

MINUTES BOOKTOWN OF COEYMANS**

March 31, 2016 – Town Board Meeting – 7:00pm

A Town Board Meeting was held Thursday, March 31, 2016, at 7:00pm at Town Hall, 18 Russell Avenue, Ravena, New York

PRESENT: Philip A. Crandall, Supervisor
Thomas E. Dolan, Councilman
Kenneth A. Burns, Councilman
George E. Langdon, Councilman
James C. Youmans, Councilman

ALSO PRESENT: Diane L. Millious, Town Clerk
David Wukitsch, Attorney for the Town
Peter J. McKenna, Chief of Police
Scott Searles, Highway Superintendent
John Kerr, Chief Operator Waste Water Treatment Plant

Supervisor Crandall opened the meeting and led the Pledge of Allegiance, Councilman Burns offered a prayer.

OPENING COMMENT

Supervisor Crandall stated that there was a full Town Board, Town Clerk Millious, Attorney for the Town Wukitsch, Chief of Police McKenna, Highway Superintendent Searles and Chief Operator Kerr.

AGENDA

- Presentations
 - Albany County Legislator Rick Touchette
 - New York Capital Region Bicycle Race, Paul McDonnell
- Public Comment
- Approval of Minutes
 - Town Board Meeting, February 25, 2016
 - Town Board Meeting, March 10, 2016
 - Town Board Workshop, March 17, 2016
- Supervisor’s Report, December 2015
- Department Reports
 - Building Department, February 2016
 - Sewer Department, February 2016
 - Town Clerk, February 2016
- New Business
 - Authorize Supervisor to Attend OSC Governmental Accounting Course
 - Authorize Building Inspectors Attendance at Hudson Valley BI & CEO Conference
 - Accept Resignation of Confidential Secretary
- Resolutions
 - Establish Fee Schedule for Solar Permits
 - Appoint Special Counsel, 84 Main Street
 - Appoint Planning Board Members
 - Appoint Confidential Secretary
 - Authorize Transfer of Funds
 - Authorize Transfer of Funds
 - Approve March Abstract
- Upcoming Workshops/Meetings
 - Special Town Board Workshop, April 2, 2016, 9:00am
 - Town Board Meeting, April 14, 2016, 7:00pm

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- Town Board Workshop, April 21, 2016, 6:00pm
- Town Board Meeting, April 28, 2016, 7:00pm

PRESENTATIONS

Albany County Legislator – Rick Touchette

Supervisor Crandall invited Albany County Legislator Touchette to give his presentation.

County Legislator Touchette stated that he wanted to report on several items that may be of interest to residents of the Town of Coeymans and read as follows:

The Albany County Soil and Water Conservation District has its Annual Tree and Shrub sale. You can choose from 10 species of trees including black walnut and sugar maple as well as compost, wood chips, and rain barrels. Trees and shrubs are in the range of \$12.00 - \$18.00 for ten seedlings and the order deadline is April 11th. The Soil and Water Conservation District also has a pond-stocking program, the order deadline for fish is May 6th and the pick-up date is May 13th. Species include large-mouth bass, rainbow trout, channel cat fish, fat-head minnows, and if you happen to have a DEC Triploid Grass Carp Stocking Permit, you can also purchase those fish. Information on both of the programs is available at albanycounty.com/swcd.

He continued by saying that he has some flyers and he will post one on the bulletin board with Supervisor Crandall's permission. He continued by saying that a Summer Youth Program for young people 17-25 will be sponsored by Albany County and information will be available on April 8th on the Albany County Legislature website and until then he doesn't have any further information. He added that a new booklet "101 Ways Albany County Serves and Strengthens Our Community" has been published and he will be leaving copies with the Supervisor's Office so people can pick them up there or you can contact him. He went on by saying that Albany County is transferring two tax foreclosed parcels in the Town of Coeymans to the Albany County Land Bank, one on Main Street and the other on Whitbeck Road. He continued by reading the following:

County Executive Dan McCoy has selected 8 recipients for the County Executive Volunteer Award; this year's ceremony will be held on Monday, April 11th at 10:30 at the County Offices at 112 State Street. One of the recipients is Officer John Meyers of the Coeymans Police Department for his work with the Police Athletic League and was nominated by Chief McKenna. Please join me by congratulating Officer John Meyers. Finally, the Church of St. Patrick's is celebrating the Annual Festival of Baskets April 3rd from 1:00pm – 4:00pm; this is a great fundraiser for the church so please join us.

He concluded by saying that he is here to serve the people of the Town of Coeymans and added that no one should hesitate to call, e-mail, message, or tweet him.

Councilman Dolan stated that the Town Board authorized the Supervisor to send a letter to DOT requesting repaving of Rt. 144 from the town line of Bethlehem to the town line of New Baltimore and in turn they received a quick response from DOT, which was a fairly nice no thank you. He then asked County Legislator Touchette if he could help them with it.

Legislator Touchette stated that he certainly will and he will talk to people at the County and he did mention it to Senator Amedore a couple of months ago and received basically the same response that they did from DOT. He added that he has a copy of the letter and he will follow up with the County.

Attorney for the Town Wukitsch asked who Albany County was transferring property to in the Town of Coeymans.

Legislator Touchette stated that it is the Albany County Land Bank, one is on Main Street and the other is on Whitbeck Road.

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New York Capital Region Bicycle Race – Paul McDonnell

Supervisor Crandall invited Paul McDonnell to give his presentation.

Mr. McDonnell stated that he was with the Capital Bicycle Racing Club and added that this is the 11th year that they are asking the Town to hold their annual Saturday bicycle race in the Town of Coeymans, which starts from the R-C-S High School with the event being the same each year with the same course, a 20-mile loop. He added that they have approval from the High School to use their facility and each year they ask the Town if they can host the event, which is a requirement for the State of New York when they go after their State Permit. He continued by saying that the event is a sanctioned event by USA Cycling and they are also insured and permitted by New York State DOT and Albany County with one of the permit requirements being that each municipality concur that the event is acceptable to them before they move forward. He went on by saying that this year's event is planned for Saturday, July 9th, it starts around 10:00am and they are done around 2:00pm. He then asked the Town Board if they had any questions or comments.

Councilman Youmans stated that he would offer a motion.

MOTION

On motion of Councilman Youmans, seconded by Councilman Burns, approving the Capital Bicycle Racing Club's request to use Town roads for their race on July 9th.

VOTE – AYES 5 – NAYS 0 – SO MOVED

Mr. McDonnell thanked the Town Board and added that he will be in touch as they move forward.

PUBLIC COMMENT

Supervisor Crandall invited the public to comment at this time.

Ms. Tricia Grogan stated that she lives outside of Coeymans and lives between the Town of Bethlehem and New Scotland and she is there because she knows nothing about politics or how to get things done. She added that she has lived there 9 years now and when she bought her property to build, she called to find out if there were services such as phone internet and was told that there was. She continued by saying that when they first built it wasn't a big deal but ten years later it is a big deal, she has three children and she teaches in the School District and cannot do any work from home without internet. She added that two houses down from her, internet ends by Time Warner, State Telephone and Mid-Hudson Cable and when she called Time Warner she was told that it would be \$17,000.00 to run cable an 1/8 of a mile, and State Telephone told her that they have no rights. She concluded by saying that she is there because she does not know how it works and hopefully she can get their assistance or support in trying to get internet up her way.

Councilman Youmans asked her what her address is.

Ms. Grogan stated that it is 134 Cedar Grove Road.

Supervisor Crandall interjected that it is Rt. 396.

Ms. Grogan stated that from the end of Blodgett Road she is the 6th house on the right.

Councilman Dolan asked if she had spoken to Mid-Hudson Cable.

Ms. Grogan stated that she had and they said they don't come out that far but are on Blodgett Road and they end somewhere on that road, State Telephone told her the same thing, and she just found out that Time Warner is two houses before her. She concluded by saying that she does not know what her next step is or what else she can do and reiterated that she was hoping that they could help her.

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Supervisor Crandall stated that they can make a request to all three of the companies for her but they will probably be given the same answer that she got.

Councilman Dolan interjected that the Town has Franchise Agreements with all three of those companies and they certainly will write a letter on her behalf and when Mid-Hudson was seeking the Town of Coeymans to re-sign the Franchise Agreement with the Town they agreed that if there were to contact them and they would re-look at it.

Ms. Grogan asked if any of them are aware of any grants or funding for rural areas because she would start the paperwork but it is out of her realm.

Councilman Dolan stated that the State Legislature is working on a broadband for rural areas in New York so it would probably be worthwhile to contact her Assembly person and State Senator and ask them to put her on the list of places that are not served by the internet. He added that it's not really a luxury anymore; you need it to conduct business.

Ms. Grogan interjected that her kids come home and need to do things on the internet, so it is a necessity for them and it's their day and age.

Councilman Youmans asked that she write down her phone number and e-mail address so they can get in touch with her.

Councilman Burns asked if Chief McKenna had any ideas.

Chief McKenna stated that he was wondering if they can create a Verizon hot spot where she is and then asked if she had spoken with them about it.

Ms. Grogan stated that she had and unfortunately without having high speed or broadband, everything is very limited. She added that she could get internet through Verizon Hot Spot but it would be \$300.00 - \$400.00 a month.

Attorney for the Town Wukitsch interjected that it's not that much.

Ms. Grogan stated that it would be only with "X" amount of data.

Attorney for the Town Wukitsch stated that he lives in an area similar to hers and a group of neighbors went to Time Warner but they didn't have enough people because it is purely a cost benefit analysis that they go through unless you would be willing to pay a great deal of money.

Ms. Grogan stated that she wouldn't have a problem putting money towards it but not \$17,000.00 and she didn't know if there was anything that the Town can do and then asked if a petition would help.

Attorney for the Town Wukitsch stated that they had a petition with several names but Time Warner said there weren't enough people and it wouldn't be economical for them to run the line.

Councilman Langdon stated that with Verizon, because of their broadband, he thinks that she might be able to negotiate with them given her situation because he doesn't know what the Town can do. He added that he did hear that the State was working on some kind of a grant and are trying to hit rural areas.

Ms. Grogan stated that she uses her phone as a Verizon hot-spot for her kids and turns it on and off.

Councilman Langdon reiterated that she should let them know of her situation with no access what-so-ever and see what kind of arrangement they will offer; he added that he believes that they will do something for her in the way of data so using her hot spot isn't as expensive.

Ms. Grogan interjected that she has already gone through three different internets, multiple hot spots and they are maxed, it's fine for internet and e-mails but when her daughter has to watch a video, she can't do it. She concluded by saying that as a resident of the Town of Coeymans, she pays an astronomical amount in taxes and she wants to see if they can do something together and

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reiterated that she doesn't want anything for free; she is trying to get more support behind her to make it happen.

Councilman Dolan stated that he would move to authorize the Supervisor write a letter to the three internet providers. He added that when Mid-Hudson was there, they said they would track and report back to the Board, residents who have requested service and he is guessing that no one did because they hadn't heard back.

Ms. Grogan interjected that she had requested it three times.

Councilman Dolan reiterated that they will write a letter and asked that she leave her contact information, he will contact her Assembly person and possibly Legislator Touchette can help as well.

Ms. Grogan thanked the Town Board.

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

APPROVAL OF MINUTES

Supervisor Crandall stated that there were 3 sets of minutes for Town Board approval, a Town Board Meeting on February 25th, a Town Board Meeting on March 10th and a Town Board Workshop on March 17th and then asked for a motion to approve them.

MOTION

On motion of Councilman Burns, seconded by Councilman Dolan, the minutes were approved as presented and read.

VOTE – AYES 5 – NAYS 0 – SO MOVED

SUPERVISOR'S REPORT

Amended December 2015

FUND	BALANCE FWD.	RECEIPTS	DISBURSEMENTS	BALANCE
GENERAL	\$ 24,980.11	\$250,230.85	\$270,476.52	\$ 4,734.44
CONSOLIDATED	\$ 1,458.23	\$ 3,803.75	-0-	\$ 5,261.98
PART-TOWN	\$ 295,300.90	\$ 6,218.14	\$297,943.79	\$ 3,575.25
HIGHWAY	\$ 8,883.29	\$ 79,406.17	\$ 87,363.10	\$ 926.36
BRIDGE CONST.	\$ 29,192.15	\$ 1.62	-0-	\$ 29,193.77
SEWER	\$ 226,831.51	\$ 53,471.94	\$195,196.87	\$ 85,106.58
SPECIAL WATER	\$ 45,406.67	\$ 2.49	-0-	\$ 45,409.16
TRUST & AGENCY	\$ 27,289.73	\$268,159.79	\$244,426.18	\$ 51,023.34
POLICE FORF.	\$ 51,057.17	\$ 12,802.06	\$ 19,803.63	\$ 44,055.60
H-FUND CAP. PROJ.	\$ 469,527.03	\$584,605.15	\$420,210.62	\$633,921.56
SECTION-8 HUD	\$ 5,638.67	\$ 45,275.97	\$ 44,581.14	\$ 6,333.50
			Total Rec. Bal.	\$909,541.54

CERTIFICATES OF DEPOSIT

SAVINGS ACCOUNTS

Unemployment	\$ 703.85
Grove Cem.	\$40,968.61
C.H. Cem.	<u>\$13,439.41</u>
Total	\$55,111.87

COLATERAL FDIC COVERAGE COLLATERALIZED COVERAGE

Greene County	\$250,000.00	\$3,018,217.31
National Bank	\$250,000.00	\$ 225,328.50

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Attorney for the Town Wukitsch stated that as he recalled, the Town has taken over responsibility to maintain both Grove and Coeymans Hollow cemeteries and he was involved in the assumption of the maintenance responsibility and then asked if the funds were intended for maintenance of the cemeteries and who is responsible for doing so.

Councilman Youmans stated that it is the Beautification Department.

Attorney for the Town Wukitsch asked if he's being paid out of those funds.

Supervisor Crandall stated that when he does work, they transfer money out of those accounts.

Councilman Youmans stated that his recollection is that he doesn't believe they can use it for regular maintenance and it can only be used for capital improvements.

Attorney for the Town Wukitsch stated that he thought it might be the case because the balances never seem to decline and it has been over \$40,000.00 in Grove Cemetery for a long time.

Councilman Youmans stated that all over the state there have been Cemetery Associations that when the members die off, no one is left that wants to run the cemetery and it's not that the towns want to, it's that the towns must take and assume responsibility, which is costly and they try to do their best.

Attorney for the Town Wukitsch stated the other question would be what they mean by capital improvement.

Councilman Youmans stated that it would have to be for a shed or maintenance garage type thing.

Councilman Langdon asked when plots are typically bought if the resources come in as funds.

Town Clerk Millious stated that the Town actually has three cemeteries and that money was transferred when the cemeteries were abandoned as perpetual care money that the Town cannot touch. She added that if they wanted to, they would have to get a Court Order to touch the money. She continued by saying that there is money coming in when she sells plots, which is not part of that a reiterated that the perpetual care money cannot be touched.

Attorney for the Town Wukitsch reiterated that the Grove Cemetery balance has been that way for a long time.

Councilman Burns asked what good the money is if they can't use it.

Supervisor Crandall asked why the Town would have accepted that kind of thing.

Attorney for the Town Wukitsch stated that they had to, they had no choice.

Supervisor Crandall interjected that he wasn't talking about taking over the cemetery, he was talking about why they had to accept the funds like that.

Attorney for the Town Wukitsch stated that the Cemetery Associations dissolved, there were no longer people to run it so the Town took over.

Councilman Youmans stated that their County Legislator has some in depth knowledge in that field.

County Legislator Touchette stated that those funds are restricted.

Attorney for the Town Wukitsch reiterated that the Grove balance has been that way forever and added that if they can take those funds and allocate for maintenance, it would be a win-win for the Town. He added that he can check into it because there are funds there and maybe they could allocate a portion to pay the Beautification Department.

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Town Clerk interjected that they don't pay out of the cemetery money for Nelson; it comes out of Community Beautification.

Attorney for the Town Wukitsch interjected that they don't pay out of cemetery money but they could allocate a portion of it.

Councilman Youmans stated that if they could it, it would be great.

Supervisor Crandall asked how long the Town has had control of the cemeteries.

Town Clerk Millious stated that in 2003 the Town took over Grove and in 2008 Coeymans Hollow, Indian Fields they have always had and Mona Selover used to take care of it but it's all on her now and she is actually the Cemetery Coordinator. She added that when she gets the call, she goes and shows Community Beautification where the grave is to be, whether it is a newly purchased plot or an existing one because she wants the records to be right. She concluded by saying that it is a lot but they have come a long way with it.

Supervisor Crandall asked if she has the agreement on the funds.

Town Clerk Millious stated that they were all brought in at that time, it was legally done and they even had Grove surveyed.

Supervisor Crandall asked that Town Clerk Millious get a copy of the paperwork to Attorney for the Town Wukitsch.

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

Supervisor Crandall asked for a motion to approve the amended Supervisor's Report for December 2015.

MOTION

On motion of Councilman Burns, seconded by Councilman Youmans, the Supervisor's Report was approved as presented and read.

VOTE – AYES 5 – NAYS 0 – SO MOVED

Supervisor Crandall stated that he wanted to talk a bit about the Hannacroix Creek Project and added that they just received bills for \$34,000.00 and also found copies of bills that were submitted to the Supervisor in June and July for 2015 for the same amount. He then asked Councilman Burns if he could shed any light on why it wasn't paid in 2015.

Councilman Burns stated that before they could go through with the project, they had to do a couple archaeological surveys and other than that, he has no idea.

Supervisor Crandall asked Councilman Langdon if he had any idea.

Councilman Langdon stated that he didn't.

Councilman Burns interjected that he didn't know for that kind of money because the surveys were approximately \$3,500.00.

Councilman Langdon stated that it was on-going long before they took office, which he believes goes back to 2008.

Supervisor Crandall reiterated that they found bills going back to July.

Councilman Langdon asked who the bills were from.

Supervisor Crandall stated that they are from F.X. Browne Inc.

Councilman Burns stated that they will have to get in touch with them.

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Supervisor Crandall stated that it is for professional services and then asked if they were the engineers involved.

Councilman Burns stated that they were and added that he thought it was all paid.

Supervisor Crandall stated that the invoices are from May 26 and June 29, 2015.

Councilman Burns asked if they mind if he asks Larry Conrad and then asked him if he remembered anything about it.

Mr. Conrad stated that it was part of the meeting that they had with Homeland Security and they were supposed to pay the money to pay those bills off.

Supervisor Crandall stated that the problem is the bill came into the Town again and he was wondering why it wasn't paid in 2015 and if anyone can shed some light on it.

Councilman Burns stated that they will have to do what they did prior and have all the organizations come together and have another meeting.

Attorney for the Town Wukitsch stated that he does remember that there was discussion of an agreement on behalf of the Federal Agency to pay and before they issue a check, they should check with them to see what the status is and then asked Mr. Conrad who the contact was.

Mr. Conrad stated that it was John Wilhelm.

Councilman Burns stated that he spoke with Mr. Wilhelm he believes in August and he called him by accident on a Sunday and he informed him that F.E. M. A. would probably not be issuing the Town's permit this year or next year either as well as not foreseeing them getting any money in the near future and this was the last time that he spoke with him.

Councilman Dolan stated that it is different from them saying that they aren't going to pay it.

Councilman Burns stated that they were supposed to get \$300,000.00 to do the project and he thinks it's what Mr. Wilhelm was referring to as far as the money and a permit this year.

Supervisor Crandall stated that the bills were for June and July of last year and then they resubmitted another bill for the same amount because they were never paid so he was wondering why they weren't paid in 2015 and what it has done is it has shortened them cash for this year.

Councilman Burns interjected that he would call John Wilhelm and ask him if he knows as well as Marlene at F.X. Browne.

Councilman Youmans stated that it is for work that they performed in April and May 2015.

Mr. Conrad interjected that it was for the redesign of the creek by the park.

Supervisor Crandall stated that he understands what it was for; he just wants to know why it wasn't paid.

Mr. Conrad stated that it was because they were supposed to be getting money from F.E.M.A. out of the H Projects to pay for it.

Supervisor Crandall asked if the money ever came.

Mr. Conrad stated that he didn't have any idea.

Supervisor Crandall stated that he would check into it and added that another question that he has is, they found another bill from the Sheriff for Dispatch, money that was due back in June 2015 and October 2015, the first amount was \$54,000.00 and the next amount was \$40,000.00, which should have been paid in 2015. He added that they went back and checked and found that they weren't paid so it is money that he has to dole out of the Town's money for this year and these

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are reasons why in some areas they are short on cash. He then asked if anyone could shed any light on that.

Town Clerk Millious interjected that she remembers a conversation with Albany County wanting the money and in turn she talked with the Supervisor who had a conversation with Ralph Mariani at Albany County Dispatch and the money was supposed to be paid in the 2016 year.

Councilman Langdon stated that from his understanding, it was money that was due in January.

Attorney for the Town Wukitsch asked the time period that it covered.

Councilman Langdon stated that he thinks it was for the June to December time period of 2105.

Supervisor Crandall stated that services received in 2015 are to be paid in 2015 not in 2016 and it is just shortening them more cash. He added that the money is supposedly in the budget on paper for 2016 but to take that money to pay a 2015 bill, it shorts them cash up front.

Councilman Burns interjected that it is budgeted for.

Supervisor Crandall stated that a budget is on paper, he is talking about cash on hand and that amount of money for 2015 can't be budgeted for 2016 because they have a contract for a certain amount of money to be budgeted for 2016, which was budgeted but the 2015 money was budgeted for 2015 and not for 2016.

Councilman Langdon reiterated that it was budgeted in the 2016 budget and that's when it's due.

Councilman Dolan stated that it wasn't for the extra \$90,000.00; there is \$180,000.00, which is for the four quarters.

Supervisor Crandall reiterated that there is an extra \$90,000.00 that they have to pay, which is not in the 2016 budget and he was wondering if anyone knew why it wasn't paid.

Councilman Langdon stated that his understanding was if it was a six-month process, they were going to be billed every six months.

Councilman Dolan disagreed and said they would be bill quarterly and he got a call early January as well as Clerk Chmielewski getting one, from the part-time accountant at the Sheriff's Office looking for the money that was due in June 2015.

Councilman Langdon asked if it was due before they provided the service.

Councilman Dolan stated that it was, one was due in June and one was due in September.

Councilman Burns asked about bringing in past Supervisor Flach and Clerk Weidman and talking to them about this because they are the ones that could shed light on it.

Supervisor Crandall asked that he have Mr. Flach give him a call.

Councilman Burns stated that he is sure that both Mr. Flach and Mr. Weidman would be glad to and then they can see if they can figure it out because he is sure that they had a plan.

Supervisor Crandall stated that it could just be a mistake and reiterated that he was wondering if they could shed some light on it.

Councilman Langdon reiterated that his understanding was that it wasn't due until January.

DEPARTMENT REPORTS

Sewer Department – February 2016

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Supervisor Crandall asked that Chief Operator Kerr give the Sewer Department Monthly Report.

Chief Operator Kerr continued by giving the report.

Chief Operator Kerr stated that DEC came down for a meeting last Friday and they requested that C.T. Male be there because DEC wanted to be brought on board as far as financing because their local engineer will be handling that aspect for DEC for the financing. He added that they had a bit of an idea of what the project entailed but they wanted C.T. Male to explain as far as DEC and EFC financing that was going to be involved and they addressed a couple of concerns in addition to discussing construction phases and to give an idea of the time-frame. He concluded by saying that they are currently awaiting approval for the financial end and for C.T. Male to submit the construction plans to go out to bid.

Councilman Burns asked about the meter at the point.

Chief Operator Kerr stated that there is still part of it working and they continue to gather data from it as much as they can because they are getting some useful information. He added that they also had the meters at the WWTP certified for the year, which is required by DEC so they are all set for the rest of the year.

Councilman Dolan stated that one of the issues with paying to replace that meter is that when then new sewer work is done, the trunk line is going to by-pass that spot so it will not serve the function that it is now. He added that it would only give them a part of the flow that is coming out of the Village.

Councilman Burns asked if they will be doing away with it.

Councilman Dolan stated that they talked about new technology that might be cheaper and if they need to do it after the sewer work is done, they will.

Chief Operator Kerr stated that he gave C.T. Male a Christmas list for the summer and that is part of it so they will have to see how the funding goes to see if it will come to fruition.

Building Department – February 2016

Supervisor Crandall asked that Councilman Youmans give the Building Department Monthly Report.

Councilman Youmans continued by giving the report.

Supervisor Crandall asked for a motion to approve the report.

MOTION

On motion of Councilman Dolan, seconded by Councilman Burns, the report was approved as presented and read.

VOTE – AYES 5 – NAYS 0 – SO MOVED

Town Clerk – February 2016

Supervisor Crandall asked that Town Clerk Millious give the Town Clerk's Monthly Report.

Town Clerk Millious continued by giving the report.

Supervisor Crandall asked for a motion to approve the report.

MOTION

On motion of Councilman Youmans, seconded by Councilman Dolan, the report was approved as presented and read.

VOTE – AYES 5 – NAYS 0 – SO MOVED

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NEW BUSINESS

Authorize Supervisor to Attend OCS Governmental Accounting

Supervisor Crandall asked for a motion authorizing him to attend OCS Governmental Accounting Course on June 7-9th in Utica, NY.

MOTION

On motion of Councilman Youmans, seconded by Councilman Dolan, authorizing the Supervisor to attend the OCS Governmental Accounting Course in Utica, NY on June 7th-9th, 2016.

VOTE – AYES 5 – NAYS 0 – SO MOVED

Authorize Building Inspectors/CEO's to Attend Conference

Supervisor Crandall asked for a motion authorizing Sante DeBacco and John Cashin to attend the Building Inspectors/CEO's Conference in Poughkeepsie April 20-22nd, 2016 and in turn will receive part of their certification for this year.

MOTION

On motion of Councilman Youmans, seconded by Councilman Dolan, authorizing John Cashin and Sante DeBacco to attend the 2016 Hudson Valley CEO Educational Conference in Poughkeepsie, April 20-22nd as a cost of \$300.00 per person.

VOTE – AYES 5 – NAYS 0 – SO MOVED

Accept Resignation of Confidential Secretary

Supervisor Crandall read the following:

Dear Supervisor Crandall,

Please accept this letter as notice of my resignation from my position as Confidential Secretary to the Supervisor. My last day of employment in that title will be April 1, 2016.

When I was hired, it was with the understanding that it would be on a temporary basis. I will be available to help train my replacement and help with the transition so that things function smoothly after my departure.

I have always enjoyed my time working with the Town, its employees and wish you and the Board the very best.

Sincerely,

Marcy M. Lewandowski

Supervisor Crandall asked for a motion to accept the resignation.

MOTION

On motion of Councilman Youmans, seconded by Councilman Dolan, accepting the resignation of Confidential Secretary Lewandowski.

VOTE – AYES 5 – NAYS 0 – SO MOVED

Councilman Dolan stated that she always writes a nice letter and he wanted to emphasize as she did in the letter, when she agreed to come back, it was on a temporary basis. He added that she has a very busy life outside of the Town and she just came back to help with the transition in which she did a great job.

Councilman Youmans stated that she really did and he wanted to thank her for that.

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Supervisor Crandall stated that she was a very valuable asset.

Attorney for the Town Wukitsch interjected that she is really excellent, she does a terrific job and he is sorry to see her go.

RESOLUTIONS

RES. #68-16 ESTABLISH FEES FOR SOLAR PERMITS

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

WHEREAS, the Code of the Town of Coeymans, Chapter 71, Section 71-4 requires permits to be obtained in accordance with those rules and regulations, and

WHEREAS, Chapter 71, Section 71-16 allows the Town Board to establish and amend fees for permits to be issued.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans establishes the following fee schedule for solar permits as follows:

- (1) Solar installations with a surface area equal to or less than 2,000 square feet - \$50.00.
- (2) Solar installations with a surface area greater than 2,000 square feet shall be calculated at \$.05 per square of surface area.

BE IT FURTHER RESOLVED, that these fees to be added to Chapter A170, as Section A170-1-G Solar Permit fees and these fees shall be effective upon adoption of this resolution.

Councilman Burns stated that he thought that it wasn't taxable for solar.

Councilman Dolan stated that it doesn't increase their assessment.

Councilman Youmans stated that it is just for the fees associated with issuing the permit because they have someone proposing over an acre of solar panels, which is going to require a lot of inspection time on the Building Department and they want to recoup some of the cost.

RES. #69-16 APPOINT SPECIAL COUNSEL FOR 84 MAIN STREET

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

WHEREAS, the Town Board has the authority to retain outside counsel pursuant to Town Law Section 20, and

WHEREAS, the Town is in need of legal counsel to handle matters relation to the demolition of 84 Main Street, and proceedings currently pending before the New York State Department of Labor involving a Notice of Violation against the Town.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans hereby retains Paul Briggs, Esq., to represent it in matters pending before the Department of Labor involving 84 Main Street, at the rate of \$175.00 per hour.

Councilman Dolan stated that their understanding is that Attorney for the Town Wukitsch could potentially be a witness in this proceeding.

Attorney for the Town Wukitsch stated that it isn't only that, it is outside the scope of his retainer, litigation is not covered by his retainer and he wouldn't feel comfortable handling it so he thinks they should proceed with someone from the outside.

Councilman Burns asked if there was no way of resolving it themselves.

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Attorney for the Town Wukitsch stated that they don't know for sure yet, they requested a hearing but have not heard back at this time.

Councilman Burns asked if he was referring to the Department of Labor.

Attorney for the Town Wukitsch stated he was.

Councilman Langdon stated that the last time they discussed this; they thought it was just going to go away and they resolved it.

Supervisor Crandall stated that they thought it was but it didn't.

RES. #70-16 APPOINT PLANNING BOARD MEMBERS

On motion of Councilman Dolan, seconded by Councilman Youmans, the following resolution was APPROVED – VOTE 3 – NAYS 2 – SO MOVED

WHEREAS, Local Law #1-16 increased the number of members of the Planning Board from five members to seven members, and

WHEREAS, the Town Board has received several applications for consideration to fill these seats, and

WHEREAS, two applicants possess the experience and knowledge required of these positions.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby appoint Peter Foronda and Cynthia Kunz as Planning Board Members with terms to expire December 31, 2023.

Councilman Langdon stated that he thought the terms were supposed to stagger somehow.

Attorney for the Town Wukitsch interjected that they should.

Councilman Youmans asked what that means.

Attorney for the Town Wukitsch stated that they shouldn't expire on the same date.

Councilman Youmans asked what the proper lay-out should be.

Attorney for the Town Wukitsch stated that they could have one December 31, 2023 and one December 31, 2022.

Councilman Dolan suggested that they amend it.

Supervisor Crandall stated that they would amend it to Cynthia Kunz, December 31, 2022 and Peter Foronda 31, 2023.

Councilman Youmans stated that he would second the amended motion.

Supervisor Crandall asked if there was any other discussion.

Councilman Langdon stated that he didn't know if they were the best choices.

Councilman Burns stated that he was happy with 5 and he didn't like doing this from the beginning.

Supervisor Crandall suggested a roll-call vote and asked the Town Clerk Millious do it.

Town Clerk Millious continued as follows:

VOTE – Philip Crandall – AYE, Thomas E. Dolan – AYE, George E. Langdon – NAY, Kenneth A. Burns – NAY – James C. Youmans – AYE – VOTE CARRIES 3-2 – SO MOVED

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RES. #71-16 APPOINT CONFIDENTIAL SECRETARY TO TOWN SUPERVISOR

On motion of Supervisor Crandall, seconded by Councilman Dolan, the following resolution was APPROVED – VOTE 5 – NAYS 0 – SO MOVED

WHEREAS, Mary M. Lewandowski, Confidential Secretary to the Supervisor, has submitted her resignation effective April 1, 2016, and

WHEREAS, the Supervisor is desirous of filling this vacancy.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby authorize Supervisor Philip A. Crandall to appoint a Confidential Secretary pursuant to Town Law, Section 29, Subdivision (15), and

BE IT FURTHER RESOLVED, that the Town of Coeymans Supervisor Philip A. Crandall does hereby appoint Cindy Rowzee as Confidential Secretary to the Supervisor, at the hourly rate of \$18.00, retroactive to March 28, 2016.

Councilman Burns stated that when they bring someone in the Bookkeeping Office to help, they should all be notified that it is happening.

Supervisor Crandall interjected that the Confidential Secretary is the Supervisor's appointment, solely.

Councilman Burns asked if they had a choice.

Supervisor Crandall stated that the Board can vote either yes or no but it is his choice.

Councilman Burns stated that he knows Cindy Rowzee was working here while he had a Confidential Secretary.

Supervisor Crandall stated that she was doing bookkeeping and that position is now vacated.

Councilman Burns stated that they didn't know that she had even been hired and they found out when they came into the office and saw her here.

Councilman Dolan interjected that it was done by resolution.

Supervisor Crandall reiterated that it was done by resolution and added that he doesn't know how he could have missed it.

Councilman Langdon interjected that they didn't know that Susan King was working here.

Supervisor Crandall stated that Susan King comes in as a consultant to help get things straightened out.

Councilman Langdon stated that he thought everyone had to be approved by resolution to be hired.

Supervisor Crandall stated that he is sure that it was brought up too.

Councilman Langdon interjected that it wasn't, he can assure him and he can go back and check the records, Susan King was never mentioned anywhere.

Supervisor Crandall stated that he would check and if he didn't bring it up, he apologizes.

Councilman Burns stated that it wasn't a complaint, they were just wondering.

Supervisor Crandall stated that he is pretty sure it was brought up.

Attorney for the Town Wukitsch stated that if there isn't a resolution, they have to do one and make it retroactive to the date that she started working.

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Supervisor Crandall reiterated that he would check it out.

Attorney for the Town Wukitsch stated that there should be a resolution on file with the rate of pay.

Councilman Burns stated that they would just like to know what's going on.

Supervisor Crandall reiterated that he's pretty sure they did a resolution and he will check it out.

RES. #72-16 AUTHORIZE TRANSFER OF FUNDS

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

BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby authorize the following transfer of funds:

General Fund (A)

<u>Increase</u>		
A1010.4	Town Council Contractual	\$1,246.59
<u>Decrease</u>		
A1990.4	Contingency Contractual	\$1,246.59

RES. #73-16 AUTHROZE TRANSER OF FUNDS

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

BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby authorize the following transfer of funds:

**Highway Fund (DB)
Machinery**

<u>Decrease</u>		
DB5130.2	Capital Outlay & Equipment	\$24,000.00
	Transfer from Other Funds	
<u>Decrease</u>		
DB5031	Transfer in from B-Fund	\$24,000.00

Part-Town Fund (B)

<u>Decrease</u>		
B1120	Sales Tax Revenue	\$24,000.00
<u>Decrease</u>		
B9901	Transfer to Highway	\$24,000.00

Councilman Burns asked if the money was being taken out of Superintendent Searles' budget.

Supervisor Crandall stated that they are taking it out of Highway and putting it in the Part-Town B Fund, which is running low and they aren't buying the piece of machinery. He added that it can be moved back once they get down the road and have more money in the B Fund and they won't be spending the money unless they absolutely have to.

Town Clerk Millious interjected that she doesn't think it is worded right.

Councilman Langdon stated that it should say increase.

Attorney for the Town Wukitsch stated that the second entry should say increase.

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Supervisor Crandall reiterated that it is moving from DB to B and the B should be increase.

Councilman Dolan interjected that he thinks that they have a difference in opinion.

Supervisor Crandall asked why he thought that.

Councilman Youmans stated that he thought it was right.

Attorney for the Town Wukitsch asked if they are sure it shouldn't be decrease on both top items because they are taking both out of the Highway Fund and putting into Part-Town B-Fund.

Clerk Chmielewski stated that they are decreasing the sales tax so they have to have the decreases there.

Attorney for the Town Wukitsch asked if it is on the same fund line.

Clerk Chmielewski stated that in the B Fund because the Highway Department gets fed from the B-Fund, they have to decrease it also in the B-Fund.

Attorney for the Town Wukitsch stated that it is right the way it is.

Collectively everyone agreed.

RES. #74-16 APPROVE MARCH ABSTRACT

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

BE IT RESOLVED, that the Town Board has approved the payment of bills as presented in the Abstract for March 2016, as follows:

PRE-PAID VOUCHERS –171525-171531, 171557-171664, 171666-171689, 171719-171726, 171730-171732,171734-171735,171741-171745,171766 for a **Pre-Paid Total of \$924,301.37**

VOUHER NUMBERS –171690-171718, 171727-171729, 171733,171736-171740,171746-171764 for a **Total of \$48,288.84**

TOTAL FOR ALL FUNDS \$972,590.21

UPCOMING WORKSHOPS/MEETINGS

- Special Town Board Audit Meeting, April 2, 2016, 9:00am
- Town Board Meeting, April 14, 2016, 7:00pm
- Town Board Workshop, April 21, 2106, 6:00pm
- Town Board Meeting, April 28, 2016, 7:00pm

ADDITIONAL COMMENTS

Supervisor Crandall asked if there were any other comments.

Town Clerk Millious read the following:

PRESIDENTIAL PRIMARY ELECTION NOTICE

Democratic Party/Republican Party
Tuesday, April 19, 2016
Polls are open 12:00pm to 9:00pm

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**TOWN OF COEYMANS
POLLING PLACES**

1st District Coeymans Fire House, 67 Church St, Coeymans
2nd District Coeymans Fire House, 67 Church St., Coeymans
3rd District Congregational Christian Church, 175 Main St., Ravena
4th District Abounding Love Church, 2480 Rte. 9W, Ravena
5th District Coeymans Hollow Fire House, 1290 SR 143, Coeymans Hollow
6th District Coeymans Hollow Fire House, 1290 SR. 143, Coeymans Hollow

All Polling Places are handicapped accessible. Any questions as to voting district or eligibility, please call 756-2100.

Town Clerk Millious continued by saying that she will be in her office on that day if anyone has any questions. She added that today was the last day for Property Tax collection, she will be settling with Albany County in a couple of weeks and if there are any questions about the amount due, she can be reached at 756-2100 and Albany County is 447-7070. She went on by saying that the percent goes up when it reaches the County and she will need some time to settle her books because she has to wait a week to make sure that all checks are cleared.

Supervisor Crandall asked if there were any other comments.

Councilman Langdon stated that he wanted to thank Mary for her service to the Town during the Town's transition and she was a pleasure to work with

Supervisor Crandall asked if there were any other comments.

Councilman Youmans stated that he wanted to say that Chief McKenna's call to recommend John Meyers for the Volunteer Award was a good call because he spearheaded the Haunted Hayride and other things that go on with the Police Athletic League (PAL) and it is wonderful that he gets recognized. He added that his hat's off to everyone involved in the PAL.

Chief McKenna stated that it is a community effort of sworn and non-sworn personnel that volunteer to come out for the Hayride in October and other events. He added that he had to pick one and when the literature came across he sent the letter out and they were kind enough to accept it and he's really glad that he is going to be recognized.

Supervisor Crandall asked if there were any other comments.

Councilman Dolan stated that he didn't know if it is helpful or not but he got an e-mail from former Confidential Secretary Lisa Cirillo, which included some notes from the meeting that they had spoken about earlier and she noted that Diane has minutes of that meeting and if they look at them, they can figure out what they spent \$35,000.00 on.

Councilman Youmans stated that the invoice says what they spent \$35,000.00 on.

Town Clerk Millious stated that there aren't minutes; there were just notes because it wasn't a regular Town Board Meeting and added that Lisa was there as well.

Councilman Dolan stated that he was just referring to what his e-mail said.

Attorney for the Town Wukitsch stated that it seems like a large fee for a meeting.

Town Clerk Millious stated that it wasn't for the meeting.

MINUTES BOOKTOWN OF COEYMANS**
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Supervisor Crandall stated that it was for engineering services for the Hannacroix Creek.

Attorney for the Town Wukitsch asked if the services were completed.

Supervisor Crandall stated that according to the billing, they were.

Councilman Burns stated that they made adjustments to the plans for the project but he doesn't remember authorizing them to do it and they were supposed to have funding from FEMA to do it.

Mr. Conrad stated that it was required by FEMA, DEC and Army Corps of Engineers and in order to obtain the permit, they required the changes.

Attorney for the Town Wukitsch asked if they have the survey.

Mr. Conrad stated that a survey was done and they have it.

Councilman Dolan continued by asking Councilman Youmans if he wanted to comment on the VFW Easter Egg Hunt that he attended.

Councilman Youmans stated that it was a big crowd with a lot of excited youngsters with Easter Baskets that they could take home and it was a very nice time.

Supervisor Crandall asked if there were any other comments.

Councilman Burns stated that at the end of every meeting he tries to make a point of thanking all the Department Heads, the Highway Department is spotless, they have taken what they have to work with and made it work very well, and the trucks are in the best shape that they can be in. He added that the Police Department, as far as he is concerned is second to none, every time he goes to the Sewer Plant they are busy doing something or trying to fix things with what they have and he feels bad because last year they came in way under budget and this year they are asking for them to cut even more. He continued by saying that he may be naïve but he doesn't see why they can't have everyone come together, Matt, Rachael, Steven the full Town Board and Nita to sit down and figure out where all the discrepancies are and if they were wrong, at least they would know where they went wrong and can move forward. He concluded by saying that rather than having five people working in the office and having Daryl, who is a great guy that he has nothing against, but they are spending all this money and it seems like it could be resolved a lot easier.

Supervisor Crandall stated that so far in 2016 he paid a little over \$290,000.00 in accruals for things that should have been paid in 2015 in the A-Fund, B-Fund, DB-Fund and S-Fund. He added that it was money that was owed that he had to pay and it wasn't budgeted for 2016.

Councilman Burns reiterated that Stephen could come in and explain what his plan was.

Supervisor Crandall stated that Stephen wasn't a CPA, Sara Morrison and Daryl Puritan are and those are their figures along with the State Comptroller's Office, the numbers are real and the fact of the matter is that they are short on cash.

Councilman Burns stated that he is sure that the numbers are real but he's sure that they had a Contingency Plan on why they did what they did and it could be very easily resolved if they would sit down with them and have them explain where they were coming from and the plan to rectify all of it.

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Supervisor Crandall interjected that the fact of the matter is that they overspent cash, they weren't watching the cash-flow and this is what happened.

Councilman Burns stated that he can't believe that.

Councilman Dolan interjected that it is in the math and he doesn't have to believe in math.

Supervisor Crandall asked if there were any other comments.

Attorney for the Town Wukitsch stated that it is confusing about the bill from F.X. Browne because he can recall hearing earlier in the year last year that the FEMA money was there, it was a go, contractors were lined up and he doesn't understand what happened.

Councilman Burns stated that to the best of his knowledge everything kept getting pushed back and the last thing to happen was they wanted a Historical Survey, they went out and dug a 2 foot hole every so many feet and if they came up with something, it would have resulted in a bigger survey but they came back with nothing.

Supervisor Crandall asked who did the bulldozing in the creek with the back hoe.

Councilman Burns stated that it was him.

Attorney for the Town Wukitsch stated that he thought there were assurances from FEMA that it would all be covered and he recalls it being discussed at Town Board Meetings.

Councilman Langdon stated that the last meeting they had with FEMA they had a big table set up and it was the way that he understood it to, the person there from FEMA said that there were some errors in the way that things were presented initially but he was going to be able to resubmit them and they had projected around \$300,000.00 for the project but the reality was if the project went over that, it was not a limit of what they were getting, they were going to pay what it took to take care of it.

Clerk Chmielewski stated that there is money in the Capital Projects Fund from FEMA to almost pay that bill in full but the problem is that the bill was let go from June and July and it is going to come out of money now, which is like many bills that they have been finding.

Attorney for the Town Wukitsch asked if it is FEMA money.

Clerk Chmielewski stated that it is, it is short and not for the total amount but almost for that total.

Supervisor Crandall stated that what they have to understand is that they have a certain amount of cash and that money should have been paid out in 2015 but it wasn't, it is being paid out of 2016.

Attorney for the Town Wukitsch asked if the money was put in the General Fund.

Clerk Chmielewski stated that the money is in the Capital Project Fund.

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

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ADJOURNMENT

MOTION

On motion of Councilman Youmans, seconded by Councilman Dolan, the Town Board Meeting was adjourned.

VOTE – AYES 5 – NAYS 0 – SO MOVED

Time – 8:21pm

Respectfully Submitted,

APPROVED –

Diane L. Millious, Town Clerk