has the original agreement.

Town Clerk Millious stated that she would look through the contracts and agreements.

TOWN BOARD WORKSHOPS/SPECIAL TOWN BOARD MEETING

Supervisor Hotaling noted the following schedule of upcoming meetings.

- August 10, 2004 Town Board Workshop – 6:00pm
- August 17, 2004 Town Board Workshop – 7:00pm
- August 24, 2004 Special Town Board Meeting – 6:00pm

Supervisor Hotaling stated that with the Town Boards approval/authorization he would like to set a Special Town Board Workshop to review and hopefully award the bid for the Waste Water Treatment Improvement Project in addition to approving the Abstract for August. He then asked that Town Clerk Millious advertise the Special Meeting for August 24, 2004 at 6:00pm.

RECESS TO EXECUTIVE SESSION

Supervisor Hotaling stated that he has an Executive Session request to discuss legal strategy and contract issue arbitration for contract issues and grievances and

improper practices that have been alleged by the Unions, there is a hearing next week with PERB, there is a request for arbitration in an action taken against a member of Council 82, a request for arbitration taken against a member of CSEA and other issues regarding longevity and the benefit payment for health insurance reimbursement.

Supervisor Hotaling stated that Town Attorney Rotello had not yet arrived but they would enter into Executive Session for discussion and hopefully engage in serious discussion when he arrives. He then asked for a motion to adjourn to Executive Session for discussion on legal strategy in contract issue arbitration. He concluded by saying that no action would take place in Executive Session and they would reconvene for the purpose of adjourning the meeting.

MOTION

On motion of Councilman Stanton, seconded by Councilwoman Chmielewski, the Town Board Meeting was recessed to Executive Session. Time 8:04pm
VOTE – AYES 5 – NAYS 0 – SO MOVED

EXECUTIVE SESSION

Commenced at 8:05pm – Ended 10:00pm – No action taken.

RECONVENED MEETING

Supervisor Hotaling reconvened the Town Board Meeting at 10:00pm and asked for a motion to adjourn.

ADJOURNMENT

On motion of Councilman Stanton, seconded by Councilman Conrad, the Town Board Meeting was adjourned. Time 10:02pm
VOTE – AYES 5 – NAYS 0 – SO MOVED

Respectfully Submitted,

APPROVED:

Diane L. Millious
Town Clerk

A Special Town Board Meeting was held Monday, July 26, 2004, at 6:00pm at Town Hall, 18 Russell Avenue, Ravena, New York

PRESENT: Ronald K. Hotaling, Jr., Supervisor
Frank D. Stanton, Councilman
Dawn Rogers, Councilwoman
Nita J. Chmielewski, Councilwoman
Laverne Conrad, Councilman

ALSO PRESENT: Diane L. Millious, Town Clerk
Joseph Rotello, Town Attorney

Supervisor opened the meeting and led the Pledge of Allegiance.

The following Legal Notice for a Special Town Board Meeting appeared in the Ravena News Herald.

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, July 26, 2004 at 6:00pm. The meeting will be held at Town of Coeymans Town Hall, 18 Russell Avenue, Ravena, New York.

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

OVERVIEW OF AGENDA

New Business

- • Resignation of Bingo Inspector

June 2004 Supervisor's Report

Resolutions

- • Audit of Claims Abstract December 2002
- • Audit of Claims Abstract December 2003
- • Audit of Claims July 2004
- • Modify 2004 Budget

Supervisor Hotaling noted that the full Town Board was present and then gave an overview of the agenda, he then stated that a gentleman had come into Town Hall requesting the availability of a Court Clerk on an issue that he was suppose to hand deliver. He continued by saying that it was 6:02pm and the Court Office was closed, however he could give his name to the Town Board.

Mr. Russell Raymond introduced himself.

Supervisor Hotaling stated that on behalf of the Town Court, the Town Board was willing to accept the document and in turn would turn it over to Town Clerk Millious who in turn would forward it to the Court Clerk the following morning.

Town Clerk Millious agreed.

Supervisor Hotaling asked that Mr. Raymond give the document to Town Clerk Millious.

Mr. Raymond wanted to clarify that he was in the right place.

Town Clerk Millious verified that it was correct.

NEW BUSINESS

Resignation of Bingo Inspector

Supervisor Hotaling stated that they had received some time ago a resignation in the form of a letter from Donna Pasquini and at that time there was some discussion about the resignation. He added that he had asked her at some point to reconsider, given her service to the Town and her apparent passion for doing the job and at some point in the first part of July Councilman Conrad had gone to see her and she confirmed that she is not changing her mind but will agree to perform the services as long as the Town Board actively seeks a replacement for a Bingo Inspector. He then asked for a motion to advertise for another Bingo Inspector because without doing that the Town Board would become responsible itself for overseeing the Bingo venue in the Town.

MOTION

On motion of Councilman Stanton, seconded by Councilman Conrad, authorizing the Supervisor to advertise for a Bingo Inspector in the local newspaper.

VOTE – AYES 5 – NAYS 0 – SO MOVED

June 24, 2004

Honorable Ronald K. Hotaling
Supervisor, Town of Coeymans
18 Russell Avenue
Ravena, NY 12143

Dear Mr. Hotaling:

With much regret I wish to inform you that due to personal reasons I will no longer be able to fulfill the obligations of Bingo Inspector for the Town of Coeymans. Therefore, I am resigning from my position as Bingo Inspector, effective July 1, 2004.

Sincerely,
Donna R. Pasquini

SUPERVISOR'S REPORT – June 2004

Supervisor Hotaling stated that he would read the Supervisor's Report for June 2004 unless there was a motion to alter his usual plan of reading it.

MOTION

On motion of Councilman Stanton, seconded by Councilwoman Rogers to authorize waiving the reading of the Supervisor's Report for June 2004 and accept it as it was submitted for the record. VOTE – AYES 5 – NAYS 0 – SO MOVED

Councilwoman Chmielewski interjected that she hopes that it does not become a habit because she has sat in the audience many nights when it had been done with the previous administration and she does not think that it is right. She added that it should be read by the Supervisor and put in the minutes.

Supervisor Hotaling stated that he would be happy to read it if they chose to do that but would like to state for the record that there are no members of the audience present in addition to there not being any cameras running and there is only the voice recording that Town Clerk Millious was recording. He concluded that the paper itself would be part of the record and they could safely go along with the motion.

Councilwoman Chmielewski interjected that as long as that it does not become a habit it is not a problem.

Supervisor Hotaling agreed with that.

Councilman Stanton interjected that he agrees and it is the most important document that the Town has every month.

FUND	BAL. FWD.	RECEIPTS	DISBURSE.	BALANCE
GENERAL	\$1,578,818.12	\$38,339.22	\$ (159,839.17)	\$1,457,318.17
FEMA	\$ 43,623.50	\$ 40.00	-0-	\$ 46,663.50

PART-TOWN	\$ 45,172.34	\$ 952.50	\$ (10,669.26)	\$ 35,455.58
SPEC.WATER	\$ 28,356.46	\$ 8,047.58	-0-	\$ 36,404.04
HIGHWAY	\$ 322,125.97	-0-	\$ (45,387.30)	\$ 276,738.67
SEWER	\$ 275,945.78	\$33,070.77	\$ (31,413.25)	\$ 277,603.30
TRUST &AGCY.	\$ 561.91	-0-	-0-	\$ 561.91
			Total Rec. Bal.	\$2,130.745.17

RESOLUTIONS

RES. #98-04 APPROVE AUDIT OF CLAIMS FOR DECEMBER 2002

On motion of Councilman Chmielewski, seconded by Councilman Stanton, 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 2002
Abstract

ABSTRACT	VOUCHER #	AMOUNT
HIGHWAY (D)		
Highway	1329	\$662.25
	Highway Total	\$662.25
	TOTAL FOR ALL FUNDS	\$662.25

RES. #99-04 APPROVE AUDIT OF CLAIMS FOR DECEMBER 2003

On motion of Councilman Stanton, seconded by Councilwoman Chmielewski, 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 2003
Abstract

ABSTRACT	VOUCHER #	AMOUNT
GENERAL (A)		
General	1330	\$ 960.00
	General Total	\$ 960.00
HIGHWAY (D)		
Highway	1331-1333	\$ 285.95
	Highway Total	\$ 285.95
	Grand Total All Funds	\$1,245.95

RES. #100-04 APPROVE AUDIT OF CLAIMS FOR JULY 2004

On motion of Councilman Conrad, 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 July 2004 Abstract

ABSTRACT	VOUCHER #	AMOUNT
GENERAL (A)		
Pre-Pay	1259-1284,1454-1455	\$148,979.14
General	1334-1369,1371-1393	\$ 17,134.43
	General Total	\$166,113.57
PART-TOWN (B)		
Pre-Pay	1285-1295	\$ 8,601.69
Part-Town	1394-1397	\$ 674.67
	Part Town Total	\$ 9,276.36
HIGHWAY (D)		
Pre-Pay	1296-1306	\$ 32,646.59
Highway	1398-1434	\$ 13,982.52
	Highway Total	\$ 46,629.11
SEWER (SS)		
Pre-Pay Sewer	1307-1320	\$ 11,948.66
Sewer	1370,1435-1451,1456	\$ 16,148.74
	Sewer Total	\$ 28,097.40

GROVE CEMETARY(TE)		
Grove	1452-1453	\$ 204.99
	Grove Total	\$ 204.99
	TOTAL OF ALL FUNDS	\$ 250,321.43
TRUST & AGENCY (TA)		
Pre-Pay	1321-1328	\$ 173,529.51
	Trust & Agcy. Total	\$ 173,529.51

RES. #101-04 MODIFY 2004 BUDGET

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

WHEREAS, the following account has been exhausted because of unforeseen expenditures,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby authorize the Supervisor, Ronald K. Hotaling, Jr., to modify the 2004 Budget as follows.

AMOUNT	FROM ACCOUNT	TO ACCOUNT
\$1,783.95 and Claims	A1990.4 Contingency	A1930.4 Judgments

Supervisor Hotaling stated that this concluded the resolutions.

Councilman Conrad interjected that he would like to offer another resolution.

Supervisor Hotaling stated that he was recognized for the purpose of another motion or resolution.

RES. #102-04 REJECTION OF BIDS FOR SEWER PROJECT

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

WHEREAS, a Bid Opening was held on Wednesday, June 30, 2004 at 2:00pm and the Minutes were accepted by the Town Board on July 12, 2004. The bids came in at a considerably higher than expected cost. The Town Board rejects the bids and authorizes Engineer Pat Prendergast to go out to bid for a segmented version of the project in order for the Town to proceed as planned.

Discussion – Supervisor Hotaling stated that for clarification purposes this bid was for a Sewer Project for which the Town of Coeymans was the recipient of a Grant for \$582,000.00 on a \$600,000.00 project. He continued by saying that the bids that Councilman Conrad points out were opened recently and came in at 1.27 million and 1.3 million dollars, which was obviously over the \$585,000.00 that was allotted for the grant and in light of that the Town Board appropriately approved the Bid Opening Minutes. He added that the Town Board will now be rejecting the bids and authorizing the Engineer, who has had some preliminary discussion with DEC as far as the agreement to segmenting the process and doing the more critical areas of the project, to advertise for, receive and reopen bids for the segmented project, which will hopefully be under the ceiling of the dollars that were granted.

Councilman Conrad interjected that this was the intent of his resolution.

Supervisor Hotaling asked if there was any other discussion.

Town Clerk Millious interjected that Engineer Prendergast had mentioned that the Bid Opening would be August 20, 2004, at Town Hall and that the bid packages would be available on August 6, 2004.

Supervisor Hotaling stated that this will authorize the process to continue and they are on time in terms of the bid packages being available on August 6th and the Bid Opening on August 20th and the possibility exists of establishing August 24th as the day in which Engineer Prendergast proposes that the opened bids are reviewed by the Town Board and hopefully rewarding one and getting a portion of the project done before snow flies. He added that they will know more for the meeting on August 9th.

Town Clerk Millious interjected that they will need another Special Meeting to pay bills at the end of the month.

Supervisor Hotaling stated that they can do this at the Special Meeting as well. He then asked if there was any other business to come before the Town Board before he reversed the order of the agenda and give a member of the audience an opportunity to say something.

Mr. Albert McHugh stated that he wanted to go over something that he received from the Village of Ravena.

Supervisor Hotaling asked if wanted to do it in an open forum.

Mr. McHugh stated that it was up to the Board.

Supervisor Hotaling stated that it was fine to do it in open forum.

PUBLIC COMMENT

Mr. Albert McHugh stated that on President's Day Weekend of this year he and his wife came back from a long weekend and got back on Monday at 10:30 in the morning and when they got back his father had said that the Village workers were outside doing some work digging up and looking for a leak that they thought was in the road near the hydrant. He continued by saying that he checked his faucet and Mr. Persico came in and said that there was plenty of pressure and he didn't understand why there was that much pressure if there was a leak. He added that he then went outside and saw that Mr. Court had everything dug out and Mr. Connors and Mr. VanEtten were down in the hole, they proceeded to dig and found the pipe and in digging they had struck the pipe, which then created a leak.

Supervisor Hotaling inquired as to what pipe he was referring to.

Mr. McHugh stated that he guessed that it was his service line.

Supervisor Hotaling asked if he was present and observed it happening.

Mr. McHugh stated that he was there looking down into the hole when it happened and it was $\frac{3}{4}$ or 1 inch copper line and you can see the fresh black top where they were working.

Supervisor Hotaling asked Mr. McHugh if they hit a line during the digging process.

Mr. McHugh stated that was true and the Village workers did not know what it was and he didn't know what it was. He continued by saying that the workers turned off the hydrant and it appears that he does not have a shut-off in his yard and in doing this it shut down everyone on Westerlo Street. He added that it turned out that it was his pipe and the Village workers fixed it, and by his estimation they started working on it around 10:00am because when he got there they were about half way down into the hole which was around 10:30am and by 2:00pm they were done. He concluded by saying that he believed that it was regular maintenance but then he got a bill from the Village made out on March 3rd stating that he owes \$1,450.10.

Supervisor Hotaling asked if it was bill from the Village.

Mr. McHugh stated that it was a bill from the Village for the repair. He added that he went to Village Hall and reviewed a breakdown of the charges as far as the labor and equipment and then scheduled a meeting with the Mayor. He continued by saying that Nancy Warner let him review the invoice that she had drafted up, which had the hourly rates for the workers and it had 2 $\frac{1}{2}$ times the amount because it happened to be on President's Day and there also was a 25% benefits package included but he didn't know what that was. He added that he could not get a copy of it but wrote down some of the hourly rates and then figured it himself based on the hours that the workers were actually there rather than the 8 hours that he was being billed for at 2 $\frac{1}{2}$ times what their rate was and he came up with \$970.00.

Supervisor Hotaling verified with Mr. McHugh that they were there for four hours.

Mr. McHugh stated that they were there from 10:00am to 2:00pm.

Supervisor Hotaling asked if the bill was for 8 hours.

Mr. McHugh stated that the bill was for 8 hours.

Supervisor Hotaling asked if the bill that he has is for 8 hours or if the one that he observed was for 8 hours.

Mr. McHugh stated that it was the billing that he observed, on the bill that he has it has the backhoe down for \$40.00 an hour for 4 hours but then has another 4 hours of no charge and it is the same thing for the truck at \$25.00 but then no charge for another 4 hours and that this makes sense because they were only actually there for 4 hours. He added that there is not a breakdown for the labor, it is a lump sum.

Supervisor Hotaling stated that there is a lump sum opposed to a breakdown of the number of staff that did it and for how long they were there.

Councilwoman Rogers interjected that her question would be why he got a bill if he didn't break the pipe.

Mr. McHugh stated that maybe there was a leak, but there was definitely a leak after it was hit.

Councilwoman Chmielewski asked if at anytime anyone said that it was on his property and his responsibility.

Mr. McHugh stated that it was not on his property.

Collectively it was discussed that the cut is in the road to the north-side of the fire hydrant.

Mr. McHugh stated that on the Friday or Saturday before the digging, the Village workers noticed some water and dug up around the fire hydrant thinking that there was a leak there and came up with no leak.

Councilman Conrad verified with Mr. McHugh that the workers said that they did not find a leak.

Mr. McHugh stated that was true.

Councilman Conrad stated that this was the same fire hydrant that they were told about last Thursday that was damaged and needed repair.

Attorney Rotello interjected that there is a bag over it.

Collectively the location of the hydrant was discussed.

Mr. McHugh reiterated that there was no leak.

Councilman Conrad asked Mr. McHugh if they said that there was no leak and if he had observed any leaks.

Mr. McHugh stated that when he left Friday night he did not notice any water.

Councilman Conrad stated that he was confused because he thought that the hydrant was leaking and needed to be shut off and is in need of repair.

Attorney Rotello interjected that it was his understanding that this is what was originally said.

Councilman Hotaling asked if he was referring to back in February or recently.

Collectively it was discussed as to when the hydrant was bagged and it was agreed that it happened in February.

Councilman Conrad stated that the Mayor had told them that the Village is not repairing it; it is a capital expenditure and needs to be replaced.

Attorney Rotello interjected that he didn't remember seeing any water accumulating and he knows that the Village had sent some sort of notice to the Fire Company and something happened with his water and it did not just affect Westerlo Street.

Mr. McHugh added that they came in and turned the hydrant off which shut Westerlo Street off.

Supervisor Hotaling interjected that it did not affect just Westerlo Street.

Councilman Conrad stated that it was not really shutting the hydrant off; it was the main that was shut off. He added that hydrants have their own shut-off keys, which are what the Mayor had said that he had done to that one because it was leaking; the Mayor said that it needed to be shut off and replaced. He added that there is another main shut-off valve in the street to shut down the main, each hydrant has its own and usually every lateral coming into a property owner has what is called a corporation cock in the main and at the property line there is a curb box to shut down the line. He continued by saying that the Village theory on this is that even though the line is in the street, it is still considered to be the homeowners from the corporation cock into your home and you are responsible for it. He concluded by saying that his recollection of the process is that they are suppose to give the homeowner the opportunity to make the repairs and if the homeowner fails to make the repairs then they will do it and in turn charge the homeowner for the time and material.

Town Attorney Rotello interjected that when he was with Attorney Biscone's Office it was just the opposite, the property owner was told that the Village could not make the repair if the problem is at the main in the street; the Conference of Mayors said that you can't do this because you are not in the business of repairing sewers. It is the Village's opinion that the entire lateral is the property owner's responsibility even if it is off your property.

Supervisor Hotaling asked if there is any case law of the issue because it seems to him that you would not be responsible for something that is in the road and not on your property.

Councilman Conrad interjected that there is.

Supervisor Hotaling stated that they are getting into other areas and asked Mr. McHugh if he just wanted to bring this to the Town Board's attention.

Mr. McHugh stated that he pays his water to the Town, he is not a Village resident or in the Village Water or Sewer District and he does not understand what the Village's jurisdiction or authorization is to come into the Town and replace a service line. He then asked if they are authorized to do this as it does not appear to be in any Code Book.

Councilman Conrad stated that the 1982 Agreement between the Town and the Village authorizes the Village for maintenance of the Town mains. Attorney Rotello interjected that this is why the Town paid 150%.

Mr. McHugh stated that he received no notice or notification and he had checked with local contractors who said that it would be a bill for \$500.00 - \$600.00 for this type of repair. He continued by saying that he questioned why it had to be done on President's day and did not get an answer.

Councilman Conrad interjected that he was not even sure that there was a leak.

Mr. McHugh agreed.

Councilman Conrad stated that he was wondering why they were there digging.

Supervisor Hotaling then read Section 7 of the Agreement between the Town and Village as follows "all repairs to all water mains shall be the responsibility of and at the sole expense of the Village from its Water Budget and that all repairs from and including the corporation cock to all respective water users shall be the sole expense of each respective water user." He added that it does not say that it must be, can be, should be, done by the Village and one could argue whether or not it is a valid statement with respect to the corporation cock being in the road but none the less even as it is written it does not suggest that the repairs are going to be the responsibility to anyone other than the homeowner.

Attorney Rotello reiterated that at one point in time the Village was told that they cannot repair someone lines because they are not in the business of repairing sewers. He added that the Village has been making repairs of the laterals from the corporation cock to the property lines and he believes that they were giving the property owners the opportunity to replace their laterals. He continued by saying that the Village learned that they could not go on private property.

Supervisor Hotaling reiterated that it states that in reading Section 7 it states that the property owner is responsible.

Councilman Conrad interjected that he introduced Mr. McHugh to a new court case of law which point in fact says what is and what is not the property owner's responsibility.

Mr. McHugh added that he received a letter earlier in the day that said if the bill is not paid in full by August 23rd; water services to his property located on 109 Main Street will be terminated.

Attorney Rotello interjected that this cannot be done unless they terminate the rest of the Hamlet.

Mr. McHugh stated that they could put in a shut-off specifically for him.

Attorney Rotello stated that they sent the Town the same threat regarding a break.

Councilwoman Rogers interjected that she believes that it is illegal to shut off water service.

Attorney Rotello recalled that the Town got the same letter regarding a water main on Second Street and the Village said that it was a replacement and not a repair and it was the Town's responsibility.

Councilwoman Rogers reiterated that it is illegal.

Supervisor Hotaling added that in taking it at face-value they are clearly talking about a main in which the Village repaired a line and didn't give the property owner the opportunity to repair it.

Councilman Conrad interjected that the Village has it written into their Water Law; unfortunately the Town's is a little vague.

Supervisor Hotaling stated that he understands what the Village has in their Water Law and that would work and apply if the problem was 100 yards up, but it does not appear to apply where it is located. He reiterated that it does not appear to apply and they need to take a look at it. He asked Mr. McHugh if that is what he wants the Town Board to do.

Mr. McHugh stated that he does not want this held over his head considering the fact that he has nothing to do with the Village.

Town Attorney Rotello stated that according to the agreement, and if he was hearing it correctly, the Village should have said to the Town that there is a problem in the lateral and it needs to be fixed. He added that the Town does not have any reserve set up in the water budget because they pay the Village 150% for the purposes of maintaining the lines. He concluded by say that it is one more issue with the Village.

Supervisor Hotaling asked Attorney Rotello for clarification of what he meant when he said that the Village should have notified the Town when there was a problem with the lateral.

Town Attorney Rotello stated that if it is not their responsibility or jurisdiction to cover the corporation cock.

Supervisor Hotaling said that he understood that Attorney Rotello said that the Village should have notified the Town who in turn notified the property owner, which would have given the property owner the opportunity to repair it.

Attorney Rotello stated that if by agreement they are only responsible for the main.

Councilman Conrad interjected that if in fact the Village did the damage and broke the line it is a different story. He added that he did not believe that anything was going to be solved at this time.

Supervisor Hotaling stated that the opportunity presented itself for Mr. McHugh to present this to the Town Board and it is now on the record.

Mr. McHugh asked what steps he now needs to take.

Councilman Conrad interjected that he would like to get a copy of Mr. McHugh's papers.

Supervisor Hotaling stated that the Town Board needs to have a discussion amongst themselves as far as how to proceed and the date that they are working with is August 23rd and they have some time. He added that there is a lot of work to do as far as the distinction between Village and Town and the authority.

Councilman Conrad stated that turning off water is a Health Department issue and they can't turn off the water without proper cause.

Attorney Rotello interjected that he could call DEC and the County Health Department regarding turning the water off.

Supervisor Hotaling stated that he does recall a conversation, not a specific recollection verbatim, with the Mayor when Oakbrook Manor failed to pay a bill on time and the Mayor had indicated that he had called for legal advice at the Conference of Mayors and he was informed that he does have the authority to turn the water off. He added that a letter similar to Mr. McHugh's was sent. He concluded by saying that he did not recall what the outcome was.

Councilman Conrad interjected that this was for failure to pay a water rent and Mr. McHugh has paid his rent.

Mr. McHugh interjected that he is up-to-date with his water bills.

Supervisor Hotaling indicated that even if you don't pay the rent he's not sure that it would not get to the issue that Councilman Conrad had raised with respect to the Health Department and whether or not you can do it.

Councilman Stanton interjected that he does not understand the whole situation; Mr. McHugh came home from vacation to no water and a \$1,190.00 bill.

Councilman Conrad stated that there is nothing to understand and they will have to look into it to see what they can do.

Supervisor Hotaling stated that they would get in touch with him and proceeded to take Mr. McHugh's phone numbers.

Mr. McHugh thanked the Town Board.

Supervisor Hotaling asked if there was any other business, hearing none he asked for a motion to adjourn the meeting into Executive Session for the purpose of discussing litigation strategy as to an update of negotiations that are taking place between the Town and the Village with regard to the proposed annexation of the McHugh property from the Town to the Village.

MOTION

On motion of Councilman Stanton, seconded by Councilman Conrad, to adjourn to Executive Session.

Councilman Conrad asked if Executive Session could include a discussion with respect to some unpaid vouchers and the training of some people at the Ravena Rescue Squad.

Supervisor Hotaling stated that he didn't believe that it was something that was appropriate for discussion at Executive Session and asked Councilman Conrad to explain why it should be discussed at Executive Session.

Councilman Conrad stated that he has some concerns about people being paid and the fact that it will exceed the budget. He added that he would like a consensus from the Board Members as to where it will be discussed. He concluded by saying that he would like to bring the Board "up to speed" and get a consensus that they are all coming from the same position.

Supervisor Hotaling stated that the Town Attorney is present but it is his understanding that this does not extend to a discussion such as that in Executive Session.

Town Attorney Rotello interjected that they can meet with counsel on any topic that is not an Executive Session subject for legal advice, they can have a meeting.

Supervisor Hotaling clarified that in Attorney Rotello's opinion they can discuss this topic with counsel but not in the format of Executive Session and it need not be in the format of a Public Meeting.

Attorney Rotello stated that it was correct.

Councilman Conrad interjected that it is open information.

Councilwoman Chmielewski stated that she believes it should be discussed in an open meeting.

Councilman Conrad stated that he would withdraw his motion to discuss it in Executive Session.

Supervisor Hotaling interjected that before they adjourn he would temporarily suspend the voting of the motion for Executive Session to permit the open session to continue for the purpose of Mr. Conrad's presentation.

Councilman Conrad stated that after they failed to sign the vouchers he started to do some more research and it appears that they have paid \$10,453.05 worth of bill under account A30989.4.

Supervisor Hotaling interjected that even though there is no one in the audience and no recording on camera, he would like Councilman Conrad for the purpose of Town Clerk's Millious record, to lay the ground work for the discussion and what he is talking about before he gets into the specifics. He added that reading the minutes by how he had started the discussion would not reflect that.

Councilman Conrad stated that this is based upon the fact that vouchers were supplied to the Town Board for audit and approval.

Supervisor Hotaling interjected that it was for reimbursement from the State for the training of Rescue Squad members.

Councilman Conrad stated that was correct and it is the New York State Department of Health.

Supervisor Hotaling added that it is a grant that has been ongoing for a number of years between the State, Department of Health and the Town of Coeymans with the Town being the administrator of the money for the pass through and ultimately it gets paid to the trainers and trainees and helpers for attendance and successful completion of training courses. He added that Councilman Conrad has identified some issues that the charges seem to exceed to some extent the revenue derived from the program.

Councilman Conrad stated that based on what he knows from last year the revenues were approximately \$11,390.00 and already this year they have paid \$10,453.05 of which \$1,440.15 was a bill from last year that was paid. He added that currently there has been only one voucher submitted for \$750.00 for 2004 and another one most recently submitted at the end of June for \$5,600.00 and the problem is that the

Town is paid the money after the completion of the training so that the money is paid out in advance pending receipt of the funds. He continued by saying that he is unclear about the \$5,025.00 that came in January which was for last year and would only leave a \$3,584.85 balance and if it was considered a fund balance. He went on to say that taking this into the fact with the \$750.00 that they have not received a check for yet would bring it up to \$4,334.85 and by the time that you would subtract the \$9,000.00 out, they are already over \$4,600.00 and there is a \$5,600.00 check coming but there is \$3,869.34 worth of bills sitting in front of them.

Supervisor Hotaling stated that at this point it was presented for audit but not authorized for payment and are now in Councilman Conrad's possession. He added that they came from the Town Clerk's Office to the Supervisor's Office and he in turn conveyed them to Councilman Conrad for examination.

Councilwoman Chmielewski asked if they were the original bills.

Councilman Conrad stated that they were.

Councilwoman Chmielewski stated that he should have copies and the originals should be back with the Town Clerk.

Councilman Conrad stated that he would do that and added that the situation is that the vouchers are sitting there and one of them is the real conflict. He added that he does not see a problem with the trainers but the one bill is from the Ravena Rescue Squad, which caused the problem, and is for 42 sessions of classroom use for EMT courses. He continued by saying that it is a Rescue Squad Building asking the Town for rent and that rent is in the amount of \$2,310.00 and this is only for ½ a year, there is another course coming for the second half of the year. He concluded by saying that this leads him to believe that they are going to be in a severe deficit.

Councilwoman Chmielewski interjected that the \$5,600.00 is only for 8 people that have passed the course and the \$750.00 is in for this year and it is all that is in for this year and like Councilman Conrad had stated they have already paid over \$10,000.00 plus \$3,800.00 more to be paid. She added that this is the reason that she did not sign the vouchers because the money is not there and she would like for Mr. Lee French to come and explain the situation to the Town Board and the possibility of the Rescue Squad taking over the Program and passing it through their monies.

Councilman Conrad stated that his feeling is that there is not any money approved in the budget and from that aspect they are depending on revenues, which do not appear at this time to cover it and it will be a substantial impact on a budget that is already hard pressed. He concluded by saying that in his estimates based on last year's training course of another \$5,000.00 the problem is that he does not have all of the expenses for last year and it is hard to determine if they make any money on the second course to justify it and if the rent is justified.

Councilwoman Rogers stated that she agrees with Councilwoman Chmielewski about asking Mr. French to meet with the Town Board.

Councilwoman Chmielewski interjected that she does not know anything about the program.

Supervisor Hotaling added that for the record he wanted to state that when the vouchers came in it was discussed and for the purpose of getting it to this point and he did sign the voucher as receiving it for services. He concluded by saying that he did sign it but not as an auditor but rather as a process to put it in front of the Board.

Councilwoman Chmielewski asked Councilman Conrad if he had spoken with Mr. French over the weekend.

Councilman Conrad stated that he was out of town.

Town Attorney Rotello interjected that his understanding of this process with reimbursement is that at one point in time it was creating revenue for the Town.

Supervisor Hotaling added that the Town would receive more than it would spend on the training.

Town Attorney Rotello stated that this is why the Town started doing it; they would spend the money knowing that they were going to get reimbursed.

Councilwoman Chmielewski interjected that it is another story if you know that you are going to recoup the money but know they are seeing that it is not keeping up with what they are putting in for.

Town Attorney Rotello stated that this is what has been seen for the past 3-4 years and it was a situation where it was after the fact because it was paid.

Councilwoman Chmielewski asked Councilman Stanton if he and then Councilman DiAcetis were dealing with the Rescue Squad.

Councilman Stanton stated that it was the ALS Program.

Councilwoman Chmielewski stated that this is an all together different program from that and then asked Councilman Stanton if he had discussed the program or knew anything about it.

Councilman Stanton stated that he had discussed the same concerns and also the fact that there are many people taking the program that do not live in the Town.

Attorney Rotello interjected that his understanding was that the Town was going to get the money in for the whole training but regardless this is the third or fourth time that this has been an issue where the Town was told that they would make out better but the reality was that they are not. He concluded by saying that he would get Mr. French in for discussion and advise him that it has been an ongoing issue that needs to be dealt with and maybe they should run the program themselves.

Councilwoman Chmielewski interjected that it is such a good program to let them make the rules.

Attorney Rotello interjected that he believes that they were told that it would be improper to run the program and it had to come through the Town.

Councilman Conrad stated that his biggest problem with the whole thing is the \$2,310.00 for rent which hardly makes sense because it is Rescue Squad Training in a Rescue Squad Building. He added that he questions a voucher being submitted to the Town for rent. He concluded by saying that he didn't sign the vouchers along with everyone else who felt the same way and he was going to talk to Mr. French over the weekend but he was out of town.

Councilwoman Chmielewski interjected that she would like Mr. French to come to a meeting because she would like to hear what he has to say.

Councilman Conrad questioned as to when Mr. French should come.

Supervisor Hotaling stated that it needs to be at a Workshop and they could schedule a Special Workshop Meeting. He added that the next scheduled Workshop is not until the end of August.

Discussion ensued as to a date for the Special Workshop; collectively it was decided to have it on Tuesday, August 10, 2004, 6:00pm.

Councilman Conrad asked if a motion should be made to schedule the meeting based on the fact that Mr. French can attend and if he cannot they can cancel it.

Supervisor Hotaling stated that there were many other things that could be discussed.

MOTION

On motion of Councilman Conrad, seconded by Councilman Stanton, authorizing a Special Town Board Workshop on Tuesday, August 10, 2004 at 6:00pm. VOTE – AYES 5 – NAYS 0 – SO MOVED

Supervisor Hotaling stated that the discussion will be between Mr. French, and the Town Board as to the Training Program and grant that has been ongoing for several years between the Town, Rescue Squad and NYS Health Department.

Supervisor Hotaling asked if Mr. French should be informed verbally or whether a letter should be sent from the Town Board.

Councilman Conrad stated that he would speak with Mr. French however a letter should come from the Town Board.

Councilwoman Chmielewski asked if the topic should be in the Special Notice for the Special Workshop Meeting.

Supervisor Hotaling stated that the regular advertisement would suffice.

Councilman Stanton stated that he would like to see on that night if Mr. Brian Woods from the Albany County Paramedics could come as well and talk about the EMT/D and ALS billings.

Town Attorney inquired as to if the Town had recently received an ALS reimbursement.

Supervisor Hotaling stated that one was received a couple of days ago and there was some discrepancy with the numeric value of the check as opposed to the written value of the check which was corrected. He added that as he recalls it was for \$3,100.00, which is a fairly small portion reduced additionally by the 12% administrative fee that the Rescue Squad charges.

Town Attorney Rotello stated that the AGS Billing Company charges that.

Supervisor Hotaling interjected that they passed on the 12% reduction to the Town in terms of the reimbursement. He added that it is a very interesting calculation and he does not follow it completely.

Councilwoman Chmielewski interjected that it is leaning toward their side and not the Town's side.

Supervisor Hotaling stated that this is one more issue on their plate which is enormous and is a small portion of many issues to deal with.

Councilman Conrad stated that another open issue is the EMT/D Contract that still has not been addressed.

Supervisor Hotaling interjected that the Town has been billed for the first six months of the Paramedic portion of \$11,700.00.

Councilman Conrad stated that he does not know how they want to proceed and Mr. Woods has taken over the Program and there have been previous discussions about charges based on calls but the biggest reason for the increase is because they have gone to a full-time administrator with an assistant and apparently there are some allocations for implementing new cars into the system. He added that he has Mr. Woods's numbers and he knows that the Town wants a contract for three days a week for EMT vehicles.

Councilwoman Chmielewski interjected that a contract has not been signed.

Councilman Conrad asked if the Town Board wanted to schedule Mr. Woods as well.

Collectively it was decided that they do want him present as well.

Councilman Conrad stated that he would talk to him to see what his schedule is and in turn he will get in touch with Supervisor Hotaling who can follow it up with a letter.

ADJOURNMENT

Supervisor Hotaling stated that he would put back on the table the motion by Councilman Stanton, seconded by Councilman Conrad to retire from the public sector to go in to Executive Session for purposes of discussing litigation strategy on the annexation of the McHugh property from the Town to the Village.

MOTION

On motion of Councilman Stanton, seconded by Councilman Conrad the meeting was adjourned to Executive Session. VOTE – AYES 5 – NAYS 0 – SO MOVED
Time 6:58pm

Supervisor Hotaling stated that the Town Board would be returning for the purposes of closing the Meeting following Executive Session for the purpose of times and that there would be no action taken.

CONVENE EXECUTIVE SESSION – Time 7:00pm
EXECUTIVE SESSION ADJOURNED – Time 9:45pm

RECONVENE AND ADJOURN TOWN BOARD MEETING – TIME 9:45pm

Supervisor Hotaling called the meeting back to order and the meeting was adjourned.

MOTION

On motion of Councilman Conrad, seconded by Councilwoman Chmielewski, the Special Town Board Meeting was adjourned. VOTE – AYES 5 – NAYS 0 – SO MOVED
Time 9:45pm

Respectfully Submitted,

APPROVED:

Diane L. Millious, Town Clerk

A Town Board Workshop was held Tuesday, July 20, 2004 at 7:00 PM at Town of Coeymans, Town Hall, 18 Russell Avenue, Ravena, New York.

PRESENT: Ronald K. Hotaling, Jr., Supervisor
Frank D. Stanton, Council Member
Dawn Rogers, Councilwoman
Nita J. Chmielewski, Councilwoman
Laverne H. Conrad, Councilman

ALSO PRESENT Albert Deering, Highway Superintendent

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

AGENDA TOPICS

- • Coeymans/New Baltimore Citizens Committee
re: Gedney Hill Road
- • Bingo Inspector Candidate
- • Sewer Hook-Ups in Coeymans
- • Grove Cemetery Coverage for Jack Stratta
- • Request for Blackburn Road Name Change
- • Mud Hill Extension Agreement

ADJOURNMENT

On motion of Councilwoman Chmielewski, seconded by Councilman Stanton, the Town Board Workshop was adjourned. VOTE – AYES 5 – NAYS 0

Time 9:00PM

Respectfully Submitted,

APPROVED:

Diane L. Millious Town Clerk

A Regular Town Board Meeting was held Monday, July 12, 2004, at 7:00 PM at Town Hall, 18 Russell Avenue, Ravena, New York.

PRESENT: Ronald K. Hotaling, Jr., Supervisor
Dawn Rogers, Councilwoman
Nita J. Chmielewski, Councilwoman
Laverne Conrad, Councilman

ABSENT: Frank D. Stanton, Councilman

ALSO PRESENT: Diane L. Millious, Town Clerk
Albert Deering, Highway Superintendent

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

OVERVIEW OF AGENDA – Supervisor Hotaling

- • Public Comment
- • Public Notification
- • Approval of Minutes
 - Town Board Meeting, June 7, 2004
 - Town Board Workshop, June 15, 2004
 - Special Town Board Meeting, June 21, 2004
 - Bid Opening, June 30, 2004
- • Supervisor's Report
- • Department Report Review
 - Police Department, May 2004
 - Building Department, June 2004
 - Town Clerk, June 2004
- • Old Business Update and Discussion
- • New Business
 - Estimate for Floor Covering
- • Resolutions
 - Adoption of Agency Plan for 2004 Section 8 HUD
 - Appointment of Food for Thought Counselor
 - Modify 2004 Budget
- • Correspondence
 - NYS Office of Parks, Recreation & Historic Preservation
 - RCS Central School – Director of Transportation
 - Alcove Preservation Association
- • Town Board Workshops
 - July 20, 2003 7pm Coeymans-New Baltimore Citizens Committee

Supervisor Hotaling advised the public that Councilman Stanton was absent for the meeting due to a prior family commitment.

PUBLIC COMMENT

Supervisor Hotaling stated that there were two people present to make public comment and introduced Ms. Sylvia Lawlor.

Ms. Lawlor introduced herself and stated that she lives in the Town of Coeymans. She continued by saying that approximately a month ago there was a vote for a new firehouse to be built where Hillcrest Garage is presently located and at a meeting prior to the Public Hearing a group of residents had expressed some concerns about the aesthetics of the building. She continued by saying that after looking at the architect design they asked if there might be a way to make the material if not the design more compatible with the homes in the neighborhood and she received a call from Mr. Bill Bruno saying that he had arranged a meeting for July 21st at 7pm at the firehouse. She concluded by encouraging residents of the community to come to the meeting and that there can be positive dialog between the fire company and the community and hopefully they can come up with something to suit the needs of the firemen along with being aesthetically appropriate to the neighborhood.

Supervisor Hotaling thanked Ms. Lawlor and then stated that he was not sure who the spokesperson was for the next public comment. He then invited the next person to comment.

Ms. Frieda Snyder introduced herself and stated that she is a resident of Fleming's Trailer Park. She continued by saying that her issue is with dog ordinances as far as containment laws and leash laws and there are numerous occasions that the dogs have run out from the park as well as the park across the street into Rte. 9W and have caused accidents and this happens on a regular basis. She added that she has called dispatch in both the Towns of Coeymans and Bethlehem and the dogs have been taken to the animal shelter in Menands and in turn the owners have to go and get their dogs back.

Supervisor Hotaling advised that there is not a leash law in that area of Town and the leash law only pertains to the boundaries of the Hamlet of Coeymans.

Ms. Snyder asked if the boundaries could be extended.

Supervisor Hotaling stated that several years ago there was a similar discussion and there were several comments relative to the need to maintain canine freedom in other areas of the Town and at that time the Town Board was convinced that the Hamlet was the only area that it needed to be imposed. He added that given her comments they could explore this with the Police Chief. He concluded that there is not anything currently in the works for extending the leash law and it has to do more with containment at home as opposed to a leash law.

Ms. Snyder stated that part of the problem is that one of the owners is elderly and has no control over one of the dogs that keeps getting loose and it happens continually.

Supervisor Hotaling asked if it is because the owner chooses not to control the dog or the dog escapes.

Ms. Snyder stated that it is a young hyper dog.

Councilwoman Rogers interjected that there are not a lot of dogs and basically it is one dog.

Ms. Snyder stated that there are several dogs.

Supervisor Hotaling asked if there were internal rules about containing pets in the trailer park.

Ms. Snyder stated that there are and she enforces them because she is the Park Manager. She added that she catches the dogs and takes them to the shelter.

Supervisor Hotaling asked if there is similar enforcement capability in the park across the road which is Rte. 9W.

Ms. Snyder stated that she was informed that there is but no one enforces it.

Supervisor Hotaling stated that he would relay her concern to the Police/ACO and in turn they could have a discussion with Pine Ridge Management and try to impress upon them the danger of having dogs run out into the road which creates a dangerous situation for both the animal and the operators of the vehicles or children waiting for a bus.

Councilman Conrad interjected that he is interested in this as well because during campaign time and since they have been in office there have been numerous complaints about dogs to the extent of people not being able to ride a bicycle on the road in front of their homes. He added that he is personally interested in making a town-wide dog ordinance about containment or control of animals so that people do not have to worry about being attacked.

Ms. Snyder stated that she did have one dangerous dog taken out of Fleming's Park and there is another in the process that she is having removed which was on a chain.

Councilman Conrad stated that if they did pass the law it would state "on the property" so in the parks where there are approximately 80-100 homes it would be up to the parks to pass an internal regulation to control their specific problem. He added that as Supervisor Hotaling had pointed out, currently the Animal Control Officer would have no jurisdiction in the park unless there was a dangerous dog situation. He continued by saying that the Town does have an Animal Control Officer and he can be reached through the Police Department. He concluded by saying that

the subject will be revisited because there are residents that are interested in a town-wide dog ordinance and he himself is interested and will push for it.

Councilwoman Chmielewski stated that there are many people interested in it now that were not when the ordinance first came about.

Councilman Conrad stated that they would talk with the people at the trailer park and see what rules there are and voice some of the concerns and see what they can possibly do about encouraging a little bit more control over animals.

Ms. Snyder stated that she handled the problem as far as Fleming's Park is concerned and that the dogs that are considered dangerous are removed.

Supervisor Hotaling stated that as Park Manager it is up to her discretion as far as her determination concerning dangerous dogs and in her capacity she would have more discretion than an Enforcement Officer. He then thanked her for coming to the meeting and as Councilman Conrad pointed out she has one advocate that feels the same way.

Ms. Snyder stated that she had hopes coming to the meeting because she was told that a town-wide ordinance was tried a few years ago.

Supervisor Hotaling stated that times have changed and Councilman Conrad made a good point as far as the containment aspect on the grounds and they can separate that issue away from the need to have dogs leashed. He added that the public has a right to be on a public right-of-way without fear of a dog coming out in an uncontained capacity and interfering with their right to be there.

Ms. Snyder thanked the Town Board.

PUBLIC NOTIFICATION

Supervisor Hotaling stated that this was a topic that rarely appears on the agenda but in light of a Town Board Meeting in April with a presentation made by a member of the community relative to sex offenders in the Town of Coeymans and as an outgrowth of that presentation and following discussion with the Police Chief they agreed as a Town Board to provide public notification when they were advised that a level 3 sex offender had moved into the area. He added that a level 3-sex offender has moved into the community and the information is being provided pursuant to the Level 3 Sex Offender Registration Act. He continued by saying that the offender was just released from prison and is living with his relatives in the Town of Coeymans and has checked in with the Police Department and is currently in compliance with all release conditions and one of the conditions is that he register with the local police department and keep them informed of any address changes or circumstances. He concluded by saying that the public can find more information about the offender through the New York State Sex Offender Registry web site at www.criminaljustice.state.ny.us/nsor or can call the Supervisor's Office or Police

Department or persons claiming to be or representing a vulnerable population may make a written request to the Police Chief and forms are available at the Dispatch Center at 15 Mountain Road, Ravena, NY. He concluded by saying that a separate notification has been sent to the RCS Central School District.

APPROVAL OF MINUTES

Supervisor Hotaling asked if the minutes should be done all together or separately.

Councilman Conrad interjected that he had one meeting that he would like to discuss.

Supervisor Hotaling stated that he would do them separately.

Town Board Meeting, June 7, 2004

MOTION

On motion of Councilwoman Chmielewski, seconded by Councilman Conrad, the minutes for the June 7, 2004 meeting were approved as presented.

VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Stanton) SO MOVED

Town Board Workshop, June 15, 2004

MOTION

On motion of Councilman Conrad, seconded by Councilwoman Rogers, the minutes for the June 15, 2004 meeting were approved as presented.

VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Stanton) SO MOVED

Discussion – Councilwoman Chmielewski asked that at the top she would like to be referred to as Nita J. Chmielewski and would like the J to be put in.

Supervisor Hotaling noted this change to the Town Clerk and asked that it be amended to reflect the change.

Special Town Board Meeting, June 21, 2004

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Conrad, the minutes for the June 21, 2004 meeting were NOT APPROVED – VOTE – AYES 0 – NAYS 4 – ABSENT 1 (Stanton) SO MOVED

Discussion – Councilman Conrad stated that on page 4 he hoped that he didn't say what was type and if he did he wanted to clarify it. He continued by saying that it states "Councilman Conrad stated that having these meeting without cameras is

probably the best way to do it". He added that unfortunately it was not his intent and it continues by saying that "Councilman Conrad stated that he disagrees but understands Councilwoman Chmielewski's disagreement, however he feels that it has to be brought out in the public's attention to keep them aware of what is going on." He continued by saying that on that basis it is contradictory to the first statement and he believes that it should say "Councilman Conrad stated that having cameras at the meetings is probably the best way to do it". Councilman Conrad continued by saying that he hopes that it was misunderstood because he believes that everything should be done in front of the cameras to keep the people fully aware of what is going on. He then requested that it be changed and said that the discussion was in regard to last year's budget problems that Supervisor Hotaling asked that the Council not dwell on.

Supervisor Hotaling stated that he believed that the remedy for this maybe something that can't be conducted at this time and given the fact that it has to be in conjunction with the Town Clerk because she reports what she heard.

Councilman Conrad stated that he understands that but clearly in his next statement it is contradictory and he knows that personally he would never mean that statement if he did say it.

Supervisor Hotaling stated that he would propose that they vote down the motion to accept the minutes and engage into a dialog with the Town Clerk for clarification purposes and then have them presented at the next meeting.

Councilman Conrad then said that he would withdraw his second.

Supervisor Hotaling stated that it was seconded for discussion and they should move forward with the vote.

Councilwoman Chmielewski stated that were several other minor problems such as spelling.

Bid Opening, June 30, 2004

MOTION

On motion of Councilman Conrad seconded by Councilwoman Rogers, the minutes for the Bid Opening on June 30, 2004 were approved as presented.

VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Stanton) SO MOVED

Discussion – Supervisor Hotaling stated that this was the minutes for the Bid Opening and not acceptance of any of the bids because the bids are considerably higher than the Grant Award that was given to the Town last year and they have a lot of work to do relative to the project and as to whether it can be segmented under the grant or whether or not there will be another opportunity to bid it where they can hopefully engage the interest in other people to submit bids because at 1.3 and 1.27 million it is \$600,000.00 to \$700,000.00 higher than the grant amount. He concluded

by saying that for public consumption, they are the minutes of the bid opening and should not be construed as any acceptance of any bids.

SUPERVISOR'S REPORT – MAY 2004

FUND	BAL. FWD.	RECEIPTS	DISBURSE.	BALANCE
General	\$1,678,465.72	\$ 38,508.37	\$ (138,155.97)	\$1,578,818.12
FEMA	\$ 43,623.50	-0-	-0-	\$ 43,623.50
Part-Town	\$ 53,001.54	\$ 1,110.00	\$ (8,939.20)	\$ 45,172.34
Spec. Water	\$ 98,431.22	\$ 1,446.50	\$ (71,521.26)	\$ 28,356.46
Highway	\$ 363,680.93	-0-	\$ (41,554.96)	\$ 322,125.97
Sewer	\$ 281,074.59	\$ 21,091.24	\$ (26,220.05)	\$ 275,945.78
Trust & Agcy.	\$ 561.91	-0-	-0-	\$ 561.91
			Total Rec. Bal.	\$2,294,604.08

SAVINGS ACCOUNTS

Unemployment \$ 5,678.17
 Grove Cemetery \$51,937.08
 Sewer Dedicated \$ 7,317.46
 \$64,932.71

SECTION 8 – HUD

Occupied Units 88
 HUD Payments \$42,084.00
 Admin. Fees \$ 182.61
 Total HUD Payment \$42,266.61
 Tenant Rent \$23,073.00
 Contract Rent \$60,227.00

COLLATERAL COVERAGE

FDIC COVERAGE

COLLATERALIZED

National Bank of
Coxsackie

\$200,000.00

\$1,959,775.52

MOTION

On motion of Councilwoman Rogers, seconded by Councilwoman Chmielewski, the Supervisor's Report for May 2004 was accepted as read.

VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Stanton) SO MOVED

DEPARTMENT REPORTS

Police Department – May 2004

Supervisor Hotaling stated that on behalf of the Police Department he would present the report. He continued by saying that there were 829 calls for service of which 228 were emergencies and there were 114 developed cases for the month of which 101 were closed, 13 cases remain open. He added that 69 arrests were executed and 141 traffic tickets were issued. He continued by saying that the Police Chief reported that the newly appointed part-time officers are currently undergoing field training and they should be ready for patrol on their own in July, in addition the Chevy Tahoe was picked up by the lease company on Friday, May 28th and was turned in as the Town Board had directed that it be. He concluded by saying that in light of the discretionary spending freeze the Police Chief reports that as of June 1, 2004 the total Town Police and Communication Budget is pacing under budget by approximately \$38,700.00 and there will be a six-month breakdown filed with June's report.

Supervisor Hotaling continued by saying that there were two programs that were traffic safety initiatives, Click It Or Ticket which was a National Program and Buckle Up New York, which was a state program. He added that it was 48 hours of dedicated patrol using grant money that was provided by the Governor's Traffic Safety Committee, which is funneled through the Albany County Stop DWI Office and as a result of that effort 211 traffic tickets were issued during the program.

MOTION

On motion of Councilwoman Chmielewski, seconded by Councilwoman Rogers, the Police Department Report for May 2004 was accepted as presented.

VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Stanton) SO MOVED

Building Department – June 2004

Supervisor Hotaling asked that Councilman Conrad present the Building Department Report.

Councilman Conrad stated that there were 9 applications for new construction and the estimated construction costs were \$380,500.00 and there are several other applications for demolitions and miscellaneous, certificates of occupancy, certificates of compliance and building inspections totaling \$3,395.00 bringing the year to date to \$7,057.50. He added that there was \$250.00 in Planning Fees bringing that total to \$1,100.00, nothing to report in Zoning and that total for the year is \$200.00 and under miscellaneous which includes booklets, minutes and foil requests was \$91.90 for the month bringing the yearly total to \$224.38.

MOTION

On motion of Councilman Conrad, seconded by Councilwoman Chmielewski, the Building Department Report for June 2004 was accepted as presented.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Stanton) SO MOVED

Town Clerk Report – June 2004

Supervisor Hotaling asked that Town Clerk Millious read the Monthly Report for June 2004.

Town Clerk Millious stated that the total collection was \$4,941.97, \$4,265.70 was the total paid to the Supervisor, fees to the Director of Finance for the Dog Report was \$82.90, fees to the New York State Department of Agriculture and Markets for unspayed and unneutered was \$21.00, fees to the NYS DEC was \$189.87 for sportsmen licenses, fees to the NYS Comptroller was \$225.00 which was for Bingo and Games of Chance \$157.50 to the NYS Health Department for Marriage Licenses, the total collection for Sewer for the month of June was \$1,135.24 and total collection for the Water Rents for June was \$958.83.

MOTION

On motion of Councilwoman Chmielewski, seconded by Councilwoman Rogers, the Town Clerk's Report for June 2004 was accepted as presented.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Stanton) SO MOVED

Councilwoman Chmielewski asked Town Clerk Millious if she had followed through with Civill Senior Housing's Water Bill.

Town Clerk Millious stated that she believes that she did but would have to check and get back to her.

OLD BUSINESS UPDATE AND DISCUSSION

Supervisor Hotaling stated that there are no topics listed on the agenda however he wanted to raise one and then reported that they have now issued 99 pool passes from the Supervisor's Office to town residents living outside of the Village. He added that he estimates that on each pass there are 2-3 people for approximately 300-400 people that have been given access to the Mosher Park Pool.

Councilwoman Chmielewski asked if the Village checks the passes to see how many are using it from the Town residents vs. the Village residents.

Supervisor Hotaling stated that the intent was that a count will be maintained and then forwarded to the Supervisor for the purpose of calculating a percentage of operational and maintenance costs that will be assessed to the Town. He added that he would like the Town Board to consider other options for next year once they ascertain either individual or multiple pass usage to determine how many people used the pool and to see whether or not they should maintain the current agreement

or whether other options would be beneficial to the taxpayers. He concluded by saying that they will continue to monitor this.

Supervisor Hotaling stated that he also had another topic that he would like to address and for the Board to discuss, which was the beginning of the Evenings on the Green. He added that Councilwoman Rogers was involved in the first one and went down to Riverfront Park to make payment to the band. He then asked Councilwoman Rogers for an update.

Councilwoman Rogers stated that she went down to the gazebo where the band was suppose to be playing and found that they were playing at Yanni's Too. She added that she was told that past practice has been that if the weather is stormy or threatening, the entertainment is moved to Yanni's Too. She continued by saying that she was approached by and phoned by people asking where the band was.

Supervisor Hotaling stated that this was revealed to him earlier in the day.

Councilman Conrad interjected that the weather was not stormy.

Supervisor Hotaling stated that it was not raining and the question becomes who makes the call on whether or not it is threatening weather and if the venue should be changed. He added that he has significant concerns about the venue being changed to a private location and the Town has a significant role to play in this because they are the "shepard's" of the tax dollars that pay for this and have an obligation to get to the bottom of the history as described to Councilwoman Rogers and whether or not this is something that should continue. He concluded by saying that he believes that it should not be continued the venue is the gazebo and if the weather is inclement and threatens the ability for someone to plug into electric, the performance should be cancelled and not moved into a private venue.

Councilman Conrad stated that he agrees with that.

Councilwoman Chmielewski interjected that she agrees as well and the band should have been told to come back out into the gazebo because it was not raining or bad weather.

Councilwoman Rogers stated that when she first went down it was thundering and there was some lightning.

Supervisor Hotaling stated that he understands the concern about lightning and electricity.

Councilwoman Chmielewski inquired as to who told the band that this was where they were suppose to go.

Councilwoman Rogers stated that even going back to when it was the "Muddy Rudder", when the weather was bad the bands and DJ's went in there out of the weather.

Councilman Conrad stated that it makes no sense to spend taxpayer's dollars for a public situation that should be held in a park area, to be moved into any one person's business because people would feel committed to buy drinks or soda. He added that he found out about this two days later and was shocked.

Councilwoman Chmielewski stated that she was questioned a day later by people that were questioning where the band was and as far as she knew it was not cancelled. She continued by saying that she found out that it was in Yanni's and there were people at the gazebo waiting for the band.

Councilman Conrad stated that at the very least it is a communication problem and they need to communicate their intentions as far as how it should work.

Supervisor Hotaling stated that in regard to the commitments that they made to the performers, in circumstances where the weather is threatening or inclement, requiring a cancellation prior to the show, he is not sure of the Town's commitment. He continued by saying that even if it was such that they are still committed to paying \$300.00, to him it should not be moved to a private venue because the Town Board could not condone this with taxpayer dollars. He concluded that if it has to be cancelled and if they are obligated to pay, this is what they will have to do and they will have to communicate this to the performers. Councilman Conrad apologized to any that showed up for the performance and were not informed.

Supervisor Hotaling asked if there was any other old business that needed to be discussed.

Councilman Conrad inquired about the drug policy issue that still needs to be taken care of.

Supervisor Hotaling stated that he should raise it now and summarize where they are with it at this point.

Councilman Conrad stated that they need to re-enroll the Highway Department into a program and look at the fact with Amtek as to reclarifying the book that was accepted in December as to those that were non-CDL vs. the CDL component.

Councilwoman Chmielewski interjected that Councilman Conrad looked into several companies.

Councilman Conrad stated that he has information and looked into 4-5 companies and they need to resolve to move on one of the companies. He added that the other issue was to add the Police Department as part of their contract agreements that have been ongoing and requires the Town Board to implement policies to be accepted and the open question is with Amtek and resolving a few issues with the Handbook.

Supervisor Hotaling stated that his most recent discussion with Amtek was on the contract and with recent events in regard to personnel matters and Ms. Travers

revisited the need of the importance of having a Handbook approved. He continued by saying that he would not be opposed to having Councilman Conrad make a review of the companies with respect to the drug policy and making a recommendation.

Councilman Conrad stated that he would like to do that but there were a few things in the Handbook that were derogatory to being able to implement that policy because it talked about the County Commissioner being the contact person and the Town needs to resolve who the contact person will be.

Supervisor Hotaling stated that with respect to that, they will move ahead with the vendor and then understand that the Handbook is still in developmental stages and has to be conformed to the one that they pick.

Councilman Conrad asked if this could be discussed at the next Workshop.

Supervisor Hotaling stated that at the July 20th Workshop there is one major topic about Gedney Hill and subsequent to that this could be added to the agenda.

Councilman Conrad stated that they could at least go over and begin to formulate it.

Supervisor Hotaling stated that he agrees and they should pick one and move ahead with the information that they have. He added that Councilman Conrad might want to bring everyone up to date on the NY Compensation Alliance.

Councilman Conrad stated that effective July 1st, the Town has taken on Compensation Alliance which is sponsored by the Association of Towns and operated by Wright Risk Management and they are the Town's new current Workmen's Compensation carrier. He added that they did this for a couple of reasons, they are a not-for-profit company and have also taken the Town to a 18 month policy to bring them back aligned with the Town's fiscal year of January 1st to December 31st so that they can accurately report the wages of all of the employees within a fiscal year which would be aligned with the "budget season". He continued by saying that in addition everything that they tell you up front, there are no additional audits at the end that bring surprises a year later trying to recoup money from the previous years budget to put back in place. He concluded by saying that all of these items led to their decision to change to the Compensation Alliance instead of using State Insurance Fund and all of the resolutions are in place and there is a list with respect to the actual titles that the employees are placed under.

Supervisor Hotaling interjected that there is also a listing of all of the other titles and they can review and determine if some of the employees may be misplaced and better suited with another title.

Councilman Conrad stated that they were sending a full listing of each and every title that gives a description as to what that person is doing in their actual job titles and then they have to be aligned with the appropriate title. He added that there are only 10-12 titles that affect the Town.

Councilwoman Chmielewski inquired about them getting the amounts that the Town has to pay prior to budget time.

Councilman Conrad stated that the Town would be contacted within the next few months.

Supervisor Hotaling added that they have already provided billing breakdowns for this particular 18-month period through December 2005 and he believes it is approximately \$14,000.00 each time every 3 months.

Supervisor Hotaling asked if there was any other Old Business, hearing none he moved to New Business.

NEW BUSINESS

Estimate for Floor Covering

Supervisor Hotaling stated that in Town Hall they are making efforts to eliminate the need to pay rent for the Town Clerk's Office. He added that it is a rental situation that the Town of Coeymans engaged in several years ago based upon concerns of the lower level of Town Hall. He continued by saying that those concerns are in the process of coming together and being dealt with and one of the areas that previously held the Assessor's Office is now being reconstructed with the assistance of Mr. Ralph Bianche, the Building and Maintenance Supervisor who has excellent carpentry skills. He went on to say that as part of this they are now prepared to get carpet for that area and have solicited quotes from three people in Town, Fori's, Way's Furniture and Perrine's, and two of those three submitted quotes and initially there were some different kinds of numbers and he asked for a clarification and a re-bid of a particular type of carpet to make it consistent with one of the bidders. He concluded by saying that they now have bids consistent with the 26 oz. OLEFIN heavy traffic commercial carpet and there is a considerable difference between the two quotes, Fori's submitted a bid for supplying the carpet and installation for \$483.00 and Way's submitted a quote for \$911.89.

Supervisor Hotaling then asked for a motion to award the carpet job to a particular vendor.

MOTION

On motion of Councilman Conrad, seconded by Councilwoman Chmielewski to accept the quote from Fori's Carpet & Vinyl, 145 Main Street, Ravena, NY for \$483.00 for the carpeting and installation of the former Assessor's Office at Town Hall.

VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Stanton) SO MOVED

Supervisor Hotaling stated that he would be turning it over to Maintenance Supervisor Bianche who will be contacting Ms. Fori to notify her of the acceptance and to move forward with the project.

RESOLUTIONS

Supervisor Hotaling stated that prior to the meeting there was a Public Hearing with regard to the Town of Coeymans Section 8 Housing Assistance Program and as a result of that an Agency Plan for 2004 has to be adopted.

RES. #95-04 ADOPT AGENCY PLAN FOR 2004 SECTION 8 HUD

On motion of Councilwoman Chmielewski, seconded by Councilwoman Rogers, the following resolution was APPROVED – VOTE – AYES 3 – NAYS 1 – ABSENT 1 (Stanton) SO MOVED

WHEREAS, the Town of Coeymans operates a Section 8 Housing Assistance Payments 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 Assistance Payments 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 2004 to be prepared establishing local policies for administration of the Section 8 Housing Assistance Payments 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 2004 for the operation of the Town of Coeymans Section 8 Housing Assistance Payments Program.

Supervisor Hotaling asked if the nay was with comment or without.

Councilman Conrad stated that it was without comment.

RES. #96-04 APPOINT FOOD FOR THOUGHT COUNSELORS

On motion of Councilwoman Rogers, seconded by Councilman Conrad, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Stanton) SO MOVED

WHEREAS, the Summer Food for Thought Program is in need of an additional counselor to handle the children that have signed up for the program,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby appoint Danielle Domanico as a Food for Thought Counselor for the Summer Youth Program, at the hourly rate of \$5.75, effective July 13, 2004.

RES. #97-04 MODIFY 2004 BUDGET

On motion of Councilman Conrad, seconded by Councilwoman Chmielewski, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Stanton) SO MOVED

WHEREAS, the following accounts have 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 modify the 2004 budget as follows.

Amount	From Account	To Account
\$2,000.00	A1220.2 Supervisor Equipment and Capital	A1220.4 Supervisor Contractual
\$2,529.80	A1990.4 Contingency Account	A1010.4 Town Council Contractual

CORRESPONDENCE

NYS Office of Parks, Recreation and Historical Preservation

Supervisor Hotaling stated that a while ago they had discussed the National Registry for a couple of properties in the Town of Coeymans and are now in receipt of correspondence that talks about the same properties being placed on the State Registry. He continued by saying that he stands corrected and it is another recitation of the same one, the Town had gotten one originally from National Historic Places and now it is coming from the State.

He continued by saying that the Alexander Willis House at 40 Church Street in Coeymans and the Valley Paper Mill Chimney and Site in Alcove are now officially placed on the National Register of Historic Places. He then quoted from the letter “the National Register is the nation’s official list of properties worthy of preservation. Listing on the National Register recognizes the importance of these properties to the history of our country and provides them with a measure of protection. In addition, the owners of income producing properties may qualify for federal income tax benefits.”

RCS Central Schools – Director of Transportation

Supervisor Hotaling stated that he had received a correspondence from the now retired Director of Transportation of RCS Central Schools with a copy being sent to Police Chief Giroux and Superintendent of Highways Deering. He continued by reading the following:

Dear Mr. Hotaling:

As my professional career approaches its last few days here at Ravena-Coeymans-Selkirk, I wanted to express my heartfelt appreciation for all the assistance I've received from the Town. Albert Deering from the Highway Department has been invaluable to me when I've needed information on the roads. Three o'clock in the morning I could always count on Mr. Deering to give me reliable information and professional recommendations that would make it so much easier for me to decide what to inform my Superintendent. I value his help he's provided.

Chief Scott Giroux has also gone above and beyond the call of duty in my behalf. Coeymans Police officers have been immediately on the scene every time that we've needed them. On top of that, Chief Giroux has dutifully had an officer posted at the front entrance of Rte. 9W every afternoon to assure us a smooth dismissal from the High School/Middle School complex. I know how difficult this must be to arrange on a daily basis, but Chief Giroux has loyally had someone there. This, too, I greatly appreciate.

It's a wonderful feeling to know that I can count on the people of this town to come together as a community to assist us here in transportation to make the bus ride in to school and home again a safe, happy experience. I am so pleased that I can retire with the secure knowledge that this kind of cooperation exists in the neighborhood and that my successor will have this as an asset to picking up the torch as Director of Transportation. Thank you so very much.

Warmly,

Donna Sickles
Director of Transportation

cc: Chief Giroux
Albert Deering

Alcove Preservation Association

Supervisor Hotaling stated that he had received a correspondence from Thomas F. Sweeny, President of the Alcove Preservation Association. He continued by reading the following:

Dear Supervisor Hotaling:

I am writing on behalf of the Alcove Preservation Association to thank you for the Town's assistance in helping clean up the concrete and debris from the proposed Valley Paper Mill (a/k/a Chimney Top) Park site. The site was recently listed on the State and National Registers Historic Places.

We appreciate all you and the Highway Department have done and look forward to the completion of your chipping the brush piled at the site.

This park site will not only beautify the corner of CR 111 and SR 143, but also preserve a historic portion of the Town of Coeymans that future generations will be able to enjoy. Thank you for helping make this a reality.

We look forward to working with you in the future.

Sincerely,

Thomas F. Sweeney
President

cc: Albert Deering, Highway Superintendent

TOWN BOARD WORKSHOPS

- • July 20, 2004, 7pm – Coeymans/New Baltimore Citizens Committee
re: Gedney Hill Road

Supervisor Hotaling stated that there will be a presentation from the Coeymans/New Baltimore Citizens Committee regarding Gedney Hill Road, it was previously scheduled for a June meeting but was postponed at the request of the Committee due to a need to provide the Town Board some more information relative to the presentation. He continued by saying that another item that was added to the agenda is discussion regarding the Drug Policy and Employee Handbook for the Town of Coeymans.

Supervisor Hotaling asked if there was any additional comment from the Town Board or Town Clerk.

ADDITIONAL COMMENTS

Town Clerk Millious stated that she wanted to remind the Town Board that a Special Meeting has to be scheduled to pay bills.

Discussion ensued regarding the date for the meeting; it was collectively decided to have the Special Meeting on Monday, July 26, 2004 for the purpose of paying bills.

MOTION

On motion of Supervisor Hotaling, seconded by Councilman Conrad, authorizing a Special Town Board to be held Monday, July 26, 2004 at 6:00pm for the purpose of

paying bills for the month of July. VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Stanton)
SO MOVED

Supervisor Hotaling asked that Town Clerk Millious advertise for the Special Town Board Meeting.

Town Clerk Millious stated that she would do the Notice of Special Town Board Meeting.

Supervisor Hotaling asked if there was any additional comment.

Councilwoman Chmielewski asked if the articles that had been used by the S.A.F.E. Program had been brought back to Town Hall.

Supervisor Hotaling stated that he did not know but at the end of the year Youth Director Crowley was collecting all the material that was owned by the Town of Coeymans and bringing it to Town Hall. He added that some of the material was going to be used at the Food for Thought Program. He then asked Building and Maintenance Supervisor Biance if he knew what had been brought back to Town Hall.

Building and Maintenance Supervisor Biance stated that he had given to her all of the soccer balls and some other small items.

Supervisor Hotaling asked if Youth Director Crowley had given him anything from S.A.F.E.

Maintenance Supervisor Biance stated that she had not.

Supervisor Hotaling stated that she was probably incorporating the items into the Food for Thought Program and he knows that she was in the process of collecting everything.

Councilwoman Chmielewski asked about the freezer and if there also was a refrigerator.

Supervisor Hotaling stated that there is a freezer that is Town of Coeymans property.

Councilwoman Chmielewski asked if it would be brought back to Town Hall and put out to bid.

Supervisor Hotaling stated that Youth Director Crowley is intending to continue the S.A.F.E. Program at P.B. Elementary and might possibly want to purchase it from the Town. He added that he does not know if it has to go out to bid but the logical transition would be for her to purchase it from the Town. He concluded by saying that he would explore the possibility but other than that they would be collecting it and putting it out to bid if there was no other need within the Town.

Councilwoman Chmielewski asked if the school has suggested that the Town get it out of the school.

Supervisor Hotaling stated that he has not heard anything and would check it out.

Councilman Conrad stated that he wanted to bring up one thing and in the past there has been some trouble with the State and trying to get some trees cut down. He continued by saying that the Town had tried to get some trees cut down on Church Street and it was a fiasco and they ended up getting the County to cut them down. He went on to say that there is now a new Supervisor in Voorheesville who he had met at a meeting and ran by him the fact that there were some trees along Rte. 143 by the golf course that have been dead for years and asked if it was possible to work with them in getting some of this taken care of. He concluded by saying that quite to his surprise the trees are gone, including the stumps and added that there is someone that is interested in helping out the Town and he wanted to thank the State for removing the trees and taking care of a mess that needed to be cleaned up for a long time.

Supervisor Hotaling asked if there was any additional comment, 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 Councilman Conrad, seconded by Councilwoman Chmielewski, the meeting was adjourned. VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Stanton) SO MOVED Time 8:09pm

Respectfully Submitted

APPROVED:

Diane L. Millious, Town Clerk

A Public Hearing was held Monday, July 12, 2004 at 6:30 PM at Town of Coeymans, Town Hall, 18 Russell Avenue, Ravena, New York.

PRESENT: Ronald K. Hotaling, Jr., Supervisor
Dawn Rogers, Councilwoman
Nita J. Chmielewski, Councilwoman
Laverne H. Conrad, Councilman

ABSENT: Frank D. Stanton, Council Member

ALSO PRESENT: Diane L. Millious, Town Clerk
Joseph Rotello, Town Attorney
Mr. Joseph Mastrianni, Administrator - Section 8 Program

Supervisor Hotaling opened the Public Hearing and asked Town Clerk Millious to read the Notice of Public Hearing

Town Clerk Millious read the following Legal Notice that appeared in the Ravena News Herald.

**TOWN OF COEYMANS PUBLIC HEARING
SECTION 8 RENTAL ASSISTANCE PLAN
July 12, 2004**

The Town Board of the Town of Coeymans will hold a Public Hearing on Monday, July 12, 2004, at 6:30PM, at the 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 2004 for the Section 8 Rental Assistance 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
15 Russell Ave
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 of

Supervisor Hotaling continued by reading the proposed plan.

TOWN OF COEYMANS 2004 Annual Plan

Each community that administers a Section 8 Housing Choice Voucher Program funded by the Department of Housing and Urban Development is required to prepare an Annual Plan for public review. This document provides a short description of the town of Coeymans program and summarizes program performance statistics during the past twelve months. A separate document, the Annual Plan, has also been prepared and will be reviewed at a public hearing, revised as necessary, and submitted to the Department of Housing and Urban Development.

Section 8 Housing Choice Voucher Program

The Section 8 Housing Choice Voucher Program is a rental assistance program that helps low-income elderly and disabled families, as well as other low-income families, pay their rent and utilities. Applicants that are eligible are given 60 days to locate suitable rental housing that meets program housing quality standards, including the unit they currently occupy. Once a unit is located, and the owner agrees to make any necessary repairs and enter a one-year lease, the tenant will pay 30 to 40% of their income toward the cost of rent and utilities and the program will pay the rest, as long as the rent does not exceed program limits. Tenant incomes are verified initially and each year thereafter, and rental units are inspected annually for conformance with program standards.

In addition to the housing Choice Voucher Program, the town of Coeymans administers a Mainstream Program that reserves subsidies for ten disabled families, a Family Self-Sufficiency Program that helps families become economically self-sufficient, and a Homeownership Program.

All funds for the program, currently in the neighborhood of \$405,000 annually, are provided through the Department of Housing and Urban Development.

Program Income Limits

Low and extremely low-income families and individuals are eligible for the program, but one out of every two families placed in the program must be in the extremely low-income range. Low and extremely low-income limits for the town of Coeymans program by size of family are as follows:

Family Size

	1	2	3	4	5	6	7	8
Extremely Low-Income	\$13,150	15,000	16,900	18,800	20,300	21,800	23,300	24,800
Very Low-Income Program	\$21,900	25,050	28,150	31,300	33,800	36,300	38,800	41,300

Status of Town of Coeymans Section 8 Housing Assistance Payments Program

Program Waiting List Status as of April 1, 2004:

Total Applicants on Waiting List	37
Applicants Living/Working in the Program Area	8
Applicants not Living/Working in the Program Area	
Disabled Applicants Living/Working in the Program Area	14
Elderly not Disabled Applicant Living/Working in the Program	2

Program Utilization as of February 1, 2004:

Total Number of Families that may be Assisted	81
Total Families Receiving Assistance	
Disabled Families Assisted	
Elderly Families not Disabled Assisted	

Program Turnover and Porting During Last 12-month Period:

Families Leaving Program
Families Enrolling in Program
Families Porting Out
Families Porting In

Inspections During Last 12-Month Period:

Passed Inspections
Failed Inspections
Lead-Based Paint Passed Inspections
Lead-Based Paint Failed Inspections

Family Self-Sufficiency Program as of February 1, 2004:

Total Number of Families that may Participate	25
Total Number of Families that are Participating	28
Total Number of Escrow Accounts	

Maximum Gross Rent Subsidy (rent plus utilities) Allowed:

0 Bedroom
1 Bedroom
2 Bedroom
3 Bedroom
4 Bedroom

PUBLIC COMMENT

Supervisor Hotaling opened the floor for comment from the public and then asked Mr. Joseph Mastrianni if he would like to comment.

Mr. Mastrianni stated that Supervisor Hotaling was the first Town Supervisor that had ever read the summary. He continued by saying that it is the Annual Plan that starts October 1st and there are no proposed changes in how they administer the program, everything will be done the same. He then commented on some of the numbers that were presented and are on file at the Town Clerk's Office.

Supervisor Hotaling thanked Mr. Mastrianni and added that his office does a fine job of administering the Program for the Town and he appreciates their assistance in keeping him informed as well as updating the records.

Supervisor Hotaling asked if there was any comment or questions from the public about the Section 8 Program.

Councilman Conrad questioned the time frame for the Program and as he recalls Mr. Mastrianni was in front of the Town Board in November. He added that he was caught off guard with him coming back this early.

Mr. Mastrianni stated that his visit was December was a special request to explain the Program to the Town Board.

Supervisor Hotaling stated that he came to speak with the current Board after January 1st to explain the Program and Councilman Conrad was inquiring about the visit prior to that.

Councilman Conrad stated that there was a Public Hearing in November because he was present for it.

Mr. Mastrianni stated that it was probably a late Public Hearing and he is not in a position to tell a Town Board when they have to hold a Public Hearing.

Councilman Conrad interjected that he wanted to make sure that the timing was right.

Supervisor Hotaling added that they are timely this year because it begins October 1 of 2004.

Mr. Mastrianni stated that it has to go to HUD a couple of months ahead of time and they are right where they should be as far as time.

Supervisor Hotaling interjected that they are also right on time with the HUD Audit and his assistance was appreciated.

Mr. Mastrianni stated that he is glad and it is great and he wanted to be audited so that he knows where he stands.

Town Attorney Rotello asked Town Clerk Millious if there was a problem with getting the Notice for the Public Hearing in the paper.

Town Clerk Millious stated that there was a problem with a Mid-Hudson Cable Notice.

Mr. Mastrianni stated that there was a problem last year and the Notice did not get in the paper but this year they are right on time with where they should be. He added that he will be sending Supervisor Hotaling a form that he has to sign and it will go to HUD by the end of the week for approval.

Councilman Conrad stated that he had a couple more questions and continued by saying that he is glad that they are doing a lot of inspections but sometimes the inspections are only to suit HUD and there have been numerous problems in the past with building code compliance and occasionally it will effect someone that is on HUD through some of the landlords in the hamlet area and the Building Department was trying to get compliance as well and they ended up using Mr. Mastrianni's ability to influence the landlord. He added that he knows that privacy is a concern and he then asked Mr. Mastrianni if it would be possible for him to notify the Building Department of any issues.

Mr. Mastrianni stated that they do not do Code Inspections and are below code, they do what is called Housing Quality Standards. He added that if the unit meets quality housing standards they will help pay the rent, if it does not they will not pay.

Councilman Conrad interjected that he is inquiring about things such as smoke detectors.

Mr. Mastrianni stated that this is something that they do check, if there is not a smoke detector or one that is not working, they will not pay because the building is not in compliance. He added that the Code Enforcement people do call on occasion and report code violations and when this happens they work with the Building Department and advise the landlord that if they do not meet the Code they will not continue to allow the unit to be in the Section 8 Program. He concluded by saying that they do not want any code violations or units that do not meet standards in the Program because it is mispending federal money and is not good for the Program and if the Town has a problem they should notify his office and they will make sure that the problem is taken care of.

Councilman Conrad stated that he knows that it is the Town of Coeymans that generates the money and then asked what percentage is in the Town vs. the Village.

Mr. Mastrianni stated that he did not have the numbers on that with him but when it was setup it was done through the Town because people that live in the Village are Town

residents as well and having one program to cover both is probably the way to go. He added that he can communicate the numbers of Town vs. Village to Supervisor Hotaling.

Councilman Conrad stated that he was just curious.

Mr. Mastrianni stated that they would be able to tell by the payment records that are maintain by the Town.

Councilman Conrad stated that not everyone is always privy to that information.

Supervisor Hotaling interjected that the information is there and they can go through it.

Councilman Conrad stated that his main concern is code violations because some get let go by the wayside because they do not realize that it is a HUD unit and there are other ways to deal with it.

Mr. Mastrianni stated that HUD has considerable leverage, sometimes more than the Building Inspector because they can cut off the funding.

Councilman Conrad thanked Mr. Mastrianni.

Supervisor Hotaling stated to Ms. Lawlor that he knew she was there for the meeting to follow and this was a Public Hearing for the Section 8 Housing Choice Voucher Program that the Town runs for 80+ families. He then asked if she had any question or comment, hearing none he asked if anyone else had anyone else that would like to comment.

ADJOURNMENT

Hearing no additional comment he then stated that they could safely close the Public Hearing at 6:50pm. He continued by thanking Mr. Mastrianni and stating that having heard no negative comment they intend at the upcoming meeting at 7:00pm to incorporate a resolution that will adopt the Annual Plan for 2004 for the operation of the Program and once it is done they will communicate it to Mr. Mastrianni.

Mr. Mastrianni interjected that Supervisor Hotaling should wait for his letter and he does not need the resolution, there is a form that he will be sending for Supervisor Hotaling's signature.

Supervisor Hotaling then declared the Public Hearing closed and stated that there would be a 10 minute break before the Town Board Meeting at 7:00pm.

Respectfully Submitted,

APPROVED:

Diane L. Millious Town Clerk

A Bid Opening was held on Wednesday, June 30, 2004 at 2:00PM, at the Town of Coeymans Town Clerk's Office, 18 Russell Avenue, Ravena, New York.

PRESENT: Diane Millious, Town Clerk
Pat Prendergast – Consulting Engineer

ALSO PRESENT: Sharon – Bast Hatfield Inc.

The following Legal Notice appeared in various publications:

NOTICE TO CONTRACTORS

Sealed bids for contract No. 02381 comprising construction of two new clarifiers and aeration improvements at the Town's Wastewater Treatment Facility are sought and invited by the Town of Coeymans, Albany County, New York, as set forth in plans and specifications prepared by Patrick J. Prendergast, P.E., Consulting Engineer, 127 Fordham Road, Valatie, New York, 12184 (518 758-7500).

Bids will be received by the Town of Coeymans, at Town Hall, 18 Russell Avenue, Ravena, New York, until 2:00pm on the 30th day of June 2004. The bids will be publicly opened and read aloud at that time.

All bid documents and all contract documents, including specifications governing the contract, may be examined between the hours of 8am and 4pm, at the Town Hall, 18 Russell Avenue, Town of Coeymans, New York, starting June 2, 2004. Copies of the bid documents can be obtained from the Town Hall, Town of Coeymans, New York.

There will be a pre-bid meeting at the project site June 16, 2004. Additionally, contractors may inspect the project site by making an appointment with the Treatment Plant Operator, Larry Breedlove, at 518 756-6180.

Work under Contract 02381 requires various forms of insurance including a Performance Bond. This project has been funded through a grant from the New York State Department of Environmental Conservation. As such, certain MBE and WBE goals have been established (see contract documents).

Each bidder must deposit with his bid, security in the amount of not less than five percent (5%) of the base bid in the form of a certified check or a bid bond subject to the conditions of this proposal.

No bid will be accepted unless a signed Certification of Non-Collusion is submitted with the bid.

The Town of Coeymans expressly reserves the right to waive any informalities in or to accept any bid or to reject any and all bids or to award on any or all items as the interest of the Town of Coeymans may appear to require.

No bidder may withdraw his bid within forty-five (45) days after the actual date of the bid opening.

By order of the Town Board
of the Town of Coeymans
Town Supervisor
Ronald K. Hotaling

BID OPENING

- • Bast Hatfield Inc. \$1,300,000.00
- • Standard Construction Corp. \$1,276,000.00

Respectfully Submitted,

APPROVED:

Diane L. Millious, Town Clerk

**A Special Town Board Meeting was held Monday, June 21, 2004, at 6:00pm at
Town Hall, 18 Russell Avenue, Ravena, New York**

PRESENT: Ronald K. Hotaling, Jr., Supervisor
Frank D. Stanton, Councilman
Dawn Rogers, Councilwoman
Nita J. Chmielewski, Councilwoman
Laverne Conrad, Councilman

ALSO PRESENT: Diane L. Millious, Town Clerk

Supervisor Hotaling asked Town Clerk Millious to read the Notice for the Special Town Board 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, June 21, 2004 at 6:00PM. The meeting will be held at Town of Coeymans Town Hall, 18 Russell Avenue, Ravena, NY.

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

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

AGENDA OVERVIEW

Supervisor Hotaling noted that the full Town Board was present and he would give an overview of the agenda topics.

- • Resolutions
 - Appointment of Food for Thought Bus Drivers
 - Appointment of Food for Thought Counselors
 - Audit of Claims - December 2003 Abstract
 - Amended Audit of Claims – April 2004 Abstract
 - Audit of Claims – June 2004 Abstract
 - Resolution to Enter as a Member of NYS Municipal Workers' Compensation Alliance
 - Authorization to Become a Self-Insurer in NYS Municipal Workers'

Compensation Alliance.

RESOLUTIONS

RES. #88-04 APPOINT FOOD FOR THOUGHT BUS DRIVERS

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

WHEREAS, the Summer Food for Thought Program is in need of two experienced bus drivers for transportation, July 6 through August 6, 2004 and,

WHEREAS, Karen Beachler and Lloyd Ellis have driven the buses for the program in the past and have the required experience,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans authorizes the Supervisor to hire Karen Beachler and Lloyd Ellis as the designated bus drivers at the hourly rate of \$11.00.

Supervisor Hotaling interjected that this is 50% of the bus drivers that was hired last year due to the fact that last year there were two for Camp Coeymans and this is not being offered this year. He added that the need was reduced to two and both bus drivers were employed last year.

RES. #89-04 APPOINT FOOD FOR THOUGHT COUNSELORS

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

WHEREAS, the Summer Food for Thought Program is in need of counselors to handle the children who have signed up for the program.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby appoint the following individuals as Food for Thought Counselors, for the summer Youth Program, also known as Summer Recreation 2 Hours a Day Program.

Teri Darlington (\$8.00)	Brendan Principato (\$8.00)
Ashley Goloski (\$5.75)	Patricia Visconti (\$8.00)
Andrea Preville (\$5.75)	Pat Alicandro (\$8.00)
Kevin Curgdel (\$5.75)	Kylie McNeilly (\$5.75)
Sarah Dennis (\$5.75)	

The appointment is effective June 30, 2004 to August 6, 2004, and will be at the hourly rate as indicated above.

Councilwoman Chmielewski questioned that this appointment is for June 30th and the bus drivers are for July 6th.

Supervisor Hotaling stated that Youth Director Crowley has indicated that there will be a training program on or about June 30th for all participants at Town Hall to go over the parameters of the program, rules and safety issues. He added that they will not be working every day between June 30th and July 6th and there will be a day that they will be attending training.

Councilwoman Chmielewski wanted verified that they will only be paid for the time that they are training.

Supervisor Hotaling stated that they will only be getting paid for the time that they are actually being trained. He added that as reported by Youth Director Crowley, there may be other people added to the list because she has not been able to set up a mutually agreeable time for interviews or further contact and there may be additional appointments, effective retroactively at the July 12th Meeting and asked for the Town Boards understanding of this.

Councilwoman Chmielewski asked how many more people might be needed.

Supervisor Hotaling stated that he knows of one person that Youth Director Crowley has not had contact with that will be hired and as Mr. Bruce Stott indicated there needs to be a score keeper and clock timer for the Basketball Program and it was a Town charge last year. He added that the names have not been provided yet.

Councilwoman Chmielewski stated that she was only interested in additional appointments for the Food for Thought Program.

Supervisor Hotaling stated that it will be only the one that she has been unable to contact in addition to Mr. Kevin Renisch who will be over seeing the Basketball Program and it was previously agreed that he will be paid by voucher at the end of the program or at appropriate intervals during the six week program that the Basketball Program is on.

RES. # 90-04 AMEND AUDIT OF CLAIMS ABSTRACT FOR APRIL 2004

On motion of Councilwoman Rogers, seconded by Councilwoman Chmielewski, 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 (in red) the claims of vouchers for the April 2004 Abstract:

ABSTRACT	VOUCHER #	AMOUNT
GENERAL (A)		
Pre-Pay	624-651,829-841	\$220,995.95
General	707-713,715-721,7723-727,729-741,743-745,747-751,805-810 (714 voided)	\$ 15,896.63
	General Total	\$236,892.58

PART TOWN (B)		
Pre-Pay	655-666,820-824	\$ 13,534.58
Part Town	752-757,811	\$ 963.07
	Part Town Total	\$ 14,497.65
HIGHWAY (D)		
Pre-Pay	667-676,825-828	\$ 72,175.19
Highway	758-768,771-788	\$ 9,277.03
	Highway Total	\$ 81,452.22
SEWER (SS)		
Pre-Pay	677-694,814-819	\$ 23,198.80
Sewer	789-804	\$ 10,324.28
	Sewer Total	\$ 33,523.08
	Grand Total	\$366,365.53
TRUST & AGENCY	695-701,842-846	\$300,976.63
	Trust & Agency Total	\$300,976.63

Councilwoman Chmielewski stated that she wanted to point out that it looks like a lot of big numbers in red but it only entails a \$30.00 charge for Chris' Coffee.

Supervisor Hotaling interjected that it is excluding voucher number 714 for \$30.00, which was a credit and not a bill.

Councilwoman Chmielewski added that at the top of the resolution it is typed as Nita Chmielewski and she would like the J. added to her name.

Supervisor Hotaling stated that he would ask that the resolution be amended to read Nita J. Chmielewski.

Councilman Conrad stated that he wanted to point out that with the Trust & Agency it is \$666,000.00 for the month and when you start adding up the months he is not sure how the budget keeps contained.

Supervisor Hotaling inquired as to where Councilman Conrad could see in the budget where there are areas that can be reduced. He continued by saying that pre-paid are items that they have agreed to contractually pay and is approximately \$340,000.00 and approximately \$300,000.00 are salaries that are either contractual

or authorized by the Town Board by resolution, which is \$640,000.00 of the \$666,000.00 that they are obligated to pay for the month. He added that it would seem to him that with \$26,000.00 remaining, the discretionary spending freeze has had some affect.

Councilman Conrad interjected that his point is that the budget that they were left with was suppose to be a “cushy” budget based on words of wisdom of the past supervisor and he wanted to make note that it is not quite so cushy and they are really working to keep within those constraints and keep the budget numbers working as best possible.

Supervisor Hotaling asked what the ramifications would be if they were not successful in October.

Councilman Conrad stated that they would have to raise taxes higher than people want to know about.

Supervisor Hotaling stated that it was not true because if they run out of money in October, it is not raising taxes at that point, they will have to do something in October if that is the case and hopefully they will not be in that position.

Councilwoman Chmielewski interjected that they will have to wait until they get in to that position.

Supervisor Hotaling stated that he would urge the Council not to continually dwell on this at meetings such as this.

Councilwoman Chmielewski interjected that what’s going to be is what will be and they have done everything thus far to try and alleviate the situation.

Councilman Conrad stated that having meetings without cameras is probably the best way to do it.

Councilwoman Chmielewski stated that it really is not because there is an audio tape running.

Councilman Conrad stated that he disagrees but understands Councilwoman Chmielewski’s disagreement however he still feels that it has to be brought out to the public’s attention to keep them aware of what is going on.

RES. #91-04 APPROVE DECEMBER 2003 ABSTRACT

On motion of Councilman Conrad, seconded by Councilwoman Chmielewski, 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 2003 Abstract.

ABSTRACT	VOUCHER #	AMOUNT
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GENERAL (A)		
General	1127,1257-1258	\$ 4,725.82
	General Total	\$ 4,725.82

Councilwoman Chmielewski inquired as to if they were additional charges from the Village.

Supervisor Hotaling stated that they were the Town's share of the utility bills for Village Hall.

Councilwoman Chmielewski interjected that the charges were billed for the Village's fiscal year and seven months were billed to 2003.

RES. #92-04 APPROVE AUDIT OF CLAIMS FOR JUNE 2004

On motion by Supervisor Hotaling, seconded by Councilman Conrad, 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 approved and allow the following claims of vouchers for the June 2004 Abstract.

ABSTRACT	VOUCHER #	AMOUNT
GENERAL (A)		
Pre-Pay	1068,1070-1092,1249	\$138,522.12
General	1128-1183,1237,1254-1256	\$ 16,591.23
	General Total	\$155,113.35
PART TOWN (B)		
Pre-Pay	1093-1104,1250	\$ 10,235.09
Part Town	1184-1186	\$ 434.17
	Part Town Total	\$ 10,669.26
HIGHWAY (D)		
Pre-Pay	1105-1110,1251	\$ 36,671.59
Highway	1187-1222	\$ 8,715.71
	Highway Total	\$ 45,387.30
SEWER (SS)		
Pre-Pay	1111-1121,1252	\$ 12,557.43
Sewer	1223-1236,1238-1247	\$ 18,855.82

	Sewer Total	\$ 31,413.25
GROVE CEM. (TE)		
Grove Cemetery	1248	\$ 400.00
	Grove Total	\$ 400.00
	Total for all Funds	\$242,983.16
TRUST & AGENCY		
Trust & Agency Pre-Pay	1122,1126,1253	\$174,647.68
	Trust & Agency Total	\$174,647.68

RES. #93-04 ENTER AS A MEMBER OF NYS MUNICIPAL WORKERS' COMPENSATION ALLIANCE

On motion by Councilwoman Chmielewski, seconded by Councilman Conrad, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, there has been proposed a “NEW YORK STATE MUNICIPAL WORKERS’ COMPENSATION ALLIANCE PLAN DOCUMENT” pursuant to Section 50 Subdivision 3-A of the Workers’ Compensation Law (hereinafter “the Plan”); and

WHEREAS, the Town of Coeymans is eligible for membership in the Plan; and

WHEREAS, the Town of Coeymans has made an independent investigation of the Plan and reviewed the Plan Document, and has concluded that it would be in the interests of the Town of Coeymans to participate therein;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Coeymans enter into membership in the Plan pursuant to Section 50 Subdivision 3-A of the Workers’ Compensation Law; and

BE IT FUTHER RESOLVED, that the Supervisor be and hereby is authorized and instructed to execute the Plan’s Charter Document on behalf of the Town of Coeymans; and

BE IT FURTHER RESOLVED, that the custody of all join Plan moneys by the Plan Administrator under the Plan be and the same is hereby approved.

Councilman Conrad stated that the plan administrator is going to be Wright Risk Management and they also oversee the Town’s general liability insurance.

Councilman Stanton asked if the premium rate will ever go down.

Supervisor Hotaling stated that the Town could have a better loss experience and there would be a lower rate and it would be helpful for the Town to engage Wright

Risk Management to provide safety workshops. He added that the plan does not provide any dividends now but could in the future be flush with cash because of a safety record and then provide dividends back to the Town.

Councilman Stanton asked if Wright Risk Management would set up the Safety Workshops.

Supervisor Hotaling stated that they would do that in addition to encouraging attendance.

Councilman Conrad interjected that the bottom line is that safety comes first and if the Town can deploy safety so that there are no Workers' Compensation claims then the rates will go down.

Councilwoman Chmielewski asked if most of the claims were from the Highway Department.

Councilman Conrad stated that he didn't want to comment where they come from at this point.

Councilwoman Chmielewski interjected that she was asking him a question.

Councilman Conrad stated that it would appear that the majority of the claims are from those employed by the Highway Department.

RES. #94-04 AUTHORIZATION TO BECOME A SELF-INSURER IN NYS MUNICIPAL WORKERS' COMPENSATION ALLIANCE

On motion by Councilman Stanton, 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 Workers' Compensation insurance at the best rate possible.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans hereby elects, pursuant to Subdivision 3-a of Section 50 of the Workers' Compensation Law, to become a self-insurer as to Workers' Compensation claims against this Municipality; and

BE IT FURTHER RESOLVED, that pursuant to Section 50 Subdivision 3-a of said Workers' Compensation Law, notice of such election shall be filed forthwith with the Chairman of the Workers' Compensation Board, Self-Insurance Section; and

BE IT FURTHER RESOLVED, that this election shall become effective on July 1, 2004.

Supervisor Hotaling stated that the date effective is the date that the next term runs. He added that he's not sure if the Town Board should take the affirmative step of notifying the previous carrier. He added that the Town has received a cancellation notice and if they do not actively seek reinstatement the policy is cancelled. He

concluded by saying that he believes that it behooves the Town Board to send a letter to thank them and formally say that the Town has chosen another path.

Councilman Conrad interjected that he would ask that the Supervisor do that out of courtesy.

Supervisor Hotaling stated that he would also like to remind the Town Clerk that there are requirements that the resolutions be sent with the seal of the Town and then sent to the appropriate office and in turn they will notify Workers' Compensation Board that the Town is a customer of theirs.

COORESPONDENCE

Supervisor Hotaling stated that he had written two letters, the first was to Mr. Brian Kreis requesting that the school district provide the same as last year in terms of the Food for Thought Program which includes two busses and drivers for the Food for Thought Program from July 6th – August 6th, 9:30 – 12:30pm with one hour before and after for pickup. He added that Karen Beachler for Bus A and Lloyd Ellis for Bus B have been hired and they currently drive for the RCS School District and have driven for the Food for Thought Program in the past.

Supervisor Hotaling continued by saying that a letter was sent to Superintendent Vicki Wright and for the record it notified the RCS Central Schools, that effective on the close of business on June 23, 2004, the Town of Coeymans will no longer be involved in the operation of the Program known as S.A.F.E. He continued by saying that the Town Board encourages the RCS School District to continue working with Youth Director Crowley who has expressed an interest in the establishment of sole proprietorship that would continue a similar program that would commence in September 2004.

Supervisor Hotaling asked if there were any other items before the Town Board for consideration.

Councilman Conrad asked for the Board indulgence with one more item and continued by saying that he had pulled the bid for Blue Diamond Septic purposely for looking at the amounts of money to be paid per trip with respect to the 2,800 and 3,800 gallons and he has had some concerns and reservations as to why the disparity. He went on to say that he had looked into the bid and only looked into one portion of it and noticed that the bid that was submitted by Blue Diamond was for the hauling of a 5,000 gallon trailer mounted vacuum tanker, which was Blue Diamonds, or the Town's tanker which was 4,000 gallons and a bid was offered at \$120.50 per trip. He added that he has the actual bids and will give to each Board Member for review and Supervisor Hotaling had picked up the fact that the contract expired on 12-31-03 and the previous Town Board failed to make any arrangements for a new bid and it does not appear that there was any way to extend the current bid, which is usual practice of this nature. He concluded by saying that he

would like for the Supervisor to be authorized to prepare the same bid with some critiquing of extra extensions of time being proposed so it can be ready for the next meeting.

Supervisor Hotaling asked if he meant the same bid for someone else.

Councilman Conrad stated this was correct.

Supervisor Hotaling stated that he would ask that consideration be given to make the period run through December of 2005.

Councilman Conrad interjected that this is not the best time to be doing something of this nature because of fuel prices.

Supervisor Hotaling stated that as they discussed, they might want to resurrect the tanker that the Town currently owns.

Councilman Conrad stated that he is against getting rid of the tanker and there may be other people interested because as it is now the bid would have to be limited to those that have tankers.

Councilwoman Chmielewski asked if the bid would be put in to just those having tractors.

Councilman Conrad stated that the same bid could be used with a little critiquing from Supervisor Hotaling.

Councilwoman Chmielewski asked about the condition of the tanker.

Supervisor Hotaling stated that Chief Operator Breedlove had indicated that the tanker is not in bad shape and is useful and it is 5,500 gallons.

Councilman Conrad stated that he wanted to point out that in reviewing the minutes from 1982 – 1989, the Town Board which included Mr. Hotaling, approved the purchase of the tanker and the purchase price was \$54,000.00. He added that it was received in March of 1989 and it was not put to use until some time a little later than that and it was also the reason the a pole barn was erected, to store the tanker and keep the material from freezing.

Councilwoman Chmielewski asked why the Town discontinued using their own tanker and using someone else.

Councilman Conrad stated that apparently because Blue Diamond was available to do it with their tanker.

Councilwoman Chmielewski suggested that Councilman Conrad speak with Mr. VanAlstyne.

Councilman Conrad stated that John Cross has hauled it in addition to Mr. VanAlstyne.

Councilwoman Chmielewski stated that she is suggesting that he speak with Mr. VanAlstyne.

Councilman Conrad stated that John Cross was the first bidder at \$89.00 per trip.

Supervisor Hotaling suggested that they talk about now because there is a bid that expired in December 2003 and there appears to be violations with the bid submitter in terms of the size of the truck being used, two trucks are being used one with a 4,000 gallon capacity that really only holds 3,800 and one with a 3,000 gallon capacity that really only holds 2,800 and when you add the two together it is approximately what the tanker size is that the Town currently owns and it could be hauled in one trip. He added that the current fee is approximately \$124.00 for each trip.

Councilman Conrad interjected that this is his concern.

Supervisor Hotaling stated that the Town Attorney should look at the bid to see if the absence of extension language puts the Town "over a barrel" with respect to the Town's ability to go back to Blue Diamond and tell them not to use the 3,000 truck because the bid was for a 4,000 truck and if the Town can do this then maybe they can go back and try to figure out some type of reimbursement or credit.

Councilman Conrad stated that he started watching and keeping track of it a couple of months ago and thought that there was not enough material but then he saw three loads in one day at 2,800 gallons so obviously there was not a shortage of material. He added that it has been extensive over April, May and June with 70,000 gallons of sludge during those months.

Councilman Stanton interjected that there could be something wrong with his other truck.

Councilman Conrad stated that he would understand if he had a problem and then made an adjustment to the fact.

Councilman Stanton stated that there are not that many vouchers with 2,800 gallons.

Councilman Conrad and Supervisor Hotaling collectively stated that there were quite a few.

Councilman Conrad stated that there are charges for 4/12, 4/15, 4/22 and 4/23.

Supervisor Hotaling stated that on some of those days there were three loads of 2,800, which is \$400.00 worth of travel and only 7,400 gallons of sludge moved.

Councilman Conrad stated that his concern is to get a bid as fast as they can. He added that in looking over the minutes he wants to make sure that they are not overlooking any other things that should be advertised such as fuel oil and gas and

things of that nature. He concluded by saying that he's not sure what the process has been in the recent past and in reading the minutes it was routinely done but in the recent past he does not know that it has been done and if there is a state contract.

Supervisor Hotaling stated that he believes that there is a state contract for fuel oil.

Councilman Stanton stated that this was brought up regarding local haulers such as Collins and Persico and it was found that state contract is less than they can offer. He added that it is too bad that they can not use the oil companies in Town.

Supervisor Hotaling interjected that it is the same for gasoline, there is a state contract for that as well.

Councilman Conrad stated that he is asking for his own personal knowledge.

Councilman Stanton stated that as long as he has been on the Town Board it has been state contract.

Councilman Conrad stated that calcium and salt are state contract items but things like culvert pipes and guide rails are still items that people go out to bid for and even stone from Callahan's are commonly bid through other municipalities and could be state contract prices. He added that he wanted to know for sure that the Town is underneath the state contract.

Supervisor Hotaling stated that they would have to ask Albert as far as Highway items and as far as any other items he's not sure if there would even be a paper trail that would say that the Town is on state contract and asked if staff could call current vendors and inquire from them as to if the Town is being supplied their product at the state contract price.

Supervisor Hotaling reported that after placing much pressure on the Department of Environmental Conservation, Dick Forge from the Solid Waste Division has agreed to allow the Town to place the screenings and grit into the dumpster. He added that it took him 6 calls and he argued that other communities are doing the same thing.

Councilman Conrad stated that this issue was brought up and is in the minutes for the year 1989. He added that it was brought up by him because he was hauling some of the grit for Pantages and Flemings and was hauling it to the Town of Coeymans Landfill. He continued by saying that burying the screenings and grit was not a problem, however this is now why the Town has a Waste Water Transporter Permit because the hauling of it over the road is the problem and as long as the hauler has the 4A numbers which BFI has they are legal, however Cross and Albany Greene, at the time did not have the numbers and had to stop hauling. He concluded by saying that he has this information about the hauling permit.

Supervisor Hotaling stated that he did get the authority to do it, however he does not think that he will be getting it in writing. He added he did have it by phone and Mr. Forge did call and say that it was all right to do.

Councilwoman Rogers inquired as to how much this would save the Town over the course of a year.

Supervisor Hotaling stated it would be about \$1,800.00 - \$2,000.00 a year between the permit cost and the tipping fees.

Councilman Conrad stated that the current hauler may raise the rate because it raises the weight of the average solid waste and there are classifications that they go by.

Supervisor Hotaling stated that these same haulers are doing the same thing for neighboring towns and the town to the south has the same hauler taking the screenings and grit to the same landfill that the Town was taking it by permit. He continued by saying that it is small in terms of the number of dollars but he believes that it is a small win for the taxpayer.

Supervisor Hotaling asked if there was any other business to be heard.

Councilman Stanton inquired as to how the pool passes had been going.

Supervisor Hotaling stated that as of earlier in the day there were 11 passes issued and the pool application has been modified and they have not yet provided the Village of copy of the modification as they requested and he does not intend to.

Councilwoman Chmielewski asked if he has to send the Village a copy of the completed application for everyone that has gotten a pass.

Supervisor Hotaling stated that he does not he has to retain the application in a binder and if anyone has any questions about a Town of Coeymans issued pool pass, they can contact his office. He added that there has not been a run on pool passes and he does not anticipate one. He continued by saying that he thinks it behooves the Town Board at the end of the year to take a close look as they talk about the percentage of the cost plus an additional gate fee as to whether or not it makes sense or as some had suggested a user fee may be the way to go for anyone outside of the Village to have access to the pool. He concluded by saying that it is premature to talk about it now but the Board has to be open minded because to spend \$10,000.00 - \$15,000.00 for a few people might not be what they should do.

Councilwoman Chmielewski interjected that she thought that the Village did not want to go by user fees.

Supervisor Hotaling stated that he understands that but it is time to raise the question because up to \$15,000.00 to allow 25 people to use the pool three times a week is quite a bit of money and he believes that they have to take a look at it. He added that he may be wrong and maybe there will be a rush in the weeks to come.

Councilwoman Chmielewski stated that it will probably pick up once school is out.

Supervisor Hotaling reiterated that there might be a rush and it will end up being 30% of all of the users and it will make sense the way that they did it and did not go with the user fees.

Councilman Conrad stated that nothing has been in the paper to date.

Councilwoman Chmielewski interjected that it was in a write up in the paper.

Supervisor Hotaling stated that it was in a write up and the Village had placed two articles that specifically exclude the Town and anyone that has gotten their pass in the past at Village Hall is probably calling and being directed to Town Hall for their pass.

He added that he believes that the word is out and as Councilwoman Chmielewski had pointed out, it will probably pick up when school is out.

Councilwoman Rogers pointed out that the weather has not been that great.

Councilwoman Chmielewski interjected that the pool is not even open yet.

Collectively Councilman Stanton and Supervisor Hotaling stated that they are opening this coming weekend.

Councilwoman Chmielewski added that she has spoken to Village Trustee Wade and the Village is having some problems with the company that was hired to work on the pool.

Councilman Stanton then made a motion to close the meeting.

ADJOURNMENT

MOTION

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

VOTE – AYES 5 – NAYS – 0 – SO MOVED

Time 6:46pm

Respectfully submitted:

APPROVED:

*Diane L. Millious
Town Clerk*

A Workshop Meeting was held Tuesday, June 15, 2004, at 7:30 PM at Town Hall, 18 Russell Avenue, Ravena, New York

PRESENT: Ronald K. Hotaling, Supervisor
Frank D. Stanton, Councilman
Dawn Rogers, Councilwoman
Nita J. Chmielewski, Councilwoman
Larry Conrad, Councilman

Supervisor Hotaling opened the meeting with the Pledge of Allegiance.

Supervisor Hotaling announced that the meeting time was amended from 7:00 to 7:30 with public permission of those in attendance.

AGENDA ITEMS

- • 1. Discussion - Name Change of Private Road (Blackburn Road)
- • 2. Executive Discussion - Labor Management Agreement with Council 82
- • 3. Executive Discussion - Duplicate Insurance Coverage by Town of Coeymans Employees
- • 4. Executive Discussion - Summer Program – Food for Thought Applications for Review

OFF AGENDA DISCUSSION

- • Gedney Hill Matter – 06/10/04 Request from Lisa Deyo to Building Department Regarding 1964 Permit for Powell & Minnock.

ADJOURNMENT

Supervisor Hotaling asked for a motion to adjourn to Executive Session for items 2,3 and 4 on the agenda.

MOTION

On motion of Councilman Stanton, seconded by Councilman Conrad, to adjourn to Executive Session. – Time 8:41pm
VOTE – AYES 5 – NAYS 0 – SO MOVED

Respectfully Submitted,

APPROVED:

Diane L. Millious, Town Clerk

A Regular Town Board Meeting was held Monday, June 7, 2004, at 7:00 PM at Town Hall, 18 Russell Avenue, Ravena, New York.

PRESENT: Ronald K. Hotaling, Jr., Supervisor
Frank D. Stanton, Councilman
Dawn Rogers, Councilwoman
Nita J. Chmielewski, Councilwoman
Laverne Conrad, Councilman

ALSO PRESENT: Cindy Vatalaro, Deputy Town Clerk
Joseph Rotello, Town Attorney

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

OVERVIEW OF AGENDA – Supervisor Hotaling

- • Public Comment
Robert Garcelon – Skate Park
- • Approval of Minutes
Town Board Meeting – May 24, 2004
- • Department Report Reviews
Town Clerk Monthly Report
Building Department Monthly Report
- • Old Business Update and Discussion
Workers' Compensation Audit
- • New Business Topics for Discussion and/or Action
Pool Passes – Town Residents (outside Village)
Police Officer Resignation
Special Town Board Meeting June 21, 2004, 7:00pm
- • Resolutions
Set Sewer Rates
- • Correspondence
Clough, Harbour and Associates – South Bridge
Hudson River Valley Greenway
NYS Office of Parks, Recreation & Historic Preservation
NYS Department of Transportation
Albany County Department of Civil Service
- • Town Board Workshop
June 15, 2004, 7:00pm – Lisa Deyo, Gedney Hill
- • Public Announcement
RC Sportsmen Club/Ravena Fish & Game Fishing Derby
- • Executive Session
Law Enforcement Officers Union, Council 82

PUBLIC COMMENT

Supervisor Hotaling introduced Mr. Robert Garcelon who had requested to make public comment regarding a Skate Park in the Town of Coeymans.

Mr. Robert Garcelon thanked the Town Board for giving him the opportunity to address the Board and continued by saying that he wanted to address his request for putting in a mini ramp at the Benefit Concert at Joralemon Park and that there seems to be some issues regarding insurance. He added that he had spoken with Armor Risk to see if there was a policy that could be taken out for the day and was advised that they could not come up with that type of policy. He continued by saying that he was hoping that he could come up with some type of a compromise with the Town Board which would enable him to put in the temporary mini ramp for the day of the concert for the facility that was being planned for Mosher Park.

Supervisor Hotaling asked that Mr. Garcelon talk about the facility planned at Mosher Park.

Mr. Garcelon stated that in 2002 the Public Skate Park Development Organization, which he formed and there is a Board of members, got a grant from the Tony Hawk Foundation which enabled them to purchase a design plan.

Supervisor Hotaling interjected that for those that didn't know, Tony Hawk is a nationally known skateboarder.

Mr. Garcelon added that Tony Hawk is a professional skateboarder and he formed a foundation to help fund Skate Board Parks for people that are in the early development stages. He added that they applied for a grant and were approved and the funds were used to purchase a design plan and the Village of Ravena matched the amount of the grant.

Supervisor Hotaling asked how many years ago it was.

Mr. Garcelon advised that it was in 2002 and they currently are applying for a Grant from the New York State Department of Recreation and Historical Preservation and the deadline to submit this is June 30, 2004. He added that a local consultant is filling out their application in addition to working with LaFarge who is interested in donating cement for the project. He continued by saying that the Park will be open to the public and will not be limited to Town of Coeymans residents and will be open during normal park hours and it will be fenced in by a gate.

Supervisor Hotaling questioned who would maintain the park.

Mr. Garcelon stated that maintenance would be between himself and the Village and there will also be a committee of skateboarders who will be donating their time. He added that he assumes in the morning that the people who care for the park will open up the gate and in the evening his group will take responsibility for closing the park and locking it up. He continued by saying that the Police will be checking to make sure that everything is secure. He added that they are holding fundraisers such as the Skate Board Benefit Concert.

Supervisor Hotaling asked how many years the benefit concert has been taking place.

Mr. Garcelon stated that this is the 6th year for the concert. He continued by saying that his group formed in 1997 and started by building wooden ramps and it was not a not-for-profit organization at that time, they were a loose grass roots committee of skaters. He added that they started having concerts at Joralemon Park to help raise funds for more ramps and as they kept building wooden ramps they realized that they were not very practical with weather conditions and vandalism. He continued by saying that they decided that they wanted to build something in concrete that is practical and will last and after a couple of years of working on the project they decided to expand the project and form a non-profit organization. He added that they are at the point where they decided to build in concrete and have bought a design to do this and there is a company that they plan on hiring to do the work. He concluded by saying that he has applied for 12 grants within the last month and will be applying for several more throughout the year and there is an information flyer that has been distributed to the public and was in the News Herald last week explaining some of the fundraising efforts that they are doing.

Supervisor Hotaling stated that in going back to his request, he had talked about a compromise that would ultimately permit them to put the temporary mini ramp in and this is the crux of the issue for the Town Board. He added that the ramp itself is a liability and they are taking a closer look at another park permit which might be a problem and the Town Board will be taking a closer look at the applications so that they can do whatever they can to eliminate and minimize to the extent possible any liability risk that they might be exposed to. He concluded by saying that he does not think that any compromise being offered would include the ability to build the ramp and would wait to hear from the other Board members.

Mr. Garcelon stated that he is not offering a compromise and wanted to come up with a collective compromise and added that in defense he wanted to state that last year he got a call from Supervisor Scalzo indicating that there were plans within the previous Board to build a Skateboard Park at Joralemon Park and he had tried to help him come up with ideas about doing this and then came up with a company to do it. He added that a representative actually came and talked to Supervisor Scalzo about building a mini skateboard ramp or even a small skateboard park. He concluded that it was never done and he never heard back from him and this is what initiated him to ask the Town Board about the temporary ramp at the benefit concert.

Supervisor Hotaling stated that the last he knew, there was a grant application request in from Parks and Recreation to resubmit a grant for funds for Joralemon Park improvements because they did not get around to approving or disapproving any grant applications and they are rolling over the applications for next year and added that it would require a letter from the Town Board. He added that he did ask them to send the information that Supervisor Scalzo had submitted as far as the project and had not yet shared it with the Town Board and they will be discussing as to whether or not they will be resubmitting the application because it does require a 50/50 match and with the circumstances this year he does not feel as though they are in a position to request any grant application even if it does offer the opportunity for a 50/50 match.

Mr. Garcelon interjected that he is applying for the same grant and because of his non-profit status it is easy for him to find grants.

Supervisor Hotaling asked when the fundraising event was scheduled for.

Mr. Garcelon stated that it is July 24, 2004.

Supervisor Hotaling asked if anyone had any questions for Mr. Garcelon.

Councilman Stanton asked how many grants he has ever applied for.

Mr. Garcelon stated that as previously stated, in the last month he has applied for 12 grants.

Councilman Stanton asked how many there were within the last six years.

Mr. Garcelon stated that the Tony Hawk grant was his only successful one and that they were not eligible to apply in the beginning because they were not non-profit and this is why he formed the non-profit organization so they would be eligible.

Councilman Stanton inquired as to how many people would be attending the event.

Mr. Garcelon stated that there is usually 200 people and this year they are hoping for more because they have more vending and art displays and hopefully a mini ramp.

Councilman Stanton asked if there was a need for an ambulance.

Mr. Garcelon stated that he didn't feel as though there would be need for first-aid.

Supervisor Hotaling inquired about the vending.

Mr. Garcelon stated that there would be some food vendors and local crafters.

Supervisor Hotaling asked if this was part of the permit.

Deputy Clerk Vatalaro stated that it was not.

Mr. Garcelon asked if there was something more that he had to fill out and last year there was a vendor selling hamburgers last year.

Councilman Stanton stated that in the past there have been vendors down along the river selling hotdogs.

Supervisor Hotaling stated that he understands, but it should be made clear in the application process.

Councilwoman Chmielewski stated that when they re-do the application forms they should add some of the different things that they are coming up against now.

Supervisor Hotaling interjected that they could write the rules that would either restrict or prohibit certain applications.

Councilwoman Rogers stated that the Town Boards biggest concern at this time is the skateboard ramp.

Supervisor Hotaling added that he had not heard anything about vending until now.

Councilman Stanton asked if there would be any alcohol allowed.

Mr. Garcelon stated that there will not be and they put up no alcohol signs each year.

Supervisor Hotaling asked if the signs worked.

Mr. Garcelon stated that they do and people have respect for the project and know not to have alcohol.

Supervisor Hotaling asked if it is a local draw or are there people from outside of the community.

Mr. Garcelon stated that it is local in addition to some bands coming from all different areas and there are people from outside of the community that come to listen to the bands.

Councilman Stanton asked who follows the bands and is there a following for the local bands.

Mr. Garcelon stated that one of the bands just played at the Tulip Festival.

Councilwoman Chmielewski asked if it was a mix of all types of music and if it was all heavy-metal.

Mr. Garcelon stated that it is called a Music Unity Festival as well as a Skate Park Benefit and he tries to have as many different kinds of music as possible, there will be a bluegrass band, a drum circle, 60's music, some heavy metal and a little bit of everything. He added that there is also a DJ and everything is pretty much modern with the exception of the bluegrass and drum circle and it is music that you hear on the radio.

Councilwoman Chmielewski asked if the bands donate their time.

Mr. Garcelon stated that they donate their time to the cause.

Supervisor Hotaling stated that they now have a better understanding as to what is going to happen and unless he hears something different from the Board, they are going to have to say no to the temporary mini ramp and at some point within the next few days he wanted to speak with him about a plan as far as who is going to be there with respect to the vendors so that he can share it with the Town Clerk and Police Department. He concluded by saying that the permit process is used so that there is an understanding of what the applicant is asking for and then the necessary adjustment in staff and other emergency services that might be required can be arranged.

Mr. Garcelon stated that it would not be a problem and to call him with any questions that the Board may have.

Supervisor Hotaling asked that he contact the Town Clerk's Office and give an update of what the plan might be.

Supervisor Hotaling stated that Mr. Bill Bruno, a member of the Board of Commissioners of the Coeymans Fire District had asked to make public comment.

Mr. Bill Bruno thanked the Town Board for the opportunity to speak and continued by saying that he wanted to alert the residents of the Coeymans Fire District that there have been articles in the paper and some discussions about the proposal for the new fire station and there will be one more Public Forum on June 9, 2004 at 7:00pm at the fire station on Main Street in Coeymans and that the vote is June 16, 2004 from 6:00pm to 9:00pm at the fire station. He added that there has been some confusion about the jurisdiction and wanted to clarify that it includes 9W corridor, County Rte. 101, Martins Hill Spoor Development area to Boomer's, north Coeymans area along Rte. 144 corridor and the Hamlet of Coeymans. He concluded by saying that if there are any questions or if anyone wants to see the current fire station or plans for the proposed fire station should attend the Public Forum and then encouraged everyone in the district to come and vote.

Supervisor Hotaling inquired about Mr. Bruno calling it a Public Forum and the newspaper reporting that it is a Public Hearing.

Mr. Bruno stated that they are not required to hold a Public Hearing for the vote and there have been three Public Hearings to date. He added that they wanted to offer one more Public Forum for giving the opportunity for the public to come and see the proposed plans and to be able to speak one on one with the members of the Board of Commissioners or fire fighters.

Supervisor asked if there was anyone else that wished to make public comment.

Mr. Andrew Brick, Attorney for the Planning and Zoning Boards of the Town of Coeymans stated that he was present for the Planning Board Meeting that is held on the first Monday of the month. He continued by asking if the schedule had been changed.

Councilman Conrad stated that there is a schedule that he believed that Building Department Clerk Filkins had given to him and there are two holidays that affect the Planning Board Meetings and because it conflicts with the Town Board Meetings the Planning Board Meetings were changed.

Supervisor Hotaling interjected that the summer schedule of the Town Board takes precedence first and if there is a holiday conflict, it would be the secondary reason. He added that in June, July and August there is one meeting a month and they try to make the meeting in such a way that they can still preserve their Workshop Meeting at a time when the Village has their regular meeting and then there is an opportunity for both Boards to engage in any pressing matters. He concluded by saying that he didn't know why he did not receive the new schedule and would make sure that he got one.

Supervisor Hotaling asked if there was anyone else wishing to make public comment, hearing none he moved to the next agenda item.

APPROVAL OF MINUTES

Supervisor Hotaling stated that there are meeting minutes for May 24, 2004 that need to be approved and asked if the Board had an opportunity to review them and added that Councilman Conrad was absent for the meeting. He then asked for a motion to approve the minutes.

MOTION

On motion of Councilwoman Chmielewski, seconded by Councilwoman Rogers, the minutes for the Town Board Meeting on May 24, 2004 were approved as read.
VOTE – AYES – 4 – NAYS – 0 – ABSTAIN 1 (Conrad) – SO MOVED

Discussion was raised by Councilwoman Chmielewski regarding some wording and it was decided not to make a change.

DEPARTMENT REPORTS

Town Clerk's Report – May 2004

Supervisor Hotaling asked that Deputy Clerk Vatalaro read the Town Clerk's Monthly Report.

Deputy Clerk Vatalaro read the Town Clerk's Report for May 2004.

Supervisor Hotaling asked for a motion to accept the Town Clerk's Monthly Report.

MOTION

On motion of Councilman Stanton, seconded by Councilman Conrad, the Town Clerk's Monthly Report for May 2004 was accepted as read.
VOTE – AYES – 5 – NAYS – 0 – SO MOVED

Building Department Report – May 2004

Supervisor Hotaling reported that in summary total fees collected were \$662.50 for Building Permits on an estimated cost of construction of \$136,500.00 and it appears to be approximately 20 permits. He then asked for a motion to accept the Building Department Report.

MOTION

On motion of Councilman Stanton, seconded by Councilwoman Chmielewski, the Building Department Monthly Report was accepted as presented.
VOTE – AYES – 5 – NAYS – 0 – SO MOVED

OLD BUSINESS

Worker's Compensation Audit

Supervisor Hotaling stated that there were some discussions in previous meetings about the lack of a Worker's Compensation Audit for the payroll years of 2003 and 2004 starting in July of 2002 and they have been successful in engaging State Insurance Fund to have an audit of the payroll for the purpose of Worker's Compensation and the audit has been done and the Town Board is in receipt of the results of the audit. He continued by asking that Councilman Conrad give an update.

Councilman Conrad stated that previously the Town Board had some conversations about cost over-runs for the year that were not taken into account in this year's budget and one of them that he had cautioned the Board about was in looking at the payroll figures he saw that they were grossly under reported to the State Insurance Fund. He added that in addition to higher premiums, because the audit was not done, the premium did not cover the amount that was under reported.

Supervisor Hotaling stated that because the audits were not done, they were based on estimated payrolls which had shortfalls.

Councilman Conrad stated that because the 2002-2003 had not been done in a timely fashion, State Insurance Fund raised the rates higher on the estimated for this year and with the audit now being done the Town has been notified that they now owe \$17,900.00 plus for 2002-2003 and it appears that they will owe \$20,000.00 plus for the 2003-2004 which will probably be completed in September and this puts the Town Board quite a bit behind as far as Worker's Compensation.

Councilwoman Chmielewski interjected that these amounts are in addition to what has already been paid.

Councilman Conrad stated that the premium that they based it on for this year was \$62,000.00 which was paid for the 2003-2004 year which ends June 30, 2004 and it looks like they will end up paying at least another \$20,000.00 - \$25,000.00 based on the increases in payroll that has taken place. He added that State Insurance gave a quote for 2004-2005 which went from \$60,000.00 to \$121,000.00 and this did not include the increased payroll. He concluded by saying that they have contacted State Insurance and have reserved their right to change carriers because the policy comes due 07-01-04 and they do have some quotes from other carriers coming in and in turn will have to review them and make a decision.

Supervisor Hotaling stated that in talking about increased payrolls, he does not want to give the impression that big raises were given to everyone and that the raises were contractual increases that have not been considered budgetarily and then giving it to the carrier to establish a payroll figure that was more true and accurate. He added that the gap over the years has gotten greater and greater and with the lack of the audit combined with the estimated premium this issue was raised this year.

Councilman Conrad stated that Workman's Compensation is based on the amount of liability that is faced and the Highway Department is one of the highest rates, the next highest is the Sewer Department, then the Police Department and then clerical staff, which is only 34 cents per hundred dollars of the earned gross salary. He added that the clerical does not really make a difference if it goes underestimated or not, but the Police

Department and Sewer Department and Highway Department were less than 50% of what they actually are with Highway being the worse and with \$60,000.00 already paid the Town is still \$18,000.00 short for the 2002-2003 and another \$20,000.00 for the 2003-2004.

****** Supervisor Hoteling stated that he was advised by the auditor that the earliest that he will be back is in September 2004 and this will give them time to file the quarterlies and he will have the payroll information and chances are the Town will be billed again if he is timely with the audit and if the audit proves [REDACTED] will be billed again for 2004 for the \$20,000.00 additional.

Councilwoman Chmielewski interjected that they are looking at \$39,000.00 that is not in the budget for this year.

Councilman Conrad stated that it would also be the increase premium that the Town has to realize to get things resituated to bring up the payroll totals where they belong so that they are paying the proper amount which will mean a premium that will be escalated and also not considered in the budget.

NEW BUSINESS

Mosher Park Pool Passes

Supervisor Hotaling stated that it was reported at the last meeting that the Town Board had reached an agreement with the Village Board to provide an opportunity for those residents outside of the Village to utilize the Village of Ravena, Mosher Park Pool. He continued by saying that subsequent to the agreement there have been some negotiations between the Village and the Town for distribution of the pool passes and in last weeks paper the Village put forth an article in the News Herald indicating that pool passes for Village of Ravena residents would be handed out at Village Hall. He added that he will be getting together with Mr. Tucker to put together a similar article for those people in the Town outside of the Village. He concluded by saying that the Town will start distributing the pool passes on June 14, 2004 between the hours of 9:00am and 1:00pm in the office of the Youth Services Director and if the Director is not there the Supervisor's Office will try to accommodate and there will be a requirement of residency and proof of residency and restrictions with regard to the utilization of the pool pass which will also be in the article.

Resignation of Police Officer

Supervisor Hotelling stated that he is in receipt of a letter dated May 28, 2004 addressed to Chief Giroux from Todd Polverelli. He continued by reading the following:

May 28, 2004

Chief Scott Giroux
15 Mountain Road
Ravena, NY 12143

Dear Chief Giroux:

The purpose of this letter is to inform you of my retirement from my current position as Detective with the Town of Coeymans Police Department. My last day of work will be Wednesday, June 30, 2004.

After twenty-one years of loyal public service to the Town of Coeymans and Village of Ravena residents I have been extremely fortunate to have been a part of a successful team of professionals. I would like to take this opportunity to express my sincere appreciation for your guidance and counsel not only during the last 7 years that I have worked under your supervision, but throughout my entire police career. I am certain that the skills I have acquired will be of value in my future endeavors.

Sincerely,

Todd A. Polverelli

Supervisor Hotaling then asked for a motion to accept the resignation.

MOTION

On motion of Councilman Stanton, seconded by Councilwoman Chmielewski, the resignation of Officer Todd Polverelli was accepted.

VOTE – AYES – 5 – NAYS – 0 – SO MOVED

Councilman Stanton interjected that a letter should be sent thanking Officer Polverelli for his service to the Town.

Special Town Board Meeting

Supervisor Hotaling stated that he needed to announce a Special Town Board Meeting for Monday, June 21, 2004 at 6:00pm at Town Hall and the purpose of the meeting will be to finalize the bills for the month and also to handle any Executive Sessions that might come up between now and then. He then asked for a motion to establish a Special Town Board Meeting.

MOTION

On motion of Councilman Stanton, seconded by Councilwoman Rogers, authorizing the establishment of a Special Town Board Meeting on June 21, 2004 at 6:00pm at Town Hall and also directs the Town Clerk to cause Public Notice.

VOTE – AYES – 5 – NAYS – 0 – SO MOVED

Councilwoman Chmielewski interjected that she believes that it should be specified that it is a Special Meeting to audit the bills.

Supervisor Hotaling stated that it will not be a big agenda and will last for approximately 15 minutes and it will give them the opportunity to pay the bills, ordinarily there are two

meetings a month but in the summer months the second meeting is when it is appropriate for the Town Clerk and Town Board to get together to pay the bills.

Supervisor Hotaling stated that he was moving to the resolution part of the meeting.

Discretionary Spending Freeze

Councilwoman Chmielewski interjected that she wished to make a motion regarding a discretionary spending freeze. She continued by saying that on January 12, 2004 the Town Board put a discretionary freeze into place and it was extended on March 8, 2004 for 60 more days. She added that in light of what was previously discussed as far as the additional \$40,000.00 that they have to come up with for the audits, she would like to make a motion to further extend the discretionary spending freeze for an additional 90 days which will take them from June 8, 2004 to September 5, 2004, which will bring them close to the time that the budget has to be done.

Supervisor Hotaling interjected that he would ask that the extension be until the first Town Board Meeting in September when it will be considered as far as extending it beyond that time. He added that he agrees that September is a good time to extend it to considering the budget discussion that will start in August 2004 and by September they will have to be up and running with the Supervisor's Tentative Budget followed by the Preliminary and Adopted Budget.

Discussion ensued regarding what the first Town Board Meeting date would be in September and it was collectively decided that it is September 13, 2004.

Supervisor Hotaling stated that there was a modification to the motion and the date is now June 8, 2004 to September 13, 2004.

MOTION

On motion of Councilwoman Chmielewski, seconded by Councilman Stanton, authorizing a discretionary spending freeze from June 8, 2004 to September 13, 2004.
VOTE – AYES – 5 – NAYS – 0 – SO MOVED

RESOLUTIONS

Supervisor Hotaling stated that the resolution for the amendment to the May 2004 Abstract was discussed prior to the meeting.

Councilwoman Chmielewski stated that it was decided to pull the resolution for now.

Supervisor Hotaling stated that there is not a need to do this right away given that it is only a \$30.00 credit that it is going to be established and the resolution for the amended abstract was removed from the agenda.

RES. #87-04 SET SEWER RATES FOR SECOND BILLING OF 2004

On motion of Councilman Conrad, seconded by Councilwoman Chmielewski, the following resolution was APPROVED - VOTE – AYES – 5 – NAYS – 0 – SO MOVED

BE IT RESOLVED, that the Town Board of the Town of Coeymans is desirous of establishing the sewer rates for the second billing of 2004:

Minimum Charge	\$180.17 Residential
Minimum Charge	\$180.17 Commercial
Metered Gallons (over 15,000)	\$ 3.50 per 1,000
R-C-S School	\$3,000.00 Flat Rate

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby authorize the Town Clerk to collect a total warrant for the second bill of 2004 in the amount of \$85,503.00.

Councilwoman Chmielewski interjected that these are the rates that were set in December 2003.

Supervisor Hotaling stated that they were the rates set for the first half of the year and they are the same rates that they are going to carry through given the budget that was promulgated for 2004.

Councilman Conrad interjected that it does appear that the rates are not going to be sufficient to cover the cost of operation at the Sewer Plant and there will be a shortfall there as well.

Supervisor Hotaling stated that they are achieving some efficiencies at the plant and there will be continued efforts and the extended discretionary freeze will go somewhat of a distance to mitigate the potential shortfall and it is his hope that there will not be a shortfall in the sewer fund because having that would create some issue for next years budget.

Councilman Conrad inquired about all of the costs that are going to be incurred to do some of the improvements to mitigate the DEC situation that there is at the Sewer Plant. He continued by saying that there are numerous things that need to be done and some are extensive such as the whole street of Second Street has to be dug up and sewer and drainage pipe has to be replaced.

Supervisor Hotaling interjected that this has been an issue that has been in front of other Town Boards for several years and has been there for a while and they might not be able to get to it this year. He added that the operation of the plant and getting through the end of the year is paramount and with the assistance that the Village had offered in a cooperative way it might be possible to address those issues.

Councilman Conrad stated that his point is that there is a Consent Order with DEC and it may take some negotiations with them in order to argue the point of what they are and are not going to do. He added that it is stymieing the building and the subdivisions from proceeding in the Town of Coeymans until they take care of or resolve some of the issues and that is one of the major issues because it is dumping I&I into the Sewer Plant. He concluded by saying that there are numerous things that need to be fixed and hopefully change the flow meter readings that need to be adjusted that is costing the

Sewer District approximately \$51,000.00 a year because of the rates that have been set with the Village.

Supervisor Hotaling stated that the flow issue is on the table and when the Sewer Commission sits down with the Village members of the Sewer Commission, there has to be discussion about trying to adjust the rates and this is a more obtainable goal in 2004 than digging up Second Street and replacing it with thousands of dollars of pipe that has not been budgeted for, coupled by the fact that there is a \$585,000.00 grant of which the specifications have just commenced and are being promulgated for requesting bids and hopefully it will mitigate some of the concern that DEC had in regard to the Sewer Plant. He added that it won't open the field for building but it is one step at a time. He concluded by saying that he understands the urgency but it can't be expected that everything can be done in 90 days.

CORRESPONDENCE

Clough, Harbour & Associates – Old Ravena Road

Supervisor Hotaling stated that he had received a letter from Clough, Harbour regarding the Old Ravena Road South Bridge and bids for construction were opened on April 27, 2004 and the apparent low bidder J.H. Malloy was awarded the bid and the County is administering the project. He added that before the construction can begin, a force account agreement must be executed between the County and CSX Transport and the agreement is being finalized now and once it is signed the County must obtain easements. He continued by saying that he had just recently signed some Easement Agreements to allow construction on their property and construction will commence in August. He added that during his last conversation with Mr. Tony Papile, it was indicated that the completion of it will be delayed until the summer of 2005 because of the late start of construction in August due to the weather. He concluded by saying that subsequent to that the North Bridge will be torn down and there will be a new process for bidding and reconstruction.

Hudson River Valley Greenway

Supervisor Hotaling stated that he is in receipt of a letter dated June 1, 2004 from the Hudson River Valley Greenway, advising that there will be a Great Hudson River Paddle 2004 and that there are several stops on the river, the closet one appears to be Village of Athens Riverfront Park on Wednesday, July 7, 2004. He added that more information can be obtained by contacting the Supervisor's Office.

NYS Office of Parks, Recreation & Historic Preservation

Supervisor Hotaling stated that he had mentioned this earlier relative to the Joralemon Park Grant. He continued by saying that the previous Supervisor and Town Board submitted to Ms. Bernadette Castro, Commissioner of Parks and Recreation, a project totaling \$402,500.00 of which \$201,250.00 was going to be the State's share and the Town's share was going to be \$201,250.00; this project was to include enhancements at Joralemon park up to and including nature trails, fields for multi-use athletic games, bathroom and pavilion structures, fencing gates, lighting, bar-b-que pits, and ancillary

items found at municipal parks. He added that this project was not yet considered by the granting source and it is up to the current Town Board whether or not they will submit by letter a similar project and he would caution the Board that it is a 50/50 match and is quite a bit of money based on what they are facing this year.

NYS Department of Transportation

Supervisor Hotaling stated that is in receipt of a letter from the NYS Department of Transportation and it is regarding the NYS Sign Program. He then asked Councilman Conrad for an update.

Councilman Conrad stated that he had been in contact with the regional office in Voorheesville and went over some of the jurisdictional issues with the signs. He added that at the local level there is a sign ordinance that takes care of properties on Town Roads and things of that nature, but this deals with signs along the state and federal highway system and basically they do not allow any signs of advertising other than municipal type signs or churches and there is a detailed list of signs that can be put in the right-of-way by permit. He continued by saying that NYS DOT is going to start to crack down on signs that are illegally placed on telephone poles and in other ways in the right-of-way and that this goes back to the Johnson administration when the Highway Beautification Act was passed and there have been several updates since then. He concluded by saying that this is to let them know that this is an effort to clean up the corridors and to make sure that anyone in the right-of-way has a permit.

Supervisor Hotaling stated that there was a Village wide garage sale and there are signs on many telephone poles and he wanted to take the opportunity to ask the public to take the signs down and dispose of them in a proper way.

Albany County Department of Civil Service

Supervisor Hotaling stated that he is in receipt of a letter dated June 2, 2004, from Caitlin Morgan Frederick who is the new Director for of Civil Service for the County of Albany and is replacing Daniel Leyden. He added that as part of the letter she is announcing a few goals that she wants to accomplish within the next few months, which is a review of the jurisdictional class of titles to determine their appropriateness and performing payroll audits of all the political subdivisions. He continued by saying that this will include Coeymans and he sent to Civil Service, approximately two months ago, a payroll for purposes of the State of New York coming in to audit Albany County Civil Service and as a result it was requested that a payroll be sent and the next step will be for Albany County Civil Service to come to the Town and do desk audits of the workers to determine the appropriateness of the titles and also a payroll audit for the purpose of making sure that people that are in the titles have Civil Service status or an exemption promulgated by them and recorded in their rules and regulations. He added that she also plans to pursue a more aggressive testing schedule to reduce the number of provisional appointments required and he knows that there are some provisional appointment that have been for quite some time and there will probably be information given to them regarding examinations for some of the provisional incumbents. He concluded by saying that he is not sure when she will be getting in touch with the Town but they have to be prepared for the occurrence.

TOWN BOARD WORKSHOP

Supervisor Hotaling stated that there will be a Town Board Workshop on June 15, 2004 at 7:00pm and the Workshop will be totally devoted to the Gedney Hill Road Permit modification request and decision that was just rendered by the DEC and Ms. Lisa Deyo will be representing a combined organization of Town of Coeymans and Town of New Baltimore residents. He added that for several months they have been concerned about the truck traffic on Gedney Hill and there was an informational forum last fall and subsequent to that they had submitted a request to the DEC to have the road and mining permits modified and DEC acted on that request and denied most of it and referred some of the road issues with regard to the road use to the local government. He concluded by saying that the organization will be coming to the Workshop on June 15th and will be suggesting road restrictions and other refinements to the use of the road that would from their perception, increase their quality of life in terms of the road use.

Councilwoman Chmielewski interjected that the Highway Superintendent will be at the meeting.

Supervisor Hotaling stated that he will remind him to be at the meeting and to also bring the actual studies that were done on the road.

Attorney Rotello interjected that they are referred to as Gedney Hill Neighborhood Group by their then Attorney John Biscone and he believes that Attorney Lou Neri will be taking it over.

Councilman Conrad interjected that he has them as the Coeymans/New Baltimore Citizens Committee and this is taken from an e-mail from Ms. Lisa Deyo.

Supervisor Hotaling stated that he believes that the topic will be sufficient length that it will be the only topic of discussion for that evening.

Town Attorney Rotello inquired as to if Attorney Caffrey would be present at the Workshop.

Supervisor Hotaling stated that he has not been authorized by the Town Board to engage Attorney Caffrey to come down for that purpose.

Councilman Conrad stated that the Workshop is just an informational situation.

Supervisor Hotaling stated that from the Board's perspective it is and they possibly might be asked whether or not they want to make a decision regarding restrictions and his suggestion is that it has been their practice not to make any determinations at Workshops, as they listen and absorb and go back in a public meeting to make a decision.

Councilman Conrad stated that his point is that they have a Town Attorney who is becoming more and more versed in Highway Law and the Town Attorney is paid for at this point and can field any questions that the Board may have and if further counsel is needed at a later date they can make the decision later. He concluded by saying that he disagrees with having Attorney Caffrey at the Workshop.

Supervisor Hotaling stated that he would agree and he would get input from the rest of the Town Board members before he would determine to call Mr. Caffrey in.

Attorney Rotello interjected that in a Workshop setting it is not necessary for him to attend the meeting.

Councilwoman Chmielewski added that the Town Board should see what is presented to them at the Workshop and then they will probably have to sit down with Mr. Caffrey and make some decisions.

PUBLIC ANNOUNCEMENT

Supervisor Hotaling stated that there was a correction that he wanted to make public, the R-C Sportsman's Club – Ravena Fish and Game Association Fishing Derby which is June 13th was placed in the News Herald with an erroneous date and it was reported as June 3rd. He added that he wanted to take the opportunity to say that even though it is the 7th of June, that the 3rd of June was not the Fishing Derby and it will take place on June 13th at the Waste Water Treatment Plant from 9:00am – 11:00am. He added that as the Town Board had authorized, the Town will be paying for the trophies with a limit of up to \$100.00.

Councilwoman Chmielewski interjected that it was advertised in the LaFarge ad.

Supervisor Hotaling stated that he had a request for an Executive Session.

Councilwoman Chmielewski interjected that she had a question before Executive Session and inquired as to if Supervisor Hotaling had spoken to Mayor Bruno regarding the appointment of the 5th person to the Village Water Commission.

Supervisor Hotaling stated that he did speak with the Mayor and they agreed that Mr. Tom Dolan was going to be the 5th member for the Sewer Committee. He added that the Mayor did not have a preference for the Water Commission and he had given him a few days to think about it and has not gotten back to him with any preference and the Town Board is now free to make a suggestion. He concluded by saying that he would convey the suggestion to the Mayor and see if he agrees.

Councilwoman Chmielewski stated that the appointment should be prior to the next billing.

Supervisor Hotaling agreed and asked if anyone had any else had any other comment, hearing none he asked for a motion to adjourn the meeting to Executive Session with Council 82 for Police Department matters. He added that the Town Board would be returning after Executive Session to adjourn the meeting.

ADJOURNMENT

MOTION

On motion of Councilwoman Chmielewski, seconded by Councilwoman Rogers, the Town Board Meeting was adjourned to Executive Session with Council 82 for Police Department issues. Time 8:02pm

APPROVED - VOTE – AYES – 5 – NAYS – 0 – SO MOVED

RECONVENE THE MEETING

Supervisor Hotaling called the meeting back to order and asked for a motion to adjourn the meeting. Time 9:31pm

ADJOURNMENT

On motion of Councilman Conrad, seconded by Councilwoman Rogers, the Town Board Meeting was adjourned. Time 9:31pm

APPROVED - VOTE – AYES – 5 – NAYS – 0 – SO MOVED

Respectfully Submitted,

APPROVED:

*Diane L. Millious
Town Clerk*

A Regular Town Board Meeting was held Monday, May 24, 2004, at 7:00 PM at Town Hall, 18 Russell Avenue, Ravena, New York

PRESENT: Ronald K. Hotaling, Jr., Supervisor
Frank D. Stanton, Councilman
Dawn Rogers, Councilwoman
Nita J. Chmielewski, Councilwoman

ABSENT: Laverne Conrad, Councilman

ALSO PRESENT: Diane L. Millious, Town Clerk
Joseph Rotello, Town Attorney
Scott Giroux, Chief of Police
Albert Deering, Highway Superintendent
Larry Breedlove, W.W.T.P. Chief Operator

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

Supervisor Hotaling stated that there is one Board Member absent, Councilman Conrad. He continued by giving an overview of the agenda.

AGENDA OVERVIEW

- • Public Comment
Robert Garcelon, Skateboard Ramp and Benefit Concert
- • Approval of Minutes
Town Board Meeting – April 26, 2004
Town Board Meeting – May 10, 2004
Town Board Workshop – May 18, 2004
- • Supervisor's Report
- • Department Report Review
Town Clerk Monthly Report – April, 2004
Police Department Monthly Report – April, 2004
- • New Business for Discussion and/or Action
R/C Sportsman's Club Annual Fishing Derby, June 13, 2004
Mosquito Larvacide Treatment to Sewer Catch Basins
NYSDEC Waste Water Transport Permit
Smoke Testing, Results Memo
Resignation – Highway Operator I
- • Resolutions
Transfer of Surplus Property
Appoint Part-Time Confidential Secretary – Highway Dept.
Appoint Part-Time Police Officers
Approve Audit of Claims – December 2003
Approve Audit of Claims – May 2004

- • Correspondence
Federal Funding for Bulletproof Vests
Capital District Transportation Committee Bicycle/Pedestrian
Spot Improvement Program
Clough, Harbour & Associates Request RE: WWTP
- • Town Board Workshops
June 15, 2004, 7:00pm – Lisa Deyo, Gedney Hill Permit Modification

PUBLIC COMMENT

Supervisor Hotaling stated that Robert Garcelon was scheduled to speak regarding a skateboard ramp at Joralemon Park and a benefit concert to be held in July. He continued by saying that Mr. Garcelon was not present and asked that the Town Board extend some liberties if he did show up and they would go back to him. He added that the Public Comment period was open and asked if anyone would like to make public comment to the Town Board, hearing none he moved to the approval of minutes.

APPROVAL OF MINUTES

Supervisor Hotaling stated that there were three sets of minutes for Town Board approval:

Town Board Meeting, April 26, 2004
Town Board Meeting, May 10, 2004
Town Board Workshop, May 18, 2004

Supervisor Hotaling asked if the Town Board had the opportunity to review the minutes and then asked for a motion to approve the minutes.

MOTION

On motion of Councilman Stanton, seconded by Councilwoman Chmielewski, the minutes for April 26, May 10 and May 18, 2004 were approved as presented by the Town Clerk.

VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Conrad)

Supervisor Hotaling pointed out that there was a typo in the May 18th minutes and the year was indicated as 2003. He then asked that the Town Clerk correct this for the official copy.

Town Clerk Millious so noted the change.

SUPERVISOR'S REPORT

Supervisor Hotaling presented the Supervisor's Report for April 2004

FUND	BAL. FWD.	RECEIPTS	DISBURSEMENTS	BALANCE
GENERAL	\$1,869,012.94	\$ 59,488.52	\$ (250,035.74)	\$1,678,465.72
FEMA	\$ 43,555.50	\$ 68.00	-0-	\$ 43,623.50
PART-TOWN	\$ 67,959.71	\$ 1,379.00	\$ (16,337.17)	\$ 53,001.54
SPEC. WATER	\$ 65,182.09	\$ 33,249.13	-0-	\$ 98,431.22
HIGHWAY	\$ 36,742.35	\$408,390.80	\$ (81,452.22)	\$ 363,680.93
SEWER	\$ 300,666.41	\$ 14,417.53	\$ (34,009.35)	\$ 281,074.59
TRUST & AGCY.	\$ 561.91	-0-	-0-	\$ 561.91
			Total Reconciled Balances	\$ 2,518,839.41

SAVINGS ACCOUNTS

Unemployment \$ 5,672.72
 Grove Cemetery \$51,804.30
 Sewer Dedicated \$ 7,312.41
 Total \$64,789.43

SECTION 8 - HUD

Occupied Units 82
 HUD Payments \$35,216.00
 Admin. Fee \$ 120.18
 Total HUD Payment \$35,336.18
 Tenant Rent \$22,817.00
 Contract Rent \$55,600.00

COLLATERAL COVERAGE

FDIC Coverage

Collateralized

NATIONAL BANK OF
COXSACKIE

\$200,000.00

\$1,985,331.76

Supervisor Hotaling asked for a motion to accept the Supervisor's Report as presented.

MOTION

On motion of Councilwoman Chmielewski, seconded by Councilman Rogers, the April 2004 Supervisor's Report was accepted as presented.

VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Conrad)

DEPARTMENT REPORTS

Town Clerk's Report – April 2004

Supervisor Hotaling asked that Town Clerk Millious give the Town Clerk's Report for April 2004.

Town Clerk Millious gave her report for April 2004.

Supervisor Hotaling thanked Town Clerk Millious and asked for a motion to approve the Town Clerk's Report as presented.

MOTION

On motion of Councilman Stanton, seconded by Councilwoman Rogers, the Town Clerk's Report for April 2004 was accepted as presented.

VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Conrad)

Police Department Monthly Report

Supervisor Hotaling stated that Chief Giroux was present and asked him if there was anything that he wanted to comment on.

Chief Giroux stated that there was not anything remarkable to report as far as activity trends and even though he wanted to make a quick comment about something that would be reflected in next month's report. He continued by saying that there were some larcenies out of vehicles, which seems to be a springtime phenomenon because every year for the last three years there have been similar situations where unknown bandits go in certain neighborhoods and basically go from door-to-door looking for vehicles that are unlocked and then they steal from the vehicles. He added that four vehicles had items stolen and all were unlocked and in every single case over the past three years, only the vehicles that were left unlocked had items stolen from them. He went on to say that every year he uses a column in the News Herald to remind residents that locking their cars is a simple way of avoiding trouble and could avoid being victimized by simply locking their doors and not leaving any valuables in their cars. He concluded by saying that the Police Department is 2 for 2 in the last two years of apprehending the perpetrators and hopefully will be as successful this year and added that other than that his report speaks for itself.

Supervisor Hotaling stated that the ACO Mr. Rossman has received some in service training and is now fully available. He then asked Chief Giroux if it is working out ok.

Chief Giroux stated that there have been a couple of calls and it is going well and there will be an inspection from the Department of Agriculture and Markets because there is a new ACO and it will be early next month.

Supervisor Hotaling stated that another notation is that the Tahoe has been stripped of all police equipment and will be picked up by the leasing company on May 28th. He then added that there are no anomalies in the report and the calls for service are pretty much average.

Chief Giroux interjected that it was a standard month and there tends to be an increase activity for the months coming up May, June, July and August.

Supervisor Hotaling thanked Chief Giroux and asked for a motion to accept his report as presented.

MOTION

On motion of Councilwoman Chmielewski, seconded by Councilman Stanton, to accept the April 2004 Police Report as presented.

VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Conrad)

OLD BUSINESS

Nothing to report at this time.

NEW BUSINESS

RC Sportsman's Club Annual Fishing Derby, 6-13-04

Supervisor Hotaling reported that the Town Board received a letter from the Fishing Derby Committee chairman, James Reilly from the R/C Sportsman Club indicating that in conjunction with Ravena Fish and Game Association, the 26th Annual Fishing Derby for the children that reside in the R-C-S School District and will be held Sunday, June 13, 2004 from 9:00am to 11:00am, at the Town of Coeymans Waste Water Treatment Plant on Rte. 144. He then asked Chief Operator Breedlove how long the Derby has been held at the W.W.T.P.

Chief Operator Breedlove stated that he was not sure.

Supervisor Hotaling interjected that it goes back to when Floyd Russo was the Chief Operator so it goes back several years. He added that they are soliciting contributions for prizes and food and drink and the Town is providing the location. He continued by saying that someone had indicated that in the past the Town had provided trophy support and asked if Councilman Stanton or Councilwoman Rogers could recall this.

Councilman Stanton stated that the Town in the past has purchased the trophies for the different age categories and last year, if he recalls correctly, it was under \$100.00.

Councilwoman Rogers interjected that it was not a lot of money.

Councilwoman Chmielewski asked how many trophies were purchased.

Councilman Stanton stated that as he recalls it was for six different age groups. Supervisor Hotaling estimated that for six trophies it should be less than \$10.00 a piece and should not be more than \$60.00 to \$70.00 and added that he would like to get back to Mr. Reilly.

Councilman Stanton interjected that he had called him and Mr. Reilly would be getting back to him and he would be able to convey to the Town Board how much it would be for the trophies because he does not want to spend a lot of money on this.

Councilwoman Chmielewski clarified that the Town will only be purchasing the trophies and not the hotdogs and drinks.

Supervisor Hotaling asked if they supply all of those themselves.

Chief Operator Breedlove stated that they supply that.

Councilman Stanton interjected that they do solicit for donations and he has donated himself and it is a great and worthwhile cause for the Town and that it is a nice day.

Councilwoman Chmielewski asked Chief Operator Breedlove if an employee has to be present.

Chief Operator Breedlove stated that no one has to be there but someone is usually there working and in the past they have left before the derby is over. He added that they do not come into the plant and stay on the riverfront area.

Councilwoman Chmielewski asked if they use the facilities at all.

Chief Operator Breedlove stated that they bring in a port-a-potty and what they bring in they take out.

Supervisor Hotaling interjected that on the day of the Derby; it will be a regular work day for one of the employees and will be there for the 9-11 period. He then asked that Councilman Stanton get back to the Board after Mr. Reilly calls him.

Mosquito Larvicide Treatment

Supervisor Hotaling stated that the next item on the agenda was mosquito larvicide treatment to the sewer catch basins and continued by reading the following excerpt from a letter received from the Albany County Department of Health.

“As a routine step in Albany County’s West Nile Virus prevention and control activities, beginning on or after May 26, 2004, a 150 day residual mosquito larvicide treatment will be applied to targeted municipal storm sewer catch basins.”

Supervisor Hotaling continued by saying that the Town of Coeymans and the Village of Ravena are included in the list of areas that will be done and continued by reading the following excerpt:

“This activity will begin at that time and continue until those catch basins are treated. An additional application of a 30-day residual larvicide may be performed, if necessary, beginning September 2004.”

Supervisor Hotaling then asked Chief Operator Breedlove how long the program has been going on.

Chief Operator Breedlove stated that he believes that this is the third year.

Supervisor Hotaling then asked if he felt as though it has been successful and added that there have been very few or no cases in the area.

Chief Operator Breedlove stated that the number of cases has been limited but he does not know the exact number or percentage and the number of mosquito's that have been tested for the virus are less.

Supervisor Hotaling then asked that Mr. Breedlove give a history of the program.

Chief Operator Breedlove stated that in the first year, Albany County Health in conjunction with the municipalities requested that the workers of the Waste Water Treatment Plants help them because of staff shortages and actually paid for them to be trained to be able to add larvicide to the storm drains. He added that for the second year the regulations had changed and they could no longer do this because they were not fully trained and had a Pesticide Certificate and now they accompany someone from the Albany County Health Department and bring them to each catch basin to put the briquette in the catch basin.

Supervisor Hotaling added that they are requesting that Albany County residents assist them in their surveillance activities and read the following excerpt:

"Albany County residents are requested to report the findings of dead birds, especially crows, which are thought to have died within the last 24 hours, to our Environmental Division at (518) 447-4620."

Supervisor Hotaling asked if there was any further discussion on this, hearing none he moved to the next item on the agenda.

NYSDEC Waste Transporter Permit

Supervisor Hotaling stated that the Town received a bill for \$700.00 for a Transporter Program Permit fee to take the screenings and grit that is collected at the Waste Water Treatment Plant and there is also a permit for the Town of Colonie Landfill and there is a tipping fee associated for that as well. He continued by saying that Chief Operator Breedlove has in his effort to achieve some efficiencies, brought to the Town Board's attention that many towns use regular dumpsters for this disposal and the Town may be able to save some money by doing the same thing and not paying the \$700.00 and \$500.00 plus tipping fees. He added that it might require that the waste hauler to place a larger dumpster to accommodate the need and with the Town Board's permission will also be checking with DEC to determine whether or not the Town can also stop paying the permit fees and dispose of the screenings legitimately according to DEC's authority. He then asked Chief Operator Breedlove if he had anything to add.

Chief Operator Breedlove interjected that their truck goes to the same place as someone else who is transporting it.

Councilwoman Chmielewski asked if this is alright with the current waste hauler and asked who it is.

Chief Operator Breedlove stated that it is Waste Management.

Councilwoman Chmielewski asked if Waste Management provides this kind of service.

Chief Operator Breedlove stated that they do and provide this service for other treatment plants.

Supervisor Hotaling interjected that it is \$1,200.00 plus on an annual basis and also it would save man hours taken away from the plant in having to drive the truck to dispose of this and the hauler is already picking up once a month at the plant, which might have to be adjusted but the cost would be offset by the savings from the permit process.

Supervisor Hotaling continued by asking the Town Boards approval for Chief Operator Breedlove to explore with DEC.

Councilwoman Chmielewski asked if there would be a separate receptacle for this. Chief Operator Breedlove stated that it will go in the same dumpster with the trash and it is basically the same thing, paper and debris, but it is wet.

Supervisor Hotaling interjected that it is what is captured in the screens before it goes to processing and added that it is appropriate for Chief Operator Breedlove to follow up with DEC and asked that he report back to either himself or Councilman Conrad with his success or failure in terms of trying to get them to agree.

Sewer Line Smoke Testing Results

Supervisor Hotaling stated that at a Town Board Meeting he announced that there would be smoke testing of the sewer lines and this would be in conjunction with the Village and Steve Grimm with the NY Rural Water Association came and demonstrated how it was to be done. He added that it is a simple and effective process in determining who might be having their gutters and down spouts going directly into the sewer lines, or who might be having some trap problems in their house or broken sewer lines. He added that if any lines in the road are broken smoke would be emitted through the ground and it could be examined to determine what the problem was. He concluded by saying that it has gone on for a couple of weeks and it is now complete and he wanted to thank NYRWA and Steve Grimm and his staff for showing the proper operation on the first day and explaining the procedure. He added that the Town and Village worked side by side, hand in hand performing the task; he added that he also wanted to thank the Village crew, the Mayor and the Village Board.

Supervisor Hotaling stated that Chief Operator Breedlove had prepared a preliminary report and there are a couple of places in the Town along with the Village where there are some problems and he had asked that Chief Operator Breedlove prioritize the areas of concern and strategize a plan so they can start to attack and mitigate the inflow and infiltration problem or leaks that there might be that would lead to the I&I if there was a pipe that didn't have its full integrity which would encourage ground water to get in and would raise the amount of water sent to the WWTP which would jeopardize the ability to be able to treat it and would put the Town in jeopardy with DEC and anything that they could do to mitigate it would be appropriate. He added that the Village Mayor has offered an opportunity to continue their working relationship hand in hand and if the Town would identify three to four individuals the Village would supply three to four individuals, and

based on a priority schedule, begin to work in these areas. He then asked that Chief Operator Breedlove share some of the areas and to contact the Mayor in the morning to find out what the plan might be to work on this jointly.

Chief Operator Breedlove stated that the first big problem area is on the 9W north section coming from Mayone's Plaza and Marshall's Garage, just directly south there are two catch basins, one on the east and one on the west side of 9W. He added that when they smoked that section of the sewer, smoke actually came up in the storm basins on both sides of the road and they knew that area was a problem from the history of the flow meters because they saw a big spike during a storm event and the smoke is showing them where it came up. He added that a little further south from there a new telephone pole was put in along the west side of Rte. 9W and smoke came up where the pole was put in so they either hit the home owners lateral or the sewer main when it was installed.

Supervisor Hotaling asked if it was a Central Hudson pole.

Chief Operator Breedlove stated that he believes that it was a Central Hudson pole and this would probably be the first big problem area and the second one would be on the main line between Civill Avenue and Einie Drive, in one of the homeowners backyard there is a manhole and on both sides of the manhole there are several holes in the ground and smoke came up from both sides. He added that this was a section of the sewer lines that was televised in January and you could actually see the breaks on the TV camera.

Supervisor Hotaling stated that this has to do with a couple things and there has been some sinkholes in that area that have been created as a result of the leaks and the undermining of the land and also there was a surveyors spike that appears to have gone through a pipe. He added that these are two of the areas that Chief Operator Breedlove has identified as priorities and one happens to be Village/Town and the other in the Hamlet of Coeymans and if Mayor Bruno will agree to the priority list he would like the Town Board to permit going to the next step and start the repair process because without the repairs they will not be able to convince anyone that the plant can handle more and more requirements can be lifted once they start to address the I&I issue. He then asked Chief Operator Breedlove if he had any other recommendations.

Chief Operator Breedlove stated that those two places are where he would start and the Village is going to want to do some of theirs and they did not have any major problems and there were storm drains in different locations where smoke came up but not to the degree that there was on Rte. 9W.

Supervisor Hotaling what happened around the area of Camille Drive because Councilman Conrad has mentioned that he believes that this is a major area of concern.

Chief Operator Breedlove stated that in the fall of 2000 they actually had a section of the sewer dug up and they found two telephone conduits had pushed through the sewer lines and maybe this is what Councilman Conrad was referring to but this was repaired in November 2000. He added that they blew smoke into the area of Camille Drive and they didn't find anything there or any of that section of Rte. 9W.

Supervisor Hotaling inquired about some issues with regard to the inside of a garage.

Chief Operator Breedlove stated that there is a red garage just north of Burn's Garage and he's not sure of the address, but there was smoke coming up in a corner of the building and there was also smoke coming up inside J&B Deli across the street and these were the only two problems in that areas.

Supervisor Hotaling stated that this would not clearly be to the point that Councilman Conrad had indicated that there was a problem.

Chief Operator Breedlove stated that he believes that Councilman Conrad was referring to where there was a big willow tree on the corner of the property and he believed that the roots were in the sewer lines.

Supervisor Hotaling stated that Councilman Conrad had also indicated that there were some issues with raising manholes in that area.

Chief Operator Breedlove interjected that this was done.

Supervisor Hotaling stated that he also had mentioned a storm drain that might be going into the sewer.

Chief Operator Breedlove stated that there was not any smoke coming out of the storm drains.

Supervisor Hotaling stated that they will have to convince Councilman Conrad otherwise when he returns.

Councilwoman Chmielewski stated that she is seeing on the list "floor drain under sink in boiler room" and asked if this was someone's home.

Chief Operator Breedlove stated that this was actually in the basement of the church.

Councilwoman Chmielewski then asked if the Town was responsible for fixing this problem.

Chief Operator Breedlove stated that it is the owner's responsibility and it is actually in the Village and they should be notified by either the Town or Village that a smoke problem was identified in the basement which means that their floor drains going into the sewer are not working properly and would have to be fixed.

Supervisor Hotaling stated that he and Chief Operator Breedlove had discussed this earlier and there is also a problem with the sink trap in his son's home on Pulver Avenue. He added that the Town is obligated to let the homeowner know what was discovered and advise them of the ramifications of not addressing the problem because if smoke came through then sewer gases could come through and he and Chief Operator Breedlove have discussed notification.

Councilwoman Chmielewski asked if smoke getting through meant a broken pipe.

Supervisor Hotaling stated that in the case of a trap, it could mean that the trap didn't have any water in it and most of the time traps have water to prevent the activity of gas

coming back. He added that the trap may not be working properly or was not properly installed and it could mean reinstallation of the same trap or there could be a hole in the trap.

Chief Operator interjected that there might not even be a trap.

Supervisor Hotaling stated that Chief Operator Breedlove had mentioned to him that the efficiencies that they have achieved in the Waste Water Treatment Plant have begun to be implemented and the staff is now on a staggered schedule in order to alleviate the need for overtime on the weekends and they have discussed with the part-time person the need to fill in for holidays and scheduled days off on the weekend and this will avoid having to pay someone an extra eight hours for the week. He added that he thinks this was a good move and are also in the process of redeploying the W.W.T.P. staff to the Leachate Plant at the former landfill on Jarvis Road for processing of the water that comes out of there and there are some issues with respect to receiving some training and he and Chief Operator Breedlove had a discussion earlier in the day and he also had a discussion with Mr. Albright and when Councilman Conrad returns they will sit down to strategize how to make the transition smoother for the staff.

Supervisor Hotaling asked if there was any further discussion.

Councilwoman Chmielewski interjected that the W.W.T.P. clerk's position was also eliminated as well.

Supervisor Hotaling stated that Chief Operator Breedlove would be preparing his own reports to the Town Board and he believes that eventually everything will work out. He added that he also wanted to thank the W.W.T.P. staff for doing some much needed work around Town Hall as far as grass cutting and they pitched in along with the Highway staff and they are putting together a "quilt" for the summer's needs that will achieve what they have to achieve for the parks, cemetery, Highway Department and W.W.T.P. without expending a tremendous amount of dollars that they know is not there and he wanted to publicly thank Larry and Albert and their staff for doing what they are doing and they are "pulling on the wagon in the same direction".

Supervisor Hotaling thanked Chief Operator Breedlove and moved to the next agenda item.

Resignation – Highway Department Operator I

Supervisor Hotaling stated that he received a resignation request from a member of the Highway Department staff who is an Operator I and then asked Highway Superintendent Deering how many years he was employed with the Town.

Highway Superintendent Deering stated that he was with the Town for approximately nine years.

Supervisor Hotaling continued by reading the following:

May 10, 2004

To Whom It May Concern:

It is my regret to inform you that I am resigning from my position as Operator I from the Town of Coeymans Highway Department. I hereby give my two weeks notice effective Monday, May 10, 2004. My last day of employment will be Friday, May 28, 2004.

Sincerely,

Herbert Williams III

Supervisor Hotaling added that he is using compensatory time to get to that point and continued by saying that Mr. Williams has obtained employment elsewhere in the area and is moving on to what appears to be greener pastures in his prospective. He continued by saying that he wishes him well and for the nine years of his employment, he appreciates his effort; he then asked Highway Superintendent Deering if he wished to comment.

Highway Superintendent Deering stated that he was very good help.

Supervisor Hotaling stated that effective May 28th there will be a vacancy in the Operator I position and the Town Board can now consider or discuss with Albert later on, that it is appropriate for him to start the review process.

Highway Superintendent Deering stated that he posted it earlier in the day and it has to be in the Bargaining Unit first for ten days and if no one applies, it goes out for advertisement.

Supervisor Hotaling stated that if he posted it today it will be for something after May 28th and asked for a motion to accept the resignation.

MOTION

On motion of Councilman Stanton, seconded by Councilwoman Chmielewski, accepting the resignation of Herbert Williams III from his Operator I position at the Highway Department.

VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Conrad)

Councilwoman Chmielewski suggested that the Supervisor's Office send a letter to Herbie thanking him for his years of service and he seems very excited about his new job and she hopes that everything works out for him.

RESOLUTIONS

Supervisor Hotaling stated that he would turn it over to the Town Attorney before they get to the first resolution because he discussed this with the Town Board at the last meeting and then asked Attorney Rotello to brief everyone before they engage in the resolution.

Town Attorney Rotello stated that this is the excess portion of Lindskoog Lane that was transferred to the Town of Coeymans in 1978, it was abandoned many years ago and was not used or opened by the Town or Highway Superintendent and at the last meeting

Highway Superintendent Deering formally submitted a Certificate of Abandonment and the Town joined in and executed the same. He added that because the deed was a recorded document, the excess portion of land which is 65' x 176' is being formally transferred to the adjoining property owners who already own the property by operation of law anyway. He added that there was a cul-de-sac that was put in at the end of Lindskoog Lane that encompassed on each side an arc that is actually their property that they are being nice enough to convey to the Town in order to complete the cul-de-sac and the turn-around, and the Town is properly going through the formal procedure of putting a cul-de-sac at the end of a deeded road and formally and properly having filed the Certificate of Abandonment to the other section and the added step is because it was a deeded parcel for subsequent conveyances out and there would be a formal transfer there. He concluded by saying that it is subject to permissive referendum and there will be posting within 10 days.

Supervisor Hotaling stated that once the resolution is passed, Town Clerk Millious will be posting the Public Notice with respect to the permissive referendum.

Town Attorney Rotello advised that the Public Notice is already done for the Town Clerk.

Supervisor Hotaling then asked for the reading of the first resolution.

Attorney Rotello stated that the description does not have to be read and to just read the resolution that refers to the attached description. He added that Mr. Charles Hite surveyed the land two years ago on behalf of the Town.

RES. #82-04 AUTHORIZE ACCEPTANCE OF LAND

On motion of Councilwoman Chmielewski, seconded by Councilwoman Rogers, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Conrad) SO MOVED

WHEREAS, the Town of Coeymans was given a parcel of land in 1978, a portion of which has become know as Lindskoog Lane, in said Town, for the purpose of presumably becoming a Town Road, and

WHEREAS, a portion of said land being 65' x 176.43' was never developed or used as a Town Road, and

WHEREAS, the Town Highway Superintendent has indicated that said portion is of no use or value to the Town and with the consent of the Town Board has declared said referenced portion of Lindskoog Lane unqualifiedly abandoned pursuant to Section 205 of the Highway Law, and

WHEREAS, Christopher J. Hagen and Claudine S. Mueller n/k/a Claudine S. Hagen are the owners of the property surrounding said parcel, and

WHEREAS, Christopher J. Hagen and Claudine S. Mueller n/k/a Claudine S. Hagen are conveying to the Town two sections of land for the cul-de-sac located at the end of Lindskoog Lane in order to remedy the boundary line issue that exists,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans, in regular session duly convened, does hereby authorize and direct the

Supervisor of said Town, to execute and deliver to said Christopher J. Hagen and Claudine S. Mueller n/k/a Claudine S. Hagen, the portion of land described and attached hereto as "Exhibit A" located at the end of Lindskoog Lane, subject to a permissive referendum as permitted by law, and

BE IT FURTHER RESOLVED, that the Town Board authorizes the acceptance of the two referenced sections of land which will complete the cul-de-sac at what is to be known as the end of Lindskoog Lane.

The Town Clerk is directed to publish notice of this resolution subject to permissive referendum within ten (10) days of its adoption.

Supervisor Hotaling stated that Councilwoman Chmielewski had mentioned Lindskoog Road and it is actually Lindskoog Lane.

RES. #83-04 APPOINT PART-TIME CONFIDENTIAL SECRETARY, HIGHWAY DEPARTMENT

On motion of Councilman Stanton, seconded by Councilwoman Rogers, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Conrad) SO MOVED

WHEREAS, the Highway Department has been without a Confidential Secretary to provide clerical assistance,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby appoint Jennifer VanAlstyne as Part-Time Confidential Secretary to the Superintendent of Highways, effective immediately, at the hourly rate of \$9.93.

Supervisor Hotaling stated that before the reading of the next resolution, he would like for Chief of Police Giroux to step to the microphone and give an update.

Chief of Police Giroux stated that there has been discussion about expanding the part-time ranks for almost a year and in an effort to expand the pool of available part-time officers and ultimately save some money in terms of overtime he went to a couple of sources of people that are already certified part-time officers and are anxious to work for the Town of Coeymans. He continued by saying that there was a list of six and it was narrowed down to three, which are before the Town Board in the resolution in the hopes that all three can be put on and in terms of costs associated with it are next to nothing in terms of outfitting them and some field training time. He reiterated that they are already certified and experience police officers and their background checks show that they are good candidates.

Supervisor Hotaling stated that he wanted to comment again that these are already certified police officers, having been certified by some other department than the Town, which is unusual.

Chief of Police Giroux interjected that when he says certified, he means that they have gone through the State and the required basic training.

Supervisor Hotaling stated that it is usually the other way around in that the Town of Coeymans usually sponsors Police Officer Certification and after a short period of time they move on to other places and the Town will be benefited by their services on a part-time basis without a lot of cost.

Councilman Stanton added that the three officers before them are working for another municipality as part-time police officers.

Chief of Police Giroux stated that was true and all three had indicated that once they become members of the Town's Agency, they will leave their other part-time employment.

Supervisor Hotaling added that based on discussion, they have also agreed to make themselves available for the hours that are required to achieve the goals that the Town would like to achieve, which is to keep the overtime down.

Chief of Police Giroux stated that it should also be noted that the number of actual people has no bearing on the number of shifts that are covered for a week and they are still working with the same exact schedule and this just expands their pool of possible part-timers to put in those finite numbers of part-time shifts per week.

Supervisor Hotaling asked that the resolution be read.

RES. #84-04 APPOINT PART-TIME POLICE OFFICERS

On motion of Councilwoman Rogers, seconded by Councilman Stanton, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Conrad) 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.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby appoint: Stephen Dietz Jr., Jeremy M. Rundell, and Larry C. Roe as part-time police officers, effective immediately, at the Collective Bargaining Agreement rate of \$15.31 per hour.

RES. #85-04 APPROVE DECEMBER 2003 ABSTRACT

On motion of Councilwoman Chmielewski, seconded by Councilman Stanton, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Conrad) 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 2003 Abstract

ABSTRACT	VOUCHER #	AMOUNT
GENERAL (A)	924-926	\$ 934.58
	General Total	\$ 934.58

HIGHWAY (D)	1069	\$1,124.28
	Highway Total	\$1,124.28
	TOTAL FOR ALL FUNDS	\$2058.86

RES. #86-04 APPROVE MAY 2004 ABSTRACT

On motion of Councilman Stanton, seconded by Councilwoman Chmielewski, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Conrad) 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 2004 Abstract:

ABSTRACT	VOUCHER #	AMOUNT
GENERAL (A)		
Pre-Pay	847-880	\$123,596.77
General	927-1013	\$ 13,624.62
	General Total	\$137,221.39
PART TOWN (B)		
Pre-Pay	881-890	\$ 8,603.98
Part Town	1014-1018	\$ 335.22
	Part Town Total	\$ 8,939.20
HIGHWAY (D)		
Pre-Pay	891-899	\$ 31,951.28
Highway	1019-1047	\$ 8,479.40
	Highway Total	\$ 40,430.68
SEWER (SS)		
Pre-Pay	900-917	\$ 20,732.20
Sewer	1048-1065	\$ 5,487.85
	Sewer Total	\$ 26,220.05
SPECIAL DISTRICT	918	\$ 71,521.26
	Special Water Total	\$ 71,521.26
GROVE CEMETARY	1066-1067	\$ 400.00

	Grove Total	\$ 400.00
	TOTAL FOR ALL FUNDS	\$284,732.58
TRUST & AGENCY	919-923	\$145,313.47

Supervisor Hotaling stated that the May 2004 Abstract total including Trust & Agency is approximately \$430,000.00.

CORRESPONDENCE

Federal Funding for Bulletproof Vests

Supervisor Hotaling stated that he had received from Congressman Michael McNulty, a notice that in conjunction with May 15, 2004 as National Peace Officers Memorial Day, he announced \$146,522.00 for 18 law enforcement jurisdictions in the 21st Congressional District to be used toward the purchase of bulletproof vests. He continued by reading the following excerpt:

“The Bulletproof Vest Partnership (BVP) Program, funded by the U.S. Department of Justice allows the federal government to help state and local governments protect the lives of law enforcement officers with armor vests.”

Supervisor Hotaling continued by saying that he wanted to note that of the \$146,522.00 the Town of Coeymans would be receiving \$524.00, which will likely fund 50% of the cost for three vests and the Village of Ravena also received \$350.00 for the funding of two vests and that the Town of Coeymans had just recently replaced vests.

Chief of Police Giroux stated that this was true and for new police officers that have never been on the roster before and the Town is entitled to the funding. He added that 50% is paid by the federal government and 50% is paid by the state in another grant that is reimbursed to them, they buy the vests and then are reimbursed 100% of the money for new officers and when the new part-time officers come on they will be doing three more vests.

Capital District Transportation Committee

Supervisor Hotaling stated that he received a correspondence dated May 17, 2004, from Staff Director, John P. Poorman of the Capital District Transportation Committee, which talks about the CDTC Bicycle/Pedestrian Spot Improvement Program Call for Applications (Round 3). He continued by reading the following:

“The Capital District Transportation Committee’s 2003-08 Transportation Improvement Program (TIP) includes \$100,000.00 per year set aside for “spot improvements” to enhance the Capital District’s bicycle and pedestrian travel environments. This

commitment is a continuation of the CDTC Program initiated with projects funded in 2000 and a second round in 2002.”

Supervisor Hotaling noted that they are ready to solicit applications for Round 3 for a total of \$300,000.00 worth of spot improvement projects on an 80/20 basis (\$240,000.00 in federal funds and \$60,000.00 in state funds) and there is an application, which he has forwarded to Councilwoman Rogers, as liaison to parks, to talk about creating some cross walks at Coeymans Landing Park, for the public to access the park. He added that he had spoken earlier today with the person who uses the services of the Senior Projects of Ravena and had a discussion about the fact that it is difficult to make it across the parking lot to the Senior Center with many cars coming down Orchard Avenue and Russell Avenue and it is potentially a hazardous situation. He continued by saying that they gave it some thought and he had spoken with the Police Chief, and the possibility of doing something different with that street. He added that Bruno Boulevard is a Town Street, although maintained by the Village. He continued by saying that Highway Superintendent Deering helped in January by placing a sign between two driveways to alleviate the problem and again it is up to the Town to think of ways to make it safer and this might be the way to do it. He concluded by saying that they could propose a plan to do a large crosswalk across Bruno Blvd. from the parking lot to the front door of the Senior Project's building and place a Yield to Pedestrian sign on either side of it, there would be a tendency to slow traffic down and it would go a long way in alleviating the problem and he would like for the Town Board to focus on that as well.

Clough Harbor & Assoc. Request – W.W.T.P.

Supervisor Hotaling stated that he received a letter earlier in the day and a variation of the letter has been received by fire companies and the Police Department as well. He continued by saying that it is a letter from Clough Harbor regarding the draft Environmental Impact Statement for the proposed construction of a landfill in the Town of Coeymans and is a request for information from the Town's Waste Water Treatment Plant, which requests information that is required for them to evaluate the feasibility of various alternatives for treatment and disposal of wastewater and leachate from the proposed landfill and there were a range of alternatives including: construction of an on-site holding facility and trucking to an off-site wastewater treatment plant, or construction of an on-site treatment facility with local discharge or extension of the existing Town Sewer System with direct discharge to the Town's W.W.T.P.

Supervisor Hotaling stated that a variation of the letter was received by the Fire Companies and the Police Department as well and it was basically a letter requesting their response as to what they might need to provide their services to a landfill if it were sited in the Town of Coeymans, such as the Police Department being able to provide adequate protection, and the fire department being able to provide adequate fire protection. He continued by saying that it also asked what each department would need in order to enhance their capability to provide such coverage.

Councilwoman Chmielewski asked if copies of the letters that were sent to the other entities, were sent to the Town.

Supervisor Hotaling stated that they didn't get sent to the Town.

Town Attorney Rotello interjected that he believes that the Village got one for the Water Plant.

Supervisor Hotaling stated that it was a letter addressed directly to him that requested information specifically on the Waste Water Treatment Plant if in fact the extension of the existing town sewer system is the option with direct discharge to the Waste Water Treatment Plant. He continued by saying that it is a double edge sword because the Town is interested in getting the sewer across the Coeymans Creek but to get it over for this project would be something that the Town would have to take a long, hard look at it.

Supervisor Hotaling advised Chief Operator Breedlove that they are requesting a map of the sanitary sewer system for the Town, two years of daily monitoring data, including influent flow, influent characteristics BOD, TSS, ammonia/TKN and effluent characteristics, BOD, TSS, ammonia/TKN, a copy of the SPDES Discharge Permit, Waste Water Treatment Plant drawings indicating unit processes and dimensions of tanks, recent design reports for the last upgrade project, pump curves for pertinent existing pump stations at the W.W.T.P. and collection system and the Operating and Maintenance Manuals. He added that it is an extensive list and they also want to do a site visit of the plant to discuss with Chief Operator Breedlove and his staff, the existing unit treatment processes, recent operational performance and any current operational limitations known to exist and this information is necessary for Clough Harbor to perform a capacity evaluation of the existing unit treatment processes and determine which specific treatment units need upgrading to treat the additional pollutant loadings anticipated from the landfill leachate. He concluded by saying that the letter says that for them to stay on schedule for the preparation of the draft for the Environmental Impact Statement they will need this information within three weeks and added that he is not sure if that is possible but they would be discussing what has been requested and engage with the Town Attorney as far as promulgating the information to them and he felt as though it was of significance to raise to the public's awareness so that they know that the Town is getting solicited for some information with respect to the proposed landfill.

ADDITIONAL TOWN BOARD COMMENT

Supervisor Hotaling asked if there were any additional comments about anything either on or off the agenda.

Councilwoman Chmielewski stated that she was thinking about the Sewer Commission that is going to be meeting and asked if a resolution needed to be passed to add the fifth person to the commission. She added that the fifth person is acceptable to the Town Board and the Village Board; she then inquired about the fifth person to the Water Commission.

Supervisor Hotaling stated that he did not know about the fifth person for the Water Commission and was going to leave it up to the Village Board to suggest someone and he will get back to them. He then stated they could offer a motion to appoint Mr. Tom Dolan to the Sewer Commission.

MOTION

On motion of Councilwoman Chmielewski, seconded by Councilman Stanton, to appoint Mr. Thomas Dolan as a member of the Sewer Commission, which will consist of two Village Board members, two Town Board Members-Councilman Conrad and Councilman Stanton, and Mr. Dolan.

VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Conrad)

Supervisor Hotaling added that he would get in touch with Mayor Bruno with regard to his input for the fifth person of the Water Commission.

Councilwoman Chmielewski stated that it is important because that Commission can then meet and it is imperative that they meet before the next Water Rent Bill is due and payment has to be made to the Village and the contract needs to be modified.

Supervisor Hotaling stated that both the Sewer Commission and Water Commission are equally important and they will be helpful in facilitating issues. He then asked if anyone had anything additional.

Councilwoman Chmielewski stated that she also would like to thank Town Clerk Millious for getting the election and dog census information to her.

Councilman Stanton stated that he wanted to make note that he has some calls saying that the cemetery in Alcove looks great and the Highway crew should be commended on a job well done in addition to doing a nice job in other areas of the Town.

TOWN BOARD WORKSHOPS

June 15, 2004, 7:00pm

Supervisor Hotaling stated that he had received a request from the Coeymans/New Baltimore Neighborhood Association to meet with their attorneys along with the Town Board to talk about the recent permits that were issued to Powell & Minnock and their recent denial of the modifications to the permit. He continued by saying that they agreed that the meeting should take place in public in the form of a Workshop and they have agreed to come on June 15, 2004 at 7:00pm. He concluded by saying that he would suggest that this be the only topic for the Workshop due to the fact that it could go on for an hour or more in terms of discussion and the Town Board should be prepared to consider their request for some modifications; he then asked Highway Superintendent Deering to be present to address some of their requests for weight limitations or hours of operation.

Highway Superintendent Deering interjected that there have been studies done in the past and he has the results.

Supervisor Hotaling added that this will play into the discussion and dialog that evening and the agenda will be open for them to make their presentation first and then respond and engage in some dialog and the proper form would be a Workshop.

Councilwoman Chmielewski inquired as to if their attorneys will be present.

Supervisor Hotaling stated that they would be.

Councilwoman Chmielewski asked if the Town's Attorney would be present.

Town Attorney Rotello interjected that the Town had previously hired Mr. John Caffrey, who is special council for mining and has helped the Town Board in the past; he then asked if the Town Board wanted Mr. Caffrey to attend the meeting.

Supervisor Hotaling stated that he would like him at the meeting.

Attorney Rotello stated that he didn't know if any of the new Board members had spoken to him directly.

Supervisor Hotaling stated that he had on one occasion and had talked with him about the fact that the requests for modifications were still in and Mr. Caffrey filled him in as to the last Town Board's involvement at a Public Informational Meeting at Town Hall in addition to another Informational Meeting in New Baltimore.

Attorney Rotello advised that there was a Workshop Meeting on 02-10-03 and subsequent to that there was an Informational Meeting with residents at the Medway Firehouse when there were some attempts to come to some sort of a resolution on steps that would be taken to settle the matter in allowing the issuance of a permit. He added that it could not be resolved and the permit application went forward and a permit was issued.

Supervisor Hotaling stated that in his discussion with Mr. Caffrey, he had provided to the previous Board and could update the current Board, all the advice to lead them to make a determination as to whether or not they want to publicly go on record to state certain things or engage in a dialog with regard to the road usage and establish some limitations. He added that Mr. Caffrey could come to the meeting, but he does not come for free and his hourly rate is between \$150.00 - \$175.00 per hour and they could discuss whether they want him to come or not. He concluded by saying that he wanted to announce to the public that it will be June 15, 2004 and those that are interested to see that kind of discussion or presentation are invited to come to Town Hall that evening and it will not be presented on television as all Workshops are not but will be open to the public and it will be the only topic of discussion for that night.

Supervisor Hotaling asked if there was any further discussion, hearing none he asked for a motion to adjourn the meeting.

ADJOURNMENT

On motion of Councilman Stanton, seconded by Councilwoman Chmielewski, the Town Board Meeting was adjourned.

Time 8:11pm

Respectfully Submitted,

APPROVED:

Diane L. Millious, Town Clerk

A Town Board Workshop was held Tuesday, May 18, 2004, at 7:00 PM at Town Hall, 18 Russell Avenue, Ravena, New York

PRESENT: Ronald K. Hotaling, Jr. Supervisor
Frank D. Stanton, Councilman
Dawn Rogers, Councilwoman
Nita Chmielewski, Councilwoman

ABSENT: Laverne Conrad, Councilman

ALSO PRESENT: Cindy Vatalaro, Deputy Town Clerk
Albert Deering, Highway Superintendent
Scott Giroux, Chief of Police

Supervisor Hotaling opened the meeting and gave an overview of the agenda topics.

AGENDA ITEMS

- Summer Basketball Program – Bruce Stott
- Town Park Reservation Forms
- Chief Giroux – Job Openings
- Albert Deering – Personnel Matter

ADJOURN TO EXECUTIVE SESSION

On motion of Councilman Stanton, seconded by Councilwoman Chmielewski, the meeting was adjourned to Executive Session for personnel matters in the Highway and Police Departments. Time: 7:42pm

VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Conrad) SO MOVED

RECONVENE MEETING

Supervisor Hotaling called the meeting back to order at 9:35pm and asked for a motion to formally adjourn.

ADJOURNMENT

On motion of Councilwoman Chmielewski, seconded by Councilman Stanton, the Workshop was adjourned. Time 9:35pm

VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Conrad) SO MOVED

Respectfully Submitted,

APPROVED:

Diane L. Millious, Town Clerk

A Town Board Meeting was held Monday, May 10, 2004, 7:00p.m. at Town Hall, 18 Russell Avenue, Ravena, New York

PRESENT: Ronald K. Hotaling, Jr., Supervisor
Frank D. Stanton, Councilman
Nita J. Chmielewski, Councilwoman
Laverne H. Conrad, Councilman

ABSENT: Dawn Rogers, Councilwoman

ALSO PRESENT: Diane L. Millious, Town Clerk
Joseph Rotello, Town Attorney
Albert Deering, Superintendent of Highways

Supervisor Hotaling welcomed everyone, opened the meeting and led the Pledge of Allegiance.

AGENDA OVERVIEW

Supervisor Hotaling stated that Councilwoman Rogers was absent and gave an overview of the agenda as follows.

- • Public Comment
- • Approval of Minutes
 - Town Board Meeting - March 22, 2004
 - Town Board Workshop - March 30, 2004
 - Town Board Meeting - April 12, 2004
 - Town Board Workshop - April 27, 2004
- • Department Report Review
 - Building Department - April 2004
- • Old Business Update and Discussion
 - GE Global Community Day
 - Consideration of Contractual Agreement with AMTEK
- • New Business
 - Resignation of SAFE Director
 - Part-time Positions: Seasonal/Parks & Cemetery, Highway Clerk
 - 2004 Annual Plan Summary for TDC Section 8 Housing
 - Choice Voucher Program
 - Establish Public Hearing – July 12, 2004 6:30pm for Section 8 HUD
 - Payroll Audit Scheduled for May 27, 2004 – State Insurance Fund
 - Smoke Testing Sewer Project
- • Resolutions
 - SAFE Site Supervisor
 - New York Quarries, Inc. Assessment Petition

- • Sewer Plant Improvement Construction Project
- • Correspondence
 - Onesquethaw-Coeymans Watershed Council
 - Ravena Rescue Squad
 - NYS DEC (P & M Brick/Gedney Hill Mine)
- • Town Board Workshops
 - May 18, 2004– 7pm
 - Assemblyman Pat Casale, Saturday May 22, 2004, 9:30 – 11:00am

PUBLIC COMMENT

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

APPROVAL OF MINUTES

Supervisor Hotaling stated that the following Minutes were submitted for approval:

Town Board Meeting, March 22, 2004
 Town Board Workshop, March 30, 2004
 Town Board Meeting, April 12, 2004
 Town Board Workshop, April 27, 2004

Supervisor Hotaling asked if everyone had an opportunity to receive and review the minutes and then asked for a motion to approve the minutes.

MOTION

On motion of Councilwoman Chmielewski, seconded by Councilman Stanton, the Minutes for the March 22, 2004, Town Board Meeting were accepted as presented.
 VOTE – AYE 4 – NAYS 0 – ABSENT 1 (Rogers) – SO MOVED

On motion of Councilman Conrad, seconded by Councilwoman Chmielewski, the Minutes for the March 30, 2004, Town Board Workshop were accepted as presented.
 VOTE – AYE 4 – NAYS 0 – ABSENT 1 (Rogers) – SO MOVED

On motion of Councilman Stanton, seconded by Councilwoman Chmielewski, the Minutes for the April 12, 2004, Town Board Meeting were accepted as presented.
 VOTE – AYE 3 – NAYS 0 – ABSTAIN 1 - ABSENT 1 (Rogers) – SO MOVED

On motion of Councilman Stanton, seconded by Councilman Conrad, the Minutes for the April 27, 2004, Town Board Workshop Meeting were accepted as presented.
 VOTE – AYE 4 – NAYS 0 – ABSENT 1 (Rogers) – SO MOVED

DEPARTMENT REPORT REVIEW

Building Department

Supervisor Hotaling stated that there is a Building Department Report for the month of April 2004 and \$925.00 was collected for building permit fees with an estimated cost of construction of \$82,876.00. He then asked if there were any questions or discussions, hearing none he asked for a motion to accept the report.

MOTION

On motion of Councilman Conrad, seconded by Councilwoman Chmielewski, the Building Department Report for 2004 was accepted as presented.

VOTE – AYE 4 – NAYS 0 – ABSENT 1 (Rogers) – SO MOVED

OLD BUSINESS UPDATE AND DISCUSSION

GE Global Community Day

Supervisor Hotaling stated that he wanted to remind everyone of the GE Global Community Day, GE will provide for the Town a group of employees to work at Coeymans Landing Park on May 12, 2004 and according to Ms. Carol Mason who is in charge, they are expecting 20-25 volunteers. He added that the Town would be providing the tools for the project. He concluded by thanking GE for their effort and invited anyone that wished to participate to join in on that day.

Consideration of Contractual Agreement with AMTEK

Supervisor Hotaling stated that AMTEK Management Services Corporation provides education and guidance to the Town of Coeymans in a variety of employee related areas and assists the Town in effective employee management compliance and have been with the Town for 6-7 years and the contract is up for renewal effective January 2004. He added that the Town Board has the contract and had an opportunity to review it and they have had some discussion with Ms. Travers. He then asked for a motion authorizing him to sign the contract for the year 2004 at a rate of \$400.00 per month which provides unlimited telephone consultation and assistance with compliance issues, the Employee Handbook, new job descriptions, drug testing policy and corrective and disciplinary action that takes place during the course of a year.

Councilwoman Chmielewski stated that she had a question regarding the Designated Town Official and whether they have to identify whom she is to have contact with.

Supervisor Hotaling stated that he does not think that it has to be designated immediately but they will advise Ms. Traver once the contract is signed as to which Town Officials are authorized to contact her for consultations.

Councilman Stanton stated that he has not had the opportunity to look at the contract more thoroughly and asked how often AMTEK has been used this year.

Supervisor Hotaling stated that there have been 1-2 fairly major issues with the Highway Department in one case she came down and investigated and conducted interviews with staff, and there have been two labor management meetings since January with CSEA that she has been involved in

Councilman Stanton stated that it is averaging once a month.

Supervisor Hotaling stated that direct contact would be an average of once a month but he could not speak to the phone consultations because Highway Superintendent Deering uses her quite often.

Town Attorney Rotello interjected that he contacts her on a relative frequent basis and then stated that on the last page of the contract it talks about travel related expenses for mileage and he knows that it has been questioned by the Board before as to what is covered and he would suggest that the Town Board discuss this with her to clarify the language regarding travel.

Supervisor Hotaling stated that it was a good point and before he signs the contract he would make contact with her and try to clarify the language. He then asked if there were any other discussion.

Councilman Conrad interjected that he is not in favor of the contract and his personal feelings are that the drug books and everything that have created are point specific and if they accept the handbooks, they have allowed no leeway in changing the drug companies and the drug testing was an issue last month. He added that contracts are pretty cut-and-dry and when they get into negotiations he does not agree with an outside stranger from outside the Town, who may be well versed in employee resources, but he thinks that there are facilities within the Town as far as a Town Attorney, Supervisor that is well versed, and Department Heads that should be relied on more. He continued by saying that \$4,800.00 a year is a lot of money to expend at this point in time and he understands what she has done for the Town in the past and he would be for retaining on an "as needed basis" if there is a specific need and would endorse something of that nature. He concluded by saying that some of the things that Ms. Travers has handled, it has been unnecessary to use her.

Councilwoman Chmielewski stated that with all of the problems that they have had this year and with whatever else might happen she believes that they should enter into the contract, especially this year until they can get straightened out. She added that Ms. Travers is not new to the Town and this company goes back to when Vic Carrk was Supervisor and they have quite a few years of experience with the Town.

Councilman Conrad stated that his point is that some of the work that she does is redundant such as the new positions and most of the positions are handled under Civil Service terminology and it is a waste and redundant to "reinvent the wheel" when Civil Service gives the job descriptions. He added that he agrees that two are included in the contract but then it is \$125.00 for each after that and the Town has to abide by Civil Service and he does not understand why she needs to rewrite them. He concluded by saying that there are things that he agrees she is probably needed at certain times but not for everything.

Supervisor Hotaling stated that it is an opinion that Councilman Conrad has shared in the past as well as Councilwoman Chmielewski sharing her opinion in their discussions

and he sits in the middle of the issue. He added that he agrees with Councilman Conrad that job descriptions and rules are provided from Civil Service in Albany County but he also agrees with Councilwoman Chmielewski that because of the continuity and the difficulties that they have had already in the early part of the year, he is leaning toward acquiring the services of AMTEK but looking at it very closely in budget year 2005 and this may be the last year that the Town engages in this service. He continued by stating that AMTEK initiated the drug testing and Councilman Conrad has done a significant research on drug testing and found some other facts that should have and will be included in any discussion that they have with her on that. He added that the Employee Handbook that was sent last fall is still a draft and the most recent Code of Conduct that was proposed for the Highway Department was too specific for the circumstances that they find in that Department and should be more generically devoted to all employees as a Code of Conduct. He concluded by saying that there are problems however he feels as though they should take the opportunity this year to work with AMTEK and see the problems through and next year strongly consider not signing the contract.

Councilwoman Chmielewski stated that she has no problem with doing this.

Councilman Conrad stated that his point is for discussion only and will go with whatever the wishes of the Board are at this point and those were some of the issues that he felt were relevant.

Councilwoman Chmielewski stated that there are a lot of issues and agrees with Councilman Conrad but thinks that for this year they have to go with the contract.

Councilman Stanton interjected that they have gone with them up to this point and in the past Ms. Travers has helped them quite a bit with Highway Superintendent Deering and Town Attorney Rotello has also used her and he believes that it is something that they will have to look into at the beginning of next year.

Supervisor Hotaling stated that Councilman Stanton made a good point in that they have gone with them until now and it is May, \$400.00 has been paid for January, February, March and April without a contract and they continue to foster the contract, if they were to discontinue now they would be talking about saving half of \$4,800.00 and it makes sense to see this through with them on the issues of Handbook, Code of Conduct, drug testing and several other issues until the end of the year. He concluded by saying that they can have them come down and engage with the Town Board in appropriate dialogue so they can see it to the end.

Councilman Stanton interjected that they should let them know by the first of the year if the Town Board wants to continue with them or not.

Supervisor Hotaling stated that they would let them know at budget time that their intent is not to renew with them.

Town Attorney Rotello interjected that the services rendered to date were based on the contractual rate and if they did not enter into the contract, AMTEK might go back and bill on a per diem basis since the Town has been billed as though there was a contract.

Supervisor Hotaling stated that is correct.

Councilman Conrad stated his point was for discussion and on the basis of the Town Attorney's suggestion that she be used for the remainder of the year and they are also five months into the year without a contract. He added that he would make a motion to continue for the remainder of the year.

MOTION

On motion of Councilman Conrad, seconded by Councilwoman Chmielewski, authorizing the Supervisor to sign the Professional Services Agreement between AMTEK and the Town of Coeymans for 01-01-04 through 12-31-04.

VOTE – AYE 4 – NAYS 0 – ABSENT 1 (Rogers) – SO MOVED

NEW BUSINESS TOPICS FOR DISCUSSION AND/OR ACTION

Resignation of S.A.F.E. Director

Supervisor Hotaling stated that he recently had been in conversation with the part-time S.A.F.E. Director with regard to elements of the Program and her desire to resign as S.A.F.E. Director and continued by reading the following:

May 3, 2003

To: Mr. Ron Hotaling
From: Samantha Eissing
RE: Resignation of Position

Please be advised that I am resigning as the S.A.F.E. Director. I am also advising you that upon my resignation, I am removing my license that has been issued through the New York State Offices of Child and Family Services and I will be notifying them of such resignation, effective May 3, 2004.

Samantha Eissing

Supervisor Hotaling asked for a motion to accept the resignation.

MOTION

On motion of Councilman Stanton, seconded by Councilman Chmielewski, accepting the resignation of Samantha Eissing as S.A.F.E. Director, effective May 3, 2004.

VOTE – AYE 4 – NAYS 0 – ABSENT 1 (Rogers) – SO MOVED

Supervisor Hotaling stated that later in the meeting there is a resolution in regard to a S.A.F.E. Site Supervisor and in the resolution it will set forth the changes that have been made in the Directorship at S.A.F.E. and the County is aware of those and the license has been altered to reflect that.

Part-Time Positions – Seasonal/Parks & Cemetery and Clerk for the Highway Department

Supervisor Hotaling stated that they recently advertised positions in the News Herald, and there was an overlap because his office as well as the Highway Superintendent had advertised for the same position and continued by apologizing to the candidates who may have been confused by the two ads. He continued by saying that they had placed an ad seeking applicants for a part-time position at the Highway Department, which is a part-time Confidential Secretary and he would ask that any candidates that may be listening who would like to file an application, should do that as quickly as possible because the Highway Superintendent has indicated that he wanted to begin the interview process. He added that in addition there was an ad seeking applicants for part-time seasonal help for the grounds work in the parks and cemetery and as everyone knows the Town took on the responsibility of Grove Cemetery in June 2003 and as a result need some assistance in maintaining those grounds in addition to the parks. He concluded by saying that they are continuing to receive applications and would ask that the Board considers permitting authorization for itself to make the hires and not wait for the two weeks that is going to pass between the meetings and that the decision will be made collectively as a Board.

Supervisor Hotaling asked if everyone was in agreement and then asked for a motion.

MOTION

On motion of Councilman Stanton, seconded by Councilman Conrad, authorizing the review process to continue for the Highway Superintendent's position in addition to the part-time positions for seasonal help for buildings and grounds and those hires will be made and notified and will commence work prior to the next Town Board Meeting on May 24, 2004.

VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Rogers) SO MOVED

Section 8 Public Hearing

Supervisor Hotaling stated that this is a requirement of the Section 8 Voucher Program and they have put together the Agency Plan for the Town of Coeymans, Section 8 Housing Choice Program for the fiscal year beginning October 1, 2004 and it is a plan that is required by the Federal Government for the Town to set forth and the Board will be establishing a Public Hearing date to review the plan. He added that his suggestion, because they are under some time constraints, which is 45 days notification in the newspaper prior to the Public Hearing, and because of the way that the summer schedule goes with one meeting a month, he would suggest that a Public Hearing be held on July 12, 2004 at 6:30pm, which is ½ hour prior to the Town Board Meeting, for the purpose of hearing the public with regard to the Agency Plan for the Section 8 Program. He then asked for the Board to consider establishing July 12, 2004 at 6:30pm as a Public Hearing date and time for review of the Agency Plan.

Councilman Conrad stated that in December of last year he had been to the Public Hearing, which he believed ran from January 1 to December 31 and then asked if this was something separate from that.

Supervisor Hotaling stated that Councilwoman Chmielewski had asked the same question and that he's not sure but according to Mr. Mastrianni his fiscal year begins October 1st and there is a federal requirement for this plan to be in place having been

reviewed in the public's light by then and he does not recall the December resolution or Public Hearing.

Councilman Conrad stated that he was present for the Public Hearing and a resolution was passed at the December meeting.

Supervisor Hotaling stated that he would ask that the Town Clerk look back through the minutes and make it available to him and he will share it with Councilman Conrad.

Town Clerk Millious stated that she would look through the minutes.

Supervisor Hotaling stated that in the interim they are not taking any action but acknowledging the Plans existence and setting a date for a Public Hearing, he then asked for a motion to set the date.

MOTION

On motion of Councilman Stanton, seconded by Councilwoman Chmielewski, establishing a Public Hearing date of July 12, 2004 at 6:30pm, 30 minutes prior to the regularly scheduled Town Board Meeting, for the purpose of hearing the public comment on the Town of Coeymans Agency Plan for Section 8 Housing Choice Voucher Program for the fiscal year October 1, 2004.

VOTE – AYE 4 – NAYS 0 – ABSENT 1 (Rogers) – SO MOVED

Supervisor Hotaling asked that the Town Clerk contact his office regarding the necessary paperwork for providing the Notice to the News Herald for the Public Hearing.

Payroll Audit – May 27, 2004

Supervisor Hotaling advised that State Insurance Fund is the Worker's Compensation for the Town and they have attempted to conduct a Payroll Audit for payrolls July 2002 to July 2003 and have been unsuccessful in establishing a date in which the audit could be accomplished. He continued by saying that he has met since January with Mr. Danzik who is the go between with State Insurance Fund and the Town of Coeymans and he was present for a discussion and they have engaged in an attempt to put together the elements that the auditors of State Insurance Fund would require because it is Mr. Danzik's opinion that absent an audit, the continued estimate for Worker's Compensation will require the Town of Coeymans to pay \$20,000.00 more in premium than what would ordinarily have to be paid if the audit were completed. He concluded by saying that they are urgently attempting to get an audit and have made several inquiries to State Insurance Fund and he was advised that on May 27, 2004 the auditor, who is an independent contractor that works for State Insurance Fund, will be at the Town to review payroll records and hopefully standardize the rates in such a way that the Town will not be penalized for the estimated amount.

Smoke Testing Sewer Project

Supervisor Hotaling stated that the Town along with the Village will be smoke testing the sewer lines and it is worthy and required to let the public know that the testing will be occurring and it is his understanding that they not yet in areas outside of the Village of Ravena. He added that smoke testing is something that he has witnessed and it is a

fairly simple concept that identifies and isolates areas of the sewer system by essentially plumbers bagging either end of it and then putting a motor with a fan on it overtop the manhole and injecting liquid smoke into it and filling the line up and then the smoke will find any roof leaks, sump pumps, or cracks in the sewer lines by finding its way through the eaves of the house and in the basement of the house and potentially it would be a scary thing to those not expecting it. He continued by saying that it is a harmless smoke with a bit of an odor and is less harmful than the dangerous sewer gases that would be entering the home because of the incorrect connections. He concluded by saying that there is a crew of four to five people doing this and if they are in the neighborhood they will be knocking on doors advising people of the time that it will be taking place in addition to walking on to some properties to ascertain if any of the smoke is visible to them that would identify some problems. He concluded by saying that this is the first effort in conjunction with the Village to identify the areas of inflow and infiltration of storm waters into the sewer system because every time that they mitigate this it gives more capacity and the Sewer Plant runs more efficiently and perhaps potentially expand the client base.

Councilman Conrad interjected that the Town is under a Consent Order for approximately two years now because of the I&I which causes the high flows during excessive rain periods and these are part of the required plan to resolve the problems and required by DEC.

Supervisor Hotaling stated that there is a sample letter that they suggest be provided to the homeowners but might be "over kill". He added that with public notice through the meeting and being in the area knocking on doors is adequate notice and added that the letter does say "if smoke does enter into your home any of the following items are the probable cause, vents connecting to the building sewer system lateral are inadequate, defective or improperly installed, the traps on the sinks, tubs, basin, showers, floor drains, etc. are dry, defective or improperly installed or missing and the pipes, connections, and seals of the building sewer system are damaged, defective, have plugs missing or are improperly installed."

Supervisor Hotaling continued by saying that it does suggest that during the week prior to the date that they are going to be doing the smoke testing, it requests that all homeowner pour water down all drains in their home or building to insure that all traps are filled otherwise the smoke will get in the house and there will be a false reading. He continued by saying that he watched the procedure and it seems to be a fairly simple process and they have detected some problems in the Village and there may be more issues in the Hamlet. He concluded by saying that he wanted the public to be aware that this is going to take place within the next couple of weeks.

RESOLUTIONS

RES. #79-04 APPOINT S.A.F.E. SITE SUPERVISOR

On motion of Councilwoman Chmielewski, seconded by Councilman Stanton, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Rogers) SO MOVED

WHEREAS, the SAFE Program Director has tendered her resignation, and

WHEREAS, the Program stewardship has been transferred to Danyell Crowley, Town of Coeymans Youth Services Director and,

WHEREAS, Danyell Crowley has requested consideration of an afternoon Site Supervisor consistent with the School Age Children's Regulations,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans hereby appoints Patrick Alicandro as afternoon SAFE Site Supervisor at a rate of \$9.00 per hour. This appointment is effective May 10, 2004 and expires December 31, 2004.

Supervisor Hotaling noted that the \$9.00 rate is \$1.00 increase of his current \$8.00 rate as counselor.

Discussion:

Councilman Conrad stated that Danyell had provided them with a section of the Handbook with regard to the license and the previous license was for up to 80 children. He then asked if the new license was for less than 45 children.

Supervisor Hotaling asked if that is what it says.

Councilman Conrad stated that in order for him to be appointed as Site Director and also count him as a counselor, it appears that it is the situation. He added that he wants to make sure that there are enough counselors to cover and it is indicated that there are 35 children in the morning and 30 in the afternoon at this point and the last license was issued for up to 80 children and there is a 1 to 10 ratio.

Supervisor Hotaling asked if his understanding is that the up to 80 is a combination of morning and afternoon or 80 for each session.

Councilman Conrad stated that he's not sure and that is why he is asking the question, he believes that it is 80 per day and he assumes that some of the children in the morning also go to the afternoon session. He concluded by saying that he wants to make sure that the Town is covered with the 1 to 10 ratio that is required.

Supervisor Hotaling stated that he believes that they are and will check into it with Danyell.

Councilman Conrad stated that you couldn't count the person in charge as one of the counselors and in reading the Handbook it indicates that you can if it is fewer than 45 children. He added that he is not sure if the license reflects the 80 or 45.

Supervisor Hotaling stated that he does not know and added that it is not necessarily a new license but a change in the directorship of the existing license and he does not believe that the license has changed at all from what it was previously.

Councilman Conrad stated that the part that Danyell is referring to is contradictory to the license that was previously issued.

Supervisor Hotaling stated that he would look into it in the morning.

**RES. #80-04 AUTHORIZE SETTLEMENT FOR NEW YORK QUARRIES, INC.
ASSESSMENT PETITION**

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

WHEREAS, a Petition and Notice to Review the Assessment for taxation for the year 2003 (March 1, 2003 Taxable Status Date) of the real estate of New York Quarries, Inc., petitioners (“the Petitioners”) in the Town of Coeymans, County of Albany, State of New York, Tax Map No. 165.-2-28, was duly served upon the Board of Assessment Review with Assessors of the Town of Coeymans (the “Respondents”), and

WHEREAS, said Respondents, with the assistance of the Town Attorney, having duly made and filed their answer to said Petition, and

WHEREAS, the Respondents have utilized the assistance of appraiser Lawrence Farbstein to review the assessment placed on said property, and

WHEREAS, the Respondents and said property owners are prepared to enter into an agreement and stipulation of compromise and settlement of their differences in summary as follows:

The parties have agreed that the year 2003 assessment of \$70,300.00 should be reduced to \$50,000.00 for the year 2003, pursuant to the attached Stipulation of Settlement, and

WHEREAS, it appears to be in the best interests of the Town to settle said matters as recommended by the Appraiser and the Town Attorney without further attendant legal and appraisal costs relating to said matters,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans in regular session duly convened as follows:

1. The Town Attorney be and he hereby is authorized to consent to entry of appropriate court orders to accomplish said settlement and upon entry of the court orders directing the establishment of assessments for 2003 as aforesaid and to execute stipulations of discontinuance of the said proceedings.

2. This Resolution shall take effect immediately.

Discussion:

Supervisor Hotaling asked Town Attorney Rotello if he had anything to add.

Town Attorney Rotello stated that he has the Stipulation of Settlement and as discussed part of the stipulation was that there is no refund forthcoming from the Town of Coeymans retroactively and in moving forward the Tax Roll will be adjusted.

Councilwoman Chmielewski interjected that the Town does not owe them any money.

Supervisor Hotaling reiterated that it was part of the stipulation and there is no refund.

Town Attorney Rotello stated that he had the draft Stipulation of Settlement that reflects the change and will incorporate it with the Town Clerk's file.

RES. # 81-04 AUTHORIZE ENGINEER TO PREPARE BID SPECIFICATIONS AND ADVERTISE FOR BIDS FOR SEWER PLANT IMPROVEMENT CONSTRUCTION PROJECT

On motion of Councilman Conrad, seconded by Councilwoman Chmielewski, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Rogers) SO MOVED

WHEREAS, in the year 2002 the Town of Coeymans sought a grant from the Clean Water/Clean Air Bond Act for Sewer Treatment Plant improvements in the amount of \$585,250.00 (85% of construction cost estimate of \$685,000.00) and,

WHEREAS, the Town of Coeymans received official approval for the project in an April 21, 2004 letter from the New York State Department of Environmental Conservation and,

WHEREAS, the Town of Coeymans is seeking initial start up funding for the project,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans authorizes Project Engineer Patrick Prendergast to prepare the bid specifications for this project and, once accomplished advertise for bids.

Discussion:

Supervisor Hotaling stated that this for the Sewer Improvement Project and the Town Board recently authorized him to seek funding due to the requirement for the Town to set forth the funds to the contractors first and in quarterly installments resubmit to the State of New York for reimbursement at the 85% rate and it his understanding that such other ancillary costs such as administration and engineering costs are separate and apart from this.

CORRESPONDENCE

Letter - Onesquethaw/Coeymans Watershed Council

Supervisor Hotaling stated that he received a letter dated April 30, 2004 from the Onesquethaw/Coeymans Watershed Council. He added that Nancy Heinzen gave a presentation to the Town Board at a Workshop with regard to the Watershed and in the letter thanked the Town Board for the opportunity to do that and also indicated those upcoming days in May, June, August, October and November there are various events. He continued and read as follows:

May 26, 2004, 7:00pm - Stream Walking Training Session
June 13, 2004, 1-3pm - Trout and the Onesquethaw Creek
August 29, 2004, 1-3pm - Stream Erosion-Assessment and Stabilization
October 17, 2004 - Sink Holes of Bennett Hill
November 18, 2004 - Native American in the Watershed

Supervisor Hotaling stated that this information is available at Town Hall and if anyone is interested they can contact the Supervisor's Office and make available the dates and locations for the events.

Memo - Ravena Rescue Squad

Supervisor Hotaling stated that he received a memo from the Treasurer of the Ravena Rescue Squad, Bill Price, regarding the Albany County Medic Program on April 27, 2004 and enclosed with it was a check for \$2,150.80 check for the 24 ALS calls for the period of December 1, 2003 through March 31, 2004.

Letters - NYS DEC (P&M Brick, Gedney Hill Mine)

Supervisor Hotaling stated that he has copies of two letters from DEC relating to the Gedney Hill Mining Operation, one dated April 28, 2004, was sent to Marc Gerstman who represents the Coeymans-New Baltimore Citizens Committee. He added that during the previous administration there was an evening where there was informational sharing from Carver Laraway from P&M Brick and several interested parties from the Gedney Hill area concerned about the truck traffic, mining and excavation that was taking place on Gedney Hill. He continued by saying that he thought that Mr. Gerstman had requested that DEC consider modification in the permit that was granted and DEC denied the request. He then quoted from the letter as follows:

"Department staff has had the opportunity to review and discuss your request. In addition, staff met with the permittee to discuss your request. Pursuant to 6 NYCRR 621.14(a) and as a result of our review staff has concluded that circumstances do not warrant the granting of your request."

Supervisor Hotaling continued by saying that it is his understanding that the request for modifications have been denied, however they were also advised that there are some conditions that P&M Brick agreed to voluntarily in terms of hours of operation.

Supervisor Hotaling stated that the second letter is relative to the same thing and is the actual transmittal of the permit to Carver Laraway and the expiration of the permit is now January 10, 2006. He added that the permit was modified to incorporate several standardized permit conditions and those conditions do reflect situations found at most mining sites and in many mine land use plans and are consistent with ENCON's laws and regulations and there is also a special condition addressing the hours of operation

which was agreed to by the permittee. He concluded by stating that he believes at some point the Town Board will be asked again by the residents of Gedney Hill, to involve themselves with what they believe is a situation that is asking for some assistance.

Supervisor Hotaling then asked Superintendent of Highways Deering if there was a study done on the road.

Superintendent Deering stated that there was all kinds of studies including a test bore and some parts of the road are unsafe and dangerous.

Supervisor Hotaling interjected that maybe that type of vehicle should not be permitted to use the road and asked Superintendent Deering if this is something that he is still considering. He added that this should be a joint thing and Superintendent Deering has to look at it from a highway perspective and the Town Board from other perspectives to see if there is anything that they can do to accommodate the needs of the residents. He continued by saying that it should be kept in mind that the mine has been there for 140 years and Gedney Hill has been developed for 20 years and the mine has been going on for many years prior to the enhanced development of that area and this is what DEC looked upon in denying the modifications that were made by Mr. Gerstman on behalf of the organization and they have to be mindful of that as well. He concluded by saying that it is a balancing act and if they come back to the Town Board, the Board has to be as well versed as possible and he then asked that Councilman Stanton and Councilwoman Rogers to bring them up to date as far as what transpired with the last administration.

Councilman Stanton stated that he noticed that the permit expires January 10, 2006 and with a permit like this he thought that it would go from year to year.

Councilman Conrad interjected that they are for five years; every year would be redundant because by the time that they finished filing they would be starting all over again. He then added that another point that he wanted to add is that they primarily noted that the mine is located in the Town of New Baltimore, Greene County and they did not mention the Town of Coeymans in Albany County.

Supervisor Hotaling stated that this is an area that they have to examine further and do more study on as to whether the impact of a mine located in a neighboring Town and in fact a neighboring County will have a potentially negative impact on the roads in the Town of Coeymans. He concluded by saying that they have to examine this with the good advice of their counsel.

Councilman Conrad interjected that there is still a piece in the Town of Coeymans.

Councilwoman Chmielewski stated that she was just going to ask that question.

Councilman Conrad stated that the major portion of the mine is located in Greene County however the part that is being mined, there is a good percent of it that is in the Town of Coeymans and Albany County. He added that he also wanted to point out that the business and some of the material is located in the Town of Coeymans at Powell & Minnock Brickyard and all of those things are relevant to the situation and they should update their permit and be a little more precise.

Supervisor Hotaling asked if he meant update the location.

Councilman Conrad stated that in order to keep the Board involved it should be noted that the mine is located in both communities.

Town Attorney Rotello interjected that for the Board's information there was a Public Meeting at the Medway Firehouse approximately a year ago and Town Clerk Millious recalls that minutes may have been taken where many things were discussed in an attempt to bring about a resolution addressing the needs and concerns of everyone but it never got to that point. He added that some of the discussion that went on might be beneficial to read through.

Supervisor Hotaling asked Town Clerk Millious if she took the minutes.

Town Clerk Millious stated that she did not but was at the meeting and she would go through her file to see what might be helpful to them in reviewing this.

TOWN BOARD WORKSHOPS

Supervisor Hotaling announced the following dates for Workshops.

May 18, 2004 – 7:00pm

May 22, 2004 – 9:30-11:00am – Assemblyman Pat Casale, Town
Discussion (open to the public for

anyone

wishing to address any items with
Assemblyman Casale)

ADDITIONAL COMMENTS

Supervisor Hotaling conveyed that one of the Highway Employees, Tom Plath, suffered a total loss of his home and it was a devastating event and as his employer they are working with trying to assist him in any way that they can with his insurance needs. He added that he does know that he had insurance but all of the costs associated with the tragedy will not be covered and asked with the Boards permission to offer the public the opportunity if they feel it appropriate, to donate anything that they do believe appropriate, and would be happy to receive on Mr. Plath's behalf and would turn over any donations to him in his effort to regroup and recapture his life. He added that he would "strong arm" the Town Board to start the donations and offered the office number at 756-6006 as a manner to communicate and the Town will establish a separate fund in a local bank and announce the result of the fundraising effort at a future date.

Councilman Conrad interjected that there is already a fund established.

Superintendent Deering added that an account has been established at the Cocksackie National Bank.

Supervisor Hotaling stated that they would dedicate an ad directly to that.

Supervisor Hotaling asked if there was any additional comment.

Councilman Conrad stated that he had a couple of items that he wanted to make the public aware of and continued by saying that Mr. Foronda, the Chairman of the Town of Coeymans Planning Board has presented to him, as liaison to the Planning Board, a revised set of the Town of Coeymans Planning Board By-Laws, which he will make sure each Board member has a copy and it is customary for the Town Board to review, approve and accept the By-Laws to be a part of their rules and regulations.

Councilman Conrad continued by saying that drug testing was discussed at a previous workshop and he put together the five companies that have presented information to the Town and would like to discuss this with the Board, possibly in Executive Session

Councilman Conrad stated that he also wanted to bring up another issue that he thought would be on the agenda with respect to the redeployment of their forces and had been in contact with the Village Board at the April 20, 2004 Joint Meeting and discussed with them doing some changes.

Supervisor Hotaling interjected that he had a discussion with the Mayor earlier in the day and he has advised him of the Town Board's recommendations and he is in agreement with them.

Councilman Conrad stated that they have discussed numerous different situations in areas to redeploy people in trying to make a substantial savings to the community with a minimal amount of hardship to employees and mindful of the taxpayers while they are doing it. He added that there are some changes and Chief Operator Breedlove has supplied them with a few options and they are as follows:

Option 1 – Have one employee work Sunday through Thursday and have Friday and Saturday off, have the other employee work Tuesday through Saturday and have Sunday and Monday off, both employees would still get their 40 hr. workweek and it allows a full-time person to be around and available.

Councilman Conrad stated that this situation also encompasses the Leachate facility and there will be some redeployment of people to take place and they need to advise the departments to move ahead and implement the changes.

Supervisor Hotaling asked for a motion to implement Option 1 concept at this point having already discussed it with the Mayor.

MOTION

On motion of Councilman Conrad, seconded by Councilman Stanton, to implement the changes discussed with Mr. Breedlove to redeploy staff at the Waste Water Treatment Plant.

APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Rogers) SO MOVED

Councilman Conrad stated that he would like to thank the Village for having them to engage in what he thought to be a very productive meeting on April 20, 2004 and they have managed to move through quite a few agendas and set the record for a Village Meeting that night in not getting out until 11:30pm and especially to Mr. Wade who

stayed home from his planned vacation to meet with them. He added that he hopes that there will be some more meetings with the Village and it was progress in the making and he hopes they can eventually get a good working relationship between the Village and the Town to try to accommodate the taxpayers once again and are one community, Village and Town alike and it is only good business and good neighbors to try to move on and coordinate their efforts in moving forward.

Supervisor Hotaling stated along that line and in conjunction with their meeting one of the topics that was discussed was the ability of the Town outside of the Village residents to use the pool and conferred several arrangements, one that seemed to have "legs" and stick was offered by Councilman Conrad, which was a permit for the Town residents to use the pool and have the payment based upon the actual usage that will be monitored as it was last year and that percentage of the operating cost of the pool would be reimbursed to the Village by the Town but would be reimbursed after January 1, 2005 when there is a new budget because there is nothing in the budget for the pool for this year to draw from for this year and their Village colleagues have agreed to that. He continued by saying that the Village has countered with an additional fee to use to pool and that fee stands for 2004 and to be paid in 2005 is \$5,000.00 plus the percentage of use applied to the cost of operations to the pool to be paid in 2005 and that payment would create the opportunity for the Town residents outside of the Village to again utilize the pool in 2005 and then study the usage to be applied to a January 2006 payment. He concluded by saying that it is a reasonable solution and he is not going to ask the Town Board to vote on it right now and he will continue his discussion with the Mayor.

Councilman Conrad interjected that he thought that the \$5,000.00 payment had to be paid this year and the actual usage from this year's pool would be for the 2005 budget year and this is what he understood and it needs to be clarified.

Supervisor Hotaling stated that he would be happy to get it clarified.

Councilwoman Chmielewski asked if Councilman Conrad was saying that the \$5,000.00 had to be paid out of this year's budget.

Councilman Conrad interjected that there is no money for it in this year's budget.

Supervisor Hotaling stated that they had made that point and ultimately the \$5,000.00 would be paid in 2005 and he discussed this with the Mayor and offered it as an option. He concluded by asking if \$5,000.00 was appropriate or should he go back and counter or should they just close the deal and have it to be able to be promulgated in the newsletter for the summer programs.

Councilman Conrad stated that it is his personal feeling, and he knows his colleagues concerns with not having it budgeted, is that compared to \$20,000.00 and close to \$30,000.00 that has been paid in the past, it is in the best interest of the community and the Village has gone overwhelmingly out of their way to help the Town get back in the program and at this point he would recommend paying the \$5,000.00.

Councilwoman Chmielewski interjected that she wants to know if the \$5,000.00 is going to be paid this year or is it going to be for January.

Supervisor Hotaling stated that he is convinced that it is January and it does not need to be clarified and he would state that the \$5,000.00 is to be paid in January 2005 with the new budget and actually he told those at the Village that it would be paid late January giving some tax receipts the opportunity to come in January.

Councilwoman Chmielewski wanted clarified that the percentages will be looked at this year also for 2005 and in January 2005 they would pay \$5,000.00 for 2004 and then also pay for next year. She added that she does not have a problem with that but would have a problem paying it this year when there is not a line item for it.

Supervisor Hotaling and Councilman Conrad collectively agreed.

Supervisor Hotaling stated that as they had pointed out even if it were a \$1.00 cost it would have to come from some place other than a fund dedicated for that purpose in the budget and there is nothing in the budget for 2004 for that purpose and it would have to be taken from some other place in the Part-Town Fund. He concluded by saying that this is a negotiation that is beneficial to everyone and allows the residents to swim in addition to preserving the opportunity to pay it when they can adequately budget for it.

Supervisor Hotaling stated that if they were all in agreement he would like for them to permit him to notify the Village that they accept their offer.

MOTION

On motion of Councilman Conrad, seconded by Councilwoman Chmielewski, authorizing Supervisor Hotaling to accept the Village offer based on the discussion that they just had to pay for use of the pool in 2005.

VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Rogers) SO MOVED

Supervisor Hotaling stated that there is a matter that came up a couple of days ago and he and the Town Attorney had a discussion regarding a new resident of the area of Civill Ave., Frangella Ave., and Blaisdell Ave. that was concerned with what appears to be a lack of signage to suggest to a driver of a vehicle which car should stop and which car should yield. He added that in examining it, it should be noted that when coming out from Civill Ave. to Westerlo Street there is only a yield sign and he has no idea why there would not be a stop sign. He then asked that the Board authorize him to engage the services of Highway Superintendent Deering in conjunction with Chief Giroux and have a traffic study done for that area. He added that they have been advised that a section of the Vehicle & Traffic Law permits them to erect stop signs, flashing signals and yield signs on any town road that intersects with any town or county road. He concluded by saying that he is not suggesting that a flashing signal is appropriate but something more than a yield sign might be and the area of Frangella Drive and Civill Ave. and the area of Frangella Drive and Blaisdell Ave. and the area of James Drive and Blaisdell Ave., there are traffic control devices that must be thought out by the Highway Superintendent in conjunction with the Police Chief and asked that the Town Board authorize him to set forth that investigation.

MOTION

On motion of Councilman Conrad, seconded by Councilman Stanton, authorizing the Supervisor to move forward on those traffic issues.

VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Rogers) SO MOVED

Supervisor Hotaling stated that he will get together with Superintendent Deering the following day and will get together with the Police Chief to drive down there to take a look at the situation and get some ideas as to how they can accommodate this.

Supervisor asked if there was anything else from a Board Member.

Town Attorney Rotello asked if Supervisor Hotaling wanted him to mention the Certificate of Abandonment.

Supervisor Hotaling stated that he did.

Town Attorney Rotello stated that as the Town Board is aware, under Section 205 of the Highway Law, if a portion of a highway or a highway is not used or open to the public or maintained by operation of law, it becomes abandoned and there is a ministerial act that the Highway Superintendent files a Certificate of Abandonment which is just that and the abandonment does not occur upon the filing of the Certificate but upon the expiration of the now six year requirement. He added that there is another situation where part of Lindskoog Lane was never developed and a property owner is now putting a house there and the Highway Superintendent determined that he does not want that even though it was on a Road List and has executed a Certificate of Abandonment for a 65 foot by 176 foot piece of land, and statute does indicate that the Town Board as a whole should execute the Certificate that will be filed with the Town Clerk's Office in order to complete the act. He concluded by saying that this is for reference and there can be further discussion about it and if the Town Board wants to execute it they can come back and do that or put it off to another meeting and it is a ministerial act of executing the document and the fact of the abandonment occurred some time ago because it was deeded to the Town in 1978 and that portion has never been opened or used or otherwise maintained by the Town.

Supervisor Hotaling asked Attorney Rotello to frame a motion for the Town Board.

Town Attorney Rotello stated that he could and could do it immediately or after further discussion.

Supervisor Hotaling stated that as Attorney Rotello had pointed out, it is a ministerial act and it has been abandoned for longer than the statutory period and it is an act that the Town Board will be taking regardless of any discussion and there is nothing that they can do to change it.

Town Attorney Rotello agreed and added that the motion would be that the Town Board consents to the making and filing of the Certificate of Abandonment by the Highway Superintendent and then as a Board would sign the same.

MOTION

On motion of Supervisor Hotaling, seconded by Councilman Stanton, to consent to the making of the Certificate of Abandonment by the Highway Superintendent and ask that the Board with the motion also permit the execution of that consent on the part of the Town Board.

Supervisor Hotaling asked if there was any other discussion.

Councilman Conrad interjected that he would like to follow it up with a resolution that is clearly detailing this so that the resolution can be filed at the Town Clerk's Office rather than it just being a motion.

Town Attorney Rotello stated that they could have that along with the actual Certificate of Abandonment but there would be a resolution that they would discuss at the next Board Meeting that would refer to this as well as the Certificate having been filed and will be moving based on the filing of the Certificate.

Councilman Conrad stated that he does not have a problem with it as long as there is a resolution.

Supervisor Hotaling then asked for the vote.

VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Rogers) SO MOVED

Supervisor Hotaling thanked Attorney Rotello and then stated that they would be adjourning the meeting to Executive Session for a personnel payroll issue and discussion with the Town Attorney and will be returning for a formal adjournment. He then asked for a motion to adjourn to Executive Session.

ADJOURNMENT TO EXECUTIVE SESSION

MOTION

On motion of Councilman Conrad, seconded by Councilwoman Chmielewski to adjourn to Executive Session. Time 8:15pm

VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Rogers) SO MOVED

EXECUTIVE SESSION

Discussion regarding a personnel payroll issue on a former employee, no action taken.

Executive Session ended 9:10pm

RECONVENE THE MEETING

The meeting was reconvened at 9:10pm, Supervisor Hotaling asked for a motion to formally adjourn the Town Board Meeting.

ADJOURNMENT

MOTION

On motion of Councilwoman Chmielewski, seconded by Councilman Conrad the Town Board Meeting was adjourned.

Time 9:12pm

Respectfully Submitted,

APPROVED:

Diane L. Millious, Town Clerk

**A Workshop Meeting was held Tuesday, April 27, 2004, at 6:00p.m. at Town Hall,
18 Russell Avenue, Ravena, New York**

PRESENT: Ronald K. Hotaling, Supervisor
Frank Stanton, Councilman
Dawn Rogers, Councilwoman
Nita Chmielewski, Councilwoman
Larry Conrad, Councilman

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

AGENDA ITEMS

Presentations

- • Jennifer VanAlstyne – Bike Trail for Joralemon Park

ADDITIONAL AGENDA ITEM

- • Drug Testing Policy

ADJOURNMENT

Adjourned to Executive Session to discuss personnel matters with Highway Superintendent Deering and Chief Waste Water Treatment Plant Operator Breedlove at 6:45pm, Executive Session ended 9:30pm.

Respectfully Submitted,

APPROVED:

Diane L. Millious, Town Clerk

A Regular Town Board Meeting was held Monday, April 26, 2004, at 7:00 PM at Town Hall, 18 Russell Avenue, Ravena, New York

PRESENT: Ronald K. Hotaling, Jr., Supervisor
Frank D. Stanton, Councilman
Dawn Rogers, Councilwoman
Nita J. Chmielewski, Councilwoman
Laverne Conrad, Councilman

ALSO PRESENT: Diane L. Millious, Town Clerk
Joseph Rotello, Town Attorney
Scott Giroux, Chief of Police
Albert Deering, Highway Superintendent

OPENING COMMENT

Supervisor Hotaling stated that they were advised several days ago by Mid-Hudson Cablevision that their switching equipment suffered a malfunction that required an exchange of parts and the parts are not expected for another week and as a result the meeting is being video taped in the hopes that it can be broadcast over the cable network at a future date with adequate notice to the public. He added that he wanted to note for those present that there is no live audience but in the very near future it can be broadcasted and the same situation occurred for the Joint Meeting between the Town and Village Boards.

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

AGENDA OVERVIEW

Supervisor Hotaling noted that the full Town Board was present and he would give an overview of the agenda topics.

- Public Comment
 - Carol Mason – GE Plastics
 - Brian Kreis, Business Administrator – RCS Schools
- Approval of Minutes
 - March 8, 2004
- Supervisor's Report
- Department Head Reports
- Appointments of Town Representatives for Sewer and Water Commission
- Old Business
 - Firemen Convention at Coeymans Landing
- New Business

- Presentation of Summer Programs
- Resignation of Deputy Highway Superintendent
- Resolutions
 - Endorsement of Town of Coeymans as Hudson Valley Greenway Community
 - Town Justice Court – Justice Court Assistance Program
 - Animal Control Officer
 - Maintenance of Grove Cemetery
 - Bingo Inspector
 - Audit of Claims Abstract – December 2003
 - Audit of Claims Abstract – April 2004
- Correspondence
 - NYS Emergency Management Office 04-06-04
 - Notice of Cancellation of Insurance 04-16-04
 - CSTP Operator, re: Tanker 04-13-04
 - CH Energy Group Meter Usage 04-13-04
 - Memo from Town Clerk, re: Civill Senior Housing 04-16-04
 - Albany County Legislator Peter Clouse, re: Resolution Passed
 - NYS Supreme Court Appellate Division, re: Village of Ravena vs. Town of Coeymans 04-16-04
 - NYS Thruway Authority, re: Albany Corridor Needs Assessment 04-19-04
 - Fraser & Assoc. re: JCAP Award Application 04-06-04
 - Notification of Application, re: Several Grants

PRESENTATIONS

GE Global Community Day

Carol Mason – Stated that she is a representative of GE Plastics in Selkirk and GE has designated May 12, 2004 GEAM Global Community Day, which is a global effort to encourage all GE businesses and employees around the world to work together to give back to their communities. She continued by saying that 70 communities globally will be reached that day with a local approach at GE Selkirk and the projects will range from school innovation fairs, to environmental outreach, to building houses for the under privileged and many more activities globally. She continued by saying that over 150 employees will be participating from the Selkirk site and their outreach program will be focused on nature, environmental and education and eight projects are scheduled for that day, and three are planned for the Town of Coeymans, the Opportunity Camp at Lawson Lake which will be trail clean up and cabin repairs and readiness for spring, Riverfront Park in Coeymans, site clean up, bench painting and mulching, and Chimney Top Park on Hannacroix Creek, clean up and removal of brush in preparation for establishing a park. She concluded by asking if there were any questions and asked that the Town Board come and enjoy the clean up after all of their efforts.

Supervisor Hotaling thanked Ms. Mason and stated that he would like to discuss with Highway Superintendent Deering the possibility of being available on that day to be as supportive as possible in terms of bringing more mulch in, in addition to speaking with Mr. Ralph Biance and his need to provide tools and paint. He again thanked GE for doing this and asked if anyone else had any questions.

Councilman Stanton stated that it is great that GE is doing this and it is wonderful that they employ so many people and are willing to come out to the community to do this and should be applauded for doing this.

Supervisor Hotaling added that they are looking forward to working with her and if there was anything else that they need from the Town they should not hesitate in calling.

RCS 2004-2005 School Budget

Supervisor Hotaling stated that this item was not on the agenda and was originally scheduled for the following nights Workshop. He added that Mr. Brian Kreis, the Business Administrator from RCS Schools would be giving an overview of the 2004-2005 school year budget.

Mr. Brian Kreis – stated that he wanted to briefly go over the budget, which goes from July 1, 2004 to June 30, 2005. He distributed a Budget Process handout to the Town Board, Town Clerk and Town Attorney and briefly gave an explanation of each page.

Mr. Kreis asked if anyone had any questions.

Supervisor Hotaling stated that the debt services cost had gone up over \$1,000,000.00 and that it would be offset by state aid and then asked what the state aid was for last year and if it has been announced for this year.

Mr. Kreis stated that there are fiscal advisors that deal with the borrowing and they can tell exactly what will be owed in a year and how much aid from the state they will get back.

Supervisor Hotaling stated that he understands that and his question is regarding overall state aid and continued by asking if the State Legislature has told them this year what the state aid will be and what was the state aid for last year.

Mr. Kreis stated that they do not have a final number on state aid and there is a preliminary number, which is what they go on for budgeting.

Supervisor Hotaling interjected that by based on their low estimate, are they saying that the \$1,327,000.00 will be offset by an increase in the state aid that they expect.

Mr. Kreis stated that building aid and state aid needs to be separated; they can tell how much building aid is coming based on the laws of reimbursement for building projects.

Supervisor Hotaling interjected that they don't know the figure yet for state aid and there is a mandate for the legislature to "level the playing field" for New York City schools compared to upstate schools and it is an ongoing struggle and he cannot see it as a positive for RCS and schools similarly situated. He concluded by saying that they do not know what the state aid will be and that makes him question whether or not they know that the increase will be 4.8% based on reduced state aid for upstate schools.

Mr. Kreis stated that preliminary figures have been given and the figures are historically not reduced, the initial numbers that come from the Governor, when they are released, are conservative and this is what they have to use until they hear differently. He

continued by saying that there is something very wrong with the way that school budgets have to be done because they do not know what the figure is or the assessed value of the four towns and he cannot even tell what the tax rate will be. He concluded by saying that he has spoken with other business officials and they would like to see that the equalization rates that are set in August and the assessments that they get in June and July get rolled over into the next year so when they are going into a budget they actually have those figures.

Supervisor Hotaling continued by saying that he spoke about the purchase of six school buses and in the past there was an enormous use of contractors but were phased out and there came a time when RCS bought the buses and started doing it themselves. He asked if they are drifting back toward the utilization of contractors.

Mr. Kreis stated that there is one contract transportation run that goes across the river past Troy and it is less than \$20,000.00 for the year. He added that if you take the most conservative number that he could come up with as far as what they are paying per mile on a lease for maintenance and other costs, after everyone is hired and benefits are paid, they are saving taxpayer's \$150,000.00 minimum a year by bringing it back in the district.

Supervisor Hotaling asked if anyone else had any questions.

Councilwoman Chmielewski stated that she also had a question on the buses and he had mentioned that there is only one contract transporter going past Troy. She then asked if Cossackie Transport goes to Grapeville Schools and if so did this just change.

Mr. Kreis stated that RCS does this transport and it has been done for the past two years.

Councilwoman Rogers stated that the southern homeowners and taxpayers pay school taxes to the Town of Coeymans and Greenville went to 100% assessment and are getting hit hard with the Greenville School taxes. She then asked if the taxes are rounded off and do they have to pay both taxes and if so is there a break for paying to each town.

Mr. Kreis stated that to the best of his knowledge the lines are drawn in a certain place and wherever you fall is what you pay percentage wise.

Councilwoman Rogers interjected that they are saying that their school taxes are getting higher than the property taxes.

Mr. Kreis stated that when you go to 100% assessment and it is encouraged that you do this every five years, it is when it is not done within a couple of years that the equalization rate changes. He reiterated that there are certain lines for school districts and if you are on one side or the other that is what you pay.

Councilman Conrad asked how many buses the school district runs.

Mr. Kreis stated that there are 66 buses and this is why the bus garage needs to be renovated because there is only one lift and DOT regulations state that you cannot operate with one lift with 66 buses.

Councilman Conrad asked what the life expectancy is for a bus.

Mr. Kreis stated that it is approximately 10-11 years, sometimes more, and they try to stay with the same kind of buses so that there are not interchanging parts and that sort of thing, they try to standardize the fleet and cut costs.

Councilman Stanton stated that many people out in Coeymans Hollow question the number of buses that are running and wonders if the Transportation Department look at the runs and see if a run needs a 60 passenger bus vs. a 30 passenger bus especially with a lot of the upper classmen driving to school.

Mr. Kreis stated that it is a good question and last year the school purchased five 35-passenger buses and they are purchasing smaller ones. He added that with the current proposition for the budget vote there is only one 66-passenger bus, two suburbans and the rest are smaller buses. He concluded by saying that they use a software program that will make sure that they are minimizing the miles between points and putting enough students together and telling what types of buses are needed to make the runs.

Councilman Stanton then questioned about students driving and what are the rules regarding this.

Mr. Kreis stated that he does not know the prerequisites for this because it is done at the building level and he knows that some school districts charge a fee for parking.

Councilman Stanton asked if RCS does this.

Mr. Kreis stated that the issue has been raised but he does not think that it has been done.

Supervisor Hotaling stated that as Mr. Kreis knows, recently changes have been made in some departments in town government and one of them was the elimination of the School Resource Officer effective at the end of the school year. He added that he has communicated that decision to the Superintendent of Schools and some members of the School Board have expressed their concern and envisioned the possibility of resurrecting it exclusively in the School Budget. He continued by saying that he does not know if it was contemplated in the budget for 2004-2005 or if they intend to do it but wanted to point out that should the School District wish to continue it and bear the expense, the Town Board will assist in any way that they can in terms of identifying through the Civil Service process that particular officer and understands completely if their budgetary constraints similar to the Town's would result in the elimination of that as well. He then asked Mr. Kreis if he had any comments regarding that.

Mr. Kreis stated that the SRO is not included in the budget and it had been formulated prior to getting the news, the prior year \$13,500.00 was included. He added that they are budgeted for a Security Specialist to work non-school hours; with the capital construction project they are looking to the exterior door being card access in trying to keep the school as safe as possible in addition to security cameras being installed within the next couple of years. He continued by saying that next year they will be taking a look at the SRO Program and looking for a way to possibly bring it back and put a job description so that there will be a good working program. He concluded by saying that Greg has done

an outstanding job but the decision was made that it could not be funded this year based on everything else that needed to be done.

Supervisor Hotaling asked if anyone in the audience had any comments to make regarding Mr. Kreis' presentation, hearing none he moved to Public Comment.

PUBLIC COMMENT

Supervisor Hotaling invited the public to comment on any items that have been discussed or anything that they are about to discuss on the agenda, hearing none he moved to the next agenda item.

APPROVAL OF MINUTES

Supervisor Hotaling stated that there are 24 pages of meeting minutes for March 8, 2004 to be approved and asked if everyone had an opportunity to read them and continued by asking for a motion to approve them.

03-08-04 03-08-04 - Town Board Meeting

Discussion:

Councilwoman Chmielewski stated that on page three, the third paragraph from the bottom it states "ands" and she believes that it means "and is a forty acre parcel" and on page 19 the correct spelling for the Comptroller is Hevesi.

MOTION

On motion of Councilman Stanton, seconded by Councilwoman Rogers, the Town Board Minutes for 03-08-04 were approved as amended.

VOTE – AYES 5 – NAYS 0 – SO MOVED

SUPERVISOR'S REPORT

MARCH 2004

FUND	BALANCE F ORWARD	RECEIPTS	DISBURSEMENTS	BALANCE
GENERAL	\$1,971,371.57	\$ 92,969.73	\$ (195,328.76)	\$1,869,012.54
FEMA	\$ 43,555.50			\$ 43,555.50
PART-TOWN	\$ 69,686.33	\$ 9,284.75	\$ (11,011.37)	\$ 67,959.71

SPEC.WATER	\$ 22,664.37	\$ 43,008.84	\$ (491.12)	\$ 65,182.09
HIGHWAY	\$ 90,210.80	\$ 44,686.46	\$ (98,154.91)	\$ 36,742.35
SEWER	\$ 206,719.21	\$131,672.16	\$ (37,724.96)	\$ 300,666.41
TRUST & AGCY.	\$ 561.91			\$ 561.91
			TOTAL BALANCE	\$2,383,680.51

SAVINGS ACCOUNTS

Unemployment	\$10,442.64
Grove Cemetery	\$51,769.20
Sewer Dedicated	<u>\$ 7,307.00</u>
TOTAL	\$69,518.84

Section 8 - HUD

Occupied Units	87
HUD Payments	\$39,313.00
Admin. Fee	\$ 120.18
Total HUD Pmt.	\$39,433.18
Tenant Rent	\$24,639.00
Contract Rent	\$60,997.00

COLLATERAL COVERAGE

FDIC Coverage

Collateralized

National Bank of Coxsackie	\$200,000.00	\$2,033,981.04
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Supervisor Hotaling stated that he did have some discussion about the water and there was a Joint Meeting between the Village and Town Board and there is a bill owed to the Village of \$71,000.00 and there is \$65,182.00 in that fund. He added that during the Joint Meeting they discussed some mechanism by which the Town could avoid penalties of not having full funding of that bill. He concluded by asking permission to go back and discuss with the Mayor some plan and in turn forward to the Village the \$65,000.00 with the knowledge that the balance of it will likely be re-levied on to the property taxes next January.

Councilman Conrad suggested that there be a motion to enter into an agreement/stipulation with the Village.

Councilwoman Chmielewski stated that she and Bookkeeper Foss had a discussion and there were some unpaid re-levies on the tax bill so they may be able to pay the bill.

Supervisor Hotaling stated that they would have a few more thousand to add to the \$65,000.00.

Councilwoman Chmielewski stated that this was true and it is the second bill there will be problems with paying.

Supervisor Hotaling stated that hopefully by then there will be an agreement with the Village and continued by asking for a vote on the Supervisor's Report.

MOTION

On motion of Councilman Stanton, seconded by Councilwoman Chmielewski, the Supervisor's Report was accepted as read.

VOTE – AYES 5 – NAYS – 0 – SO MOVED

Supervisor Hotaling asked that Councilman Conrad offer a motion for the second issue.

MOTION

On motion of Councilman Conrad, seconded by Councilman Stanton, authorizing the Town Supervisor to enter into negotiations with the Village Mayor and Village Board to enter into an agreement to make partial payment to the Village for water rents and reduce the amount of penalty associated in the past.

VOTE – AYES 5 – NAYS – 0 – SO MOVED

DEPARTMENT REPORT REVIEWS

Town Clerk Report March 2004

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

Town Clerk Millious gave her monthly report and added that she has settled the property taxes with Albany County and she can no longer collect and for anyone that wishes to pay their taxes should contact Albany County to find out the correct amount due because it changes each month when penalty is added.

Supervisor Hotaling asked if Town Clerk Millious had anything else to add and then asked if there were any other questions on the Town Clerk's Report.

Councilwoman Chmielewski asked Town Clerk Millious when the last dog census was done.

Town Clerk Millious stated that she has been with the Town for 12 years and she has never seen a census.

Councilwoman Chmielewski asked if Agriculture and Markets suggest that one be done.

Town Clerk Millious stated that some Towns do send someone door to door but she only keeps track of those that come in and she has to make sure that the rabies is up to date before she can issue a license.

Councilwoman Chmielewski asked if the number of dogs has gone down over the years.

Town Clerk Millious stated that in order to do a comparison she would have to look back through the records.

Councilwoman Chmielewski asked that she have this for the next meeting.

Town Clerk Millious asked how many years she should go back.

Councilwoman Chmielewski stated that it should be at least five years.

Supervisor Hotaling interjected that it should go back to the last dog census so that there is a baseline to work with.

Councilwoman Chmielewski stated that when she was Town Clerk Agriculture and Markets made the Town conduct the census.

Supervisor Hotaling asked what is entailed in doing a census.

Councilwoman Chmielewski stated that someone had to be hired to go door to door, just like the school census, and you had to count the dogs.

Town Clerk Millious interjected that some towns have a local fee that they add to the license fees.

Supervisor Hotaling stated that as Councilwoman Chmielewski had asked, that Town Clerk Millious provide them with some sort of a comparison to see if they see a trend of a drop in the number of dogs licensed and suggest some options as to how it can be addressed either by a dog census or a combination of a census and a local fee.

Town Clerk Millious stated that she would call Agriculture and Markets and get some information back to them.

Supervisor Hotaling asked for a motion to accept the Town Clerk's Report.

MOTION

On motion of Councilman Conrad, seconded by Councilwoman Rogers, the Town Clerk's Monthly Report for March 2004 was accepted as presented.

VOTE – AYES 5 – NAYS – 0 – SO MOVED

Police Department Report March 2004

Supervisor Hotaling stated that the second report that he has departmentally is the Police Report and in summary there is just over 1,000 calls for service of which 190 were deemed to be emergency calls and for the purpose of clarification he asked Chief Giroux

if the non-emergency calls include the traffic stops generated by a police officer on the street.

Chief of Police Giroux stated that was true.

Supervisor Hotaling asked if the manner of the report has an impact on the way that the Town is billed for emergency services through the county.

Chief of Police Giroux stated that the fire and EMS numbers are taken out of dispatch.

Supervisor Hotaling asked if it would be weighted either one way or the other in playing a positive or negative roll.

Chief Giroux stated that was true and the only subjective numbers are the police numbers, non-emergency vs. emergency.

Supervisor Hotaling stated that there were 317 traffic tickets and there is also a request for some appointments in addition to incorporating the weekly blotter report, which was communicated to the News Herald.

Supervisor Hotaling asked if there were any questions regarding the Police Report, hearing none he asked for a motion to accept the report.

MOTION

On motion by Councilman Stanton, seconded by Councilwoman Rogers, the Police Report was accepted as presented.

VOTE – AYES 5 – NAYS – 0 – SO MOVED

APPOINTMENT OF TOWN REPRESENTATIVES FOR SEWER AND WATER COMMISSION

Supervisor Hotaling stated that he wanted to announce that the Joint Workshop Meeting with the Village was very productive and he believes that the Mayor has similar sentiments and there were a number of agenda items and it was almost midnight when they adjourned. He added that no doors on any topic were closed completely although there were not any agreements on anything on the agenda. He added that this is what workshops are about, to discuss topics and then go back to the boards individually to make judgments. He concluded by saying that he feels they are moving forward and a request of the Village was for the Town to identify membership on the Sewer and Water Commissions and as discussed previously with the Town Board and Mayor Bruno, the appointment for the Sewer Commission to serve in conjunction with membership of the Village Board and a member of the public to be named jointly by both the Town and the Village Boards. The appointments are as follows:

Councilman Conrad	Sewer Commission
Councilman Stanton	Sewer Commission
Supervisor Hotaling	Water Commission
Councilwoman Chmielewski	Water Commission

OLD BUSINESS UPDATE AND DISCUSSION

Fire Convention at Coeymans Landing

Supervisor Hotaling stated that a presentation was made at a Workshop by the Coeymans Fire Company in conjunction with the New Baltimore Fire Company for utilization of the Coeymans Landing Park for a Saturday in August for a Fireman's Convention. He added that 19 companies would assemble at Town Hall and march through the Village ending up at Coeymans Landing for firematic events and other activities during the day. He continued by saying that there have been discussions since the Workshop and they have been provided with costs associated with additional police coverage and some other concerns have been raised relative to a potential conflict with the need to have the area open for the boat launch as the parking lot is generally full on summer weekends with people using the public boat launch. He added that it was also taken into account that budgetarily because of things that have already been announced and the contemplation of additional cuts and the continuation of the discretionary freeze, the Riverfest will be eliminated for this year because the cost associated with it is not money that they wish to spend in terms of putting fireworks together for a 20 minute presentation. He continued by saying that as pointed out previously, Evenings on the Green will continue and there is a schedule that Mr. DeFlumer has put together with Councilwoman Rogers. He concluded that they could not justify the expenditure of several thousands of dollars for the Riverfest and in light of that decision it is his feeling that they are going to have to deny the request for Coeymans Landing and that the Town Board has expressed their individual views to him but it is a public forum and they have to make their judgments whether or not those activities would be sanctioned by the Board this year. He then opened it up for comment from the Town Board.

Councilwoman Chmielewski stated that her problem with it was the expenditures and the more that she has thought about it; it will cause a lot of congestion down there because there is only one way in and out of the park. She added that it is in the middle of boating season and you cannot close off the boat launch and parking lot.

Councilman Conrad stated that he agrees with keeping the boat launch open and there were numerous complaints about the Riverfest, and with it being a community oriented type event, it still met with some resistance. He added that if it was the Town doing a community event it would be fine, but to establish a precedence to allow fundraisers to take place in the park, once it was started they would have to keep it open and equal for everyone and it could run into numerous situations that would lend the Town Board to be impartial to certain areas and be criticized for that as well and on that basis they should deny it. He concluded by saying that the area being so small is one of the major factors that created this issue and if they could arrange something where Joralemon Park or something of that nature could be used where it would not require the amount of traffic control by the police department and busing and tying up people's front yards and complaints about people going through their lawns, he would urge trying to move something of this size and magnitude out to the Joralemon Park area and further use the

park facilities that are out there and hopefully at some time make it better for those type of functions.

Supervisor Hotaling asked if anyone had anything else to add.

Councilman Stanton stated that everything has been said.

Supervisor Hotaling stated that from what he had heard from Councilman Conrad and Councilwoman Chmielewski, they are in agreement of denying the request. He then asked if Councilman Stanton and Councilwoman Rogers were in agreement.

Collectively they said they were in agreement.

Supervisor Hotaling stated that there were representatives in the audience and were hearing that it was denied and he could also communicate that officially to representatives of the organization.

NEW BUSINESS TOPICS FOR DISCUSSION AND OR ACTION

Presentation of Summer Programs

Supervisor Hotaling stated that they have met with representatives of the community regarding putting together summer programs for the youth in 2004 and had the benefit of the expertise of Ms. Judy Felston, the Librarian at the RCS Community Library and from Danyell Crowley, the Youth Services Director in addition to the input from community members, Ms. Trish Visconti and Donna Pasquini. He continued by saying that there are limited resources and they are trying to identify and put together an amalgam of resources to put together the best possible program. He concluded by saying that there will be a presentation of their effort in conjunction with the Town Board and they will give an overview of what the Summer Program will entail in 2004. He then introduced Youth Director Crowley and Librarian Felston.

Youth Director Crowley stated that the Town of Coeymans will have two Summer Programs this year, the Food for Thought Program will continue and run from July 6, 2004 to August 5, 2004 and will operate Monday through Friday from 9:30am to 12:30pm and will be held at the Grace Methodist Church. She added that the Church has been very kind in offering some classrooms, the Community Room and a large play area and only 60 children will be able to attend. She added that in the past there has not been a cap on attendees and she will have to be stern on application due dates and they will be accepted through June 1, 2004, which will give them time to get busing schedules put together and out to the public. She continued by saying that they would be hiring for the program and the staff will start at age 16, anyone interested can pick up an application at Town Hall until June 1st and she will start interviewing and hiring from that date on. She added that they are working closely with the RCS Community Library and doing a lot of scheduling for different age groups and tying in more educational activities, there will be a Reading Buddy Program pairing up the older children with the younger children. She then invited Librarian Felston to comment.

Supervisor Hotaling interjected that before she starts he had one question and continued by asking if the kick-off date for applications will be starting with the meeting date of April

26th; he continued by suggesting that Mr. Tucker get a copy of the schedule to put in the News Herald.

Youth Director Crowley stated that she actually had gotten a few employee applications but would like the children's applications to start and once the 60 slots are filled she can start the busing schedule.

Supervisor Hotaling clarified that both employee applications and applications to attend the program can start anytime.

Librarian Felston stated that they have collaborating on combining the Food for Thought Program and the Summer Reading Club and the theme that the library is using is the "200th Anniversary of the Lewis and Clark Expedition" and maps and little animal characters make the program more entertaining to the kids. She stated that in addition the traveling library will be going to Food for Thought three days a week and kids can read aloud in their groups, listen to an older child read and read at home, all qualify as long as the child keeps a record of the titles, in addition there will be a trade bead reward system where each child can either keep their beads or trade them in for small prizes and it will run the five weeks of the program. She continued by saying that they will share on craft activities so that the reading program is tied into the other activities.

Youth Director Crowley interjected that Food for Thought will center their weekly activities around whatever the traveling library will be doing on their three days such as the theme of space and this will help the counselors to plan activities better and have things on paper for rainy days in case they have to be inside and it will be better planning this year.

Librarian Felston interjected that this year is a level of collaboration that they have always wanted to reach and are very happy about it.

Supervisor Hotaling stated that they were happy to have them.

Youth Director Crowley stated that they are also going to run the Recreation Program and it will run the same five weeks as the Food for Thought Program, the program will operate from 1:00pm to 3:00pm but is however tentative and she does have a schedule printed up. She added that by the Board looking it over she can get approval from them and then she can move forward. She continued by saying that the Program will offer five sports to different age levels and each day if a different level, it will give more children the opportunity to participate instead of doing five weeks of 11 year olds and up in one sport and will give the younger and older children an opportunity to participate.

Supervisor Hotaling noted that it includes two venues.

Youth Director Crowley stated that it includes Mosher Park for softball and volleyball and the Riverfront Park in Coeymans for flag football, soccer and basketball.

Supervisor Hotaling stated that he would be asking the Board later in the meeting to approve that aspect of the schedule because timing is everything and they want to get the newsletter formulated and distributed as quickly as possible so that people can plan for summer activities for their families.

Councilman Conrad noted that the basketball program was being moved from Mosher Park to Riverfront Park this year and asked if there were going to be any basketball programs offered at Mosher Park this year.

Youth Director Crowley stated that the Town did not run the program at Mosher Park last year and she is not sure who ran the program.

Councilman Conrad stated that in their discussion with the Village, they indicated that the park was open for the Town during the days and he wanted her to be mindful that there are courts available at Mosher Park. He added that the Mayor had expressed his interest in making the program work a little bit better this year.

Supervisor Hotaling stated that he did and the fact that softball and volleyball is going to be at Mosher Park is a good thing because there was not anything last year.

Youth Director Crowley stated that she could look into it; it is her understanding that there is a summer league at night and during the weekends.

Councilman Conrad stated that the Mayor did indicate that but also indicated that the days are open and all the Town has to do is confirm it with them and it might be something that will work into her schedule better. He concluded by saying that they are looking for maximum usage of the program and going down to Riverfront Park is not always the best advantage.

Councilman Stanton stated that he recalls that during the discussion he believes that the school is going to use the basketball courts in the morning.

Youth Director Crowley stated she knows that the basketball courts at Mosher Park are well used over the summer.

Supervisor Hotaling stated that they would attempt fitting something in and softball and volleyball is a good re-start at that venue and hopefully the agreement with the pool can come to fruition sooner rather than later and the fact that there is a presence there, the access to the pool for the town other than village residents can take part in will be a great start.

Youth Director Crowley interjected that there will be no transportation to the Recreation Program and wanted to make it well known.

Supervisor Hotaling stated that the transportation would be exclusive to the Food for Thought Program. He then asked if there were any additional questions on the part of the Board. He concluded by saying that he knows that they have spent a lot of time on this and it even took some Sundays and he also wanted to publicly thank the people at Grace Methodist Church and Father Vincent who stepped up to the plate at times when the Diocese was not looking to have any tenants at the school but if there was no other place to go Father Vincent would have allowed them to go there and he wanted to thank him for advocating for that possibility and Youth Director Crowley and Librarian Felston did a great job and he is happy to have the library back associating with the program and he is looking forward to building it into something even better next year.

Minutes of Planning Board Special Meeting

Supervisor Hotaling stated that this is on the agenda because of the manner that the minutes were presented to them from the Special Meeting of the Town of Coeymans Planning Board that took place on April 19, 2004. He added that there are 28 points that relate to alterations and/or changes that relate to the Town of Coeymans Zoning Map that is being advocated by the Planning Board and he believes that it is worthy of note for introduction and opening discussion to determine what step the Town Board should take as a result of it.

Councilman Conrad stated that as they know they did receive some maps from Ostertag and Worth which were contracted by the previous Town Board in December 2003 for a fee of \$2,500.00 and the preliminary zoning maps were rendered to them, in turn he asked that the Zoning Board review the maps and put forth their input as far as the completeness, accuracy or any changes that they feel would be required to keep the map as accurate as possible. He continued by saying that as a result of that meeting there are 28 points that were looked at along with spellings and things of that nature that they wanted to render and to keep it complete with the current road list that the Town has, some of the roads that were indicated on the map were actually private drives and this is what led to the check list that they are going to go over with Ostertag and Worth and hopefully get a completed, more accurate version of the Town of Coeymans Zoning Map which has not been updated since September 1961. He added that this will make them one step closer in getting things in line and they will have something that they can get copied for the public's use and betterment of the community. He concluded by moving that the changes be implemented and then the final map will be brought in and will have to be voted on and accepted by the Town Board and filed with the Department of State.

Supervisor Hotaling stated that there was a motion made by Councilman Conrad to implement the 28 noted changes and asked for a second.

MOTION

On motion of Councilman Conrad, seconded by Councilman Stanton, authorizing the 28 changes as outlined in the April 19, 2004 Minutes of the Town of Coeymans Planning Board.

Councilwoman Rogers asked if roads were taken off, would it in any way affect Highway Superintendent Deering and his C.H.I.P.S. money.

Councilman Conrad stated that it would not; the roads that are being removed are private roads and not on Highway Superintendent Deering's list of roads.

Councilwoman Rogers interjected that one of the roads is on the list and asked Highway Superintendent Deering if she was correct.

Supervisor Hotaling stated that it is the road to a gated house off left side of Lindskoog Road.

Councilman Conrad stated that it is Windy Acres and it is not on Highway Superintendent Deering's list and they had gone over each road and in fact there were some on the road list that were not on the map.
Councilwoman Rogers stated that she just wanted to make sure.

Councilwoman Chmielewski stated that she was going to ask when they went with the road list if there were some that were missing on the map.

Councilman Conrad stated that Kindley Road and Rutkewicz Road along with others were on the C.H.I.P.S. list and were missing from the map and they needed to be added. He concluded by saying that they were trying to make it more accurate and it will help Highway Superintendent Deering when someone wants to know if a road is a town road, the map will be complete and when a road is added it will be put on the road list along with the Town Zoning Map.

Councilwoman Chmielewski asked if Highway Superintendent Deering had also looked at the map to make sure that everything was on it.

Councilman Conrad stated that he didn't at this point in time and it is not in its final forum, the Planning Board has looked at it and when it is offered up there will be public comment on it. He concluded by saying that there were several mistakes and this is what they are trying to get taken care of and when the next map is done it will be easier to read with patterns and colors to indicate the zoning areas because there are so many close together especially in the hamlet area it is hard to ascertain what zoning is in some of the places and eventually they hope to move it on to having a legal description so that in the event that the map cannot be read properly there is some kind of legal description of the zoning areas, especially now that they are looking at some changes in the hamlet area with the zoning, they will probably include the legal descriptions as the change is made and implement it into the Town's Zoning Law.

Supervisor Hotaling stated that there is a motion on the floor to implement the changes and stated that it is well noted as Councilwoman Chmielewski had pointed out these are not necessarily the final changes that will be made, it will be the second draft to implement the 28 changes identified by the Planning Board in the minutes of their April 19, 2004 meeting. He then asked if there was any other discussion.

Town Attorney Rotello stated that for clarification, they are not talking about changing the existing zoning map but making the new updated map accurately reflect what exists today within the existing zones.

Supervisor Hotaling stated that this was correct and the current draft of that had at least 28 errors or omissions.

Town Attorney Rotello stated that he did not want anyone to think that they are changing their Zoning Map.

Councilman Conrad interjected that since 1961 the Town has implemented numerous changes and undertakings in the zoning and none of the undertakings have ever been reflected in a new map and in doing so this is what their cause is at this point in trying to get the changes implemented into the new map.

Supervisor Hotaling asked if there was any further discussion, hearing none he moved to the vote to implement the changes and create the next draft.

VOTE – AYES – 5 – NAYS 0 – SO MOVED

Councilman Conrad interjected that the final map has to be approved by the Town Board.

Resignation of Deputy Highway Superintendent

Supervisor Hotaling stated that a letter of resignation dated April 16, 2004 was submitted to Highway Superintendent Deering and a copy was provided to him. He stated that the resignation was due to unforeseen financial situation, and then announced the resignation of Rebecca L. Smith as Deputy Highway Superintendent, effective April 26, 2004. He added that attached there was a secondary memorandum that he will share with Councilman Conrad as the person closet to the payroll activities, relative to the number of hours of vacation and other time that is owed to Ms. Smith. He then asked for a motion to accept the resignation.

MOTION

On motion of Councilman Stanton, seconded by Councilman Conrad, to accept the resignation of Rebecca L. Smith, Deputy Highway Superintendent.

VOTE – AYES 5 – NAYS 0 – SO MOVED

Discussion:

Councilman Stanton suggested that a letter be sent thanking her for her service to the Town of Coeymans.

Collectively it was discussed if the letter should be from Highway Superintendent Deering or the Town Board and collectively it was decided that it should come from the Town Board.

Councilman Conrad stated that in working with Rebecca since January, she was very helpful with some of the payroll changes that were implemented and it has led to a more unified system in the Town throughout all of the departments. He added that he to would like to thank her for her services.

Supervisor Hotaling stated that gratitude would be extended in the letter that will be written to Ms. Smith

April 16, 2004

Dear Albert:

Due to the Towns unforeseen financial situation it is with my deepest regret to announce my resignation. I will not be able to continue to work for the Town on a part-time basis. Please accept my resignation effective April 26, 2004.

Thank you for the opportunity to work with your department. This has been a wonderful experience for me.

Sincerely,

Rebecca L. Smith
Deputy Highway Superintendent

RESOLUTIONS

Supervisor Hotaling stated that he had received an e-mail from a resident of the community relative to the Town of Coeymans joining the Hudson River Valley Greenway and it was very positive. He continued by reading an excerpt:

“In reading the article in this week’s News Herald concerning the Board’s consideration in joining the Hudson River Valley Greenway, you encouraged comments. Therefore I sincerely hope that the Coeymans Town Board seriously considers joining this program. I believe that it will significantly benefit our town; we have lagged behind in that so many others are part of this program and we are one of a few that aren’t. The location of the Town of Coeymans with its close proximity to the Hudson River could have long term benefits to the citizens and the character of our town and if properly managed this program will be a tool to do just that.”

Supervisor Hotaling stated that it goes on and that he also received a letter hand delivered by a former Planning Board member and occasional chairman and vice chair, Dave Martin. He continued by reading the following excerpts:

“I write in strong support of the Town of Coeymans joining the Hudson River Valley Greenway.”

“I’ve long been concerned about the preservation of natural, historic and scenic spaces in our town, by chance I recently called Richard Harris before making a presentation to the Historical Society to see if the town was a member and was pleased to hear that he was scheduled to meet with you shortly.”

“I urgently support your intention to join the Greenway’.

Supervisor Hotaling stated that they were two of the people that weighed in on the resolution that they were about to consider.

RES. #72-04 ENDORSE TOWN OF COEYMANS AS HUDSON RIVER VALLEY GREENWAY COMMUNITY

On motion of Councilman Conrad, seconded by Councilman Stanton, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the Hudson river Valley Greenway Act, (hereinafter, the “Greenway Act”) Chapter 748 of the Laws of 1991, has as a legislative goal the establishment of the Greenway Compact, a process for voluntary regional cooperation and decision-making among the communities of the Hudson River Valley, and

WHEREAS, the process and programs that will comprise the Compact are under development, and

WHEREAS, communities may participate in the initiation and implementation of the compact process and

WHEREAS, the Town of Coeymans is situated in the Greenway area as it was officially designated in the Greenway Act, and

WHEREAS, the Greenway Act permits the Hudson River Valley Greenway Communities Council (hereinafter the "Council"), and the Greenway conservancy for the Hudson River Valley, Inc. (hereinafter the "Conservancy") to assist communities in developing local planning and projects related to the five criteria contained in the Greenway Act: natural and cultural resource protection, regional planning, economic development (including tourism, agriculture and urban redevelopment), enhancing public access to the Hudson River and heritage and environmental education, and

WHEREAS, communities can become eligible to receive technical and financial assistance from the Greenway, and

WHEREAS, community participation in the Greenway planning process is voluntary, and

WHEREAS, the Greenway Act does not supersede or change the powers that the State has previously granted municipal governments under the New York State Constitution, the Municipal Home Rule Law or pursuant to the various municipal enabling acts, and

NOW, THEREFORE, BE IT RESOLVED, the Town of Coeymans supports the criteria contained in the Greenway Act and the process by which the Compact will be achieved and the Town of Coeymans endorses the designation of the Town of Coeymans by the Greenway Council and Conservancy as a Greenway Community.

Discussion:

Supervisor Hoteling stated that it is a resolution that will authorize the Town to become a member of the Hudson River Valley Greenway and essentially be called hereinafter a Greenway Community among the 208 out of 250 communities that are eligible along the Hudson River Valley Greenway area.

RES. #73-04 AUTHORIZE TOWN JUSTICE COURT TO PREPARE (JCAP) GRANT APPLICATION

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

WHEREAS, the Town Justice Court is desirous of making application for funding assistance to make improvements and enhancements to the Town's judicial system process,

WHEREAS, such assistance is possible through the New York State Unified Court System 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 the Supervisor for signature and submission.

Discussion:

Supervisor Hotaling stated that last year Mr. Michel Brown who is a Grant Specialist for Fraser and Assoc. Engineering Firm submitted this same application on behalf of the Town and charged \$800.00 for his services and the Town got nothing that was requested but did get funding for a computer. He continued by saying that the Justices advised him and the staff of the Justice Department that it is very easy to do and it has been done in the past and they have been equally as successful. He concluded by saying that the resolution authorizes the staff of the Justice Department to do what it cost the Town \$800.00 to do last year and he is grateful that they were going to put forth the effort and is confident that they will be equally successful.

RES. #74-04 APPOINT ANIMAL CONTROL OFFICER

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

WHEREAS, the Town of Coeymans has been without an Animal Control Officer since March,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby appoint Raymond Rossman as part-time Animal Control Officer to serve at the rate of \$10.15 per hour.

Discussion:

Supervisor Hotaling stated that the Chief of Police received two applications for the position and he believes that Mr. Rossman is the candidate that should be the recipient of the position.

RES. # 75-04 APPOINT PART-TIME CEMETERY SUPERVISOR FOR GROVE CEMETERY

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

WHEREAS, the Town of Coeymans has acquired Grove Cemetery and is responsible for scheduling burials,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby appoint Jack Stratta as Cemetery Supervisor for Grove Cemetery at the rate of \$10.00 per hour.

Discussion:

Supervisor Hotaling stated that this position is with the understanding that he is on call on an as needed basis.

Councilman Stanton asked if Mr. Stratta was going to be taking care of the burials and where the plots are.

Supervisor Hotaling stated that he will be working in conjunction with the Town Clerk and that there is a larger issue with Grove that they will be discussing in the near future with the assistance of Mr. Richard Hotaling, former caretaker of the cemetery, in conjunction with the Town Clerk, Town Board, and a local Funeral Director that has offered her services to sit down with them and give some guidance as to what the Town should be thinking about in terms of how to handle the burden of the cemetery that was given to the Town.

Councilwoman Rogers interjected that there is a grant to file for.

Supervisor Hotaling stated that there is grant, as Councilwoman Rogers pointed out, and she along with Councilwoman Chmielewski attended a NY City presentation with respect to the grant and the Town Clerk recently also attended one and has information about the grants. He added that with the Town being the new caretaker of Grove Cemetery, they have an opportunity for five years from the date that it was taken over, to put together a grant application and with the assistance of those mentioned this will be their goal, to have an application to submit by the end of the summer for funding which could include rehabilitation of stones that have been damaged and also the equipment necessary to maintain the cemetery. He concluded by saying that Mr. Stratta was in this position last year when the Town first acquired the cemetery and it is important that there is continuity with him and the subcontractors that he has engaged with in the past to make sure that people that have interments there, that it is handled in a dignified, respectful way.

Councilman Conrad stated that there is a tendency to “live and die” by the resolutions and he has said numerous times that there needs to be as much information as possible in the resolutions so that people down the line such as themselves, when they go back to read them, can make “heads or tails” of where they are at. He added that based on Mr. Hotaling’s understanding of what Mr. Stratta’s job would be, he would like to change the resolution to read differently to say,

“that the Town Board of the Town of Coeymans does hereby appoint Jack Stratta as part-time Supervisor for the Grove Cemetery, at the rate of \$10.00 per hour, effective immediately”.

Supervisor Hotaling stated that it was a good point and he had thought about it himself earlier and he takes it as very constructive criticism and it is appropriate because as Councilman Conrad has pointed out, they struggle with trying to go back and determine what resolutions mean and this is a well intended clarification. He then stated that with the permission of Councilwoman Chmielewski and Councilwoman Rogers he would like to amend the resolution to include the words that Councilman Conrad had stated prior, in turn he asked for the vote with the amendment with respect to adding part-time and effective immediately.

RES. #76-04 APPOINT BINGO INSPECTOR

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

WHEREAS, the Town of Coeymans has been without the services of a Bingo Inspector since the death of Christopher Biscone,

NOW, THEREFORE, BE IT RESOVLED, that the Town Board of the Town of Coeymans does hereby appoint Donna Pasquini as Bingo Inspector for a term expiring December 31, 2004.

Discussion:

Supervisor Hotaling stated that Ms. Pasquini would be paid an annual rate of \$600.00, which is what the budget calls for.

Councilwoman Rogers asked if the resolution should state the amount.

Collectively it was decided that it did not need to be changed.

RES. #77-04 APPROVE DECEMBER 2003 ABSTRACT

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

BE IT RESOLVED, that the Town Bard, of the Town of Coeymans, does hereby approve and allow the following claims of vouchers for the December 2003 Abstract.

ABSTRACT	VOUCHER #	AMOUNT
GENERAL (A)		
Pre-Pay	635,652-653,815	\$ 5,742.82
General	702-704,728,812-813	\$ 7,400.34
	General Total	\$ 13,143.16
PART-TOWN (B)		
Pre-Pay	654	\$ 2.02
Part-Town	705	\$ 1,837.50
	Part-Town Total	\$ 1,839.52
SEWER (SS)		
Sewer	706	\$ 486.27
	Sewer Total	\$ 486.27
	Total all Funds	\$15,468.95

Discussion:

Supervisor Hotaling pointed out that this was for 2003 charges.

RES. # 78-04 APPROVE APRIL 2004 ABSTRACT

On motion of Councilman Stanton, seconded by Councilman Conrad, 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 April 2004 Abstract:

ABSTRACT	VOUCHER #	AMOUNT
GENERAL (A)		
Pre-Pay	624-651,829-841	\$220,995.95
General	707-721,723-727,729-741,743-745,747-751,805-810	\$ 15,926.63
	General Total	\$236,922.58
PART TOWN (B)		
Pre-Pay	655-666,820-824	\$ 13,534.58
Part Town	752-757,811	\$ 963.07
	Part Town Total	\$ 14,497.65
HIGHWAY (D)		
Pre-Pay	667-676,825-828	\$ 72,175.19
Highway	758-768,771-788	\$ 9,277.03
	Highway Total	\$ 81,452.22
SEWER (SS)		
Pre-Pay	677-694,814-819	\$ 23,198.80
Sewer	789-804	\$ 10,324.28
	Sewer Total	\$ 33,523.08
	Grand Total	\$366,395.53
TRUST & AGENCY	695-701,842-846	\$300,976.63
	Trust & Agency Total	\$300,976.63

Discussion:

Councilman Conrad stated that at this point they are still going through a substantial amount of money with \$366,000.00 in expenditures for a month with another \$300,000.00 in Trust & Agency and at this rate the budget will suffer at some point.

Supervisor Hotaling stated that he does agree, but also feels that it is important to note that other than pre-pays, if you look at the difference between pre-pays and discretionary spending, in General alone it was \$220,000.00 in pre-pays with only \$15,000.00 as the balance. He added that he agrees and it does need to be pared down or else they will be facing something later in the year worse than a painful payday but in some respect the impact of discretionary spending curtailment has been successful.

CORRESPONDENCE

Letter - NYS Emergency Management Office

Supervisor Hotaling stated that he received a letter dated April 6, 2004 from the NYS Emergency Management Office that talks about the possibility of requiring the Town to have to file another audit with regard to the usage of the state emergency management funds. He added that he had just gotten audits with HUD and resolved for the last three years and now NYS wants an audit, He continued by saying that he had contacted Mr. Daryl Purintan who advises that he refer NYS to the HUD audit and he believes that this would be satisfactory to them, he does not believe that OMB Circular A-133 requires the same thing to be done to the State and with the Boards permission he will follow up with Mr. Purintan's advice and contact the NYS Emergency Management Office and try to get them off the Town's "tails" with respect to an audit that would be costly and redundant.

Letter - Notice of Insurance Cancellation

Supervisor Hotaling stated that he received a Notice of Cancellation of an Insurance Policy that was received on April 16, 2004 and this policy that is being cancelled on June, 22, 2004 is a policy called Owners and Contractor's Protectorate and it is for insurance when for instance Superintendent of Highways Deering works on a Town Road that intersects or butts up to a NYS Highway, it is insurance that is required and protects NYS and its road investment. He added that Zurich Insurance Company dropped the Town in December of 2003 and the Town is now with NYMIR and because Zurich is no longer the Town's general liability carrier, they are canceling this portion as well. He concluded by saying that Mr. Reith advised him that there would be a continuity of coverage through NYMIR effective 06-22-2004.

Memo – Chief Operator Breedlove, Tanker

Supervisor Hotaling stated that there is a memo dated 04-12-04 from Chief Operator Breedlove regarding a vacuum tanker trailer that is at the Waste Water Treatment Plant and has been out of use for several years and they have put it out to bid with a minimum and the memo indicates that they should put it out to bid again without a minimum price. He then asked the Town Board what they felt about doing this.

Councilwoman Rogers stated that they could not get rid of it with a minimum bid so they might as well just throw it out there.

Supervisor Hotaling stated that there are some things that are problematic with it and it would be put out as an "as is" basis and they will not repair anything on it. He added that

it is a useful tanker but not to the Town and should be put out to bid. He then asked as liaison to that department, how Councilman Conrad felt about this.

Councilman Conrad stated that he has discussed this with Chief Operator Breedlove and it is currently at the landfill area and they would like to get it moved from there. He added that he does not want this interpreted, as they will take any bid because whether or not it is useful to the Town, it is not going to be sold for a couple hundred dollars.

Councilman Chmielewski interjected that you then would have to put a minimum bid on it.

Councilman Conrad stated that he believes that it could be structured so that when it is advertised it could state that the Town Board reserves the right to reject any and all bids.

Councilwoman Rogers asked Councilman Stanton what the prior minimum was.

Supervisor Hotaling stated that he believed it was \$4,000.00.

Councilman Stanton stated that he does not recall it being that much.

Councilman Conrad stated that it is his understanding that there are people that are interested in it and he wants it to be made clear that it is worth something to someone whether they have to advertise someplace else like a truck magazine or something of that nature and it is a vacuum tanker that is worth something.

Supervisor Hotaling asked that Councilman Conrad formulate the words for the bid advertisement in conjunction with Chief Operator Breedlove and he would not oppose any language with respect to rejecting any or all bids and he would defer to him what the value of it is.

Councilman Conrad stated that he would gladly work together with Chief Operator Breedlove to get the wording put together and with approval of the Board and at least cover the Town. He added that in his opinion the minimum bid that was placed on it was probably a reasonable one and he thinks that they should strive to get something from it especially as in need that the plant is of the funds and anything that they could raise on behalf of that would be gratefully appreciated. He concluded by saying that he would work with Chief Operator to see what they could do and it might be worth it to put an ad in one of the truck trader magazines.

Supervisor Hotaling stated that if that were the case maybe that should be done first without putting it out locally if there would be a better response from a periodical such as that.

Councilman Conrad stated that he was going to defer it to Attorney Rotello because he believes that there are certain requirements as to the bid process.

Supervisor Hotaling stated that Attorney Rotello was missing.

Chief of Police Giroux interjected that he had to leave for a family emergency.

Councilman Conrad stated that they could talk with Attorney Rotello about it because he does believe that there are some requirements as to the bid process.

Supervisor Hotaling stated that they have some time and they got the ball rolling and the agreement is to attempt to get what they can at a reasonable price and move it on.

Letter - Central Hudson, Meter Usage

Supervisor Hotaling stated that there is a letter from Central Hudson regarding an electric meter that has had zero usage on it for at least 6 month and the Town of Coeymans is paying a minimum of \$14.00 a month on it. He added that when inquiring about the location they are told that it is somewhere on Church Street between a couple of numbers and asked Councilman Conrad if he had a chance to look into it.

Councilman Conrad stated that he did and the two houses that are indicated on both sides of the street and he was unable to locate the meter number. He added that they had originally thought that it might be the old medical center but that meter number does not correspond and he did try to call and got into the touch tone system and ran out of time but he will follow up on it and try to locate the meter.

Supervisor Hotaling interjected that \$14.00 is not a bank breaker but the Town must have been getting charged as well.

Councilman Stanton stated that Central Hudson must know where it is.

Councilman Conrad stated that as he had just said he could not get through to anyone.

Supervisor Hotaling stated that according to his note Central Hudson could not give a specific address but the account has been in existence since 1992.

Councilman Stanton interjected that they should just tell them to shut it off.

Councilman Conrad stated that they could but it would be nice to know where it is and would like to know what was going on.

Councilman Stanton added that it would be interesting to see what has accrued on the meter in the last 12 years.

Councilman Conrad stated that this is where they are with it.

Supervisor Hotaling interjected that he doubted that they would give the money back.

Memo - Town Clerk Millious, Civill Senior Housing Penalty

Supervisor Hotaling stated that Town Clerk Millious has advised them that the Water Bill for Civill Senior Housing for the last billing period has been received but did not include the appropriate penalty. He then asked Town Clerk Millious if that was correct.

Town Clerk Millious stated that this was true.

Supervisor Hotaling stated that they were being asked to waive the penalty due and as Town Clerk Millious had pointed out she is not in any position to do that and presented the issue to the Town Board for their consideration and he had already expressed his opinion to the Town Clerk and his feeling is that if it is paid late the penalty is due.

Councilman Conrad interjected that he would not support the waiving of the penalty.

Councilwoman Chmielewski interjected that they could not say that they don't have to pay the penalty when Town Clerk Millious has to charge everyone else and in addition clearly stated in their letter that they know that they are late and would suggest that the Town Clerk write a letter back stating that the \$210.00 penalty is due.

Supervisor Hotaling stated that he would agree with that and collectively the Town Board responded the same. He then advised Town Clerk Millious that she has the authority to write such a letter and advise them that the Town Board has made a judgment relative to not waiving the penalty.

Letter - Albany County Legislator Peter Clouse, Resolution Passed

Supervisor Hotaling stated that he had a letter dated April 13, 2004 from Peter Clouse, the Albany County Legislator for the majority of the Town and he is also the Deputy Minority Leader and he reports that on April 12, 2004 Resolution 186 was unanimously adopted by the Albany County Legislature which would increase the funding for the bridge replacement on Old Ravena Road. He added that over the last few years there have been major detours and bridge repairs and now the south bridge is going to be torn down and replaced and he believes that there have been a couple of change orders issued that will appropriate the additional \$86,000.00 for construction support and construction services over the south bridge. He concluded by saying that Legislator Clouse was successful in the legislature in getting it moved and passed and in addition he assumes that the Town is going to be responsible for a portion of it and asked Highway Superintendent Deering if the percent was 17%.

Highway Superintendent Deering stated that it is 5% at the end.

Supervisor Hotaling stated that even though the change order went into place, about 5% is going to be on the Town's tab but still is the appropriate funding to get the project moved along this year and the Town is grateful for that.

Letter - NYS Appellate Division, Village of Ravena vs. Town of Coeymans

Supervisor Hotaling stated that he has a copy of a letter sent to the attorney representing the Town of Coeymans in the matter of the litigation between the Village and Town with regard to the annexation that has been requested by a member of the community. He added that there continues to be a gag order on those negotiations and aspects of this court process and the letter wants the Town and Village to declare their intentions on or before by May 7, 2004 with regard to going forward with the matter which has been pending in that court for approximately a year. He continued by saying that in terms of an announcement to the public the Town Board and the Village Board during a Workshop agreed to negotiations in that regard and he and the Mayor will be meeting shortly to set the ground rules for the negotiations between the Boards and they said collectively at the Workshop that there are probably going to be meetings that will

take place on a moments notice and they will not be advertised because they are litigation Executive Session type meetings, however the result of any agreement and settlement is a public decision and will be announced after the negotiations are concluded. He concluded by saying that he does not want the public to think that they are doing something in secret when in fact they will be because they are required to do it at this juncture of the process and will be stepping out in the light of the public as soon as they can and that it is the Mayor's desire as well as the Town's desire not to spend a lot of taxpayers dollars on litigation and move to the negotiating table and try to settle it.

Councilman Conrad interjected that they had discussed a 30-day extension.

Supervisor Hotaling stated that it was discussed and he's sorry that Attorney Rotello is not present and he will talk to him about contacting the attorney for the annexation in regard to making that request.

Councilman Conrad stated that he thought that it was going to be done internally to save some costs and that they were in agreement to have Attorney Rotello reach out to the court and this will save on the attorney costs for Mr. Ferlazzo and Mr. Wukitsch.

Supervisor Hotaling stated that he would check in to that.

Letter - NYS Thruway Authority, Albany Corridor Needs Assessment

Supervisor Hotaling stated that he has a letter from the New York State Thruway Authority regarding the Albany Corridor Needs Assessment and they are seeking input from the public and there is another open forum to allow the public to present their feelings on the development and what the restrictions should be for the Thruway Corridor and a encouraging neighborhood associations that are located along to corridor to give their input and the meetings will be:

Tuesday, May 11, 2004	Wednesday, May 12, 2004
Draper Middle School	Bishop Maginn High School
2070 Curry Road	99 Slingerlands Street
Schenectady, NY 12303	Albany, NY 12202
6:30-8:30PM	6:30-8:30PM

He added that there will be a formal presentation at 6:45PM and the review period has been extended to Wednesday, June 2, 2004 and the letter and information will be available at Town Hall for anyone that would like any further information on the project and its requests.

Letters - Grants

Supervisor Hotaling stated that he has received several letters regarding grants from a variety of places, Grants Administrator at the Office of Parks, Recreation and Historic Preservation, Secretary of State, Randy Daniels, and Governor Pataki relative to grant applications that are now available for filing and they all suggest attending an informational meeting in Saratoga on May 6, 2004. He continued by saying that all grants come with attachments, usually matching funds which are funds that the Town does not have and this should be kept in mind.

Letter

Supervisor Hotaling stated that this letter was not on the agenda and it was received earlier in the day and is relative to a sewer enhancement project for improvements at the Waste Water Treatment Plant in the Town of Coeymans and the final approval of all of the plans that have been ongoing for a year or more with Engineer Prendergast has been approved by an Environmental Engineer and a letter to that effect was received today saying that the project can now move forward, the final plans have been approved. He continued by saying that the hard part is going to be finding the money to start the process and it was found out that it was well intended by the previous Board to BAN some money to set aside for sewer enhancements, however as Councilwoman Chmielewski pointed out in a prior meeting that the cash on hand at the end of the year was \$94,000.00 and this is a \$685,000.00 project and there was funding in which the Town was in line to receive from the Environmental Funding Corporation through the State of New York which is an arm of DEC and a funding source creating a revolving line of credit that would allow the Town to pay the contractors and then receive reimbursement for 85% through the grant that has been approved for the \$685,000.00 project. He continued by saying that unfortunately the Environmental Funding Corporation changed their mind and their threshold and point value escalated making the Town ineligible and now the Town is looking for approximately \$300,000.00 line of credit so they can start the project process and one of the things that they need to do first is have Engineer Prendergast come to them during a Workshop Meeting and present the final project and give a time line with respect to putting it out to bid and at the same time before they hear that, they have to strategize as to how to get the funds whether it be actually going out and borrow it again, although as Councilwoman Chmielewski had pointed out, the money has been borrowed once so why go out and borrow it again. He concluded by saying that it might be their only option and to no avail they have appealed to the Funding Corporation and they have to engage the bond advisor Mr. Bernard Donegan to see if he has any recommendations to get the funds because this project is too important not to do.

Councilman Conrad interjected that the project has to be done, the Town is under a DEC Consent Order and some of that Consent Order is based on the fact that there are several things to be done and one of them is the addition of a clarifier, the correction to the old clarifiers has been done. He added that with the amount that they are talking, the net savings to the Town is going to far outweigh any costs that are going to happen with the Sewer District at this point and he believes that they move forward as soon as possible whether it is through other notes or develop a line of credit. He concluded by saying that he was making a motion to authorize the Supervisor to enter into some kind of negotiations to further secure the money in order to proceed.

Councilman Stanton stated that if they could sit down with a local bank or somewhere for as he recalled \$130,000.00.

Councilman Hotaling stated that he thinks that they should look at getting a \$300,000.00 line because this is a process by which they can submit quarterly reimbursements for the grant and he would envision that in the very active first quarter of the project, whatever contractors are going to be awarded, the bids are going to come in very aggressively and probably incur what he would believe to be approximately 50% of the cost in the first three months and then waiting the 90 day period before they can then send in the for the arduous process of getting reimbursement for 85%. He concluded by saying that

hopefully when they start it rolling, there will be a cycle and perhaps \$300,000.00 will be enough.

Councilman Conrad interjected that he believed that the total over-all was \$800,000.00.

Supervisor Hotaling interjected that he knows that the Town is responsible for 15% of that and 7.5% of that is the responsibility of the Village of which they have already submitted for engineering costs, cash money for \$50,000.00, which was used for something else.

Councilman Conrad interjected that his motion is on the floor.

Supervisor Hotaling stated that it was seconded by Councilman Stanton to authorize him to seek funding sources by initially starting out with Mr. Donegan. He then asked if it was correct.

Councilman Stanton interjected that he does not believe that there are any alternatives.

Councilwoman Chmielewski interjected that they could go to a bank.

Supervisor Hotaling stated that the friendly neighborhood bank might want to lend them money.

Councilman Conrad stated that there was one other discussion at the Joint Meeting that they had and that was looking to the Village and the Supervisor can discuss that with the Village.

Supervisor Hotaling stated that he would and that is appropriate to do and he appreciates their effort in trying to work with the Town in that regard because they know the importance of the project as well but timing is not in the Town's favor right now, they are at the point where the project is ready to go and DEC is looking for them to start it and unless the Town and Village can come together with some agreement, other funding options is there only option. He then asked for a vote of the motion authorizing him to explore other funding options.

MOTION

On motion of Councilman Conrad, seconded by Councilman Stanton, authorizing the Supervisor to seek funding sources by initially starting out with Mr. Donegan.

VOTE – AYES 5 – NAYS 0 – SO MOVED

Supervisor Hotaling stated that this was all of the correspondence that he had. Councilman Conrad interjected that there was one more item that did not get on the agenda but it is the appropriate time to bring it up. He continued by saying that he had voiced some concerns about the EMT/D Programs with the lack of \$26,000.00 that was under-budgeted last year for the 2004 year and they have received contracts to be signed at this point and the reason that he is bringing it up is that the contracts need to be signed authorizing the Supervisor to enter in to the agreements. He added that he wanted to point out that the previous administration did in fact on September 4, 2003 receive from Mr. Brian Wood who is the now Paramedic Commander, new price cost changes that was still understated by \$3,000.00 and the previous Town Board was told

that the costs would run around \$220,000.00 for the paramedic, not counting the EMT/D and they failed to put the money in the budget appropriately, they only budgeted for \$207,000.00 therefore leaving another budget crisis for them to handle. He concluded by saying that it is very hard for them try to perceive and do anything for the benefit of this year when in fact the prior Board knew full well about this last September and it is very disheartening, especially something of this magnitude and there is no way that they cannot do the Paramedic and EMT/D Program and based on the information provided it is clear cut and they have added a Paramedic Commander and Paramedic Deputy Commander amounting to what is reflected as a 11.2% increase from the 2003 Budget and there is no other choice but to authorize the Supervisor to enter into the agreement; he then made the motion.

MOTION

On motion of Councilman Conrad, seconded by Councilwoman Rogers, authorizing the Supervisor to enter in to the agreements with the Albany County Sheriff's Department for both the Paramedic and EMT/D Program.

VOTE – AYES 5 – NAYS 0 – SO MOVED

Supervisor Hotaling asked if there was any other discussion on the matter.

Councilman Conrad interjected that it amounts to a \$26,000.00 void.

Councilwoman Chmielewski asked if they had found out how many days the EMT/D would be billed.

Councilman Conrad stated that the EMT/D Contract has been negotiated for 5 days and at this point they are being billed for the 3 days that they are actually being used.

Councilwoman Chmielewski asked if maybe they should contact them and tell them that the Town only wants them for three days.

Councilman Conrad stated that he asked that question.

Councilwoman Chmielewski interjected that it should be a contract for the amounts that they should be paying instead of entering into the contract that was sent for more money.

Councilman Conrad stated that he asked the very same question because he had the same reservations about entering into the contract, however in lieu of going through all of the negotiations, in the event that they lose LaFarge or the daytime crews the EMT/D is still available at the Town's request for their services and it does not have to be renegotiated.

Supervisor Hotaling questioned to whose request.

Councilman Conrad stated that it would be at the Town's request; the Town is the agent for this. He added that he has the same reservations as Councilwoman Chmielewski but at this point he would recommend proceeding with the way that they have been done.

Supervisor Hotaling stated that there is a motion on the floor to sign both the Paramedic and EMT/D Contracts and the issue was raised by Councilwoman Chmielewski as to whether or not they should sign the EMT/D portion given the fact that it is funded for a 5 day week and Councilman Conrad's has indicated that his discussions with Mr. Wood lead him to conclude and Mr. Wood was of the same impression, that the contract would be at a maximum of 5 days a week but right now the utilization is 3 days. He concluded by saying that he would be open to either more discussion or a vote as to whether they should sign one contract or none.

Councilwoman Chmielewski stated that she would still like the contract to reflect what they owe rather than signing it for 5 days.

Councilman Conrad stated that he did not have a problem with that and would modify his motion to reflect that.

Supervisor Hotaling stated that the motion is now to sign the Paramedic portion for the \$223,000.00 and the EMT/D Contract will be further discussion with the County of Albany.

Councilwoman Chmielewski interjected that they should send a corrected contract.

Councilwoman Rogers asked for clarification on the 5 days with LaFarge.

Councilman Conrad stated that what Mr. Wood had indicated is that the reason that it was presented that way and negotiated is that it took a Legislative Act to approve that circumstance and if the Town wants to change it, the process has to be repeated to get it through the Legislature for approval.

Councilwoman Chmielewski interjected that they can't say this year that they want to add more days anyway because the Town cannot afford to do it.

Ms. Starr Ross from the audience interjected that she would suggest going for a 6 month contract and have it be from January to June appropriate for what is actually being used because if something happens in October and there is a shortage of EMT's and there is no coverage for the Town, the County can be called and advised that there is no coverage and they will send someone. She added that if it is changed to 3 days the Town will not have the assistance and the Town will suffer because it is a bit of an insurance having it for the 5 days although it is awkward for the bookkeeping but they might be able to renegotiate and have a 6 month contract so that at the end of 6 months the Town is only paying for the amount used instead of on an annual basis.

Supervisor Hotaling stated that he appreciates the input and he thinks that it is good advice but the key to the answer to the question will be their discussion and understanding with Mr. Wood.

Councilman Conrad interjected that he wanted to point out that in order to change it, it is not even Mr. Wood that gets to do this, and it is resolution #74 of 2004 that the Legislature passed.

Councilwoman Chmielewski stated that it goes before the County Legislature.

Councilman Conrad stated that this is the reason that he is making his recommendation at this point understanding full well that it is their intention not to use 5 days a week but he still is of the understanding that it is their discretion whether or not to do that and this is his understanding at this point with Mr. Wood.

Supervisor Hotaling stated that it is his recommendation to pull that out as Councilman Conrad suggests but not necessarily seek a new contract but to go and get some addendum that understands that the Town only pays for what they use.

Councilman Conrad interjected that it would be a Memorandum of Understanding.

Supervisor Hotaling stated that it would be a Memorandum of Understanding that comes as a result of the agreement and would clearly state that the Town only pays for what they use which also protects the position that come October if there is a need and at least there is the opportunity to go and seek the other one or two days a week.

Ms. Starr Ross stated that if it was just one day that they did not cover, it could be a crucial day for an individual of our Town.

Supervisor Hotaling stated that he understands and continued by saying that there was a motion on the floor for both, there was a second from Councilwoman Rogers for both, Councilwoman Chmielewski input the issue of the EMT/D, Councilman Conrad agreed to exclude the EMT/D from the motion. He continued by asking Councilwoman Rogers if she agreed to exclude the EMT/D at this juncture and only vote on the paramedics.

Councilwoman Rogers agreed to do this at this point.

Supervisor Hotaling stated that as amended the motion is for paramedic coverage for \$223,000.00 and to permit him to sign that contract and then to seek a Memo of Understanding to clarify the issue raised by Councilwoman Chmielewski. He then asked for the vote.

VOTE – AYES 5 – NAYS 0 – SO MOVED

TOWN BOARD WORKSHOPS

Supervisor Hotaling announced the following Workshop

April 27, 2004 Jennifer VanAlstyne – Bike Trail for Joralemon Park
Drug Testing Policy for the Town of Coeymans

Supervisor Hotaling then asked if any members of the Board had any closing comments before they adjourned, hearing none he asked for a motion to adjourn the meeting to Executive Session to discuss a personnel matter related to the Police Department.

ADJOURNMENT

On motion of Councilman Stanton, seconded by Councilman Conrad to adjourn to Executive Session for a personnel matter.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Supervisor Hotaling interjected that there would be no decisions made relative to matters in Executive Session but would be returning to adjourn the meeting.

Time 9:12PM

RECONVENE THE MEETING

Supervisor Hotaling called the meeting back to order at 10:17PM and asked for a motion to adjourn.

MOTION

On motion of councilman Conrad, seconded by Councilwoman Chmielewski, the meeting was adjourned.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time 10:20PM

Respectfully Submitted,

APPROVED:

Diane L. Millious, Town Clerk

A Regular Town Board Meeting was held Monday, April 12, 2004 at 7:00 PM at Town Hall, 18 Russell Avenue, Ravena, New York,

PRESENT: Frank D. Stanton, Councilman
Dawn Rogers, Councilwoman
Nita J. Chmielewski, Councilwoman
Laverne H. Conrad, Councilman

ABSENT: Ronald K. Hotaling, Jr., Supervisor

ALSO PRESENT: Diane Millious, Town Clerk
Joseph Rotello, Town Attorney
Scott Giroux, Chief of Police
Albert Deering, Highway Superintendent

Councilwoman Chmielewski opened the meeting and led the Pledge of Allegiance

Councilwoman Chmielewski asked that Councilman Conrad read the following resolution.

RESOLUTION TO CHAIR MEETING

RES. #66-04 DESIGNATE BOARD MEMBER TO CHAIR MEETING

On motion of Councilman Conrad, seconded by Councilman Stanton, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Hotaling)

WHEREAS, the Town Supervisor is unable to attend and preside over the town Board meeting of April 12, 2004, and

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 Nita J. Chmielewski to preside over the Town Board meeting of April 12, 2004.

OVERVIEW OF AGENDA

Councilwoman Chmielewski stated that she would give an overview of the agenda for the meeting.

- • Public Comment Period
- • Approval of Minutes of Meeting
 - Town Board Meeting February 09, 2004
 - Town Board Meeting February 23, 2004
 - Town Board Workshop March 02, 2004
 - Town Board Workshop March 09, 2004
 - Town Board Workshop March 23, 2004
 - Bid Opening March 25, 2004
- • Department Report Review
 - Building Department – March 2004
- • Bid Opening
 - 1989 One-Ton Truck
- • Old Business Update and Discussion
 - Animal Control Officer – Replacement Status
 - Bingo Inspector – Replacement Status
 - Update – Modification of DEC Estuary Grant
- • New Business Topics for Discussion and/or Action
 - Police Department Resignations
 - Establish a Joint Meeting with the Village Board on 04-20-04
 - Consideration of Contractual Agreement with AMTEK
 - Hudson River Valley Greenway – Public Input
 - Onesquethaw/Coeymans Creek Watershed Presentation
 - Rentals with Blue Diamond
 - Evenings on the Green
 - Budgetary Revisions
- • Resolutions
 - Emergency Management Committee
 - Highway School for Highway Superintendent
 - Town Clerk & Deputy Clerk School
 - Establish Special Town Board Workshop – April 27, 2004
 - Sewer Rate Amendment
- • Correspondence
 - Albany County Sheriff – FEMA Publication
 - NYS Municipalities Safety Group 497
- • Town Board Workshops
 - April 27, 2004
 - Jennifer VanAlstyne – Bike Trail for Joralemon Park
 - Brian Kreis, RCS Business Administrator – Budget & Referendum
 - Drug Testing Policy for Town of Coeymans

PUBLIC COMMENT

Councilwoman Chmielewski invited the public to make comment at this time; she asked that anyone wishing to do so should go to the microphone.

Mr. Richard Stevens, Staff Director for Council 82 – thanked the Town Board for giving them the opportunity to address the Board, he continued by saying that he wanted to

address the proposed cuts of the Town of Coeymans Police Department Budget including Police and Dispatch positions. He voiced his concern that the cuts in the services being proposed will have a detrimental impact on both the ability of the department to function effectively and will have an impact on the citizens of Coeymans and on the Town's school children. He continued by saying that the proposal is for the elimination of the Detective Office and the abolishment of the School Resource Officer position along with the diminishment of staffing levels for dispatch services, the Police Department currently has one full-time detective not counting the SRO and two part-time detectives and in 2003 there were 1,316 cases handled by the Police Department, 158 of them required the services of the Detective Office and if the proposal goes through to eliminate the Detective Office this work will have to be done by the patrol officers which will hamper the ability for them to do their job effectively for the people of Coeymans. He continued by saying that he hopes that the Town Board will consider the impact that their vote on this issue will have on the ability of the Police Department to carry out the mission of the Department and to protect the people of Coeymans, the amount of money saved on eliminating the Detective Office cannot compare to the value of the vital public function that this office provides for the public. He added that the dispatchers will be curtailed by limiting the number available during their busiest times and the elimination of the SRO sends a terrible message to the school children and their parents and by voting to eliminate the position they will in essence be saying that a program that teaches our school children about drugs and violence is not important or necessary in their education. He concluded by saying that he hopes that the Town Board takes the time to consider the ramifications of the department cuts on the ability of the Coeymans Police Department to function effectively and the police have a proud history of protecting the public and educating the young people and this should not be thrown away without a serious debate of the choice before them. He added that having a single dispatcher will put at risk citizens throughout the Town when that single dispatcher is answering a call and will not be able to answer a second call and the second call may be an emergency and eliminating a second dispatcher during the busiest time is a misguided determination.

Mr. Gerald DeLuca – stated that he is a resident on the Town in addition to being a Police Officer for the Village and is present to comment on what is being proposed for the Police Department. He continued by stating that he was going to ask a rhetorical question and asked which of the Town Board members are experts in police matters and then stated that it was none of them. He went on to ask that when the decision was made that money had to be cut, why wasn't the Chief of Police asked for his opinion or given the opportunity to determine how the budget should be reduced; if it had to be reduced, why didn't they turn to the Chief, who is the expert, and ask him how to reduce the budget, tell him how much the budget had to be reduced instead of the Town Board that does not have the expertise in police matters determining that the Detective Office should be cut without knowing the impact and as previously stated, a number of significant cases have been resolved and people have been arrested and the citizens of the community have been protected because of the existence of a Detective Bureau and when this is eliminated without consulting the Chief they are putting the community at risk. He added that he does not believe that it is their intention but it is the impact of what they are doing. He continued by saying that he wanted to comment of the elimination of the SRO and he has a concern that no one picked up the telephone and spoke with the Superintendent of Schools and said the position was being eliminated, there was no communication and he believes that it was unprofessional in the way it was handled, if it was necessary to make the reduction at least ask the school before it is eliminated. He

continued by saying that having worked police matters and in being a part-time detective for the Town for a number of years, the need to have someone to follow-up on criminal matters after the patrol handles it is essential, you cannot solve crimes by leaving it solely up to Patrol Officers. He concluded by saying that without expertise and just making decisions on budgetary matters is inappropriate.

Mr. Lazlo Polyak – stated that he cannot say things anymore eloquently than the gentleman from Council 82 and would like the Town Board to research the proposed cuts and possibly as Mr. DeLuca had mentioned, they could discuss alternatives with the Chief of Police because the Town does need detectives in the field. He added that in addition he wanted to know if the Town Board had come up with any alternatives and if they have discussed the proposed cuts with the Sheriff's Department or State Police in how these roles will be filled if the positions are cut. He asked the Town Board if they had, yes or no.

Councilwoman Chmielewski stated that the Town Board is not answering questions at this time; they are listening to comments and will get into it more when they discuss the rest of the budget.

Mr. Polyak stated that these are the questions that should be in their heads. He added that education and if you can catch kids as they are coming up through the school, the first police contact is the SRO, these kids will grow up not hating the police and know they are not the bad guys, they are good and they are there to protect them and this is very valuable. He continued by saying that as far as the other oppositions, if there are alternatives, such as the dispatchers, as stated, if there is one emergency call that is being handled and another call comes in, what will the turn-around time be for that and will it be rerouted through the 911 system which will take 5-6 minutes, it is only 45 minutes before someone is brain dead and the police are usually the first on the scene who could administer CPR while waiting for other emergency personnel. He added by saying that this should have been done more out in the open and the Police Chief should have been consulted as he is being paid roughly \$67,000.00 between the two communities and part of his job is administrative duties and he should have been asked for his recommendations. He concluded by saying that for any community, one of the first things that you have to do is have a good Police Department, if you want to invite people to move here you have to show them that you have a responsible Rescue squad, Fire Department and Police Department and he would like for the Town Board to reconsider some of the cuts that are being made because the Town of Coeymans is a great place to live.

Mr. Kevin Reilly – stated that he is the Village Justice and is there to talk about the cutting of the SRO; he continued by saying that he had been Village Justice for less than a week and was called on a case from the high school about a young individual. He continued by saying that he was very pleased when the SRO position was added and there is one SRO that handles all of the schools of the district, the Town of Bethlehem is a lot larger and has 5 SRO's, the Town of Knox has 1 and they are smaller than the Town of Coeymans. He added that there have been arguments for years as far as who can use the Village Pool and it is \$20,000.00 here and \$20,000.00 there, this is for the safety of our children who are the future and this is a serious matter. He added that just in the dealings that he has had in one week, he got invaluable information from the SRO and that information would not have been available if an officer goes in off the streets to handle a situation, he has no intermingling with these children and does not know

anything about them, the SRO Officer is there all the time, just the presence. He concluded by asking that the Town Board consider other alternatives because the children are our future and have to be protected.

Ms. Rebecca Rosario – stated that she is a resident of the Town of Coeymans and had met prior with the Town Board and believed that she was going to be on the agenda. She continued by saying that on March 30th she had come to a Workshop to discuss a Fun Day that the Coeymans and New Baltimore Fire Companies wished to hold in August and after a lengthy discussion she was told to come to tonight's meeting to find out if the Town Board was going to give the Fire Company permission to use the Riverfront Park, in turn she was contacted and told that there were too many things on the agenda and they would have to wait until the April 26th meeting for a Board decision. She went on to say that she is there as a member of the Fun Day Committee and also as a resident of the Town of Coeymans and would like to say that she hopes that the decision that the Town Board makes is strictly for the benefit of the Town and has nothing personal against the Coeymans Fire Company because she recently attended a fund raiser for a neighboring fire company and while waiting in line to be seated she overheard a Council Member standing in line in front of her and stated that if it is the Town Board's decision for the parade, no Fun Day will be held because all the Coeymans Fire Company ever does is beg; she added that a comment like this would lead her to believe that this member is addressing this matter in a bias manner and could not possibly make a decision strictly based on the benefit of the Town and if this parade is for the benefit of two fire companies and two ladies auxiliaries and personally speaking on the auxiliary side, all the begging that they do is to adopt a needy family each year for Christmas, send money to the Albany County Burn Fund Association and support their men at three o'clock in the morning when they are volunteering their time to save a life and if this is considered begging, it is a poor choice of words, she believes that it is supporting the community.

Mr. Steven Mantor – stated that he is a resident of Coeymans Hollow and has lived there most of his life and the previous speakers have very eloquently presented a number of the issues that he wanted to address. He continued by saying that he wanted to speak on behalf of the Detective Bureau and SRO, and decisions about Police Department cuts should not be made outside of the Police Department, they should be given the amount of cuts that have to be made and then they can figure out where cuts can be made, to make cuts without realizing the effects is not a good idea. He added that one of the things that has not been mentioned is the Fire Investigation Team that comes under the Detective Bureau and is valuable function not only the Town of Coeymans but also to the fire companies because many crimes have gone undetected and they will not be able to live up to the reporting obligations. He concluded by saying that the cuts in emergency services should not be the first one with their "necks on a chopping block" and why is it not left to those that can manage it, police services is one of the most important things in a community.

Councilwoman Chmielewski asked if anyone else wished to speak, hearing none she moved to the next agenda item.

APPROVAL OF MINUTES

Councilwoman Chmielewski asked if the Town Board wished to do each meeting separate.

Councilman Conrad stated that he did.

Town Board Meeting - 02-09-04

MOTION

On motion of Councilman Conrad, seconded by Councilman Stanton, the 02-09-04 Minutes were approved with amendments as discussed.

VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Hotaling)

Discussion – Councilman Conrad stated that the 02-09-04 Meeting states Town Board Workshop and it should be Town Board Meeting.

Councilwoman Chmielewski stated that this was already addressed and changed by the Town Clerk.

Councilman Conrad stated that there were minor wording changes on page 5.

Councilwoman Chmielewski asked for a vote adding the amendments.

Town Board Meeting - 02-23-04

MOTION

On motion of Councilman Conrad, seconded by Councilwoman Rogers, the 02-23-04 Minutes were accepted as presented.

VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Hotaling)

Town Board Workshop - 03-02-04

MOTION

On motion of Councilman Conrad, seconded by Councilwoman Rogers, the 03-02-04 Minutes were accepted as presented.

VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Hotaling)

Town Board Workshop - 03-09-04

On motion of Councilman Conrad, seconded by Councilman Stanton, the 03-09-04 Minutes were accepted as presented.

VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Hotaling)

Town Board Workshop - 03-23-04

MOTION

On motion of Councilman Conrad, seconded by Councilwoman Rogers, the 03-23-04 Minutes were accepted as presented.

VOTE – AYES 3 – NAYS 0 – ABSTAIN 1 – ABSENT 1 (Hotaling)

Bid Opening 03-25-04

MOTION

On motion of Councilman Conrad, seconded by Councilman Stanton, the 03-25-04 Bid Opening Minutes were accepted as presented.

VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Hotaling)

DEPARTMENT REPORTS

Building Department

Councilwoman Chmielewski asked that Councilman Conrad present the report.

Councilman Conrad stated that Building Inspector Downes has presented them with the month of March Building Report which shows that \$1,150.00 has been obtained for Building Permits for various items bringing today's total to \$226,095.00 worth of estimated costs which will be reflected in the Town's assessments.

Councilwoman Chmielewski stated that she wanted to note that it was nice to see that the burned barn in Coeymans Hollow was being cleaned up.

BID OPENING

Councilwoman Chmielewski reported that there were no bids for the 1989 one-ton truck and asked Highway Superintendent Deering if he had any suggestions as to what should be done with the truck.

Highway Superintendent Deering stated that no one bid on it and his suggestion to the Board would be to get rid of it.

Councilwoman Chmielewski asked how this is done.

Highway Superintendent Deering stated that you would take it to a junkyard.

Councilman Conrad interjected that he has already spoken with Mr. Trickey about cleaning up the junk cars at the landfill and he without question took care of the problem and he would recommend that he be given the opportunity to take the vehicle.

Councilwoman Chmielewski asked if that was all right with him.

Highway Superintendent Deering stated that was fine with him.

Councilwoman Chmielewski then asked Highway Superintendent Deering if he would give Mr. Trickey a call.

Highway Superintendent Deering agreed to do so.

OLD BUSINESS – UPDATE & DISCUSSION

Animal Control Officer

Councilwoman Chmielewski asked Chief of Police Giroux if anyone had applied for the position.

Chief of Police Giroux stated that he had received one application prior to the advertisement in the newspaper and he will be ready to make a recommendation as soon as the Town Board is ready and it is ready to go.

Councilwoman Chmielewski asked that it be done at the next Town Board Meeting.

Bingo Inspector

Councilwoman Chmielewski stated that the Supervisor's Office had put an ad in the newspaper for a Bingo Inspector and they have received two applications thus far, there is one more person that may be interested and they will keep the application open for the next two weeks. She added that if there is anyone 21 or older that is interested in applying, they should pick up an application at the Supervisor's Office and this position will probably be appointed at the next Town Board Meeting on the 26th.

Update – Modification of DEC Estuary Grant

Councilwoman Chmielewski stated that Supervisor Hotaling had called and discussed trying to get the grant altered to include funding for the railing that needs to be installed at the Riverfront. She added that he had spoken with Ms. Lorie King and she suggested that he speak with another person, that person was not in and he did not leave a message because he was leaving for vacation and will follow this up when he returns from vacation.

NEW BUSINESS – TOPICS FOR DISCUSSION AND/OR ACTION

Police Department Resignations

Councilwoman Chmielewski stated that there were two resignations in the Police Department and proceeded to read them.

To: Chief Giroux
From: Officer Jeffrey Margan
Date: 4/01/04
Subject: Resignation

I am advising you that on 05/01/04 I will be resigning from my full-time position as Police Officer of the Town of Coeymans Police Department.

Councilwoman Chmielewski asked for a motion to accept the resignation.

MOTION

On motion of Councilman Stanton, seconded by Councilman Conrad, the resignation of full-time Police Officer Jeffrey Margan was accepted.

VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Hotaling)

Date: April 2, 2004
To: Chief Giroux
From: Officer James Cross
Subject: Resignation

Chief as we spoke about before, my application was accepted for the Town of Bethlehem Police Department and effective April 10, 2004 I will be sworn in. Please accept my resignation to be effective at the end of my shift on the 17th. I would also like to thank you for the great opportunity that you afforded me here in the Town of Coeymans.

MOTION

On motion of Councilman Stanton, seconded by Councilwoman Rogers, the resignation of full-time Police Officer James Cross was accepted.

VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Hotaling)

Establishment of Joint Meeting with Village of Ravena Board

Councilwoman Chmielewski stated that Supervisor Hotaling had written a letter to Mayor Bruno about a Joint Meeting between the boards and the meeting will take place April 20, 2004, some of the topics that Supervisor Hotaling had recommended were: Town use of Mosher Park Pool, Sewer Plant Operations, Sewer Commission Representation, Water Rent Collection for Town Residents - Review of Contract, Summer Programs Cooperation and Coordination, Future of Town and Village Police Forces.

Councilwoman Chmielewski stated that Mayor Bruno had called and asked if the annexation could also be discussed and this will now be added to the agenda. She added that the Village has placed an ad in the paper for the Joint Meeting but they also have to have a motion to do this.

Councilman Conrad asked if the recent speed limit changes on Rte. 9W could be added to the agenda as well.

Councilwoman Chmielewski stated that she would ask Mayor Bruno and asked for a motion for the Town Clerk to advertise for a Joint Meeting between the Village and Town Boards on April 20, 2004 and will follow the Village Board Meeting at approximately 7:30pm and will be held at Village Hall.

MOTION

On motion of Councilman Conrad, seconded by Councilwoman Rogers, directing the Town Clerk to establish notice for a Joint Meeting between the Village and Town Boards on April 20, 2004 at approximately 7:30pm to discuss the items previously mentioned.

VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Hotaling)

Consideration of Contractual Agreement with AMTEK

Councilwoman Chmielewski asked if everyone had gotten a copy of the AMTEK Agreement.

Collectively it was decided that no one had it.

Councilman Conrad stated that he would like to look into some issues and suggested that it be discussed at the next Workshop Meeting in order to have it resolved by the next Town Board Meeting.

Councilwoman Chmielewski stated that the Town Board Meeting is on the 26th and the Workshop is on the 27th and that she will get a copy to everyone and should be able to discuss it by the Town Board Meeting on the 26th and suggested that if changes are desired, they should get in touch with Supervisor Hotaling prior to the meeting.

Hudson River Valley Greenway

Councilwoman Chmielewski stated that Mr. Richard Harris had come and spoken to the Town Board about the Town being included in the Hudson River Valley Greenway and asked that Councilman Conrad give an update.

Councilman Conrad stated that the Hudson River Valley Greenway, within the past few months, has petitioned the Town to come and present their program to the Town and he knows that many have heard a lot of different things about the Greenway and some of the demanding things that go along with it like the Adirondack Park Agency where rules and regulations have been implemented as a result of these type of things being adopted by a community. He added that they addressed most of those issues with Mr. Harris who is the Senior Planner and he has assured the Town Board that this issue can be terminated as quickly as it is undertaken and the Town is under no obligation. He continued by saying that the Greenway provides some grant money for planning and zoning type issues. He added that Mr. Harris left copy of a map of the Greenway communities and the only ones that do not participate are Coeymans, New Baltimore, Coxsackie and several other communities on the other side of the river, for the most part the communities on the eastern side of the river have opted into the program. He concluded by saying that there are small grants that are awarded through the Greenway and the one thing that they do provide is the professional services of planners and it looks to be a valuable service that could be useful to the Town of Coeymans and he would support passing a resolution to adopt the program.

Councilwoman Chmielewski stated Supervisor Hotaling had asked that if anyone had any suggestions to please contact his office between now and April 29, 2004, which is the next meeting, and the resolution will be on the agenda.

Councilman Stanton asked if Mr. Harris had indicated during his presentation why the Town of Coeymans should be a member of the Greenway and what benefit will it be to the Town of Coeymans.

Councilman Conrad stated that as he just explained there are benefits of planning and some small grants available that can help communities in need such as updating zoning

maps which the Town is currently going through and it is going to cost approximately \$2,500.00, they will also help with what to look for through their planning services because municipal planning is their jobs.

Onesquethaw-Coeymans Creek Watershed

Councilwoman Chmielewski stated that there was a presentation at the last Workshop regarding the Onesquethaw-Coeymans Creek Watershed and asked that Councilman Stanton give an update.

Councilman Stanton reported that Ms. Nancy Heinzen gave a presentation and left applications for anyone that would like to join. He continued by saying that the Onesquethaw Creek starts in the Helderberg Mountains at Helderberg Lake and ends in the Town of Coeymans. He added that the main reason why she came is the concern with storm water runoff, they are worried about sewer wastewater and things such as pesticides used on lawns because the creek also supplies water to the Vly Creek Reservoir and it is popular to hikers and many people fish in the creek. He concluded by saying that it is a very important natural resource in southern Albany County.

Blue Diamond Rentals

Councilwoman Chmielewski stated that this agenda items concerns port-a-potty rentals that have to be placed at Joralemon Park and Coeymans Landing and they found that last year there were as follows:

Coeymans Landing (Riverfront)

Regular Unit - \$70 monthly + \$7 w/sanitizing gel dispenser =	\$ 77.00
Handicap Unit - \$140 monthly (dispenser included) =	\$140.00
Last Year: April 28-October 29	

Joralemon Park

Regular Unit - \$70 monthly (did not get dispenser last year)=	\$ 70.00
Last Year: May 23 – October 29	

Discussion ensued regarding whether or not there was a handicapped unit at Joralemon Park, it was not concluded what there was for last year.

Councilwoman Chmielewski asked for a resolution to have Blue Diamond place a regular unit in addition to a handicapped unit at Coeymans Landing and Joralemon Park.

MOTION

On motion of Councilman Conrad, seconded by Councilman Stanton, authorizing the Supervisor to proceed with the agreement with Blue Diamond Septic to place the port-a-potty units at Coeymans Landing and Joralemon Park.

VOTE – AYES 3 – NAYS 0 – ABSENT 1 (Hotaling)

Evenings on the Green

Councilwoman Chmielewski asked that Councilwoman Rogers give an update on the Evenings on the Green for the summer months.

Councilwoman Rogers stated that Mr. Tom Dolan and Mr. George DeFlumer have set up the Thursday evenings, Evenings on the Green starting on July 8, 2004 as follows:

07-08-04	DJ	Nancy & Rich	7:00pm-9:00pm
07-15-04	Band	Ralph Barger	7:00pm-9:00pm
07-22-04	DJ	K. Richards	7:00pm-9:00pm
07-29-04	Band	Mark Giammattei	7:00pm-9:00pm
08-05-04	DJ	Rusty Riley	7:00pm-9:00pm
08-12-04	Band	Folding Sky	7:00pm-9:00pm
08-19-04	DJ	Lou Roberts	7:00pm-9:00pm
08-26-04	Band	Frank Novko	7:00pm-9:00pm

Councilwoman Chmielewski stated that Mr. Tucker should get a copy of the schedule to put in the newspaper and asked Councilwoman Rogers what was done last year.

Councilwoman Rogers stated that she had nothing to do with it last year.

Councilwoman Chmielewski asked Town Clerk Millious if she recalled.

Town Clerk Millious stated that she believes that the Supervisor's Office had put it in the paper along with a schedule for the Summer Program.

Councilwoman Chmielewski stated that she would make a note to have the Supervisor's Office make sure that it gets in the paper.

Budgetary Revisions

Councilwoman stated that she is sure that this agenda item is why everyone is present and Supervisor Hotaling is not present because he is on a vacation that had been planned for a long time and he left something with her that he wanted read. She continued by reading as follows:

I am sorry I could not be with my colleagues this evening. Some members of my family are joining Joyce and me for a few days away and plans were made far in advance of this meeting date. However, I wanted to leave a message to be read for those present or watching at home.

You have heard much about the uncertainties of the town's fiscal status. I am not going to dwell on it now. I do want to say that local governments in general, and ours in particular, are facing enormous challenges, due in large part to the domino effect of the mandates of federal, state and county governments. We in local government must be ever mindful of the burden placed upon the property taxpayers when decisions are made.

Tonight, the Board will discuss and begin to make decisions on reductions in spending in the Town of Coeymans. They will not be decisions that any of us enjoy, but are decisions necessary to achieve the savings that will help us manage the budget for 2004. Reductions in personnel, equipment and programs will be discussed and determined. Redeployment of some remaining staff will help insure that services to the community will be maintained at a level consistent with the needs of the community. As a Board, we are committed to that premise.

I am proud of our community and its people. I am grateful for a hard working Board who understands the role government must play in today's challenging environment. I trust the community will have a similar sense of understanding as we travel this bumpy road together.

Ronald K. Hotaling, Jr.
Supervisor

Police Department Revisions

Councilwoman Chmielewski stated that she wanted to address those who spoke earlier and said that the Town Board should let the Chief of Police do the cuts, the Chief was included in discussions and this has been going on for a while, it did not just happen this week. She added that the Chief was also included in discussions concerning the dispatchers and he did make some suggestions.

Chief of Police Giroux concurred that he was present for the discussions and did make suggestions.

Councilwoman Chmielewski asked Chief of Police Giroux if he had a preference as to if he wanted to hear the Town Board first or if he wanted to speak first.

Chief of Police Giroux stated that he could tell them what his understanding is in terms of the Town Board's direction to him as to what to do, he added that he wanted to state that as an employee of the Town his mission is to ultimately do what the Town Board's desires are which are not necessarily the same as his and he would read a list that was his direction from the Town Board as he understands it and the changes have either become effective or will be effective in the very near future. He read as follows:

- • Full-time Detective position will be eliminated.
- • School Resource Officer will be eliminated.
- • Full-time Police Officer will not be replaced.
- • Increased restrictions on overtime have been implemented.
- • The remaining police and communication staff is being redeployed to reduced schedules.
- • The Tahoe received on a grant will be returned and the lease amount is not going to be renewed

Chief Giroux reiterated that these are the items that he has been directed to implement.

Councilwoman Chmielewski stated that Mr. DeLuca stated earlier that the School Resource Officer was not notified and questioned Chief Giroux if this was true and that she thought he had spoken with Ms. Vicki Wright.

Chief Giroux stated that he had notified the school what the desire of the Town Board was and that he believes what Mr. DeLuca was referring to the fact that the Town Board had not taken the opportunity to discuss some alternatives with what the school might be able to do.

Councilwoman Chmielewski stated that this was the best time to let the School Board know because this is the time of year when they are formulating their budget for next year and they could have included the SRO Officer.

Councilman Conrad stated that there are still some things lacking and stated that the overtime was limited because of the fact that overtime is the most dangerous items with budgets that create the biggest amount of hazard and currently to date with seven payrolls past the Police Department has used in excess of \$18,000.00 and this is the reason for it being limited.

Chief Giroux asked if he might comment.

Councilman Conrad asked that he be able to finish and continued by saying that the other situation that was missed is that the four-wheelers were to be used for emergency use only and this was another one of the their directives.

Chief Giroux interjected that he included that on the overtime.

Councilman Conrad continued by saying that the situation with the SRO is that it was his understanding with the rest of the Town Board that Chief Giroux would notify Ms. Wright of the Town Board's intentions, because it is not official until the Board votes on it, that there was a possibility that the SRO position would be eliminated after June in order for them to think this over, in addition it was mentioned that if the School Board was interested in keeping the SRO Officer, that they consider working out something with the Town or entering into discussion with the Town to keep the SRO through their budgetary means of supplying more than \$13,500.00 that they have done this year, which was the first year. He continued by saying that this project originally started out with grant money, which did not cost the taxpayers any money, currently the position is in the budget for \$34,000.00 and with that in mind \$13,500.00 in return is a very small portion back to the benefit of the taxpayers especially noting that the School District is comprised of four towns, New Baltimore, Coeymans New Scotland and Bethlehem, having a much bigger "pocketbook" than Coeymans. He added that if this seriously is that much of a need, then maybe something can be worked out such as finding an SRO for less than \$40,000.00, possibly in the \$25,000.00 a year range and then would gladly enter into negotiation with the School District.

Councilman Conrad continued by saying with the elimination of the full-time Detective Unit, this would help in assisting Officers to make patrols and help out in areas where other Officers are leaving from and it was discussed with Chief Giroux that he would be able to keep his part-time Detectives and still use the primary Officers that are already noted as Detectives in a part-time situation when necessary. He concluded that these were his recollection of the discussions and he's not sure that this is what was portrayed to Chief Giroux and asked that the Town Board comment on that.

Chief Giroux stated in reference to the current status of the payroll as a result of the payroll already paid, in the first five payrolls according to his records, a combination of police and communications is nearly \$5,000.00 behind the budgeted pace and he brought those numbers up at the meetings. He added that in reference to the SRO, his direction was to contact the Superintendent and advise her that the desire of the Town Board was that at the end of this school year, the SRO Program would be eliminated unless the School Board agreed fully to adopt the salary and benefit, which he did subsequent to meeting with the Town Board.

Councilwoman Chmielewski asked Chief Giroux if he had heard anything back from the Superintendent of Schools.

Chief Giroux stated that he has not heard directly but he did hear that as a result of the last School Board Meeting the discussion was held and they will not be able to fund that job at all.

Councilwoman Chmielewski stated that the School Board is coming to the next Workshop Meeting on the 27th to give a presentation of their budget and maybe they will have some suggestions then.

Councilwoman Chmielewski continued by saying that the Union President, Greg Darlington was also notified by the Chief and also had discussions with Supervisor Hotaling and Councilman Conrad.

Officer Darlington stated that they did not discuss this.

Councilwoman Chmielewski asked if he had any discussions concerning the Police Department.

Officer Darlington replied that the intentions of the cuts were not discussed.

Councilman Conrad interjected that the discussion about the cuts were only discussed with the Chief.

Councilwoman Chmielewski stated that Mr. Darlington was made aware of the cuts by his discussion with the Chief and then asked if there were any further comments.

Mr. Kevin Reilly – stated that he was there as a Town taxpayer and a Village Justice and then asked if anyone from the Town Board had set down with anyone from the School Board.

Councilwoman Chmielewski stated that as she had just said, the Chief had notified the Superintendent.

Mr. Reilly asked if there was anyone other than the Chief.

Councilwoman Chmielewski stated that the Chief was going to do that and added that it was not a question and answer period, however he could make comments.

Mr. Reilly stated that the school was paying \$13,000.00 and the Town was paying approximately \$23,000.00 and then asked how much was budgeted for the Evenings on the Green.

Councilwoman Chmielewski stated that it is \$300.00 for each evening.

Mr. Reilly stated that there alone is it \$2,400.00 and he has a problem with that because Evenings on the Green seem more important than the children's protection and there are other places within the Town Budget where money could be found for something as near and dear as protection.

Councilwoman Chmielewski stated that they have done that and there is still a lot that has to be discussed in the meeting.

Mr. Reilly then asked if anyone had talked with the other Towns such as New Baltimore to try to negotiate something.

Councilman Conrad stated that until a decision is formally rendered, for them to enter into any kind of negotiations is precluded, after this evening when a decision is rendered they will be able to discuss with the School Board and the other towns other options as he had tried to make clear earlier. He added that he does not believe that anyone relishes all of the cuts and there may be other things that can be done, in the budget there is \$40,000.00 for this position and not every Officer is making that amount, with overtime it goes over that amount and not all of the time is spent for SRO and those items he wants to make perfectly clear. He continued by saying that the Town Board is looking for money everywhere in the budget and some things need to be cut and fair to the taxpayers. He concluded by saying that he knows that the school is going through some growing pains and is looking for money as well and taxes are going up and the one thing that they hear is that the taxpayers are sick and tired of increases in taxes and sometimes it is hard to find cuts when there are budgets as big as \$1,000,000.00 in Police and Highway, those are the most drastic areas.

Mr. Reilly stated that he wanted to clarify that if a decision was made to eliminate the SRO, he wants to understand that it does not mean that it is it and there will still be negotiations with surrounding town and the School Board. He then asked if this was correct.

Councilman Conrad stated that those objectives have been entertained

Mr. Reilly stated that he would personally like to pay more tax for an SRO than to spend money on Evenings on the Green and do away with the SRO.

Town Attorney Rotello interjected that for clarification he wanted to make sure that everyone understands that discussion regarding changes that the Town Board are trying to implement are for this budget year and not necessarily to carry-over in future budgets.

Councilwoman Chmielewski agreed and continued by saying that there have been other cuts, the Assessor's Office Clerk has been cut to 17 ½ hours, the Bookkeepers in the Supervisor's Office are part-time and there are no benefits as well as the Confidential Secretary not having benefits. She added that she had spoken with most of the departments and asked if any cuts could be made in their contractual and everyone was

very considerate and knows what the Town Board is facing and continued by reading the following:

Expenditure	Expended	Budget	Difference
Judgments	\$23,402.50	\$20,000.00	\$ 3,402.50
20-yr Retirement for Police	\$23,000.00	\$ -0-	\$23,000.00
Tahoe	\$19,000.00	\$ -0-	\$19,000.00
EMT & Paramedics	\$260,498.91	\$233,246.00	\$27,252.91

Furnace Highway and Highway Roof – Not in budget.

Extra Elections – Not in budget.

Grove Cemetery – Extra expense.

Justice Court – Revenue but no expenditure.

Councilwoman Chmielewski stated that in the Justice Court Budget there is \$135,000.00 on the revenue side but there is no expenditure, now the budget is out of balance and they have to call the Comptrollers Office to find out what to do and the \$135,000.00 on the revenue side has been used to pay for other things in the budget but not to pay for the fines where it is suppose to go out.

Mr. Reilly stated that he knows that the Town is in dire straits but he believes that the people would rather pay a little bit more in tax and have the protection that they deserve.

Councilwoman Chmielewski stated that she does not believe that it will hurt the protection and patrols that are out there and asked Chief Giroux to comment.

Chief Giroux stated that it would hurt the function of the patrols.

Councilwoman Chmielewski asked how it would hurt the function of the patrols.

Chief Giroux stated that the duties that are being cut still have to be covered and anytime that you have a reduced number of resources with the same level or more of the need for the resources then the service suffers.

Councilwoman Chmielewski stated that she believed that the part-timers were going to be used to fill in.

Chief Giroux stated that he only has a finite number of part-time shifts available.

Councilman Conrad stated that one more thing about the SRO that Mr. Reilly had mentioned, in Berne-Knox this is the first year that they are getting an SRO Officer and are getting a State Trooper because of grant money that was made available to them just like the Town of Coeymans had in the first year. He reiterated that the State Police are being paid under the title of grant money at this point and that is the only reason that they are getting an SRO Officer. He added that one other thing that has happened and it

will be discussed later in the meeting, with respect to the Workman's Compensation situation, he is glad that Chief Giroux's figures are 5% behind because what has happened with past administrations, the amount that is being reported to Compensation for salary totals are estimated so low that the Town is going to get hit with some pretty steep Workman's Comp audits. He continued by saying that it is not so much in the Police Department, it appears that they are only off \$30,000.00 to \$40,000.00 but in the Highway Department the salary totals there are going to be immense and he would venture to say that it will be in the thousands of dollars and the Town is going to get hit for additional money. He added that there are other things that have not surfaced yet and as Councilwoman Chmielewski stated, the Town is on unsure ground and they are trying to make the best of the year and hopefully get through the year and asking people to suffer a little bit for the year is where they are at and no one is happy about the cuts. He concluded by saying that he's not sure where it is going to go, once they are through the audits and have a final determination in entering into next years budget season, come September hopefully they can enter into negotiations with some of the other Towns to contribute to the SRO, the School District does not want to continue with the \$13,500.00 and there is always room for something to be done with the next budget that they are going to enter into, hopefully it is a short-lived situation that could be as little as half of the school year with some cooperation from other communities.

Mr. Reilly interjected that he hopes that they never have to regret the decision.

Councilman Conrad stated that he hopes they don't either.

Mr. DeLuca interjected that since they are talking about the School District he would like to make a comment.

Councilwoman Chmielewski stated that at the end of the agenda she would open it back up for public comment.

Mr. DeLuca stated that it was fine if they did not want to hear what he had to say.

Councilwoman Chmielewski stated that he could get up in the end and say whatever he wanted. She added that these discussions have been ongoing and they did not just decide this overnight and they are the ones that have to try to work with the budget.

Mr. DeLuca interjected that they should have tried to work it out in the public.

Councilwoman Chmielewski stated that this is what they are trying to do and they know that some of the decisions people are not going to like but this is the best that they can do with working with this budget.

Highway Department Revisions

Councilwoman Chmielewski asked that as liaison to the Highway Department, did Councilman Stanton have anything that he wanted to say.

Councilman Stanton stated that he had talked with Highway Superintendent Deering earlier and he does not want to make the cuts but due to the situation that they are in fiscally, in order to get through the year, they have to make some revisions. He added

that possibly the positions may be put back in after this year but as of today they have to do a job that none of them want to do.

Councilwoman Chmielewski stated that they have been in discussions to cut one Operator position, two Laborer positions and the Deputy Highway Superintendent's position will be converted to a part-time Confidential Secretary.

Councilman Conrad stated that he wanted to point out that the Operator II position is vacant, has been vacant, and they are now not funding the position.

Councilman Stanton stated that this position has been vacant for three years, as long as he has been on the Board.

Councilwoman Chmielewski went on the report the savings with the revisions as follows.

Cut Operator II Position	= \$ 49,259.86 Savings
Cut 2 Laborer Positions	= \$ 56,371.72 Savings
Convert Deputy Highway Superintendent to Part-Time Confidential Secretary	= <u>\$ 12,014.51 Savings</u>
Total Savings	\$117,646.09

Councilwoman Chmielewski stated that they have also had Labor Management Meetings and they have also told the President of the Union and their attorney two weeks ago that there would be potential lay-offs and that it will be effective April 27, 2004. She then asked for a motion to implement the revisions discussed.

MOTION

On motion of Councilman Conrad, seconded by Councilman Stanton, to effectuate the cuts that have been discussed.

Councilwoman Rogers stated that a lot of people have said that she sits there and does not talk and that this is not the first time that this town has heard the word deficit but it is the first time that she has heard of cutting jobs and taking jobs and as the Town Board knows she has had a real problem with it. She added that she has been convinced that the Town is having financial difficulty and the cuts have to be made but then in hearing from the public she felt as though maybe it should be tabled so that they can think about it a bit more.

Councilwoman Chmielewski stated that there was a motion and a second so there has to be a vote and continued by taking the vote.

VOTE – AYES 3 – NAYS 1 – ABSENT 1 (Hotaling)

RESOLUTIONS

RES. #67-04 APPOINT EMERGENCY MANAGEMENT COMMITTEE

On motion of Councilman Stanton, seconded by Councilwoman Rogers, the following resolution was APPROVED VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Hotaling)

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/Village of Ravena Police Department, Ravena Fire Department, Ravena Rescue Squad, and

BE IT FURTHER RESOLVED, that the Committee shall consist of the following for a period ending December 31, 2004.

William Bruno Mark Mahar	
Jack Bailey	Bill Price
Ron Burns	Brian Powell
Gerald DeLuca	Sherle Slingerland
Scott Giroux	Henry Traver
Richard Hotaling	Al Visconti
George LaMountain	

RES. #68-04 AUTHORIZE SUPERINTENDENT OF HIGHWAYS TO ATTEND SCHOOL

On motion of Councilwoman Rogers, seconded by Councilman Stanton, the following resolution was APPROVED VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Hotaling)

WHEREAS, the Superintendent of Highway is desirous of attending the 2004 Highway School, at Ithaca College in Ithaca, New York held June 7-9, 2004.

NOW, THEREFORE, BE IT RESOLVED, the Town Board authorizes Superintendent Albert Deering to attend the Highway School and

FURTHER BE IT RESOLVED, that the Town Board authorizes payment of the \$80 pre-registration fee from the Highway Training Fund.

RES. #69-04 AUTHORIZE TOWN CLERK & DEPUTY TOWN CLERK TO ATTEND ANNUAL CONFERENCE

On motion of Councilman Conrad, seconded by Councilman Stanton, the following resolution was APPROVED VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Hotaling)

WHEREAS, the New York State Town Clerk's Association 22nd Annual Conference will be held in Saratoga, 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 in Saratoga, NY, April 18 – April 21, 2004, 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 Town Clerk may attend the Town Clerks Convention in Saratoga, NY, April 18-April 21, 2004, and

BE IT FURTHER RESOLVED that the Town Board of the Town of Coeymans authorizes pre-payment for the registration, meals, lodging and classes for this Conference.

RES. #70-04 ESTABLISH SPECIAL TOWN BOARD WORKSHOP APRIL 27

On motion of Councilman Stanton, seconded by Councilwoman Rogers, the following resolution was APPROVED VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Hotaling)

WHEREAS, the Joint Meeting of the Boards of the Village of Ravena and the Town of Coeymans has been scheduled for April 20 and,

WHEREAS, the monthly Town Board Workshop was scheduled to be held on that date.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans will hold a Special Workshop Meeting on April 27, 2004, at 6:00 p.m. at the Town Hall, 18 Russell Avenue, Ravena, New York.

RES. #71-04 AMEND SEWER RATE

On motion of Councilman Conrad, seconded by Councilman Stanton, the following resolution was APPROVED VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Hotaling)

WHEREAS, the Town Board of the Town of Coeymans has approved the total warrant for the 2004 Sewer Rents first billing in the amount of \$85,683.17,

AND WHEREAS, the said Sewer Rents billing for Edward and Darleen Domanico was for a two-unit residence at the rate of \$360.34,

AND WEHREAS, the said property parcel tax map number 168.7-2-10 was erroneously listed on the Sewer Rent billing list as a two-unit residence.

AND WHEREAS, this parcel was amended in 2003 to reflect a single unit residence at a rate of \$180.17,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans, does hereby amend the Sewer Rent Warrant to reflect the new total to be collected as a total of \$85,503.00.

Councilwoman Chmielewski asked that Town Clerk Millious explain the change.

Town Clerk Millious stated that the resolution to pass the Sewer Warrant was passed in December and when she gets the warrant she checks the bills. She added that it was discovered that Domanico's should have gone from an R-2 to and R-1 and the amended amount reflects the change.

CORRESPONDENCE

Albany County Sheriff's FEMA Publication

Councilwoman Chmielewski stated that she was going to forward the correspondence to Mr. William Bruno and his Emergency Management Committee and read as follows:

Dear Supervisor:

Enclosed is a sample FEMA Publication entitled "Are You Ready, A Guide to Citizen Preparedness". My office has a limited number of these available for distribution to your community. The publication is designed to raise the awareness of potential hazards in the community and includes up-to-date safety tips and information concerning preparedness and protection.

Should you wish to obtain copies of "Are You Ready, A Guide to Citizen Preparedness", please send your request to this office.

Councilwoman Chmielewski reiterated that she would send this to Mr. Bill Bruno, Chairman for the Emergency Management Committee.

Office of Technology – Wireless Network

Councilman Conrad stated the Office of Technology has advised that there is a state-wide Wireless Network Scoping Session that has been authorized and the information may be pertinent relative to the Emergency Management Committee as well because part of this is the update and need for the wireless communications to become a digital system and more state-of-the-art mainly designed to handle Homeland Security and things of that nature and it was forwarded to him to review. He added that there is a positive declaration and it will affect the communities along the NYS Thruway corridor and some of the information should be forwarded to the Emergency Management Committee and counsel as well because there are some situations that may legally affect the Town.

TOWN BOARD WORKSHOPS

April 27, 2004

Jennifer VanAlstyne will discuss a bike trail for Joralemon Park.

Brian Kreis, RCS Business Administrator will speak about the budget and referendum.

Drug Testing Policy for the Town of Coeymans will be discussed.

ADDITIONAL CORRESPONDENCE

NYS Municipalities Safety Group 497

Councilman Conrad pointed out that this agenda item was left out.

Councilwoman Chmielewski stated that it is regarding the New York State Municipalities Safety Group 497 about the Workman's Compensation.

Councilman Conrad stated that since they have entered into office they have been hit with a lot of things and one of the things brought to their attention is the audit that is required by Workman's Compensation for 07-01-02 through 07-01-03 policy year was not done and it was pointed out that this is of utmost urgency that this get done because everything that they do is based on an estimate and when you are dealing with estimates there is a potential for errors and in this case he would agree with them based on the numbers. He added that he believes when the audit is complete the Town will have to come up with more money, it is in various areas and it is based on the rates for clerical, which is not much, but the Police Department and Highway Department are at higher risks. He concluded that when the audits are done it will be something else to their advantage as far as knowing where they stand and the sooner it is done the better off they will be.

PUBLIC COMMENT

Councilwoman Chmielewski stated that they normally don't open up the meeting after the agenda but due to the seriousness of the meeting it will be opened up for the public to comment. She added that it is not a question and answer period and anyone wishing could go to the microphone and speak.

Mr. Gerald DeLuca – stated that he wanted to thank Councilwoman Rogers for listening to the public and voting the way that she did based on listening to the public. He added that no one from the Town Board, specifically the Supervisor, contacted the school to discuss the potential for funding, the Chief notified the school that the SRO was being cut but in order to discuss for the Town Board, the Supervisor should have contacted the School Board.

Mr. Greg Darlington – stated that he is President of Coeymans Local 2647 and he represents the police officers and dispatchers for the Town of Coeymans and asked that the Town Board watch the news where the City of Schenectady is having the same problems as the Town of Coeymans, and they had the courtesy to invite local presidents of the unions to discuss the issues prior to any cuts being made. He added that the Chief of Police was brought into the meetings but was not asked where the cuts should be and where else money could be saved and that Councilman Conrad had asked that these people suffer but did any of the Town Board takes pay cuts such as some of the Police Officers and part-time Communication personnel. He concluded by saying that the Police, Communications and Highway Departments in conjunction with other local emergency personnel have been the backbone of the community during emergencies and disasters in this Town and will continue to be the best that they can be.

Mr. Nelson Perry – stated that he is the Union President for Local 81 in the Town of Coeymans and came to the meeting to ask and see if there was some other way in the budget that the two jobs at the Highway Department could be saved but before he got the chance to say anything it has already been passed and his men have been cut. He

added that through all of the budget talks he sat with Highway Superintendent Deering and did not hear anything from him as far as how he feels about it and if something else could be done. He added that one of the men, Donald Hammond, has 15 years of service and he is not just an employee, he is a person in this town with a family, he is a taxpayer. He concluded by saying that he applauds Councilwoman Rogers for wanting to take the time to sit back and take another look at it but it is too late because two of his men are gone.

Highway Superintendent Deering – stated that he has spoken with the Town Board and they know how he feels. He added that the Operator position was just established this year.

Councilman Stanton asked about the other Operator position.

Highway Superintendent Deering stated that is was taken out years ago.
Councilman Stanton stated that the Operator II position was put in its place.

Highway Superintendent Deering stated that it got in there, they didn't want it but it got in. He added that they know how he feels, he is not for the cuts, they are cutting a person in his office and that position came from somewhere else too. He concluded by saying that it goes over their heads and no one listens to him.

Rebecca Rosario – stated that previously in the meeting they had spoken about saving money and it amazes her that they just passed two resolutions for the Highway Superintendent, Town Clerk and Deputy Clerk to go to school and in the resolution it is not stated how much money it cost and where the money was coming from for the Town Clerk and Deputy Clerk to go, for Albert's it says that it is from training already in the Highway Budget.

Highway Superintendent Deering stated that it is \$80.00.

Councilwoman Chmielewski stated that it says that amount in the resolution.

Highway Superintendent Deering stated that he has offered in the past to pay for it himself and he pays for a lot of things that he does not have to such as his phone, boots and license and many other things such as paying for thruway tolls before the Town had E-Z Pass. He added that in trying to save money he never asked for the money back and there are not many that do this.

Mr. Henry Traver – stated that he wanted to comment on the Highway Department personnel being cut and he had not heard of any cuts for the Summer Programs. He then asked who was going to cut the grass at Joralemon Park and Coeymans Landing because he knows that there are line items in the budget for part-time help to do this and then asked why part-timers would be hired and two would lose their jobs because there are other things that they could be doing and they should not be losing their jobs.

Lazlo Polyak – stated that everyone knows that there is a budget "crunch" and there do have to be cuts, sometimes they are necessary evils. He continued by saying that the manner in which the Town Board went about it and not publicizing it or bringing it out to the public eye for people to give their opinions is where it will fall back on the Board because why is Albert elected and a Police Chief appointed if the Town Board is going to

make the decisions for what they are being paid to do. He concluded by saying that it is not so much that they are losing people and there were other areas where it could have been done, but it was done in secrecy.

Councilwoman Chmielewski stated that she wanted everyone to know that the Supervisor has also been in discussion with the Chief Operator at the Waste Water Treatment Plant and he has also been given a directive to look to see where they can also save and it will be coming up in the future. She concluded by saying that none of the Board wanted to make the cuts and they have to try to administer the budget and this is the only way that they can do it and hopefully come out of the year without having to borrow any money, especially with all the extra expenses that are in the budget.

Mr. Steve Mantor – stated that his displeasure is not with the Town Board's service but it is with the method that it was done, the Police Chief is doing what he is told not what he has asked to have input on and the same thing is going on with Albert, the road services in this town is one of the most frugal things that go on and they do a fine job and there must be some way around it. He added that another thing that he wanted considered is he has been with the Correctional Services in the Division of Youth for a long time and the impact on prevention services, although a large expense for the cost of an SRO Officer, it is a percentage compared to the effect that it has long term on having to keep people in prison and having to deal with them after the crime. He continued by saying that the Town Board needs to take a hard look at it before they make their decisions final and he feels as though he is speaking to a wall of stone because it is the impression that he is getting. He added that they should take a look at some of Chief Giroux's budget figures, it costs approximately between \$15,000.00 and \$20,000.00 a year to get a new officer in training up-to-speed, they just lost \$40,000.00 with the two officer's that just left, they are moving because nearby towns pay more and they are irritated and more officers will be leaving and it will cost \$15,000.00 to \$20,000.00 to replace them when and if the crime rate goes up. He concluded by saying that the logic of cutting the tree down to see if it grows back next year makes no sense.

ANNOUNCEMENTS

Councilwoman Chmielewski stated that Assemblyman Casale was suppose to be in Town Hall on April 24, 2004 and he had to cancel that date, he will now be at Town Hall on May 15, 2004 from 10:30am – 11:30am if anyone would like to stop in and speak with him.

Councilwoman Chmielewski continued by saying that she will be in the office the following day for anyone that wishes to stop by and discuss anything that has happened at the meeting. She then thanked everyone for coming to the meeting and asked for a motion to adjourn the meeting.

Mr. Ralph Biance interjected that she did not say anything about the C.H.O.I.C.E.S. Program.

Councilwoman Chmielewski stated that she had forgotten and invited Mr. Biance to speak about this.

Mr. Biance – stated that Mr. Tom Dolan will be hiring kids from the Town to do work Joralemon Park and Riverfront Parks and it will be of no expense to the Town, it will be taken care of through the City of Albany.

Councilwoman Chmielewski stated that it is from the Cornell Cooperative Extension and Mr. Dolan has the applications at C.H.O.I.C.E.S.

Mr. Biance stated that you have to be between the ages of 14 and 21.

Councilwoman Chmielewski stated that anyone interested could pick up an application and deliver it back to Mr. Dolan and thanked Mr. Biance for reminding her.

ADJOURNMENT

Councilwoman Chmielewski asked for a motion to adjourn.

MOTION

On motion of Councilman Stanton, seconded by Councilman Conrad, the meeting was adjourned to Executive Session.

Town Attorney Rotello interjected that there is one personnel matter, one litigation matter and one Article 7 tax litigation matter to discuss.

Councilwoman Chmielewski stated that they would not be returning after Executive Session.

Time 8:40pm

Respectfully Submitted,

APPROVED:

Diane L. Millious, Town Clerk

**A Workshop Meeting was held Tuesday, March 30, 2004, at 6:00 PM at Town Hall,
18 Russell Avenue, Ravena, New York**

PRESENT: Ronald K. Hotaling, Supervisor
Frank D. Stanton, Councilman
Dawn Rogers, Councilwoman
Nita Chmielewski, Councilwoman
Larry Conrad, Councilman

ALSO PRESENT: Joseph Rotello, Town Attorney

The following Legal Notice that appeared in the Ravena News Herald

**NOTICE
ADDITIONAL
TOWN BOARD WORKSHOP
MEETINGS**

In compliance with Public Officer's Law, this will inform you that the Town Board of the Town of Coeymans has scheduled additional Tuesday Workshop Meetings as follows:

March 02, 2004
March 09, 2004
March 23, 2004
March 30, 2004

The additional Workshop Meetings will be held to discuss Town business. The meetings will be held 6:00PM 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

AGENDA ITEMS

- • Presentation by Nancy Heinzen, Onesquethaw-Coeymans Creek Watershed Council
- • Presentation by Lynn Wallace, Coeymans/New Baltimore Fire Company
- • Joe Rotello, Town Attorney, Update About the Annexation and Status of Litigation.

Respectfully Submitted,

APPROVED:

Diane L. Millious, Town Clerk

A Bid Opening was held on Thursday, March 25, 2004 at 2:00 PM, at the Town of Coeymans Town Clerk's Office, 18 Russell Avenue, Ravena, New York.

PRESENT: Diane Millious, Town Clerk
Cindy Vatalaro, Deputy Clerk
Linda Libertucci, Part-time Deputy

The following Legal Notice appeared in the Ravena News Herald:

NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN, that the Town Board, of the Town of Coeymans does hereby invite sealed bids for:

One 1989 FORD F-350 1 TON UTILITY TRUCK

All prospective bidders must call the Highway Department at 756-2251 during regular business hours, (7:00a.m. –3:30p.m.) to schedule an appointment, to view the items for bid.

Bids will be received at the Town Clerk's Office, 18 Russell Avenue, Ravena, New York 12143 up to 2:00pm on the 25th day of March 2004. Bids will be publicly opened and read aloud at 2:00 PM on the 25th day of March 2004.

Non-Collusive bidding forms to 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.

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

BID OPENING

No bids were received.

Respectfully Submitted,

APPROVED:

Diane L. Millious, Town Clerk

**A Workshop Meeting was held Tuesday, March 23, 2004, at 6:00 p.m. at Town Hall,
18 Russell Avenue, Ravena, New York**

PRESENT: Ronald K. Hotaling, Supervisor
Dawn Rogers, Councilwoman
Nita Chmielewski, Councilwoman
Larry Conrad, Councilman

ABSENT: Frank Stanton, Councilman

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

AGENDA ITEMS

- Hudson River Valley Greenway Presentation – Richard Harris
- Summer Youth Program Follow-Up – Danyell Crowley, Youth Services Director
Judy Felston, RCS Community Librarian, Trish Visconti

Respectfully Submitted,

APPROVED:

Diane L. Millious, Town Clerk

**A Town Board Meeting was held Monday, March 22, 2004, 7:00p.m. at Town Hall,
18 Russell Avenue, Ravena, New York**

PRESENT: Ronald K. Hotaling, Jr., Supervisor
Dawn Rogers, Councilwoman
Nita J. Chmielewski, Councilwoman
Laverne H. Conrad, Councilman

ABSENT: Frank D. Stanton, Councilman

ALSO PRESENT: Diane L. Millious, Town Clerk
Joseph Rotello, Town Attorney
Scott Giroux, Chief of Police
Albert Deering, Superintendent of Highways

Supervisor Hotaling welcomed everyone, opened the meeting and led the Pledge of Allegiance.

SUPERVISOR'S OPENING

Supervisor Hotaling stated that he wanted to make note of the fact that the Town Board was missing a member, Councilman Stanton, and he will be back for tomorrow nights Workshop. He added that the record should reflect that Councilman Stanton is absent.

AGENDA OVERVIEW

Supervisor Hotaling continued by giving an overview of the agenda.

Public Comment Period

- Police Issues, Mike Kindlon

Approval of Minutes

- - Town Board Meeting 1/26/04
- - Town Board Workshop 2/10/04
- - Town Board Workshop 2/24/04
- - Special Town Board Mtg. 2/26/04

Supervisor's Report

Department Report Review

- - Town Clerk Monthly Report – February 2004
- - Police Dept. Monthly Report – February 2004

Old Business – Update and Discussion

- Guzman Legal Services

New Business

- - Animal Control Officer - Resignation
- - Review of Employee Contract

Resolutions

- - Local Government Records Management Improvement Fund

- - Approval of December 2003 Abstract
- - Approval of March 2004 Abstract

Correspondence

- - Planning Board – Development of Rte. 144 Industrial Zone
- - DOT – Rte. 144/Coeymans Creek Sewer Betterment
- - EnCon – Hudson River Estuary Grant
- - Pat Prendergast – Preliminary Site for Salt Barn

Town Board Workshops

- - 3/23/04 – Presentation by Hudson River Valley Greenway, Richard Harris
- - 3/30/04 – Presentation by Onesquethaw/Coeymans Creek Watershed

Council with Nancy Heinzen and Coeymans/New Baltimore
Fire Company with Lynn Wallace

PUBLIC COMMENT PERIOD

Mr. Mike Kindlon – voiced his displeasure with the Police Department and the overwhelming presence of police in the community and suggested that the Town have Community Policing. Key points he addressed were: He believes that more officers should reside in the community and become familiar with the residents and tickets are being written for foolish matters. He added that he had spoken with Chief of Police Giroux and Mayor Bruno about his concerns.

Supervisor Hotaling extended Chief of Police Giroux an opportunity to respond.

Chief of Police Giroux stated that he did have a conversation with Mr. Kindlon however he did not recall Community Policing being discussed; he did recall that the conversation was precipitated from a specific incident and there was discussion about steps that could be taken to address the incident. He concluded by saying that he was not sure what Mr. Kindlon means as far as Community Policing.

Mr. Kindlon stated that Mayor Bruno was present during the conversation with Chief of Police Giroux and it was conveyed that something was in the works as far as the community.

Supervisor Hotaling stated that the Town Board takes under advisement discussions about Community Policing.

Mr. Kindlon stated that something should be worked out regarding Community Policing and that he would be addressing the Village Board as well.

Supervisor Hotaling thanked Mr. Kindlon and asked if anyone else had any public comment, hearing none he moved to the approval of Minutes of Meetings.

APPROVAL OF MINUTES

- • Town Board Meeting 01-26-04
- • Town Board Workshop 02-10-04
- • Town Board Workshop 02-24-04

MOTION

On motion of Councilwoman Chmielewski, seconded by Councilman Conrad the Town Board Minutes were approved to reflect the discussed changes.

VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Stanton)

Councilwoman Chmielewski stated that in the minutes of January 26, 2004, on page 8 there are two typographical errors.

SUPERVISOR'S REPORT

February 2004

Fund	Balance Forward	Receipts	Disbursements	Balance
General	\$1,120,287.64	\$1,178,137.13	\$(269,129.43)	\$2,029,295.34
FEMA	\$ 43,555.50	-0-	-0-	\$ 43,555.50
Part-Town	\$ 80,149.83	-0-	\$(10,463.50)	\$ 69,686.33
Highway	\$ 165,956.44	-0-	\$(75,745.64)	\$ 90,210.80
Sewer	\$ 190,230.32	\$ 37,270.65	\$(20,781.76)	\$ 206,717.21
Spec. Water	\$ 22,664.37	-0-	-0-	\$ 22,664.37
Trust & Agcy.	\$ 561.91	-0-	-0-	\$ 561.91
Fire Districts	-0-	-0-	\$(378,130.00)	\$(378,130.00)
		Total Reconciled Balance		\$2,084,563.46

SAVINGS ACCOUNTS

JUSTICE \$20,098.48
 UNEMPLOYMENT \$10,434.15
 CAPITAL PROJECTS\$ 1,364.71
 LANDFILL CLOSURE\$ 204.10
 GROVE CEMETERY \$46,459.48
 SEWER-DEDICATED\$ 7,301.06

TOTAL \$85,861.98

CLASS ACCOUNTS

SECTION 8 - HUD

GENERAL (A)	\$ 8,937.29	OCCUPIED UNITS	8
PART-TOWN (B)	\$ 6,168.47	HUD PAYMENTS	
\$37,253.00			
FEMA	\$42,664.91	ADMIN. FEES	\$ 120.18
HIGHWAY (DB)	\$ 1,545.29	TOTAL HUD PMT.	
\$37,373.18			
WASTE WATER (S)	\$ 6,334.63	TENANT RENT	
\$23,550.00			
SPECIAL DISTRICT (SL)	\$ 1,349.78	CONTRACT RENT	
\$57,945.00			
CAPITAL	\$ 52.11		
CEMETARY	\$ 4,323.79		
TOTAL	\$71,376.27		

COLLATERAL

COVERAGE TOTAL ON DEPOSIT FDIC COVERAGE COLLATERALIZED

Class (Supervisor)	\$ 71,376.27	\$100,000.00	\$3,064,662.43
NBC (Supervisor)	\$2,170,425.44	\$200,000.00	

TOTAL \$2,241,801.71

MOTION

On motion of Councilwoman Chmielewski, seconded by Councilwoman Rogers, the Supervisor's Report was accepted as read.

VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Stanton)

DEPARTMENT REVIEW REPORTS

Town Clerk's Monthly Report – February 2004

Supervisor Hotaling ask that Town Clerk Millious present her report.

Town Clerk Millious read her February 2004 Town Clerk's Report.

MOTION

On motion of Councilman Conrad, seconded by Councilwoman Rogers, the Town Clerk's Report was accepted as read.

VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Stanton)

Police Department Monthly Report – February 2004

Supervisor Hotaling stated that he did not have any advanced plans to have Chief Giroux present to submit the report. He continued by asking Chief Giroux if he had the report with him and whether he wanted to discuss the report.

Chief of Police Giroux stated that it was a typical month in terms of the activity level and there a couple of personnel issues that need to be addressed and one is on the agenda for later in the meeting and the open issue with reference to the Tahoe vehicle lease.

MOTION

On motion of Councilwoman Rogers, seconded by Councilwoman Chmielewski, the Police Department Monthly Report was accepted.

VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Stanton)

OLD BUSINESS UPDATE and DISCUSSION

Guzman Legal Services

Supervisor Hotaling stated that there has been an issue regarding legal services provided to the Town in relationship to an Article 78 action filed in October 2003 against the Town Board and others in connection with the Environmental Review of a proposed fire station at Church and Westerlo Streets in the Town of Coeymans. He added that the bill was questioned as far as to the source of the authorization and the Town Board prohibited payment of the bill until they could ascertain if an authorization existed. He continued by saying that in contacting former Supervisor Scalzo, Councilmen Bruno and Irwin and as discussed with Councilman Stanton and Councilwoman Rogers, the response given by Councilman Irwin indicates that there was a recollection that following a Regular Board Meeting during an Executive Session relative to a potential conflict of interest, there was an authorization for Ms. Guzman to perform the legal services; in turn after getting authority he contacted Ms. Guzman and asked her to submit a formal voucher as well as advising her that neither the current Town Board or 2003 Town Board gave any recollection to authorization for payment for the meeting attended in January 2004 on behalf of the Fire Commissioners and as a result there is no authorization to pay for those hours. He added that he had asked that she consider this when she sent the invoice in, however the voucher contains the entire amount including the January 9th and January 14th 2004 charges that were not authorized and he has the bill for consideration of processing in its current form and as discussed it should be minus the unauthorized charges; the total of the voucher is \$2,325.00 from which he believes \$487.50 should be subtracted. He then asked for a motion to process the voucher with the deduction.

MOTION

On motion of Councilman Conrad, seconded by Councilwoman Chmielewski, authorizing the processing of Ms. Guzman's legal bill voucher for a total of \$2,325.00 minus the \$487.50.

VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Stanton)

NEW BUSINESS

Resignation of Animal Control Officer

Supervisor Hotaling stated that he had received a memo from Chief of Police Giroux relative to a resignation of the Animal Control Officer, Gina Zompanis; he then asked that the Town Board consider the resignation and acceptance. He continued by stating that Chief Giroux has begun a search for a replacement.

Chief of Police Giroux asked if the Town Board wishes him to put this in the newspaper and although it has been past practice he has never received a response.

Supervisor Hotaling stated that in keeping consistent he would suggest the same and in addition he asked the Town Board's permission to advertise for a Bingo Inspector as Mr. Biscone passed away and there is a vacancy.

Chief Giroux stated that with the Town Board's permission he would speak with Confidential Secretary Lewandowsky to coordinate getting both in next week's newspaper.

Councilwoman Chmielewski inquired as to the length of Ms. Zompanis employment.

Chief of Police Giroux advised that she was ACO for 1 ½ years and did an excellent job.

Councilwoman Chmielewski inquired about the vehicle problem.

Chief Giroux advised that this was outlined in his memorandum.

Supervisor Hotaling interjected that this was the main issue relative to the concerns expressed by the ACO and as the Chief pointed out this was not a vehicle that was used day in and day out, it was an infrequent call-out as payroll will attest and in spite of that there was an issue with the vehicle that could not be overcome.

Supervisor Hotaling asked for the Board's acceptance of Ms. Zompanis' resignation and continued by reading the following:

03-14-04

To: Chief Scott Giroux

From: Gina Zompanis

Subject: ACO

I am resigning from the position of ACO, effective immediately. The van is in the parking lot and the keys are at the front desk.

Thank you,

Gina Zompanis

MOTION

On motion of Councilman Conrad, seconded by Councilwoman Chmielewski, ACO Regina Zompanis' resignation was accepted.

VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Stanton)

Review of Employee Contract

Supervisor Hotaling stated that this agenda item goes without supporting documentation which is a review of the Employee Contract and that the Town Board has reviewed the CSEA Contract and Council 82 Contract relative to police officers and communication personnel. He added that during the review they found that there are currently 15 individuals signed up for a Council 82 Dental Plan that does not seem to be authorized in the contract and 12 of the individuals are receiving family benefits which is \$86.00 a month for each, paid for by the Town, the remaining 3 have single coverage which is approximately \$20.00. He continued by saying that the monthly bill is approximately \$900.00, which is a \$10,000.00 expenditure for the Town on an annual basis and in their quest to determine where money is being spent where it does not need to be, this is an area that the Town Board has had a concern relative to those receiving the benefit and that the Town Board's position was clear during the discussion. He then asked for any Board members individual position or a motion as he does not believe that this can continue to be covered based upon its absence from the contract.

Councilman Conrad stated that there are several issues that were discussed with Union President, Mr. Darlington in addition to the longevity issue and other issues that are open in Chief Giroux's Monthly Report that are being addressed. He added that in speaking with Mr. Darlington, some of the issues have to go through the grievance process in order to be resolved or handled.

Supervisor Hotaling added that they are issues that the Union has presented as issues "on the table" and the Chief has represented some of the issues in previous monthly reports and this issue has been "carved out" from that. He added that this is a benefit that is costing the Town \$900.00 a month and there is no contractual obligation.

Councilman Conrad stated that he was not sure of a possible date for the termination.

Supervisor Hotaling added that he knows that this will be a "bomb shell" to Mr. Darlington and his members and that April 30, 2004 will be appropriate time to allow some people to close out some issues that they might have relative to their dental plan and as Councilman Conrad had pointed out and it is expected that Mr. Darlington will be "knocking at his door". He continued by saying that this is a process that under goes several steps and this is the first step. He concluded by saying that the Town Board played no role in negotiating the contract and has now found that this benefit was left over and he's not even sure if it was even in the previous contract.

Councilman Conrad interjected that it was not in the previous contract and as Mr. Darlington had explained it was originally in the Police Benevolent Association Agreements that proceeded even the last two contracts and somehow it has been inadvertently overlooked, but the contract is clear in its preamble that all preceding agreements, memorandums or any other agreements are null and void and on that basis they need to resolve the issue.

Supervisor Hotaling reiterated that this is the first step in the resolution process.

Councilwoman Rogers asked if these employees would be able to have another dental program.

Councilman Conrad stated that it is not currently in their contract.

Supervisor Hotaling stated that based on the preliminary discussion with Mr. Darlington one of the previous requirements for someone entering into that particular plan was that the people that got in from other unions also be a member of that union. He added that he is not sure if this still exists.

Councilman Conrad stated that from his understanding this is what alluded to the formation of the other dental plan. He added that he wanted to point out that the main reason for this is the inconsistency with the other dental plan that are provided to the other employees of the Town of Coeymans and the plan runs approximately \$34.00 a month which is a family plan, the plan in question has two levels, a single level which is actually less but the family plan is \$86.00 which is a considerable cost and also not in the contract. He concluded by saying that he knows that Mr. Darlington will have a grievance and when there is a union contract there is a process that has to be gone through in order to come to a resolution and this is nothing against the union.

MOTION

On motion of Councilman Conrad, seconded by Councilwoman Chmielewski, the Dental Plan from GHI will be terminated on 04-30-04 due to its absence from the current contract.

VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Stanton)

RESOLUTIONS

RES. #63-04 SUPPORT LOCAL GOVERNMENT RECORDS MANAGEMENT IMPROVEMENT FUND

On motion of Councilwoman Chmielewski, seconded by Councilman Conrad, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Stanton)

Resolution of Support for the Elimination of the Sunset Provision of the Local Government Records Management Improvement Fund (LGRMIF)

WHEREAS, the Local Government Records Management Improvement Fund was created in 1989 to provide technical assistance and grants to establish, improve or enhance records management programs in New York's more than 4,300 local governments, and

WHEREAS, a sunset date for the LGRMIF was established in the original legislation to permit its operation as a five-year experiment, and

WHEREAS, the New York State Legislature in 1995 has twice extended the sunset date, most recently to December 31, 2005, and

WHEREAS, the LGRMIF has effectively supported essential advisory services and 6,300 grants totaling over \$113 million to improve the management of records for over half of all NYS local governments, and

WHEREAS, the LGRMIF and the programs it supports continue to operate at a high standard of excellence and provide direct and significant benefit to local governments at no cost to the taxpayers, and

WHEREAS, the Town of Coeymans has benefited from technical assistance, training publications and several grants supported by the LGRMIF, and

WHEREAS, the LGRMIF continues to be critically important in the fulfillment of the many records and information related responsibilities of the Town of Coeymans, now therefore

BE IT RESOLVED, that the Town of Coeymans supports the elimination of said sunset provision of December 31, 2005 in order to make the LGRMIF permanent.

Supervisor Hotaling thanked Town Clerk Millious for bringing this to their attention in terms of the Town Board being able to support it.

Town Clerk Millious stated that Town Clerk Newkirk from the Town of Bethlehem had sent this to her and added that grants are good, one was done by previous Town Clerk Millett. She added that she would like to try for some grants but it is not a good time because of all of the elections.

Councilwoman Chmielewski interjected that when she was Town Clerk she put in for a microfiche reader and the Town was granted this. She added that former Town Clerk Millett had also gotten some money for shelving for records management and Town Clerk Millious would also like to put in for some grant money.

Supervisor Hotaling asked if there was also some money available in the past to restore the books.

Councilwoman Chmielewski interjected that the restoration was paid for through Town funds.

Councilman Conrad added that he wanted to thank Town Clerk Millious for coming up with the information to save the Town some money.

Councilwoman Chmielewski interjected that this resolution has to be forwarded to the State and asked that Town Clerk Millious follow it up. She added that she should also let Bethlehem Town Clerk Newkirk know that the Town of Coeymans has adopted the resolution.

RES. #64-04 APPROVE DECEMBER 2003 ABSTRACT

On motion of Councilwoman Rogers, seconded by Councilwoman Chmielewski, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Stanton)

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 2003 Abstract.

ABSTRACT	VOUCHER #	AMOUNT
GENERAL (A)	478-480	\$ 1,682.76
	General Total	\$ 1,682.76
HIGHWAY (D)	566	\$15,663.52
	Highway Total	\$15,663.52
SEWER (SS)	523	\$ 373.50
	Sewer Total	\$ 373.50
	Total all Funds	\$17,719.78

RES. #65-04 APPROVE MARCH 2004 ABSTRACT

On motion of Councilman Conrad, seconded by Councilwoman Rogers, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Stanton)

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 2004 Abstract.

ABSTRACT	VOUCHER #	AMOUNT
GENERAL (A)		
Pre-Pay General	383-415	\$167,273.85
General	481-528,530-534,536-543 545-559,622	\$ 23,580.99
	General Total	\$190,854.84
PART-TOWN (B)		
Pre-Pay Part-Town	416-429	\$ 8,564.85
Part Town	560-563	\$ 2,446.52
	Part Town Total	\$ 11,011.37
HIGHWAY (D)		
Pre-Pay Highway	430-441	\$ 65,129.85
Highway	564-581,583-601	\$ 17,361.54
	Highway Total	\$ 82,491.39
SEWER (SS)		
Pre-Pay Sewer	442-465	\$ 26,224.47
Sewer	502-520	\$ 11,126.99
	Sewer Total	\$ 37,351.46

GROVE CEMETARY(TE)		
Pre-Pay	466	\$ 47.17
	Grove Total	\$ 47.17
SPECIAL DISTRICT (SW)		
Pre-Pay	521	\$ 491.12
	Spec. Dist. Total	\$ 491.12
TRUST & AGENCY (TA)		
Pre-Pay	467-477	\$225,863.02
	Trust & Agcy. Total	\$225863.02
	TOTAL FOR ALL FUNDS	\$322,247.35

Councilman Conrad stated that he wanted to note that the \$322,000.00 for one month going out for bills is a substantial amount for their \$4,000,000.00 budget. He added that he also wanted to state that he signed the voucher in the amount of \$47.17 for the Grove Cemetery with reservation as this was for a tax levy and his comment to Councilman Chmielewski was to let the County foreclose on it and take the cemetery over because it has been dumped in the Town's lap and they now have to pay a tax on it. He concluded by saying that he has questioned paying a tax on it and does not understand why the Town has to pay it.

Councilwoman Chmielewski interjected that the tax was on a piece of property that was donated to the Town and it is not on the whole cemetery and it was closed in December and that is why it is still on the tax roll.

Town Attorney Rotello interjected that this was true.

Supervisor Hotaling added that next year it would go off the tax roll.

Supervisor Hotaling continued by saying that he recognized Mr. Conrad for purposes of another motion at his request.

MOTION

On motion of Councilman Conrad, seconded by Councilwoman Chmielewski, to approve the appointment of Ms. Shirley Boehlke to the position of part-time bookkeeping clerk in order to help with the audits and will be hired at a rate of \$9.93 per hour.

VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Stanton)

Councilwoman Chmielewski stated that when they first took office their main concern was that the audits be completed as soon as possible in order to see where they are with respect to money. She added that it is not progressing as quickly as Marvin &

Company would like to see and they are having a hard time finding some of the vouchers and checks and some of the abstracts are missing. She continued by saying that they need to get this all together and feel as though someone else is needed and Ms. Boehlke has worked with Daryl Purintan in the past and knows municipal bookkeeping. She concluded by saying that Mr. Purintan was happy about this and it will take a bit longer but hopefully with Ms. Boehlke in there it will move quicker as they have now missed the April deadline for the 2001 Audit.

Supervisor Hotaling interjected that they are currently in the first quarter of the first year that has to be done and it has taken three months to do that. He added that all of the audits have to be done and in place for the budget season for 2005 in order to intelligibly make choices about the budget for 2005.

CORRESPONDENCE

Planning Board Letter Regarding the Development of Route 144 Industrial Zone

Supervisor Hotaling stated that he had received a letter dated March 15, 2004 from Mr. Peter Foronda, Chairman of the Planning Board regarding the Development of an Industrial Zone along Route 144 and thanked him for his efforts in regard to considering the request that a citizen had made regarding a zoning change. He continued by reading the following:

Dear Mr. Hotaling:

In the interest of economic development to improve the tax base, the Planning Board recommends lands south of the LaFarge conveyor belt on Rout 144 following south to the east-west line of the Tracey property be rezoned to industrial.

The Planning Board further recommends that any development within this newly created Industrial Zone comply with a site plan review. The purpose of the site plan review is to properly utilize the site and to recognize the close proximity between the Industrial Zone and the architectural epicenter of the historical housing in the Town of Coeymans with many of its properties having state and national designations.

If the Town Board approves this change, the Planning Board will meticulously study each potential business for this zone. Issues such as the environment, esthetics and the nearby historical housing stock will be addressed with the Site Plan Review Guidelines in the Town of Coeymans Zoning, Chapter 165, Appendix 4.

A balance between business development and equally important housing stock must be achieved for economic development of the Town of Coeymans.

Sincerely,

Peter Foronda, Chairman

Supervisor Hotaling stated that this has now been given to the Town Board and that he was now deferring it to Councilman Conrad for the next step and asked if there is a need for further review on the part of the Planning Board.

Councilman Conrad stated that he believes that there is and the Town Board has indicated their interest in reviewing the entire Hamlet area and wanted to address that Mr. Foronda had pointed out the Site Plan Review and currently under the Industrial Zone, Site Plan Review is only necessary for accessory uses and has been a major short-fall and needs to be addressed and his point was to bring this out.

He added that there were two people that had requested some zoning changes and the other is in the precise Hamlet area located by homes and future location of the Fire Company and those on the historic register and he believes that it is important that if they are going to do a zoning change that it all be done and implemented at once due to the cost associated with a zoning change. He continued by saying that one property in question has three zones located on one piece of property which makes it tough to do a Site Plan Review or look at with any type of legitimacy and make a good decision and there are areas such as the gazebo that are still zoned in the General Business Zone after it has been dedicated to the Town for several years and it has not been addressed. He concluded by saying that things of this nature need to have a better look at and the Planning Board can give some recommendations with respect to that as well and he will follow-up with the Planning Board on the mentioned issues.

DOT – Route 144/Coeymans Creek Sewer Betterment

Supervisor Hotaling stated that he has a letter dated March 10, 2004, which is in response to his letter to DOT relative to the Route 144/Coeymans Creek Betterment Project. He added that the Town Board requested that he contact DOT to ask for a price which was done and the price came back as \$130,000.00 to \$150,000.00 and they realized that it is out of reach at this point and the original price to do it was \$80,000.00, as a result he received a phone call from Mr. Frank Bonafide on March 8, 2004 trying to get the Town Board's take as to if they were going to agree to spend the money to put the sewer across and unfortunately he was in the position of having to tell him that the Town is not in a position to spend that kind of money at this time. He concluded that this letter is a confirmation indicating that DOT is moving ahead with the construction of the project without the Town's previously requested sewer line work. He continued by reading from the letter as follows:

“As you explained the Town cannot, at this time, appropriate the necessary funding to underwrite this share. As we indicated to you, the NYSDOT will install stub outs in the approach slabs to ease future installation of the sewer infrastructure once adequate funding becomes available to the Town”

Supervisor Hotaling continued by saying that he appreciates their efforts in that regard and they went as far with the project that they could and unfortunately the Town could not ask that they include the sewer.

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

EnCon –Hudson River Estuary Grant

Supervisor Hotaling stated that he received a letter dated March 11, 2004 from the Department of Environmental Conservation Division of Management and Budget and previous to the letter he had gotten a phone call from Ms. Lori King stating that she had been contacted by Mr. Michael Brown the grant writer from J. Kenneth Fraser and Assoc., who in 2002 had prepared several grant applications for the Town to New York State and on March 6, 2003, the Town was advised that the ENCON's Assistance Contract Agreement had awarded an Estuary Grant in the amount of \$15,000.00. He added that the call that he got in March was to ask if anything had been done with this and in checking back they found that nothing had been done and Mr. Brown had followed up with ENCON trying to determine if the Town did in fact spend the money, in turn ENCON has graciously extended the \$15,000.00 grant to the Town and is willing to adjust the contract period because the contract would have expired for the utilization of the money. He continued by saying that the grant was for the Riverfront Enhancement Project to construct a canoe/kayak boat launch at the Coeymans Landing Park and added that he does not know if the Town needs this. He concluded by saying that with the Town Boards permission he is going to speak with Ms. King and try to utilize a portion of the \$15,000.00 grant for the purpose of constructing a railing that the previous insurer and current insurer would like to be installed and with the Boards permission he will try to amend the contract and grant utilization and tell ENCON that the Town would like to use the \$15,000.00 for a project that they feel is more critical than a canoe/kayak boat launch.

Councilman Conrad stated that he believes that hand rails were listed as part of the project.

Supervisor Hotaling interjected that it was part of the overall project, which was \$145,000.00, and the state did not buy that part, they did buy the \$15,000.00 for the canoe/kayak boat launch.

MOTION

On motion by Councilman Conrad, seconded by Councilwoman Chmielewski, authorizing the Supervisor to proceed with any possible arrangements that he can make to modify the agreement. VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Stanton)

Supervisor Hotaling stated that the motion was to engage in discussion with DEC to get a modification of the grant that was awarded from a 2002 submission and awarded in 2003, to see if the money can be utilized in 2004 for purposes of their needs.

Engineer Prendergast – Preliminary Site for Salt Shed

Supervisor Hotaling stated that there was a letter from Patrick Prendergast, the Town Engineer relative to the preliminary site plan for the salt shed and quoted from the letter as follows:

“the 72ft. x 90 ft. building seems to fit the site well”

He continued by saying that there are three more project needs which are the work plan for submission to DEC to include a summary of expected costs, a project schedule, and a list of key project personnel; a design of the structure, completed by a structural

engineer working under Mr. Prendergast's direction; and bid documents to prepare a bid package for advertisement and then awarding the bid.

Supervisor Hotaling stated that he continues to dwell on Mr. Prendergast the fact that the Town is in sore need of funding for engineer costs because they can mount up very quickly and pointed this out to Highway Superintendent Deering.

Highway Superintendent Deering interjected that Mr. Prendergast knows this.

Supervisor Hotaling stated that as long as they both know that and Mr. Prendergast added in his letter:

"I realize that your town is currently experiencing a financial shortage. As such, I will await your direction before I proceed any further."

Supervisor Hotaling stated that he wanted to point this out to Superintendent of Highways Deering so that he can have a discussion with the Town Board so that he can discuss with the Town Board what the plan will be, what the next step will be or should it be held off or is there an alternative plan relative to the 2004 budget.

TOWN BOARD WORKSHOPS

3/23/04 - Presentation by Richard Harris from the Hudson River Valley Greenway

3/30/04 - Presentation by Nancy Heinzen from the Onesquethaw-Coeymans Creek Watershed Council and presentation by Lynn Wallace from the Coeymans/New Baltimore Fire Company

Supervisor Hotaling stated that Mr. Harris, Executive Director from the Hudson River Valley Greenway will give a pitch to invite the Town to join the Greenway and that the Town of Coeymans is one of 40 Towns along the river that is not a participant and he will give all the benefits of joining; he continued by saying that on the 30th there are two presentations, Nancy Heinzen will do a presentation and Lynn Wallace will be discussing the possibility of scheduling a parade and some other firematics later on in the summer.

Supervisor Hotaling asked if any other Board Members had any other comments.

Councilman Conrad stated that he wanted to point out to the public that currently the full-time Assessor is home recuperating from an accident and the Assessor's Office is open from 10:00am to 2:00pm, Monday through Thursday; anyone wishing could leave a phone message and someone would get back to them.

Supervisor Hotaling asked for a motion to adjourn.

Councilwoman Chmielewski stated that they would be adjourning to Executive Session.

Supervisor Hotaling stated that she could make a motion for that and there are some issues that need to be addressed in Executive Session with Highway Superintendent Deering.

Mr. Mike Kindlon stated that he had one important thing that he wanted to say before the adjournment.

Supervisor Hotaling asked the Town Board if they would like to do this.

Councilman Conrad stated that he didn't want to start a precedence by doing this.

Mr. Kindlon interjected that it is really important and it will only take 20 seconds.

Supervisor Hotaling stated that he would have to deny the request for consistency purposes.

Councilman Conrad stated that there is a process that they would like to follow and an opportunity is given for the public to speak at the beginning of the meeting and there is a Workshop Meeting the following night and he is welcome to come.

Mr. Kindlon interjected that this was something that slipped his mind.

Supervisor Hotaling stated that he could make a presentation at the Workshop Meeting.

Mr. Kindlon stated that he wanted to say it while the public is watching and next week in the News Herald there is going to be a survey.

Supervisor Hotaling interjected that Mr. Kindlon discussed this earlier with him and invited him to the microphone to explain it.

Mr. Kindlon stated that he had spoken to Supervisor Hotaling earlier and he spoke with Mr. Bleezarde who is going to give him a section in the News Herald concerning police issues in the community. He concluded by asking that those in the community respond and if they don't receive the News Herald, they can call the Supervisor's Office and let them know of their concerns.

Supervisor Hotaling stated that for the purpose of clarification he wanted to add that Mr. Kindlon had indicated earlier in their discussion that a survey of questions prepared by himself would be in the News Herald, Mr. Bleezarde has agreed to publish the questions in the News Herald providing the community an opportunity to respond to those questions for purposes of information gathering about the public's feeling with regard to police issues. He concluded that before the questions are published he would like an opportunity for the Town Board to see them and they would be able to express their concerns about the way that they are phrased.

Mr. Kindlon stated that it would be fine and Mr. Bleezarde is not going to have anything to do with the questions, he is only going to publish them. He added that he would be more than happy to bring the questions to the Town Board to look them over.

Supervisor Hotaling reiterated that the purpose of the survey is to gather information and the public's "pulse" of police issues and added that he had forgotten that he had spoken to Mr. Kindlon about this.

Mr. Kindlon stated that he forgot to mention it earlier.

Supervisor Hotaling interjected that they are not establishing precedence by allowing Mr. Kindlon to speak at the end of the meeting.

Mr. Kindlon apologized for forgetting the issue and thanked the Town Board.

Supervisor Hotaling stated that there is a topic for discussion in Executive Session with the Highway Superintendent and asked for a motion to adjourn.

ADJOURNMENT TO EXECUTIVE SESSION MOTION

On motion of Councilwoman Chmielewski, seconded by Councilman Conrad, the meeting was adjourned to Executive Session for personnel matters. VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Stanton) Time 8:06pm

Councilwoman Chmielewski stated that she did not know if they would be returning after Executive Session.

Supervisor Hotaling interjected that the Board will be returning and it won't be televised, the discussion could take several minutes and the Town Board will return for the purpose of adjournment. He added that no decisions would be made in Executive Session.

RECONVENE THE MEETING

Supervisor Hotaling called the meeting back to order at 9:35pm and then asked for a motion to adjourn the meeting. He added that no decisions were made.

ADJOURNMENT

MOTION

On motion of Councilman Conrad, seconded by Councilwoman Rogers, the meeting was adjourned. VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Stanton) Time 9:36pm.

Respectfully submitted

APPROVED:

Diane L. Millious, Town Clerk

A Workshop Meeting was held Tuesday, March 9, 2004, at 6:00 PM at Town Hall, 18 Russell Avenue, Ravena, New York

PRESENT: Ronald K. Hotaling, Supervisor
Frank D. Stanton, Councilman
Dawn Rogers, Councilwoman
Nita Chmielewski, Councilwoman
Larry Conrad, Councilman

ALSO PRESENT: Diane L. Millious, Town Clerk

Supervisor Hotaling and Councilman Conrad were late due to their attendance at the LaFarge Community Liaison Meeting from 5:00p.m. to 7:00p.m.

AGENDA ITEM

- Review of Town of Coeymans Employee Handbook

Respectfully Submitted,

APPROVED:

Diane L. Millious, Town Clerk

A Workshop Meeting was held Tuesday, March 2, 2004, at 6:00 PM at Town Hall, 18 Russell Avenue, Ravena, New York

PRESENT: Ronald K. Hotaling, Supervisor
Frank D. Stanton, Councilman
Nita Chmielewski, Councilwoman
Larry Conrad, Councilman

ABSENT: Dawn Rogers, Councilwoman

ALSO PRESENT: Joseph Rotello, Town Attorney

Supervisor Hotaling opened the meeting with the Pledge of Allegiance.

AGENDA ITEMS

- Presentation, Town of Coeymans Website – Frank Bruno
- LaFarge Citizen Liaison Committee Meeting
- Engineering Services for Sewer Project
- Old Ravena Road Bridge Project
- Correspondence

Respectfully Submitted,

APPROVED:

Diane L. Millious, Town Clerk

MINUTES BOOKTOWN OF COEYMANS**
February 26, 2004 Special Town Board Meeting – 6:00PM

A Special Town Board Meeting was held Thursday, February 26, 2004, at Town Hall, 18 Russell Avenue, Ravena, New York.

PRESENT: Frank D. Stanton, Councilman
Dawn Rogers, Councilwoman
Nita Chmielewski, Councilwoman
Laverne Conrad, Councilman (Arrived Late)

ABSENT: Ronald Hotaling, Supervisor

ALSO PRESENT: Diane Millious, Town Clerk

Councilwoman Chmielewski opened the meeting and led the Pledge of Allegiance.

Town Clerk Millious read the following Notice that appeared in the Ravena News Herald.

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 Thursday, February 26, 2004 at 6:00PM. The purpose of this meeting will be to audit bills. The meeting will be held at 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

RESOLUTIONS

RES. #57 -04 DESIGNATE TOWN BOARD MEMBER TO PRESIDE OVER TOWN BOARD MEETING IN SUPERVISOR’S ABSENCE
On motion of Councilman Stanton, seconded by Councilwoman Rogers, the following resolution was APPROVED – VOTE – AYES 3 – NAYS 0 – ABSENT 2 (Hotaling, Conrad) SO MOVED

WHEREAS, the Town Supervisor is unable to attend and preside over the Special Town Board Meeting on February 26, 2004, and

WHEREAS, the 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

MINUTES BOOKTOWN OF COEYMANS**
February 26, 2004 Special Town Board Meeting – 6:00PM

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 Nita J. Chmielewski to preside over the Special Town Board Meeting on February 26, 2004.

RES. #58-04 APPROVAL OF DECEMBER 2003 ABSTRACT

On motion of Councilwoman Rogers, seconded by Councilman Stanton, the following resolution was APPROVED – VOTE – AYES 3 – NAYS 0 – ABSENT 2 (Hotaling, Conrad) 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 2003 Abstract.

ABSTRACT	VOUCHER #	AMOUNT
GENERAL (A)	230,364-373	\$111,468.55
PRE-PAY	169-172, 177, 179	\$ 4,501.13
	GENERAL TOTAL	\$115,969.68
PART-TOWN (B)	359	\$ 199.99
TRANSFERS	223	\$ 905.27
	PART TOWN TOTAL	\$ 1,105.26
HIGHWAY (D)	374-379	\$ 2,452.41
TRANSFERS	215	\$ 11,768.53
	HIGHWAY TOTAL	\$ 14,220.94
SEWER (SS)	381	\$ 9.99
TRANSFERS	219	\$ 1,810.54
	SEWER TOTAL	\$ 1,820.53
CAPITAL PROJ. (H)	382	\$ 3,064.75
TRUST & AGENCY	205	\$ 18,105.43
	TOTAL FOR ALL FUNDS	\$154,286.59

RES. # 59-04 APPROVE FEBRUARY 2004 ABSTRACT

On motion of Councilman Conrad, seconded by Councilman Stanton, 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 February 2004 Abstract.

ABSTRACT	VOUCHER #	AMOUNT
GENERAL (A)		
Pre-Pay	163-168,173-176,178,180-	\$ 7,161.92

MINUTES BOOK**TOWN OF COEYMANS
February 26, 2004 Special Town Board Meeting – 6:00PM

	181	
Pre-Pay Transfers	208-213	\$110,386.44
	228-229,231-306	\$ 35,611.39
	General Total	\$153,159.75
HIGHWAY (D)		
Pre-Pay	182	\$ 1,971.81
Pre-Pay Transfers	214,216-217	\$ 41,359.30
	307-343,380	\$ 18,193.59
	Highway Total	\$ 61,524.70
SEWER (SS)		
Pre-Pay	183-193	\$ 1,572.28
Pre-Pay Transfers	218,220-221	\$ 9,734.44
	344-355	\$ 4,589.76
	Sewer Total	\$ 15,896.48
PART TOWN (B)		
Pre-Pay	194-202	\$ 2,224.09
Transfers	222,224-225	\$ 6,369.63
	356-358,360-363	\$ 764.52
	Part Town Total	\$ 9,358.24
	Total for All Funds	\$ 239,939.17
TRUST & AGENCY		
Pre-Pay	203-204,206-207	\$ 4,734.44
Transfers	226-227	\$161,713.24
	Trust & Agency Total	\$166,447.68

ADJOURNMENT

On motion of Councilman Conrad, seconded by Councilwoman Rogers, the meeting was adjourned. VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Hotaling) SO MOVED

Meeting closed 6:18PM

Respectfully Submitted,

APPROVED:

Diane L. Millious, Town Clerk

A Workshop Meeting was held Tuesday, February 24, 2004, at 6:00 PM at Town Hall, 18 Russell Avenue, Ravena, New York

PRESENT: Ronald K. Hotaling, Supervisor
Frank D. Stanton, Councilman
Dawn Rogers, Councilwoman
Nita Chmielewski, Councilwoman
Larry Conrad, Councilman

ALSO PRESENT: Diane L. Millious, Town Clerk

Supervisor Hotaling opened the meeting with the Pledge of Allegiance.

AGENDA ITEMS

- • Memorandum of Understanding for 2004 For Activities in NYS DES Regulated Waterways
- • Framework of Summer Youth Program – Danyell Crowley, Youth Services Director, Judy Felston, RCS Community Librarian, Donna Pasquini and Trish Visconti, Member of the Community

Respectfully Submitted,

APPROVED:

Diane L. Millious, Town Clerk

A Town Board Meeting was held Monday, February 23, 2004 at 7:00p.m. at Town Hall, 18 Russell Avenue, Ravena, New York

PRESENT: Frank D. Stanton, Councilman
Dawn Rogers, Councilwoman
Nita J. Chmielewski, Councilwoman
Laverne H. Conrad, Councilman

ABSENT: Ronald K. Hotaling, Jr., Supervisor

ALSO PRESENT: Diane L. Millious, Town Clerk
Scott Giroux, Chief of Police
Albert Deering, Highway Superintendent
Joseph Rotello, Town Attorney

Councilwoman Chmielewski called the meeting to order and led the Pledge of Allegiance.

OPENING COMMENTS

Councilwoman Chmielewski noted that Supervisor Hotaling was unable to attend the meeting due to the death of his mother, Marion Hotaling and then offered prayers and thoughts to the family.

Councilwoman Chmielewski continued by saying that a resolution had to be passed to designate a Chairman to preside at the meeting.

RES. #54-04 DESIGNATE CHAIRMAN TO PRESIDE OVER MEETING

On motion of Councilman Conrad, seconded by Councilwoman Rogers, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 –ABSENT 1 (Supervisor Hotaling)

WHEREAS, the Town Supervisor is unable to attend and preside over the Town Board Meeting of February 23, 2004, and

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 Nita J. Chmielewski to preside over the Town Board Meeting of February 23, 2004.

AGENDA OVERVIEW

Councilwoman Chmielewski noted that Councilman Stanton, Councilwoman Rogers and Councilman Conrad were present and continued by outlining the meeting as follows.

- • Public Comment Period
 - Dot Persico, Notification of Level III Sex Offenders
- • Approval of Minutes
 - 01/12/04
- • Supervisor's Report
 - Department Report Review
 - Town Clerk January 2004 Monthly Report
 - Police Department January 2004 Monthly Report
- • Old Business Update and Discussion
 - Police Vehicle Buy-Out
 - Rte. 144 – Coeymans Creek Sewer
- • New Business Topics for Discussion and/or Action
 - Presentation by Attorney Edward Fassett – Peter McGuire Subdivision
- • Resolutions
 - Designation of Board Member to Preside Over Meeting
 - Adoption of Local Law #1-04
 - Adoption of Local Law #2-04
 - Hiring of Part-Time Police Officer
- • Correspondence
 - Marvin & Company, P.C. – Financial Statements for Town of Coeymans Public Housing Agency for year ended 12-31-01
 - Marvin & Company, P.C. – Financial Statements for Town of Coeymans Public Housing Agency for year ended 12-31-02
 - Marvin & Company, P.C. – Financial Statements for Town of Coeymans Public Housing Agency for year ended 12-31-03
 - Marvin & Company, P.C. – Confirmation of Services
 - Marvin & Company, P.C. – Designation of Individual to Be Responsible For and Oversee Services
- • Town Board Workshops

PUBLIC COMMENT

Councilwoman Chmielewski invited Ms. Dot Persico to comment.

Ms. Persico stated that she along with Fran Pasquini were there to ask for the Town Board's support of an initiative to include in the Community Notification Process that when a Level III Sex Offender moves into the area and the Law Enforcement Agency is notified, that they in turn immediately notify the School District and then that it be included in the next report to the Town Board.

Ms. Persico continued by saying that she along with Ms. Pasquini and Ms. Almino attended the February 9, 2004 Board of Education Meeting and they were very receptive to adding parent notification to the current policy and included in that would be a general letter to the parents of the children in the school district notifying them that a Level III Sex Offender has moved in. She went on to say that at the Village Board Meeting last week, this same initiative was brought before them and it was tentatively approved upon review with legal counsel and Chief of Police Giroux had stated that it was a good idea.

Ms. Persico added that she would like to see the Town, Village, Law Enforcement Agency and R-C-S School District take the lead on this issue and serve as an example to other communities as to how sharing of information can protect residents of their community by notifying them of such a person and for those who would want further information, they could obtain it by Freedom of Information or go to the New York State Sex Offender Registry web site and by putting in the zip code you could receive information.

Ms. Persico concluded by saying that it is important to share this information at the Town Board Meetings because the school district does not encompass all entities at risk, which would include Nursery Schools, grandparents that have grandchildren over, parents whose children may not be attending the district and Day Care Centers; she added that it is important to share the information so that all residents can be informed and can take appropriate safety measures.

Councilwoman Chmielewski stated that she had spoken with Chief of Police Giroux on this subject and then asked Chief Giroux to comment.

Chief of Police Giroux stated that as Ms. Persico had mentioned he was in attendance at the Village Board Meeting and as a result of some additional research, he is in favor of the suggestion that the Police Department make a report to the Village and Town Boards, at least a general statement saying that Level III offender has moved into the community and could direct people where to go if they want to do some minimal research to get more information about the person. He added that the only thing that he would caution the Town Board, as he did the Village Board, is that the local Boards should not get in to the business of being the mechanism to disseminate the information, this should be left to the individual in the community that gets the information and wants to do it as the law has less requirements on the dissemination of information He reiterated by saying that the Boards should not get involved with doing this and should leave it up to the Police Department to make the report and to let people know that there is an easy way to get

additional information and those interested should be referred to the Police Department or the website.

Councilman Conrad stated that in lieu of this topic being included in the agenda, he looked up Megan's Law which is basically what they are talking about and it is an 80 page document that he found on the internet; he added that he has reservations about this because there are certain forms of rules of conduct and things that are explicitly prohibited for people to do such as eliciting the media, and putting the persons face on public business windows, which has already been done. He concluded by saying that he is concerned as to where the Town Board stands with this and that they are not in jeopardy of infringing on anyone's rights.

Town Attorney Rotello stated that he believes that is what Chief Giroux was getting at in his comment and is cautioning the Board in their involvement and that it is incumbent upon the Police Agency that receives the information to then make the determination as to the extent of the dissemination of the information.

Chief of Police Giroux added that he read the law and he is very familiar with it and the statute specifically tells the Police Department how to do it, however it is very vague and open-ended and uses terms such as vulnerable population based on their determination of what is a vulnerable population but they do not define it, there are some examples but it is not defined. He continued by saying that the media is cited as a specific example of who not to make an affirmative notification to and things like putting up posters on telephone poles and local businesses, there are different considerations that can be taken into account, however the law does specifically say that the dissemination of information by those vulnerable populations is not regulated and it can be disseminated to whatever extent they deem appropriate as long as another law is not violated or get involved with harassment or setting up a picket in front of the individuals house or things of that nature. He added that if you want to post that type of information inside a store, it is up to the store owner as he is legally able to do this as long as he is not editorializing on the information or saying something that is not directly available through the website or regular means.

Councilman Conrad interjected that this is specifically what he is referring to and that is the reason that he is concerned because it says that he must post it in an area that only the employees have the option of seeing it and not the general public.

Ms. Persico stated that they were told they could post the information because it was readily available on the internet to anyone and what Councilman Conrad is seeing posted at local businesses is on the internet and available to anyone free of charge. She added that they were advised that as long as they do not alter the information in any way it is within their legal right to ask business owners to put in their place of business and the reason is that Megan's Law was developed to protect children and part of the protection is notifying the community of the risks. She concluded that the report that would be given to the Town Board by the Police Department would say that a Level III sex offender had moved into the community and would not give any further information, any additional

information would have to be obtained either by F.O.I.L. or off the website and this was verified with a Senior Attorney with the New York State Sexual Offenders Agency who said that she was the authority on the law and she was specifically asked her if this information could be provided at Board Meetings which are televised and she said that there was no reason why it couldn't be. She added that she has her address if the Town Board would like it and in addition she had e-mailed the New York State Sexual Offender Registry and asked the same question and they replied that it was a great idea and this was given to the Town Board for documentation and making this information available will help protect the children and as Chief Giroux had stated, if it is not used in a harassing manner, it can be posted as long as it is not altered. She concluded by saying that she is asking for the Town Boards support because she wants it to be known that a Level III cannot move into the community without being recognized and if they choose to move into the community, the information will be shared with the school districts, the Village and Town Boards and residents such as herself will post the website information in the local businesses and by the number that have been posted, the support is with doing this.

Councilman Conrad stated that he agrees in that the Level III is the most grievous sex offender and has no problem with it; however he does not want to jeopardize any legal actions on behalf of the Town Board. He added that he commends Ms. Persico's action, however he read the law and it concerns him and he believes that the answer is for the Police Chief and the Police Department to handle this and not the Town Board.

Chief Giroux interjected that in reference to the dissemination of information, the person that receives the information is to abide by whatever other requirements there are in the law and that is why he questioned the Town Board disseminating the information and suggested that they not get involved.

Councilman Conrad stated that was his concern.

Ms. Persico stated that it was the same as the school district when they sent home notification to the parent and advised that a Level III offender has moved into the community and if parents want additional information they were also provided with where it can be obtained.

Chief of Police Giroux stated that there were some other concerns raised and the law is intentionally left subjective for the Police Department, the intent of the law is not to have the police make aggressive community wide notification, it is not the way it was written and likewise the law does not mandate that the Police Department or School District to do this, however if the School District receives it from the Police Department, they can then disseminate the information to the extent that they deem appropriate and if they want to change their policy to do this that is great, however if they didn't it is not a violation of the statute, it has mistakenly been suggested that the Police Department is mandated to release the information and that is not the mandate of the law or even allowed by the law.

Ms. Persico stated that they are not asking for that, they are asking for a general comment within his report to the Town Board and as she stated anyone looking for further information it is already available on the website including street address, work address, picture and offense. She concluded by saying that it would be alerting community residents to find out the information and take the appropriate action within the law. She then asked if the Town Board supports this.

Councilwoman Chmielewski added that Chief Giroux had stated in a conversation with her that he would make an announcement at the Village Board Meeting and that she was sure that he would do the same at a Town Board Meeting.

Chief of Police stated that for the record he would support it.

Councilwoman Chmielewski stated asked if anyone else from the public had any other comment.

Ms. Donna Pasquini started out by welcoming the new Town Board Members and added that she commends Dottie and as a grandmother she has a grandchild less than two blocks from the Level III sex offender along with the school being within two blocks, and is very glad that this is coming out because a lot of children walk to and from school.

She continued by adding that the second issue that she wants to comment on is the parking on Westerlo Street in Coeymans, signs are being torn up and ripped out of the ground and the posts are gone where there has been no parking on the right hand side coming down the hill, from Civill going to Blaisdell there are cars parked and if you meet a car you have to come to a complete stop to go around the car, the corner of Blaisdell is a disaster as there are cars parked every which way and children walking to and from there as it is a bus stop as well as the corner of Main Street and Westerlo being a problem as you cannot see to make the turn, coming around the bend there are cars parked on the sidewalk. She added that she had previously voiced the concern that there is a handicapped parking sign on the sidewalk with blue lines which is completely blocking the sidewalk and she does not believe that it is legal to block a sidewalk, if a car is parked there you have to walk around the car into the road and then go back onto the sidewalk which is right on the bend and there are usually three cars parked there and there is a pole with a no parking sign that has been there for years. She went on to say that there are people parking on the corner and up and down the streets and with boating coming soon it will be a disaster for the traffic and the people living on the streets and Highway Superintendent Deering can attest as to what parking has been like on Westerlo and Blaisdell and his crew could not clean up the intersections properly because of the parking. She reiterated that there are some serious parking issues on Westerlo and Blaisdell that need to be looked at.

Councilwoman Chmielewski asked if anyone else wanted to comment, hearing none she moved to the next agenda item.

APPROVAL OF MINUTES

Councilwoman Chmielewski stated that there were minutes for approval.

MOTION

On motion of Councilman Stanton, seconded by Councilman Conrad, the following Minutes are to be approved. VOTE – AYES 4 – NAYS – 0 ABSENT 1 (Supervisor Hotaling)

- Town Board Meeting, January 12, 2004

Councilman Conrad stated that there were a couple of items that he had noted and wanted to point out. He added that it was lengthy meeting and there was quite a conversation about the Highway Garage and there were two spots where Councilman Stanton interjected comments along with Councilwoman Rogers quoting “that the repair could wait until spring. He then questioned if Councilwoman Rogers had actually made the comment.

Councilwoman Rogers stated that she did.

Councilman Conrad continued by saying that during a discussion it was quoted as him saying “the court has been represented” and the actual statement was “the Boards have been represented by Barbara Fifield-Guzman.” He added that the Boards were the Planning Board and Zoning Board of Appeals.

He continued by saying that there was also a quote saying “and renders another service to the Town and is present at the meetings of the Zoning Board” it should have been quoted as Planning Board. He added that Attorney Brick had scheduled conflicts with the Zoning Board of Appeals Meetings and he cannot be present for those meetings.

Councilwoman Chmielewski stated that the Minutes would be approved with the amendments.

Councilman Conrad interjected that he had one more change for the minutes. He stated that he believes is was possibly a typographical error and there is a section that refers to an Article 73 and he believes it should be an Article 78, in addition he believes that it should not read DeFlumer vs. Scalzo.

Attorney Rotello stated that he believes that DeFlumver vs. Scalzo is correct but can’t be sure.

Councilman Conrad questioned that it did not include vs. The Town of Coeymans and the Fire District.

Attorney Rotello stated that they may also be included and he’s not sure.

Councilman Conrad asked that this amendment be accepted as well.

Councilwoman Chmielewski asked for another vote. VOTE – AYES 4 – NAYS – 0
ABSENT 1 (Supervisor Hotaling)

SUPERVISOR'S REPORT

Councilwoman Chmielewski stated that this is a report starting January 2004 and Interim Bookkeeper Nancy Caswell who was doing 2003 forward gave the balances to Bookkeeper Lillian Foss. She then proceeded to read the report.

JANUARY 2004

FUND	BALANCE F O R W A R D	RECEIPTS	DISBURSEMENTS	BALANCE
GENERAL	\$(460,595.95)	\$1,718,785.49	\$(137,901.90)	\$1,120,287.64
FEMA	\$ 43,555.50			\$ 43,555.50
PART-TOWN	\$ 81,549.15	\$ 4,125.35	\$ (5,524.67)	\$ 80,149.83
HIGHWAY	\$ 218,816.67	\$ 304.00	\$ (53,164.23)	\$ 165,956.44
SEWER	\$ 187,848.72	\$ 21,124.74	\$ (18,740.14)	\$ 190,230.32
SPEC.WATER	\$ 22,664.37			\$ 22,664.37
TRUST & AGCY.	\$ 561.91			\$ 561.91
			TOTAL BALANCE	\$1,623,406.01

SAVINGS ACCOUNTS

Justice	\$11,059.16
Unemployment	\$10,426.95
Capital Projects	\$ 1,364.71
Landfill Closure	\$ 203.96
Grove Cemetery	\$43,677.37
Sewer Dedicated	<u>\$ 7,296.02</u>
TOTAL	\$74,028.11

CLASS ACCOUNTS

General (A)	\$ 8,932.64
Part-Town (B)	\$ 6,165.27
FEMA	\$42,642.34
Highway (DB)	\$ 1,544.42
Waste Water (S)	\$ 6,331.26
Special Dist. (SL)	\$ 1,349.14
Capital	\$ 52.11
Cemetery	<u>\$ 4,321.48</u>
TOTAL	\$71,338.66

SECTION 8 – HUD

Occupied Units	75
HUD Payments	\$37,346.00
Admin. Fee	\$ 80.12
Total HUD Payment	\$37,426.12
Tenant Rent	\$21,878.00
Contract Rent	\$56,821.00

COLLATERAL COVERAGE	TOTAL ON DEPOSIT	FDIC COV.	COLLATERALIZED
Class (Supervisor)	\$ 71,338.66	\$100,000.00	
NBS (Supervisor)	<u>\$1,697,434.12</u>	\$200,000.00	\$1,015,630.00
TOTAL	\$1,768,772.78		

Councilwoman Chmielewski asked if anyone had any questions.

Councilman Conrad stated that so people understand, the Class Accounts are investment accounts.

Councilwoman Chmielewski agreed and stated that in 2003 this is how they kept the accounts, in the Class Accounts, and co-mingled all the funds together. She added that the new administration separated the funds as to how they should be separated and for 2004 they will be in separate accounts and not co-mingled like the Class Accounts. She added that the totals in the Class Accounts are for last year and they are now looking to do away with the Class Accounts.

Councilman Conrad interjected that the General Fund balances forward are still not an ending figure because they continue to process 2003 vouchers and there is another considerable amount to be added.

Councilman Stanton stated that the FEMA amounts are different between the balance forward of \$43,555.50 and the class account figure of \$42,642.34 and asked if it was a typographical error or is there \$85,000.00 in the FEMA account.

Councilwoman Chmielewski stated that she did not know and would speak with the bookkeeper about it. She then asked if anyone had any other questions or comments, hearing none she asked for a vote to accept the Supervisor's Report as read.

MOTION

On motion of Councilman Stanton, seconded by Councilman Conrad, the Supervisor's Report was accepted as read. VOTE – AYES 4 – NAYS – 0 ABSENT 1 (Supervisor Hotaling)

TOWN CLERK REPORT

Councilwoman Chmielewski asked that Town Clerk Millious read the Town Clerk's Report for January 2004.

MOTION

On motion of Councilman Stanton, seconded by Councilwoman Rogers the Town Clerk's Report was accepted as read. VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Supervisor Hotaling)

DEPARTMENT REPORTS

Police Department Report – January 2004

Councilwoman Chmielewski reported that there were 887 service calls, 237 were emergency in nature, 650 were non-emergency, and there are 7 open and 75 closed. She then asked Chief Giroux what the open vs. closed cases.

Chief of Police Giroux stated that it is the number of cases developed for the month and the numbers show those that are already closed either by arrest or investigation and the amount that are still open

Councilwoman Chmielewski continued by reporting that there was 154 traffic tickets issued and added that Chief Giroux had added a brief synopsis of the calls that came in to the Communications Center.

Chief Giroux interjected that they are copies of the weekly Blotter Reports.

Councilwoman Chmielewski asked for a motion to accept the January 2004 Police Department Report.

MOTION

On motion of Councilman Stanton, seconded by Councilman Conrad, the 2004 Police Department Report was accepted as read. VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Supervisor Hotaling)

Discussion - Councilman Conrad stated that there are open union issues that Chief Giroux has pointed out on numerous occasions and he hates to see them drag on. He continued by saying that he would like to make a motion to handle the issues.

Councilwoman Chmielewski stated that they are Executive Session items.

Councilman Conrad stated that he understands that, however they need to take care of the issues.

Chief Giroux interjected that the first step should be to set up a meeting with representatives from the union to get directly from them what their issues are and both could be settled with information from the Town Board.

Councilwoman Chmielewski stated that this should be addressed when Supervisor Hotaling returns and they should set up a meeting when they can all get together.

Councilman Conrad stated that he is not “up to speed” on some of the issues and he has heard bits and pieces but nothing concrete. He added that he does not want to see them on every Monthly Report as an open issue.

Chief Giroux stated that he doesn’t either and they are issues that have been “flopping in the breeze” for a while and he believes that the union is looking to set down with a representative or two from the Town Board to come up with some solutions.

Councilwoman Chmielewski stated that she would discuss this with Supervisor Hotaling and hopefully set up a meeting to do this.

OLD BUSINESS

Police Vehicle Buy-Out

Councilwoman Chmielewski asked that Chief Giroux give some background on the topic.

Chief Giroux stated that in 2001 the Police Department applied for a grant to purchase a vehicle along with a variety of equipment for the Detectives Office and the total of the grant request was \$40,000.00 +. He added that there was favorable response from the State that administers the grant, however because they were the recent recipients of other significant grant money, the state was reluctant to give the full amount so they reduced it to a \$15,000.00 award and at the time the Town Board agreed to accept the grant and instead of buying the vehicle the Town would lease it in order to take custody of it right away, with the idea that at the end of the term of the lease the Town would buy the vehicle out. He added in addition to the money for the lease they also got money for a variety of other equipment that stocked the vehicle. He continued by saying that they are nearing the end of the lease, it is the last month of the lease and by the end of next month they are going to have to pay the residual on the lease which is \$15,000.00, he added that unfortunately this money was previously requested however it was not added to the budget and other arrangements have to be made so that they can buy-out the lease and keep their hands on the vehicle. He added that contrary to other issues that were raised, the vehicle is in excellent condition and has approximately 47,000 miles on it and no alterations were made to the vehicle that would violate the lease, there was a cap for mileage of 20,000 miles per year and they are well within that. He concluded by saying that the vehicle could be turned back in and satisfy the lease however his desire is to buy it out which was their intent in the first place and keep the vehicle as it has a lot of good years of service left.

Councilwoman Chmielewski asked Chief Giroux if he had looked at his budget to see where the money could come from.

Chief Giroux stated that before he made the request to the Town Board he did just that and unfortunately if he took the money now he would be back looking for it in October. He concluded by saying that he could not absorb the expense.

Councilwoman Chmielewski stated that they would have to take a look at the rest of the budget and the Town is not in much better shape than he is in finding \$15,000.00. She then asked how much it would cost to turn the vehicle in.

Chief Giroux stated that he does not believe that it will not be anything.

Councilwoman Chmielewski questioned him saying that the lights and equipment had to be taken off.

Chief Giroux stated that there is equipment that has to be removed and is a matter of unscrewing some screws and pulling some wire.

Councilwoman Rogers commented to Chief Giroux that if he turns the vehicle in, he is not in very good shape with cars.

Chief Giroux stated that was true and added that this adds insult to injury because the desire and thought before that was that the Police Department was going to get two new vehicles this year and that isn't going to happen either. He added by saying that this would cripple the Department for available reserve vehicles.

Councilwoman Chmielewski stated that as she had said, they could take a look at the entire budget.

Councilman Stanton stated that the finances have to be looked at as a whole and then make a decision because as Councilwoman Chmielewski had pointed out, financially they are not in any position to purchase the vehicle. He then added that maybe the Police Department could absorb half of the cost. He concluded by saying that the budget has to be looked at first before they can make any decision.

Councilwoman Chmielewski stated that they would not be making a decision until they can look at the budget to see what they can do.

Councilman Conrad asked Chief Giroux if he was up against a time constraint.

Councilman Chmielewski interjected that Chief Giroux had said the end of the month. Chief Giroux stated that a decision would have to be made within the next two to three weeks because it has to be before the end of March.

Councilman Stanton interjected that there was time and they would wait until Supervisor Hotaling was back.

Rte. 144 Coeymans Creek / Sewer

Councilwoman Chmielewski asked that Councilman Conrad give an update.

Councilman Conrad stated that the Town is in receipt of a letter from the New York State Department of Transportation dated 02-12-04 and it is addressed to the Town Supervisor. He added that it is basically an answer to a request of Supervisor Hotaling and through the help of Town Engineer Pat Prendergast they have gone back to DOT to ask what it would cost to extend the sewer line across the Coeymans Creek and the possibility of a new Sewer District which was promulgated by the situation with the development of the Rte. 144 corridor to the north. He continued by saying that they have responded back to the Town and the reason that it was originally taken out of the original funding was due to the following quote from the letter "At the time we explained to Supervisor Scalzo that adding the work back into the contract after letting would result in a likely significance of higher cost to the Town. We have revisited the plans and formulated an estimated base on the item bid prices received; we estimate that the cost of adding the work back into the contract will be \$135,000.00 to \$150,000.00 including inspection services."

Councilman Conrad stated that the basic situation is that it is \$35,000.00 to \$50,000.00 higher than it would have been to put it in the original specification of the bridge.

Councilwoman Chmielewski asked if it was originally \$100,000.00.

Councilman Conrad stated that he believed that it started at \$80,000.00 then escalated to \$100,000.00 and asked Town Attorney Rotello if that was correct.

Town Attorney Rotello said at that time that was the estimate that they gave.

Councilman Conrad stated that they were told that if the Town does not want to proceed with the project at this time, that areas were left where it can be dug up and the sewer could be attached back to the side of the bridge at a later date. He added that the letter was to give the Town some kind of an idea of what they had to work with as far as monies in order to proceed with the project and do something with the formulation of a possible new district of the Rte. 144 corridor.

Councilwoman Chmielewski asked if anyone else had any comments and then asked what Councilman Conrad would suggest.

Councilman Conrad stated that he would suggest that they look at it a little more closely as to how to establish a district, there are 4-5 homes on the north side of the bridge that are in serious need of the sewer extension, along with the possibility of further development that has been brought before the Town Board, along with the Powell & Minnock Brickyard and areas of that nature and it would be a pretty severe figure that would be imposed. He added by saying that they will have to look to some type of an alternative plan, possibly with the development of Rte. 144, the developers could possibly absorb some of the cost to lessen the burden on that district. He concluded by saying that he's not sure of all of the ramifications of developing a new district and they will have to get in touch with the Town's Sewer Attorney Mr. Tabner to get some input

as to how it should be handled and added with money as tight as it is right now he does not see an immediate answer.

Councilwoman Rogers stated that at the meeting with the businesses on Rte. 144 that are interested in a new district and were interested in helping the Town bring water on the other side of the bridge.

Councilman Stanton asked if there was a breakdown of the estimate for what each thing would cost or was it one lump sum.

Councilman Conrad stated that the Town Board has what he has.

Councilman Stanton stated that it sounds like a lot of money just to run a pipe across the bridge.

Councilman Conrad interjected that he believes that there are other alternative methods that can be addressed as things develop with the possible development of the corridor and they can look in to a couple things more with the Town Engineer and spend a minimal amount of money to see if there is something else that they can do to help get the new district enacted. He concluded that for the public knowledge, the Town Board has been asked to look at this area with a little more concern because the Albany County Health Department has cited some violations on the other side of the bridge and they are between a “rock and a hard place” in handling some of the issues. He concluded by saying that they are trying to look for something more reasonable in trying to get this worked out and he’s sure that there is something there but at this time they do not have an answer of which he does not have at this time.

NEW BUSINESS

Presentation by Attorney Fassett – Peter McGuire Subdivision

Councilwoman Chmielewski stated that Attorney Fassett would give a presentation on a subdivision and asked that Councilman Conrad bring everyone “up to speed” on the topic.

Councilman Conrad stated that Mr. McGuire owns approximately 130 acres of land on Lawson Lake Road in the Town of Coeymans and is looking for permission to subdivide it; the Planning Board has sent him to the Town Board to try to clarify some issues over Town Roads and that is the reason that he is present with his attorney.

Attorney Fassett asked if the Town Board had received the material that he had sent in advance.

Councilman Conrad stated that they had.

Attorney Fassett stated that they were there with the urging of the Planning Board in order to get a clarification on the status of Carr Road. He continued by saying that Mr. McGuire owns 139.5 acres and would like to subdivide it into two parcels, the front parcel won't be a problem because it is on Lawson Lake Road, the back half fronts on Carr Road and the Town's ordinance requires 100 feet of road frontage. He added that if Carr Road is a Town Road then there is not a problem with the subdivision as he would have the requisite frontage because Carr Road runs through his property heading toward Rte. 32, if it is not a Town Road then there is a different matter and they may have to go to the Zoning Board of Appeals and put in a private road. He went on to say that he had put in a F.O.I.L. request to the Town Clerk to see if Carr Road had ever officially been abandoned under Section 205 of the Highway Law and there is no such certificate. He added that if it was a Town Road then it still is a Town Road because it has never been properly abandoned under Section 205. He concluded by saying that he did get some material under F.O.I.L. from the Town Clerk and at one point the Town Board set down and declared which roads were Town Roads but the fact that all of Carr Road is not on the list by statute does not mean that it is not a Town Road and their position is that it was never properly abandoned and it is still a Town Road and they now need some clarification from the Town Board. He added that the Planning Board has said that this issue has come up before and they are deferring it to the Town Board for some guidance and they are looking for a decision as to whether Carr Road is a Town Road or not.

Councilman Conrad stated that he could give a definitive answer in that Carr Road is a Town Road for .67 miles off of Rte.32 and this information was provided in the resolution, which he previously mentioned. He added that in addition he had a copy of the answer to his F.O.I.L. request from Town Attorney Rotello, which also states that, and also included was the required filing by the Superintendent of Highways with the Department of Transportation, which indicated clearly that it is .67 miles. He added that it was promulgated because he himself was sitting on the Planning Board at that point in time and asked a lot of questions as to the fact that what was the status of the Town Roads and there were a lot of open ended conversations and this is what resulted and what he has to fall back to at this point in time. He added that he put together a map which is in lieu of the information that he filed with the Town and basically it appears that the Town Road goes in approximately 3,500 feet and his clients property is another 5,000 – 6,000 feet beyond that point and he looked at other properties in that vicinity appear to be land-locked and it turn looked at their deeds and found no mention of Carr Road on the western border as well as no mention of right-of-ways or anything of that nature so he has nothing to substantiate the fact that Carr Road ever did go through. He continued by saying that he wanted to point out that this road in particular is of special circumstances because only 17 feet of it is in the Town of Coeymans, the rest of it is in the Town of Westerlo and the road that the Attorney refers to as Carr Road appears to be a logging path that followed along the Town of Westerlo, Town of Coeymans line between Rte. 32 & 312 otherwise known as Derbyshire Road in the Towns of New Scotland and Westerlo and whether or not it is considered a road by those towns, he does not know. He continued by saying that Attorney Fassett should look to the Town of Westerlo to see what their recollection of the situation is because as far back in the records as he can go, there is a map dated 1961 and it shows a very small section of Carr

Road in the Town of Coeymans and he also pointed out that the legend on the map includes existing roads and proposed roads and everything that they have lends them to believe that there was no Carr Road going all the way through. He added that at this point in time this is the position that the Town Board will be taking at this precise moment and that there are procedures for upgrading roads to bring them into the Town, however Albany County owns all of the property along the whole Westerlo border and he does not believe that there interest will be to open this up as they have the posted signs all over and this is one of the reasons that the Town has not done any further investigation into developing anything in that area. He continued by saying that in all good graces Attorney Fassett has indicated that his client wants to make it a hunting situation and he believes that there are other alternatives that can be looked into in accessing this property, possibly from Lawson Lake or an easement which may be able to be found some place back in the records as most of the properties were acquired by Public Auction and usually when the County does that type of thing they leave out those very precise little notes that you may need, he then suggested that they go back and look a little further in to the records to see if there is an easement to allow his client to get access for that proposed Carr Road as he refers to it or the logging path as the Town knows it. He concluded by saying that he knows that there are ways that it can be accomplished through the Planning Board and he appreciates what the Planning Board is doing because there are three different situations, there is a road ordinance, subdivision rules and regulations and a zoning regulation in which all three have street defined and all three basically are not in agreement with the other as you look at the context of those items and in 2000 the Town Board tried to bring it a little closer together but he believes that they added to the confusion of it more than anything else and now the Planning Board will need help and direction from Attorney Brick to point them in the right direction on solving the problem.

Attorney Fassett asked if the .67 miles that is a Town Road, if it was dedicated or by common use.

Councilman Conrad stated that his knowledge of the situation is that most of those roads were the current roads that were being maintained by the then Town of Coeymans Superintendent of Highways, Mr. Kelt Vosburg. He added that he does not know what condition he placed on it, whether it was by use under Section 189 as it is clear that there is no dedication or abandonment and with that respect he does not know what to tell him.

Attorney Fassett stated that he had told the Planning Board that it is rare to have a dedicated road in a Town as old as Coeymans and he is the Town Attorney of Duanesburg where they have 72 Town Roads and only 5 deeds. He then stated that as far the easement goes, he would say that his client, because of the location of the back parcel, he would say that he has a prescriptive easement from Rte. 312, Derbyshire Road to his property along what they are calling Carr Road and he does not see that as an issue and continued by saying that the way that street is defined is that it is a public way.

Councilman Conrad interjected that he guessed the question then is, is the prescriptive easement a public way.

Attorney Fassett stated that Mr. McGuire is not the only one that uses it and if there are any other landlocked parcels back in there undeveloped, at some point they will be developed, there was indication at the Planning Board Meeting that other property owners are using it on a daily basis.

Councilman Conrad stated that he would agree with him and that is why he is suggesting that possibly Attorney Brick could lend some clarification and he totally agrees with his estimate of what was said, a public way, which does not necessarily mean a Town Road and this is something that needs to be clarified by the Planning Board and that issue needs to be addressed by Attorney Brick as counsel for that Board and hopefully something can be achieved to his satisfaction in that area. He concluded by saying that he could not guarantee anything at this point and was just suggesting that it might be a mode to look in to.

Attorney Fassett asked for a moment to confer with his client. He then stated that he wanted to point out that his client examined the map at Town Hall and it did show that Carr Road going all the way from Rte. 32 to Rte. 312 and he also has a county map that shows the same. He added that he realizes that it does not make it a Town Road.

Councilman Conrad stated that for the typical situation under abandonment he understands where he is coming from, under Section 205 it use to be 20 years in non-use for abandonment and was then subsequently reduced to 10 years and more recently been reduced to 7 years. He added that it is clear that the Town of Coeymans has not maintained any portion of what possibly was or may have been a Carr Road, however he does not know what the Town of Westerlo situation is, clearly 17 feet of it is in the Town of Coeymans. He concluded by saying that obviously it is a situation that is going to need to be litigated.

Attorney Fassett thanked the Town Board for their time and stated that they would resume with the Planning Board.

Councilman Conrad asked if any other Town Board members had any questions and added that he put together a map that clearly shows .67 miles of road and it is obvious that there is a path that goes all the way through.

Councilwoman Chmielewski thanked everyone.

RESOLUTIONS

RES # 55-04 ADOPTION OF LOCAL LAW # 1-04

On motion of Councilman Stanton, seconded by Council Member Rogers the following resolution was APPROVED – VOTE –AYES 4 – NAYS 0 – ABSENT 1 (Supervisor Hotaling)

WHEREAS, a resolution was duly adopted by the Town Board of the Town of Coeymans, for a Public Hearing to be held by said Governing Body on February 10, 2004 at 5:30 P.M. at Town Hall, 18 Russell Avenue, Ravena, New York to hear all interested parties on proposed Local Law No. 1, and

WHEREAS, notice of said Public Hearing was duly advertised in The News-Herald, the official newspaper of said Town, on January 29, 2004, and February 5, 2004, and

WHEREAS, said Public Hearing was duly held on February 10, 2004, at 5:30 P.M. at Town Hall and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said Proposed Local Law, or any part thereof, and

WHEREAS, the Town Board of the Town of Coeymans, after due deliberation, finds it in the best interest of said Town to adopt said Local Law.

NOW, THEREFORE, BE IT RESOLVED, the Town Board of the Town of Coeymans hereby adopts said Local Law No. 1, entitled a Local Law of the Town of Coeymans, Amending Chapter 149, Article V, Senior Citizens Exemption, of the Town Code of the Town of Coeymans, a copy of which is attached hereto and made part of this resolution, and be it further

RESOLVED, that the Town Clerk be and she hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of Coeymans, and to give due notice of the adoption of said Local Law to the Secretary of State of New York.

**TOWN OF COEYMANS
PROPOSED LOCAL LAW NO. 1 OF 2004
A LOCAL LAW OF THE TOWN OF COEYMANS, AMENDING CHAPTER 149,
ARTICLE V, SENIOR CITIZENS EXEMPTION, OF THE TOWN CODE OF
THE TOWN OF COEYMANS**

Be it enacted by the Town Board of the Town of Coeymans as follow:

Statutory Authority: This local law is adopted pursuant to the provisions of the Municipal Home Rule Law of the State of New York.

Legislative Intent: The purpose of this law is to amend, in part, Chapter 149, Article V of the Town Code of the Town of Coeymans, to the extent of adopting the income limits for senior citizen tax exemptions, as established by Albany County, and provide that any such future amendments be made by resolution of the Town Board.

149-21A (1), shall be amended only to the extent of providing for an income limit of \$24,000.00, which shall replace \$21,500.00 (amended by L.L. 1-2002).

149-22, shall be amended only to the extent of modifying the minimum/maximum income and percentage chart in accordance with the following char, which shall replace the current chart (amended by L.L. 1-2002):

ANNUAL INCOME	EXEMPTION
\$0.00 To \$24,000.00	50%
\$24,000 or more but less than \$25,000.00	45%
\$25,000 or more but less than \$26,000.00	40%
\$26,000 or more but less than \$27,000.00	35%
\$27,000 or more but less than \$27,900.00	30%
\$27,900 or more but less than \$28,800.00	25%
\$28,800 or more but less than \$29,700.00	20%
\$29,700 or more but less than \$30,600.00	15%
\$30,600 or more but less than \$31,500.00	10%
\$31,500 or more but less than \$32,400.00	5%

149-22A (1), shall be amended only to the extent of providing for an income limit of \$32,400.00, which shall replace \$29,999.99 (amended by L.L. 1-2002)

149-23 shall be added as follows:

149-23 Amendments

The annual income limits and tables, and age requirements, set for the in this Article, may be amended by resolution of the Town Board, subject to permissive referendum.

149-24 Saving Clause

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Town Board of the Town of Coeymans hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

149-25 shall be added as follows:

149-25 Effective Date

This local law shall take effect immediately upon filing with the Secretary of State, after 45 days from the date of its adoption.

RES #56-04 ADOPTION OF LOCAL LAW NO. 2

On motion of Council Member Rogers, seconded by Council Member Conrad the following resolution was APPROVED – VOTE –AYES 4 – NAYS 0 – ABSENT 1 (Supervisor Hotaling):

WHEREAS, a resolution was duly adopted by the Town Board of the Town of Coeymans, for a Public Hearing to be held by said Governing Body on February 10, 2004

at 5:50 P.M. at Town Hall, 18 Russell Avenue, Ravena, New York to hear all interested parties on proposed Local Law No. 2, and

WHEREAS, a notice of said Public Hearing was duly advertised in The News-Herald, the official newspaper of said Town, on January 29, 2004, and February 5, 2004, and

WHEREAS, said Public Hearing was duly held on February 10, 2004, at 5:50 P.M. at Town Hall and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said Proposed Local Law, or any part thereof, and

WHEREAS, the Town Board of the Town of Coeymans, after due deliberation, finds it in the best interest of said Town to adopt said Local Law.

NOW, THEREFORE, BE IT RESOLVED, the Town Board of the Town of Coeymans hereby adopts said Local Law No. 2, entitled a local law of the Town of Coeymans, Amending Chapter 149, Article III, Exemption for Certain Disabled Homeowners, of the Town of Coeymans, a copy of which is attached hereto and made part of this resolution, and be it further

RESOLVED, that the Town Clerk be and she hereby is directed to enter said Local Law in the Minutes of this meeting and in the Local Law Book of the Town of Coeymans, and to give due notice of the adoption of said Local Law to the Secretary of State of New York.

**TOWN OF COEYMANS
PROPOSED LOCAL LAW NO. 2 OF 2004
A LOCAL LAW OF THE TOWN OF COEYMANS, AMENDING CHAPTER 149,
ARTICLE III, EXEMPTION FOR CERTAIN DISABLED HOMEOWNERS, OF
THE TOWN CODE OF THE TOWN OF COEYMANS**

Be it enacted by the Town Board of the Town of Coeymans as follow:

Statutory Authority: This local law is adopted pursuant to the provisions of the Municipal Home Rule Law of the State of New York.

Legislative Intent: The purpose of this law is to amend, in part, Chapter 149, Article III of the Town Code of the Town of Coeymans, to the extent of adopting the income limits for tax exemptions for certain disabled homeowners, as established by Albany County, and provide that any such future amendments be make by resolution of the Town Board.

149-9 shall be amended only to the extent of modifying the annual income and percentage chart in accordance with the following chart, which shall replace the current chart:

ANNUAL INCOME	EXEMPTION
\$0.00 To \$24,000.00	50%
\$24,000 or more but less than \$25,000.00	45%

\$25,000 or more but less than \$26,000.00	40%
\$26,000 or more but less than \$27,000.00	35%
\$27,000 or more but less than \$27,900.00	30%
\$27,900 or more but less than \$28,800.00	25%
\$28,800 or more but less than \$29,700.00	20%
\$29,700 or more but less than \$30,600.00	15%
\$30,600 or more but less than \$31,500.00	10%
\$31,500 or more but less than \$32,400.00	5%

149-15 shall be amended only to the extent of deleting the last sentence of that paragraph, as identified by footnote 3.

149-17 shall be re-titled and amended as follows:

149-17 Amendments

The annual income limits and tables, set forth in this Article, may be amended by resolution of the Town Board, subject to permissive referendum.

149-18 shall be added as follows:

149-18 Saving Clause

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Town Board of the Town of Coeymans hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

149-19 shall be added to replace, renumber and amend 149-19 as follows:

149-19 Effective Date

This local law shall take effect immediately upon filing with the Secretary of State, after 45 days from the date of its adoption.

Councilwoman Chmielewski stated that the resolution regarding the appointment of a part-time Police Officer would be moved to Executive Session.

RES. # 57-04 APPOINT VOTING MACHINE CUSTODIAN

On motion of Council Member Conrad, seconded by Council Member Stanton the following resolution was APPROVED – VOTE –AYES 4 – NAYS 0 – ABSENT 1 (Supervisor Hotaling)

WHEREAS, the Town of Coeymans must appoint Voting Machine Custodians to maintain the voting machines used in elections held within the Town of Coeymans and,

WHEREAS, the Town currently has trained Voting Machine Custodians whose term expired December 31, 2003,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board appoints Robert Traver to the position of Voting Machine Custodian for the Presidential Primary Election to be held March 2, 2004.

CORRESPONDENCE

Marvin & Company – re: Financial Statements for Town of Coeymans Public Housing Agency for Year Ended 12/21/01

Councilwoman Chmielewski read the following:

Dear Mr. Hotaling:

Enclosed are drafts of the financial statements for the Town of Coeymans Public Housing Agency for the year ending December 31, 2001. In addition enclosed are copies of the adjusting journal entries and the trial balance.

Please distribute the drafts to each Board Member for their review, when they have had time to review the drafts please call me to arrange an exit conference date.

Councilwoman Chmielewski asked if each Board Member had gotten a copy and had a chance to read them over.

Councilman Conrad stated that he had read them all over and unfortunately not all of them make sense to him. He added that he does know that instead of using the Annual Financial Report to report to the Federal Government, they are now using a different form of reporting, as provided by law. He continued by saying that he has no problem with what has been done and they are just to satisfy the auditing for HUD which was required because the Town received more than \$300,000.00 in Federal Funds, since then it has been increased to \$500,000.00 and the Town will probably not reach that threshold and not be required to do it anymore. He concluded by saying that he is in favor of this method and it will satisfy all the requirements that are required of the Town.

Councilman Conrad suggested that a motion be made authorizing the Town Supervisor to proceed with the HUD Audit.

Councilwoman Chmielewski stated that he has to sign the representation first.

Councilman Conrad stated that he needs an authorization from the Town Board to proceed with this and he personally wanted to make the motion.

MOTION

On motion of Councilman Conrad, seconded by Councilman Stanton, the Town Board of the Town of Coeymans authorizes the Town Supervisor to proceed with this process.

VOTE –AYES 4 – NAYS 0 – ABSENT 1 (Supervisor Hotaling)

Councilwoman Chmielewski stated that the following two correspondences were regarding the 2002 & 2003 HUD audits, which will bring the HUD Audits up to date.

Councilman Conrad interjected that they were three year delinquent.

ADDITIONAL WORKSHOP MEETINGS

Councilwoman Chmielewski stated that a motion needed to be made to hold a Special Meeting to audit bills and suggested that it be held on February 26, 2004 at 6:00p.m.

MOTION

On motion of Councilman Stanton, seconded by Councilman Conrad, a Special Meeting will be held on February 26, 2004 at 6:00p.m. to audit bills.

VOTE –AYES 4 – NAYS 0 – ABSENT 1 (Supervisor Hotaling)

Councilwoman Chmielewski stated that it would be a Special Meeting to audit bills; there will be no other business.

Councilman Conrad stated that they would direct the Town Clerk to post a Notice of Special Meeting.

Councilman Stanton stated that there are additional Workshops scheduled through the end of the month and for future Workshops his opinion is that they continue to have them weekly and wished to make a motion.

Councilman Conrad asked if the Town Clerk would also be directed to post a Public Notice.

Councilwoman Chmielewski asked how many meeting and whether it should be the whole month of March.

Councilman Stanton asked what she would suggest.

Councilman Conrad stated that he did not have a problem with the whole month of March.

Collectively it was discussed between the Town Board, Town Clerk Millious and Town Attorney Rotello as to the dates of the additional meetings.

Councilwoman Chmielewski stated that they would be March 2nd, March 9th, March 23rd and March 30th at 6:00p.m. and Town Clerk Millious will post Public Notice.

MOTION

On motion of Councilman Stanton, seconded by Councilman Conrad, additional Workshops will be scheduled for Tuesday evenings, March 2nd, March 9th, March 23rd and March 30th at 6:00p.m. to discuss Town business.

VOTE –AYES 4 – NAYS 0 – ABSENT 1 (Supervisor Hotaling)

CLOSING COMMENTS

Councilwoman Chmielewski asked if any of the Town Board Members had any additional comments.

Councilman Stanton stated that as liaison for the Town's Inventory, he has talked to all of the Department Heads and has distributed stickers for each item to be inventoried in their departments. He stated that it is going well and over 50% of the Department Heads have reported back and he should soon have the entire inventory labeled.

Councilman Stanton continued by saying that as liaison for the Highway Department, Highway Superintendent Deering has a 1989 Ford 1 ton truck that he would like to put out for bid. He added that the Highway Department has had problems with this truck in the past and Highway Superintendent Deering would like to get rid of it.

Councilwoman Chmielewski questioned whether or not a resolution had to be done to do this and asked that Highway Superintendent Deering get all the information to the Town Board by the next meeting in order to prepare a resolution.

Highway Superintendent Deering asked if they wanted to put it out to bid or just get rid of it.

Councilwoman Chmielewski asked if it was any good.

Councilman Stanton stated that it is not.

Highway Superintendent Deering stated that it might be of some value.

Councilman Stanton stated that it is pretty much rusted out and the motor is no good. Councilwoman Chmielewski asked Superintendent Deering for his opinion.

Superintendent Deering stated that it could be put out to bid, “as is” and try to get something for it.

Discussion ensued regarding whether as to when the resolution could be done.

Town Attorney Rotello interjected that it could be done by a motion and recorded by the Town Clerk.

MOTION

On motion of Councilman Stanton, seconded by Councilman Conrad, Highway Superintendent Deering is authorized to put a 1989 Ford one- ton truck out to bid and awarded to the highest bidder.

VOTE –AYES 4 – NAYS 0 – ABSENT 1 (Supervisor Hotaling)

Town Attorney Rotello interjected that the Town reserves the right to refuse any bid.

Councilman Conrad asked Town Attorney Rotello if he had another question.

Town Attorney Rotello stated that in reviewing the Marvin & Company letters, he wanted to know if the Supervisor was authorized to execute the agreements.

Councilman Conrad stated that it was just done prior in the meeting, he wanted to make sure that it was done in order to proceed with the matter and clear it up.

Councilwoman Chmielewski asked if anyone else had anything to add.

Councilwoman Rogers extended her condolences to Supervisor Hotaling and his family.

Councilman Conrad stated that he would like to express his condolences to the entire Hotaling family and wishes them the best.

Highway Superintendent Deering stated that he had given the Town Board some material to look over and get back to him. He added that the FEMA amount discussed earlier, he believes that the difference was interest and if it is the case he has a total balance of \$209,501.00 with it being added to the \$165,956.44.

Councilman Conrad questioned if all of the FEMA money was all Highway Department.

Highway Superintendent Deering stated that Highway is all that FEMA is for.

Councilman Conrad interjected that he thought that some of it was for emergency communications.

Councilwoman Chmielewski asked if it was all Highway funds.

Highway Superintendent Deering stated that it was all Highways.

Councilman Conrad interjected that he was looking for some money for Chief Giroux.

Chief Giroux interjected that Councilman Conrad was thinking of FEMA money that they received for the blackout.

Councilwoman Chmielewski stated that what everyone has to keep in mind is that the General Fund is \$460,595.95 in the deficit to start in January and this is what they ended the year with last year, and this does not mean that with all the figures given that all of the cash is there. She added that they started out 2004 with \$94,000.00 cash in all of the accounts combined.

Councilwoman Chmielewski stated that the previous administration used cash from all of the accounts to pay off bills in the General Fund and this cannot be done and will come out when Marvin & Company completes the audits for 2001, 2002 & 2003.

Attorney Rotello asked if the Town had received all of the fourth-quarter sales tax.

Councilman Conrad and Councilwoman Chmielewski collectively replied that they have received it.

Attorney Rotello then asked if the fourth-quarter mortgage tax had been received.

Councilman Conrad said that there is a question about the fourth-quarter mortgage tax and he believed that it would have arrived by January, however he had spoken with Bookkeeper Foss and it appears that there is a possibility of one more check coming in and that is what they are hoping for.

Councilwoman Chmielewski stated that there is one mortgage tax listed on the figures that Bookkeeper Foss had given them.

Councilman Conrad stated that was correct but the check had indicated that it was through 09-30-04 and he questioned that because every one has to do their Annual Financial Statements and the mortgage tax is usually prompt in January for the fourth-quarter and that is not sure where they stand.

Town Attorney Rotello stated that there could be a delay because the County is so far behind in their recording and that would make sense because they are any where from 6-12 weeks behind in recording of documents.

Councilman Conrad stated that this does not put the Town in very good shape when they have to have a report filed within 60 days.

Councilwoman Chmielewski stated that the last sales tax check was in the amount of \$420,000.00 and the balance forward was a deficit of \$460,595.95 which makes the Town short right there, plus all of the bills that they have been paying for 2003 has been

coming out of the cash that the Town Clerk has given them for 2004 Property Taxes. She concluded by saying that the cash that has been going out to pay 2003 bills is the cash that is suppose to be used to satisfy the 2004 budget.

Councilman Conrad assured Highway Superintendent Deering that the Town Board understands.

Highway Superintendent Deering interjected that it is a mess.

Councilwoman Chmielewski stated that this is why they have put on the spending freeze until the Town Board sees where they are going.

Highway Superintendent Deering added that he would just like to see them review it.

Councilman Conrad stated that they would do what they can.

Town Attorney Rotello questioned if Mr. Purintan had given the Town any indication as to when he will complete the audits to get them up to date.

Councilwoman Chmielewski stated that they are currently working on 2001 and there was another meeting last week, the bookkeeper along with the Highway and Sewer secretary and Town Clerk have been getting the vouchers together and trying to put checks with the vouchers to make sure that they have been paid.

Town Attorney Rotello asked if it looks like it is going to be a big task.

Councilwoman Chmielewski stated that they are still working on the first quarter because there are some vouchers that are missing.

Town Attorney Rotello verified that she was referring to the year 2001.

Councilwoman Chmielewski stated that was correct and they are going to take it year-by-year and quarter-by-quarter.

Councilwoman Chmielewski asked if anyone had anything additional to share, hearing none she asked for a motion to adjourn to Executive Session.

Town Attorney Rotello asked if it was for a personnel matter.

Councilwoman Chmielewski stated that it was.

MOTION

On motion of Councilman Stanton, seconded by Councilman Conrad, the meeting was adjourned to Executive Session for a personnel matter.

VOTE –AYES 4 – NAYS 0 – ABSENT 1 (Supervisor Hotaling)

Councilman Stanton and Councilwoman Rogers asked collectively if they would be returning.

Councilwoman Chmielewski stated that she is not sure if any decisions will be made however they will return. She added that the camera does not have to continue.

Town Attorney Rotello stated that in the event that they would be taking any action it would be an appointment and to do that they would return and make the appointment.

Councilwoman Chmielewski stated that was true and if an appointment is not made they will just come out and close the meeting.

Councilman Conrad interjected that he wanted to make it clear that there is more than one personnel matter.

Town Attorney Rotello stated that there is one current personnel issue regarding an appointment and some past personnel issues regarding payroll issues.

Councilman Conrad reiterated that he wanted to make it clear that there is more than one.

Councilwoman Chmielewski interjected that they may be a while before they return.

RECONVENE MEETING

Councilwoman Chmielewski called the meeting back to order at 9:10p.m. to pass the following resolution.

RES. # 58-04 APPOINT PART-TIME POLICE OFFICER

On motion of Councilwoman Rogers, seconded by Councilman Stanton, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Supervisor Hotaling)

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,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby appoint Kenneth Beck, Jr., as a part-time Police Officer at the current collective bargaining rate.

ADJOURNMENT

The meeting was adjourned at 9:15p.m.

VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Supervisor Hotaling)

Respectfully Submitted

*Diane L. Millious
Town Clerk*

APPROVED:

A Public Hearing was held Tuesday, February 10, 2004 at 5:30 PM at Town of Coeymans, Town Hall, 18 Russell Avenue, Ravena, New York.

PRESENT: Ronald K. Hotaling, Jr., Supervisor
Dawn Rogers, Councilwoman
Nita J. Chmielewski, Councilwoman
Laverne H. Conrad, Councilman (Arrived Late)

ABSENT: Frank D. Stanton, Councilman

ALSO PRESENT: Diane L. Millious, Town Clerk
Joseph Rotello, Town Attorney

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

Town Clerk Millious read the following legal notice that appeared in the Ravena News Herald:

PUBLIC HEARING

PLEASE TAKE NOTICE, that a Public Hearing will be held by the Town Board of the Town of Coeymans, on Tuesday, February 10, 2004 at 5:30PM at Town Hall 18 Russell Avenue on Proposed Local Law 1 Of 2004 amending Chapter 149, Article V, senior Citizens Exemption, of the Town Code of the Town of Coeymans as follows:

ny person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Town Board of the Town of Coeymans hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

149-25 shall be added as follows:

149-25. Effective Date.

This local law shall take effect immediately upon filing with the Secretary of State, after 45 days from the date of its adoption.

**By Order of the Town Board
Of the Town of Coeymans
Diane L. Millious
Town clerk**

**TOWN OF COEYMANS
PROPOSED LOCAL LAW NO. 1 OF 2004
A LOCAL LAW OF THE TOWN OF COEYMANS, AMENDING CHAPTER 149,
ARTICLE V, SENIOR CITIZENS EXEMPTION, OF THE TOWN CODE OF
THE TOWN OF COEYMANS**

Be it enacted by the Town Board of the Town of Coeymans as follow:
Statutory Authority: This local law is adopted pursuant to the provisions of the Municipal Home Rule Law of the State of New York.

Legislative Intent: The purpose of this law is to amend, in part, Chapter 149, Article V of the Town Code of the Town of Coeymans, to the extent of adopting the income limits for senior citizen tax exemptions, as established by Albany County, and provide that any such future amendments be made by resolution of the Town Board.

149-21 A. (1), shall be amended only to the extent of providing for an income limit of \$24,000.00, which shall replace \$21,500.00 (amended by L.L. 1-2002).

149-22, shall be amended only to the extent of modifying the minimum/maximum income and percentage chart in accordance with the following char, which shall replace the current chart (amended by L.L. 1-2002):

ANNUAL INCOME	EXEMPTION
\$0.00 To \$24,000.00	50%
\$24,000 or more but less than \$25,000.00	45%
\$25,000 or more but less than \$26,000.00	40%
\$26,000 or more but less than \$27,000.00	35%
\$27,000 or more but less than \$27,900.00	30%
\$27,900 or more but less than \$28,800.00	25%
\$28,800 or more but less than \$29,700.00	20%
\$29,700 or more but less than \$30,600.00	15%
\$30,600 or more but less than \$31,500.00	10%
\$31,500 or more but less than \$32,400.00	5%

149-22 A. (1), shall be amended only to the extent of providing for an income limit of #32,400.00, which shall replace \$29,999.99 (amended by L.L. 1-2002)

149-23 shall be added as follows:

149-23. Amendments

The annual income limits and tables, and age requirements, set for the in this Article, may be amended by resolution of the Town Board, subject to permissive referendum.

149-24. Saving Clause.

If any part or provision of this Local Law or the application thereof to a
PUBLIC COMMENT

No one present to comment.

Hearing no public comment, the Public Hearing was closed. Time 5:50PM

Respectfully Submitted,

APPROVED:

Diane L. Millious, Town Clerk

A Workshop Meeting was held Tuesday, February 10, 2004, at 6:00 PM at Town Hall, 18 Russell Avenue, Ravena, New York

PRESENT: Ronald K. Hotaling, Supervisor
Dawn Rogers, Councilwoman
Nita Chmielewski, Councilwoman
Larry Conrad, Councilman

ABSENT: Frank D. Stanton

ALSO PRESENT: Diane L. Millious, Town Clerk
Joseph Rotello, Town Attorney

Supervisor Hotaling opened the meeting with the Pledge of Allegiance.

AGENDA ITEMS

- • Public Hearing Local Law 1-04 – 5:30PM
- • Public Hearing Local Law 2-04 – 5:50PM
- • Presentation – J. Kenneth Fraser & Associates, Paulette Barlette, Jeff Budrow
- • Emergency Management Committee Nominees

Respectfully Submitted,

APPROVED:

Diane L. Millious, Town Clerk

A Public Hearing was held Tuesday, February 10, 2004 at 5:50 PM at Town of Coeymans, Town Hall, 18 Russell Avenue, Ravena, New York.

PRESENT: Ronald K. Hotaling, Jr., Supervisor
Dawn Rogers, Councilwoman
Nita J. Chmielewski, Councilwoman
Laverne H. Conrad, Councilman

ABSENT: Frank D. Stanton, Council Member

ALSO PRESENT: Diane L. Millious, Town Clerk
Joseph Rotello, Town Attorney

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

Town Clerk Millious read the following legal notice that appeared in the Ravena News Herald.

PUBL

IC NOTICE

**TOWN OF COEYMANS
PROPOSED LOCAL LAW NO. 2 OF 2004
A LOCAL LAW OF THE TOWN OF COEYMANS, AMENDING CHAPTER 149,
ARTICLE III, EXEMPTION FOR CERTAIN DISABLED HOMEOWNERS, OF
THE TOWN CODE OF THE TOWN OF COEYMANS**

Be it enacted by the Town Board of the Town of Coeymans as follow:

Statutory Authority: This local law is adopted pursuant to the provisions of the Municipal Home Rule Law of the State of New York.

Legislative Intent: The purpose of this law is to amend, in part, Chapter 149, Article III of the Town Code of the Town of Coeymans, to the extent of adopting the income limits for tax exemptions for certain disabled homeowners, as established by Albany County, and provide that any such future amendments be make by resolution of the Town Board.

149-9, shall be amended only to the extent of modifying the annual income and percentage chart in accordance with the following chart, which shall replace the current chart:

ANNUAL INCOME	EXEMPTION
\$0.00 To \$24,000.00	50%
\$24,000 or more but less than \$25,000.00	45%
\$25,000 or more but less than \$26,000.00	40%
\$26,000 or more but less than \$27,000.00	35%

\$27,000 or more but less than \$27,900.00	30%
\$27,900 or more but less than \$28,800.00	25%
\$28,800 or more but less than \$29,700.00	20%
\$29,700 or more but less than \$30,600.00	15%
\$30,600 or more but less than \$31,500.00	10%
\$31,500 or more but less than \$32,400.00	5%

149-15, shall be amended only to the extent of deleting the last sentence of that paragraph, as identified by footnote 3.

149-17 shall be re-titled and amended as follows:

149-17. Amendments

The annual income limits and tables, set forth in this Article, may be amended by resolution of the Town Board, subject to permissive referendum.

149-18 shall be added as follows:

149-18. Saving Clause.

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Town Board of the Town of Coeymans hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

149-19 shall be added to replace, renumber and amend 149-19 as follows:

149-19. Effective Date.

This local law shall take effect immediately upon filing with the Secretary of State, after 45 days from the date of its adoption.

PUBLIC COMMENT

No one present to comment.

Hearing no public comment, the Public Hearing was closed. Time 6:10PM

Respectfully Submitted,

APPROVED:

Diane L. Millious, Town Clerk

ADJOURNMENT

Supervisor Scalzo moved to adjourn to Executive Session; seconded by Councilman Irwin. Time 8:00PM

VOTE – AYES 5 – NAYS 0 – SO MOVED

Respectfully Submitted,

APPROVED:

Diane L. Millious, Town Clerk

A Town Board Meeting was held Monday, February 9, 2004, at 7:00 PM at Town Hall, 18 Russell Avenue, Ravena, New York

PRESENT: Ronald K. Hotaling, Supervisor
Frank D. Stanton, Councilman
Dawn Rogers, Councilwoman
Nita Chmielewski, Councilwoman
Larry Conrad, Councilman

ALSO PRESENT: Diane L. Millious, Town Clerk
Joseph Rotello, Town Attorney

Supervisor Hotaling opened the meeting with the Pledge of Allegiance.

SUPERVISOR'S OPENING

Supervisor Hotaling noted that the entire Town Board was present and continued by giving an overview of the agenda as follows:

- • Public Comment Period
 - Mr. Jim Bushnell – Rte. 144 Development
 - Ms. Alice Christiana – S.A.F.E. Program
- • Approval of Minutes
 - 11/19/03 – 11/24/03 – 12/22/03
- • Department Report Review
 - Building Department
 - Police Department Annual Report
- • Old Business Update and Discussion
 - Zoning Change Requests
 - Bridge Replacement Project – Rte. 144 Coeymans Creek
- • New Business Topic for Discussions and/or Actions
 - Resignation of Officer Carpinelli
 - Town of Coeymans Policies
 - Web Site Development
- • Resolutions
 - Appointment to Planning Board
 - January 2004 Abstract Amendment
- • Correspondence
 - Office of the State Comptroller – Re: Audits
 - Barbara Guzman – Re: Proposed Fire Station in Coeymans
- • Town Board Workshops
 - February 10, 2004, 5:30PM, Public Hearing – Local Law 1-04
 - February 10, 2004, 5:50PM, Public Hearing – Local Law 2-04
 - February 10, 2004, 6:15PM, Presentation by Fraser & Assoc.
 - February 24, 2004, 6:30PM, Framework of Summer Youth

Programs

PUBLIC COMMENT

Supervisor Hotaling invited comment from the public.

Rte. 144 Development

Mr. Jim Bushnell – Thanked the Town Board for giving him the opportunity to speak and stated that he would like to introduce an idea that will have a positive long-term effect on the Town. He continued by adding that comments have been made about surrounding areas that have continued to develop and no one wants to run their business in the Town of Coeymans and part of the reason for that lies in demographics, a few years ago he was involved in a project where he wanted to take over a business and he studied demographics which is what the census data for the last census says about a particular area. He added that the data for this area does not support anything such as retail businesses and such because there has not been any significant growth in population in a number of years and the reason that there is so much development in Coxsackie is because Greene County took a proactive approach in that they hired someone to look for sites in the County where large scale development could take place. He went on to say that the Town of Coeymans could first see how the people of the community feel about growth by asking if they want to see major development and would it be worth it to host a business that would pay a large amount of taxes and help the Town with its infrastructure. He added that if the Town “clears the way” for development there is the opportunity as a Town to set up the criteria such as what type of business can and will be accepted as well as what the Town does not want rather than people coming into the Town and spending several years and many dollars on litigation to find out whether they can or can’t establish a business, if it is done right those people will spend the same amount of money to help the Town with their infrastructure. He continued by saying that it is common knowledge that the Town’s infrastructure does need expansion and upgrades and with the financial concerns of the Town there are not funds to do this and residents of the community are in a position where they do not want their taxes raised in order to do this, if as a community the criteria is put into place you can look to prospective people that are looking for a place to locate and they can “take the pulse” of the Town by reading the reports that are issued and know ahead of time if their particular business would be welcome. He added that in many cases a large-scale industry would be happy to help the Town expand their sewer and water and often make contributions to the community. He added that it would have to be well planned and properly located and the location that he was talking about is Rte. 144 and the former Powell & Minnock Brickyard, there was an opportunity to get it back up and running and for various reasons it did not happen and that he has spoken to the current owners and have said that they would welcome the sale or lease of part of the property and his feeling is that if it is a clean business that does not pollute the air, or deal with chemicals, it would not hurt anything. He added that this is his opinion and he is speaking as a citizen not looking for any personal gain or a job or locate a business himself, however he knows that there are people that cannot afford to have their taxes raised any more. He went on

to say that what got him going on this was because of something that he had read in the News Herald stated by a former official is that as the cost of things rise the only way that you can cover the cost is to by either borrow money, raise taxes or cut services and from what he can see the public work force does a tremendous job and there should not be man power cuts or budget cuts, especially the Police Department, the officers put their lives on the line when they go out on patrol and they should not have to go out without the proper equipment and staffing. He added by saying that the answer does not lie in cutting services and no one wants their taxes raised and borrowing money does not save money because it has to be paid back with interest, the former official in his quote left out there is a fourth alternative which is growth of the tax base by adding more businesses and homes and servicing those with the existing services, very often if you do it right it does not immediately add significant cost. He went on to say that he does not understand why the former official who was suppose to know how things run left this out, and if he had added it he would have been asked why he was fighting the expansion of the tax base and rejecting the annexation. He added that a suggestion that he had if the community is interested is that they could establish a committee represented by business owners, citizens, farmers, landowners, and let them work on writing the criteria of what the Town may be interested in and what would be accepted, the opportunity is here and businesses are looking for sites to locate and he has a thought in mind based on an article in the paper, there is a large paper recycling and cogeneration and electrical plant that has been trying to locate in the City of Rensselaer for many years and was recently told that they would not be able to locate there and the reason has nothing to do with the plant itself and he has taken it upon himself to get in touch with this company on the thought that they are looking for a site, it is a clean plant that burns natural gas which produces steam that produces electricity and rather than venting it into the air it is piped into a plant that recycles newspaper in to reusable products. He added by saying that he believes that the brickyard is an ideal location, there would not be truck traffic running through the Village, trucks serving the plant would most likely come off the thruway and use Rte. 144. He added that another advantage to having a plant such as this is that there would be opportunities for a "run off" of other types of businesses, many of which could be started by local residents. He concluded by saying that he wanted to introduce the idea and hopefully he would get some feedback about how people feel about it and if a majority of people do not support it, he will let it go.

Supervisor Hotaling stated that the fact that he made a presentation will give him airtime through the cable system and if there is an interest he would encourage those interested to contact Town Hall and possibly they could establish a committee. He then asked Attorney Rotello about B.A.R.C. and if this is something that they look at routinely.

Town Attorney Rotello stated that is not done routinely, there have been discussions at meetings in the past as far as different ways of attempting to expand the tax base and attract businesses, and a lot has been focused on Coxsackie and the fact that there has been a lot of assistance from the County. He added that as Mr. Bushnell stated, demographics is very important in trying to attract businesses and the B.A.R.C. Association is a spin-off of the Economic Development Committee that was initially started in 1998 or 1999 and if there is interest the Economic Development Committee can work in conjunction with the B.A.R. C. Committee and perhaps be the liaison to the Town Board and help look for other alternatives for attracting other types of businesses to the community.

Supervisor Hotaling added that it does get down to infrastructure.

Mr. Bushnell interjected that if there is a large-scale development, prospective businesses are very often willing to help with this type of thing and it also opens up the Town for help from the county and state.

Councilman Stanton stated that a big problem is the fact that most businesses that come and look at a piece of land ask if there is water and sewer to the property and this is a problem on Rte. 144, the infrastructure is lacking.

Mr. Bushnell stated that it goes along with what he is saying and if you set down as a committee and Town and set the criteria this would get introduced when the time comes and instead of them fighting for the right to build they could spend their money in helping the Town to supply what they need, very often in helping themselves they would also be helping the Town at the same time and often if they are approached right they are willing to do this.

Councilman Stanton stated that most businesses that he has heard about want to know if it is "shovel ready" ground and the Town does not have this to offer.

Mr. Bushnell stated that this is exactly what he is talking about; the company in Rensselaer has been fighting to get in for four years trying to get the rights to get in there and now have been shut down because of a glitch in the law. He continued by saying that it was a poor decision because they wanted the site cleaned to the point of it being used for a residential site and no one would ever want to build there because it is a heavy industrial section of town, this company would have cleaned it to industrial standards instead they are going to be stuck with a polluted plant that will remain shut down. He added that the plant that he is talking about could involve as many as 250 permanent jobs as well as the spin-off service businesses. He concluded by saying that the only thing that he would ask the public to do if they decide to do something like this, is not to listen to people that have not checked this out, in his reading of this particular plant there were people claiming that there would be 120 trucks an hour in and out of the plant and he worked at Fort Orange Paper which is a similar operation and this plant was looking at possibly producing 400 tons of paper a day and it does not take 120 trucks an hour to handle this, the average truck will handle approximately 23-24 tons which would be approximately 60 trucks a day. He continued by saying on the other hand a brickyard operated there for over a century and there were not any traffic problems with the truck.

He concluded by saying that by reading scare tactics that are in the paper and turning down something that will help you out long-term is not common sense and you should take a few minutes to look into it and ask someone who knows something before you decide.

Supervisor Hotaling thanked Mr. Bushnell and asked if there were any comments.

Councilman Conrad stated that he wanted to add to Mr. Bushnell's comments in that he does not believe that the brickyard is totally shut down and that they are in operation trucking in brick and reselling brick from other areas. He continued by saying that Mr. Biers, one of the owners of the brickyard, had personally appeared before this Town Board at the January 20, 2004 Workshop and voiced his concern because he had gone to the previous Town Board requesting a zoning change in the area of Rte. 144 and had heard nothing back to his request and he has now come to the new administration with

the same request to change from R-A (residential/agriculture) to Industrial which is surrounded by the cement plant and the brickyard which are both industrial and he has asked that the 40 acre piece of land on the west side of Rte. 144 to also be zoned industrial. He went on to say that on that same night, Mr. McHugh had also appeared before the Town Board to ask for a zoning change for some of his property to R-A for the possibility of another type of business going on the Blaisdell property in the Town of Coeymans. He concluded that the Town Board gave both a great welcome with their ideas and it has been forwarded to the Planning Board for them to look at and consider those issues and look at the entire area with respect to the zoning in that area to be possibly changed or altered to make it more conducive to the traffic and the Town Board is interested in doing that and Mr. Biers has indicated his willingness to possibly do something with the sewer and water because he is interested in that and the Town Board is currently looking into that with the Health Department. He added that Supervisor Hotaling had also sent a letter to NYS DOT asking them as to what can be done to possibly add sewer to the new bridge as water has already gone across the new bridge as they may possibly create a new Sewer District and move it up along the Rte. 144 corridor and service those areas. He concluded by saying that they are looking into this as well as the 9W corridor.

Mr. Bushnell interjected that he knows that they are looking into this and has a lot of confidence in the Town Board that was elected this past year.

S.A.F.E. Program

Supervisor Hotaling stated that he was moving to the next public comment item and introduced Alice Christiana from the After School Activity Program run at A.W.Becker Elementary school which is similar to the S.A.F.E. Program run at Pieter B. Coeymans Elementary.

Ms. Alice Christiana – introduced herself and stated that she has lived in the Town of Coeymans most of her life and is a parent as well as a taxpayer and has been the Executive Director to the S.A.F.E. Program for the last five years at A.W. Becker and also works as a consultant for the Child Care Community Council. She continued by saying that she is not there to point fingers and is there to support the Town Board in its decision to discontinue the child care services at the S.A.F.E. Program during vacations and holidays, the A.S.A.P. Program is not offered at those times either because it is not cost effective to the Program. She added that she does not believe that this Town Board is unsympathetic to the needs of the children and families of the Town and believes that they are committed to getting the Town back to be managed in a fiscally sound manner. She went on to say that she raised her son in this Town and many of the families that use the program are her neighbors and friends and she believes that it is a worthwhile program as some of the children spend 5 hours a day at the program which is more time than most parents get to spend with their children. She continued by saying that it is essential that they run quality, school-age programs that foster self-esteem and build social skills as it is not glorified babysitting, the Board of Directors consists of parents and community members who are directly involved with the program and have one agenda which is the children. She added that she believes that the children should be using the schools as long as they are open, it meets all of the licensing requirements, there is green grass and a gym and it is a safe place, as opposed to a warehouse in the back of a parking lot on Rte. 9W which is not her idea of a safe place or place for children. She added that she would encourage the families that are using the S.A.F.E.

Program now to put their energy instead of pointing fingers, into contacting the Office of Children and Family Services and see what needs to be done to keep the program running and get it out of the hands of the Town as the people at Family Services have the answers and will help run a quality school age childcare program that the community can continue to be proud of. She concluded by saying that as a taxpayer she does not want to be paying for someone else's childcare and does not want to pay rent for a facility when the schools are available and are the best place for the children, she added as a parent and child care professional she would like to see the S.A.F.E. Program run in the manner that it was intended with the original grant and it should be managed by the experts which are the parents and child care professionals.

Supervisor Hotaling thanked Ms. Christiana and asked if there were any comments.

Councilman Conrad stated that he agrees whole heartedly the Town desperately needs someone to take over and manage the program as it is not the intention of the Town Board to operate the S.A.F.E. Program because they themselves realize that children need special attention and that based on the rules and regulations there is much more to it than most people realize, the liabilities are extensive, the requirements for filing and checking the backgrounds and records are immense. He concluded that he would love to see someone to take this program over and as he has checked these programs operate in a lot of school districts however they are all independent and not one of them have a Town Board in a functioning capacity of the program, the program should be independent and tax free and the Town Board welcomes anyone that is willing to get the program out of the hands of the Town and they will help in any way that they can, as previously mentioned the grant was intended to get the program started on a municipal basis and then turned over to be run privately and not be run by the Town of Coeymans. He reiterated that it is a great program and a needed program and hopefully someone will step forward and get the program run the way it should be run.

Supervisor Hotaling stated that he would like it if Ms. Christiana would make herself available for guidance as to how to make the transition as smooth as possible.

Ms. Christiana stated that if the Board would be supportive of some type of Advisory Council to bring people together to start looking at what they can do, she would be glad to help out.

Supervisor Hotaling thanked Ms. Christiana and then invited comment from any other members of the public.

Mr. Mike Kindlon stated that he had some questions regarding the \$19,000.00 leased vehicle that the Police Department wants to buy out. He then questioned how long the lease was signed for.

Supervisor Hotaling stated that he believes it was part of a Grant Lease Program and the first three years were covered by grant money, at the end of the three years it would be the Town's obligation to pick up the balance of the cost which is \$19,000.00.

Mr. Kindlon asked if the amount of \$19,000.00 was agreed to at the beginning of the lease.

Supervisor Hotaling stated that he did not know the answer.

Councilman Stanton interjected that it was agreed at the beginning.

Mr. Kindlon asked if there would be any additional cost for mileage.

Councilman Stanton stated that he was not sure about the mileage part but he is sure about the \$19,000.00.

Mr. Kindlon stated that it would be \$19,000.00 to buy out a 2000 vehicle and he also read in the paper that the Town was looking for some way to buy the vehicle.

Supervisor Hotaling interjected that they are not sure and they are researching every area to try and find out if they can cover the cost.

Mr. Kindlon stated that if it was an open -end lease they should be able to give it back.

Supervisor Hotaling and Councilman Stanton collectively stated that they could.

Councilman Conrad stated that is where the mileage figure comes into play.

Mr. Kindlon stated that is why he asked if there was any extra charge for the mileage.

Councilman Conrad stated that if it is bought out, the mileage and damage is not a factor, if you turn the lease back in, it has to be turned in a relatively good fashion, it can't be turned in saying Town of Coeymans Police Department with lights and sirens all over it with 130,000 miles. He continued by saying that you would have to pay for the additional mileage and the car has to be brought back to some reasonable fashion so that it could be sold, it will probably cost the Town a few thousand dollars just to cover the changes that have been made to the car.

Mr. Kindlon stated that with a state contract, for \$19,000.00 the Town should be able to buy a new vehicle instead of buying out a used vehicle and having the additional cost to maintain it, which is going to be enormous and also the gas mileage that the vehicle gets it has 130,000, which is 8 cents per mile.

Councilman Conrad stated that he was assuming that it has 130,000 miles on it.

Supervisor Hotaling asked that assumptions should not be made with respect to the mileage.

Mr. Kindlon stated that it is a costly vehicle and there is no police agency in the area that has a Tahoe with exception to possibly the State Police for drug confiscation.

Supervisor Hotaling stated that he was not on the Town Board at that time and pointed out that it was a grant and lease arrangement and the lease was covered for the first three years, he added that he does not know the extent of the dollar amount but given the fact that it was probably a \$40,000.00 vehicle then clearly a substantial portion was covered by the grant.

Mr. Kindlon stated that he had an idea for getting some of the money back to pay for the \$19,000.00 mistake, he added that the previous administration had approved the

purchase of two four wheelers and a trailer for the Police Department in the amount of \$16,000.00 and possibly they could be sold and put toward the buy out of the Tahoe.

Supervisor Hotaling stated that they would take it under advisement.

Mr. Kindlon stated that he knows that the Town Board is really trying and it is good to see them in office because it is what the Town needs, and added that they have to try to hold the spending down because \$19,000.00 for a vehicle with \$100,000 miles on it is a lot.

Councilman Conrad interjected that he does not know if that figure is correct, he does not know the mileage.

Mr. Kindlon stated that even if it is 70,000 to 80,000 it is still a lot.

Councilman Conrad added that the vehicle is a 2001 and the Police Department does put a lot of miles on the cars and that is what he was referring to. He went on to say that the limit on a lease is usually 15,000 and they would go over the limit.

Mr. Kindlon stated that he understands that and knows what the over cost is for mileage. Supervisor Hotaling asked if anyone had the report from the last meeting.

Councilman Conrad stated that he had it, however that vehicle is not listed and there is a vehicle for 129,000 and another for 140,000 and the 2003 is a lease with 38,000.

Mr. Kindlon interjected that what he is saying is that this is a vehicle that the Town does not need, it is too big and is a waste of money and when it comes time to maintain it the Town Board will see the bills after they have paid \$19,000.00 for the buy out. He added that with state contracts you could pay \$19,000.00 to \$20,000.00 for a brand new vehicle.

Supervisor Hotaling stated that he believes that the cruisers are around \$25,000.00 and there would be an additional \$5,000.00 for the lights, sirens and what ever other equipment it may need.

Mr. Kindlon stated that might be for a Crown Victoria and believes that a cruiser would be more. He concluded by saying his concern is that it is a waste of money.

Supervisor Hotaling thanked Mr. Kindlon.

APPROVAL OF MINUTES

Supervisor Hotaling stated that he was asking Councilman Stanton and Councilwoman Rogers for their consideration of the approval of minutes for 11/19, 11/24 and 12/22/03 with the understanding that Councilman Conrad and Councilwoman Chmielewski were not on the Town Board at this time. He continued by asking that they take action on moving those and he will be voting with them for clarity of the records.

MOTION

On motion of Councilman Stanton, seconded by Councilwoman Rogers, the following Town Board Minutes were approved, November 19, November 24 and December 22, 2003. VOTE – AYES 3 – NAYS 0 – ABSTAIN 2 (Conrad, Chmielewski)

Discussion – Councilwoman Chmielewski added that the reason that she is abstaining is due to the fact that she along with Councilman Conrad were not on the Town Board at that time.

Councilman Stanton asked if there was still another meeting for 2003.

Town Clerk Millious stated that she believes that there is another Workshop.

Supervisor Hotaling added that in due time they will be doing a similar type of motion.

DEPARTMENT REPORT REVIEWS

Building Department

Supervisor Hotaling stated that the Building Department Report shows estimated costs of building of \$7,000.00 and fees collected at \$150.00 for those permits.

Councilwoman Chmielewski asked about the charge for miscellaneous booklets and if the Town charges for those booklets.

Supervisor Hotaling stated that the Town does charge for these and if he was not mistaken the charge was for zoning booklets.

Councilman Conrad added that there has been some controversy about this over the past year and he believes that Town Clerk Millious sells them as well. Town Clerk Millious interjected that she orders the books through General Code for the Building Department.

Councilman Conrad asked if they are available at the Town Clerk's Office as well.

Town Clerk Millious stated that she has some; however they are purchased through the Building Department and put through the B Fund.

2003 Annual Police Report

Supervisor Hotaling stated that this is an Annual Report for the Police Department of the Town of Coeymans and is a report jointly produced for the Town and Village. He added that it would be on file at Town Hall for anyone who cares to avail themselves of it.

OLD BUSINESS

Supervisor Hotaling stated that there are two topics under Old Business and that he was going to turn the first one over to Councilman Conrad who had previously touched briefly

on the subject. He asked that he reiterate on the zoning change requests that were discussed at a previous Workshop.

Zoning Change Requests

Councilman Conrad stated that in order to make the public aware, at a January Workshop, Mr. Biers who was representing himself on an independent parcel across from the current brickyard, is very much interested in moving his mulch operation from the Port of Albany down to this area because it works well with the brick chips that come from the brickyard. He added that in addition he wants to put up a very large building, which will be basically like a warehouse type building and put in a bagging facility to actually bag brick chips and mulch and commercially market it as he is now doing at the Port of Albany. He continued that there is 40 acres currently zoned R-A which is residential/agriculture and he would like it to be changed to industrial due to the fact that it will be an industrial operation bagging facility. He concluded by saying that his request is well warranted and that the Town Board has been receptive to the fact and will move it along and hopefully get something resolved with respect to it.

Councilman Conrad continued by saying that Mr. Albert McHugh has also asked for a zoning change as his property which is approximately 18 acres is a "zoning nightmare". He continued by saying that there are numerous different zones including R-1, R-2, R-A and Mr. McHugh would like the Town to look into the zoning of that area and for consistency make it all R-A. He added that the Town Board is open to the suggestion and has moved it along to the Planning Board, which would give an advisory opinion to the Town Board at this point.

Supervisor Hotaling asked for clarification purposes if Councilman Conrad could tell the essential difference between the zones.

Councilman Conrad stated that the R-A is basically residential/agricultural, which means that you can put single and two family homes on the property as well as run a farm. He added that in Mr. McHugh's case, he would like to put in some type of a tree farm and that he also runs the same type of business that Mr. Biers runs, although business is done on other people's property, he would like to operate his business off of his property which could be done by the issuance of a Special Use Permit in that area. He went on to say that the Town Board wants the public to understand what is going on as there will be Public Hearings with respect to these zoning changes, everything has to go through Zoning and Planning Boards with site plan reviews and things of that nature and all of this information will be broadcast to the public. He added that with the Bier's property there are three types of industrial available, there is heavy, medium and light industrial which will all be looked at by the Planning Board who will give an advisory opinion to the Town Board as to how they should proceed, through public input and comment it will be worked out at some point in the near future. He added that the LaFarge facility has two zoning portions on their property which is heavy industrial and I-1 which is a lighter industrial and the brickyard is industrial as well, there is already industrial facilitated in that area and Mr. Biers is looking to extend it a bit further to the south along Rte. 144. He concluded by saying that everyone is welcome to come to the Public Hearings when they start to voice their opinions and the Town Board welcomes comment from the public because as Mr. Bushnell pointed out earlier they would like to know how people feel and the Town Board would also like to bring more business, hopefully clean

business to the community and this is the way they will start to proceed and they would also like to bring sewer and water up the Rte. 144 corridor.

Town Attorney Rotello stated that for clarification he would like to point out that Mr. Biers' project is separate and apart from anything involving Carver and he does presently own or will independently own the 40 acre parcel.

Supervisor Hotaling stated that was true and Mr. Biers had made that point very clear at the Workshop; he then thanked Town Attorney Rotello for bringing it up.

Bridge Replacement Project – Rte. 144, Coeymans Creek

Supervisor Hotaling stated that he wanted to read a letter that was referred to a while ago by Councilman Conrad, it is a letter that was sent to the DOT Project Manager for the bridge replacement on Rte. 144 over the Coeymans Creek.

February 4, 2004

Dear Mr. Fitch:

The new Town Board of the Town of Coeymans is interested in adding a gravity sewer line back into the above referenced project.

As I understand the situation, a sewer line was previously designed for the replacement bridge and was part of the bid documents. This work was subsequently removed from the contract when the Town's previous administration declined to participate financially.

This Town Board would like to include a sewer main in your current project. As such, we will need to know the exact amount that we will need to produce for the sewer line. Please let us know how much this would be based on the actual bids and if we have any options to keep our cost down.

Thanks for your time and consideration.

Very truly yours,

Ronald K. Hotaling
Town Supervisor
Town of Coeymans

Supervisor Hotaling stated that a part of the development on Rte. 144 is getting the infrastructure across the Coeymans Creek which they have talked about many times and it would help the Town Board with their joint partnership areas with Mr. Biers and others along Rte. 144 and added it would also be in response to an issue on the other side of the creek with respect to sewer and the Town Board has been advised by Albany County that for several years, perhaps decades, raw and/or partially treated sanitary sewage has been discharged in the Coeymans Creek and it is an issue that they must think very closely about and try to remedy as quickly and as cost effectively as they can. He concluded by saying that perhaps this bridge replacement project and any assistance that they could render from that to get the sewer line across could go a long way in

mediating the problem and he is anxiously awaiting a response from Mr. Fitch and will share it with the Board and the public as soon as he gets the response.

NEW BUSINESS

Supervisor Hotaling stated that there is a resignation of a Police Officer and the Town Board has been provided with a letter to Chief Giroux from Daniel Carpinelli. He then asked for a motion to accept the resignation.

MOTION

On motion of Councilman Stanton, seconded by Councilman Conrad, the resignation of Police Officer Daniel Carpinelli was accepted. VOTE – AYES 5 – NAYS 0 – SO MOVED

Discussion – Supervisor Hotaling stated that Mr. Carpinelli was going to be a full-time Police Officer in the Town of New Paltz Police Department and that he wishes him well. He then asked if there was any other discussion.

Councilman Stanton suggested that a letter be sent thanking him for his service to the Town of Coeymans.

Letter of Resignation

January 20, 2004

Dear Chief Scott Giroux:

This is a resignation letter due to an opportunity that I could not turn down by my other employer at the Town of New Paltz Police Department, for a temporary full-time position. This offer was presented to me only three days before the day I came to your office to speak with you about this matter. This was not an easy decision because I had no reason other than the added bonus of benefits they offered from New Paltz, to want to leave your Department, and being that I have a four-year old daughter is what made the decision. What made the decision difficult was that the Officers as well as the dispatchers made your Department a desired place of comfort and a place that anyone would want to work. For the time that I did work for the Town of Coeymans, I would also like to point out how helpful and professional your Officers and Sergeants were at extending themselves to help me while I was there and for the knowledge they passed on that I will use further in my career. I would also like to thank you for giving me the chance to have worked for your Department and that if the situation presents itself in the future a possible consideration of hiring me then if not at least a recommendation for the future. I have no problem giving you time for two weeks of more if shift coverage is needed. Thank you again.

Sincerely,

Daniel Carpinelli

Appoint Committee for Riverfest

Supervisor Hotaling stated that there is a need to assemble some committees not only for the Riverfest but also for other issues as well. He added that Councilwoman Rogers is the liaison for Parks and Riverfest and asked that she coordinate the development of a committee, perhaps members that were on the committee along with some new members. He added that she could take suggestions from the public as well as her colleagues to try to assemble a Parks/Riverfest Committee and have it ready for presentation to the Board by the first meeting in March. He concluded by saying that there are other committees as well and at the next meeting hopefully they can have the Emergency Management Committee in place as well.

Outside Part-Time Employment

Supervisor Hotaling stated that this topic is for general discussion and is regarding outside part-time employment of full-time employees and that there are certain requirements outlined in the Handbook. He then opened the topic for discussion.

Councilman Conrad stated that there are numerous employees that have other side jobs and obviously affecting the work of some people as there have been complaints not necessarily pointed at any one person but because of the fact that people were not available.

Supervisor Hotaling stated that there is a long standing requirement for anyone that is employed who chooses to have part-time employment to make a request to the Town Board identifying what the employment is and then get an approval for participation so that there is no conflict.

Councilwoman Chmielewski asked if all of those people have written to his office letting them know.

Supervisor Hotaling stated that the answer is no and that the discussion that they had previously with one individual, led to memorandums from two individuals requesting to keep their part-time positions and he has not acted on it yet because he wanted to raise it to the Board as to whether there should be a general memorandum going out to all employees that would ask them to declare their part-time position as approved by a previous Town Board or if not send it to the present Town Board for approval. He then asked if it is something that they should look to doing.

Councilman Conrad interjected that it is required by the Handbook and has been for years and it has been in existence from his knowledge since 1996 that if you hold any other part-time job it has to be declared to the Town Board and in most cases there is not a problem. He added that if this were done then there would not be any qualms or questions from taxpayers.

Supervisor Hotaling stated that in some circumstances it could be a part-time job with another municipality and it is an issue that they would have to look at very closely.

Councilman Stanton stated that he agreed with Councilman Conrad and the Handbook should be followed.

Councilwoman Chmielewski added that she believes that the Supervisor's Office should send a memorandum to all departments letting them know because perhaps maybe some don't know that it is a part of the Handbook.

Supervisor Hotaling stated that he would do this.

Waste Management Report

Supervisor Hotaling stated that there is a Waste Management Report that was submitted to the Town Board as part of the requirements under the Local Law that was passed in 1992 for solid waste and its hauling and the issue of monitoring that process by members of the Town of Coeymans staff. He added that when he received the Monthly Report it raised his interest again as to whether or not it has been ongoing. He added that Councilman Stanton has been given the liaison responsibilities for recycling and waste haulers and has done some work in that regard. He then turned it over to Councilman Stanton.

Councilman Stanton stated that the Town has a Local Law #1-95 which states that local private waste haulers pick up recyclables and solid waste and he has spoken with some of the haulers and they feel as though some of the haulers that are operating in the Town of Coeymans are not "playing in the same ball field" due to different issues such as liability.

Supervisor Hotaling interjected that there needs to be enforcement by the Town Board.

Councilman Stanton suggested that the Town Board sit down and have a round table discussion as far as what they want to do as well as possibly update the law. Supervisor Hotaling stated that it is not only the law with respect to solid waste haulers; it is also a solid waste management law that requires everyone in Town to declare their appropriate names of disposing of their solid waste. He then asked Councilman Conrad if this was true.

Councilman Conrad stated that it is true and they were hit with this problem while they were campaigning this year.

Supervisor Hotaling stated that it is time that they take a look at that and determine if it still makes sense in this day and age, in 1992 the State of New York started forcing municipalities to do a solid waste management plan including recycling and since that time many large cities have taken the position that recycling is not that cost effective and in New York City recycling is not required anymore, everything is put together and called waste. He added that he is not sure what the states position is right now and the Town Board has to take a fresh look at the law with respect to the solid waste haulers and if the people of the Town of Coeymans are in compliance.

Councilman Conrad interjected that there are numerous laws that need to be updated, there is a Landfill Law which refers to a Recycling Center which is nonexistent in the Town of Coeymans and many of the residents have asked why there is not some place that they can bring their recycling. He continued by adding that there is another law dealing with receptacles left out on the street and he believes that when the permit was designed for that law in 1992, the permit itself actually handled hours of operation, what routes would be covered on what days, this was all handled by the Recycling

Coordinator, reports had to be filed monthly and an annual fee had to be paid, it appears that the annual fees are not being collected and the reports are not being filed and another part that was very important was they had to prove that they had insurance as a hauler and had liability insurance and workers compensation, this was the main criteria set up in the permit, the permit itself which is not actually part of the law, however adopted by the Town Board and is the critical portion that needs to be brought to light and as Councilman Stanton had stated earlier, some of the laws need to be updated and could possibly be merged into a single contained law regarding waste issues. He concluded by saying that the outdoor burning law and DEC covers populations of 20,000 or more and the Town of Coeymans falls far below that which would mean that if there is going to be an outdoor burning law it would have to be done on a local level and as Supervisor Hotaling had pointed out residents were suppose to prove that they had a hauler.

Supervisor Hotaling interjected or a legitimate means of disposing waste. He then suggested that this topic be moved to a Workshop for discussion and pointed out that Mr. Stanton is the liaison however Councilman Conrad is anxious to work with Mr. Stanton on the consolidation of some of the laws and maybe even one all encompassing law.

Councilman Stanton stated that it is very important that the Town has this and there is a lot that he does not understand and he is not up to date on the laws.

Supervisor Hotaling added that they would all work together on this...

Coeymans vs. Nazarian

Supervisor Hotaling stated that there was a case heard in the Town of Coeymans Court, Coeymans vs. Nazarian and that Councilman Conrad had asked for it to be put on the agenda. He then invited Councilman Conrad to comment.

Councilman Conrad stated that in 1998 a manufactured home was placed on a lot on Miller Road illegally without a permit and it was never set up, it was just parked there and let go and started to show signs of disrepair. He added that recently the case appeared in the Town of Coeymans Court and the Court ordered that it be removed, in conjunction with that are some disposal fees and costs associated with the Town Highway Department who destroyed the home and loaded it into the dumpster and cleaned up the site. He added that it entailed a bill of over \$5,000.00 and at this point the waste hauler portion of that fee needs to be paid.

Supervisor Hotaling asked if the amount was \$1,700.00.

Councilman Conrad stated that was correct and there is a voucher to process it through however they are not sure how to process it and he assumes that it will be processed under judgments because it cannot be billed against the Building or Highway Departments as neither are responsible for the bill which is \$1,783.95. He added that it is his recommendation that it be processed under judgments at this point and let the Town Attorney pursue the possibility of having it appear as a re-levy on the Property Taxes because the property owner has no intention to pay it. He concluded by saying that there is a Court Order that referred to it being re-levied on their property taxes and he hopes that they can be successful in doing this.

Supervisor Hotaling stated that the judgment "bucket" is empty because they paid a judgment of \$23,000.00 and an additional few hundred and that there was \$23,000.00 in the budget in 2004 for judgments. He added that if the Town Board chooses he will move money into the judgment line from contingency in order to pay this bill and will have it ready for the next meeting.

MOTION

On motion of Councilman Conrad, seconded by Councilman Stanton, authorizing the Town Supervisor to transfer funds from the judgment line to the contingency line to cover the bill.

Discussion – Councilman Stanton asked how much is in the contingency line at this point.

Councilwoman Chmielewski interjected that they had already used some of the contingency.

Supervisor Hotaling stated that they had previously moved \$3,000.00 and there is currently \$30,000.00 and after they move the \$1,700.00 they will have moved a total of \$5,000.00.

Councilman Conrad interjected that this was a bill for work done in 2003.

Councilwoman Chmielewski asked what the date on the bill was.

Councilman Conrad stated that it was 11-21-03.

Supervisor Hotaling stated that there is a motion on the floor.

Councilman Conrad stated that he believes that it should be put in as a 2003 budget cost.

Councilwoman Chmielewski agreed because the bill is for 2003 and added that they should look into the budget for 2003 and see where there are funds available to take from before saying that you are going to transfer from contingency to judgments.

Supervisor Hotaling stated that it is the sense of the Town Board that it is a chargeable event for to 2003 and taken from an area in the 2003 budget wherever it can be found. He then asked if the motion should be amended as such.

Collectively it was agreed that it should be.

Supervisor Hotaling then asked for a vote on the motion. VOTE – AYES 5 – NAYS 0 – SO MOVED

Attorney Rotello stated that if they can get together the total bill to the Town Clerk, Mr. Nazarain will be billed pursuant to the Court Order and in the event that he does not pay in the allotted period of time, the amount of the bill will become a re-levy on his next year's Property Tax Bill.

Councilman Conrad stated that he has that information and will see that the Town Clerk has it immediately.

Cleaning Duties, Town Hall & Town Clerks Office

Supervisor Hotaling stated that they will be advertising for someone to do the cleaning duties in Town Hall and at the Town Clerk's Office and that the original plan was to have it done through a county program, however meeting all the requirements that the county places on the Town is so cumbersome that the Town Board has agreed that they would be better served by advertising for a quote. He added that it will be advertised in the News Herald and continued by listing the duties as follows:

- • Empty all wastebaskets in all offices, replace bags.
- • Vacuum all rugs in Town Hall on Monday, Wednesday and Friday & Clerks Office on Tuesday & Thursday.
- • Clean all bathrooms daily and replenish paper towels and soap.
- • Sweep all floors daily, mop as needed in the winter and at least once a week in the summer, wax four times a year, or more, if needed.
- • Clean inside windows.
- • Clean tabletops and Judge's bench in main meeting hall and tables in Council Room.
- • Dust all windowsills.
- • Spot cleaning and dusting where needed.

He reiterated that it will be advertised in the News Herald as well as available at Town Hall for anyone that wants to pick up the specifications for the bid and that quotes will be received within the next couple of weeks and making judgments as to who will be awarded the position. He continued by asking Mr. Ralph Bianche if the Town will provide the supplies and not required by the contractor to supply.

Mr. Bianche stated that was correct.

Supervisor Hotaling then asked Town Attorney Rotello if they should advertise that proof of insurance is required in order to make a quote.

Town Attorney Rotello replied yes and should also include liability and workers compensation if they employ any one other than themselves because they would be an independent contractor of the Town.

Web Site Design

Supervisor Hotaling stated that the Town Board has a proposal from Mr. Frank Bruno to reactivate the Town of Coeymans Web Site with the domain being Coeymans.org. He continued by saying that the proposal is a project that is not to exceed 20 design hours and the design of the domain is at a rate of \$60.00 per hour and the annual hosting fee for the site is \$131.40, there is no charge for updating on a monthly basis if it does not exceed ½ hour. He concluded by saying that he is asking the Town Board that he be allowed to further engage in the proposal and get the Town back "up and running" on the

web site and have e-mail capabilities for the offices of town government and then asked if the Town Board if they had an opportunity to look at it.

Councilman Conrad stated that he believes that there should be a web site up and running and that the previous administration had it through a California based operation, which the new Town Board had moved to have it shut down. He added that he believes that having it locally run and operated is a good idea. He went on to say that there has also been discussion about getting the Local Laws online.

Supervisor Hotaling interjected that they have also discussed putting the Town Board Minutes and agendas online as well.

Councilman Conrad stated that he believes that these are items that should be moved on so that people can be more available to see what is going on in town government and can review the laws online.

Councilwoman Chmielewski asked if these consultants do the other towns that are illustrated in the package.

Supervisor Hotaling stated that those attached were only for the purpose of showing the main pages of the sites of surrounding towns, however this consultant does do the Village of Ravena.

Councilwoman Chmielewski indicated that she had gotten the opportunity to see the sample online and it is very nice.

Supervisor Hotaling stated that with the Boards approval he would engage in further discussion with the proposal.

MOTION

On motion of Councilman Conrad, seconded by Councilwoman Chmielewski, authorizing Supervisor Hotaling to further engage in discussion to proceed with the development of a web site. VOTE – AYES 5 – NAYS 0 – SO MOVED

Supervisor Hotaling stated that he would report back to the Board with the progress.

RESOLUTIONS

RES. #52-04 APPOINT PLANNING BOARD MEMBER

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

WHEREAS, the Town Board previously received and accepted the Planning Board resignation of Louise Persico, effective January 1, 2004, and

WHEREAS, that resignation created a vacancy on said Planning Board,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board appoints Thomas Boehm to serve the remainder of the vacant term, expiring December 31, 2005.

Discussion – Councilman Stanton stated that Mr. Boehm has lived in the Town of Coeymans for many years and he will be a great appointment to the Planning Board and is well versed in Town issues.

Councilwoman Chmielewski added that Mr. Boehm has been on the Village Planning Board as well and has some background from that.

RES. #53-04 AMEND JANUARY 2004 ABSTRACT

On motion of Councilwoman Rogers, seconded by Councilwoman Chmielewski, 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 (in red print) the following claims of vouchers for the January 2004 Abstract.

ABSTRACT	VOUCHER #	AMOUNT
GENERAL (A)		
Pre-Pay	0001-0015	\$19,020.82
Pre-Pay	0021-0022	62.15
2003 Bills	0032-0070,0138	41,528.85
2004 Bills	0071-0074	1,594.19
Transfers Added	0139-0145	<u>75,624.84</u>
	Amended General Total	<u>\$137,830.85</u>
PART-TOWN (B)		
Pre-Pay	0016-0020,0137	\$ 1,164.78.
2003 Bills	0075-0076	243.00
2004 Bills	0077-0078	170.00
Transfers Added	0146-0150	<u>3,244.75</u>
	Amended Part-Town Total	<u>\$ 4822.53</u>
HIGHWAY (D)		
Pre-Pay	0023-0025	\$ 3,014.41
2003 Bills	0079-0105	21,487.46
2004 Bills	0106-0114	1,057.45
Transfers Added	0151-0155	<u>27,604.91</u>
	Amended Highway Total	<u>\$ 53,164.23</u>
SEWER (SS)		
Pre-Pay	0027-0030,0162	\$ 192.50
2003 Bills	0115-0125	3,544.10
2004 Bills	0126-0128	934.50
Transfers Added	0156-0160	<u>7,123.90</u>
	Amended Sewer Total	<u>\$11,795.00</u>

CAPITAL PROJ. (H)		
2003 Bills	0129-0131	\$ 7,016.19
	Amended Cap. Proj. Total	\$ 7,016.19
SPECIAL DISTRICT (SL)		
Pre-Pay	0031	\$ 702.14
	Spec. Dist. Total	\$ 702.14
TRUST & AGENCY (TA)		
Pre-Pay	0132-0138	\$117,413.70
	Amended Trust & Agcy. Total	\$117,413.70
	Total for General, Part-Town, Highway, Sewer, Capital Proj., Special Dist.	\$215,330.94

Supervisor Scalzo stated that he wanted to add that the \$215,330.94 included 2003 & 2004 bills, approximately \$75,000.00 in 2003 bills and \$140,000.00 in 2004 bills of which approximately \$117,000.00 was in Trust & Agency Payroll.

CORRESPONDENCE

Office of the State Comptroller – Letter dated 02-04-04

Supervisor Hotaling stated that he received a letter from Thomas J. Kelley Jr. who is the Local Government Services Regional Director of the Office of the State Comptroller. He read as follows:

February 4, 2004

Dear Supervisor Hotaling:

In December 2002 we began a review of the Town of Coeymans management oversight. Our objectives were to determine if fund balances, revenues and expenditures are maintained at levels sufficient to finance operations and if accounting records and reports properly support, accurately record and report all activity on a timely basis.

Due to the poor condition of the records and the inability of staff to explain the records that did exist, we have decided to terminate our audit. We believe that it is imperative that the Town take immediate action to reconstruct the records in order to properly monitor the fiscal affairs of the Town. We will be contacting you in the near future to reschedule our review. We feel that this additional time will enable you to establish

procedures and processes that will help insure that proper records are maintained that reflect the true condition of the Town's finances.

Supervisor Hotaling stated that they had just recently assembled a task force and he along with Councilwoman Chmielewski attended a meeting with auditor Darryl Purintan from Marvin & Company. He added that he believes that they are on the right path to collect the data in order to get 2001 & 2002 audits completed. He concluded by saying that it will be separate from the Comptroller's Audit and Mr. Kelly had stated that by the end of the summer they will be revisiting the Town and he would like the Town to be in a position to be able to show them records that will enable the Comptroller's Office to complete their audit.

Proposed Fire Station – Letter dated 01-22-04 from Barbara Guzman

Supervisor Hotaling stated that he had received a letter from Barbara Guzman and enclosed with the letter was an invoice in the amount of \$2,325.00 for work that she performed in connection with an Article 78 Action. He added that she had indicated in her letter that it was pursuant to the request of Joseph Scalzo and the Town Attorney did it in order to prevent the appearance of a conflict. He concluded that it was on the agenda for discussion and Councilman Conrad suggested that it be on the agenda and has done some analysis.

Councilman Conrad started out by saying that he had an objection to the bill as Ms. Guzman was the Planning Board, Zoning Board, Building Department Attorney, hired out of the B Fund to represent the Town and was paid \$4,500.00 per year. He added that there apparently was some input from Ms. Guzman regarding the Article 78 because she was listed as the contact person on the original Determination of Negative Declaration and keeping that in mind and the fact that he was not on the previous Town Board and Councilman Stanton and Councilwoman Rogers were, he then asked if they could shed some light as to if they ever remember authorizing Ms. Guzman to proceed as an Attorney representing the Town of Coeymans in this matter.

Councilman Stanton stated that he was not at the meeting when it was voted on.

Councilman Conrad interjected that he was not saying voted on and asked Councilman Stanton if he recalled her being authorized by resolution.

Councilman Stanton stated that he didn't recall.

Supervisor Hotaling interjected that he had checked with the Town Clerk's Office and they were unable to come up with a resolution or a motion.

Town Clerk Millious stated that was true.

Councilman Conrad stated that it is only proper business that there is a Town Attorney and he does not see that there could be any kind of conflict of interest acting in the capacity of advising the Town Board with regard to the matter. He continued by saying that he's not sure why Mr. Scalzo had done this, if in fact he did and if he did tell Ms. Guzman to proceed he was under the impression that it would be from the standpoint that she was already a hired retained attorney on behalf of the Building, Planning and Zoning Boards. He added that she was the Town's Building, Planning and Zoning Attorney and on November 3, 2003 she indicated that she researched State

Environmental Conservation Laws requiring the State Quality Review Act for 1.25 hours and this is her primary purpose as an Attorney for the Boards and there were additional charges on various other dates including his main objection of a charge on January 9, 2004 to prepare for and attend a meeting at the Town of Coeymans Fire Station at the request of the Fire District Commissioners. He continued by saying that if the Town is in fact paying the bill, then the request should have come from the Town Board.

Councilwoman Chmielewski stated that for clarification she wanted to know who the Attorney is for the Coeymans Fire Company.

Councilman Conrad interjected that it is Teresa Bakner with Whiteman, Osterman & Hannah.

Councilwoman Chmielewski stated that she also has a problem with paying the January 9, 2004 charge, as the Town Board did not have any contact at all with her.

Supervisor Hotaling stated that the only contact was an unsolicited fax that came to him after the January 9, 2004 meeting and it was a summary indicating the facts of the meeting.

Councilwoman Rogers asked Supervisor Hotaling if he has spoken to Ms. Guzman about the fact that she was already getting paid for her services as the Attorney for the various Boards and questioned her as to why she should be paid again.

Supervisor Hotaling stated that over a sense of fairness he wanted to make sure that there was something in the records in the form of a resolution that authorized her to do this because it would seem to him because in order to spend that kind of money there should be a resolution. He added that there already was the understanding that she was hired as an attorney for \$4,500.00 a year to do those kinds of things.

Councilman Conrad interjected "Town Attorney as well."

Town Attorney Rotello stated that the nature of the procedure was an Article 78 that was initiated by Mr. Albert McHugh against the Town Board, Fire District and Santo Costanza in connection with the Fire District moving forward with their proceeding. He added that he was not sure if it was at a Workshop Meeting or perhaps an Executive Session when the discussion came up since the Article 78 was filed. He went on to say that Ms. Guzman in her capacity as the Zoning and Planning Board Attorney had advised George McHugh that she would be having the Town Board withdraw their resolution declaring a Negative Declaration based on the issues that Mr. McHugh had raised to her on the phone eliminating the need to file the Article 78 and non the less the Article 78 was filed and within a few days the Town Board did in fact rescind the resolution but the Article 78 was moving forward and needed to be responded to and it was determined by the Board and he's not sure of the setting, whether it be a written resolution or a discussion at a Workshop Meeting or Executive Session, that the litigation started by Mr. Albert McHugh was outside the scope of the \$4,500.00 salary paid to Ms. Guzman and authorized her to represent the Town in that regard. He concluded by thanking Mr. Conrad for recognizing the fact that he would not have had a conflict, however there were members on the current Board who had raised such an issue in the past and it had been raised in the courts as well.

Councilman Conrad stated that the point that he has, is the January 9, 2004 fee which took place well after the settlement of the Article 78 proceeding as the new Town Board had already moved to pay approximately \$200.00 for cost associated with this.

Town Attorney Rotello interjected that it was the cost associated with the filing fees which was part of the settlement, Mr. George McHugh had requested that in order to enter into the stipulation discontinuing the action, he or his brother Albert be reimbursed for the filing fee.

Supervisor Hotaling stated that his issue is that he needs to know whether authority was given for Ms. Guzman to do this separate and apart because there is a \$2,325.00 bill that he apparently does not have any authority to pay.

Councilman Conrad interjected that he would not get authority from him.

Town Attorney Rotello stated that he would look through his file and see if there is a note as to the specific meeting when the authority transpired.

Councilman Conrad questioned whether the other Town Board Members were aware of it.

Town Attorney Rotello stated that he could not tell him if Councilman Stanton and Councilwoman Rogers were present at the meeting, it could have been just Joe, Dominick and Randy.

Councilman Conrad stated that he could understand that for the 2003 portion, but the January 9, 2004 he didn't understand because the reason that Ms. Guzman could not come to the Planning Board Meetings was because they could not pay her \$150.00 an hour, however she could go to the Fire Station for three hours after the settlement had been taken care of. He concluded that this is what has gotten him bothered.

Town Attorney Rotello stated that he does not think that it should have him bothered in the context of the purpose of that meeting, as he understands it. He continued by saying that he had spoken with Ms. Bakner who is representing the Fire District, and to avoid any further necessary or unnecessary litigation there was a meeting with the Fire District who invited the McHugh's to basically say that the process is being followed and moving forward and to ask them if all of their concerns were satisfied in an attempt to do away with any more filings of Article 78's. He concluded by saying that at the time he did not know if the Town Board had notified Ms. Guzman as to the manner that it was moving and he believed that it was a rescheduled meeting, if it was rescheduled meeting and she had authority in that year then that would explain why it happened then and also whether or not she was notified that she would not be reappointed or was not reappointed.

Supervisor Hotaling stated that it did not have anything to do with this.

Town Attorney Rotello stated that it was a carry-over of it being resolved and if she was doing it within her capacity under the salary it would be different, or perhaps she may have sent the bill because she was not reappointed for 2004. He reiterated that he would look through his notes.

Supervisor Hotaling stated that another option would be to reach out to former Supervisor Scalzo and Councilmen Bruno and Irwin and ask them.

Councilman Conrad stated that his point is that prior to coming into office he went to the Town Clerk's Office and took the time to look at all of 2003 resolutions and he looked at them primarily to see what was out there as well as personally attend most of the meetings and not one time did he hear mention of Barbara Guzman being authorized, there are other attorneys appointed and reports were mentioned about them and bills were paid. He concluded by saying that this caught him off guard because there is no resolution and how would they know how to stop her if there is no resolution. He added that he believes that by law a resolution is required.

Town Attorney Rotello reiterated that he believes that there was a resolution, whether it was in writing or not he does not know.

Councilman Stanton stated that Ms. Guzman should have something in writing hiring her to do this.

Town Attorney Rotello stated that he's sure that she probably does and as she indicated her communications involved Supervisor Scalzo so a call to him or a review of his notes might be helpful.

Supervisor Hotaling interjected that as he understands it, this Town Board is not yet authorizing any movement for payment of the voucher

TOWN BOARD MEETINGS

Public Hearing (Local Law #1-04)	February 10, 2004, 5:30p.m.
Public Hearing (Local Law #2-04)	February 10, 2004, 5:50p.m.
Workshop (J. Kenneth Fraser & Assoc).	February 10, 2004, 6:15p.m.
Workshop (Summer Youth Program)	February 24, 2004, 6:30p.m.

Supervisor Hotaling stated that in addition to Danyell Crowley, Youth Services Director, and Judy Felston, RCS Community Librarian, he has taken the liberty of inviting a couple of other people that are interested in the Summer Youth Programs.

Supervisor Hotaling added that if the Council Members have any other Workshop topics to please let him know and he will be happy to schedule them at one of the upcoming Workshops.

Councilman Conrad stated that there are many issues with the Employee Handbook and asked that the other Council Members read over the new Handbook draft.

Supervisor Hotaling stated that there is a Labor Management Meeting on February 26, 2004 and the main topic of that meeting is discussion of the Handbook that a draft was submitted for last year and the Town Board may want to consider postponing the Labor Management Meeting until the entire Town Board has had the opportunity to make comments and any necessary changes. He concluded by saying that when they for

the Labor Management Meeting it won't be anything other than what is the Town Board's position is.

Councilman Conrad suggested that they have a meeting as all of his ideas are in writing at this point, he has all of the issues highlighted that he would like to see addressed. He went on to say that there are probably others that he did not pick up on that maybe some of the other Board Members would like to see addressed. He added that he's not sure all of the content is necessary in addition to other items that he feels as though should be in the Handbook and is not at this point.

Supervisor Hotaling stated that the Town Board had to guide him as to whether or not prior to the Labor Management Meeting or the postpone date, if the Town Board wants Ms. Travers to come down from AMTEK to discuss any points, or would they rather do it themselves and then present to her the product that they would like to have modified.

Councilman Conrad stated that his preference is to do the latter, collectively the other Board Members agreed.

Town Attorney Rotello suggested that they also formulate any questions that they have on the drug policy.

Councilman Conrad stated that this is part of what he had to say about the content because as of the December 27, 2003 Meeting two drug policies have been implemented, the second was for non DOT personnel which in fact only addresses 7 employees in the entire Town of Coeymans and the fact of the matter is Council 82 has a provision in their contract that says that they must also abide by the OMNIBUS rules and regulations with respect to drug testing and there is not even a policy implemented. He concluded by saying that there should be one Drug Policy adopted by the Town and referred to in the Handbook as the contract is up for renewal in August at the County level.

Town Attorney Rotello reiterated that they get all of their questions ready for Ms. Travers.

Councilwoman Chmielewski asked if the Labor Management Meeting for 02-26-04 is going to be cancelled.

Supervisor Hotaling stated that he believes that they have to cancel it.

Councilwoman Chmielewski suggested that it not be because she feels as though there are other issues that Labor still wanted to discuss.

Supervisor Hotaling stated that he had a discussion with Nelson Perry about the possibility of moving the date and he said to let him know in plenty of time and he would be able to make some adjustments and give them some alternative dates. He added that if the Town Board feels as though they can get this done he would be happy to continue in having the meeting on 02-26-04, however they are going to attend the Association of Towns Annual Meeting in New York City.

Councilwoman Chmielewski reiterated that she thought that there were other issues in addition to the Handbook and that is why she felt as though it should not be cancelled.

Supervisor Hotaling stated that perhaps they could still have the meeting and postpone discussion on the Handbook.

Supervisor Hotaling then asked for a motion to adjourn the meeting.

ADJOURNMENT

MOTION

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

Time 8:35

Respectfully submitted

APPROVED:

*Diane L. Millious
Town Clerk*

January 27, 2004 – Town Board Workshop – 7:00PM

PRESENT: Ronald K. Hotaling, Jr., Supervisor
Dawn Rogers, Councilwoman
Nita J. Chmielewski, Councilwoman
Frank D. Stanton, Councilman

ALSO PRESENT: Joseph Mastrianni – Section 8 Administrator

**NOTICE
ADDITIONAL
TOWN BOARD WORKSHOP
MEETINGS**

January 27, 2004
February 03, 2004
February 10, 2004
February 24, 2004

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

- Joseph Mastrianni re HUD and Section 8 HUD

APPROVED:

Diane L. Millious, Town Clerk

MINUTES BOOKTOWN OF COEYMANS**
January 27, 2004 – Town Board Workshop – 7:00PM

A Regular Town Board Meeting was held Monday, January 26, 2004, at 7:00 PM at Town Hall, 18 Russell Avenue, Ravena, New York

PRESENT: Ronald K. Hotaling, Jr., Supervisor
Frank D. Stanton, Councilman
Dawn Rogers, Councilwoman
Nita J. Chmielewski, Councilwoman
Laverne H. Conrad, Councilman

ALSO PRESENT: Diane L. Millious, Town Clerk
Joseph Rotello, Town Attorney

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

SUPERVISOR'S OPENING

Supervisor Hotaling noted that the full Town Board was present along with Town Clerk Millious and Town Attorney Rotello; he then proceeded to give an overview of the agenda items as follows:

- • Public Comment
- • Approval of Minutes
- • Department Reports
- • Old Business
 - Highway Roof Repair
- • New Business
 - 4 Seasons Club Request for Assistance
 - Police Officer Request for Military Leave
 - Coeymans Creek Obstruction on Miller Road
 - Sewer Line Cleaning
- • Introduction of Proposed Local Laws
- • Resolutions
 - Public Hearing RE: Local Laws 1-2004, 2-2004
 - Undertaking for Officials
 - Transfer of Funds (Judgments)
 - Transfer of Funds (Personal Services)
 - Hire Part-Time Bookkeeper
 - Appoint Voting Machine Custodians
 - Re-Appoint Ethics Board
 - Appoint S.A.F.E. Additional Staff
 - 2004 Employees & Rates of Pay
 - Approval of Abstract

- • Correspondence
 - Report on Old Ravena Road North Bridge Opening & South Bridge Closing
 - Letter from Hudson River Valley Greenway Communities Council. (explaining program)
 - Letter from R-C-S Community Library (request to participate in purchase of microfilm reader)
 - NYS Thruway Authority / NYS Canal Corp.
 - NYS Office of the State Comptroller (extension letter)
- • Town Board Workshops
 - January 27, 6:00PM (HUD, Section 8)
- • Adjournment

PUBLIC COMMENT

Supervisor Hotaling invited the public comment at this time, hearing none he moved to the Approval of Minutes.

APPROVAL OF MINUTES

Supervisor Hotaling stated that the following sets of Minutes have been presented to the Town Board and require approval.

- • 12-08-03
- • 01-01-04

MOTION

On motion of Councilman Stanton, seconded by Councilwoman Chmielewski, the Town Board Minutes were approved as read. VOTE – AYES 5 – NAYS – 0 – SO MOVED

DEPARTMENT REPORTS

Town Clerk's Report

Town Clerk Millious read the Town Clerk's Report for December 2003.

Building Department Report

Supervisor Hotaling reported that he received a report from the Building Department for December 2003 that reflects permit fees in the amount of \$3,700.00 with an estimated cost of building of \$449,295.00.

Police Department Report

Supervisor Hotaling stated that he received a Police Report from Chief of Police Giroux for December 2003 indicating the number of calls for service along with the number of traffic tickets issued and weekly blotter reports. He added that he has a question on the report regarding the lease of a 2001 Chevrolet Tahoe that is running out and asked the Town Board if they had any recollection of this in the budget. He then asked Chief Giroux for an update of this as far as it not being in the Police Budget for 2004.

Chief Giroux indicated that this was pointed out to the previous Town Board during budget preparation time and at that time he was advised that it was not going to be included in the budget and when necessary he would have to present it to the new Town Board to borrow any money necessary to cover the lease.

Councilman Stanton stated that he was present for the budget discussions and he understood that \$19,000.00 would be borrowed to keep the vehicle and it would be included in the budget.

Supervisor Hotaling stated that that would have been his preference because he was not looking to borrow money now.

Councilman Stanton reiterated that it was discussed to keep the vehicle and the budget would be increased to reflect the cost.

Supervisor Hotaling stated that it should be mentioned that there was a grant received in 2000 for the vehicle and for the first three years there was no cost to the Town and that they are nearing the end of the grant and the value of the vehicle is \$19,000.00 and has to be paid for by March in order to maintain the vehicle. He then asked Chief Giroux if because of the fact that it was a leased vehicle, could it be turned in.

Chief of Police Giroux stated that it could be turned in.

Supervisor Hotaling asked if the Town could get the value back out of it.

Chief of Police Giroux stated that he did not explore that possibility and if it is an option and he does not know the exact dollar amount and if it would release the Town of any residual and that they could do some research. He added that for clarification he wanted to advise that when the grant was originally obtained the plan in terms of the lease was to buy out in order to keep the vehicle.

Supervisor Hotaling stated that the Town Board has a few weeks to plan for this and there will be other discussions relative to options that they may have.

Chief of Police Giroux interjected that he had asked that this be included in the budget in order to avoid the situation that they are currently in.

Supervisor Hotaling said he understood and thanked Chief of Police Giroux and added that the Town Board has to discuss what has to be done prior to March as there is a \$19,000.00 expenditure.

Councilman Conrad stated that there are other open issues that he is shocked at as well such as the union issues.

Supervisor Hotaling stated that Ms. Travers from AMTEK is aware of the retirement issue and the longevity issue has to be discussed between the Town Board and the Union.

Councilman Conrad questioned if the Contract had already been negotiated.

Supervisor Hotaling stated that the contract was negotiated, settled and signed, it was an issue with respect to going from 25 to 20 year retirement and there was some data during the negotiations that would reflect the cost to be nominal to make the move and since that time there is indication from the retirement system that it is not a nominal cost. He concluded by saying that he does not know if it was addressed with the previous Board, however it is a contracted issue that the Town Board has to sit down and settle to provide a 20 year retirement that was negotiated in good faith.

Chief Giroux interjected that this is correct and with respect to the longevity it is a simple matter of discussing some language.

Supervisor Hotaling concurred that it was for clarification of language, however the retirement issue may be more complicated because there are dollars and cents from the Town's perspective to catch up.

Town Attorney Rotello stated that it was similar to the regular retirement bill that the Town was hit with last year and he did not know the specific reason for the change but he believed it was basically the market, the contract has been in existence almost two years, at the time the market was up and everything was fine.

Supervisor Hotaling stated that everything was fine, and then the negotiations came up with a different set of circumstances. He then thanked Town Attorney Rotello and asked for a motion to accept the Town Clerk, Building Department and Police Department reports.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Conrad, the Town Clerk, Building Department and Police Department reports were accepted. VOTE – AYES 5 – NAYS – 0 – SO MOVED

OLD BUSINESS

Highway Roof Repair

Supervisor Hotaling stated that they were given two options for the roof repair at the Highway Department, one option is for repair, one option is for replacement. He then asked that Councilman Stanton give an update.

Councilman Stanton stated that he had spoken with Craig Tarbocks about replacing the roof and was advised that to replace the roof he would take off all of the panels including the skylights, the estimate to do this would be \$13,900.00. He added that there were two bids, one to replace the whole roof and one to repair the roof and just replace the skylights which have been painted over, the contractor would keep the panels on, however the panels are rusted. He continued by saying that another contractor that gave a quote was going to sandblast the panels and get the rust off. He added that he feels as though the steel should be sandblasted and then re-sprayed, however the first contractor feels as though it is surface rust and won't be a problem, the second contractor feels differently and stated that it needs to be sandblasted.

Supervisor Hotaling asked if there was a big difference in cost.

Councilman Stanton stated that to replace the roof the first contractor's quote was \$13,900.00, the repair quote from another contractor, which would include keeping the steel panels on and replace the skylights would be \$9,280.00, a second quote from another contractor for replacing the entire roof is \$16,980.00 which is higher than the first quote because he was going to include everything new including the gable trim and eave trim, the first contractor was going to use what is there. He continued by saying that the contractor who provided the second quote stated that during his inspection it was determined that there is extensive rust on the panels and lifting paint and it would not be cost effective to resurface it as it would be labor intensive and costly to grind the entire surface and coat, he added that during the rust removal process they might go right through the panels.

Supervisor Hotaling reiterated that the contractor believes that the panels should be replaced because if he sandblasts he would go right through the panels and make holes.

Councilman Stanton stated that the quote for the first contractor is \$13,900.00 and the second contractor's quote is \$16,900.00 which would be approximately a \$3,000.00 difference.

Supervisor Hotaling stated that the first replacement quote does not include sandblasting.

Councilman Stanton stated that was correct.

Supervisor Hotaling stated that the second replacement quote does not include sandblasting either and the panels will be replaced.

Councilman Stanton stated that the second contractor will sandblast but feels as though due to the amount of rust he will go through the panels and there will be holes and then the panels will be replaced.

Supervisor Hotaling asked Highway Superintendent Deering if he knew if this project was included in the 2004 budget.

Highway Superintendent Deering stated that it was presented to the Town Board; however it was not put in the budget.

Supervisor Hotaling stated that the Town Board will not be taking any immediate action and that they will have to examine the budget to see if anything can be done at this time.

Councilman Conrad interjected that these were quotes and not bids.

Councilman Stanton stated that was correct.

Councilman Hotaling reiterated that they will have to examine it and let Highway Superintendent Deering know if or when it can be done. He then thanked Councilman Stanton.

NEW BUSINESS

4 Seasons Club – Request for Assistance

Supervisor Hotaling stated that he provided the Town Board members a copy of the telephone message that he received from a representative of the 4 Seasons Club and also had a discussion with Town Attorney Rotello and was advised by the caller that Town Attorney Rotello was familiar with the situation. He added that Councilwoman Rogers has provided him with some historical background on the issue of the maintenance of the passageway. He concluded that based on his discussion with Town Attorney Rotello, who was advised to call Mr. Guerra, it leads him to the decision that the Town Board or Highway Department will not be responsible for that area even though there may be some history in the past.

Councilwoman Rogers stated that from the letter that the Town received last year, originally the 4 Seasons Club had a suit with the Water Board over right-of-way to get through after that point they had an affidavit from Mr. Kelton Vosburgh which says that Kelt's father did make some repairs which would have been in the early 1900's. She added that based on conversations with people that she has spoken to, no one has touched the road for the last 15-20 years.

Town Attorney Rotello stated that this is his understanding as well and when the suit with the Water Board took place if there was any issue regarding its status the Town of Coeymans would have been deemed a necessary party and joined in that suit and in all likelihood would have been sued. He added that it appears to be Albany Water Board property and there was the right-of-way dispute and clearly under Highway Law the road has not been opened to the public or maintained in any shape or form in over 10+ years.

Supervisor Hotaling asked if it was necessary for the Town Board to take any action and formally state that they are absolved from any responsibility.

Town Attorney Rotello advised that the Town Board has formally stated that in the past and it is not necessary now.

Supervisor Hotaling asked Attorney Rotello if he reiterated that to Mr. Guerra.

Town Attorney Rotello stated that he did and Mr. Guerra had stated that approximately 30 years ago he recalls that Town employees put down some railroad track for a make

shift bridge and that is what he looking for the Town to do now. He added that even if the Town wanted to do this the law does not allow them to do that and the Town Board's position has not changed as it was formally stated in the past.

Supervisor Hotaling asked how Mr. Guerra was with the decision.

Town Attorney Rotello stated that he was not happy with it but understood. He added that he explained to Mr. Guerra the Town's position and indicated that if there is some other documentation that he could show they would take a look at it, however there is nothing now that would allow them to assist him in any way.

Councilman Conrad stated that he had a comment to add and continued by saying that these roads were all looked at going back to 1985 and a resolution was passed by the acting Town Board at that time to accept a certain Road List that was presented to the Town Board at a Board Meeting and was then presented to the County for an official Road List as adopted by the Town of Coeymans and this road was not on the list. Town Attorney Rotello stated that was correct and nor since then has the Town undertaken and responsibility in regard to it or taken any action to maintain it that would lead anyone to believe that it is a Town Road.

Supervisor Hotaling thanked Town Attorney Rotello and moved to the next agenda item.

Police Officer Request for Military Leave

Supervisor Hotaling stated that at a Workshop on January 20, 2004, Chief of Police Giroux came bearing a request on the part of one of the Police Officers for Military Leave and indicated that the Officer had received orders to attend Officer Candidate School in Alabama. He added that the Officer had requested not only the military time that the law provides but also an additional 30 days, and this was granted previously granted by the Town Board in 2003 when a similar activation had taken place. He added that through discussion with Chief Giroux it was related to the Town Board that there were problems with his scheduling and the fact that the pool of officers is pretty shallow at this point in his efforts to obtain other coverage for February and beyond and also made a recommendation to the Town Board that his request should be satisfied by merely providing the officer with what he is currently eligible for under the law which he believes is 30 days or 22 working day, whichever is greater. He concluded by saying that it is the Town Board's decision that the Town provide only what is due to him under the Military Law at this point and not extend it beyond that.

Supervisor Hotaling invited discussion if anyone else had anything to add.

Councilman Stanton stated that he was not present at the Workshop when it was discussed.

Supervisor Hotaling apologized and stated that he should have been more specific and that the Chief of Police was present at the Workshop and he's not sure if the officer is being activated by choice or not to Officer Candidate School in Alabama for approximately 3 months. He then reminded Councilman Stanton that the action of the last Town Board was to extend it 30 more days. He concluded by saying that budgetarely and staff wise, that same opportunity could not be extended this year and should provide what he is entitled to under the law which is 30 days.

Councilman Stanton asked if he is going back in the military.

Councilman Conrad interjected that he is going to Officer Candidate School which by the notice appears to be voluntary.

Chief of Police Giroux stated that the officer transferred from the Air Force to the Army for the purpose of going from the enlisted ranks to the officer ranks and part of that transfer requires him to go to Officer Candidate School, which in essence would make it voluntary however now that he is in the Army as opposed to the Air Force this is his orders and from the Armies perspective it is required. He added that it does comply with his military leave.

Supervisor Hotaling interjected that it was caused by leaving one branch of service and immediately or shortly thereafter joining another branch.

Chief of Police Giroux stated that it is true.

Councilman Conrad questioned if it was Chief of Police Giroux's opinion that for up to 60 days, he will be paid for 30 days under the Military Law.

Chief of Police Giroux stated that was true and added that he would give a little background with reference to the 60 days, after 9/11 the Governor authorized that there be an extra 30 days for State Employees that were activated in the military and suggested that other municipalities follow suit and that the Attorney General's opinion was that it wouldn't be in violation of Military Law not to allow someone to do that, however it is not a requirement, the Military Law has not changed, it was a suggestion. He concluded that the previous Town Board had chosen to give him the extra 30 days.

Councilman Conrad stated that for the record he wanted to convey to the public that there is another part of the memorandum that indicates that the officer would like to be informed of the Town Board's decision immediately so that he could request a JAG Military Attorney to attend a Town Board meeting on his behalf since he is not allowed to attend the meeting without permission even though it is a military matter about him serving his country. He went on to say that he is not sure where the memo is leading and stated that it appears that if the Town Board denies the officer an additional 30 days they will be greeted with a JAG Military Lawyer.

Councilwoman Chmielewski asked why the officer could not attend a Town Board Meeting.

Councilman Conrad stated that it must have something to do with Military Law.

Chief of Police Giroux stated that it is the policy of the Police Department that employees acting as Police Officers need the approval of the Chief of Police before they appear at a Town Board Meeting which means that he would have to be advised that an officer wanted to speak at a Town Board Meeting. He added that the last time this discussion came up he had spoken with a JAG Military Attorney who advised that the Military Law has not changed and there was some confusion as to how much weight the government's suggestion had to local municipalities.

Councilman Stanton stated that he agrees with Councilman Conrad in that the Town Board may have to defend themselves against a JAG Military Attorney in not allowing young men to represent our country.

Supervisor Hotaling interjected that is quite the contrary and they are allowing young men to defend our country.

Councilman Stanton stated that it is only for 30 days.

Supervisor Hotaling stated that this is what the law provides.

Councilman Conrad interjected that it is part of the Union Contract at this point in time and the additional 30 days was something that Governor Pataki came up with to help alleviate some of the problems that arose because so many people were away from their families.

Supervisor Hotaling stated that it was mandated for State Employees but not for other municipal employees.

Councilman Conrad added that in reviewing what they have seen in the first 25 days of office they would not be serving their constituents very well if they authorized an additional 30 days of pay in light of the budget conditions that they are currently faced with. He added that until he is assured that there is money it can't be granted as there is already \$19,000.00 that has not been budgeted for.

Chief of Police Giroux stated that the budget does not include any extra time; it is based on the assumption that the 30 days will be used.

Town Attorney Rotello interjected that in 2003 the Town Board was sent letters from the Deputy Staff Judge Advocate as well as another Staff Judge Advocate that was responded to by himself as well as Chief Giroux. He added that it was a similar situation budgetarely speaking and the decision was based on that and subsequent to that was in a different year and when the request came in it was still under the same active status and it was on that basis in a new year that that Town Board granted him the extra 30 days.

MOTION

On motion of Councilman Conrad, seconded by Councilman Stanton, the Police Officer will be granted the time currently granted under Military Law, which would be either 30 days or 22 working days, whichever is greater. VOTE – AYES 5 – NAYS – 0 – SO MOVED

Coeymans Creek Obstruction on Miller Road

Supervisor Hotaling stated that a phone call was received from Mr. Richard Peterson, a resident of Miller Road, who described the condition of the creek there as full of obstructions including a 55 gallon fuel oil drum and was wondering whether or not the Town would be interested in acquiring a permit to go and clean it out and he offered to

do it himself and has the equipment to do it and the Town could pay him. He continued by saying that with the proper permit the Town with the assistance of the Highway Department could clear out the obstructions in the creek. He then asked Councilman Conrad if he was familiar with this issue.

Councilman Conrad stated that this was not the only the complaint that they have received, even during the campaign process it was pointed out by several residents of the Hannacroix Creek area have an equal concern because of the flooding that occurs because of the blockages in the creek. He added that when Mr. John Biscone was the Town Supervisor and Mr. Kelton Vosburgh was the Highway Superintendent, Mr. Biscone obtained the necessary permits for the Town to go into the creek without disturbing the creek bed and remove the obstructions. He went on to say that he had promised some residents that he would look into this and has already gathered some information from DEC on stream management. He concluded by saying that they could look further into that and investigate the possibilities of that site and other locations.

Supervisor Hotaling stated that it was indicated that Mr. Tom Hadley from ENCON would deal with this issue and asked if anyone was familiar with him.

Councilman Conrad stated that Mr. Haley issues the Creek Permits.

Supervisor Hotaling stated that with the Boards permission he would "reach out" to Mr. Hadley and find out how the Town can acquire a permit for this location as well as other locations and when the springtime offers an opportunity they can do some stream cleaning.

Councilwoman Chmielewski asked Highway Superintendent Deering if there are only certain times that you can go into the creek because of the fish.

Highway Superintendent Deering stated that a Special Permit could be issued beyond that time period.

Councilman Conrad interjected that the period is April 1st to October 1st because it is spawning season.

Supervisor Hotaling stated that he would get in touch with Mr. Hadley.

Sewer Line Cleaning

Supervisor Hotaling stated that he along with Councilman had received a memorandum earlier in the day regarding issues regarding the sewer along Civill Avenue. He continued by saying that the Village was televising the lines and the Town "piggy backed" on that same day and in the area of the Persico home many obstructions were found. He asked that Councilman Conrad bring the Town Board up to date as to what the next step may be.

Councilman Conrad stated that there has been I&I problems, which is an infiltration of water into the sewer system which is causing the Sewer Plant to be put underneath a restriction of allowing any more homes to be added to the Sewer District.

Supervisor Hotaling interjected that there is a moratorium.

Councilman Conrad added that the moratorium is for an unlimited timeframe. He continued by saying the Chief Operator Breedlove is trying to identify the areas that are in need of repair more than likely this year and the budget does not reflect any money for the repairs that are needed. He went on to say that there are more areas that need to be identified but the truck froze up the day that they were not able to do any further videoing of the sewer system. He concluded by saying that what it comes down to is that the Town will have to spend more money to fix the sink holes that are developing, there are stakes drilled through the sewer lines that are causing restrictions and numerous other things that are going to have to be repaired this year.

Supervisor Hotaling stated that the Town will be receiving a report and a video tape of the area and that Engineer Prendergast will review the report and video and then make recommendations to the Town Board as to how they can approach the repairs. He added that it will be an Old Business agenda item at the next meeting.

INTRODUCTION TO PROPOSED LOCAL LAW 1 & 2-2004

Supervisor Hotaling stated that at the first Town Board Meeting following the Organizational Meeting, a Public Hearing was scheduled for Local Laws relating to the exemptions that are provided to senior citizens and disabled citizens with regard to their income and exemptions from 5% - 50% on their tax rates. He continued by saying that he wanted to introduce to the Town Board two laws, Proposed Local Law 1 of 2004 whose intent is to amend Chapter 149, Article 5 of the Town Code of the Town of Coeymans to the extent of adopting the income limits for senior citizens tax exemptions, exemption limits already established by Albany County and provide that any such future amendments be made by resolution by the Town Board. He added that in far the past the Town Board took the opportunity to do the amendments by resolution to establish the rates, however there came a time when Local Law became the preferred method of doing this, this is the third or fourth amendment of Local Laws with regard to the exemptions and income levels because the income level changes every 2 years. He continued by saying that he wanted to take the opportunity to introduce a Law that not only recognizes the different income exemption levels but also provides an opportunity for future Boards to make changes in the income levels by resolution as opposed to going through the Local Law and Public Hearing process, the resolution will be subject to permissive referendum, the parameters of which can be discussed by the Town Attorney if he so chooses. He concluded by saying that Local Law 1-2004 will modify seniors income levels and Local Law 2-2004, the purpose is to amend in part Chapter 149, Article 3 of the Town Code of the Town of Coeymans to the extent of adopting the income limits of tax exemptions for certain disable home owners, income limits have already been established by Albany County, and provide that any such future amendments be made by resolution of the Town Board.

Supervisor Hotaling introduced the laws to the Town Board and stated that there will be resolutions immediately following to establish a Public Hearing for the two Local Laws.

RESOLUTIONS

RES. #41-04 SCHEDULE PUBLIC HEARING ON PROPOSED LOCAL LAW #1-2004

On motion of Council Member Chmielewski, seconded by Council Member Conrad, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, a Local Law, being proposed as Local Law No 1 of 2004, a copy of which is attached hereto, was introduced at this meeting by a member of the Town Board of the Town of Coeymans, and

WHEREAS, this Board desires to hold a Public Hearing with respect to the adoption of said Local Law,

NOW, THEREFORE, BE IT RESOLVED, that a Public Hearing be held by this Board with respect to the adoption of the aforesaid Local Law at 5:30 p.m. on the 3rd (amended to the 10th) day of February, 2004, at the Town Hall, 18 Russell Avenue, Ravena, New York, and it is

FURTHER RESOLVED, that the Town Clerk is hereby authorized and directed to cause Public Notice of said Hearing to be given as provided by Law.

*Discussion – Supervisor Hotaling asked Town Clerk Millious if there is enough time to get it in the paper for proper notice.

Town Clerk Millious stated that today is the 26th and she does not think that it will make a paper.

Supervisor Hotaling stated that it could be given to them in the morning.

Town Attorney Rotello interjected that they have gotten items in on Tuesdays before.

Town Clerk stated that she would try.

Town Attorney Rotello suggested that it be faxed over immediately following the meeting.

Supervisor Hotaling asked that she make every effort to get it to the Town newspaper for publication this week.

Town Attorney Rotello asked what the last Public Hearing was and that it is not any different than what the Board has been presented with in the past.

Supervisor Hotaling stated that they closed the Public Hearing because there was no proposed Local Law to present to the public and this is a new process. He stated that he wants to get this in time in terms of the taxable status and reiterated that every effort should be made in getting it publicized this week. He concluded by saying that if it

cannot be done for this week, he would ask the Town Board for permission to move it to the following week which would be the 10th.

Town Clerk Millious advised that the 10th might be better.

Councilman Conrad asked if it might be easier to amend it for the 10th.

Supervisor Hotaling asked Town Clerk Millious her opinion.

Town Clerk Millious stated that it might be better to give the public a little more time.

Councilman Conrad stated that Local Laws have to be posted in the paper.

Supervisor Hotaling agreed and stated that they also have to summarize the Local Laws.

Councilman Stanton interjected that there is a Workshop Meeting on the 10th.

Supervisor Hotaling asked the Council Members if they agreed to the amendment.

All were in agreement and the vote was taken.

Supervisor Hotaling stated that the next resolution would be changed to read February 10, 2004.

**TOWN OF COEYMANS
PROPOSED LOCAL LAW NO. 1 OF 2004
A LOCAL LAW OF THE TOWN OF COEYMANS, AMENDING CHAPTER 149,
ARTICLE V, SENIOR CITIZENS EXEMPTION, OF THE TOWN CODE OF
THE TOWN OF COEYMANS
Be it enacted by the Town Board of the Town of Coeymans as follows:**

Statutory Authority: This local law is adopted pursuant to the provisions of the Municipal Home Rule Law of the State of New York.

Legislative Intent: The purpose of this law is to amend, in part, Chapter 149, Article V of the Town Code of the Town of Coeymans, to the extent of adopting the income limits for senior citizen tax exemptions, as established by Albany County, and provide that any such future amendments be made by resolution of the Town Board.

149-21 A. (1), shall be amended only to the extent of providing for an income limit of \$24,000.00, which shall replace \$21,500.00 (amended by L.L. 1-2002).

149-22, shall be amended only to the extent of modifying the minimum/maximum income and percentage chart in accordance with the following char, which shall replace the current chart (amended by L.L. 1-2002):

ANNUAL INCOME	EXEMPTION
\$0.00 to \$24,000.00	50%
\$24,000 or more but less than \$25,000.00	45%
\$25,000 or more but less than \$26,000.00	40%
\$26,000 or more but less than \$27,000.00	35%
\$27,000 or more but less than \$27,900.00	30%
\$27,900 or more but less than \$28,800.00	25%
\$28,800 or more but less than \$29,700.00	20%
\$29,700 or more but less than \$30,600.00	15%
\$30,600 or more but less than \$31,500.00	10%
\$31,500 or more but less than \$32,400.00	05%

149-22 A. (1), shall be amended only to the extent of providing for an income limit of #32,400.00, which shall replace \$29,999.99 (amended by L.L. 1-2002)

149-23 shall be added as follows:

149-23. Amendments

The annual income limits and tables, and age requirements, set for the in this Article, may be amended by resolution of the Town Board, subject to permissive referendum.

149-24. Saving Clause

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Town Board of the Town of Coeymans hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

149-25 shall be added as follows:

149-25. Effective Date.

This local law shall take effect immediately upon filing with the Secretary of State, after 45 days from the date of its adoption.

RES. # 42-04 SCHEDULE PUBLIC HEARING ON PROPOSED LOCAL LAW #2-2004

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

WHEREAS, a local law, being proposed as Local Law No 2 of 2004, a copy of which is attached hereto, was introduced at the meeting by a member of the Town Board of the Town of Coeymans, and

WHEREAS, this Board desires to hold a public hearing with respect to the adoption of said Local Law,

NOW, THEREFORE, BE IT RESOLVED, that a public hearing be held by this Board with respect to the adoption of the aforesaid Local Law at 5:45PM (amended to 5:50PM) on the 10th day of February, 2004, at the Town Hall, 18 Russell Avenue, Ravena, New York, and it is further

RESOLVED, that the Town Clerk is hereby authorized and directed to cause public notice of said hearing to be given as provided by Law.

*Discussion – Town Clerk Millious interjected that the time has to be 20 minutes after the first meeting.

Supervisor Hotaling stated that he does not believe that is true.

Councilman Conrad interjected that it was an old theory and they looked into this and there is no set limitation of time, you have to allow people an opportunity to speak. He added that in matters like this, this is not a very arbitrary item.

Supervisor Hotaling stated that if the Town Board prefers, the time could be amended to 5:50PM and be on the safe side. He added that he would look into the issue of the Town Clerk's concern as to whether or not it has to be 20 minutes. He concluded that the Council Members consider an amendment to 5:50PM.

Collectively it was decided to look into this and a vote was taken.

Attorney Rotello interjected that the 10th is a Workshop Meeting and he wanted to suggest that the Town Board consider calling it a Special Meeting for the purpose of adopting the Local Laws.

Supervisor Hotaling stated that if timing becomes an issue of the passage of the Laws they will consider it prior to that time and notify the Town Clerk to change it from a Workshop meeting to a Special Meeting if necessary.

**TOWN OF COEYMANS
PROPOSED LOCAL LAW NO. 2 OF 2004
A LOCAL LAW OF THE TOWN OF COEYMANS, AMENDING CHAPTER 149,
ARTICLE III, EXEMPTION FOR CERTAIN DISABLED HOMEOWNERS, OF
THE TOWN CODE OF THE TOWN OF COEYMANS**

Be it enacted by the Town Board of the Town of Coeymans as follow:

Statutory Authority: This local law is adopted pursuant to the provisions of the Municipal Home Rule Law of the State of New York.

Legislative Intent: The purpose of this law is to amend, in part, Chapter 149, Article III of the Town Code of the Town of Coeymans, to the extent of adopting the income limits for tax exemptions for certain disabled homeowners, as established by Albany County, and provide that any such future amendments be made by resolution of the Town Board.

149-9, shall be amended only to the extent of modifying the annual income and percentage chart in accordance with the following chart, which shall replace the current chart:

ANNUAL INCOME	EXEMPTION
\$0.00 To \$24,000.00	50%
\$24,000 or more but less than \$25,000.00	45%
\$25,000 or more but less than \$26,000.00	40%
\$26,000 or more but less than \$27,000.00	35%
\$27,000 or more but less than \$27,900.00	30%
\$27,900 or more but less than \$28,800.00	25%
\$28,800 or more but less than \$29,700.00	20%
\$29,700 or more but less than \$30,600.00	15%
\$30,600 or more but less than \$31,500.00	10%
\$31,500 or more but less than \$32,400.00	5%

149-15, shall be amended only to the extent of deleting the last sentence of that paragraph, as identified by footnote 3.

149-17 shall be re-titled and amended as follows:

149-17. Amendments

The annual income limits and tables, set forth in this Article, may be amended by resolution of the Town Board, subject to permissive referendum.

149-18 shall be added as follows:

149-18. Saving Clause.

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Town Board of the Town of Coeymans hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

149-19 shall be added to replace, renumber and amend 149-19 as follows:

149-19. Effective Date.

This local law shall take effect immediately upon filing with the Secretary of State, after 45 days from the date of its adoption.

RES. # 44-04 AUTHORIZING UNDERTAKING PURSUANT TO PUBLIC OFFICER LAW 11

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

WHEREAS, Public Officer's Law 11 (2) and (3) provides that a town may procure a Blanket Undertaking, from any duly authorized corporate surety, covering all officers, clerks and employees, and those handling funds pursuant to the Vehicle and Traffic Law; indemnifying against losses for failure to faithfully perform their duties or properly account for money and property received by virtue of their employment, and against losses through fraudulent or dishonest acts.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board authorizes the procurement of said undertaking in the amount of \$500,000.00, with an annual premium of \$1,789.00 and a \$ \$5,000.00 deductible. The expense thereof shall be and authorized charge against the Town, and

BE IT FURTHER RESOLVED, that the Town Clerk is authorized and directed to file a copy of said undertaking in her office and the office of the Albany County Clerk and the Office of Court Administration, as appropriate.

Discussion – Councilman Conrad stated that he wanted to point out that it is Public Officer's Law Section 11; subparagraphs 2 and 3, Councilwoman Rogers misspoke and said 1 and 3.

Supervisor Hotaling asked that Attorney Rotello offer an explanation.

Town Attorney Rotello stated that this is in place of having coverage under the General Liability Insurance which Zurich was the carrier, the new carrier does not provide such coverage and this is why it is being done under a separate undertaking.

RES. #45-04 TRANSFERS OF FUNDS – JUDGMENTS

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

WHEREAS, the 2004 budget, as passed by the Town Board in November 2003, provided \$20,000 in account code A1920.4 Judgments and,

WHEREAS, in December 2003 the court ordered a settlement in the Albany Water Board tax assessment matter and the Town Board previously resolved to pay the settlement costs, and,

WHEREAS, another court, as a result of a judgment in an Article 78 filed in the matter of the proposed location of the Coeymans Fire House, also ordered the Town to pay a portion of the petitioner's costs, and

WHEREAS, the total of these two judgments exceed the \$20,000 budgeted for 2004,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board authorizes the transfer of the \$3402.50 from account A1190.4 Contingency to account A 1930.4 Judgments to cover the portion of these two judgments exceeding the 2004 budgeted appropriations.

Discussion – Supervisor Hotaling stated that previously payment was authorized for the Water Board Judgment to be paid in the full amount of \$23,000.00 and the other small judgment was approximately \$200.00.

Town Attorney Rotello interjected that it was not really a judgment; it was by stipulation of all parties.

Supervisor Hotaling stated that it was so noted.

RES. #46-04 TRANSFERS OF FUNDS

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

WHEREAS, the position of payroll clerk has been abolished effective January 1, 2002, and

WHEREAS, the town board has previously authorized the supervisor to acquire bookkeeper service,

NOW, THEREFORE, BE IT RESOLVED, that the monies included in the 2004 budget under Account A1430.1 Personal Services, totaling \$21,426.00, be and is hereby transferred to Account A1220.1 Staff Personal Services.

RES. #47-04 HIRE PART TIME BOOKKEEPER

On motion of Councilman Stanton, seconded by Councilman Conrad, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the Town board of the Town of Coeymans recognizes the importance of finalization of the audits for the years 2001, 2002 and 2003 and,

WHEREAS, the Town Board is desirous of facilitating the compilation of the data necessary for the auditor to accomplish same and has discussed this with the Town Attorney,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board authorizes the Supervisor to hire a part-time bookkeeper to assist in the organization of the necessary data and,

BE IT FURTHER RESOLVED, that Catherine Barger be hired as a part time bookkeeper at the rate of \$9.93 per hour.

Discussion – Supervisor Hotaling stated that he had a discussion with Darryl Purintan, the auditor from Marvin & Company and he stated that this is not only something that needs to be for the audits but it is something that based upon his plan to get the data collected he has called for a team approach plan not only for the General Fund but also the support staff in the Sewer and Highway Departments to put their efforts together to come up with cash disbursement figures in order for Marvin & Company to do the audits as quickly as possible. He went on to say that he does not think that April is an unattainable goal and Mr. Purintan has agreed to come down to talk to and advise the staff what they need to do in order to be in a position to perform the audits as quickly as possible. He concluded that Mr. Purintan thinks it can be done and is optimistic about it.

Councilwoman Chmielewski added that Mr. Purintan has been working with the Town for many years and if he feels that it can be done by April 1st she has all the confidence in the world in him accomplishing this.

Supervisor Hotaling added that it will take a concerted effort and this is why he suggested the team approach.

RES. #48-04 APPOINT VOTING MACHINE CUSTODIANS

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

WHEREAS, the Town of Coeymans must appoint voting machine custodians to maintain the voting machines used in elections held within the Town of Coeymans, and

WHEREAS, the town currently has trained voting machine custodians whose term expired December 31, 2003,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board re-appoints Larry Meilak, John Gilchrist and Malcolm McNaughton to the position of Voting Machine Custodian for a term to expire December 31, 2004.

Discussion – Councilwoman Chmielewski stated that she wanted to point out that there is a position open for another Voting Machine Custodian.

Supervisor Hotaling added that there are actually two positions as Mr. McNaughton has requested for many years to resign from this duty. He added that he thanks Mr. McNaughton for staying with this position as it is required that the Town have this. He went on to say that he knows that the Town Clerk is concerned with the upcoming elections and these positions being place. He concluded by saying that if anyone would like to do this, now is the opportunity to make their desire known and he will bring it to the attention of the appropriate parties.

RES. #49-04 RE-APPOINT ETHICS BOARD

On motion of Councilman Conrad, seconded by Councilwoman Rogers, 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 have expired effective, December 31, 2003 and

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

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby reappoints Mark Principato, Mark Mueller and Sean Parker to the Ethics Board with terms expiring December 31, 2004.

RES. #50-04 SAFE STAFFING ADDITIONS

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

WHEREAS, the Supervisor has been advised by the supervisory staff of the S.A.F.E. program that there is a need for morning staff to accommodate the number of participants in the program and,

WHEREAS, staff has received applications and conducted interviews,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby accept the recommendations of the S.A.F.E. supervisory staff and approve the hiring of the following two individuals at the budgeted rate of \$8.00 per hours:

Priscilla VanHeusen
Laura Spoor

Discussion – Councilman Stanton asked if these two appointed individuals have had the proper training.

Supervisor Hotaling stated that he had and added that the supervisory staff has also evidenced a need for Monday, Wednesday and Friday morning employees and will

continue to search for more employees and if anyone is interested to participate as a counselor in the S.A.F.E. Program they should make their desires known.

RES. #51-04 2004 TOWN EMPLOYEES & RATES OF PAY

On motion of Councilman Stanton, and seconded by Councilman Conrad, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, at the organizational meeting of the Town Board held on January 1,2004, it was determined that more study needed to be done with regard to the resolution listing the town employees, their positions and their authorized salaries and/or rates of pay and,

WHEREAS, the Town Board has conducted a review of the supporting documents related to the development of the 2004 budget and is prepared to present and consider the list of employees for 2004, their positions and their authorized salaries and/or rates of pay (amended to read effective 01-12-04)

NOW, THEREFORE, BE IT RESOLVED, that the Town Board authorizes the following employees for 2004, in accordance with labor contracts in effect and budgeted amounts for positions outside the scope of negotiated contracts. (see attached list)

Discussion – Councilman Conrad stated that he would like to ask that since there has already been a payroll period, since it was the intention to have it effective 01-12-04 he would like to have an effective date of 01-12-04.

Supervisor Hotaling stated that it should be amended to say that the salaries listed became effect 01-12-04

NAME	POSITION	ANNUAL PAY PERIODS	RATE/HR. OR SALARY
R. K. Hotaling, Jr.	Supervisor	26	961.53
M. Lewandowski	Confidential Secretary	26	12.95
L. Foss	Bookkeeper p/t	26	10.53
C. Barger	Bookkeeper p/t	26	9.93
F. Stanton	Councilman	26	307.69
D. Rogers	"	26	307.69
N. J. Chmielewski	"	26	307.69
L. H. Conrad	"	26	307.69
J. Rotello	Town Attorney	26	500.00
G. Dardani	Justice	26	580.00
V. Pearson	"	26	580.00
L. Eissing	Court Clerk	26	17.94
M. Eissing	Clerk p/t	26	10.55
D. Millious	Town Clerk	26	1318.42

L. Vatalaro	Deputy Town Clerk	26	14.71
F. Farrell	Clerk p/t	26	10.55
L. Libertucci	"	26	10.55
T. Dimitriadis	Assessor	26	16.48
D. DeRose	Clerk p/t	26	10.55
D. Crowley	Youth Services Coord.	26	10.65
S. Eissing	S.A.F.E. Director	26	10.50
P. Alicandro	Counselor	26	8.00
F. Ferrusi	"	26	8.00
J. Ingraham	"	26	8.00
B. Principato	"	26	8.00
M. Pry	"	26	8.00
P. VanHuesen	"	26	8.00
L. Spoor	"	26	8.00
R. Albright	Leachate Operator	26	14.48
L. Breedlove	Chief Sewer Plant Oper.	26	20.50
J. Polverelli	Sewer Plant Operator	26	14.97
H. Deering	Utility Laborer	26	13.29
L. Gilchrist	Sewer Plant Oper. Trainee	26	11.94
A. Deering	Superintendent	26	1648.00
R. Perrine	Foreman	26	16.87
E. Barrett	Mechanic	26	15.32
R. Smith	Deputy Highway Sup.	26	10.94
T. Bennett	Equipment Oper. II	26	16.08
B. Burns	Equipment Oper. I	26	13.42
G. LaMountain	"	26	14.24
N. Perry	"	26	14.24
L. Rivers	"	26	13.42
H. Williams	"	26	14.24
D. Hammond	Laborer	26	13.29
D. Mergendahl	"	26	13.29
T. Plath	"	26	13.29
J. Vasquez	"	26	13.29
R. Burns	Seasonal P/T	26	13.42
H. Conrad	"	26	13.42
J. Deering	"	26	13.42
T. Gallagher	"	26	13.42
D. Hamilton	"	26	13.42
C. Radley	"	26	13.42
D. Wickham	"	26	13.42
R. Wickham	"	26	13.42
H. Stannard	"	26	13.42

S. Giroux	Police Chief	26	2624.80
D. Ruby	Confidential Secretary	26	12.85
J. O'Brien	Sergeant	26	20.94
M. Powell	"	26	19.94
A. Washington	"	26	19.94
J. Albert	Police Officer	26	18.17
D. Contento	"	26	18.17
J. Cross	"	26	16.60
R. Harvey	"	26	18.17
J. Margan	"	26	18.17
J. Eric Muller	"	26	16.60
G. Darlington	"	26	19.17
J. Dunn	Police Officer p/t	26	18.17
C. Parker	"	26	16.60
D. Carpinelli	"	26	15.31
T. Poverelli	"	26	19.17
R. Loveridge	"	26	19.17
D. LaMountain	Senior Telecommunicator	26	16.48
J. Tucker	Telecommunicator	26	15.48
M. VonSchenk	"	26	15.48
K. Babcock	Telecommunicator p/t	26	15.48
J. D'Ambrosio	Telecommunicator p/t	26	15.48
B. Dunican	"	26	15.48
Randy Hotaling	"	26	15.48
Richard Hotaling	"	26	15.48
Ronald Hotaling	"	26	15.48
S. Huether	"	26	15.48
K. Kearney	"	26	15.48
S. Searles	"	26	15.48
H. Traver	"	26	15.48
R. Zompanis	ACO P/T	26	10.15
E. Downes	Building Inspector	26	16.97
M. Filkins	Clerk II	26	12.84
S. DeBacco	Asst. Bldg. Inspector p/t	26	14.56
C. Biscone	Bingo Inspector	12	50.00
W. Bruno	Civil Defense Director	12	125.00
M. Wolfe	Town Historian	12	25.00
R. Biance	Custodial Work Supervisor	26	11.80
P. Foronda	Planning Board Chair	12	95.83
J. Kapusta	Planning Board Vice Chair	12	87.50
D. Ross	Planning Board Member	12	79.16
D. Wilson	"	12	79.16

R. Cumm	"	12	79.16
C. Kunz	"	12	79.16
K. Marsh	Zoning Appeals Bd. Chair	12	83.33
G. McDonald	Zoning Board Member	12	50.00
P. Brown	"	12	50.00
W. Flach	"	12	50.00
T. Cooper	"	12	50.00

RES. #52-04 APPROVAL OF JANUARY 2004 ABSTRACT

On motion of Supervisor Hotaling, and seconded by Councilman Stanton, 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 January 2004 Abstract:

ABSTRACT	VOUCHER #	AMOUNT
GENERAL (A)		
Pre-Pay	0001-0015	\$19,020.82
Pre-Pay	0021-0022	62.15
2003 Bills	0032-0070,0138	41,528.85
2004 Bills	0071-0074	<u>1,594.19</u>
	General Total	\$62,206.01
PART-TOWN (B)		
Pre-Pay	0016-0020,0137	\$ 1,164.78.
2003 Bills	0075-0076	243.00
2004 Bills	0077-0078	<u>170.00</u>
	Part Town Total	\$ 1,577.78
HIGHWAY (D)		
Pre-Pay	0023-0025	\$ 3,014.41
2003 Bills	0079-0105	21,487.46
2004 Bills	0106-0114	<u>1,057.45</u>
	Highway Total	\$ 25,559.32
SEWER (SS)		
Pre-Pay	0027-0030	\$ 180.27
2003 Bills	0115-0125	3,544.10
2004 Bills	0126-0128	<u>934.50</u>
	Sewer Total	\$ 4,658.87

CAPITAL PROJ. (H)		
2003 Bills	0129-0131	\$ 7,107.62
	Cap. Proj. Total	\$ 7,107.62
SPECIAL DISTRICT (SL)		
Pre-Pay	0031	\$ 702.14
	Spec. Dist.	\$ 702.14
	Total	
	Total for all funds	\$101,811.74
TRUST & AGENCY (TA)		
Pre-Pay	0132-0136	\$111,133.76
	Trust & Agcy. Total	\$111,133.76

CORRESPONDENCE

Supervisor Hotaling stated that there were several correspondence personally received by members of the Town Board and as he identified them he would suggest comment from the Town Board Members:

Old Ravena Road Letter, Dated 01-14-04

Supervisor Hotaling stated that it was a copy of a letter sent to the Transportation Supervisor at R-C-S, Ms. Donna Sickles and it provides information that confirms that the Old Ravena Road north bridge was reopened to traffic on January 16, 2004, there are no posted load restrictions with regard to travel. He added that at the same time it was conveyed that the south bridge would be closed to all traffic after the north bridge is open. He continued by saying that he and Councilman Stanton had a discussion based upon the information that he had obtained from CSX. He added that he had some notes that he would share, he continued by saying that Councilman Stanton had indicated from CSX that the bids for the south bridge replacement would not be released until March 26, 2004, with that in mind and the fact that it is a couple of months away they contacted Mr. Mike Franchini, from the Albany County Department of Public Works and clarified that Clough Harbor is still the Consulting Engineer and the project that they are included in includes three bridge projects for 2004 and the south bridge on Old Ravena Road, the other two are Jericho Road bridge and a Bar Hollow Road bridge in Westerlo. He added that the plans for the three bridges were sent to DOT by Clough Harbor and the expected approval of the plans will be early February 2004, at that point CSX would be required to receive those plans which would be sent to an engineering firm in Philadelphia and this may take a while, once CSX approves the plans a force account will be created for that purpose. He went on to say that Mr. Franchini's best estimate for

the bids to be released is the summer of 2004, which gives the Town a very narrow window to get those bridges replaced. He concluded by saying that the County is coordinating this and will continue to monitor it and will bill the Town for its 5% responsibility as the project continues.

Hudson River Valley Greenway Communities Council Letter

Supervisor Hotaling stated that there is a communication from the Hudson Valley Greenway who came and made a presentation to the Town Board many years ago and asking that the Town join their organization. He continued by saying that there was concern about private property and asked Councilman Conrad if he could recall.

Councilman Conrad stated that he knows of the Greenway.

Supervisor Hotaling continued by saying that they reported that 201 out of 259 eligible municipalities along the legislatively defined Hudson Valley Greenway area are now Greenway communities and want to do another presentation to the Town Board. He asked if the Town Board might be interested, if so he would contact Greenway and schedule them at an upcoming Town Board Workshop in order to find out what Greenway is all about in 2004 as compared to the mid 1980's when he last knew it.

Collectively it was agreed that this be done.

Letter from R-C-S Community Library

Supervisor Hotaling stated that this was a general request from the R-C-S Community Library and that the microfilm reader at the library is ancient and they are inquiring as to if there is an interest on the part of municipalities and other agencies to go in partnership with them to purchase an up-to-date, state of the art reader to be placed in the library for the use of those agencies when necessary to access records. Supervisor Hotaling concluded by saying that it was for discussion and consideration and if they so choose to provide a general interest if there are enough participants to reduce the cost, the cost as reported by the Library Director, Ms. Judy Felston, is \$5,300.00 to \$5,700.00, without delivery and this is a New York State Contract price which is approximately \$2,000.00 less expensive if they went out on the market to buy it, this cost would be shared by all agencies that wish to participate.

US Department of Housing & Urban Development (HUD)

Supervisor Hotaling stated that there was a communication to the previous Supervisor in November 2003 about the need to address the Single Audit Act and Section 8 annual contributions contract violations that were perceived to have been occurring in the Town. He added that he has now received a similar letter with a copy of the previous Supervisor's letter and he has to reply by February 6, 2004 to put together a plan. He concluded by saying that there is a Workshop scheduled for January 27, 2004, with Mr. Joseph Mastrianni, the administrator for the Town's HUD Program and he will be explaining the program and also give some guidance as how to respond to the Department of Housing and Urban Development with respect to the need to file the audit

and also after discussion with Darryl Purintan there is a strategy that they can employ and this will be discussed as well.

NYS Thruway Authority NYS Canal Corporation Correspondence

Supervisor Hotaling stated that the New York State Thruway Authority and Canal Corporation has asked the Town to bring to the public's attention that there is going to be a Public Meeting on Tuesday, February 24, 2004 from 4-8PM at the Beltrone Living Center, 6 Winners Circle, Colonie, and formal presentations will take place at 4:30 and 6:30PM on the issue of a corridor study on the New York State Thruway in Albany and Schenectady Counties to present the changes and improvements between Interchanges 21A and 25A. He added that there is a Town Board Workshop at 6:00PM the same evening and perhaps someone could attend the 4:30PM presentation.

NYS Office of the State Comptroller Extension Letter

Supervisor Hotaling stated that he had a letter from the Office of the State Comptroller dated January 20, 2004 in response to his request for an extension for an additional 60 days for filing the Annual Financial Report. He added that the extension has been granted pursuant to the authorization that the Town Board granted him to request the extension. He concluded by thanking the Town Board for the authorization and added that it does not relieve their obligation to comply with it; however there is an additional 60 days and with Daryl's plan hopefully they will get it done.

Town Board Workshops

- • January 27, 2004 6:00PM – Joseph Mastrianni re: HUD and Section 8 HUD

Supervisor Hotaling stated that if anyone had anything to add to the Workshop Agenda they can either discuss it now or add at the Workshop.

Councilman Conrad stated that he may not be able to attend the Workshop because his job may require him to be elsewhere and added that he has one question that he feels as though should be asked of Mr. Mastrianni is that the single audit that is required for communities receiving over \$300,000.00 of Federal moneys has cost the Town a lot of money over the years just for HUD purposes and it is his understanding that effective January 1, 2004 the limit has been raised to \$500,000.00 and would like it clarified by Mr. Mastrianni and possibly the Town can avoid some of the cost that has been going on for years with the single audit.

Supervisor Hotaling stated that it was a very timely point and that he is right that effective 2004 the ceiling has been raised to \$500,000.00 and the strategy that they will be discussing with Mr. Mastrianni may help the Town in their efforts with respect to the 2001 and 2002 audits, there is already a December 31, 2000 audit and it has been in place

for several months and he will be forwarding it to HUD as it appears that it was never forwarded to them as they indicated a need for the 2000 as well. He concluded by saying that it would obviate the need for future audits beginning 2004 and this is why he wants to make sure that these are done as soon as possible as this may be the last one that the Town has to do.

Councilman Conrad interjected that the 2003 is not due until September.

Supervisor Hotaling asked if anyone had anything else to add.

Councilman Conrad stated that there have been numerous deaths in the area recently and one in particular was Mr. John Willey. He added that Mr. Willey worked for the Town for a good many years on the Planning Board many of which he personally served with him and there were many "round table" discussions at lunch with Mr. Vosburgh and Mr. Willey. He concluded by saying that he will be missed by him especially along with many of the other Planning Board Members and added that he wanted to offer his condolences on behalf of his family.

Supervisor Hotaling added that Building Inspector Downe's brother had also passed away and that the services are the following day at the Christian Church.

Councilwoman Rogers added that Ms. Donna Pasquini's mother had passed away.

Supervisor Hotaling asked if there was any further discussion, hearing none he asked for a motion to adjourn to Executive Session for some personnel matters that will be taking place and they will be back to formally adjourn the meeting. He concluded by saying that he would not ask that the camera be maintained for the entire time in the Executive Session Meeting.

ADJOURNMENT TO EXECUTIVE SESSION

MOTION

On motion by Councilman Conrad, seconded by Councilman Stanton, the meeting was adjourned to Executive Session for personnel matters. APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED Time 8:20PM

RECONVENE THE MEETING

Supervisor Hotaling reconvened the meeting at 9:15PM and asked for a motion to formally adjourn the meeting.

ADJOURNMENT

On motion of Councilwoman Rogers, seconded by Councilman Conrad the meeting was adjourned. APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED Time 8:20PM

Respectfully Submitted,

APPROVED:

Diane L. Millious, Town Clerk

ADJOURNMENT

moved to adjourn to Executive Session; seconded by. Time VOTE – AYES 5 – NAYS 0 – SO MOVED

Respectfully Submitted,

APPROVED:

Diane L. Millious, Town Clerk

MINUTES BOOKTOWN OF COEYMANS**
January 20, 2004 Town Board Workshop – 7:00PM

A Workshop Meeting was held Tuesday, January 20, 2004, at 7:00 PM at Town Hall, 18 Russell Avenue, Ravena, New York

PRESENT: Ronald K. Hotaling, Jr., Supervisor
Dawn Rogers, Councilwoman
Nita J. Chmielewski, Councilwoman
Laverne Conrad, Councilman

ABSENT: Frank D. Stanton, Councilman

ALSO PRESENT: Diane L. Millious, Town Clerk
Joseph Rotello, Town Attorney

AGENDA ITEMS

- 7:00 P.M. – Request of Wm. Biers, Inc. for Zoning Change
- 7:30 P.M. – Request of Mr. Albert McHugh for Zoning Change
- Police Department Staffing
- Building Inspector Call Outs

Meeting closed at 8:13PM

Respectfully Submitted,

APPROVED:

Diane L. Millious, Town Clerk

MINUTES BOOKTOWN OF COEYMANS**
January 20, 2004 Town Board Workshop – 7:00PM

A Workshop Meeting was held Monday, May 12, 2003, at 7:00 PM at Town Hall, 18 Russell Avenue, Ravena, New York

PRESENT: Joseph P. Scalzo, Supervisor
Randy W. Irwin, Councilman
Dawn Rogers, Councilwoman

ABSENT: Dominic W. Bruno, Councilman
Frank D. Stanton, Councilman

ALSO PRESENT: Diane L. Millious, Town Clerk
Albert Deering, Highway Superintendent
Kate Flory, Fiscal Management Officer
Joseph Rotello, Town Attorney
Claire Roberts, Confidential Secretary
Larry Breedlove, Chief Sewer Plant Oper.

Supervisor Scalzo opened the meeting and led the pledge of Allegiance.

MINUTES BOOKTOWN OF COEYMANS**
January 20, 2004 Town Board Workshop – 7:00PM

OLD BUSINESS

Old Ravena Road Bridge Replacement/Repair

Supervisor Scalzo reported that there is nothing in writing, however funding for the temporary repair of the North Bridge is coming up sooner than anticipated, a letter will be forthcoming from Clough Harbor stating that the goal is to get the North Bridge open to traffic once again by the school start date in September. He added that the hope is to get the contracts out and awarded sometime in June. He concluded by thanking the Department of Transportation for helping to speed this along.

Mid-Hudson Cable Public Hearing

Supervisor Scalzo stated that the Mid-Hudson Cable Contract was not available for public viewing in a timely manner prior to the Public Hearing, in speaking with the Association of Towns, although it was determined that the Town was compliant with how the prior Public Hearing was done, it was decided to have another Public Hearing. He continued by saying that it would be scheduled prior to the next Town Board Meeting, May 28, 2003 at 6:30 PM and instructed Town Clerk Millious to cause and post a Notice of Public Hearing.

Ethics Committee Appointments

Supervisor Scalzo said this would be discussed further in Executive Session.

Councilwoman Roger stated that it should settled by the next meeting.

Waste Water Treatment Plant Tanker Bid

Supervisor Scalzo stated that there was a second for the tanker at the Waste Water Treatment Plant. He continued by saying that the first time it was stipulated that the minimum bid was \$15,000.00 and there were no bids, the second time the minimum was \$10,000.00 and there was a bid of \$8,100.00. He added that the Association of Towns has said that it is the Town's right to accept or reject all bids, it was decided to put the tanker out to bid again and fair market value needed to be determined.

Councilman Irwin asked Waste Water Treatment Plant Chief Operator Breedlove if he had gotten an appraisal.

Chief Operator Breedlove stated that he had spoken with two people and no one had gotten back to him. He added that the problem is that the tanker is so old that it needs to be seen in order to determine its value because of the modifications.

Councilwoman Rogers stated that the Town needs to get a set amount because there has been so much work done on it.

Councilman Irwin interjected that it has had \$15,000.00 worth of work done to it.

Supervisor Scalzo stated that in order to do things properly it would be put out to bid again.

Town Clerk Millious asked if she should do another bid and asked if the minimum will be kept at \$10,000.00.

Supervisor Scalzo stated that he thinks it should be lowered, however he does not know to what.

Councilwoman Rogers concurred.

MINUTES BOOKTOWN OF COEYMANS**
January 20, 2004 Town Board Workshop – 7:00PM

Councilman Irwin stated that he was concerned that if it is lowered again bids might keep coming in for under the minimum amount figuring that the Town will lower the minimum again.

Supervisor Scalzo stated that the Association of Towns had said that it could be sold without bids if fair market value is determined.

Attorney Rotello advised that in all fairness to those that did not submit a bid because it was under \$10,000.00, it should be put out for bid again with an amount of \$8,500.00 being the minimum bid. He added that if the same process is not followed the Town is opening itself up for complaints, however should state that this is the final minimum bid.

Supervisor Scalzo asked if the Town could put a clause to accept or reject any and all bids.

Attorney Rotello stated that goes without saying.

Councilman Irwin stated that the minimum should be \$8,500.00.

Town Clerk Millious is to cause and post Notice to Bidders with a minimum of \$8,500.00.

Supervisor Scalzo asked if anyone had any more Old Business, hearing none he moved to New Business.

NEW BUSINESS

Vandalism in Parks

Supervisor Scalzo stated that Chief Giroux could not be present, he had spoken to Chief Giroux earlier in the week about he significant number of complaints regarding vandalism at Riverfront Park, the problem seems to be with skate boarders damaging picnic tables and the gazebo. He added that Chief Giroux had not received any complaints regarding Riverfront Park or Joralemon Park and encouraged people to call the Police Department when they see any wrongful activity. He continued by saying that he had received a memo from Chief Giroux and asked that Councilman Irwin read it.

Date: May 12, 2003
To: Supervisor Joseph Scalzo
From: Chief Scott D. Giroux
Subject: Criminal Mischief at the River Front

Please be advised that I will be unable to attend tonight's Town Board Workshop Session due to a personal conflict. However, I would like to reiterate my comments from our telephone conversation of May 9, 2003, regarding recent criminal mischief to the gazebo and the Riverfront Park.

In a perfect situation, witnesses will come forward, provide the Police with a written statement identifying the suspects and what they did. This seldom happens for a variety of reasons. Realistically, the best we can hope for is that the public at least calls the Police. You should suggest to the public that they not be afraid to call the Police whenever they see anything that is illegal, improper, or even looks like it may be wrong. Half the problem lies with the people who witness these acts and do nothing about it. The situation tends to escalate if the suspects think they can get away with whatever they are doing because nobody calls the Police. If members of the public are reluctant to give their name, they may make their complaints anonymous. The dispatcher will always ask what the caller's name is, but if they want to remain anonymous, we will respond to the call just as aggressively. The patrols cannot be in the area at all times, however, multiple calls increase patrol presence and makes it more likely that we will catch someone in the act.

Regarding changing the rules in the park: The Town Board can make any regulation regarding the use of their property without enacting a Local Law. If they want to prohibit

MINUTES BOOKTOWN OF COEYMANS**
January 20, 2004 Town Board Workshop – 7:00PM

motorized vehicles or skateboards or dogs, they have the authority to simply enact those rules. However, without an actual Local Law, the penalty for violating these rules would only be expulsion from the park. The violator could not be charged with violation unless there was some other law that addressed the issue (i.e. ATVs driving in the area are covered by the State V & T law).

Supervisor Scalzo stated that the reason for the last paragraph is that he has received a number of complaints while down there in person and on the phone complaining about the dog traffic and the skateboarders.

Councilman Irwin stated that the skateboarders are creating traffic problems and that there are people that go to the river to enjoy the riverfront. He added that the picnic tables need to be anchored down somehow.

Attorney Rotello stated that the damaged picnic tables should be removed, as it is a hazard especially to younger children.

Supervisor Scalzo stated that the entrance to the basketball court needs to be narrowed so that a picnic table cannot fit through it.

Councilman Irwin suggested that a handrail be put in the middle of the steps to the gazebo. He added that these changes should be done now, left undone it will only get worse, especially when school is out for the summer.

Supervisor Scalzo asked Highway Superintendent Deering had a chance to pick up the pine branches downed at Joralemon Park.

Highway Superintendent Deering stated that they had.

Supervisor Scalzo stated that the police are investigating the cutting down of a large tree at Joralemon Park.

Lawn Service Contract

Supervisor Scalzo stated that he wanted to discuss lawn mowing of the Town of Coeymans Property, He added that in looking through the Budget he found that there are items that need to be purchased such as a lawn tractor and parts, however someone needs to be hired operate the machinery, the Town cannot continue to rely on people that already have an assigned job to do. He added that he wanted to put together a contract and asked for input from the Town Board.

Councilwoman Rogers asked if a Town employee is doing it now.

Supervisor Scalzo said that it is Town employees, however right now the lawn mower is not running and needs approximately \$300.00 worth of work. He added that none of the mowers are mowers that can do a sizable amount of property such as the Soccer Field at the riverfront. He continued by saying that a contracted lawn service would be for less than it is costing now and the Town would not have to worry about maintaining any vehicles and concluded that it could be discussed at the last meeting.

Councilman Irwin stated that he would like to put it out for bid and see what the bids are; he would not be for it if it were an astronomical amount such as \$40,000.00.

Supervisor Scalzo suggested that it be calculated as to how much it is costing to have a Town employee do it now and that he would have a figure for the next meeting.

Councilwoman Rogers stated that it sounds good but needs more research.

Councilman Irwin stated that just for the record a Town employee is being “tied up” full-time right now.

Supervisor Scalzo stated that is just for the riverfront, this would include Joralemon Park, which Highway employees are doing.

MINUTES BOOKTOWN OF COEYMANS**
January 20, 2004 Town Board Workshop – 7:00PM

Councilman Irwin stated that there are several contractors in the area.

Memorial Planting

Supervisor Scalzo stated that Confidential Secretary Roberts received a call from the Albany County Sewer and Waster Conservation District who had sold plants and had quite a few left over. He added that the plants were meant for wildlife preservation, they are perennial, and there are also some pine and spruce trees. He continued by saying that the Town opted to take some and now have to decide what to do with them, he has been asked if something could be done to remember people that have passed on. He then asked Councilwoman Rogers if she would like to get the Joralemon Park Committee to meet and set aside an area of the Park for these plants and trees for a memorial to be maintained by whom ever requested it, also a set of rules would have to be established by the Committee.

Councilwoman Rogers stated that she would do this probably within a week.

Joralemon Park

Supervisor Scalzo stated that he has talked in length with representatives from the Soccer Club and Pop Warner concerning sharing Riverfront Park. He added the Varsity Soccer Field at the High School will soon be under renovations and will need a place to play. He went on to say that at the next Joralemon Park Committee Meeting he would like to have discussed the possibility of putting a Soccer Field at Joralemon Park in order to have two fields available.

Councilwoman Rogers stated that her concern would be how much it would cost to make a Soccer Field.

Supervisor Scalzo stated that he does not know at this point and asked Highway Superintendent Deering to take a look at the field and give some kind of an idea as to how much time it would take to make it a Soccer Field.

Councilman Irwin stated that the field at the riverfront is under constant use.

Supervisor Scalzo stated that he has talked with the Soccer Club as far as donating some money.

PUBLIC COMMENT

At this time Supervisor Scalzo invited public comment on any items on the agenda.

Hearing none he moved to more New Business.

NEW BUSINESS

Sewer Commission Meeting

Supervisor Scalzo stated that as a result of last week’s meeting the Town’s Sewer Commission met, represented by Supervisor Scalzo, Councilman Irwin and Mr. Tom Dolan, they met at the Waste Water Treatment Plant with Chief Operator Breedlove. He then asked Chief Operator Breedlove to go over some of the highlights of the meeting.

Chief Operator Breedlove stated that the Sewer Commission talked about the three issues that are outstanding with the Village. He continued by saying that the first thing that they talked about was the leachate, the Village feels as though they should be reimbursed for

MINUTES BOOKTOWN OF COEYMANS**
January 20, 2004 Town Board Workshop – 7:00PM

the excess of leachate water that was processed at the Waste Water Treatment Plant because when leachate water was transported to Albany County for disposal there was a charge. He added that the cost to do it in Albany was much greater than doing it at the Waste Water Treatment Plant because at the Albany County Facility they incinerate the sludge that has accumulated in the water, at the Town's facility it cost less than ½ cent per gallon to treat the waste water in order to discharge into the river. He stated that based on that the Town representatives met with the Village representatives and agreed on a much lower fee of 3 cents per gallon that Albany charges.

Councilman Irwin stated that it was calculated that was significantly less than 3 cents per gallon to treat the leachate at the Waste Water Treatment Plant, it was calculated at .066 to treat it at the Town's facility based on total operating costs and the number of gallons processed.

Attorney Rotello interjected that the Department of Environmental Conservation authorized the Town's Waste Water Treatment Plant to process 2,000 gallons per day.

Supervisor Scalzo stated that another item to add to the discussion is that because the Town did not pay the Village, the Village has withheld some payment to the Town, the Fiscal Management Officer has advised that the Town should get payment from the Village and then pay the Village in return in order to keep the books straight for any questions that may arise in the future.

Attorney Rotello stated that the order of payment should not be an issue, once a figure is agreed upon for reimbursement from the A Fund, that reimbursement is also going to the Town Sewer District Fund's portion of that and then a portion goes to the Village, this comes from the A Fund, the payment from the Village for the Sewer goes into the Town's Sewer Fund. He reiterated that the timing of the payments does not matter as long as the two issues are kept separate.

Fiscal Management Officer stated that as long as the two issues are kept separate there wouldn't be a problem.

Councilman Irwin stated that there is a memorandum to Fiscal Management Officer Flory from Village Clerk Bruno and he does not agree with the number for the leachate, the cost for processing was determined to be less.

Attorney Rotello stated that the Commission should get together do the math and agree upon a figure.

Supervisor Scalzo stated that it was decided that as of the date that the meters were installed there will be no more transmission charges, the transmission charges that the Town owes the Village were up to the point that the meters were installed.

Attorney Rotello stated that the transmission charge issue needs some more attention by the Sewer Commission, there are different understandings, and an agreement has to be reached in order to move forward.

Councilman Irwin interjected that the Sewer Commission should meet again in soon in order to have something settled by the next meeting on the 28th and is in agreement with the Village that there should be meetings on a more regular basis.

Supervisor Scalzo stated that there are other issues that need to be dealt with.

Councilman Irwin interjected that there are a lot of things that are going to be done at the Waste Water Treatment Plant as far as updates and improvements that the Village should be kept informed about, more meetings will be a positive thing to do.

RESOLUTIONS

MINUTES BOOKTOWN OF COEYMANS**
January 20, 2004 Town Board Workshop – 7:00PM

RESOLUTION #98-03 TOWN BOARD AUTHORIZES THE TOWN SUPERVISOR TO PAY ENTERTAINMENT MARKETING

On motion by Supervisor Scalzo; seconded by Councilman Irwin, the following resolution was APPROVED – VOTE – AYES 3 – NAYS 0 – ABSENT 2 (Bruno and Stanton)

BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby authorize the Town Supervisor to pay the various bands that perform on Thursday evenings, for Evening on the Green, at a rate of \$300.00 per band, and

BE IT FURTHER RESOLVED, that the Town Board authorizes the Town Supervisor to pay Entertainment Marketing \$625.00 for the deposit on the Riverfest Fireworks, and the remaining amount of \$2975.00 at the time of the show, and

BE IT FURTHER RESOLVED, that the Town Board authorizes the Town Supervisor to pay Entertainment Marketing \$425.00 for the deposit on the Friday evening entertainment, and the remaining \$425.00 on the night of each performance.

Discussion – Councilman Irwin stated that there have always been sponsors for the Friday evening performances.

Confidential Secretary Roberts advised that there has always been a deposit because they are reserved.

Councilman Irwin asked if sponsors are actively being sought.

Confidential Secretary Roberts stated that she has already obtained three out of the five needed to sponsor each performance.

RESOLUTION #99-03 ACCEPT RESIGNATION OF ERICA BLIVEN FROM THE POSITION OF S.A.F.E. DIRECTOR

On motion by Councilman Irwin; seconded by Councilwoman Rogers, the following resolution was APPROVED – VOTE – AYES 3 – NAYS 0 – ABSENT 2 (Bruno and Stanton)

BE IT RESOLVED, that the Town Board, of the Town of Coeymans, does hereby accept the resignation of Erica Bliven from the position of S.A.F.E. Director the Town of Coeymans S.A.F.E. program. This resignation is effective April 5, 2003.

RESOLUTION #100-03 APPOINT JAMES POLVERELLI TO THE TOWN OF COEYMANS WASTE WATER TREATMENT PLANT

On motion by Supervisor Scalzo; seconded by Councilman Irwin, the following resolution was APPROVED – VOTE – AYES 3 – NAYS 0 – ABSENT 2 (Bruno and Stanton)

BE IT RESOLVED, that the Town Board of the town of Coeymans does hereby appoint James Polverelli to the Town of Coeymans Waste Water Treatment Plant as Waste Water Treatment Plant Operator Trainee with an hourly rate of \$11.15 effective June 2, 2003. This appointment is provisional until after the successful completion of the Sewage Treatment Plant Operator Trainee Civil Service Examination.

Discussion – Chief Operator Breedlove stated that James already has his Operator's License, he would not be starting as a trainee, he would be starting as an Operator, he believes that the rate is \$13.97 an hour.

Fiscal Management Officer suggested that the wording be per CSEA Contract beginning rate for an Operator.

Chief Operator Breedlove interjected that he still needs to take the Civil Service Examination and will be taking it the first time that it is offered.

MINUTES BOOKTOWN OF COEYMANS**
January 20, 2004 Town Board Workshop – 7:00PM

RESOLUTION #101-03 APPOINT VILLAGE OF RAVENA BUILDING
INSPECTOR, JOSEPH BURNS AS BACKUP BUILDING INSPECTOR

On motion by Supervisor Scalzo; seconded by Councilman Irwin the following resolution was APPROVED – VOTE – AYES 3 – NAYS 0 – ABSENT 2 (Bruno and Stanton)

BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby appoint Village of Ravena Building Inspector, Joseph Burns, as backup Building Inspector for the Town of Coeymans in case of emergencies.

Discussion – Supervisor Scalzo advised that this is a result of one time on a weekend when Town Building Inspector Downes was out of Town and could not be reached; a Building Inspector was needed for a fire emergency. He added that he had spoken with Village Mayor Bruno and stated that it would not be a problem as long as it was done officially by resolution and coverage were provided in case something happened.

ADDITIONAL AGENDA ITEM

All Day Summer Youth Program

Supervisor Scalzo stated that approximately two weeks ago there was a meeting with a number of parents that are interested in an all day Summer Camp Program similar to that, which was provided last year. He added that they are looking to move it to a privately owned building out of Pieter B. Coeymans Elementary in order to have more children in attendance and to allow more flexibility; this would include the S.A.F.E. Program. He continued by saying that the parents were very enthused about having an all day program, a letter has been sent to the County for financial assistance and it appears that some aid will be forthcoming. He added that swimming and bus trips will be included in the Program as well as Community Groups coming in to talk to the children to make them aware of what is going on in the community, a lot of time will also be spent at Joralemon Park and Riverfront Park. He went on to say that it would be a flexible program allowing enrollment for anywhere from one day a week to a full month, also allowing discounts to multiple family member enrollees. He concluded by saying that the parents were happy with last years program and the Town providing something for the children to do.

Councilman Irwin asked how many parents were in attendance at the meeting.

Supervisor Scalzo stated that there were approximately 20 people.
Confidential Secretary Roberts stated that approximately 30 people sent back the questionnaire.

Supervisor Scalzo asked Confidential Secretary Roberts to fill in any details that he may have missed.

Confidential Secretary Roberts advised that in going to the private building there would be an expansion of what can be offered and how many can attend, currently it is very limited based on State requirements, also during the summer parts of the school such as the gymnasium and cafeteria cannot be used due to renovations for the upcoming school year. She added that she had asked Roy from Entertainment Marketing for a list of places that the children could go to for day trips, there were several that were not previously thought of.

Supervisor Scalzo stated that there would be no Town funds spent on the Program those using the Program will be funding it; money may be needed upfront but will be reimbursed back to the Program.

Councilman Irwin interjected that it has always been a self-sustaining program and supports the program knowing personally what parent go through juggling schedules in the summer.

MINUTES BOOKTOWN OF COEYMANS**
January 20, 2004 Town Board Workshop – 7:00PM

Supervisor Scalzo stated that they are currently working with a deadline and a letter will be sent to parents urging them to get the paperwork back, hopefully this will be an alternative to “latch key kids” and has the support of the Police Department.

Councilman Irwin stated that he believes that the cost is less than what he is familiar with outside of this area.

Supervisor Scalzo stated that the cost would be approximately \$125.00 per week per child; it will be \$ 25.00 a day.

Councilman Irwin interjected that it will be from 7:30AM to 6:00 PM everyday.

Supervisor Scalzo added that the children would be brought home at the end of each day. He concluded by saying that they are trying to do the right thing for the right reason and hopefully it will work out, also adjustments have been made to the program based on things that did not go well last year, details will be forthcoming.

APPROVAL OF MINUTES

None to approve at this time.

ADDITIONAL AGENDA ITEM

Attorney Rotello inquired about the Memorandum of Understanding with CSEA.

Supervisor Scalzo stated that Councilman Irwin spent a lot of time negotiating with CSEA

Councilman Irwin stated that it is regarding mostly the Highway Department and Waste Water Treatment Department, a tentative agreement was reached on April 23, 2003 with the Bargaining Unit and the contract was unanimously ratified, if approved the Union will then draw up a Contract for signatures that will have to be signed. He added that it is a four-year Contract, the Town made out well and it is a gain from past contracts. He continued by offering thanks to their negotiating team and then made a motion to accept the Memorandum of Understanding.

MOTION

On motion of Councilman Irwin, seconded by Councilwoman Rogers; the Memorandum of Understanding was accepted. VOTE – AYES 3 – NAYS 0 – ABSENT 2 (Bruno and Stanton)

Supervisor Scalzo stated that the Contract would be signed at the next Town Board Meeting with a full Board.

INFORMATION ITEMS

- | | | |
|--------------------------|---|-----------------------|
| Zoning Board Meeting | - | May 21, 2003 |
| Town Board Meeting | - | May 28, 2003 |
| Assessment Grievance Day | - | May 27, 2003 (3-7 PM) |

ADDITIONAL ITEMS

MINUTES BOOKTOWN OF COEYMANS**
January 20, 2004 Town Board Workshop – 7:00PM

Highway Superintendent Deering – stated that he has not received any estimates for the repair/replacement of the Highway Garage roof.

Councilman Irwin asked that if possible he would like Superintendent Deering to have some estimates for the next Town Board Meeting.

Councilman Irwin – stated that he had two items to share. First he had a publication, Boating on the Hudson and Beyond, it reaches from New York City to Montreal, it is a promotional vehicle for marina's and restaurants along the river. He continued by saying that there is a two-page ad for Coeymans Landing Marina, it points out that it is the largest inland Main Ship dealer in North America which is quite impressive for the Town of Coeymans. Secondly he added that he has received positive comments regarding the "myth of the week" which was presented at the last meeting, this weeks "myth" is regarding a belief that if you are a village resident you pay less taxes to the Town than residents living outside of the village, he added that it is not true, no matter where you live it is the same tax rate.

GOOD OF THE ORDER

Highway Superintendent Deering – Nothing to report at this time.

Attorney Rotello – Nothing to report at this time.

Chief Operator Breedlove – Reported that he had two items, first he reported that the Floyd Ruso Memorial Golf Tournament is May 15, 2003 at Ballston Spa Country Club, secondly the Annual Fishing Derby is Father's Day, June 15, 2003.

Councilman Irwin interjected that he and Chief Operator Breedlove will be golfing in the Tournament.

Supervisor Scalzo inquired as to how many years the Memorial Tournament has been going on.

Chief Breedlove advised that it is the seventh year for the Memorial Tournament, the Capital District Chapter of the Water Environment Association have it every year.

Confidential Secretary Roberts advised that the next Riverfest Meeting is May 21, 2003 at the gazebo; they will be laying out most of the area for the vendors.

Supervisor Scalzo stated that the format for the Festival has changed, there will not be any motorized rides, the rides have been replaced with game booths. He went on to ask what additional items were needed.

Councilman Irwin inquired about the tent/canopy.

Confidential Secretary Roberts advised that it has been reserved. She added that more vendors are welcome, food and craft.

Councilman Irwin pointed out that Marshall's Garage is sponsoring the band entertainment for the day.

Confidential Roberts said that the entertainment is pretty much set, aside from the band there will be other musical entertainment, Albany Vets Choir will kick off the parade with some patriotic songs in celebration of Flag Day. Rock with the Croc will be returning this year along with Dean Davis, in addition to the Spanish Dancers from R-C-S.

Supervisor Scalzo asked for more details on the parade.

MINUTES BOOKTOWN OF COEYMANS**
January 20, 2004 Town Board Workshop – 7:00PM

Confidential Secretary stated that there are two fire companies, antique cars, boy scouts, girl scouts, pop warner. She added that the parade leaves from Town Hall at 11:30; lineup is at 11:00.

Supervisor Scalzo advised that buses would be running all day.

Confidential Secretary Roberts added that Rowdy the River Rat will also be at the festival.

Attorney Rotello interjected that it is the 330th Anniversary for the Town of Coeymans as an established Town.

Fiscal Management Officer Flory – Nothing to report at this time.

Town Clerk Millious – Nothing to report at this time.

Councilwoman Rogers – Reported that it is tick season and to check your children for any infestation.

ADJOURNMENT

Councilman Irwin made a motion to adjourn to Executive Session for personnel matters.
VOTE – AYES 3 – NAYS 0 – ABSENT 2 (Bruno and Stanton) SO MOVED
Time: 7:50PM

Respectfully Submitted,

APPROVED:

Diane L. Millious, Town Clerk

MINUTES BOOKTOWN OF COEYMANS**
January 20, 2004 Town Board Workshop – 7:00PM

MINUTES BOOKTOWN OF COEYMANS**
January 12, 2004 – Regular Town Board Meeting – 7:00PM

A Regular Town Board Meeting was held Monday, January 12, 2004, at 7:00 PM at Town Hall, 18 Russell Avenue, Ravena, New York

PRESENT: Ronald K. Hotaling, Jr., Supervisor
Frank D. Stanton, Council Member
Dawn Rogers, Council Member
Nita J. Chmielewski, Council Member
Laverne Conrad, Council Member

ALSO PRESENT: Diane Millious, Town Clerk
Joseph Rotello, Town Attorney

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

SUPERVISOR’S OPENING

Supervisor Hotaling introduced the Town Board as well as himself and continued by giving an overview of the agenda. He added that the Town Board will be trying different formats for the meetings and would like feedback from the public as to what works best. He stated that he was going to give an overview of the agenda topics and then open it up for comment from the public on any items on the agenda, the topics are as follows:

- Old Ravena Road North Bridge Re-Opening
- Rte. 9W Proposed Sewer District
- Resignation of Police Officer
- Resignation of Planning Board Member
- Imposing a Discretionary Spending Freeze
- Request for Parking Restriction
- S.A.F.E. Program Policy Amendment
- Highway Garage Roof
- Six Resolutions:
 - Annual Financial Report Extension
 - Albany Water Board Settlement
 - Appointment of Town Prosecutor
 - Appointment of Planning Board & Zoning Board Attorney
 - Reappointment of Zoning Board Chairman
 - Reappointment of Zoning Board Member

PUBLIC COMMENT

Supervisor Hotaling invited the public to comment on any items on the agenda, hearing none he moved to Old Business.

Old Ravena North Bridge Re-Opening

Supervisor Hotaling stated former Supervisor Scalzo had discussed this item during a December meeting and it was his understanding that the bridge would be re-opening on January 16, 2004 after a bit of a delay. He added that he has not receive any notice otherwise and it is his expectation that the bridge will be open on January 16, 2004. He then asked Councilman Conrad if he had followed up on this item.

Councilman Conrad stated that he did not have the opportunity and that the County is handling all of the distributions of funds as Lead Agency. He added that hopefully it will be opened on January 16, 2004, and that he will follow up and report back.

MINUTES BOOKTOWN OF COEYMANS**
January 12, 2004 – Regular Town Board Meeting – 7:00PM

Route 9W Proposed Sewer District

Supervisor Hotaling stated that Councilman Conrad had asked that this item be placed on the agenda and then turned it over to Councilman Conrad to voice his concerns.

Councilman Conrad – stated that at this time, due to the fact that there are three new Board Members that need to be updated on the details and circumstances surrounding the Sewer District and he hopes that at this point Fraser & Assoc. will update the new members on the project in order to make appropriate decisions in the future.

Supervisor Hotaling stated that it was a reasonable request and asked if anyone else had any comments.

Councilman Stanton stated that new members of the Board should be brought up to date.

Supervisor Hotaling stated that he would make arrangements with Fraser & Assoc. to do this at a Town Board Workshop

NEW BUSINESS

Resignation of Police Officer

Supervisor Hotaling stated that he was advised by Chief Giroux that the resignation was submitted by Police Officer Thomas Smith after providing many years of dedicated service to the Coeymans Police Department and the residents of the Town. He proceeded to read the resignation letter as follows:

January 5, 2004

I, Thomas Smith, am submitting my Letter of Resignation to the Coeymans Police Department. My resignation date is to be effective 01/05/04.

Tom Smith

Supervisor Hotaling asked for a motion to accept the resignation.

MOTION

On motion of Councilman Stanton, seconded by Councilman Rogers, Police Officer Smith's resignation was accepted. VOTE – AYES 5 – NAYS 0 – SO MOVED

Discussion – Councilman Stanton asked that the Town Board send a letter to Officer Smith thanking him for his many years of dedicated service to the residents of the Town.

Supervisor Hotaling stated that a copy of the letter would be given to the Town Clerk for the record and he would send a letter on behalf of the Town Board.

Resignation of Planning Board Member

Supervisor Hotaling stated that he had a letter dated January 1, 2004 and read as follows.

Ronald K. Hotaling, Jr.,
Town of Coeymans
18 Russell Avenue
Ravena, NY 12143

Dear Supervisor Hotaling:

As you may know, most recently I have had some health related issues that have impeded my ability to perform duties now and in the future as a member of the Town of

MINUTES BOOKTOWN OF COEYMANS**
January 12, 2004 – Regular Town Board Meeting – 7:00PM

Coeymans Planning Board. Therefore, regrettably I ask that you please accept my letter of resignation from the Town of Coeymans Planning Board effective immediately. I have enjoyed my tenure on the Planning Board and wish only the best for you and your new administration.

Thank you for your anticipated understanding and attention to this matter.

Very truly yours,

Louise B. Persico

cc: Town Board
Town Clerk
Town Building Department

Supervisor Hotaling stated that there were many years of service to the Planning Board and he knows that she has had some difficult months and wishes her well.

MOTION

On motion of Councilwoman Chmielewski, seconded by Councilman Conrad, Louise Persico's resignation from the Planning Board was accepted. VOTE – AYES 5 – NAYS 0 – SO MOVED

Discussion – Councilwoman Chmielewski stated that a letter also be sent thanking her for her many years of service to the Town.

Councilman Conrad – stated that he has worked very closely with Louise over the years and she has had a good sense of the community and will be missed.

Supervisor Hotaling stated that a copy of the resignation will be given to the Town Clerk for the records and a letter will be sent thanking Louise for her many years of service

NEW BUSINESS

Imposition of Discretionary Spending Freeze

Supervisor Hotaling stated that he asked that this topic be placed on the agenda and he wanted to open up for discussion the possibility of an imposition of a discretionary freeze town wide until they can get a handle on the finances and fiscal status as the audits for 2001 & 2002 have yet to be accomplished. He added that Interim Bookkeeper Caswell has been working diligently to provide an ending balance for 2003 to be able to covert into the 2004 work. He concluded by saying that due to uncertainty of the circumstances he would like to discuss with the Town Board the possibility of a 60 day imposition of a discretionary spending freeze and asked for discussion or comment.

Councilwoman Rogers asked if he felt that in 60 days they would know where they are at.

Supervisor Hotaling stated that they have to engage with Marvin & Company for the collection of data for the 2001 & 2002 years and then Marvin & Company will be able to put together after a trial balance period the audits for 2001 & 2002. He added that Mr. Purintan from Marvin & Company indicated that this could possibly be done as quickly as April, with the 60 days that will only bring them to March and it possibly might need to be extended, however he does not want to burden the Department Heads in terms of some of the items that they would ordinarily purchase during that period. He concluded that he would like 60 days with the possibility of extending it or it can be lifted earlier if the picture becomes clearer to them and asked that he be authorized to notify the Department Heads that the discretionary spending freeze is in place.

MINUTES BOOKTOWN OF COEYMANS**
January 12, 2004 – Regular Town Board Meeting – 7:00PM

MOTION

On motion of Councilwoman Chmielewski, seconded by Councilman, a discretionary spending freeze will be placed on all departments in Town Government for a period of 60 days. VOTE – AYES 5 – NAYS 0 – SO MOVED

Supervisor Hotaling asked if any more discussion is necessary.

Councilman Conrad added that it does not mean that spending is going to stop, it will be reviewed by the Supervisor's Office.

Supervisor Hotaling stated that there are necessary items that will still be paid such as the utilities, he is talking about expenses without approval, there are going to be some things that it will be cloudy as to whether it is discretionary or not and he would advise Department Heads that they have the opportunity to bring that issue before the Board to determine if it is an appropriate item for spending during the 60 day period.

Councilman Stanton stated that the Board should be aware that an emergency situation such a motor going at the Highway Department would have to be replaced and need to be open minded as well.

Councilwoman Chmielewski interjected that if something like that happened, Highway Superintendent Deering would have a purchase order and discuss it with the Supervisor.

Supervisor Hotaling stated that a memorandum will go to the Department Heads immediately and he will keep everyone updated as far as the progress with respect to the fiscal picture.

Request for Parking Restriction

Supervisor Hotaling stated that a resident of Bruno Boulevard had raised an issue earlier about parking concerns and the blocking of his driveway which is also used for his business, his concern is for his customers and senior resident's cars at the Senior Center and he has requested that the Town Board examine the area and determine if it is appropriate to place a sign. He added that he referred this to the Chief of Police who in turn advised him that the NYS DOT Law contains provisions that address parking issues of this nature and a particular section states that no vehicle may park in such a way as to block any public or private driveway and because of this there is no need to establish a specific Local Law and the Town can address the problem by simply erecting an appropriate sign and there are a couple of options. He added that his preference is a sign that states "No Parking Between Driveways" as opposed to the "Do Not Block Driveway Sign" as it would be more clear. He concluded that he was asking to consider a motion to authorize the Highway Superintendent to obtain the sign and then work in conjunction with the Chief of Police to have it erected in the proper place between the driveways on Bruno Boulevard for the private residents and also the driveway for the Senior Center.

MOTION

On motion of Councilman Stanton, seconded by Councilwoman Chmielewski, authorization was given to erect a sign at the appropriate location. VOTE – AYES 5 – NAYS 0 – SO MOVED

Discussion – Councilman Conrad interjected that he thinks that it is important to understand that even though Bruno Boulevard is located in the Village it is actually owned by the Town of Coeymans and that is why the Town Board is taking action on this situation.

Supervisor Hotaling stated that he failed to mention that and thanked Councilman Conrad for doing so as it is a distinction that needs to be made, the property was deeded to the Town and by cooperative agreement the Village has plowed the road, however the signage of the road is the Town Board's responsibility.

MINUTES BOOKTOWN OF COEYMANS**
January 12, 2004 – Regular Town Board Meeting – 7:00PM

Councilwoman Chmielewski interjected that perhaps the Supervisor should send a letter to the Senior Center and ask the Director of the Center to make some announcements to make them aware that there is now a sign and that they don't park there.

Supervisor Hotaling stated that he would do so.

S.A.F.E. Program Policy Amendment

Supervisor Hotaling stated that as everyone knows it is a Program that provides an opportunity for supervised care prior to and after school at Pieter B. Coeymans, S.A.F.E. stands for supervised after school fun and enrichment and has been provided everyday including those days when school is not in session. He added that when this administration took over they reviewed policies of the Program and determined that on days when the school was closed the Town of Coeymans paid for the custodial staff at varying numbers of hours during the day, as an example when the custodian worked on a day that school was not in session, the Town of Coeymans was responsible for paying the custodian from 7am to 6pm at \$25.00 an hour and in addition there were S.A.F.E. Counselors present for upwards of \$10.00 an hour for that period as well. He went on to say that the Town Board discussed the matter and reached a judgment that they can no longer justify that type of expenditure when days are closed and the S.A.F.E. Program will continue to operate on days that school is open to provide two hours and upwards of 2 ½ hours in the afternoon for people going to and coming from work, the new policy will be in the newspaper and there will be public notice parents were notified in advance prior to the next holiday on January 19, 2004. He asked if there was any other discussion before he asked for a formal motion to adopt the amendment and policy.

Councilwoman Rogers stated that surrounding schools has the same policy and the Town of Coeymans is the only one that was open on holidays.

Supervisor Hotaling stated that from the data that he has collected this is true, when school is closed the program is closed.

Supervisor Hotaling asked if there was any other discussion and asked for a motion to formally adopt the change in policy.

MOTION

On motion of Councilman Conrad, seconded by Councilman Stanton, the S.A.F.E. Policy was changed to no longer include holidays and snow days which are above and beyond the actual school days. VOTE – AYES 5 – NAYS 0 – SO MOVED

Highway Garage Roof

Supervisor Hotaling stated that Councilman Stanton asked that this item be placed on the agenda and turned it over to Councilman Stanton.

Councilman Stanton stated that he looked at the roof on the Highway Garage and it is rusted and needs to be addressed, he added that he had spoken with Highway Superintendent Deering who advised that he has two bids to repair the roof. He concluded by saying that it needs to be done.

Supervisor Hotaling stated that this is something that has been ongoing.

Councilman Stanton stated that it has been an issue for at least six months or longer.

Supervisor Hotaling asked what the issues were that held it up until now.

Councilwoman Rogers stated that there was only one bid, then there were two bids and were told that they needed three bids which they could not come up with, one of the bids was close to \$10,000.00.

Councilwoman Chmielewski asked if they were sealed bids or quotes.

MINUTES BOOKTOWN OF COEYMANS**
January 12, 2004 – Regular Town Board Meeting – 7:00PM

Collectively she was advised that they were quotes.

Councilwoman Rogers stated that if she recalls correctly, one of the quotes indicated that it does not need a complete new roof, it can be repaired where the sky light is and the amount was \$3,000.00 - \$4,000.00.

Highway Superintendent Deering stated that there were two different estimates, one was to totally replace it, the other was to repair it, both vendors quoted it each way.

Supervisor Hotaling stated that he would suggest that the new board members be given the quotes to review and it could be discussed at a Workshop and Highway Superintendent Deering could make recommendations as to whether the repair or replacement is desired. He added that this should be resolved within the scope of the discretionary spending.

Councilman Stanton interjected that it is leaking into the electric lines and it has become a safety issue.

Supervisor Hotaling asked if this was something that could be done during the winter weather or would it have to wait until Spring.

Councilwoman Rogers added that the repair could be done, the replacement would have to wait until Spring.

Councilman Stanton interjected that he thought it could be done, it is just taking the roof off and putting a new one on.

Councilwoman Rogers stated that it is not taking the whole roof off, it is redoing it, it will be scraped and it a new one will be put over the existing roof.

Highway Superintendent Deering interjected that this is what one of the vendor said could be done.

Councilman Stanton stated that he believes that they should move ahead with the project.

Supervisor Hotaling stated that it will scheduled for a workshop and Highway Superintendent Deering can give his recommendation as to whether repair or replacement is desired and then whether it can be done now or wait until Spring.

APPROVAL OF MINUTES

Supervisor Hotaling stated that there were two sets of minutes dated December 8, 2003 Town Board Workshop and January 1, 2004 Organizational Meeting for approval. He added that there has not been time to review them and asked that the Town Board review them and possibly approve at the next Town Board Meeting.

RESOLUTIONS

RES. #35-04 EXTEND ANNUAL FINANCIAL REPORT FILING DATE

On motion of Councilmember Conrad, seconded by Councilwoman Chmielewski, 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 29, Subdivision 10A of Town Law, does hereby authorize the Supervisor, in lieu of filling a Financial Report to the Town Clerk, per Section 29, Subdivision 10, instead file of copy of the Town’s Financial Report to the Comptroller and to the Town Clerk within sixty (60) days from the statutory deadline date of filing. If the time for the filing is extended by the State Comptroller, the Supervisor’s time for filing a copy with the Town Clerk is also extended for the same period.

MINUTES BOOKTOWN OF COEYMANS**

January 12, 2004 – Regular Town Board Meeting – 7:00PM

RES. #36-04 AUTHORIZE PAYMENT FOR ALBANY WATER BOARD SETTLEMENT

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

WHEREAS, the Town Board of the Town of Coeymans, has received copies of the Order and Judgment, signed by Honorable Bernard J. Malone, Jr., Supreme Court Judge, dated December 22, 2003, in the matter of the Application for a Review under Article 7 of the Real Property Tax Law of the Tax Assessments by the Albany Water Board which was filed in the Albany County Clerk's Office on above mentioned date;

AND WHEREAS, the stipulated total property tax refund due to the petitioner, Albany Water Board, is \$290,000.00; for purposes of this Stipulation and to "smooth out" annual variations in the tax billing rates, the agreed amount due and owing from each taxing jurisdiction and, where applicable, payment options are offered,

AND FURTHER WHEREAS, the Town Coeymans portion of the \$290,000.00 is \$23,300.00, the Town of Coeymans shall pay (1) the entire \$23,300.00 to "Albany Water Board" in care of Hiscock & Barclay, LLP, 50 Beaver Street, Albany, New York, 12207, on or before February 1, 2004; or (2) the sum of \$11,600.00 to Albany Water Board on or before February 1, 2004 and the sum of \$12,296.00 to Albany Water Board, on or before February 1, 2005.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby authorize Supervisor Ronald K. Hotaling, Jr. to execute option (1) to pay the sum of \$23,300.00 to Albany Water Board in care of Hiscock & Barclay, LLP, 50 Beaver Street, Albany, New York, 12207, on or before February 1, 2004.

Discussion – Supervisor Hotaling stated that the ordered judgment by Judge Malone was a total of \$290,000.00 of which \$23,300.00 is the Town of Coeymans responsibility and the Town was offered a couple of options, to pay the entire \$23,300.00 by February 1, 2004 or pay \$11,600.00 by February 1, 2004 and with a little bit of interest added \$12,296.00 by February 1, 2005. He concluded that his recommendation was to execute the first option and not incur interest.

RES.. #37-04 APPOINT PROSECUTING ATTORNEY

On motion of Councilman Stanton, seconded by Councilman Conrad, the following resolution was APPROVED – VOTE – AYES 5 – NAYS – 0 – SO MOVED

WHEREAS, the term of Town Prosecutor Diedre Keating expired December 31, 2003 and,

WHEREAS, the Town Board is desirous of appointing a Town Prosecutor and has discussed this appointment with the relevant staff of the Town of Coeymans.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby appoint Andrew Brick, Esq. as the Town Prosecutor, pursuant to the proposal submitted by Mr. Brick, dated January 5, 2004. Mr. Brick will be compensated at the annual rate of \$4,500.00, payable by voucher, in installments proceeded on a monthly basis.

Discussion – Councilman Conrad stated that Ms. Keating has done the job for a number of years and suggested that the Town Board send a letter thanking her for her services. He added that the Town is trying to move forward with some more credible nature as far as relevance to the prosecution of some of the code violations that have been going on for numerous years and have let go and is not the intention of the Town Board to let the situation go on any longer and they were looking for someone with serious expertise in this area to deal with possible prosecutions of code violations.

Supervisor Hotaling stated that he had provided a copy of Mr. Brick's resume to the Town Board and he has done extensive work in the area of Municipal Law with respect to Planning and Zoning and based on the discussion with Mr. Brick, himself and

MINUTES BOOKTOWN OF COEYMANS**

January 12, 2004 – Regular Town Board Meeting – 7:00PM

Councilman Conrad and based on Mr. Brick's proposal, Mr. Brick is the person that can lead the Town Board into a new era of Code Enforcement. He added that Mr. Brick was a Municipal Law Attorney from 1998 to 2001 for the New York State Conference of Mayors and Municipal Officials and has also served as Senior Assistant Town Attorney from 1995-1997, specializing in the preparation, conferencing and prosecution in trial of Town Code violation cases with a weekly court docket of 200+ cases and he comes well equipped to perform the task at hand.

Councilman Conrad stated that he would also like to point out that Mr. Brick is also the Attorney for the Planning and Zoning Boards of the Village of Ravena.

Councilman Stanton interjected that Mr. Brick is "up to speed" with the Town and has done a very good job for the Village.

Councilman Conrad stated that hopefully some of the services can be shared with the Village and it is a new beginning for both the Town and Village.

Supervisor Hotaling interjected that it would be consistent application in both municipalities, which will lead to better understanding.

RES. #38-04 HIRE PLANNING BOARD AND ZONING BOARD ATTORNEY

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

WHEREAS, the Town Board, of the Town of Coeymans, is desirous of hiring an attorney to represent the Planning Board and Zoning Board of Appeals,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby appoint Andrew Brick, Esq. to represent the Planning Board and Zoning Board of Appeals for a total of \$3,500.00 per year, as per the proposal dated January 5, 2004.

Discussion - Councilman Conrad stated that the Boards have been represented by Barbara Fifield-Guzman for many years and has done a wonderful job, however Mr. Brick's expertise in these areas is second to none in this field and he will also render another service to the Town and be present at the meetings of the Planning and Zoning Board which will eliminate hold ups trying to get legal questions answered and hopefully give Town residents a little better service.

Supervisor Hotaling interjected that the total compensation for the two previous resolutions is \$1,000.00 less than the services provided last year.

Attorney Rotello pointed out that the first resolution pointed out payment by voucher and the second one didn't and questioned whether the Town Board wanted to keep the option open to have it be by voucher which would indicate that no withholding would come out.

Supervisor Hotaling stated that his understanding of the proposal was that both payments would be payable by voucher on a monthly basis and asked Councilman Conrad if that was correct.

Councilman Conrad stated that was correct.

Supervisor Hotaling asked that Councilwoman Chmielewski consider an amendment to the resolution to add payable by voucher on a monthly basis.

Councilwoman Chmielewski agreed to the amendment, Councilwoman Rogers also agreed.

Supervisor Hotaling asked for another vote on the resolution to amend it to read "payable by voucher. VOTE – AYES 5 – NAYS – 0 – SO MOVED

RES. #39-04 APPOINT ZONING BOARD OF APPEALS CHAIRMAN

MINUTES BOOKTOWN OF COEYMANS**
January 12, 2004 – Regular Town Board Meeting – 7:00PM

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

WHEREAS, the term of Kerry Marsh, Chairman for the Zoning Board of Appeals has expired,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby appoint Kerry Marsh as Chairman of the Zoning Board of Appeals to a term to expire on December 31, 2004.

RES. #40-04 APPOINT ZONING BOARD OF APPEALS MEMBER

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

WHEREAS, the term of Patrick Brown has expired as a member of the Zoning Board of Appeals,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board, of the Town of Coeymans, does hereby reappoint Patrick Brown to the Zoning Board of Appeals for a term to expire December 31, 2008

SUPERVISOR’S COMMUNICATIONS

Supervisor Hotaling stated that the Town Offices receive a lot of correspondence and he would like to bring a portion of them to the public’s attention and then engage in dialog with the Town Board as to the dispositional recommendations. He added that they are noted in order on the agenda.

Correspondence from Senator Schumer to former Supervisor Scalzo, Re-Bulletproof Vest Partnership

Supervisor Hotaling stated that municipalities had a problem keeping up to date with modern body armor for police officers and as a result the Department of Justice Bureau of Justice Assistance came up with a partnership that permits an application from municipalities beginning January 14, 2004, that would provide a 50% match for bulletproof vests. He added that he had asked Chief of Police Giroux to look into this matter and he had advised that he had already received information relative to this and would be updating any vests that needed to be updated.

Coeymans Hamlet Sewer District

Supervisor Hotaling stated that this correspondence was dated March 2003 and is regarding the Coeymans Hamlet Sewer District and the easement that is granted by the State of New York relative to that, there was a 25 year easement that expired in the mid 90’s and the Department of General Services has asked for a review to renew the expired easement for another period of time. He added that the appropriate documentation is there but it seems not to have been processed, there was a signature placed on the document in December 2003, however the appropriate resolution that was required to accompany the process were not attached. He then asked that the Town Board consider authorizing him to contract General Services to have a new package of material sent for review and forward to the Town Attorney for review for the easement of the Coeymans Hamlet Sewer District effective 1995 and beyond.

Town Attorney Rotello stated that documents were sent in 2002 but they were the wrong forms, they were contacted and they regenerated a new packet in March of 2003.

Supervisor Hotaling reiterated that it expired in 1995 and stated it was for the rights under the river for the discharge from the Waste Water Treatment Plant back into the Hudson River and it is something that should be on file and it will be taken care of within the next few weeks.

MINUTES BOOKTOWN OF COEYMANS**

January 12, 2004 – Regular Town Board Meeting – 7:00PM

Greenville School District Invitation

Supervisor Hotaling stated that the Town Board received an invitation to attend the Greenville Central School Board of Education Meeting which will be with members of the eleven Town Boards that have students that go to Greenville Schools, the meeting will be Saturday, January 31st at 1:00PM in the Greenville Middle School cafeteria. He then encouraged anyone that would like to go to attend the meeting.

NYSDEC Permit Issued to Powell & Minnock Brick

Supervisor Hotaling stated that he had a copy of a letter dated December 30, 2003 sent to Powell & Minnock Brick which advises that a permit has been granted for purposes of water quality certification. He added that he would read a small paragraph of the permit so that the public is aware of the scope of the work, he read as follows:

It is the construction, rehabilitation and improvement of a deteriorated timber and brick bulkhead shoreline docking facility consisting of a steel sheath piling along approximately 300 lineal feet of shoreline and the placement of 400 lineal feet of stone riprap in a layer two feet thick along the northern and southern edges of the sheath piling.

Supervisor Hotaling stated that essentially it is down by the brickyard in the river they have been permitted to dredge approximately 45,000 cubic yards of sediment to be removed along the shoreline and 12,900 cubic yards of sediment to be removed from an inlet area nearby to be replaced with the brick bulkhead and the riprap. He concluded by saying that this is a permit that was granted effective December 30, 2003 and that it is on file for public inspection.

Supervisor Hotaling asked Town Clerk Millious was aware of this and did she have a copy of it.

Town Clerk Millious stated that she did not have it.

Supervisor Hotaling stated that he would like a copy of it at the Town Clerk's Office.

Article 78 RE- DeFlumer vs. Scalzo et al

Supervisor Hotaling stated that on 12/22/03 there was an Article 78 taken by a member of the community against the Town Board and Commissioners of the Coeymans Fire District relative to an application on the part of the Coeymans Fire District that was passed through the Town Board. He added that there was an Order from the Honorable Edward Sheraton that set forth certain things, one of which is that the petitioners shall be reimbursed the cost in the action of \$405.00. He continued by saying that he understands that the expenditure is going to be shared with the Coeymans Fire District and that he will be processing a voucher for half of the \$405.00 to comply with the Court Order.

Attorney Rotello interjected that the Order was a result of the stipulated settlement regarding the S.E.Q.R. Review and prior to that the Town Board had withdrawn its resolution making the declaration which is a net result of the stipulation of settlement and the stipulation of discontinuance.

New York City Law Department – Request for Support

Supervisor Hotaling stated that there a New York City Law Department request for support of some legislation on the Collateral Source Bill which alleges unequal treatment against public entities as opposed to private, public entities such as municipalities, there can be double **torte** attached to any judgments where in a private sector it can not be. He added that the Department of Law in New York City is trying to get the legislature to pass a bill that would “level the playing field” for municipalities as well as cities and added that the Town Board can guide him as to whether or not the Town should send a letter of support.

MINUTES BOOKTOWN OF COEYMANS**
January 12, 2004 – Regular Town Board Meeting – 7:00PM

Snowmobile Grant Forms – New Reporting Requirements

Supervisor Hotaling stated that there is Snowmobile Grant paperwork that was submitted to the Town of Coeymans on January 2, 2004 and shortly thereafter he met with Mr. Bob Williams who brought to him the first submission of 70% of the Grant for this year **processing to the State of New York and reimbursement, however the payment documentation process has been altered and become more restrictive. He added that he had a good meeting with Mr. Williams and asked that Councilman Stanton, in light of his interest in the Grant and also the snowmobile projects that result from the Grant, to meet with him and review the submission to the state and that it is in compliance with the revised requirements.

NYMIR Insurance Binder for Town Insurance

Supervisor Hotaling stated that Councilman Conrad had attended a Conference and had given him a NYMIR Insurance folder. He added that he had an insurance binder that had been signed by former Supervisor Scalzo on December 31, 2003 for municipal insurance for the Town of Coeymans and Zurich, the carrier for the past several years had issued a non-renewal notice the end of October and stated that effective January 1, 2004 they would no longer insure the Town. He continued by saying that former Supervisor Scalzo had gone through a process and engaged in the Association of Towns and also Councilman Conrad had been advised of the existence of NYMIR. He then asked that Councilman Conrad explain it.

Councilman Conrad stated that basically what has happened due to the insurance claims specific to Towns, Villages and municipalities in general, there was a great concern by the Association of Towns that insurance companies typically have this nature to settle cases without doing any investigation and therefore raising the limits of the insurance premiums. He added that in 1995 the Association of Towns formed an insurance company which is specifically designed for Villages and Towns, one of the advantages is that when a rate is quoted there are no audits that the Town would be susceptible to at any future point in time like other insurance companies do and come back and say more money is owed based on whatever circumstances are available. He added that out of the 932 Towns, approximately 50% of the Towns are currently using NYMIR and more and more are signing on every day and it appears to be a good choice for an insurance company and will still engage in the services of the local carrier, in addition there is a Workman's Comp Plan that is also available. He concluded that it is his impression that most towns that are currently involved with the insurance are happy with what they received and there are no surprises about other charges after the initial quote.

Supervisor Hotaling stated that he wanted to reemphasize the fact that there is local contact through a local agent and would be able to have immediate service and wanted to point out that by comparison NYMIR is less expensive and has a dramatically lower deductible, for example the previous insurance company had a \$10,000.00 deductible, NYMIR has a zero deductible. He added by going from a \$10,000.00 deductible to a zero deductible the Town will be able to recoup some of its investment. He concluded by saying that the binder has been uttered to Stoltz Agency for NYMIR and the policy will be forthcoming in the very near future which he will forward to the Town Board for review.

Gedney Hill Road Issues

Supervisor Hotaling stated that he received a letter sent to himself as Supervisor Elect dated December 1, 2003, however he did not receive it until he took office on January 2, 2004, he added that Councilwoman Chmielewski and Councilman Conrad also received it and it was a period of 30 days before they saw the letter. He added that the letter pertained to the Gedney Hill Neighborhood issues that was presented at an informational **meeting conducted a few months ago

TOWN BOARD WORKSHOPS

MINUTES BOOKTOWN OF COEYMANS**

January 12, 2004 – Regular Town Board Meeting – 7:00PM

Supervisor Hotaling stated that he would like to ask the Town Board's consideration in establishing more frequent Workshops and would like to suggest every Tuesday evening.

Councilwoman Chmielewski stated that she believes that they are going to need them for a while.

Councilman Stanton stated that he believes there is no other choice as there are a lot of issues that are in front of them that need immediate attention and he does not have a problem with it.

Supervisor Hotaling stated that he knows that everyone has a full-time job and in Councilman Stanton's case sometimes he is out of town but does his best to attend. He added that he does not believe that it will not last forever, perhaps as long as the end of February. He continued by saying that he thinks that after a few meetings the Town Board will be focused in the right direction and he will be able to delegate to some members of the Board to take an issue and "run with it" and then come back and report to the Board at a future meeting as Town Government is not a one person operation, it is all of their role to play and he wants each Town Board member to play as great a roll as they possibly can.

Supervisor Hotaling stated that if the Town Board agrees he would ask Town Clerk Millious post in the appropriate way the fact that Workshops will occur every Tuesday for the months of January & February with the exception of Tuesday, February 17, 2003. He added that he is open for discussion as to what time the Town Board wants to start the Workshops.

Councilman Stanton stated that he does not have a problem with the time and that his concerns are that they have all of the information that they need at each meeting and the people involved with each issue are present as well.

Supervisor Hotaling stated that there will not be a meeting tomorrow and in the next few days he will get together the agenda for the first week, which will be January 20, 2004. He added that the first Workshop will engage and he will invite the two individuals that have made requests for zoning changes

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A Public Hearing was held Monday, January 12, 2004 6:30PM at Town Hall, 18 Russell Avenue, Ravena, New York.

PRESENT: Ronald K. Hotaling, Supervisor
Frank D. Stanton, Councilman
Dawn Rogers, Councilwoman
Nita Chmielewski, Councilwoman
Laverne Conrad, Councilman

ALSO PRESENT: Diane L. Millious, Town Clerk
Tina Dimitriadis, Assessor

Supervisor Hotaling welcomed everyone to the Public Hearing that was scheduled by the previous Town Board for January 12, 2004, with regard to the Local Laws relating to the Real Property Tax Exemptions for seniors and disabled residents with limited incomes. He then led the Pledge of Allegiance.

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Supervisor Hotaling asked that Town Clerk Millious read the Notice of Public Hearing.

Town Clerk Millious read the following legal notice that appeared in the Ravena News Herald:

NOTICE OF PUBLIC HEARING

PLEASE, TAKE NOTICE, that a Public Hearing will be held by the Town Board of the Town of Coeymans, on Monday, January 12, 2004 at 6:30PM on Proposed Local Law 3 of 2003 Amending and Increasing the Income Limits for Senior Exemptions contained in Chapter 149, Article 5, Section 149-21 (A.) (1), Section 149-22, Section 149-22 (A.) as follows:

Minimum Income		Maximum Income	Exemption %
-0-	to	\$23,999	50%
\$24,000	to	\$25,000	45%
\$25,000	to	\$26,000	40%
\$26,000	to	\$27,000	35%
\$27,000	to	\$27,900	30%
\$27,900	to	\$28,800	25%
\$28,800	to	\$29,700	20%
\$29,700	to	\$30,600	15%
\$30,600	to	\$31,500	10%
\$31,500	to	\$32,400	05%

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

Supervisor Hotaling stated that as they reviewed the process and the papers for the Public Hearing it was determined that there were several questions that have arisen with respect to the matter as to whether the amendment process is a full repeal of the Local Law or a partial repeal of sections only. He continued by saying that the change is the income ranges for seniors living in the Town of Coeymans who previously had exemptions and that the Sole Assessor has already communicated to the public by mail the forms associated with the requirements for the seniors to send in their incomes and should be completed and forwarded to the Assessor’s Office to be kept on file and ultimately there will be a Public Hearing about the Local Law amendments or appeals and establish a new

Local Law. He added that they also have to examine other areas that the County passed on to determine whether or not Veterans and other categories might be eligible as well. He then asked that Town Attorney Rotello add any other comments with respect to the issue.

Town Attorney Rotello stated that as discussed with Supervisor Hotaling there is an option of amending and replacing the pertinent sections of the Local Law or doing an entire repeal and re-adoption comparing what the County has given to them compared to what is in the current law. He stated that there is an added second Local Law that needs to be done regarding the Limited Disability Exemption that the County has adopted allowing an increase in the income limits. He continued by saying that the new Local Laws will be presented to the Board in which a Public Hearing can be scheduled and then adopted.

Supervisor Hotaling stated that given the need for additional research with respect to the development of the Proposed Local Law, he asked that the Town Board close the Public Hearing and ask that the Town Attorney research the questions that the Town Board has and make proposals for the Local Law or Laws and when they are ready for presentation to the Town and public the Town Board will ask the Town Clerk to post a Public Hearing Notice for the individual Local Laws on both the Senior and Disabled Exemptions.

Supervisor Hotaling then asked for a motion to adjourn the Public Hearing.

ADJOURNMENT

On motion of Councilman Stanton, seconded by Councilman Conrad, the Public Hearing was adjourned. VOTE – AYES – 5 – NAYS 0 – SO MOVED.

Respectfully Submitted,

APPROVED:

Diane L. Millious, Town Clerk

A Town Board Meeting was held Monday, December 27, 2004, at 7:00PM at Town of Coeymans, Town Hall, 18 Russell Avenue, Ravena, New York.

PRESENT: Ronald K. Hotaling Jr., Supervisor
Frank D. Stanton, Councilman
Nita J. Chmielewski, Councilwoman
Laverne Conrad, Councilman

ABSENT: Dawn Rogers, Councilwoman

ALSO PRESENT: Diane L. Millious, Town Clerk
Scott Giroux, Chief of Police

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

Supervisor Hotaling welcomed everyone and stated that one Town Board member was absent, Councilman Rogers and added that Chief of Police Giroux and Town Clerk Millious were also present. He then continued by giving an overview of the agenda.

OVERVIEW OF AGENDA

- • Public Comment Period
- • Approval of Minutes (None)
- • Department Report Review
 - Town Clerk Monthly Report – November 2004
 - Police Department Monthly Report – November 2004
 - Family Self-Sufficiency Program
- • Old Business Update & Discussion
- • New Business Topics for Discussion and/or Action
- • Resolution
 - Transfer of Monies
 - Approval of December 2003 Abstract
 - Approval of December 2004 Abstract
 - Appointment of Winter Road Maintenance Seasonal Employees
- • Correspondence
 - Department of Transportation
 - Department of Law Press Release
 - Association of Towns
- • Town Board Workshop/Meetings
 - Organizational Meeting – January 1, 2004

PUBLIC COMMENT

Supervisor Hotaling stated that the Town has been dealing with the City of Albany for 15-20 years regarding the siting of a landfill in the Town of Coeymans and there have been numerous legal battles. He added that soon after taking office in January 2004 he had met with Ms. Linda Marshall and her group for an update and advised that in September 2003 some Town Board members had met with Mayor Jennings. He continued by saying that in early January 2005 he received a letter from the City of Albany with regard to baseline discussions regarding host community benefits, which are benefits that the Town of Coeymans would derive for having the landfill sited within its boundaries, which could include tipping fees, public works projects, repayments for public safety, police cars, fire trucks, paving streets, free trash pick-up, and a variety of other things up to and including payments to each taxpayer. He added that for everyone it would not offset having the landfill in the Town of Coeymans because it goes to the sense of how you believe that the impact of how the siting will affect you personally and those living around the epicenter will not want to accept any level of host community benefits. He then stated that in October 2004 he received a letter from the Town's Attorney advising that in May 2004 a Federal Report, The Wetland Delineation Report was issued stating that the proposed site for the landfill is situated on federally protected wetlands, which meant that the life expectancy of the landfill went from 40-50 years to at least half of that. He continued by saying that the City of Albany has spent millions of dollars on land options to preserve their right to purchase the land and there was a successful lawsuit on the Town's behalf preventing the segmentation of the process to acquire the land before they acquired the permit, the ruling was that it could not be segmented. Supervisor Hotaling added that based on this and his limited understanding he asked to meet with Mayor Jennings to find out what the City's intention was and on December 14, 2004, he and Attorney Rotello met with Mayor Jennings and his assistant Mr. Calderone along with their outside attorney. He continued by saying that Mayor Jennings indicated that the Wetland Delineation Report was a stumbling block but left no doubt that his intentions on behalf of the City of Albany was to continue to pursue the siting of a landfill in the Town of Coeymans and there is a parallel effort for an alternative site. He added that Mayor Jennings made it very clear that he is moving forward in pursuing the landfill in the Town of Coeymans and he made it clear to the Mayor that there are various levels of opposition and he would make sure that they were heard.

Supervisor Hotaling concluded by saying that they agreed to keep lines of communication open and agreed to disagree as to whether or not the landfill should be sited in the Town of Coeymans and Mayor Jennings reiterated that there is a host community benefit package out there. He then asked Ms. Marshall for her comments.

Ms. Linda Marshall – Introduced herself as a member of the organization S.C.R.A.P. (Selkirk, Coeymans, Ravena Against Scrap) and continued by saying that there are concerns about the proximity of the landfill to the school and the pollution in the air along with the pollution to the river, Coeymans Creek and devaluating property and added that they have been valiantly fighting the landfill for many years. She continued by saying that she wanted to see a copy of host community benefits that the City has promised and the last thing that she had seen promised was tipping fees, free garbage and \$100.00 per family and added that there are never any guarantees, the only guarantee

would be that the community will suffer in many ways. She concluded by saying that she believes it is a project that they should continue to fight and reiterated that she wants to see the host community benefit list along with a copy of the wetlands report.

Supervisor Hotaling stated that he believes that he could not grant the first request because it was part of the litigation between the Town and the City of Albany and then deferred it to Town Attorney Rotello.

Town Attorney Rotello stated that it was not any different than previous administrations and it offered to sit down and talk and the content was the same in offering setting up tipping fees, guaranteeing property values, etc. He added that with each change of administration there has been a dunning letter inviting the Town to sit down with the City and talk.

Ms. Marshall stated that she read the host community benefits written in 1994 and it offered guaranteed property protection for only those living along Rte. 144 and she didn't believe that people would want to give up their health, safety or equity in their homes for free garbage pick-up.

Supervisor Hotaling stated that he agreed and did not believe that the Town Board would suggest that they would agree to it. He added that if despite their best efforts the landfill was sited in the Town of Coeymans it could be what they end up with because it could happen anyway. He concluded by saying that if this does happen he has to be prepared to balance being an advisory to being a negotiator for the best interest of the Town because he got confirmation from Mayor Jennings that in spite of the Wetland Report he is still moving forward to site the landfill because the city spent 3 million dollars for the land.

Ms. Marshall stated that when she originally moved into the area she use to hike on the land and originally there was a beaver pond, then there was corn planted and then the site was chosen for a landfill.

Councilman Conrad reiterated that it is delineated as federally protected wetland.

Ms. Marshall stated that it does not make sense that they would spend so much money on the land.

Supervisor Hotaling stated that it didn't make sense to them either but the fact is that Mayor Jennings stated that the City is moving forward. He added that he would make the Wetland Report available to her.

Ms. Marshall questioned not being able to get the current host community benefit letter.

Attorney Rotello stated that there is a letter that was sent to each new administration.

Supervisor Hotaling added that it is a "bargain basement" letter.

Ms. Marshall stated that it is an insult to the entire community and continued by asking about rezoning Rte. 144. She added that she had heard that there were two scenarios; the first being south of Blue Circle's conveyor belt to the Town of Coeymans and the other was from the Town of Bethlehem line into the Hamlet of Coeymans.

Supervisor Hotaling stated that neither one was correct.

Councilman Conrad stated that when they entered into office there were requests from some residents to look at some areas they felt would be better served if the zoning was changed. He added that the Board looked at it in general and charged the Planning Board to look at a bigger perspective but not the whole town. He continued by saying that one of the requests was to rezone the area directly across from the brickyard to light industrial.

Ms. Marshall asked how close that is to the proposed landfill.

Councilman Conrad stated that it was no-where close to it and stated that it is everything south of Blue Circle's property on the western side of Rte. 144. He added that the other request was to look at the zoning in the hamlet within the residential housing. He continued by saying that they had asked the Planning Board to look from the Greene County line to the Bethlehem line and take an overview from the river to the 9W corridor. He added that the area where the landfill is proposed is zoned planned industrial.

Ms. Marshall stated that she had checked that and according to the zoning maps it is zoned RA.

Councilman Conrad stated that they could check into it because most of that area is planned industrial. He added that there has been some input from the Planning Board with their recommendations and in addition the Town Board is looking into a professional planner because the Town does not have a comprehensive plan and they will take a look at the intended use of the areas and the current uses and in turn they will make recommendations to the Town Board followed by a Public Hearing to get input from the taxpayers and as a result they can either do nothing or move ahead with changes.

Ms. Marshall questioned who has been hired to do the professional planning.

Supervisor Hotaling stated that no one has been hired at this point but he has reached out to Saratoga Assoc., and Chazan.

Ms. Marshall stated that there is a gentleman named Todd Fabozzi that is interested in the river area as well as Nevin Cohen in New Baltimore.

Councilman Conrad stated that they are open to the information if they have experience in community planning.

Ms. Marshall stated that she would arrange for contacts with both individuals. She continued by saying that in the past there were several attempts at planning and Local Waterfront Revitalization Plans were done but never got off the ground and this might be a good time to take another look at them because a lot of work went into that by residents of the community.

Councilman Conrad stated that he believes that they are still available and will be looked at and part of the reason to hire a professional planner is to study those things.

Ms. Marshall indicated that a historical study was also done and these things were done to benefit the community and people need to work together. She continued by asking about the Public Hearing process.

Councilman Conrad stated that there will be a Public Hearing and it is a required mandate in order to change zoning.

Ms. Marshall asked when the Public Hearing process would take place.

Supervisor Hotaling reiterated that it will probably be early 2005 and nothing has been done under the “cloak of darkness” and everything has been public and at the meetings and the meetings are televised.

Ms. Marshall stated that the agendas should be more descriptive and posted in a timelier manner.

Supervisor Hotaling stated that they are on the website prior to the meetings and the minutes are there as well in addition to being able to speak with him personally each day Monday – Friday.

Ms. Marshall asked how far in advance the public is notified when the dates are determined for Public Meetings.

Supervisor Hotaling stated that there is a time frame depending on the type of meeting and when they know the dates they will give as much advance notice as possible and they like attendance and ideas. He added that they want to resurrect an opportunity for the hamlet to be revitalized and to take care of the riverfront in an appropriate way.

Attorney Rotello interjected that rezoning is a lengthy, involved process and begins with the selection of the individual or organization that is going to make the proposal of the plan and they will do the investigation, survey boundaries, survey residences and gather data and information and then the Board will review the information in public forums.

Ms. Marshall inquired about the Planning Board making zoning changes.

Supervisor Hotaling stated that the Planning Board does not have the authority to make zoning changes.

Councilman Conrad interjected that only the Town Board can make changes and then only after a Public Hearing and it is a complicated process.

Ms. Marshall inquired about variances issued by the Planning Board.

Councilman Conrad stated that the Planning Board does have authority to do this as well as special use permits.

Ms. Marshall thanked the Town Board for the clarifications and reiterated that she will get the names of the planners to them and added that with everyone working together they can enhance the beauty of the riverfront corridor and keep the Town of Coeymans a beautiful place to live.

APPROVAL OF MINUTES

None at this time.

DEPARTMENT REPORT REVIEW

Town Clerk Monthly Report – November 2004

Supervisor Hotaling asked that Town Clerk Millious give her report for November 2004. Town Clerk Millious gave her monthly report.

Supervisor Hotaling asked for a motion to accept the report as presented.

MOTION

On motion of Councilman Conrad, second by Councilman Stanton, to accept the Town Clerk's Monthly Report for November 2004.

VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Rogers) – SO MOVED

Police Department Report – November 2004

Supervisor Hotaling asked that Chief Giroux give a summary of his report.

Chief Giroux continued by giving his summary.

Supervisor Hotaling asked for a motion to accept the Police Department Monthly Report for November 2004.

MOTION

On motion of Councilman Stanton, seconded by Councilwoman Chmielewski, the Police Department Monthly Report for November 2004 was accepted.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Rogers) – SO MOVED

Family Self-Sufficiency Program

Supervisor Hotaling stated that this was not a report that was received on a monthly basis and continued by saying that this is a part of the Section 8 HUD Program. He then gave a summary of the program's activity for the year. He concluded by thanking Ms. Natalie Smarro, the coordinator of the program for all of her efforts with the program in making it a success.

OLD BUSINESS

None to report.

NEW BUSINESS

Establishment of Town/Village Boundary

Supervisor Hotaling stated that recently there was a Joint Meeting with the Village Board on December 21, 2004 and it was held pursuant to contract that the Town and Village have for the operation of the Sewer District. He added that there was discussion relevant to things that each Board could consider in moving ahead in 2005 in an attempt to make the Sewer District more appropriately funded and identify some of the problem areas and there always seem to be discrepancies on the actual boundary between the Town and the Village. He continued by saying that Councilman Conrad gave a very detailed presentation at that time and then asked that Councilman Conrad explain as well as authorize the Supervisor the ability to share a contract between the Town and the Village with a surveyor in order to establish the actual boundary line that it is in dispute on a variety of map sources that each of the communities have.

Councilwoman Chmielewski asked if Supervisor Hotaling had heard anything back from Mayor Bruno.

Supervisor Hotaling stated that he had not and did not believe that the Mayor had a meeting with his Board yet.

Councilman Conrad stated that the Town/Village line in many areas had never been defined or mapped by a surveyor and it is important with the up-and-coming zoning that they are looking at so they will know whether the Village or the Town has control in addition to being helpful with the mapping of the Water, Sewer, Fire and Ambulance

Districts. He added that in an attempt to resolve some of the problems with respect to the Sewer District and Zoning they went to the Village to try to do a joint effort to have a surveyor map out the boundary according to the original deed. He concluded by saying that with the Village Board approval he would like to offer a resolution authorizing the Town Supervisor to engage in any contract that need to be rendered with respect to those issues and obtain the necessary professional services required through a joint effort with the Village.

MOTION

On motion of Councilman Conrad, seconded by Councilman Stanton, authorizing the Town Supervisor in conjunction with the Village to execute a contract for purposes of establishing a Village/Town boundary from the Greene County line to an area north of Kay Bank on Rte. 9W

VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Rogers) – SO MOVED

RESOLUTIONS

RES. #127-04 TRANSFER OF FUNDS

On motion of Councilwoman Chmielewski, seconded by Councilman Stanton, the following resolution was APPROVED - VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Rogers) – SO MOVED

WHEREAS, the following account 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 modify the 2004 budget as follows:

Amount	From Account	To Account
\$ 7,006.22	A9030.8 Social Security	A9050.8 Unemployment Ins.
\$ 8,672.40	A1990.4 Contingency	A1910.4 Insurance
\$ 4,212.80	A1220.1 Staff Pers. Serv.	A1430.4 Personnel Contractual
\$ 9,230.02	A1990.4 Contingency	A1320.4 Auditor – Contractual
\$10,592.75	D9030.8 Social Security	D9050.8 Unemployment Ins.
\$ 285.95	D4189.4 Mandatory Testing	D5020.4 Professional Services

RES. #128-04 APPROVE DECEMBER 2003 ABSTRACT

On motion of Councilman Stanton, seconded by Councilman Conrad, the following resolution was APPROVED - VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Rogers) – 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 2003 Abstract.

ABSTRACT	VOUCHER #	AMOUNT
GENERAL (A)		
General Pre-Pay	2283	\$124.98
	General Total	\$124.98
HIGHWAY (D)		
	2368	\$500.00
	Highway Total	\$500.00
	TOTAL FOR ALL FUNDS	\$624.98

RES. #129-04 APPROVE DECEMBER 2004 ABSTRACT

On motion of Councilman Conrad, seconded by Councilman Stanton, the following resolution was APPROVED - VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Rogers) – SO MOVED

ABSTRACT	VOUCHER #	AMOUNT
GENERAL (A)		
General Pre-Pay	2284-2314	\$364,704.87
General	2369-2446,2530	\$ 26,297.89
	General Total	\$391,002.76
PART-TOWN (B)		
Part-Town Pre-Pay	2315-2330	\$ 11,588.35
Part-Town	2447-2451	\$ 199.02
	Part Town Total	\$ 11,787.37
HIGHWAY (D)		
Highway Pre-Pay	2331-2341	\$134,516.70
Highway	2452-2505	\$ 69,466.44
	Highway Total	\$203,983.14
SEWER (SS)		
Pre-Pay Sewer	2342-2360,2529	\$ 39,013.30
Sewer	2506-2525	\$ 21,177.42
	Sewer Total	\$ 60,190.72

GROVE CEM. (TE)		
Pre-Pay Grove Cemetery	2361	\$ 63.42
Grove Cemetery	2526-2527	\$ 216.19
	Grove Total	\$ 279.61
CAPITAL PROJ. (H)		
Capital Projects	2528	\$ 769.58
	Capital Project Total	\$ 769.58
	TOTAL FOR ALL FUNDS	\$ 668,013.13
TRUST & AGENCY (TA)		
Trust & Agency Pre-Pay	2362-2367	\$ 163,078.36
	Trust & Agcy. Total	\$ 163,078.36

RES. #130-04 APPOINT SEASONAL EMPLOYEES

On motion of Councilwoman Chmielewski, seconded by Councilman Conrad, the following resolution was APPROVED - VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Rogers) – SO MOVED

WHEREAS, Article XXIX of the CSEA Contract provides for the hiring of winter road maintenance seasonal employees,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans authorizes the appointment of Thomas Gallagher, Frank Rulison, Charles Weeks, Joseph Deering, Matthew Quinto, Paul Boettner and Jose Vasquez as winter road maintenance seasonal employees at a rate commensurate with the Union Agreement.

Supervisor Hotaling asked if there was anything else before the Board for the purpose of a motion or resolution.

Councilman Conrad stated that the Association of Towns offers a pre-pay discount for registration fees for the 2005 Annual Meeting in New York City and then offered a motion to authorize the Town Supervisor to take advantage of the pre-pay registration discount.

MOTION

On motion of Councilman Conrad, seconded by Councilwoman Chmielewski, to authorize the Town Supervisor to take advantage of the Association of Town's offer for pre-registration for the Annual Meeting to be conducted the week of February 20, 2005. VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Rogers) – SO MOVED

CORRESPONDENCE

Department of Transportation

Supervisor Hotaling stated that there was some discussion with a resident regarding her concerns with her handicapped child's needs and her ability to be able to provide adequate parental supervision while she parks her vehicle, which at one point was on the north side of Westerlo Street but is now in the enforcement zone for no parking. He added that Chief Giroux had worked with the Regional Traffic Engineer and the Department of Transportation and they have come up with a solution. He continued by saying that he received confirmation by way of a December 15, 2004 letter that there will be a handicapped parking space on Rte. 144 at the intersection of Westerlo. He concluded by saying that this is not a personal handicapped spot but it will provide the family an adequate space around the residence in order to maintain supervision of the child who has a need for constant supervision.

Department of Law Press Release

Supervisor Hotaling stated that there was a Press Release shared by Chief of Police Giroux. He continued by saying that our Police Department participates in a larger task-force, the NYS Attorney Generals Organized Crime Task-Force and they had announced a 51 count indictment with 12 individuals charged with the possession and sale of cocaine through a network operating in Saratoga, Albany, Schenectady, Rensselaer and Columbia counties. He then asked Chief Giroux to continue with an explanation.

Chief Giroux stated that Officer Washington had been volunteering on the Task Force and investigation had been going on since the summer. He continued by saying that it resulted in arrests recently and Officer Washington participated in every step along the way voluntarily and there is a considerable amount of money in fees involved and as a result of the investigations and at some point the Police Department hopes to avail themselves to a portion of that and by virtue of Officer Washington's participation they may be able to take in some money from the arrests.

Association of Towns

Supervisor Hotaling stated that it had been discussed during the budget season that the legislature had approved the Governor's Budget Bill that had eliminated the ability for local municipalities to maintain fines in local courts, which went a long way to fund local courts. He added that the Association of Towns had led a letter writing campaign and in November the Legislature approved a bill that reversed this and put the money back to the municipalities but there was an opportunity for the bill to go by the wayside if the Governor did not sign it. He continued by saying that as a result of dozens of municipalities and other group sending a letter to the Governor's Office, it was signed on December 15, 2004 in to law and it repealed the change in the Vehicle and Traffic fine distribution that had been enacted as part as of the 2004 Budget Bills and with the repeal the method that had been in place had been restored prior to August 20, 2004 and it also repeals a provision that allowed towns, villages and cities to enact a local surcharge of up to \$10.00 on convictions for certain vehicle and traffic violations. He concluded by saying that the 2005 Budget was put together not knowing that the reversal was going to take place and the revenue was not anticipated, which was between \$40,000.00 - \$60,000.00 and this is now additional revenue and added that he appreciates everyone's effort including the Legislatures insight and the Governor's confirmation of the insight by signing it.

Chief Giroux asked if it was retroactive.

Supervisor Hotaling stated that there was a copy of the Comptroller's memorandum that went to the Court Clerks and Justice that stated it was retroactive and this is the reason they did not process the monthly reports in a timely way because they anticipated it happening and it will now be an easier transition to adjust the submissions.

ADDITIONAL AGENDA ITEMS

Supervisor Hotaling stated that it was nearing the end of the year, which means that the 2005 Organizational Meeting was quickly approaching. He added that he was proposing January 1, 2005 at 9:00am, as the date and time for the Organizational Meeting and with the Town Board's agreement and motion they would move on it.

MOTION

On motion of Councilman Stanton, seconded by Councilwoman Chmielewski, setting January 1, 2005 at 9:00am as the date and time for the Organizational Meeting.

VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Rogers) – SO MOVED

Supervisor Hotaling stated that it would be televised.

Councilman Conrad stated that there was another resolution, which is for the establishment of Sewer Rates for 2005.

RES. #131-04 ESTABLISH SEWER RATES FOR 2005

On motion of Councilman Conrad, seconded by Councilwoman Chmielewski, the following resolution was APPROVED - VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Rogers) – SO MOVED

WHEREAS, the Town Board of the Town of Coeymans is required to establish sewer rates for 2005, and

WHEREAS, a Public Hearing on the proposed sewer rates was held at 6:30pm, December 27, 2004, pursuant to Section 452 of the General Municipal Law, and

WHEREAS, the Town Board has redefined the meaning of “unit” to mean a component of the Sewer District billing process equal to \$45.00, and

WHEREAS, the Town Board cites the following examples unit use:

Parcel – Vacant or Occupied = 1 Unit
Residence and/or Commercial Use Parcel = 3 Units
Every 10,000 Gallons Over 80,000 Gallons Per Year of Use = 1 Unit
Late Fees = 5% After 30 Days and 1% Per Month Thereafter

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby authorize the Town Clerk to collect a Total Warrant for the first billing cycle of 2005, pursuant to the above established rules.

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

ADJOURNMENT

MOTION

On motion of Councilman Stanton, seconded by Councilman Conrad, the meeting was adjourned. Time 8:15pm

Respectfully Submitted,

Diane L. Millious
Town Clerk