

A Town Board Meeting was held January 24, 2011, at 7:00PM at Town Hall, 18 Russell Avenue, Ravena, New York

PRESENT: James C. Youmans, Supervisor
Dawn Rogers, Councilwoman
Thomas A. Boehm, Councilman
Richard N. Touchette, Councilman
Thomas E. Dolan, Councilman

ALSO PRESENT: Diane L. Millious, Town Clerk
David Wukitsch, Attorney for the Town
Albert Deering, Highway Superintendent (arrived late)

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

OPENING COMMENT

Supervisor Youmans stated that the record should reflect the presence of a full Town Board in addition to Town Clerk Millious and Attorney for the Town Wukitsch.

AGENDA

- Presentation
 - NYMIR
 - Lafarge Plant Modernization Project Update
- Public Comment
- Approval of Minutes
 - Town Board Meeting, January 10, 2011
- Supervisor's Report
- Department Reports
 - Police Department
 - Sewer Department
 - Town Clerk
 - Building Department
- Old Business
 - Authorize Police Chief to Dispose of Surplus Equipment
- New Business
 - Establish Special Town Board Workshop for Audit
 - Authorize Milton Cat Service Agreement for Highway Department Generator
 - Speed Limit Reduction, Old Ravena Road
- Resolutions
 - Appoint Clerk to the Supervisor
 - Amend December 2010 Abstract
 - Approve January 2011 Abstract
- Correspondence
 - Albany County Legislature, Sales Tax Sunset
 - Assemblyman Steven F. McLaughlin
- Town Board Workshops / Meetings
 - Special Workshop, January 27, 2011, 6:00pm
 - Town Board Meeting, February 14, 2011, 7:00pm
 - Town Board Meeting, February 28, 2011, 7:00pm

PRESENTATIONS

Supervisor Youmans stated that there were a couple of presentations to start off the meeting and added that Susan O'Rourke representing NYMIR (New York Municipal Insurance Reciprocal) was present and then invited her to the microphone.

NYMIR

Ms. Susan O'Rourke stated that two years ago she had given them an update on NYMIR and gave them some good news and added that she is back to do the same. She continued by saying that she wanted to bring them up to date on what is going on since the last time and went on by saying that they have grown and there are now 630 subscribers insured with NYMIR, which continues to make them the largest insurer of New York State's local government. She added that they continue to listen to their members in regard to the coverage that they desire and need to support their town and some of the recent changes are that earlier in the year they increased the limits for land use coverage because many of the municipalities across the state are finding that to be a litigious area so they increased the limits available to New York State municipalities. She added that another area of change is that this past November the Town received an endorsement increasing the Sudden and Accidental Solution Coverage, which is a result of the incident that Lake George had a year and a half ago right before the 4th of July season was to open up, when they had a sudden accidental break of their pipe in their Waste Water Treatment Plant that spewed raw sewage on to the beach and into the lake, which caused them significant first party cleanup and they had to clean up the beach as well as having quite a few third liability claims coming in from people that were swimming in the lake at the time as well as boaters and a restaurant that could not open. She went on by saying that they had significant claims coming in and that coverage is excluded from the General Liability Policy as it is with most liability policies but the NYMIR Board felt that it is a coverage that municipalities like the Town of Coeymans should have coverage for because of the aging infrastructure at their Waste Water Treatment Plants. She continued by saying that she knows that the Town of Coeymans has a Waste Water Treatment Plant that is on a significant body of water as well and this is a coverage that is now available from NYMIR free of charge that got added on last November. She added that risk management continues to be an area that they focus on as well as hearing from members who said that training is important but they don't have the time and the budget to send their employees off-site for training and they wanted something that they could do on-site, so last year they came out with the Online University and just in case they might have misplaced their sign-on information she brought extra copies for the Town Clerk. She went on by saying that the Online University is available on the NYMIR website and they came out with Law Enforcement last year, which includes high-speed chase and use of deadly forces as well as land use training that can be used by the Planning and Zoning Boards who need 4 hours of continuing education. She continued by saying that they also came out with Parks and Recreation and she knows that the Town has a pretty active Park Program, which Nelson does a good job with and added that there is a tutorial that they can take for recreation liability and risk management. She added that this month they came out with defensive driving, which she thinks will be a big use for municipalities because there is a Highway Department and other employees who use Town vehicles who they would like to see have defensive driving and you use to have to go to a class and sit for 8 hours and now they can sign in at home or use a computer at Town Hall or the Town Garage and you don't have to do the entire thing at one time because you can do bits and pieces by signing on and off. She continued by saying that this is the only thing in their Risk Management Program that has a fee to it, which is \$19.00 a person and this is because the State has mandated course material that you have to use that they have to get from the State. She went on by saying that she thinks it is probably one of the most reasonable charges around and it can be done at the individual's convenience and is something that the Town can elect to pay for if they want or the employee can pay for it themselves because they get a credit on their personal line insurance if they take the course, which is an advantage to them. She added that the other thing that she wanted to bring to their attention is that from a risk management end they may have heard about a couple of Highway Garage fires that have occurred around the State and NYMIR has had several over the past couple of years and two that happened in December were theirs, the Town

of Marshall had a total loss to their garage and equipment of 1.3 million dollars and in Oneida County, the Town of Veteran had a partial loss of their garage and equipment for \$600,000.00. She continued by saying that they are working with the NYS Fire Prevention Services and the Department of Transportation to get further information on the fires, which is still preliminary but the fires along with Schoharie County who last year had a significant loss and had just under 1 million dollars loss to their Highway Garage and equipment, which seem to be coming from snow-plow truck fires. She went on by saying that they are looking at ways to prevent those and at this time preventative maintenance looks to be the best thing to do and she knows that it is really tough this time of year with the weather conditions that they are having. She continued by saying that she is also leaving a bulletin from NYS Fire Prevention along with an article about the truck fires and NYMIR asks that they take a look at their trucks and with the Town's very active Highway Superintendent he probably is already doing it. She added that they are also taking a look at disconnect switches or master switches that might help prevent the truck fires because it tends to be from the eroding of the wiring because over time because of the salt and type of conditions that they have, the wires come up and contact metal and this is when there is a truck fire and reiterated that disconnect or master switches might help to prevent that but they just got a picture and notice from the Department of Transportation that had a plow plowing the thruway that had a truck totally engulfed in flames and they lost the entire vehicle while it was in the action of plowing. She then asked if there were any questions about the NYMIR Program, hearing none she said that she would get to the main reason why she was present, which is the good news and added that two years ago she mentioned that the NYMIR Board had taken a look at the surplus, which has grown over a number of years and it has grown again because of the good work that their members have done with risk management and the NYMIR Board decided that it was time to return it to local governments so they can use it at the local level because they realize that they have tight budgets that they are dealing with and another reason that the surplus is growing is because NYMIR pays the lowest commission out there and many brokers are hesitant to deal with NYMIR because of the loss of income to them. She added that she thanks Rick Reith who has stepped up to the plate and his concern was doing what was right for the Town of Coeymans and he is a very active partner with the Town and NYMIR and works hard to reduce losses for the Town and makes sure that they are adequately insured and reiterated that they appreciate Rick and Stolz Agency. She concluded by saying that she was present to give to the Town a check for \$8,382.00, which she hopes that they find something to do with it.

Supervisor Youmans stated that he is sure that they can and then thanked Ms. O'Rourke.

Ms. O'Rourke thanked the Board and added that they appreciate their support.

Lafarge Plant Modernization Project Update

Supervisor Youmans continued by saying that they also have with them John Reagan who is the Environmental Manager with Lafarge and he was there to give them an update on the Modernization Project at Lafarge.

Mr. John Reagan thanked the Board for having him and added that it is good to be back and continued by saying that he wanted to give them an update as to what is going on and what they are looking forward to in the future. He went on by saying that last week was an important week for their Plant Modernization Project and DEC held its Legislative Hearing for both the draft permits and draft Environmental Impact Statement for the project, which is a pretty big step in the permitting process and he was present to report some of his takes on the meeting and an update of the schedule that they are looking forward to over the next few months. He added that the Legislative Meeting went very well and they received a lot of support from many people, including the Town and he wanted to thank them for their support last week and their support all along. He continued by saying that there were some people that raised some good points through their comments and he thought he could clarify some of the questions that people are asking to try and help people understand things a little better and he has a list of things that he thinks are the most salient points that were brought up and outlined the following:

- Confusion as to the monitoring that the new plant will do once it is operational.

Reply - The new plant will be equipped with continuous emission monitors and they will monitor for: nox, sulfur dioxide SO₂, particulate matter, carbon monoxide, carbon dioxide, mercury, total hydrocarbons and hydrochloric acid. In addition to that Lafarge agreed with DEC to conduct post construction ambient air monitoring and once the new facility is operational they agreed to set up two monitors for a one year period at locations to be decided by DEC, which they presume one will be at the school because they are across the street from them, to monitor for PM_{2.5}, which is particulate matter with a maximum diameter of 2.5 mil.

- Questions about regulations.

Reply - The EPA recently came out with new regulations for cement plants and the Portland Cement Assoc., which Lafarge is a part of, is suing the EPA over portions of those rules. The new plant is being designed to comply with the strict rules that are in place today.

- Comments about dust.

Reply - Today right now they have what is called a Fugitive Dust Plan and the plan is a document and part of their air permit and mining permit. It is a plan of all the different steps that they take during the operation of the facility to control dust. They will be updating the Fugitive Dust Plan for during construction and during operation of the new facility and whenever there is a change in the operation or when they discover a better method they revise their Fugitive Dust Plan. It will be revised for the construction phase of the project and then again once the new plant is complete to make sure that they are doing the best practices to control dust.

- Comments about the aesthetics of the facility, mostly from a local perspective about the road crossing of the two conveyors, one on Rte. 9W and the other on Rte.144 and also on the overall appearance of the plant.

Reply - They will be taking the comments to heart and they are going to develop a plan to work on the aesthetics of the facility. The conveyor belts are getting old and he can't say for sure what they are going to do, but they are going to try and make them look nicer as well as some landscaping to buffer the appearance of the facility especially from Rte. 9W. He hopes to come back to a meeting in the spring with a plan and some details as to how they are going to do that. Technically this is not part of the project for the new plant but in hearing the comments they think that it makes sense to do something and they will come up with some short-term things that they can do this year and long-term once they start building the new facility.

- Comments about demolition of the stack and concerns about how it is going to be done.

Reply - They have a schedule for demolishing the existing stack and it is laid out in their Environmental Impact Statement. That activity is several years away and they have to have the new plant operational before they can think about taking down the old stack. It will be a very sophisticated job and they are going to prepare a Demolition Plan at the time, which will take into account the safety of the workers as well as protecting the integrity of the other structures and protection of the environment.

- Comments about their quarry and their quarry reclamation.

Reply - They are proposing a new plant with a larger capacity, it might change the way that they operate their quarry. They have a Mining Plan and Reclamation Plan and it is built on the assumption that there is a finite quantity of limestone available for cement manufacturing. The amount of time that it takes to extract the rock is based on the demand for cement and during the past few years they have

producing a lot less cement than they were 4-5 years ago because of the economy. The Mining Plan contains the procedures for mining the stone and then reclaiming and restoring the quarry once they are finished. There will really not be a change in that overall plan; the timing might be different, which is based mostly on the economy and the demand for cement. Every year they restore and reclaim parts of the quarry and every year between 2-5 acres of land, which was previously mined, they restore and plant trees and grass.

Mr. Reagan continued by saying that his update on most of the comments and DEC's public comment period ends on February 22nd and he urges people that there is still time to participate in the process and the draft permit and Environmental Impact Statement are available at Town Hall as well on a website that they have set up, at www.lafargeravenafacts.com where you can go and view the documents and download them and in turn contact them if they have any questions. He added that after the close of the public comment period, DEC will prepare what is called a Responsiveness Summary so all of the comments that they received, they will respond to and then a final Environmental Impact Statement will be prepared along with a Finding Statement and in turn the agencies have the authority to issue the permits. He continued by saying that he is optimistic so far about the process and he thinks it is reasonable that by spring they will finish the process and obtain the permits and added that it is a long process, which he has been talking about for a couple of years but they are starting to see light at the end of the tunnel. He went on by saying that assuming his optimism pulls through, the remainder of this year consists of the final design of the new facility and procurement of the major pieces of equipment and construction will begin in 2012 although there might be some slight preparation toward the end of this year and added that it is a two year construction period so they plan and hope to have the new facility operational during 2014. He concluded by thanking the Board and added that he would be happy to entertain any questions.

Supervisor Youmans asked if there were any questions.

Councilman Boehm stated that he was able to attend the Legislative Hearing and added that there were a lot of Legislators from the Village, Town and State who spoke very positively about the economic impact that they currently have and what the modernization will do for temporary construction jobs and maintaining the local tax base and the good things that they do not throughout the state and the world. He concluded by saying that there are a lot of positive things and one of the things that was read into the record was a resolution that they had on June 22, 2009 supporting Lafarge and in speaking with the Board earlier in the day he wanted to read a resolution to reaffirm the Town's commitment to what they are doing and then read the following:

RES. #034-11 AUTHORIZE RESOLUTION OF SUPPORT FOR LAFARGE PLANT MODERNIZATION

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

WHEREAS, the Town Board of the Town of Coeymans recognizes that the Coeymans Cement Plant, a Lafarge North America Facility, located in Coeymans, New York, having produced materials vital to the construction industry for over 48 years, is a major employer and community partner in the Town, and

WHEREAS, the direct and indirect economic impact of the Coeymans Cement Plant is positive, significant and extends far beyond the grounds of the facility and deep into our community, and

WHEREAS, while the Coeymans Cement Plant and its dedicated employees have always produced high quality cement, now due to industry consolidation, global competition and technological advancement, Lafarge is modernizing the Coeymans Plant to reduce energy use, increase operating efficiency, improve environmental performance and maintain global competitiveness, and

WHEREAS, the investment by Lafarge in the Coeymans Cement Plant is substantial and will help secure good paying manufacturing jobs in upstate New York for the future, and

WHEREAS, Lafarge has affirmed its commitment to operating its plant in full compliance with all applicable DEC and EPA regulatory requirements and in a manner that is protective of human health and the environment, and

WHEREAS, the Town Board acknowledges the major investment Lafarge is making in their Coeymans Plant which will help secure and sustain good-paying, long-term jobs in Coeymans and surrounding communities, coupled with the significant economic impact in the local community and greater Capital Region, during construction of the modernized plant and after, and

WHEREAS, Lafarge has represented its environmental leadership in their commitment to design, construct and operate the new Coeymans Plant using the highest standards of control technology to ensure the protection of the environment and the health of area residents, and

WHEREAS, the New York State Department of Environmental Conservation is receiving public comments no later than February 22, 2011, and

WHEREAS, that the Town Board of the Town of Coeymans strongly supports this modernization of the Coeymans Plant which will likely ensure the long-term future of cement manufacturing in Albany County,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans authorizes the Supervisor to send this resolution of support as part of the public comment period.

Supervisor Youmans thanked Mr. Reagan.

Mr. Reagan thanked the Town Board for all of their support and added that as always they can contact Lafarge and they are willing to help.

PUBLIC COMMENT

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

APPROVAL OF MINUTES

Supervisor Youmans stated that there was one set of minutes from a Town Board Meeting on January 10, 2011 and continued by asking for a motion to approve them.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Touchette to accept the minutes as presented and read.

VOTE – AYES 5 – NAYS 0 – SO MOVED

SUPERVISOR’S REPORT

December 2010

FUND	BAL. FWD.	RECEIPTS	DISBURSEMENTS	BALANCE
General	\$345,689.81	\$ 43,080.83	\$269,621.20	\$119,149.44

Part-Town	\$220,458.52	\$ 4,953.10	\$ 42,220.40	\$183,191.22
Highway	\$ 45,661.61	\$111,220.98	\$ 53,132.59	\$103,750.00
Bridge Const.	\$314,516.51	\$ 75.61	-0-	\$314,592.12
Sewer	\$221,012.24	\$ 485.15	\$ 88,847.01	\$132,650.38
Special Water	\$ 25.98	\$.01	-0-	\$ 25.99
Police Forf.	\$ 5,072.86	\$ 5,853.32	\$ 4,052.46	\$ 6,873.72
Trust & Agcy.	\$ 18,348.62	\$232,068.91	\$232,258.71	\$ 18,131.82
Capital Proj.	\$ 35,975.94	\$ 7.63	-0-	\$ 35,983.57
Section 8 HUD Units -78	\$127,286.89	\$ 41,624.81	\$ 40,053.40	\$128,858.30
			Total Rec. Bal.	\$1,043,206.56

SAVINGS ACCOUNTS COLLATERAL COV. FDIC COV. COLLATERALIZED

Unemployment \$ 4,069.03	Bank of Greene	\$250,000.00	\$1,492,637.60
Grove Cem. \$40,811.98	National Bank	\$250,000.00	\$ 145,660.19
C/H Cemetery \$14,326.85			
Sewer – Ded. \$ 6,312.56			
Total \$65,520.42			

Supervisor Youmans asked for a motion to approve the report.

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, the Supervisor Report was accepted as read.

VOTE – AYES 5 – NAYS 0 – SO MOVED

DEPARTMENT REPORTS

Police Department – December 2010

Supervisor Youmans stated that they did have a Police Department Monthly Report but Chief Darlington called him earlier in the day and informed him that he was covering the fire most of the weekend and all of today and was not going to be able to make the meeting. He continued by saying that he would move that they table the report.

MOTION

On motion of Supervisor Youmans, seconded by Councilman Dolan to table the Police Department Report.

VOTE – AYES 5 – NAYS 0 – SO MOVED

Sewer Department – December 2010

Supervisor Youmans asked that Councilman Touchette give the Sewer Department Monthly Report.

Councilman Touchette continued by giving the report.

Supervisor Youmans asked for a motion to approve the report.

MOTION

On motion of Councilman Boehm, seconded by Councilman Dolan, the report was accepted as read.

VOTE – AYES 5 – NAYS 0 – SO MOVED

Town Clerk – December 2010

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

Town Clerk Millious continued by giving the report.

Supervisor Youmans asked for a motion to approve the report.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Dolan, the report was accepted as read.

VOTE – AYES 5 – NAYS 0 – SO MOVED

OLD BUSINESS

Authorize Chief to Dispose of Surplus Equipment

Supervisor Youmans stated that he was in receipt of a request from Chief Darlington to surplus some old equipment consisting of the following:

2008 Crown Victoria, 2007 Crown Victoria, 2005 Crown Victoria, 2003 Crown Victoria, 1998 Jeep, 2005 Volkswagen Golf, scrap rotors, misc. vehicle parts, misc. metals from closed cases, Pitney Bowes model C360 copier.

Supervisor Youmans stated that it is his recollection that it was discussed at the last Workshop and they were all in favor of surplus the equipment.

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, authorizing the Police Chief to surplus the equipment.

VOTE – AYES 5 – NAYS 0 – SO MOVED

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

NEW BUSINESS

Establish Special Town Board Meeting for Audit

Supervisor Youmans stated that a Workshop Meeting was scheduled for January 18th for the purpose of conducting the Town's Annual Audit of the Towns Department's books and due to the inclement weather they decided it was best not to proceed with the meeting and it was postponed. He continued by saying that he spoke to each Board Member individually and they decided that January 27th at 7:00pm they will conduct that audit. He then asked if everyone was still alright with that.

Collectively the Town Board agreed.

MOTION

On motion of Supervisor Youmans, seconded by Councilman Touchette, to establish a Special Town Board Workshop on Thursday, January 27, 2011 at 7:00pm to conduct the audit.

VOTE – AYES 5 – NAYS 0 – SO MOVED

Councilman Boehm suggested that Town Clerk Millious post a Notice.

Supervisor Youmans stated that Town Clerk Millious to his knowledge has handled the announcement of the meeting.

Town Clerk Millious stated that it did not go in the paper but it will be posted.

Attorney for the Town Wukitsch stated that it does not have to go in the paper and it just has to be posted on the bulletin board as long as there is two days notice.

Town Clerk Millious stated that it will also be posted at the News Herald and at the Ravena Post Office.

Authorize Milton Cat Service Agreement for Highway Generator

Supervisor Youmans stated that there is a request for the Supervisor to sign the Milton Cat Service Agreement for the Highway Department generator and added that it is a service contract. He added that it is his recollection that for the past several years that he has been here, they have entered into the agreement every year and it has paid off on a number of occasions and not only includes service should the generator break down but it also includes routine maintenance.

Highway Superintendent Deering stating that it is done twice a year.

Supervisor Youmans stated that the cost is \$1,092.00 and then asked for a motion.

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, authorizing the Supervisor to sign the Customer Service Agreement in the amount of \$1,092.00.

VOTE – AYES 5 – NAYS 0 – SO MOVED

Supervisor Youmans stated that he would sign it and send it out tomorrow.

Speed Limit Reduction

Supervisor Youmans stated that as they recall, at the last meeting Mr. Vadney from Old Ravena Road was present and requested that they reduce the speed limit on Old Ravena Road, which as a Town Board they can not do, nor can Highway Superintendent Deering do it without the approval of NYS DOT. He continued by saying that he has a letter that he has written to Walter VanDeLoo, Commissioner of the Albany County Department of Public Works and then asked Highway Superintendent Deering if this is where he starts.

Highway Superintendent Deering stated that was correct.

Supervisor Youmans continued by reading the following:

Dear Commissioner VanDeLoo:

Highway Superintendent Albert Deering has presented the Town Board a request for speed limit modification for a section of Old Ravena Road, whose speed limit is currently 40mph, from Rte. 9W to just beyond the CSX North Bridge to the Town of Bethlehem line. Superintendent Deering has recommended (copy enclosed) a speed limit reduction to 30mph.

The Town Board, at their January 24, 2011 Meeting, accepted the request and recommendation from Highway Superintendent Deering, voting unanimously to forward it to you to commence the Albany County review in conjunction with the New York State DOT.

Please keep me informed as to the status of this review; we appreciate your efforts in this matter.

Sincerely,

James C. Youmans
Supervisor

Supervisor Youmans asked for authorization to sign the letter.

MOTION

On motion of Councilman Boehm, seconded by Councilman Dolan, authorizing the Supervisor to sign the letter on behalf of the Town Board.
VOTE – AYES 5 – NAYS 0 – SO MOVED

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

RESOLUTIONS

Supervisor Youmans stated that he wanted to give some background on the first resolution and added that last week he met in his office with Mr. Cummings, the Director of Albany County Civil Service, and there were a number of Civil Service issues that he wanted to discuss. He continued by saying that one of the issues is that according to Civil Service Law, a Supervisor cannot have both a Bookkeeper and a Confidential Secretary as exempt positions and in turn he explained to him that he was going to have to pick either the Bookkeeper or the Confidential Secretary one or the other and then go to the list of people that have taken tests for those positions and hire someone off the list. He added that it didn't sit very well with him and as everyone knows Mary, his Confidential Secretary is highly qualified and Mrs. Chmielewski, his Bookkeeper really has done a tremendous job in getting things back in shape for them and he would describe it as he was almost indignant by that and in turn asked what else could be done and he came up with the title of Clerk to the Town Supervisor, which is an exempt position with Civil Service and from his discussion with Ms. Chmielewski, she is willing to change the title. He concluded by saying that it is not a new appointment, there is not a change in hours or pay and it is simply to satisfy a Civil Service requirement and then asked that Councilman Touchette read the following:

RES. #035-11 APPOINT CLERK TO THE SUPERVISOR

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

WHEREAS, Albany County Department of Civil Service has advised the Town that the position of Bookkeeper will no longer be an exempt positions, and

WHEREAS, the Town is desirous of retaining the services of the current holder of that title to ensure fiscal continuity, and

WHEREAS, Albany County Department of Civil Service has suggested the title of Clerk to the Supervisor, which is in the Exempt Class for all towns, and

WHEREAS, this position has the flexibility to perform the same duties that the incumbent is currently executing,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans adopts the title Clerk to the Supervisor, and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Coeymans appoints Nita J. Chmielewski to that title, effective immediately, with no change in salary.

RES. #036-11 AMEND DECEMBER ABSTRACT

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

BE IT RESOLVED, that the Town Board, of the Town of Coeymans, does hereby approve and allow the following amendment to the December Abstract (**indicated in red**)

FUND	VOUCHER #	AMOUNT
GENERAL (A)		
General Pre-Pay	2336-2393, 2446,2449, 2572, 2579,2581	\$306,254.18
General	2451,2496,2498-2504	\$ 31,398.51
	General Total	\$337,652.69
POLICE FORFEITURE		
Police Forfeiture	2497-2580	\$ 4,052.46
	Police Forfeiture Total	\$ 4,052.46
PART-TOWN (B)		
Part-Town Pre-Pay	2394-2406, 2450, 2573	\$ 45,030.18
Part-Town	2505-2506	\$ 1,512.22
	Part Town Total	\$ 46,542.40
HIGHWAY (D)		
Highway Pre-Pay	2407-2417, 2574	\$ 54,559.06
Highway	2507-2552	\$ 12,223.66
	Highway Total	\$ 66,782.72
SEWER (SS)		
Sewer Pre-Pay	2418-2438, 2575	\$ 22,384.07
Sewer	2553-2568	\$ 10,017.77
	Sewer Total	\$ 32,401.84
CAPITAL PROJ. (H35)		
Cap. Proj. New Sewer	2569-2571	\$ 61,816.79
	Capital Proj. Total	\$ 61,816.79
	Total For All Funds	\$549,635.13
TRUST & AGENCY (TA)		
Trust & Agency Pre-Pay	2439-2445, 2576-2578	\$328,649.71
	Trust & Agcy. Total	\$328,649.71

RES. #037-11 APPROVE JANUARY ABSTRACT

On motion of Councilwoman Rogers, seconded by Councilman Touchette, the following resolution was APPROVED – VOTE – AYES 5 – NAYS – 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, 2011 Abstract.

FUND	VOUCHER #	AMOUNT
GENERAL (A)		
General Pre-Pay	1-55	\$207,139.89
General	108-149,226	\$130,427.68
	(Pulled Voucher 129)	\$130,277.68
	General Total	\$337,567.57
		\$337,417.57
PART-TOWN (B)		
Part-Town Pre-Pay	56-72	\$116,142.53
Part-Town	150-154	\$ 4,719.03
	Part Town Total	\$120,861.56
HIGHWAY BRIDGES (DA)		
Highway Bridges Pre-Pay	73	\$ 85,000.00
Bridges	155	\$225,391.76
	Highway Bridges Total	\$310,391.76
HIGHWAY (DB)		
Highway Pre-Pay	74-83	\$ 60,554.48
Highway	156-205,227	\$ 37,345.89
	Highway Total	\$ 97,900.37
SEWER (SS)		
Sewer Pre-Pay	84-100	\$ 18,602.82
Sewer	206-221	\$ 23,581.07
	Sewer Total	\$ 42,183.89
CAPITAL PROJ. (H35)		
Cap. Proj. Sewer UV	222-225	\$ 46,276.16
	Capital Proj. Total	\$ 46,276.16
	Total For All Funds	\$955,181.31
		\$955,031.31
TRUST & AGENCY (TA)		
Trust & Agency Pre-Pay	101-107	\$242,370.82
	Trust & Agcy. Total	\$242,370.82

Councilman Touchette asked Councilwoman Rogers if she would be willing to amend the motion to remove from the A Fund – General Fund voucher #129 in the amount of \$150.00 for further review, which would make the General amount \$130,227.68 and the General total \$337,417.57 and the total for all funds \$955,031.31.

Supervisor Youmans asked if everyone was fine with it.

Collectively the Town Board agreed.

Supervisor Youmans stated that it would be with the exception of voucher #129 in the amount of \$150.00.

CORRESPONDENCE

Albany County Executive Office

Supervisor Youmans stated that he received a correspondence from Daniel P. McCoy, Chairman of the County Legislature and Michael G. Breslin County Executive and continued by reading the following:

Dear Supervisor Youmans,

Since 1992, Albany County has been authorized to collect an additional 1% sales tax. In 2010, this provision generated more than 22.2 million in revenue for the cities, town and villages of Albany County.

The authorization for the collection of this revenue will, by state law, expire on November 30, 2011. Enclosed is a chart showing how much revenue each municipality received from the additional 1% sales tax in 2010.

Under state law, the county must enact a Home Rule Request in order to extend this authorization. In considering that step, we would very much like to have your opinion on the matter.

Please write to us with your views, clearly stating whether or not your municipality supports reauthorizing the collection of the additional 1% sales tax. We would like to receive your letter by January 31, 2011. Letters will be presented to the County Legislature and to our State Legislative Delegation.

Thank you for your consideration.

Sincerely,

Daniel P. McCoy, Director
County Legislature

Michael G. Breslin
County Executive

Supervisor Youmans stated that this is an occurring situation and it comes up every 2 years and added that he will be reading the letter that he is sending back. He added that in the interest of disclosure he found the letter that Supervisor Hotaling wrote because he always admired his letter writing abilities and he changed it to reflect what it actually means to them at this point in the game and continued by reading the following:

Dear Chairman McCoy and Executive Breslin,

I received your January 18, 2011 letter on the above referenced subject and it was a subject of discussion by the Town Board at their January 24, 2011 meeting.

While all on the Board agree that municipalities should be holding the line on taxes in general, this particular additional 1% authorization appears too critical to permit at sunset. In the example attached to your letter, the additional \$446,314.00 in revenue generated for the Town of Coeymans by the 1% additional sales tax in 2010 represented a full 26% of our total sales tax revenue of \$1,785,255.00.

The Town Board has already begun to reduce non-essential appropriations in our recently enacted 2011 Budget in response to continued dire projection for our State's economy, which will obviously impact anticipated revenue such as sales tax. To potentially lose an additional \$446,314.00 in sales tax revenue due to the expiration of the 1% collection authority would require reductions in essential spending or cause unacceptable increase in local property tax rates.

The Coeymans Town Board unanimously supports the Albany County effort to renew and retain the authority to collect the additional 1% sales tax.

Thank you for your continued leadership on behalf of the people of Albany County.

Sincerely,

James C. Youmans

Supervisor Youmans asked the Town Board if they feel the same way that he does.

Collectively the Town Board agreed that they do.

Supervisor Youmans stated that he does not think that it requires any further action on their part and added that he will sign the letter and send it out tomorrow.

Assemblyman Steven F. McLaughlin

Supervisor Youmans stated that he was in receipt of a correspondence for newly elected Assemblyman Steven F. McLaughlin and continued by reading the following:

Dear Supervisor Youmans,

I'm proud to be writing you as the newly elected Assemblyman of the 108th District. I am committed to working with you to make our communities more vibrant and economically competitive in order to ensure that every person is given the opportunity to achieve their goals.

By working together, we will give the 108th District a strong voice in the State Assembly. In order to be of service to you and best meet your needs, I'd like to know what your top three priorities are for the upcoming Legislative Session. I know that budget constraints and unfunded State mandates have hit our towns particularly hard and I would like to be as helpful as I can in responding to the specific needs of your town. To be as effective as possible, I would like to be as helpful as I can in responding to the specific needs of your town. To be as effective as possible, I need your help identifying and understanding the challenges your town faces and discussing solutions. It's time State Government becomes a partner in facilitating progress in our localities and I will work endlessly to ensure that our priorities are met.

Also, I would like to join in future Board Meetings so if you could please notify me of the dates and times of any Town Board Meetings. I will certainly let you know in advance of the meetings I'll be attending. I plan on attending as many meetings as possible in order to understand your concerns and issues. I plan on visiting each community on a regular basis and will let you know in advance of my visit to see if you'd like to join me at events, etc. Likewise, if you'd like me to attend an event, function, or meeting, please let me know and I will do my best to be there. If I am unable to attend, we will try to have a staff member attend in my place.

Unquestionably, New York faces unprecedented fiscal challenges that require tough choices and real leadership. I look forward to working with you to meet the challenges that will move our state and our communities forward.

Sincerely,

Steven F. McLaughlin
Member of Assembly
108th District

Supervisor Youmans stated that he provided each Board Member with a draft of a letter that he intends on sending back and added that he would like the rest of the Board's input and asked that they read it, digest it and tell him if they think that there is anything that

they think should be added to it. He continued by saying that he appreciates his interest in the Town of Coeymans.

TOWN BOARD WORKSHOPS/MEETINGS

- Special Workshop, January 27, 2011, 7:00pm
- Town Board Meeting, February 14, 2011, 7:00pm
- Town Board Meeting, February 28, 2011, 7:00pm

ADDITIONAL COMMENTS

Supervisor Youmans asked if there were any additional comments.

Councilman Dolan stated that he attended on behalf of the Town, the Martin Luther King celebration at Pieter B. Elementary on January 14th and added that he spoke to two groups of children and it was reported in the News Herald. He continued by saying that he is pleased to report that a majority of the kids in the room expressed an interest in some kind of public service, particularly an Elected Official. He concluded by saying that he was happy that there was a celebrity in the audience at the afternoon session, Linda Boehm, Teacher of the Year.

Supervisor Youmans stated that it was quite an honor that Ms. Boehm was given at the school and added that she is a tremendous teacher. He then thanked Councilman Dolan for attending the event, which was an important event.

Councilman Dolan stated that two of the churches were represented by Mrs. Datri and Pastor Booth and added that it was really nice.

Supervisor Youmans asked if there were any additional comments.

Attorney for the Town Wukitsch stated that he assisted Chief Darlington in drafting an Abandoned Vehicle Policy, which they pretty much finalized and they will be bringing it to the Board next month for review and possible approval. He continued by saying that he has reached without getting in to the details, a favorable, tentative settlement with the Bank of Greene County on the tax case that has been pending for a few years. He went on by saying that the drafts of the proposed lease for J&S / AT&T were close to being closed but there has been some misunderstanding relative to the situation and they are hoping to wrap it up in the next few weeks and added that the changes he requested on behalf of the Town, they pretty much agreed to. He continued by saying that the Board has seen copies of the Mud Hill Road Agreement as it has progressed along and then asked Highway Superintendent Deering if he had seen or was aware of any of it.

Highway Superintendent Deering stated that he hadn't lately.

Attorney for the Town Wukitsch stated that there are continuing complaints relative to the plowing and recently there was one from someone that said they didn't know what they were suppose to do if they didn't plow it correctly.

Highway Superintendent Deering stated that he was aware of that.

Attorney for the Town Wukitsch stated that he is hearing it from the Attorney that is representing the parties. He continued by saying that with the Agreement, he wants to get the Board's view as to if they want him to continue to negotiate the Agreement with the Attorney's that are representing Bouchard, Neumann and Labocetta and added that he is not sure that they have all seen it. He went on by saying that he will e-mail it to each Board Member and see what their view is on whether it is an Agreement that they feel they have to have in place.

Supervisor Youmans stated that the last iteration that he sent to him sits on his desk and he has not distributed it because it seems that every time he sees a different document, something has changed. He continued by saying that if Attorney for the Town Wukitsch feels that it is the end of the line and they are not going to make further demands, he would say to e-mail to everyone. He concluded by asking that each Board Member take a look at it and decide if it is the thing to do and added that he will follow Attorney for the Town Wukitsch's advice.

Attorney for the Town Wukitsch interjected that he believes that Highway Superintendent Deering should see it as well.

Supervisor Youmans stated that it makes perfect sense and then asked that Attorney for the Town Wukitsch send a copy to him as well. He continued by saying that it has been an extremely challenging January for Highway Superintendent Deering with the amount of snow and ice that we have had and added that he drives on the roads in town on a daily basis and he wanted to thank him and his men for the job that they have done plowing and keeping up with it and it is a job well done.

Highway Superintendent Deering thanked Supervisor Youmans and added that he is sure that his crew thanks them too. He continued by saying that he would like to get on a Workshop Agenda for discussion of equipment.

Supervisor Youmans stated that he was on the agenda for last week's Workshop and added that he is on the next one. He continued by asking for a motion to adjourn the meeting.

ADJOURNMENT

MOTION

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

VOTE – AYES 5 – NAYS 0 – SO MOVED

Time: 8:00pm

Respectfully Submitted:

APPROVED:

Diane L. Millious, Town Clerk