

**A Town Board Meeting was held Monday, April 9, 2012, at 7:00pm at Town Hall, 18 Russell Avenue, Ravena, New York**

**PRESENT:** Stephen D. Flach, Supervisor  
Dawn L. Rogers, Councilwoman  
Thomas A. Boehm, Councilman  
Thomas E. Dolan, Councilman  
Peter E. Masti, Councilman

**ALSO PRESENT:** Diane L. Millious, Town Clerk  
Greg Darlington, Chief of Police  
Albert Deering, Highway Superintendent

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

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### **OPENING COMMENT**

Supervisor Flach stated that the record should reflect the presence of a full Town Board.

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### **AGENDA**

- Presentation
  - Albany County Executive, Daniel P. McCoy
- Public Announcement
  - Free Electronic Recycling Collection
- Public Comment
- Approval of Minutes
- Old Business
- New Business
  - Seasonal Rental of Portable Sanitation Units for Town Parks
  - Highway Superintendent's Request to Attend 2012 Highway School
  - Authorize Signature for Amendment to Group Life Insurance
  - Resignation of Court Clerk
  - Resignation of Police Officer
  - Highway Department Request to Extend Seasonal Employee
  - Establish Public Hearing Date to Amend Chapter 138 of the Town Code
  - Grange Week Proclamation
- Resolutions
- Correspondence
- Town Board Workshops/Meetings
  - Town Board Workshop, April 17, 2012, 6:00pm
  - Public Hearing, April 23, 2012, 6:30pm
  - Town Board Meeting, April 23, 2012, 7:00pm
  - Town Board Meeting, May 14, 2012, 7:00pm
- Executive Session
  - Personnel Issue

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### **PRESENTATION**

**Albany County Executive – Daniel P. McCoy**

Supervisor Flach stated that Albany County Executive Daniel P. McCoy was present to make a presentation on the state of the County and then invited him to the microphone.

**Daniel P. McCoy** thanked the Town Board for the opportunity to come and speak with everyone and added that he appreciates it and he is going around Albany County and doing a State of the County to describe some of the difficulties that they are faced with as residents of Albany County. He continued by saying that they might not be aware that they passed a 8.7% budget last year, which amounted to a 560 million dollar budget and out of that they have a ton of unfunded mandates that they have to pay for that the Senate and Assembly passed down to the County, which makes it tough. He went on by saying that he is going around telling town residents that the Senate and Assembly races are up this year and they should talk to their candidates and let them know what's going on and they have NYSAC (New York State Association of Counties) who are pushing 9 for 90, which are the top 9 unfunded mandates that they get hit with and out of them, they would have to raise Albany County Taxes next year 9.33%, so far, which he is not saying that they are doing. He added that in looking at the 560 million dollar budget, 30 million is debt services so out of that they are operating on 530 million and then you take 94 million out of that because the sales tax in Albany County amounts to roughly 230 million dollars and it is split amongst all the municipalities in Albany County and then there is 179 million dollars in their budget that is unfunded mandates, which means they have to match it 81 million. He continued by saying that if you think of that in their tax levy, it makes it difficult and right now in Albany County, the tax levy with the 2% Property Tax cap, amounts to 1.6 million dollars that they can raise off Property Taxes a year and Medicaid alone, last year went from 58 million dollars to 63 million dollars, and they have no control over the Program, which makes it difficult and if you look at that alone, the increase to pay for Medicaid next year in Albany County, it amounts to 1.26 million out of the 1.6 million, so the rest after the 1.26 million dollars has to pay for the unfunded mandates. He went on by saying that there are some difficult decisions and there is a 2% cap, which he is in favor of, as is everyone else, but it comes with a price and in looking at what the School Districts are going through right now trying to live on a 2% cap as well as Towns and Villages and it makes things difficult in moving forward. He continued by saying that Albany County could never meet a 2% cap and reiterated that it is because of all of the unfunded mandates that they have to pay for and have no say over and in the budget process even before the budget was passed, the Senate and Assembly passed a mandate for more money for foster care, which cost the County \$220,000.00 and then they passed a safety-net for another \$60,000.00 and their budget is already in place, like the Town's budget. He added that alone is almost \$300,000.00 that they have to find on top of all the one-shot wonders that they did in the Legislature because last year during the budget process they put in that they have to sell a lake and they gave it a price tag of \$500,000.00, they have to self-insure, they have to buy the Family Court building and find an additional \$750,000.00 in savings in the County, which are all things that they did to get an 8.7% budget. He went on by saying that they came up with 8.7% because it is what the Legislative body could live with because it was when the cap was first coming into place and no one wants to raise taxes but it really does not sustain anything. He continued by saying that if you look at what is not unfunded and what they can go after such as the Albany County Nursing Home, the Albany County Jail, road patrol, health, mental health, all areas that they provide great services to the residents of Albany County, and this is what makes it difficult going forward. He added that he did support Tier 6, not because he believed in it, but they needed help and he looked at their Retirement System and they amortized 4.3 million last year and 8.3 million this year and probably 9.3 next year and the three IOU's that are owed to the State Pension System, the interest on that alone is 4.8 million dollars and they owe 22 million dollars next year for retirement, 68 million dollars over the last three years. He continued by saying that Tier 6 is a step in the right direction, but it is not going to benefit him as County Executive but will probably benefit the County Executive 20 years down the road and when he met with employees of Albany County he told them he is not worried about future jobs, he is worried about present jobs today because there are not going to be any future jobs if they don't get their hands around the problems that they are all facing. He went on by saying that when he put his Consolidation Team together, and they started looking at it before he took over as County Executive, he asked how they could do things differently and what could they do to better service the people of Albany County and he said they have to do things cheaper and they have to do it where they can deliver the same service better. He continued by saying that they came up with some recommendations and if you look around at Ulster and Dutchess Counties, they consolidated their Mental Health Departments with their Health Departments to try and

save money and they are going to do that in Albany County, which will take place over the next couple of months and he is hoping that they have a savings. He added that in looking at the Nursing Home, which he is a big advocate, his passion for the seniors in Albany County has not or will not waiver but they have to do things differently and this year at the Nursing Home they are going to spend roughly 12.5 million dollars to operate the 250 bed facility in which there are approximately 227 seniors with approximately 325 employees. He went on by saying that he gave four options, which were, continue on and operate the way that they have been, and for anyone following the news knows that the State of New York shot them down for a new facility and said that the County has to come back with a feasibility study on how much the nursing home is going to cost them going into the future. He continued by saying that their second option is that they hire an outside management company run the nursing home and take the County out of it and get professionals in there to operate it better and the third option is to do a Benefit Corporation and like the Airport Authority when the County took themselves out of it and they would run it and be separate from the County with the fourth option being to privatize it. He added that they did two studies, one when he was Chair of the Legislature and his predecessor did a study and they found that the issue that they have is that they still have to pay 10 million dollars a year for seniors and in going around to municipalities and talking to people, someone said that there are many vacancies and he challenged the person by telling him to try and take someone out of the County Nursing Home and put them someplace local. He went on by saying that they come to the Albany County Nursing home because no one else wants them and they take those with dementia, those who are combative and those who are hard to place and the other nursing homes pick the better seniors to take care of and reiterated that Albany County gets those who no one else wants. He continued by saying that if you have been following what the Governor is saying, all of the seniors that were shipped out of New York State want to come back but they are shipped out because they have special care that they do not provide in Albany County and they are going to bring them back but if they don't give money to take care of them, they are no better off than they are with them being out of Albany County and it is a moral dilemma. He added that people are having a hard time paying their taxes, rent, mortgages, putting food on the table, finding jobs, etc. and reiterated that it is a tough moral decision and he decided that he had to go throughout the county and let people know what is going on and he knows what Albany County needs but he needs input from the citizens and the Legislature needs input and people should pick up their phones, send e-mails and let them know what is on their minds and what they want out of Albany County. He continued by saying that they have been a silent partner and there a lot of things that they need to do differently to be effective on their side and went on to say that there is good news too and the Governor passed a Medicaid Free Design Team to offset administration costs of Medicaid, which next year would have meant a \$526,000.00 savings to Albany County but the Senate and Assembly changed it a little bit so they are only going to get \$292,000.00 and they would have had a hard cap savings of 1 million dollars by 2015 but they changed the formula and they won't save as much, but there is a savings and it is a step in the right direction and they are finally getting some mandate relief. He went on by saying that the only other problem is that they took the Medicaid, which was capped in 2005, and they changed the cap from 2005 to 2010 or 2012, and they changed some numbers around. He added that he was on a radio show and was asked what his ideal job would be and he said he was going to run for the Senate and when they asked why he said that he said that he will be unopposed, no one will challenge him, he won't have to raise any money and he will win every other year with no problem. He continued by saying that he was asked how he would do that and he said that he will pass a law in New York State that every 16 year old kid gets a brand new car and their municipality will pay for it, because in essence this is what they do to us in saying that they have a great idea and they don't care how it is funded but you are going to fund it and then it gets passed down to the County and in turn the County has to pass it on to the municipalities or they try to absorb the cost some how. He added that though it sounds funny, it really isn't and this is what happens to them and he could go on from early intervention, to foster care, an alternate Public Defenders Office, a Public Defenders Office and an 18V Program where if a judge feels as though there is a conflict in their offices, the person being charged can get one of the attorneys and the County has to pay for it, which is 7 million dollars alone in the County that they have to provide to someone who gets arrested with no control over it. He went on by saying that another thing that he brings to everyone's attention is that in 1971 a State Senator passed a law,

and he said that they were going to tell any county that does not have a Community College, that they are going to encourage attendance at a Community College, and Albany County has to pay a percentage to that college, which is Hudson Valley Community College and they are spending 11 million dollars a year on community colleges for residents of Albany County, 9 of which goes to Hudson Valley. He added that they have to address it and there are only a couple ways of doing it and the first option is that he can take that bill and pay it and in turn pass it down to the residents because it is the same tax base and no difference between whether the County taxes for it but it is cheaper if the County does it because he can spread it out over approximately 300,000 residents vs. the population of Town. He went on by saying that the second option is that do a Regional College and they had their first Regional Meeting a month ago and sat down and discussed how they can do things at a regional approach and they talked about a Regional College but Rensselaer Legislature, ten years ago, capped themselves at 3.2 million and he suggested that they cap the County at 7 million to save 2 million for the taxpayers of Albany County and in return he got a four page letter telling him that they won't work with him. He continued by saying that they are working with Schenectady Community College and they are trying to get them downtown in the City of Albany and it looks like it is going to happen and they might get some relief and he did lobby the Senate and Assembly and they had a Chancellor from SUNY look to see what the impact is on the 62 counties for paying it, which is true mandated relief because if they don't have pay the 11 million, he won't have to raise taxes and he might be able to get through one year with true tax relief for the people of Albany County. He added that he knows that kids are having a tough time paying for college but there are mechanisms like joining the National Guard and go for free as well as the GI Bill and grants out there so there is encouragement for them and he is not saying that the County should not take a part in it but there are times when you have to roll up your sleeves and do things differently, and this is one of them and this is why he brings that program up and why he is pushing it. He continued by saying that he is not just looking at the doom and gloom and they are doing things differently and in Albany County they have to treat it like a business and they have to stop treating it like a government and they have to strive to make money and one of the things that he proposes is doing a Local Development Corporation at Albany County to basically be the conduit in Albany County because one of the things that he noticed is that the county is losing a ton of companies such as a cement company in Cohoes, a paint company in Menands, a Vitamin Water company in the City of Albany, FEDEX is Colonie and a liquor distributor in Colonie and reiterated that they are losing a lot of businesses. He added that there are 8 IDA's in Albany County and 53 Authorities and he sat everyone down, which was the first time that they had talked in six years and as they were talking, the left does not know what the right is doing and he told them that he is not there to tell them what they need because it is not his job but if a company does not want to be in the City of Albany he could point out the good things that they have to offer in another community in Albany County. He went on by saying that when he was campaigning he was asked who someone could call for Economic Development and he had been in the Legislature for 12 years and he could not tell him who because he didn't know and this is what they need. He continued by saying that another thing that he is doing is an incubator, at 112 State Street and they are hopefully going to partner with the University of Albany and have already partnered with Tech Valley Communications, which is going to give them free internet and phones and they are going to create an office for 12 months and what will happen is that they will find companies that are upstart companies that just need extra help so they can concentrate on making their business grow and the only agreement that he will have with them is that for five years they have to stay in Albany County. He added that they are doing a partnership with a company that opened up on Broadway and they actually rented office space out for a day and he thought it was perfect because they can build them up there and then push them out through the County. He went on by saying that Albany County taxes are the 10<sup>th</sup> lowest out of the 62 counties in the State of New York and it's hard for people to believe and he argued with a radio show host that says to move up to Saratoga and do business in Saratoga and he challenged him on the air by saying that Saratoga is number 6 but they must be doing something wrong because they have a casino, two race tracks and there population is not even half of Albany County and they should be the lowest at number 1 and continued by saying that Rensselaer County is 24, Schenectady is 34 and if you take those two counties and combine them, it would be the population of Albany County, so they must be doing something wrong. He continued by

saying that he wants to make it perfectly clear and it is no excuse to say that this is why we tax you and they have to do things differently and they have to try to be better and if you look at what they are doing, they are doing a great job and in the last 8 years they eliminated through retirement 800 jobs but the problem is that they are operating a County on 2,500 employees vs. 35 so they need to look at partnerships on the outside. He added that one of the things that he found disturbing was in the billing for mental health, they hired a consultant who showed them how to bill, when the County should be showing people how to bill, so their billing practices are messed up, which they are now straightening out and they will be doing things differently because they have found some money, which he will be announcing next week. He went on by saying that even though they know they are doing things good, they need to be better and one of the discussions has been sales tax, which is split 65/35 and Albany County is one of the most generous when it comes to sales tax in the way that they give it back and the reason why he says it is because the Legislature was looking at changing the formula to help pay for the unfunded mandates and to offset the things that they have no control over. He added that they generate approximately 83 million dollars in property taxes in Albany County and earlier he mentioned that 58 million went to 63 and in another 2-3 years it can creep over what they just collect in property taxes, so something has to give and they were hoping that the Governor was going to take over Medicaid, which is done in other states, but the State of the State indicated that it was not going to happen. He continued by saying that they have no control over it, which is the hardest part and they implement programs but at the end of the day they have no say, which makes it tough and it's no excuse but he wants people to realize what they are up against, which makes it difficult for decisions going forward and in looking around the County, they are hurting because of the 2% cap. He went on by saying that there are things that they have to do differently and some of the things that he made a difference with is that he partnered with Sheriff Apple and took over the 911 in the City of Cohoes and they are going to save them approximately \$400,000.00 this year and they took over Watervliet, which will save approximately \$160,000.00 as well as looking at other municipalities that they are matching up with the 911 consolidation, countywide Police, S.W.A.T., fire and other shared services. He added that two months ago he had a meeting at The Crossings with the 19 municipality leaders in the County for the first time ever and they put together a Highway Consolidation Grant for the State of New York, which they will find out in June if they get it and it will be for sharing highways and different road ways and having partnerships with other municipalities. He continued by saying that these are the things that they need to take a look at and the way that they do business today is not the way that they do business in the future and anyone can be a ship captain in a storm but not to many people can get the ship back to the dock. He added that they are in a recession but they are coming out of it and the sales tax revenue that they made last year was equivalent to 2008 and this year is flat, which has a lot to do with the hurricanes that we had last year and people rebuilding so in essence they made an extra 5 million dollars, but this year, so far it has been flat and it affects us all. He went on by saying that they can go either way come the end of the year and it is a crap shoot because they did tell the Legislature that they are going to make an extra 3 million off sales tax, which they don't know if they did yet as well as just getting a bill from the Federal Government for 3 million dollar for IGT (Inner Government Transfer of Funds for the Nursing Home) and they are suppose to match them so much money to get it, so if they gave 8 million, they are suppose to match them 4 million but they did 31% instead of 50% so now they are saying that Albany County owes 3 million dollars and they want their money yesterday. He continued by saying that these are things that they are approached with every day, so the money that they found and saved the last couple of months that he has been in office, they are paying back out on another bill that they didn't know they had and the situation is that in the future they need more Shared Service Agreements and consolidation, which is up to the people of Albany County and what they want out of their government and they need to speak up and tell them by reaching out to the Town Board, Legislators, Senate and Assembly and let them know that we need unfunded mandate relief because in looking at the budget of 560 million, 179 million they have no control over, which makes it tough and out of the 83 million in property taxes, they take home about 135 million out of the sales tax and with the County Clerk where they generate the mortgage tax, it is roughly 230 million. He concluded by saying that the County is operating in there except for the 3 million dollar deficit and the County is right where it needs to be except for the deficit and the

problem is the unfunded mandates that they can't control and this is what throws them off. He then asked if there were any questions.

**Ms. Donna Pasquini**, from the audience, asked if there is a cap on school taxes.

County Executive McCoy stated that school taxes are different and in the Legislature, in the County, to override the 2% property tax cap they need 60% of the vote, which is 26 Legislators have to override it and after that they only need 50% of the members to decide whatever it is going to be. He continued by saying that for the school you would need 60% of the voters to come out and approve the budget, which makes it a lot harder for School Districts and in Albany there are 15 Charter Schools and the poorer neighborhoods are not going to come out and override a budget, the wealthier area will because they want their schools and private schools. He added that this year is their testing ground but next year it will be even tougher.

Ms. Pasquini stated that she goes to School Board Meetings and the budget they are looking at now would be an 8.6% increase, possibly dropping to 7% and she was wondering how it could be that high.

Mr. McCoy stated that it will go to the voters and if it does not pass they will get a second shot at it.

Councilman Dolan stated that it includes things that are not covered and if you lose income, like they did with the PILOT Agreement, it is not counted in the 2% tax increase and there are things in that 8.6% increase that are not covered under the 2% tax cap.

**Ms. Anne Marie Vadney**, from the audience, stated that because of the money that they lost with the business in our community, they have some kind of exemption which allows an increase over and above the 2% and there a couple of other areas that they adjust.

County Executive McCoy stated that it is tough and you really have to know what you are doing on it.

Councilman Masti stated that with the school taxes, there is a whole page of formulas with numbers that affect how you tax and then asked if the County Budget is the same thing where you can have a 2% cap but then increase it.

County Executive McCoy stated that with consolidation they can and there is a mechanism that overrides it and this was the dilemma as they merged with the 911 System, which saves money because when there is a merge, someone grows and now he has to explain to the residents why the County grew when everyone else is shrinking. He added that though there is the mechanism, it is getting the word out to the public as to why, and there is a trade-off for consolidation.

Ms. Pasquini inquired about whether the local municipalities are allowed to go over the 2%.

County Executive McCoy stated that he believes that they have to have a certain amount of the vote to go over the 2%.

Councilman Dolan stated that they would need three votes on the Town Board and there are some things not included such as any retirement cost over 2% and it is not included in the 2% tax cap.

Ms. Vadney stated that the community started a Greater Coeymans Ravena Business Group because they were finding a lot of vacancies in the area and they are involved with the Board of Education because of the increases in taxes and she concurs with not being able to find anyone in the IDA Economic Offices of Albany County because she has called and only gotten answer machines. She added that she has been trying to reach them to identify what types of grants and loans are available within Albany County because in Green County, which she is very familiar and they have start-up money, grants and loans

for existing businesses as well as new businesses and then asked if she can contact his office to find out this information.

County Executive McCoy stated that she should call his Office to get contact information.

Councilman Masti asked County Legislator McCoy if he has any pull with DEC.

County Executive McCoy stated that he will be doing a press conference tomorrow at 2:00pm to talk about some initiative for the abandoned buildings that are in the county.

Councilman Masti stated that he was just thinking about getting the creek cleaned out and straightened out.

County Executive McCoy continued by saying that the hardest thing is the unfunded mandates and taxpayers need relief and added that New York State closed all the mental hospitals across the State of New York and it was a big mistake because taxpayers are now paying for it now and Albany County put a 35 million dollar wing on the Albany County Correctional Facility for mental patients that are incarcerated and there are doctors around the clock, seven days a week, 24/7, which saved the State money and they did a good job on their side but they passed the buck to the County. He continued by saying that he hoped that they put a 2% cap on all their programs because that is how you can start living within it but you can't when they don't cap themselves and people need to realize that they are doing their jobs. He went on by saying that he could turn around and give them a bill for their college and they all would be screaming at him and added that that's the problem and it's not fair though it would make him look good going into his first budget process but he would be doing what the Senate and Assembly do to the County. He concluded by saying that the sales tax revenue for the Town of Coeymans generates approximately 2.2 million, which is split with the Village of Ravena, but everything has a cost and that is the problem.

Ms. Anne Marie Vadney stated that he keeps talking about unfunded mandate relief and then asked if there is a list of what they are mandated to fund so that the voters can be aware of what they are.

County Executive McCoy stated that it is mostly Medicaid, foster care, early intervention, what they pay for the alternate Public Defenders Office, the Public Defenders Office, and college tuition and added that the list can be found on the NYS Association of Counties website and they are doing a 9 for 90 Program, which pushes out the top nine.

Supervisor Flach and the Board collectively thanked County Executive McCoy.

County Executive McCoy thanked the Town Board for having him.

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**PUBLIC ANNOUNCEMENT**

**Free Electronic Recycling Collection**

Supervisor Flach read the following:

Reminder to Town residents – there will be another Recycling Day for computer and electronic equipment on Wednesday, April 25<sup>th</sup> from 7:00am to 3:00pm at the Town's Beautification Department, 70 South Main Street in Coeymans, the former Coeymans Firehouse. Town personnel will be available to assist you.

Residents are asked to drop off only items such as: televisions, computer equipment, typewriters, video game systems, cell phones, I-Pods, monitors, scanners, ink cartridges, fax machines, printers, keyboards and other computer accessories.

The list has been posted on the Town's website of items that can and cannot be accepted. You can also call my office at 756-6006 for the information.

Councilman Dolan reminded him that there will be a drop off for the Lion's Club.

Supervisor Flach stated that there will be a separate box for cell phones, which are used for those that are vision or hearing impaired.

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**PUBLIC COMMENT**

Supervisor Flach invited the public to comment at this time.

**Mr. Carver Laraway** stated that he is from the Port of Coeymans Recycling Center and added that he is looking to the Town for direction on how they would like to proceed with the recycling operation. He continued by saying that he bought Donald Trickey's property which adds to the Port and they are looking to do more of the recycling for the community and right now according to Town Law they are not allowed to take from other communities and it would be just from inside this community and also outside of state and he was directed to the Town Board to see if there is an adjustment in the law. He went on by saying that each person generates about 4 ½ pounds of waste per day per person and what they are looking for is to recycle paper, cardboard, tires, concrete, stone, plastics, e-waste, batteries, white goods refrigerators, stoves, washers, and dryers, which would help clean up the community and at the same time it would offer jobs, a tax base and the law requires them to recycle and if they can recycle half of what goes to landfills, it is a good idea. He continued by saying that he is looking to the Town to see if this would be the right place to put it and if it is not, they will look elsewhere but it kind of fits with the other stuff that they are doing at the Port and they are looking to process glass and other things. He concluded by saying that he is looking to the Town Board to modify the law so that it is an acceptable business that they can move forward with

Supervisor Flach stated that there is a modification of Law 138 that they had Attorney for the Town Wukitsch look at and they are going to present it so they can have a Public Hearing on April 23<sup>rd</sup> prior to the next Town Board Meeting.

Councilman Boehm inquired as to if it will be a Transfer Station or Recycling Facility and whether or not there will be an opportunity for local residents to bring things in.

Mr. Laraway stated that he guesses that with the law that goes along with it, part of it will be a transfer permit because of taking the plastics, glass, cardboard and tires and there are certain rules and regulations that the State says they need to follow and it would obviously be part of it and if there is a transfer permit needed, they will apply for all the necessary permits.

Councilman Boehm asked if there will be an opportunity for local residents to bring their things down there too.

Mr. Laraway stated that they will and added that there is a value to all of this now and 4 ½ lbs of waste a day per person that is generated is a lot of waste and their objective is to do 100% recycling and added that by hearing the doom and gloom about the County, they might want to look toward it.

Mr. Masti stated that he mentioned batteries and continued by asking if there is a possibility that they can do fluorescent light bulbs and mercury things and his biggest concern is that people are just throwing them away because there is no place to recycle.

Mr. Laraway stated that they will take them and continued by asking what people do with old paint and added that there is a proper way of getting rid of it, short of throwing it in your trash and letting County Waste worry about it. He went on by saying that there are recycling centers that restore waste oil to new again and there are good practices available and Local Laws need to say that rather than not wanting to deal with it and just

throwing things in the garbage cans, there are proper ways of handling everything, which is an important factor and the Town needs to look at it and open it up to give people the right opportunities and continued by saying that the property fits well with it and they are excited for more growth in the area.

Councilman Boehm inquired as to how many more jobs it will generate.

Mr. Laraway stated that it will be 4-5 and it would depend on how they step it and handle it and added that he applauds that they are doing the Electronic Recycling in the community and they need to open up to more of that.

Councilwoman Rogers stated that she thinks that it is a great idea and added that all of the neighboring towns have it, which includes towns smaller than the Town of Coeymans.

Mr. Laraway stated that there is no where to go with tires that you don't want and there is no place to take them and added that you usually find them dumped along county roads are thrown in the woods.

Highway Superintendent Deering stated that they pick them up.

Mr. Laraway asked him what they do with them.

Highway Superintendent Deering stated that they then have to pay to dispose of them.

Mr. Laraway stated that there is a value to them and there is a value to everything and as fuel increases in cost, they start looking for ways to improve their system.

Councilman Dolan asked if they are talking about the Trickey property separate from the Port and if there is a plan for vehicles coming southbound to get into the driveway.

Mr. Laraway stated that it was the Trickey property and they are addressing the issue of the traffic and hopefully by mid-summer it will be taken care of.

Councilman Dolan stated that he has seen some close calls on that turn.

Mr. Laraway stated that unfortunately it is not a great place for right-hand turns and they have recognized it and have a plan to fix it.

Councilman Boehm inquired as to if Coeymans' residents can bring down the items he mentioned free of charge.

Mr. Laraway stated that they can and they are looking to scale up to get a cardboard compactor and they are going to revamp the building so the stuff that should be inside, is handled inside because you don't want the environmental weathers to contaminate it and they have done some work to modify it and a couple members of the Board has seen some of the improvements.

Councilman Boehm stated that it is not a Transfer Station in the true sense and then asked whether or not you could bring a bag of household waste.

Mr. Laraway stated that they could not at this time and it is plastic, cardboards, waste oil and anything else that basically needs to be handled in a proper means and method would be handled and they would recycle what they can and export what they cannot, like plastic for plastic pallets.

Ms. Sylvia Lawler introduced herself as a resident of the Town of Coeymans and continued by asking why it would involve changing Local Law 138 and added that they are not allowed to import trash from other interstate municipalities but have to allow from out-of-state.

Councilman Dolan stated that he believes that there has been an opinion that in order for them to accept even recyclables from not in the Town, they would have to have that exemption in the law.

Ms. Lawler asked why we would want to receive recyclables from other than the Town and added that if they start doing this, there will be a tremendous volume coming into this tiny town. She added that she knows that they plan another way for the trucks to get in, and she is truly concerned about the fact that trucks go off without tarps and for a few days they cover and then a few days later stuff is flying off the trucks all over Rte. 144. She continued by saying that they will have a Public Hearing on this and reiterated that she was just wondering how it would affect Law 138 and added that she does not think that anyone needs to say anything to them because she has spoken to them and she believes that they truly are concerned and you cannot watch every truck, every minute and they have tried to make sure that the drivers tarp the trucks.

Councilman Dolan stated that to answer her question, the purpose of changing the law is to allow for recyclables from outside the Town to be recycled there.

Ms. Lawler stated that she will consider that at the Public Hearing.

Supervisor Flach asked if there were any other comments.

**Ms. Mary Driscoll** stated that she had a couple things to address and continued by saying that to Chief Darlington that she wanted to thank him for arresting anyone who has been drinking and driving and added that they could be saving her life as well as their own life and any Officer that does it should be thanked. She continued by saying that last week there was a Village Election and she has probably voted in more elections, than those on the Town Board has had birthdays and she was stunned to walk in to see an incumbent candidate sitting there who was a poll watcher for election. She added that there are young men and women all over the world fighting to get free elections for those people and she always thought our elections were free. She went on by saying that she did not appreciate seeing that and she called Albany County Board of Elections and was told that it is legal but there are other people that have agreed with her that it is not morally or ethically right and the Legislature has a bill to make it so the candidates cannot be a poll watcher. She added that to her it was government interfering with an election and later on she was more astonished to find out that his authorization had been signed by the Chairman of the Democratic Club, who is also a Town Councilman and to her it is interference with the election, interference with Town Government and the Village Election, which may be right and legal but she thinks that morally and ethically it is wrong and she feels that Councilman Dolan should resign his position as Democratic Chair and she does not see how he can be Democratic Chair and represent all of the people of this community on the Town Board. She reiterated that she believes it was an interference of government and to a free election and she would hate to see it happen again

Councilman Dolan stated that he wanted to point out that he did not sign any such document and the Town Board and Town Democratic Committee has no role in the Village Elections, which is run by the Village Clerk.

Ms. Driscoll stated that it is run by the Village Clerk but somebody has to authorize the Poll Watcher and the workers.

Councilman Dolan stated that it was not him.

Ms. Driscoll stated that she understood that it was him.

Councilman Dolan stated that he can absolutely guarantee that it was not him.

Ms. Driscoll asked who it was and if it was someone from the Democratic Committee.

Councilman Dolan stated that it absolutely was not.

Supervisor Flach asked if anyone else wished to comment.

**Ms. Anne Marie Vadney** stated that the next meeting for the Coeymans Ravena Area Community Business Group is on Thursday, April 12<sup>th</sup> and will be held at 1635 Rte. 9W at 7:00pm and they asked Supervisor Flach and hope that sometime in the future, Building Inspector, Code Enforcement Officer Conrad can come and speak to their group to explain all of the things that are going on with the reanalyzation of the zoning with the Planning Board and let people know exactly where it stands and give them the answers to their questions so they are on board with what is going on instead of constantly hearing rumors and that they would request it again and possibly it can be arranged for the May meeting. She added that when Ms. Driscoll was taking about the elections, even during Town Elections, individuals who have been running, have been present and people do feel funny about it and someone is trying to check on the legislation and Councilman Dolan may know what it is because every year it is her understanding that it goes to the Assembly and Senate and it either passes in one but not the other so that individuals who are running for an election, cannot be in the Polls when people are voting and this has been brought to their groups attention, which she did not know anything about. She then asked that the Town Board assist them in finding out so they can share the information with whoever is interested.

Supervisor Flach asked if there were any other comments.

**Ms. Pasquini** stated that they are going to go over Chapter 138 of the Town Code and during the Public Hearing there were many other codes brought up and continued by asking if they are going to be addressed at some point the issues with Local Laws 1&2.

Supervisor Flach stated that at some point they are and added that there is a lot happening right now but he is working on it and this is the best he can say at this point.

Ms. Pasquini asked for clarification that it's not going to be just this one and that they are going to continue with the rest of what people have concerns with.

Supervisor Flach stated that they will be continuing and then asked if anyone else wished to comment, hearing none he moved to close Public Comment.

**MOTION**

On motion of Supervisor Flach, seconded by Councilman Dolan, the Public Comment was closed.

VOTE – AYES 5 – NAYS 0 – SO MOVED

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**APPROVAL OF MINUTES**

None at this time.

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**OLD BUSINESS**

None at this time

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**NEW BUSINESS**

**Seasonal Rental of Portable Sanitation Units for Town Parks**

Supervisor Flach stated that they have three different quotes for the sanitation units at the Town Parks and continued by asking for a motion to sign the lowest proposal.

**MOTION**

On motion of Councilman Boehm, seconded by Councilman authorizing the Supervisor to sign the lowest quote, which is Blue Diamond Septic in the amount of \$347.00.

VOTE – AYES 5 – NAYS 0 – SO MOVED

**Request from Highway Superintendent to Attend 2012 Highway School**

Supervisor Flach stated that he has a request from Highway Superintendent Deering, to attend the 2012 Highway School for Superintendents in Ithaca, NY from June 11-June 13.

Councilwoman Rogers stated that Highway Superintendent Deering attends this every year.

Councilman Boehm asked how much it is.

Supervisor Flach stated that registration is \$100.00 and has to be received by May 31<sup>st</sup> and then asked for a motion.

**MOTION**

On motion of Councilwoman Rogers, seconded by Councilman Boehm, authorizing Highway Superintendent Deering to attend the annual training in Ithaca from June 11 to June 13, with a registration fee of \$100.00.

VOTE – AYES 5 – NAYS 0 – SO MOVED

**Authorize Signing Amendment for Group Life Insurance**

Supervisor Flach stated that he needs authorization to sign a amendment for the Group Life Insurance and added that the original contract was written for 40 hour full-time employees, and Council Members were enrolled in it but not included and this contract will allow for their inclusion and is retroactive to January 1, 2012.

**MOTION**

On motion of Councilman Boehm, seconded by Councilwoman Rogers, authorizing the amendment to the Group Life Insurance retroactive to January 1, 2012.

VOTE – AYES 5 – NAYS 0 – SO MOVED

**Resignation of Court Clerk**

Supervisor Flach stated that there is a resignation from the Clerk to the Court and continued by reading the following:

To: Supervisor Flach, Town Council  
From: Mary Ellen Rosato  
RE: Resignation  
Date: 04-02-12

Please accept this letter of resignation as my two weeks notice from my position working in Town Court. Unfortunately, there was some confusion over the position. My last work day will be April 11, 2012.

Mary Ellen Rosato

Supervisor Flach asked for a motion to accept the resignation.

**MOTION**

On motion of Councilman Masti, seconded by Councilman Dolan, the resignation from Clerk to the Court Rosato was accepted.

VOTE – AYES 5 – NAYS 0 – SO MOVED

**Resignation of Police Officer**

Supervisor Flach stated that there is a resignation from Police Officer Alberts and continued by reading the following:

Dear Gregory Darlington, Chief of Police

I Sgt. Christopher Alberts hereby tender my resignation effective April 20, 2012.

I appreciate the opportunity I have been given to serve the Town of Coeymans and the community. The experience and knowledge that I have gained here in the Town of Coeymans has allowed me to be able to fulfill my life long dream of becoming a New York State Trooper. I will be entering the Academy as a recruit on April 22, 2012.

Again, I thank everyone in the Town of Coeymans who I have had the pleasure and opportunity to work with.

I also am requesting my vacation buy-out and any other sick or personal days that are due pursuant to our Union Contract.

Sincerely,

Sgt. Christopher Alberts

Supervisor Flach asked for a motion to accept the resignation.

**MOTION**

On motion of Councilwoman Rogers, seconded by Councilman Dolan, accepting the resignation of Sgt. Alberts.

VOTE – AYES 5 – NAYS 0 – SO MOVED

Collectively Councilwoman Rogers and Council wished him well with the New York State Police

Chief Darlington stated that he wanted to confirm that it is effective April 20<sup>th</sup>.

Supervisor Flach stated that they appreciate Chris and according to Chief Darlington he has done a great job and this is a great opportunity that anyone would take and not pass up.

**Highway Department Request to Extend Seasonal Employee**

Supervisor Flach stated that there is a request from Highway Superintendent Deering to extend the call-in driver to fill in for current absentees, which will provide for adequate coverage for road projects.

Councilwoman Rogers asked Highway Superintendent Deering how long an extension is he thinking and if they would start with 90 days and go from there.

Highway Superintendent Deering stated that it sounded good.

**MOTION**

On motion of Councilwoman Rogers, seconded by Councilman Dolan, authorizing the seasonal driver for a 90 day extension and then reconsider.

VOTE – AYES 5 – NAYS 0 – SO MOVED

**Establish Public Hearing Date**

Supervisor Flach asked for a motion to establish a Public Hearing on April 23<sup>rd</sup> at 6:30pm prior to the next Town Board Meeting to amend Chapter 138 of the Town Code.

**MOTION**

On motion of Councilman Masti, seconded by Councilwoman Rogers, establishing a Public Hearing on April 23, 2012 at 6:30pm.

VOTE – AYES 5 – NAYS 0 – SO MOVED

**Grange Week Proclamation**

Supervisor Flach stated that there is a Proclamation for the Grange and continued by reading the following:

**WHEREAS**, the Grange has sought to advance the interest of farmers, rural Americans and our Nation's families for 145 years through the simple but powerful concept that by working together we can accomplish much for our communities; and

**WHEREAS**, voluntary association with the Grange not only provides the benefits of economic and political cooperation for its members, but also elevates their character by providing social, cultural and educational programs; with opportunities for personal growth; and

**WHEREAS**, the Grange provides members the opportunity to serve their community through projects and programs that make a difference in the lives of children, you and neighbors in need of assistance; and

**WHEREAS**, the Ravena Grange in Coeymans Hollow has served this community since 1919;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Coeymans, proclaims the week of April 15-21, 2012 as Grange Week, in recognition of the contributions made by the Grange throughout their many years of faithful service.

Supervisor Flach asked if there were any comments.

Councilman Boehm asked if the Proclamation will be presented at the next meeting of the Grange.

Supervisor Flach stated that he will be presenting it Monday, April 16<sup>th</sup> at the Grange at 7:00pm and asked that everyone support the Grange because they do a lot of good things for our community and it is a good solid organization that has been here, which is a great thing.

Councilman Boehm stated that he has one more item and it is regarding taser training for one of the Police Officers to attend in the amount of \$350.00 and then asked the Chief to discuss it.

Chief Darlington stated that he put in a request to send a Police Officer to a two day Taser Instructor Course, which would certify this Officer to train the other Officers and at this time he does not have a specific Officer picked out due to the on-going personnel changes in the Police Department. He continued by saying that it is a class that you have to reserve that does fill in fast and it will be hosted in Colonie and the \$350.00 is the charge for it and the Officer will take a Police car and it will be during their work shift.

Councilman Boehm inquired if he will have someone available to take the training.

Chief Darlington stated that he will.

**MOTION**

On motion of Councilman Boehm, seconded by Councilman Masti, authorizing \$350.00 for the Taser Instructor Training for a designated Coeymans Police Officer.

VOTE – AYES 4 – NAYS 0 – ABSTAIN 1 (Dolan) – SO MOVED

Councilman Masti asked Chief Darlington how many tasers they have.

Chief Darlington stated that they have three.

Councilman Boehm stated that he had one more item and continued by saying that Highway Superintendent Deering requested that the Albany County Sheriff's Department be contacted for the availability of a prisoner crew to scrape and paint the Highway Garage and then asked if he is seeking Town Board approval for it.

Highway Superintendent Deering stated that he would like to have the Supervisor check to see if it can be done.

Supervisor Flach stated that he knows that last year Sheriff Apple had mentioned to the Board that a crew was available and added that he can contact him.

Councilman Boehm interjected that they have been used before for other projects.

Supervisor Flach stated that he will contact Sheriff Apple.

Councilman Boehm stated that he is specifically looking for them to scrape and paint the Highway Garage.

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**RESOLUTIONS**

None at this time.

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**CORRESPONDENCE**

None at this time.

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**TOWN BOARD WORKSHOPS/MEETINGS**

- Town Board Workshop, April 17, 2012, 6:00pm
- Town Board Public Hearing, April 23, 2012, 6:30pm
- Town Board Meeting, April 23, 2012, 7:00pm
- Town Board Meeting, May 14, 2012 7:00pm

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**ADDITIONAL COMMENTS**

Supervisor Flach asked if there were any other comments.

Chief Darlington stated that he wanted to wish Officer Alberts the best and good luck at the Academy and added that he an 8 year employee and throughout those 8 years he worked very hard to try and get in the State Police and with the recent hiring he made it.

Supervisor Flach asked if anyone else wished to comment, hearing none he asked for a motion to adjourn to Executive Session and added that they will not be returning after that.

**ADJOURNMENT TO EXECUTIVE SESSION**

**MOTION**

On motion of Councilwoman Rogers, seconded by Councilman Dolan, to adjourn to Executive Session.

VOTE – AYES 5 – NAYS 0 – SO MOVED

Time – 8:06pm

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**EXECUTIVE SESSION**

Executive Session convened in the Supervisor's Office immediately following the Town Board Meeting to discuss a personnel issue. There was a full Town Board present, discussion ensued, no formal action was taken and Executive Session ended at 8:20pm.

*Respectfully Submitted,*

**APPROVED –**

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*Diane L. Millious, Town Clerk*