

**A Town Board Meeting was held Monday, July 23, 2012, at 7:00pm at Town Hall,  
18 Russell Avenue, Ravena, New York**

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

**ABSENT:** Dawn L. Rogers, Councilwoman

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

\*\*\*\*\*

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

\*\*\*\*\*

### **OPENING COMMENT**

Supervisor Flach stated that the record should reflect the presence of four Town Board members and the absence of Councilwoman Rogers.

\*\*\*\*\*

### **AGENDA**

- Public Announcement
  - 10<sup>th</sup> Annual Capital Region Road Race, July 28, 2012
- Public Comment
- Approval of Minutes
  - Public Hearing, June 19, 2012
  - Town Board Workshop, June 19, 2012
  - Town Board Meeting, June 25, 2012
  - Joint Village of Ravena & Town of Coeymans Workshop, June 26, 2012
  - Special Town Board Workshop, July 9, 2012
  - Town Board Workshop, July 17, 2012
- Supervisor's Report – June 2012
- Department Reports
  - Town Clerk Monthly Report, June 2012
  - Building Department Monthly Report, June 2012
  - Sewer Department Monthly Report, June 2012
- Old Business
- New Business
  - Active Employees Health Insurance
  - Resignation of ZBA Member
- Resolutions
  - Authorize Assessor to Attend NYS Assessors Association Seminar
  - Authorize Assessor to Attend ORPS Three Day Course
  - Rescind Portion of Resolution #68-12, re: Civill Housing Tax Roll
  - Authorization to Hire Charles Hite, Surveyor, for Colvin Avenue Easement
  - Authorization to Hire Alex Bettke, Special Counsel, Ambulance District
  - Acknowledge Village of Ravena as Water/Sewer Billing Agent for Named Parcels.
  - Establish Public Hearing Local Law #3-3012 – Repeal Chapters in Town Code
  - Appoint Ambulance Committee Members
  - Authorize Supervisor to Transfer Deed of Bruno Boulevard Property to Village of Ravena
  - Amend Bond Resolution of July 25, 2011

- Appoint Part-Time Police Lieutenant
- Approve July 2012 Abstract
- Correspondence
  - Letter from Mary Pape in Opposition of Proposed Local Law #3-3012
  - Letter from Capital Bicycle Racing Club Regarding Donation to CHVFC
- Town Board Workshops/Meetings
  - Town Board Workshop, August 21, 2012, 6:00pm
  - Town Board Meeting, August 27, 2012, 7:00pm
- Executive Session
  - Personnel Issue

\*\*\*\*\*

**PUBLIC ANNOUNCEMENT**

**10<sup>th</sup> Annual Capital Region Road Race**

Supervisor Flach read the following:

The Capital Bicycling Racing Club (CBRC) is pleased to announce the 10<sup>th</sup> Annual NY Capital Region Road Race (NYCRRR) on July 28, 2012. As estimated 400 competitive cyclists will take to the roads from the RCS High School on a rolling 20-mile race loop, for a total of 43 to 83 miles, depending on the rider category. Racing begins at 10:00am and will run through 2:00pm. The course is located 10 miles south of Albany, and includes several steep climbs including several steep climbs including Tracy and Whitbeck Roads in the Town of Coeymans. The finish line is located on Jarvis Road.

Law enforcement from the State Police, County Sheriff, and local towns will be on hand at key intersections to provide for traffic control. Although the cyclist will occupy the lane of travel, no roads are closed. Traffic delays, if any, are expected to be a few minutes or less. Any location along the route is potentially a good location for spectators and members of the community are encouraged to come out and cheer for passing riders (vehicles should be parked completely off the roadways for safety).

Partial proceeds will be donated to the Ravena Rescue Squad and the Coeymans Hollow Fire Company. CBRC is a 100% volunteer, not-for-profit organization dedicated to promoting recreational and competitive cycling throughout the Capital Region.

Supervisor Flach added that there will be a lot of bikes on the road and that people should take note and be safe.

\*\*\*\*\*

**PUBLIC COMMENT**

Supervisor Flach invited the public to comment at this time.

**Ms. Donna Pasquini** stated that on the agenda there is a resolution to establish a Public Hearing for Local Law #3-12 to repeal chapters of Town Law and continued by asking that they explain what the law is.

Supervisor Flach stated that there are some laws on the books in the Town Code that are no longer applicable such as Septic Systems because those systems are done by Albany County and the Department of Health as well as outdoor burning that is regulated by DEC and they are outdated laws that are in the Code of the Town of Coeymans as well as there being several others. He continued by saying that they are going to have a Public Hearing so they can hear input and comments and he would be happy to make anyone that wishes a copy of the list of laws.

Supervisor Flach asked if anyone else wished to comment.

**Ms. Joann Segal** stated that she is a resident of Coeymans Hamlet and continued by reading the following:

“The Town Laws were created by diligent work done by citizens and designed to protect the Town in its entirety. A lot of thought and study went into creating the laws and even more should go in to repealing them. Leaving Local Law 138 as part of the Town Code will not hurt the Town, removing it very well might. We see what the impacts are on us now but it is difficult to see what they may be in the future. As Lead Agency in SEQRA it is the Board’s responsibility to learn what these impacts are and what they will be down the road. There have been very many of us expressing our concerns and it also part of the process to take these concerns seriously. They are made by residents that would be immediately affected by such repeal and by those who have also been worried about future impacts. To speak to those laws that you are repealing, or want to repeal, most of them are environmental and some I understand might be a little bit obsolete but it is a lot of time to be spent on repealing local laws without a real explanation to the public and it seems as though you are doing a lot of repealing of laws. If some laws seem out of date or not used, why not update them, implement them or keep them on the books for the future. Doing this should also cause no harm, removing them requires careful studies, comments and time. Perhaps the Board’s time could be better spent on other Town matters or researching available things like grant money available in New York State for infrastructure. These are things that may be more beneficial to us as a Town than the cumbersome process of repealing good laws.”

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

\*\*\*\*\*

**APPROVAL OF MINUTES**

Supervisor Flach stated that there were six sets of minutes for Town Board approval, a Public Hearing on June 19<sup>th</sup>, a Town Board Workshop on June 19<sup>th</sup>, a Town Board Meeting on June 25<sup>th</sup>, a Joint Village/Town Workshop on June 26<sup>th</sup>, a Special Town Board Workshop on July 9<sup>th</sup> and a Town Board Workshop on July 17<sup>th</sup>. He continued by asking for a motion to approve them.

**MOTION**

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

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

\*\*\*\*\*

**SUPERVISOR’S REPORT**

**June 2012**

<b>Fund</b>	<b>Balance Fwd.</b>	<b>Receipts</b>	<b>Disbursements</b>	<b>Total</b>
<b>General</b>	<b>\$750,044.01</b>	<b>\$134,511.11</b>	<b>\$294,266.00</b>	<b>\$590,289.12</b>
<b>Part-Town</b>	<b>\$675,131.49</b>	<b>\$ 14,127.01</b>	<b>\$216,022.45</b>	<b>\$473,236.05</b>
<b>Highway</b>	<b>\$ 67,473.12</b>	<b>\$202,015.86</b>	<b>\$ 79,137.41</b>	<b>\$190,351.57</b>
<b>Bridge Const.</b>	<b>\$ 28,701.01</b>	<b>\$ 15.85</b>	<b>-0-</b>	<b>\$ 28,716.86</b>
<b>Sewer</b>	<b>\$156,573.90</b>	<b>\$ 66,780.50</b>	<b>\$ 25,258.98</b>	<b>\$198,095.42</b>
<b>Special Water</b>	<b>\$ 49,924.34</b>	<b>\$ 889.21</b>	<b>\$ 25,121.27</b>	<b>\$ 25,692.28</b>

<b>Police For.</b>	<b>\$ 16,298.22</b>	<b>\$ 2,460.04</b>	<b>\$ 3,150.00</b>	<b>\$ 15,608.26</b>
<b>Comm. Tower</b>	<b>\$ 6,813.34</b>	<b>\$ 0.29</b>	<b>-0-</b>	<b>\$ 6,813.63</b>
<b>Trust &amp; Agency</b>	<b>\$ 75,744.69</b>	<b>\$269,615.86</b>	<b>\$334,041.97</b>	<b>\$ 11,318.58</b>
<b>H-Fund Cap. Proj.</b>	<b>\$ 71,687.00</b>	<b>\$ 1.84</b>	<b>\$ 32,413.06</b>	<b>\$ 39,275.78</b>
<b>Section 8 HUD</b>	<b>\$ 65,625.24</b>	<b>\$ 42,432.03</b>	<b>\$ 46,714.33</b>	<b>\$ 61,342.94</b>
			<b>Total Rec. Bal.</b>	<b>\$1,633,926.86</b>

**SAVINGS ACCOUNTS**

Unemployment	\$ 702.59
Grove Cemetery	\$40,896.92
Coey. Hollow Cem.	\$14,404.19
Sewer-Dedicated	\$ 6,331.17
<b>Total</b>	<b>\$62,334.87</b>

**COLLATERAL  
COVERAGE**

Bank of Greene	\$250,000.00	\$2,857,347.74
National Bank	\$250,000.00	\$ 714,677.66

**FDIC**

**COLLATERALIZED**

Supervisor Flach asked for a motion to approve the report.

**MOTION**

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

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

\*\*\*\*\*

**DEPARTMENT REPORTS**

**Town Clerk – June 2012**

Supervisor Flach asked that Town Clerk Millious give the Town Clerk’s Report.

Town Clerk Millious continued by giving the report.

Supervisor Flach asked for a motion to approve the report.

**MOTION**

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

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

**Building Department – June 2012**

Supervisor Flach asked that Councilman Dolan give the Building Department Report.

Councilman Dolan continued by reading the report.

Supervisor Flach asked for a motion to approve the report.

**MOTION**

On motion of Councilman Boehm, seconded by Supervisor Flach, the report was accepted as presented and read.

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

**Sewer Department – June 2012**

Supervisor Flach read the Sewer Department Report and then asked for a motion to approve it.

**MOTION**

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

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

**Police Department – June 2012**

Supervisor Flach asked that Chief Darlington give the Police Department Report.

Chief Darlington continued by giving the report.

Supervisor Flach asked for a motion to approve the report.

**MOTION**

On motion of Councilman Boehm, seconded by Councilman Masti, the report was accepted as presented.

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

\*\*\*\*\*

**OLD BUSINESS**

**Callanan Blasting**

Supervisor Flach stated that at the last Town Board Meeting there were some present voicing concerns with Callanan blasting and they were worried that they were going past their mine footprint. He continued by saying that he along with Building Inspector Conrad met with Callanan and the City of Albany; who have a 4 foot water pipe that runs through the property and DEC. He added that they showed them around the property and where they are mining and it looks to be okay according to the map that the Town has and the following day they received an aerial photograph of the property where they are mining and it is all within the footprint that they are allowed to mine in. He concluded by saying that they notified those that were concerned and he wanted to give an update.

Supervisor Flach asked if there were any additional Old Business topics for discussion, hearing none he moved to the next item on the agenda.

\*\*\*\*\*

**NEW BUSINESS**

**Active Employees Health Insurance**

Attorney for the Town Wukitsch asked if the employees health insurance is being negotiated right now and if there was a contract that is about to expire.

Chief Darlington stated that the Council 82 has expired and has not been negotiated yet.

Attorney for the Town Wukitsch asked if it concerns the Council 82 Contract.

Supervisor Flach stated that according to what is in the Council 82 Contract, for Council 82 the Town does not have to renegotiate the health according to the wording and they can change the proposal.

Chief Darlington stated that he does not think that it is true.

Attorney for the Town Wukitsch stated that he would caution them if they are going to discuss the position that the Town may take in a Collective Bargaining context where they have to negotiate with a Union and it is probably not wise to be doing it in a public session and it is something that can be discussed in Executive Session. He continued by saying that they don't want to put the cards on the table in a public forum because they want to get the best deal that they can for the Town, which at the same time is fair to the employees. He concluded by saying that he was laying it out as a point of interest or concern.

Councilman Boehm stated that he would offer a motion to take it off the agenda and make it an Executive Session topic as a personnel matter.

**MOTION**

On motion of Councilman Boehm, seconded by Councilman Masti, to remove the Health Insurance topic from the agenda and move it to Executive Session.

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

**Resignation of Zoning Board of Appeals Member**

Supervisor Flach stated that he was in receipt of a letter of resignation from a Zoning Board of Appeals member and continued by reading the following:

Dear Mr. Flach,

As a member of the Zoning Board of Appeals, I must be a resident of the Town. This month I am relocating to Saratoga Springs, New York. I render my resignation to the Zoning Board of Appeals effective immediately. Thank you for the opportunity to serve the Town for the last three years.

Sincerely yours,

Robert Lee Rivers

Supervisor Flach stated that it was effective on July 19<sup>th</sup> and they will be looking for a new member of the Zoning Board of Appeals. He then asked for a motion to accept the resignation.

**MOTION**

On motion of Councilman Boehm, seconded by Councilman Dolan, accepting the resignation of Robert Lee Rivers, Zoning Board of Appeals member.

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

Councilman Boehm stated that he wanted to thank him for his service.

Councilman Dolan stated that he also wanted to thank him and added the he had the opportunity of working with him on a plan for Joralemon Park many years ago and found him to be a very thoughtful man.

Councilman Boehm asked the criteria for filling the position.

Supervisor Flach stated that they will come up with some candidates and it is a Town Board appointment and they should look diligently into filling the position. He added if there is anyone interested in being on the Zoning Board of Appeals they can contact his office at 756-6006 or send an e-mail at [Supervisor@Coeymans.org](mailto:Supervisor@Coeymans.org). He concluded by saying that he wanted to thank Mr. Rivers for his service and anyone who works on any of the Boards, many times it is a thankless and tough job and he appreciates his three years of service.

**RESOLUTIONS**

**RES. #85-12 AUTHORIZE ASSESSOR TO ATTEND NYS ASSESSOR'S ASSOCIATION SEMINAR**

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

**WHEREAS**, the New York State Assessor's Association Seminar on Assessment Administration will be held September 30, 2012 to October 3, 2012 in Lake Placid, New York, and

**WHEREAS**, the Assessor of the Town of Coeymans has requested to attend said seminar which will provide the mandatory continuing education credits required each year, and

**WHEREAS**, a pre-registration fee in addition to pre-payment for meals, lodging and classes is required,

**NOW, THEREFORE, BE IT RESOLVED**, that the Assessor may attend the New York State Assessor's Association Seminar to be held on September 30, 2012 to October 3, 2012, in Lake Placid, New York,

**BE IT FURTHER RESOLVED**, that the Town Board of the Town of Coeymans authorizes pre-payment for the registration, meals, lodging and classes for this seminar.

**RES. #86-12 AUTHORIZE ASSESSOR TO ATTEND ORPS THREE DAY COURSE**

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

**WHEREAS**, the Office of Real Property Tax Services will hold a three day course August 7, 2012 to August 9, 2012 in Newburgh, NY, and

**WHEREAS**, the Assessor of the Town of Coeymans has requested to attend said three day course, and

**WHEREAS**, the only cost to the Town of Coeymans will be for mileage reimbursement,

**NOW, THEREFORE, BE IT RESOLVED**, that the Assessor may attend the Office of Real Property Tax Services three day course to be held August 7, 2012 to August 9, 2012 in Newburgh, NY.

**BE IT FURTHER RESOLVED** that the Town Board of the Town of Coeymans authorizes the reimbursement for mileage for this three day course.

**RES. #87-12 RESCIND PORTION OF RESOLUTION #68-12 RE: CIVILL HOUSING TAX ROLL**

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

**WHEREAS**, at the meeting of May 14, 2012, the Town Board passed Resolution #68-12 pertaining to the Settlement of Civill Senior Housing PILOT Agreement, and

**WHEREAS**, the Town Assessor was directed to apply Section 581A of the New York State Real Property and place the Civill Housing parcel on the tax roll for the year 2012, and

**WHEREAS**, at the passage of that resolution, the Town Board in consultation with counsel, determined that it is in the best interest of the Town to rescind that portion of Resolution #68-12,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Coeymans does hereby rescind that portion of Resolution #68-12, effective immediately.

Councilman Boehm asked if they are coming off the tax roll.

Supervisor Flach stated that they are and added that he had gotten a letter from Civill Housing and in a roundabout way it said that they wanted to go back on the Tax Roll and when he spoke with Mr. Barrett after the first resolution, which was a few days before Grievance Day, he had stated that he wanted to sit down with the Town Board and Counsel to discuss going back on the Tax Roll because there is a new section in 581A, which he does not fully understand. He added that given there was only a week prior to Grievance Day they felt that they needed to give him time and a chance to speak with the Town Board regarding 581A.

Councilman Boehm inquired as to if for the next year it will be the P.I.L.O.T. Agreement.

Supervisor Flach stated that was true and they are not on the Tax Roll right now and as of right now they are paid up to date with some outstanding interest, which is another issue.

Councilman Boehm stated that it is a timing issue as far as going back on the tax roll.

Supervisor Flach stated that was true and reiterated that Mr. Barrett wants to sit down with the Town Board and Assessor to make sure that everything is the way it should be.

Attorney for the Town Wukitsch stated that it is good that it is partly resolved because it has been a long standing issue for the Town and even to get the principal current and up to date is an achievement.

Councilman Boehm interjected that they have done this before and then asked if they think he will be back on the Tax Roll for 2014.

Attorney for the Town Wukitsch stated that he didn't think that it would be a problem.

Assessor VanValkenburg stated that it would be 2013 if it is settled by the time that the 2013 Tax Roll comes around.

**RES. #88-12 AUTHORIZATION TO HIRE CHARLES HITE SURVEYOR FOR COLVIN AVENUE EASEMENT**

On motion of Councilman Dolan, seconded by Supervisor Flach, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Rogers) – SO MOVED

**WHEREAS**, the Town of Coeymans is in the process of preparing for the H-Storm Sewer Project at the end of Colvin Avenue, and

**WHEREAS**, there exists the need for a survey in connection with the Colvin Avenue easements for said Sewer Project,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town of Coeymans will engage the services of Charles Hite to draft and complete the metes and bounds for said easement,

**BE IT FURTHER RESOLVED**, that the Town Board of the Town of Coeymans is hereby authorized to hire the services of Charles Hite for the Colvin Avenue easements to be completed at a cost of approximately \$400.00.

Supervisor Flach stated that Mr. Hite has half the easement done on one of the pieces of property from years ago and they figured since he has part of it written out, they would have him do it.



**RES. #89-12 AUTHORIZATION TO HIRE ALEX BETKE AS SPECIAL COUNSEL RE: AMBULANCE DISTRICT**

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

**WHEREAS**, the Town of Coeymans has had discussion regarding the establishment of an Ambulance District, and

**WHEREAS**, the importance of an Ambulance District is realized, the Town of Coeymans requires special counsel to handle the various legalities of the formation of such a district,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town of Coeymans will appoint Alex Betke of Wilson, Elser, Moskowitz, Edelman & Dicker LLP as special Counsel for the purpose of handling the legal issues regarding the formation of an Ambulance District. Fees for such services shall be at a rate of \$250.00 per hour but shall not exceed \$5,000.00 without further Town Board approval,

**BE IT FURTHER RESOLVED**, that the Town Board of the Town of Coeymans is hereby authorized to appoint Alex Betke as special counsel to the Ambulance District.

Ms. Ann Marie Vadney from the audience asked if a decision was made to form an Ambulance District.

Supervisor Flach stated that because the Ravena Rescue Squad by the end of 2013 are going to have trouble coming up with the money to operate in 2014 and they are looking into 4-5 different options to keep the ambulance going. He continued by saying that the Town could take over the ambulance, which he personally does not want to see because it would be a big cost to the taxpayers. He added that there are other options and the Town needs the ambulance and rescue squad and they want to make sure that they can continue to run while taking care of the taxpayers of the Town at the same time.

Councilman Dolan interjected that the answer to Ms. Vadney's question is no.

**RES. #90-12 ACKNOWLEDGE VILLAGE OF RAVENA AS A WATER/SEWER BILLING AGENT FOR NAMED PARCELS**

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

**WHEREAS**, the Village of Ravena Board of Trustees and the Town of Coeymans Town Board held a Joint Workshop on June 26, 2012, and

**WHEREAS**, the Boards did collectively agree that the Village should take over the water/sewer billing practices for three parcels,

**NOW, THEREFORE, BE IT RESOLVED**, that the three parcels known as: Aaron Flach, Rite Aid Corporation and RCS Central School District (Pieter B. Coeymans School),

**BE IT FURTHER RESOLVED**, that the Town Board of the Town of Coeymans hereby acknowledges the Village of Ravena as the billing agent for the said parcels.

**RES. #91-12 ESTABLISH PUBLIC HEARING LOCAL LAW #3-12 – REPEAL CHAPTERS OF TOWN CODE**

On motion of Supervisor Flach, seconded by Councilman Masti, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Rogers) – SO MOVED

**WHEREAS**, the Town Board of the Town of Coeymans intends to consider a Local Law to repeal various existing chapters of the Coeymans Town Code, and

**WHEREAS**, Local Law #3-12 has been distributed to members of the Town Board, and

**WHEREAS**, the Town Board has reviewed the various outdated sections of the Town Code of the Town of Coeymans,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board wishes to set a Public Hearing date to provide members of the community with an opportunity to express their views on the Proposed Local Law #3-12.

**BE IT FURTHER RESOLVED**, that the Town Board of the Town of Coeymans hereby sets August 21, 2012, as the date for a Public Hearing and directs the Town Clerk to issue a Notice of Public Hearing to be published in accordance with law for that date.

Councilman Boehm stated that the following chapters were scheduled to be repealed:

- Chapter 14 – Environmental Conservation Board
- Chapter 78 – Outdoor Burning
- Chapter 88 – Environmental Quality Review
- Chapter 96 – Freshwater Wetlands
- Chapter 105 – Storage of Junk
- Chapter 125 – Road Specs
- Chapter 131 – Septic Systems
- Chapter 158 – Vehicles Off Road

Councilman Boehm stated that some are fairly easy but some are a little more complex and at this point he is not prepared to set up a Public Hearing and would like to table the whole issue. He continued by saying that he has no problem with a Public Comment period and it is something that they should discuss and he does not see the need to expedite taking the laws out, especially Chapter 14 where there has been a lot of interest from local residents in setting up an Environmental Conservation Board. He reiterated that he thinks that they should table it or invite people for public comment but he is not willing to schedule a Public Hearing at this point.

Supervisor Flach stated that is what a Public Hearing is and it is for people to make comments.

Attorney for the Town Wukitsch stated that they can have more than one Public Hearing and Supervisor Flach is right in its purpose to hear public comment and added that some of the chapters are obsolete.

Councilman Boehm stated that he agrees and then inquired as to which ones he says are obsolete.

Attorney for the Town Wukitsch stated that outdoor burning has been superseded by State Environmental Regulations and there is reference to an Environmental Board but he does not think that it has functioned in years, if ever and Environmental Quality Review is covered under SEQRA and its regulations. He continued by saying that he does not know enough of the history on some of the other ones but that would be the purpose of presenting it to the Town at a Public Hearing, to present the rationale for the elimination of them, which he is sure that there is good reason and added that road specifications are set under State Highway Law.

Councilman Masti interjected that septic systems are under the Health Department.

Attorney for the Town Wukitsch stated that if they have laws on the books they are suppose to be using them and enforcing them and they should be whatever is current in line with whatever State Law or other law provides.

Chief Darlington stated that another law that was brought up under Chief Giroux pertains to the Chief of Police and one of the things that it says is that the Chief of Police is to report Friday nights to court and they have not had a court on a Friday night for the 23

years that he has worked here, as well as the number of hours that the Chief is suppose to work, which is in violation of Labor Laws.

Attorney for the Town Wukitsch interjected that laws should be current and kept up to date and whether it is done in the context of a Public Hearing or spending a little more time on the law to develop the rational for eliminating each one because he is sure that there are plenty and by glancing at the laws there are some that are obsolete.

Supervisor Flach stated that this is the reason for the call to hold a Public Hearing where people can say what they think and can question why and this is how they get the people involved in a public meeting.

Councilman Dolan stated that he has heard 3-4 reasons why the chapters are on the list with one being that they are superseded by either State or County law, and there are some that are obsolete and do not fit with circumstances of the town.

Supervisor Flach asked Attorney for the Town Wukitsch if they can add it to the repealer.

Attorney for the Town Wukitsch stated that they should revise it and then re-circulate it and in turn decide on a date for a Public Hearing and he would suggest that they get it as close to a final format that they can before the Public Hearing and it is a matter of doing a few revisions and some more research. He concluded by saying that he does not see what the big rush is because some of the laws have been on the books for decades with no relevance.

Town Clerk Millious interjected that the dog section needs to be updated and it still says Hannacroix Kennels.

Councilman Dolan suggested that they try proofing the laws that are superseded by State or other levels of government and added that they can be eliminated because once they are obsolete they don't fit the circumstances of the Town. He added that they can dispense of those first and the ones that are more controversial and subject to people's interpretation can be done separately so they don't get bogged down.

Supervisor Flach stated that they could then do two local laws if that were the case.

Councilman Boehm suggested that they take Chapter 78 – Out Door Burning, Chapter 125 – Road Specs and Chapter 131 – Septic Systems, which are fairly easy and hold a Public Hearing on those and move forward and then look at the others separately.

Supervisor Flach asked if they can take them out of the Proposed Local Law now.

Attorney for the Town Wukitsch suggested that they do it now and re-circulate it to each member of the Board and then schedule the Public Hearing on the revised Local Law.

Supervisor Flach asked if they should take them out now.

Attorney for the Town Wukitsch stated that they should and then re-circulate the revised version to each member of the Board and then hold the Public Hearing on the revised law, which are the ones that are not controversial.

Councilman Boehm stated that they need to modify the resolution only to include Chapter 78 – Out Door Burning, Chapter 125 – Road Specs and Chapter 131 – Septic Systems.

Supervisor Flach interjected that he wanted to put Chapter 158 – Off Road Vehicles in that also.

Councilman Dolan asked if he feels as though it falls in that category because he is not familiar with it.

Supervisor Flach stated that he does because State Law absolutely supersedes it and there was a motion made in 2006 to do away with it but there was not a Public Hearing and they did not continue on with doing it. He added that the Proposed Law will be for Chapters 78, 125, 131& 158 and the Public Hearing will be August 21<sup>st</sup>.

**RES. #92-12 APPOINT AMBULANCE COMMITTEE**

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

**WHEREAS**, the Town Board of the Town of Coeymans had discussed the need for an Ambulance District, and

**WHEREAS**, it has been determined that a Committee should be formed to further discuss the options and need of an Ambulance District,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Coeymans hereby appoints the following individuals to said Committee:

Village of Ravena Trustee Persico	Village of Ravena Trustee Bailey
Emergency Management Coordinator Bruno	Chief of Police Darlington
Coeymans Police Officer Polverelli	Ravena Rescue Squad Pearson
Town of Coeymans Councilman Masti	Town of Coeymans Councilman Boehm
CHVFC Kapusta	

**BE IT FURTHER RESOLVED**, that the first meeting of this Committee will be July 26, 2012, 6:00 pm at Town of Coeymans Town Hall.

Councilman Boehm stated that the reason for such short notice for the first meeting is because Alex Betke, Special Counsel that they hired, is going on a two-week vacation and they need to meet and set things up because there is a lot to do in a short period of time and hopefully everyone can make it. He continued by saying that the purpose will be to go forward from the Workshop that they had with Alex Betke present and refine the different strategies for forming an Ambulance District.

Supervisor Flach interjected that there will be more meetings to follow.

Ms. Vadney from the floor stated that it appears a great deal of time, effort and money is going into a temporary fix.

Supervisor Flach stated that was not correct and added that they are trying to solve the problem so that the Rescue Squad can continue to function year after year and have the money that they need.

Ms. Vadney stated that she is confused and added that there are many people in the community that believe there are other options available to our town which are much more cost effective and efficient and she does not think that those issues will be brought up by the Committee. She continued by saying that it seems like our community has changes made for major issues that end up costing the taxpayers a bundle of money.

Supervisor Flach stated that this is why they picked 2 Village Trustees, the Emergency Management Coordinator, Police, a fire department member and 2 Town Board members and added that they will take any correspondence that anyone wants to send to them and they are public meetings that anyone can attend.

**RES. #93-12 AUTHORIZE SUPERVISOR TO TRANSFER DEED OF BRUNO BOULEVARD PROPERTY TO VILLAGE OF RAVENA**

On motion of Councilman Dolan, seconded by Supervisor Flach, the following resolution was NOT APPROVED – VOTE – AYES 2 – NAYS 2 – ABSENT 1 (Rogers) – SO MOVED

**WHEREAS**, the Village of Trustees and the Town of Coeymans Town Board met at a Joint Village and Town Workshop, and

**WHEREAS**, the Village and Town agree to transfer the title/deed on a certain parcel of parcels of land, and

**WHEREAS**, the certain parcels of land known as Bruno Boulevard are listed as parcels 168.10-4-36-1 (1.3 acres) and 168.10-4-10.2 and are situate within the Village of Ravena with the Village having two easements to said parcels,

**NOW, THEREFORE, BE IT RESOLVED**, that the Village of Ravena will prepare the necessary deed(s) for the transfer of said parcels owned by the Town of Coeymans, and

**BE IT FURTHER RESOLVED**, that the Supervisor of the Town of Coeymans is hereby authorized to sign the deed(s) upon completion by the Village of Ravena.

Councilman Masti asked what exactly the Village intends to do with the parcel.

Supervisor Flach stated that they have not really said and there was talk of a little park across from Ravena Rescue and it is surrounded by Village property. He added that there is an old basketball court and a tiny piece of lawn that the Town mows as well as a parking lot that the Town plows and it is a parcel that has two easements by the Village and they also have their main storm drain running through there, which needs to be updated.

Councilman Boehm stated that he issue with this, and he brought it up at the Workshop, is that given the situation with the Rescue Squad in looking at various options, it is premature to grant the title or transfer the deed to the Village. He added that he does not have a problem with granting an easement so they can make repairs but he thinks that it is foolish to transfer the title of the property, which was requested for a training exercise by the Chief of the Rescue Squad a couple months ago. He concluded by saying that he does not know how it plays into it but with the Rescue Squad and a transformation happening, he would be in favor of offering an easement and opposed to giving them the parcel of land.

Attorney for the Town Wukitsch inquired as to who would be preparing the deed because he was told that he would be but the resolution says that the Village will do it.

Supervisor Flach stated that the Village will prepare the deed and incur the cost.

Town Clerk Millious asked if they wanted a roll-call vote.

Supervisor Flach stated that they did.

Town Clerk Millious continued with the roll-call vote with the results as follows.

Steven Flach – Aye, Thomas Boehm – Nay, Thomas Dolan – Aye, Peter Masti – Nay

Supervisor Flach stated that it was two for and two against so the motion did not carry.

**RES. #94-12 AMEND BOND RESOLUTION**

On motion of Councilman Masti, seconded by Supervisor Flach, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Rogers) – SO MOVED

**RESOLUTION AMENDING BON RESOLUTUION AUTHORIZING THE ISSUANCE OF UP TO \$175,474.00 SERIAL BONDS OF THE TOWN OF COEYMANS TO PAY THE COST OF A NEW DUMP/PLOW TRUCK; AND AUTHORIZING THE ISSUANCE OF UP TO \$175,474.00 BOND ANTICIPATION NOTES OF THE TOWN OF COEYMANS FOR THE SAME PURPOSE**

**WHEREAS**, on July 25, 2011 the Town Board adopted a Resolution (the “Bond Resolution”) authorizing the issuance of up to \$175,474.00 in Serial Bonds and or Bond Anticipation Notes (the “Bonds/BAN’s”) for the purpose of purchasing (a) a new dump/plow truck for preliminary and incidental costs (the “Project), and authorizing such specific object or purpose at a maximum estimated cost of \$175,474.00, and

**WHEREAS**, following the Board’s adoption of the Bond Resolution, the Town published the notice authorized by New York Local Finance Law 81.00 (the “Estoppel Notice”) which indicated that the Bond Resolution authorized the issuance of Bonds and or BAN’s up to \$173,525.00, and

**WHEREAS**, the Town issued a General Obligation Serial (Statutory Installment) Bond dated as of August 30, 2011 (the “Bond”) in the amount of \$173,525.00 as indicated in the Estoppel Notice, and

**WHEREAS**, the Town Board wishes to amend the Bond Resolution to conform to the information included in the Estoppel Notice;

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF COEYMANS, ALBANY COUNTY, NEW YORK, AS FOLLOWS:**

**Section 1.** The bond resolution is hereby amended as follows:

A. The title of the Bond Resolution is amended to read as follows:

**RESOLUTION AUTHORIZING THE ISSUANCE OF UP TO \$173,525.00 SERIAL BONDS OF THE TOWN OF COEYMANS TO PAY THE COST OF A NEW DUMP/PLOW TRUCK; AND AUTHORIZING THE ISSUANCE OF UP TO \$173,525.00 BOND ANTICIPATION NOTES OF THE TOWN OF COEYMANS FOR THE SAME PURPOSE.**

B. Section 1 of the Bond Resolution is amended to read as follows:

Section 1. The specific object or purpose for which the obligations authorized this Bond Resolution are issued is a new dump/plow truck, and related preliminary and incidental costs (the “Project”), and this specific object or purpose is hereby authorized at a maximum estimated cost of \$173,525.00.

C. Section 2 of the Bond Resolution is amended to read as follows:

Section 2. The plan for the financing of such maximum estimated cost of the Project is the issuance of up to \$173,525.00 serial bonds and/or Bond Anticipation Notes of said Town, hereby authorized to be issued pursuant to the Local Finance Law. Pursuant to Local Finance Law Section 107 (d)(9), a down payment from current funds is not required.

D. Section 5 of the Bond Resolution is amended to read as follows:

Section 5. For the purpose of paying a portion of the cost of the Project, there are hereby authorized to be issued serial bonds of the Town up to a maximum amount of \$173,525.00, the maximum maturity of which shall not exceed the period of probable usefulness set forth above, and which shall mature on or before such date as measured from the date of the bonds of from the date of the first Bond Anticipation Note issued in anticipation of the sale of such bonds, whichever date is earlier. Such bonds may be in the form of a Statutory Installment Bond pursuant to Local Finance Law Section 62.10.

E. Section 6 of the Bond Resolution is amended to read as follows:

Section 6. There are hereby authorized to be issued Bond Anticipation Notes for the specific object or purpose in an amount up to but not exceeding \$173,525.00 maximum amount of serial bonds authorized to be issued, in anticipation of the issuance and sale of the serial bonds authorized, including renewals of such Bond Anticipation Notes.

**Section 2.** All other provisions of the Bond Resolution not specifically amended by this Resolution shall remain unchanged and in full force and effect and are hereby ratified and affirmed.

**Section 3.** This Resolution shall take effect immediately.

**Section 4.** The question of the adoption of this Resolution was duly put to a vote on roll-call which resulted as follows.

Supervisor Flach asked that Town Clerk Millious explain the reason for the amendment.

Town Clerk Millious stated that there is a closing on Friday to do the Bond and upon checking the record and the minutes there were two Bonds last year on July 25<sup>th</sup> with one being corrected on December 27<sup>th</sup>. She added that it was on the agenda to correct the other but it was not actually done at the meeting and since there were affidavits in the paper with one amount and the resolution was for another amount it has to be amended to make it right for Friday.

Councilman Boehm interjected that it was a while ago.

Supervisor Flach stated that it was last July for the Town's new truck.

Councilman Boehm asked if they have the truck.

Supervisor Flach stated that they do and they did a resolution for \$173,525.00, when it should have been \$175,474.00 and it was suppose to be changed in December but it did not get changed.

Town Clerk Millious reiterated that it was on the agenda for the December 27<sup>th</sup> Town Board Meeting and one was changed but not this one and more went on the resolution last July than what was agreed by the Bond Counsel and also was in the affidavit and they can't borrow more than the amount that went out to the public.

Supervisor Flach stated that this brings it back to where it originally was and he does not know why it was not corrected.

Town Clerk Millious stated that she has all of the paperwork if anyone wants to look at it.

Councilman Masti inquired as to if they are raising the amount of the Bond.

Town Clerk Millious stated that they are actually lowering it from the first resolution and this is what the affidavit says.

Council asked if it should be a roll-call vote.

Town Clerk Millious stated that she could and continued with the roll-call vote with the results as follows:

Stephen Flach – Aye, Thomas Boehm – Aye, Thomas Dolan – Aye, Peter Masti – Aye

**RES. #95-12 APPOINT PART-TIME POLICE LIEUTENANT**

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

**WHEREAS**, the Town Board has authorized the position of Police Lieutenant, less than full-time, and

**WHEREAS**, Albany County Department of Civil Service has verified there is no active promotional list, and

**WHEREAS**, the Albany County Department of Civil Service has reviewed and verified a qualified Civil Service candidate within the Police Department, and

**WHEREAS**, the position of Lieutenant is considered administrative and therefore exempt from Council 82,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Coeymans does hereby promote Kerry B. Thompson to the Civil Service position of Police Lieutenant (less that full-time), and is to be compensated at a rate of \$30.33 per hour effective July 2, 2012.

**RES. #96-12 APPROVE JULY 2012 ABSTRACT**

On motion of Supervisor Flach, seconded by Councilman Masti, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Rogers) – SO MOVED

**BE IT RESOLVED**, that the Town Board of the Town of Coeymans, does hereby approve the following claims of vouchers for the July, 2012 Abstract.

<b>FUND</b>	<b>VOUCHER #</b>	<b>AMOUNT</b>
<b>GENERAL (A)</b>		
General Pre-Pay	1350-1402	\$202,518.73
General	1448-1492, 1494-1496	\$ 52,008.01
	<b>General Total</b>	<b>\$254,526.74</b>
<b>PART TOWN (B)</b>		
Part Town Pre-Pay	1403-1415	\$ 13,010.67
Part Town	1493,1497-1498	\$ 1,200.00
	<b>Part Town Total</b>	<b>\$ 14,210.67</b>
<b>HIGHWAY(DB)</b>		
Highway Pre-Pay	1416-1424	\$ 41,250.68
Highway	1499-1527	\$166,352.47
	<b>Highway Total</b>	<b>\$207,603.15</b>
<b>SEWER (SS)</b>		
Sewer Pre-Pay	1425-1441	\$ 12,671.16
Sewer	1528-1541	\$ 9,251.00
	<b>Sewer Total</b>	<b>\$ 21,922.16</b>
<b>CAPITAL PROJ. (H-36)</b>		
Capital Projects	1542	\$ 580.00
	<b>Capital Proj. Total</b>	<b>\$ 580.00</b>
	<b>Total for all Funds</b>	<b>\$498,842.72</b>
<b>TRUST &amp; AGENCY (TA)</b>		
Trust & Agency Pre-Pay	1442-1447	\$214,202.98



	<b>Trust &amp; Agcy. Total</b>	<b>\$214,202.98</b>

\*\*\*\*\*

**CORRESPONDENCE**

**Letter from Mary Pape**

Supervisor Flach asked that Councilman Boehm read the first correspondence.

Councilman Boehm continued by reading the following:

Stephen Flach, Supervisor  
and the Town Board  
Town of Coeymans  
Russell Avenue  
Ravena, NY 12143

To Whom It May Concern:

Given the serious impact repealing and changing existing Local Laws will have on the future protection of our Town and citizens, I implore you to please read these laws yourselves. Make your decision based on your own thoughts, not what other people have told you, or want you to believe and do.

A lot of thought and very careful work was put into creating these laws for the betterment and protection of the Town. Please do not change them unless you put as much research and work into understanding them as they are written, and understanding the full impact of how any changes will affect us now, and in the future. You can't undo the damage that will be caused if these laws are changed.

Sincerely,

Mary Pape

**Letter from Capital Bicycle Racing Club**

Supervisor Flach stated that there is a letter from the Capital Bicycle Racing Club indicating that their race is Saturday, July 28, 2012 and there will be approximately 400 participants. He then asked that everyone be careful and safe on that day.

\*\*\*\*\*

**TOWN BOARD WORKSHOPS / MEETINGS**

- Public Hearing, August 21, 2012, 6:00pm
- Town Board Workshop, August 21, 2012, immediately following Public Hearing
- Town Board Meeting, August 27, 2012, 7:00pm

\*\*\*\*\*

**ADDITIONAL COMMENTS**

Supervisor Flach asked if there were any additional comments.

Highway Superintendent Deering stated that he has the roll-off at the Highway Department for metal for people that want to get rid of it and it is for metal only and not for garbage and trash.

Councilman Dolan asked if there are certain times that people can bring it.

Highway Superintendent Deering stated that he would appreciate it if it was during working hours, 7:00am to 3:30pm.

Supervisor Flach asked if anyone else wished to comment.

Chief Darlington stated that with the weather and recent storms he wanted to remind everyone that they use NIXLE for emergency notification as well as public events and road closures and that you can sign up by going to NIXLE.com and it is free.

Supervisor Flach asked if anyone else wished to comment.

Town Clerk Millious stated that on Friday night a band from years ago got together at the gazebo and it was really nice to see the turnout and it was like a Town reunion at the memorial for Wayne VanKempen.

Supervisor Flach reminded everyone that Thursdays are Evening on the Green at 6:30 as well as the Farmer's Market from 3:30 – 6:30 and anyone with questions about setting up can contact Councilman Dolan or Starr Ross. He added that they sell fruits, vegetables which are homegrown and organic as well as other items. He continued by asking if there were any other comments.

Councilman Boehm stated that the Summer Recreation Program is in full swing from 9:00am – 3:00pm at Mosher Park, which is open to the entire town and it is a joint venture between the Village and Town. He continued by congratulating Kerry Thompson on his promotion to Lieutenant.

Supervisor Flach asked if anyone else wished to comment.

Councilman Masti stated that the Matthew Project hosted by Grace Covenant Church is delivering sandwiches to the pool, Food for Thought, the trailer parks, the gazebo and Oakbrook and added that Pastor Datri and his wife are doing a great job and kids are getting fed.

Supervisor Flach stated that between the Summer Recreation Program, Matthew Project, Evenings on the Green and the Farmer's Market, good things are happening in the Town and they appreciate every one of them.

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

\*\*\*\*\*

**ADJOURNMENT TO EXECUTIVE SESSION**

**MOTION**

On motion of Councilman Boehm, seconded by Supervisor Flach, to adjourn to Executive Session to discuss a personnel matter.

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

Time – 8:05pm

\*\*\*\*\*

**EXECUTIVE SESSION**

Executive Session convened in the Supervisor's Office immediately following the adjournment from regular session. Those in attendance were the full Town Board with the exception of Councilwoman Rogers, Attorney for the Town Wukitsch, and Chief Darlington. Discussion ensued regarding a personnel matter; no decisions were made. Executive Session adjourned and the Town Board returned to the Town Board Meeting to formally adjourn.

**RECONVENE MEETING AND ADJOURN**

Supervisor Flach called the meeting back to order and asked for a motion to adjourn.

**MOTION**

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

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

Time – 8:30

*Respectfully Submitted,*

**APPROVED:**

---

*Diane L. Millious, Town Clerk*