

A Town Board Meeting was held Monday, September 24, 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
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 a full Town Board.

AGENDA

- Public Announcement
 - Town Offices Closed, October 8, 2012, Columbus Day
- Presentations
 - Proclamation for the Academy for Character Educate, Sage Colleges, Bullying Awareness Month
 - Proclamation for Ravena-Coeymans-Selkirk, Bullying Awareness Month
 - Sheriff Craig Apple, Albany County Sheriff's Department
- Public Comment
- Approval of Minutes
 - Town Board Meeting, September 10, 2012
 - Town Board Workshop, September 18, 2012
- Supervisor's Report, August 2012
- Department Report Review
 - Town Clerk, August 2012
 - Building Department, August 2012
 - Sewer Department, August 2012
- Old Business
- New Business
- Resolutions
 - Negative Declaration, Proposed Local Law "Landfill"
 - Adoption of Proposed Local Law "Landfill"
 - Appoint Part-Time Mechanic Highway Department
 - Adopt Proposed Local Law "Signs"
 - Approve Abstract, September 2012
- Correspondence
- Town Board Workshops/Meetings
 - Planning Board Meeting, October 1, 2012, 7:00pm
 - Town Board Meeting, October 9, 2012, 7:00pm
 - Town Board Workshop, October 16, 2012, 6:00pm
 - ZBA Meeting, October 17, 2012, 7:00pm
 - Town Board Meeting, October 22, 2012, 7:00pm

PUBLIC ANNOUNCEMENT

Town Office Closed – October 8, 2012

Supervisor Flach stated that the Town Offices will be closed on Monday, October 8, 2012 for recognition of Columbus Day.

PRESENTATIONS

Albany County Sheriff's Office – Sheriff Craig Apple

Supervisor Flach stated that Sheriff Apple was present along with his Undersheriff's to do a presentation for the Town Board and added that he would not be answering questions from the public but that there would be a public comment period following the presentation. He then invited Sheriff Apple to the microphone.

Sheriff Apple thanked the Town Board for the invitation to come down and added that he wanted to get a couple of things out and to the public initially. He continued by saying that the proposal is derived from a conversation that he and Supervisor Flach had several weeks ago, which started out as a communications issue and slowly moved into talking about police and communications. He went on by saying that the substance of the report comes from a matrix study that was basically conducted at the request of the County Executive through a Local Efficiency to Government Grant a couple of years back and since then a few consolidation efforts have gone forth regarding communication public safety answering points, mostly in a secondary format. He added that as far as the numbers that are in the proposal, which the Board has at this point, the numbers were given to them from the Town of Coeymans and they tried to match as many numbers as possible with the budget online. He continued by saying that he would talk numbers because he is sure that is what everyone wants to hear and stated the following:

Communications - Estimated cost for dispatch services for year one would be \$296,832.00, based on the numbers that they were given and this would show a savings of \$78,274.00 for the first year and would slowly go down over the course of five years to the low point of \$25,569.00 in year five and starting year six it would be zero for a total savings of roughly \$375,106.00.

Sheriff Apple stated that they would keep the precedent that was set with the other consolidation efforts that happened within the county and charge the Town for five years and on the sixth year the county would absorb the Communication cost so the Town would be out of the communication business fully at that point and there would be no charge back. He added that year one would be \$296,832.00, year five \$349,547.00 and year six nothing.

Law Enforcement – Currently the Town of Coeymans has five full-time Officers including the Chief of Police and based on the numbers that they were provided for salary, benefits, vehicles and gas was 1.3 million and the county would charge the Town of Coeymans \$600,000.00 for five years and what they would get would be 6 full-time employees and the formula that they used calls for 5.5 people, which they rounded up to 6 full-time Deputy Sheriffs. The savings for a full consolidation effort of communications and law enforcement for the first year would be roughly \$471,772.00 and it would slowly go down for five years with the final year being \$419,067.00.

Sheriff Apple stated that he does not want to engage in consuming the cost of law enforcement after year five and he would propose a continual charge-back to the Town of Coeymans so the \$600,000.00 would not go away on the 6th year but what would go away would be the entire cost for communication coupled with the savings from the consolidation, which would be roughly \$768,604.00 in year six. He added that if the consolidation were to go forward, sometime in the middle of year 4 or early year 5, negotiations would commence to come up with a charge-back number for the Town of Coeymans. He continued by saying that public pension costs are skyrocketing and they

would lock in on a five year rate for law enforcement and the 6th year would be negotiable. He added that one of his stipulations when they started consolidations in the northern end of the county was job loss and he does not want to see job loss and his proposal for communications calls for 4, which would absorb the 3 that the Town currently has and add another and the Town of Coeymans would pay for those four and as far as the Officers, the Town currently has 5 full-time and they are calling for 6 and at this point he cannot discuss part-time because it is premature when they don't even have a proposal disseminated yet. He then asked if the Town Board had any questions.

Councilman Dolan stated that he had mentioned six full-time and continued by asking what it means as far as day in day out and having someone in the Town of Coeymans.

Sheriff Apple stated that they looked at it and what would be very feasible is two Deputy Sheriffs dedicated and the reason that the Town of Coeymans would pay and they are charging is because they want a specialized, dedicated service. He added that they have a responsibility to come if they get a call and it is a part of the county taxes but to have a dedicated car, they are going to have to pay for it because it is a special service. He continued by saying that they have looked at providing two cars in the Town of Coeymans from the hours of 7am to 3pm, two cars from 3pm to 11pm and one car from 11pm to 7am with a zone car coming in to backup if needed.

Councilman Dolan asked if the cars would always be here.

Sheriff Apple stated that they would be dedicated to the Town of Coeymans because they are paying for them and added that if there is an emergency going on they will be calling for everyone and could be called, which is a reality. He reiterated that those cars will be in this town and they will be paying for them and it will be a dedicated service.

Councilman Dolan asked if the cost included a place to house them.

Sheriff Apple stated that he has not even approached that and it will depend on if the Town will charge them for it because they would not charge the Town to use their own building and he does not know what the Town's feelings are on that.

Councilman Dolan stated that he had indicated that the Sheriff's are in the Town of Coeymans and provide service anyways.

Sheriff Apple stated that if they are called, they come down and on occasion investigators and the S.W.A.T. Team have come down but as a normal course of assignment, if there are extra cars on, they will come down but if not they won't and reiterated that if they are called, they will respond.

Councilman Boehm asked if any of the hill towns are paying for a dedicated car.

Sheriff Apple stated that they are not and that they don't have a dedicated car and there is a chance that in an 8 hour tour a car will not touch the Town of Berne or the Town of Westerlo.

Councilwoman Rogers interjected that they are not nearly the size of the Town of Coeymans either.

Councilman Boehm stated that those towns have to rely on the State Police or County Sheriff's for police protection.

Supervisor Flach stated that he wanted everyone to know that something like this is not taken lightly and he approached the Sheriff about a midnight shift for telecommunications and as talking continued on he asked about consolidation because he has seen and heard about other towns doing so. He added that it is purely from a monetary standpoint and the reason why he spoke with the Sheriff and at this point in time he was given the numbers of what law enforcement and communications would cost and they are now at this point, which is in the very early stages and it is not something that will happen tomorrow. He concluded by thanking Sheriff Apple for giving them a

proposal and as Chief Fiscal Officer of the Town he thinks it is his responsibility to everyone in the room and the taxpayers in the town to give our town the best cost and went on by saying that he thinks that the Police Department does a great job and reiterated that as the Chief Fiscal Officer it is his responsibility to look at every bit of finances that comes through the town and he was hired to look after their money.

Supervisor Flach asked the Board if there were any other questions.

Councilman Dolan inquired as to how long of a timeframe it will be to implement the whole plan

Sheriff Apple stated that it is not an easy process and it is a relatively tedious and lengthy process because there is a lot that goes into it and there are union contracts that are affected and negotiating periods with unions as well as negotiating with the County Legislature and the Town Supervisor and Town Board. He continued by saying that optimistically he would say that if they want to move forward, it would probably be March.

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

PUBLIC COMMENT

Supervisor Flach invited the public to comment at this time and asked that anyone wishing to comment should limit it to a couple of minutes.

Gerry DeLuca read the following:

Good evening, for anyone that does not know me, my name is Gerry DeLuca and I am an Investigator for the Coeymans Police Department and the spokesman on behalf of the Coeymans PBA this evening. Before I get started stated on the comments about the Sheriff's proposal, I would like to make sure that we invite everyone in Town to the Coeymans Police Athletic League event this Sunday, a bowling event where we are hosting any kid in Town who wants to come and bowl for free and earn some prizes, which is something that the Coeymans PAL is doing.

Supervisor Flach asked that he explain the workings of the PAL.

Mr. DeLuca stated that the Police Athletic League is an organization that was formed and was originally the brainchild of Lieutenant Thompson, which has now been taken over by Officer John Meyers and it is volunteers who are officers, dispatchers, family members and citizens who are volunteering their time to benefit the kids in this community. He added that they worked at the P.B. Coeymans Welcome Back Day event last year, which they were suppose to have this year but it got rained out and they held a Basketball Free Throw Tournament and now a Bowling Tournament. He reiterated that it is free of charge and they have obtained donations for prizes and there is no benefit to the volunteers other than volunteering their time.

Supervisor Flach asked who it is open to.

Mr. DeLuca stated that it is any resident in Town.

Chief Darlington interjected that it is for any R-C-S student.

Mr. DeLuca stated that it is for ages 8-18 and there is a piece that he sent to the News Herald and it should be in the paper this week.

Mr. DeLuca continued by reading the following:

Thank you for the opportunity to address you on behalf of the members of the Coeymans Police Benevolent Association. The PBA represents both sworn officers and dispatchers, both full and part-time. Obviously we are very concerned about the discussions that are taking place regarding the future of the Coeymans Police Department and the Communications Center. I know that there have been discussions, which is obvious from the presentation that the Sheriff just made regarding the Sheriff's takeover of the responsibilities of patrolling the Town of Coeymans. The Sheriff and members of his department are a highly professional agency and our officers frequently work with them. The officers and deputies provide backup and assistance to each other, without question or regard to uniform or who we work for. Our dispatch and the Sheriff's communications are also tied together and work hand in hand. Our member's concerns have nothing to do with the Sheriff or his department's ability to provide a specific level of service. Our concerns are with the elimination of our Police Department and they are multiple. Our own employment and personal security are important, every officer and dispatcher is just as concerned about the safety and security of the people we protect and serve. No one takes a job in law enforcement for the money, there is truly a desire to assist people and make a community better. We do not believe that any other agency can provide the people of Coeymans the same level of service that our members provide. Any agency that serves our town is part of a larger service area and they will always have times when the needs of one area will conflict with the needs of another. If it is troopers or deputies it does not matter if they are assigned to Coeymans, if they are needed in another area, they will have to respond, leaving our town with a lesser level of service. When I say service, it is not just protection because our members do provide service and not simply protection. Our members are often called upon to assist at special events, man the Emergency Operation Center during a crisis like Hurricane Irene, respond to EMS and fire calls, conduct fire investigations, work with school officials to prevent incidents and not just deal with them afterwards but to prevent them prior. We deal with matters that are not always criminal; we are part of this community and care about the community. This issue is being presented as a matter of dollars and cents, Mr. Supervisor you have stated that a significant amount of money can be saved by eliminating the Coeymans Police and Communications. While money may be able to be saved, I do not agree that public safety can be measured purely in dollars and cents. I suggest we take a look at the numbers, the Sheriff mentioned some numbers, we were looking at other numbers that showed \$940,000 as our expense but for every \$100,000 that might be saved, with the elimination of our Town Police Department the tax rate would be reduced by 17 cents per thousand. This would save the owner of a \$200,000 home about \$34.00. If the Town were to save \$500,000.00 in the first year, each taxpayer would save 47 cents a day, you can't buy a cup of coffee or a newspaper for 47 cents a day. Does anyone really think that public safety isn't worth 47 cents a day? Finally, while not all of us live in town, the majority of our members do. We pay taxes, we go to church here, we buy our food at the grocery store, we patronize the restaurants, the drug stores and other local businesses. Will those assigned to work here by any other agency be part of the community? Will they know the people they are dealing with the way our members do, will they care as much about the Town of Coeymans and the Village of Ravena as we do?

Thank you.

Supervisor Flach asked if anyone else wished to speak.

Kathy Emory stated that she was present because of the police matter and as a taxpayer she fully understands where the Supervisor is coming from as far as saving dollars and cents because she has always been one of the first ones to champion tax reduction, particularly for senior citizens. She added that in the economic times that we are in and when you consider abolishing the Police Department there are other factors that have to play into them and if Mr. DeLuca was correct in saying a 47 cent savings, the taxpayers won't be getting it back so there really is not a savings. She continued by saying that more importantly it is the local home town feeling in knowing that when you pick up the phone, chances are that you are going to get someone who knows you, the situation, and the people involved and you know when you pick up the phone and need help, even in a medical emergency, that the response is going to be in a matter of minutes and not 15-20 minutes, half hour or maybe longer if there is no one else available. She added that the Sheriff had said that the Town would have complete coverage, which they heard before

as a Town because they have been this road before and it has been talked about before and it never seems to come to fruition and it would be a matter of putting in a call to be told that they had an emergency in Guilderland for instance and being asked to put off your heart attack or stroke for 45 minutes to an hour. She continued by saying that she has had a personal experience over the last nine months of needing some emergency help in a big hurry and there is no one more dedicated than our local police officers and local rescue squad. She went on by saying that the day after, the officer who served her and responded to her call stopped at her residence to see if she was okay and to find out how she made out, which they won't get from the Sheriff's Department. She added that she is in no way downing the Sheriff's Department because they are highly dedicated professional men and as Councilwoman Rogers had said, the Town of Coeymans is a much larger area and it is not out in the middle of no where and we need our coverage as we have it now. She continued by saying that Sheriff Apple had said that he would be willing to pull in and use the Town's dispatchers and the full-time officers but what about the part-time officers who as Mr. DeLuca had said spend money in the town, protect us and are here for us and they might not be able to find another position and that she would not want her job hanging on the line like that because of 47 cents per taxpayer. She concluded by saying that she implores the Board to consider this very seriously because cost savings is great but there are things with safety being number one, which is much more important along with peace of mind.

Supervisor Flach asked if anyone else wished to comment.

Alice Southwick stated that she was going to address it in a different way and added that about 4 months ago if it wasn't for the Town of Coeymans Police and Ravena Rescue Squad she would not be here right now when she was assaulted. She continued by asking that they not take this away because they need this as taxpayers and a community and they pay taxes for these services and they deserve to get them. She added that everyone in the room knows each other and as Sheriff Apple had said, they will be there but they do not know any of them and the Coeymans Police put their lives on the line everyday to save the residents if they need them and the rescue squad as well and both are there 24/7. She continued by saying that people in this town pay taxes for a service and when you call them you want them there and those on the Board made promises and were elected by the town taxpayers and they need to think back to what they said and the promises that they made and they need to show the taxpayers that they are there for the community and not for themselves. She added that as taxpayers they don't get a lot for their taxes and now they are talking about taking away a department and if this taken away who knows what department they are going to take away next. She went on by saying that tax dollars are there every time they raise them and it will come to people having to sell their houses, as taxes go up people are moving out and there are not any new businesses or families coming into this town and they want to take everything away from them. She continued by saying that the community should have a say on whether the Sheriff's come in or the Coeymans Police stay here and it should not be up to the 5 people on the Board and reiterated that it should be taxpayers having a vote and a say about what goes on and they deserve a right just like everyone else. She concluded by asking that the Town Board not take away the Police Department because they are there 24/7 and people might think that they are not out there doing their jobs but they are.

Supervisor Flach asked if anyone else wished to speak.

Michele Maddage stated that she is a life-long resident of the Town of Coeymans and a taxpayer in good standing and she was there with a lot of emotion as Alice just was and they live in a small town, with a small town feel and they would like to keep it that way and continued by reading the following:

It's the same tune that we hear every year, year after year, they need to save money, cuts need to happen, do more with less, do less with less and it is apparent when traveling through this town that the cuts are becoming fatal. Mr. Flach you said your job is to save the Town money, my understanding of your job is to provide government efficiently in the Town of Coeymans and not just to save money. Reading thorough the previous minutes of the Town Meetings there is a lot of talk about drug testing, I was amazed that this is not already on the books. Looking further, job requirements for the Town, I am

amazed that Town residency is not a requirement to be a Town employee. Why is this? That is a requirement for most municipalities in the area, as it should be. Take care of home first, keep the money in the town; we do have a lot of educated and talented people here. I'm sure tightening your selection criteria to just the residents of this town would be somewhat of an economic help as well. I see tonight that it is on the agenda tonight to hire a part-time mechanic; I certainly hope that he is a resident of the town, I did not see a posting in the paper for this position and there are certain human resource requirements that are required for a posting. I am confident that there is a mechanic that resides in the Town of Coeymans that could use this part-time work. I believe that the answer to budget shortfalls after all the cutting must be to generate more revenue, what is your plan to bring the life back to this town, what is being done to bring business back to this town, what is being done to keep business here? There is a great document right now on Coeymans.org called The Economic Development Plan, a lot of time from previous administrations and resources went through this thorough document, I read it today, there's goals there's strategies, there's even action plans and there's even a spot listing what responsible parties there are to have those things actually come to fruition. The Town needs help and it needs it now. It concerns me gravely that we are even having a conversation about the future of the Town's Police Department. I've worked off a contract myself for the past 15 years, the most scary thing about a contract is they have an end date and in every contract that I have ever come across there is a Termination Clause that says it can be terminated any time by any party with a certain days notice. What would the plan be when the new County Executive or County Sheriff decides that road patrols in this town are not cost effective to them anymore? Promises in the beginning are easy to be made. I recall a promise to the Village that there would always be dedicated cars for the village, the budgets never allowed for this to happen. The Coeymans Police Budget accounts for 11% of the total budget. I look north to our neighbors in the Town of Bethlehem, their Police Force is 39% of their total budget, I think we are getting a bargain. Just looking at the activity for the months of March – May that were posted in the News Herald last week, there was a total of 2,632 calls that the police responded to and there were 81 arrests, over 30% of those arrests related to drugs. Many of those calls were also made to the R-C-S High-School; I do not want the safety of the children at jeopardy in our town. I have a daughter in the high school and one in elementary school and both of their safety is my number one priority. I already pay a lot of county taxes and you're considering contracting this service out, collecting my town tax dollars and then writing a check over to county, which I already pay. It sounds almost like double-dipping to me and the beginning of the end of the Town of Coeymans.

Supervisor Flach asked if anyone else wished to speak.

Audrey Toussaint stated that she lives in Ravena and added that the PBA had a message of community and service tonight, which is wonderful. She continued by saying that she has only lived back in this area for the last year and half and has not found quite a sense of community here. She went on by saying that there is dissention in our community in almost every area regarding our athletes, our schools, Main Street is a disaster, and there has been no economic growth. She added that she would like more information on the Sheriff's proposal and to have a chance to read it herself before she is going to form an opinion on it. She continued by saying that she lived in the past 26 years in an area that did not have its own Police Department and they were served very well and she was a parent and had occasion to call on emergency services, where the State Police in Clifton Park have always responded very well. She went on by asking that the Board and the community keep an open mind and the message that she received from Sheriff Apple, who was a classmate, and from this area, is that they are going to absorb our full-time employees and talk about the part-time. She continued by saying that change is difficult to accept and implement and she hopes that they are all going to make a decision to do what is right for the community because the police officers are community members and she would not like to see anyone, regardless of their occupation lose their job but at the same time they have some tough choices in their future. She added that the economy is not improving too much right now and for her house in Ravena, if her house here were assessed the same value as her home in Clifton Park, the taxes would be more. She concluded by saying that this is something that they should look at and for the services that they get in this Town, as a community, they are not quite as advantageous as she had.

She concluded by asking that everyone keep an open mind and hopefully they will move forward with a big decision for our town.

Supervisor Flach asked if anyone else wished to speak.

Cathy DeLuca stated that for those who don't know, she is the wife of Investigator Gerry DeLuca and she wanted to offer a pretty unique perspective as the spouse of a law enforcement person. She continued by saying that they really need to take into account what happens on those occasions when we have Hurricane Irene or a major snow storm and during Irene she was home while Gerry and every other officer that they have was out patrolling or helping people and when their own basement started to flood he came home long enough to get someone to help and went back out on the streets to help our residents. She added that if we have something like that again, or if there is a major snow storm this year, will the Sheriff's send out extra cars to help out and will they be around if there is another Irene and went on by saying that they will probably get called somewhere else. She concluded by saying that our men and women both dispatch and officers work very hard and are very dedicated to this community and she would ask that they think very long and hard about taking them away.

Supervisor Flach asked if anyone else wished to speak.

Nancy Warner stated that she has been a resident all of her life in the Town or Village and there are a couple of aspects that they need to think about when they talk about the police, which she is absolutely in favor of keeping for numerous reasons. She continued by asking that they not forget the dispatchers who play an important role when you do call and speak to someone you know and who knows you. She added that there has been a lot of talk about absorbing the full-timers and she questions seniority, benefits and how they are going to fit in to that or whether they will lose seniority and benefits. She went on by saying that it is nice that they are going to give them a job but the pay rate they don't know and they need to keep it in mind along with there not being any mention of a guarantee for the part-timers. She added that the Village ran a police force on part-time alone for a very long time so they are a very important part of the department and just because they are part-time does not make them less important. She continued by saying that she is very skeptical of Sheriff Apple saying that they will renegotiate in year six and she does not know about everyone else but it does not sit right because it is an unknown and like someone said, what happens if they say in year six that it's not worth it for them and they are not going to do it anymore or they jack it up. She went on by saying that they should trust her when she says she knows from where she speaks because they gave away their Police Department with many promises that were not kept and they do not have the coverage now that they had prior to 2005 when they had their own Village police. She concluded by saying that if they give away the Town police they will live to regret it and will not have the coverage that they think they will have and people are going to promise them, but they can't promise what is going to happen in the future and they need to keep it here and she believes 100% in every thing those that spoke in favor of the police has said and they are our men and we want them here, we want to know who they are when they come and they need to keep this in mind for the police and the dispatchers.

Councilman Dolan stated that he wanted to point out that there are women too.

Supervisor Flach asked if anyone else wished to speak.

Mary Driscoll stated that last week in the Times Union there was an article in the paper about the Albany County credit rating going down and now they are coming to the Town to look for money and they promised the Town a paramedic, which was stationed here for approximately six months and then they moved it. She continued by saying that she noticed on the agenda that there is an item about bullying, which is getting to be quite a problem and then asked if they are going to have to wait for a deputy sheriff to come from somewhere else to take care of it. She went on by saying that she wanted to commend the Supervisor for bringing it out into the open and with other regimes everything was done behind closed doors and he brought it out to the public and she give him a lot of credit for taking the static that he has. She added that she wants the Police

Department but she gives him credit for bringing it out in the open and with 5 members on the Board, three of them didn't have any questions for the Sheriff and she is sure that they knew that the discussion was coming up or should have known because she knew and it was in the paper. She continued by saying that they should have had some questions for him so they could get definite answers and by it being brought out into the open, people can see how concerned the Town is and they should be very thankful that they are getting a lot more for their money from this department than they ever would from the County Sheriffs.

Supervisor Flach asked if anyone else wished to speak.

Ann Marie Vadney stated that she wanted to commend the Town for bringing this to everyone's attention but personally and professionally she thinks that it is piecemeal and all options should be presented to the people in the town and discussions should take place with the Police Department to determine what type of services are being provided and how they are being provided in a town with a similar population. She continued by saying that many of the surrounding towns are 7,000 – 8000 people, with some having smaller and some having higher budgets and there is always room for improvement but she does not know if this is the best way to achieve it and more thought has to go into it, whether it is using the Sheriffs, keeping the Town's or combining them. She went on by saying that there are always avenues where they can be more cost effective and maintain and retain the services that are currently in existence and maybe they need to look at it from a different aspect and review it again and possibly identify something better. She added that they need to include who they currently have in the community and get their feedback before they attack others in the community and they need to work closely with everyone because there are a lot of different sects and people go off on a tangent and do not address the issues from a quality perspective as well as cost effectiveness. She concluded by saying that this meeting should not be an end all to these issues, they need to do more research and there are a lot of professionals in the community as well as the Sheriff's Department and reiterated that if there are issues regarding cost effectiveness they have to look at those and maybe in a different manner.

Supervisor Flach stated that he wanted to say something before the next person speaks and added that he has been here for 9 months as the Supervisor since the election last November and this is best meeting that they have had in those nine months because people are present. He added that as he says in his Supervisor's Report in the News Herald every week, it is about the people of this community and what the people of this community want, whether it be saving money or that they are happy with the services that they have, which has been the question since the beginning. He continued by saying that if the community is pleased with their Police Department enough to spend some extra money to have that service, then so be it and the Board is 5 people representing 7,400 in the community, with a fraction of that present and a lot of them pay taxes and this was to see how the people of the town really feel and if it is not about the money and it is about the service he is all for it. He went on by saying that this is the type of meeting that he would like for every town meeting, because people need to know what's going on and be able to voice what they want to say, which is what he has said since September 2011. He concluded by reiterating the people need to have a voice and they need to be heard and then asked if anyone else wished to speak.

Laszlo Polyak stated that he is from Ravenna and he spoke at the last meeting and said that he didn't want to make any comments until the Sheriff actually made his proposal, which he has now done. He continued by saying that he still does not have the figures in front of him or dollars and cents, which he would like to see before making any further decision. He went on by saying that two things that came out of the last meeting were response time and how they would be guaranteed as well as having some form of how complaints can be handled because several have come in and they are not disposed of timely either by exonerating the police or admonished because they went beyond their abilities. He added that as for Sheriff Apple, if he was born and raised here, he would doubt very much that he would do things minimal here because he has a vested interest and he discussed with him the possibility of having like Voorheesville, a satellite office where you employ 40-50 other people that do nonessential work because he has 700 + and there are people here that would be willing to do that type of thing. He reiterated that

he does not have facts or figures and to answer some of the questions here, this Board cannot make that decision, the residents have to make the decision and what the Board can do is put it to a vote by referendum. He continued by saying that this was the first step and he wanted to hear some negotiations going back and forth to see what they can get better for their money, more and better services from the police department and whether or not they do or don't keep them. He concluded by saying that he loves Clifton Park and it is home to 8,000 + people and they don't have a police department but there is a barracks with a couple hundred troopers and it would be stupid to have high crime there.

Kathy Myers questioned whether when this is all put together if it will go to public vote or if this is something that the Board can decide.

Supervisor Flach stated that the Town Board would have to agree by vote to put it out for a public referendum.

Kathy Myers stated that the Board cannot decide to get rid of the police without a public referendum.

Councilman Dolan stated that dismantling the police would require a public referendum but right now there is no question on the table.

Kathy Myers stated that she understands that and she just wanted to know if either way it has to be done by public referendum or if the Board can decide.

Councilman Dolan stated that it would not be either way and it would only be if they were going to eliminate the department.

Supervisor Flach reiterated that the only time that they would need a referendum is if the Board decided to dissolve or eliminate the Police Department. He then asked if anyone else wished to speak.

Bill Kapusta stated that he is Chief of the Coeymans Hollow Fire Department but was present acting on his own opinion. He added that a lot of good points have been made and he wanted thank Supervisor Flach and the Board for bringing this on and they have taken a lot of flack for it, which may be a bad choice of words. He continued by saying that it is their duty to look at all the options but he is not in favor of dissolving the police for a couple of reasons and from the fire end of it, for every call that they respond to, they know that an officer will respond to the scene and they know them and they do run calls out on Rte. 32 and occasionally they get the Sheriffs and State Police who do an excellent job but they never know who it is because they get a different face each time. He added that it is like when you have co-workers who you work with everyday and you know what to expect and that you can trust them and within an hour last week of an accident on Rte. 143 there a full crew with an investigation going on with a search team called and helicopters flying and he does not know if Sheriff Apple would show up in ½ hour and be running the show. He concluded by reiterating that from the fire end of things, in he own opinion they really need to keep these guys, they do an excellent job and it is the local faces that you know and trust and the cohesion that you feel because you know them.

Supervisor Flach asked if anyone else wished to speak.

Shirley (last name not given) stated that she feels as though they should keep the Police Department because even when they don't see them they are there and you are protected. She continued by saying that she goes to work early in the morning and they are watching her and making sure that she is safe and when you are sleeping you are safe because they are out there patrolling, which you won't get from the Sheriff's Department. She added that she has children and grandchildren and to save 47 cents a day, she would not put their life of the line.

Supervisor Flach asked if anyone else wished to speak.

Donna Pasquini stated that she lives in the Hamlet of Coeymans and added that as far as the Police Department she basically has nothing to say and she has seen good, bad and indifferent but they are there when you need them and that is what counts. She continued by saying that her point is that she wanted to speak about the damage caused to her house by the Town's storm sewer and it has been a sore subject for her for many years and the Town has refused to pay for the damages but has paid claims for other damages caused by the storm sewer to other residents while the Town has permitted the insurance to disown the storm sewer from the town and has since rerouted it and made repairs to it and plans on future modifications. She added that Councilman Boehm had said that he could not say for definite that the storm sewer caused the damages but yet never went and looked at her house at any time as well as not appreciating when he rolled his eyes earlier when she was making public comment and it was very unprofessional and Councilwoman Rogers, who she thought was a very good friend at times never came down and looked at it. She continued by saying that the Town has insurance to cover things that happen like this and instead of going by the facts they all did nothing except go by Mr. Conrad's personal opinion on the texture of the soil even though there was a gapping of a 1 ½ - 2 inch hole in the top of the storm sewer. She added by saying that she has been a resident and taxpayer for 35 years and all of them turned their backs on her saying it is in the hands of the insurance company and her claim for damage was only to fix her home and the Town's insurance company, for which is paid by taxes, shall not be able to tell the Town what they own and what they don't own. She went on by saying that Mr. Conrad is not in charge of the Town and for him just to show up unannounced at her home with an attorney for the insurance company and take pictures was discourteous and unprofessional. She continued by saying that this has been going on for several years and certain Board Members have lied to her at times and they have kept silent when they should have spoke up and told employees working on the storm sewer not to speak to her long before she commenced a law suit against the Town, which is unprofessional and they have kept it dragging out while she has received more damage to her home and her property and the Town should have taken care of this right away instead of disowning the storm sewer, then rerouting it and repairing it all the way leaving her out to dry in the legal system and now the Town's insurance company attorney is threatening her with legal fees if she continues to push this. She concluded by saying that certain Board Members are there for professional gain and not for the taxpayers that elected them to look out for the Town and its residents and she believes that it is a personal vendetta against her because she speaks out at Board meetings and residents should be aware because this could happen to anyone who lives in the Town and certain Board Members are not there to help or be honest about their responsibilities and it seems like their only interest is to get the benefits and retirement from the Town at the taxpayers expense and if anyone is having a problem with the Town, the first call should be to an attorney.

Supervisor Flach asked if anyone else wished to speak.

Dawn Reed stated that she has been a resident of the Hamlet of Coeymans for eight years and had lived in the Village of Ravena for 23 years and her first year in the Hamlet a drunk driver hit the side of her home and if they went in the other direction they would have hit her children if they had been out and when they called the police, they were there immediately. She continued by saying that everyone is familiar with 51 Westerlo, where they were called many, many times and knowing that you could call the police and know that they would be there immediately makes you feel safe and you really would not want to wait ½ to 1 hour for an accident, burglary or shooting and just because we live in a small town does not mean that it won't happen and at the end of the day they have to live with themselves and the choices that they make. She went on by saying that she wanted to commend the police, who have come to her area multiple times and she does not feel as though they should get rid of anyone in the Police Department at this point and in it for her is protection, which mean a lot to her and for her children and for her community because she would hate to see anyone get hurt and have to wait an hour or longer for assistance because they are there when they need them and if they take them away, they will regret it. She concluded by saying that she hopes they think hard and long and really listen to everyone because they all have something involved in this and they are all committed to this community as are the Police Department and she has never seen anyone unprofessional and the community is blessed.

Supervisor Flach asked if anyone else wished to speak.

Kathy McEneny stated that she is a relative newcomer to the Town and added that the town is loaded with wonderful resources, some of which have not been developed but they are optimistic that things are getting better all of the time. She continued by saying that they don't think that it is a good idea from the perspective of the outside to say that they are the town that gave away its police force as well as being concerned about police protection in rural areas. She added that in order to attract new builders you have got to have a certain size lot and you are going to be out in the rural area and no one is going to want to come here if we don't have police protection or if it is casual or intermittent.

Supervisor Flach asked if anyone else wished to speak.

Barbara Heinzen stated that she is also new to the area and I would like to make a link between the debate about the police force and whether it goes to Albany County and the issue that she wanted to speak about is the proposal to eliminate the Landfill Law and put in a new one. She continued by saying that they say that the proposal to put the police in with Albany County will save a lot of money but there are more than financial assets to consider here because a local police force has local knowledge and helps create the character of a town and knowledge is also an asset and they don't want to throw it away lightly. She added that she thinks that the value of a town is in the nature of the community and the quality of life that we have here and this is why she wanted to comment on the Landfill Law that is being proposed. She went on by saying that she understands that there has been a Negative Declaration made and she believes that the Negative Declaration means that you see no harm in the new law and then asked that the Town Board correct her if she is wrong and if this is what a Negative Declaration she wanted to know how the decision was arrived at and what evidence they have that is not going to cause any harm. She continued by asking where the evidence come from, how the decision was reached and if there was a SEQRA process where they answered questions and if there was no obvious reason for making a Negative Declaration about the new law she wanted to know how they arrived at it. She added that she also thinks that their desire to change the Landfill Law is a desire to promote a form of industrial development that they believe will bring jobs and economic development to the town but she knows people who do recycling business and they say that you can do all your recycling with machines and you don't need a lot of jobs. She continued by asking how many jobs this development will actually bring and what are the alternative kinds of development that might bring us even more jobs and better quality jobs and the Landfill Law that they are proposing is consistent with the Comprehensive Plan that was agreed some time ago and if not, why are you trying to change it? She went on by saying that some of the people involved in this issue are in the room and those who don't want to see the law changed and those who do should actually sit down together in a room and talk about what will work for all because it is not a question of either/or, but rather how they come to an agreement that actually strengthens the quality of life in this town and the nature of the relationships that we have with each other. She concluded by saying that they don't want to be at each others throats, they want to learn to work together and she is sure that Mr. Flach would agree with it completely.

Supervisor Flach asked if anyone else wished to speak.

Councilwoman Rogers stated that she wanted to state that the Supervisor's Report is solely his report and the majority of the Board has no idea what they are reading until they pick up the News Herald. She added that it was asked earlier why the Town Board didn't ask any questions or have numbers and she wanted everyone to know that they were given the proposal 3 minutes before the meeting and this is why they have no questions or answers. She concluded by saying that it takes the majority of the Board to make this decision and Supervisor Flach has the right to ask questions and do what he wants but in her opinion he does not have the majority of the Board.

Chief Darlington asked if he could have the Board's permission to speak.

Supervisor Flach stated that he could.

Chief Darlington stated that for those who don't know who he is, he is the Chief of Police who has worked for the Town of Coeymans for 25 years and one of the things when you talk about your Police Department and your health, safety and public safety of this community he would think as the Chief of Law Enforcement Officer he would be consulted in any conversations about the abolishment of this Police Department. He continued by saying that he found out when Sheriff Apple called him and advised him that he was approached by Supervisor Flach. He went on by saying that he to is a lifelong resident and since 10 years old he has lived in the Town of Coeymans and with 25 years of professional service he thinks that he can say that he is an expert at the public safety in the Town of Coeymans. He added that he is not only the Police Chief but he also does the Town's Emergency Management and now recently the Safety Committee for the Town of Coeymans. He continued by saying that he did find it interesting that Sheriff Campbell provided the Board Members with the proposal but not the Chief Law Enforcement Officer who could verify and go with what he has and probably advise the Board. He went on by saying that he would caution the Board as many community members have said about the 6th year because three years ago the Sheriff's Department tried to charge the Town of Coeymans \$14,000.00 for Sheriff protection that we never got and this was to make up for the budget shortfalls of Albany County as well as many comments being made about the training of his officers. He added that training is tough in the Town when the budgets are cut and the hours are not given to them to get trained but as many may not know his part-time officers are in fact Albany County Sheriff's, city police officers and from other police departments such as Menands and Rensselaer and the men and women that work for him are the most professional people that he has ever dealt with. He continued by saying that there have been comments about personnel complaints and follow-up and with a recent promotion of a lieutenant they have provided a policy that are looked at by him and presented to him as Chief and whatever needs to be done is done. He concluded by saying that Supervisor Flach said that one of his responsibilities is to save money and added that he also believes that it is the Board's responsibility to take the public safety and health into consideration when they make any decisions and to make this community grow, and as put by a previous supervisor, a community is only as good as its Police Department and without this department, I feel as though the town would collapse.

Supervisor Flach asked if anyone else wished to comment, hearing none he moved to the next item on the agenda.

PRESENTATIONS

Supervisor Flach stated that Councilman Masti would be presenting two proclamations and then invited him to do so.

Proclamation – Academy for Character Education, Sage Colleges, Bullying Awareness Month

Proclamation – R-C-S Central Schools, Bullying Awareness Month

Councilman Masti stated that the first Proclamation is for the Academy for Character Education at the Sage Colleges and one is for the R-C-S School District and continued by reading the following:

Both of these proclamations are being presented in an effort for the Town of Coeymans to help raise awareness of bullying. We are proclaiming October to be Bullying Awareness Month. Bullying is unwanted aggressive behavior among school aged children that involves a real or perceived power imbalance in which the behavior is repeated or has the potential to be repeated over time. Bullying includes actions such as making threats, spreading rumors, attacking someone physically or verbally or excluding someone from a group on purpose. Bullying does not discriminate, it is more prevalent in school aged children but young adults and college students can be bullies to. We as a community must stand up to this behavior and stop it. We cannot go on ignoring this behavior or saying that it's only a phase or kids just being kids. We are asking everyone

in our community and around our community to help stop bullying. Here are the statistics, suicide is the third leading cause of death among young people, resulting in about 4,400 deaths per year according to the CDC, for every suicide among young people there are at least 100 suicide attempts. Over 14% of high school students have considered suicide and almost 7% have attempted it. Bullying victims are between 2-9 times more likely to consider suicide than non-victims, according to the study by Yale University. According to statistics reported by ABC News, nearly 30% of students are either bullied or victims of bullying and 160,000 kids stay at home everyday because of their fear of bullying.

Councilman Masti continued by saying that Dr. Philip Fusco was present representing The Academy for Character Education and then invited him to speak.

Dr. Philip Fusco thanked Councilman Masti, the Town Board and residents as well as complementing the Town of Coeymans for taking the leadership and taking this issue of bullying and making it in the forefront. He continued by saying that Councilman Masti had indicated a number of 160,000 and it is that many young people everyday that are physically harmed as part of bullying and obviously suicide that goes along with it. He added that he wanted to complement the Town for bringing this issue to everyone's awareness and taking charge as a community and they at the Academy work with school districts throughout the state to build character education in the schools and in communities in general to build communities of character to improve quality of life. He continued by saying that 160,000 sounds a bit overwhelming and there are two things that you can do about it, you can do what they have already done in making it a public statement that it is unacceptable and to the adults in the room who can affect it by their own behavior and their own interaction with each other because children follow what adults do and how we interact with each other and treat each other affects them in how they are going to behave. He concluded by thanking the Town Board again and added that he appreciates the recognition and taking the time to join communities throughout eastern New York State in doing this and he charges everyone to be good role models to their young.

Councilman Masti continued by reading the Proclamation:

WHEREAS, We must safeguard schools and communities for our children, and, through our recognition of the serious issues that face them each day, offer our children an environment that holds promise and security; and

WHEREAS, Many organizations, school districts, educators and parents have publicly expressed concern about the bullying of children; and

WHEREAS, Each day an estimated 160,000 children refuse to go to school because they dread the physical and verbal aggression of their peers, and the loneliness that comes from being excluded and made the target of rumors and cyber-bullying; many more students attend school in a chronic state of anxiety; and

WHEREAS, It is important that we acknowledge and heighten awareness about the serious issues and the negative effects of bullying, including the long-term damage it can cause in our youth as well as the risks of teenage suicide; and

WHEREAS, Providing a safe physical and emotional environment is a significant goal and a personal responsibility of each individual; and

WHEREAS, It is time to “**Stand UP for Character - DOWN to Bullying!**” and,

WHEREAS, the Town Board wishes to urge our community to recognize **October 2012** as **BULLYING AWARENESS MONTH,**

NOW, THEREFORE, BE IT PROCLAIMED, that the Town Board does hereby designate the month of October 2012 as Bullying Awareness Month in the Town of Coeymans as a symbol of our commitment to the year-round struggle against bullying.

Councilman Masti presented Mr. Fusco with the Proclamation and continued by saying that he also has one for R-C-S Central School but no one was present to receive it.

APPROVAL OF MINUTES

Supervisor Flach stated that there were two sets of minutes for Town Board approval, a Town Board Meeting on September 10, 2012 and a Town Board Workshop on September 18, 2012 and then asked for a motion to approve them.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Dolan, approving the minutes as presented and read.

VOTE – AYES 5 – NAYS 0 – SO MOVED

SUPERVISOR’S REPORT

August 2012

Fund	Balance Fwd.	Receipts	Disbursements	Balance
General	\$533,234.49	\$ 80,021.39	\$346,335.80	\$266,920.08
Part-Town	\$876,662.63	\$ 8,025.08	\$ 33,878.75	\$850,808.96
Highway	\$239,835.84	\$ 34,818.93	\$267,511.81	\$ 7,142.96
Bridge Const.	\$ 28,742.96	\$ 32.88	-0-	\$ 28,775.84
Sewer	\$129,403.98	\$ 86,608.72	\$ 71,831.64	\$144,181.06
Special Water	\$ 25,693.37	\$ 547.85	-0-	\$ 26,241.22
Police Forf.	\$ 15,399.51	\$.65	\$ 2,539.89	\$ 12,860.27
Comm. Tower	-0-	-0-	-0-	-0-
Trust & Agency	\$ 11,581.65	\$305,250.14	\$303,689.55	\$ 13,142.24
H-Fund Capital Proj.	\$ 42,072.57	\$ 76,002.67	\$ 76,205.32	\$ 41,869.92
Section 8 – HUD	\$ 56,151.08	\$ 38,113.87	\$ 43,865.81	\$ 50,399.14
			Total Rec. Bal.	\$1,442,341.69

SAVINGS ACCOUNTS

Unemployment	\$ 702.65
Grove Cemetery	\$40,900.38
Coey. Hollow Cem.	\$13,417.06
Sewer-Dedicated	<u>\$ 6,331.71</u>
Total	\$61,351.80

**COLLATERAL
COVERAGE**

Bank of Greene	\$250,000.00	\$2,772,762.48
National Bank	\$250,000.00	\$ 701,700.35

FDIC

COLLATERALIZED

Supervisor Flach asked for a motion to approve the report.

MOTION

On motion of Councilman Masti, seconded Councilman Boehm, the Supervisor's Report was approved as presented and read.

VOTE – AYES 5 – NAYS 0 – SO MOVED

DEPARTMENT REPORTS

Town Clerk – August 2012

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

Town Clerk Millious continued by giving the report.

Supervisor Flach asked for a motion to approve the report.

Town Clerk Millious stated that an ad was put in the paper a week ago about Voter Registration Days and she recently had a phone call that the dates were changing and continued by reading the following.

Voter Registration Days will be held in Town Hall, 18 Russell Avenue, Ravena, NY on Wednesday, October 10, 2012 from 4pm to 8pm and on Saturday, October 13, 2012 from 1pm to 9pm

MOTION

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

VOTE – AYES 5 – NAYS 0 – SO MOVED

Building Department – August 2012

Supervisor Flach asked that Councilwoman Rogers give the Building Department Monthly Report.

Councilwoman Rogers continued by giving the report.

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 5 – NAYS 0 – SO MOVED

Sewer Department – August 2012

Supervisor Flach asked that Councilman Dolan give the Sewer Department Monthly Report.

Councilman Dolan continued by giving the report.

Supervisor Flach asked for a motion to approve the report.

MOTION

On motion of Councilwoman Rogers, seconded by Supervisor Flach, the report was approved as presented and read.

VOTE – AYES 5 – NAYS 0 – SO MOVED

OLD BUSINESS

Supervisor Flach asked if anyone had any Old Business to discuss, hearing none he moved to the next item on the agenda.

NEW BUSINESS

Supervisor Flach asked if anyone had any New Business to discuss.

Attorney for the Town Wukitsch stated that under resolutions there is a proposed Negative Declaration and added that they should have it proposed in the form of a resolution and then actually go over the Environmental Assessment Form in a public session.

Ms. Lawler from the audience asked how they know it is going to be a negative or positive declaration of impact without answering the questions.

Supervisor Flach stated that they have the list of answers and they are going to go through the questions.

Councilman Boehm stated that since this was not on the Workshop Agenda and it was moved forward without his knowledge he would like to table the resolution.

Councilman Dolan stated that he would second it for the same reasons and added that at the last Board Meeting they asked before the meeting if they could put it on the agenda for discussion because they had questions as to how it was done, how it was completed and what information they used, which to his knowledge have never been answered.

MOTION

On motion of Councilman Boehm, seconded by Councilman Dolan to table the Negative Declaration Resolution.

Attorney for the Town Wukitsch stated that the purpose of having the Short Form is to go through it and under Section C. the Board has to give specific answers to the five questions and it is through deliberative process that the Board would review and analyze the proposed action and then if it determines that there is no significant environmental impact, they could then issue a Negative Declaration after the conclusion of the process.

Supervisor Flach asked Attorney for the Town Wukitsch if he would be going through the questions.

Attorney for the Town Wukitsch stated that he could pose them to the Board but they have to deliberate on each one to determine what the answers are.

Councilman Boehm interjected that there is a motion and a second to table it.

Attorney for the Town Wukitsch reiterated that in looking at Section C. on Part II they are asked to go through each item and answer it, which they have not completed and it has to be done at a minimum to get a Negative Declaration.

Supervisor Flach asked if it is something that they would do at a Board Meeting.

Attorney for the Town Wukitsch stated that they could do it right now but they have a motion on the table to table the resolution and the consideration of the Negative Declaration.

Councilman Dolan asked if it has to be done at a Board Meeting.

Attorney for the Town Wukitsch stated that it has to be done at a Board Meeting.

Supervisor Flach stated that there is a motion and second to table the issue.

Councilwoman Rogers reiterated that it has to be done at a Town Board Meeting.

Attorney for the Town Wukitsch stated that it can be done at a Workshop because it is open to the public and there is proper notice.

Supervisor Flach asked if it is on the action.

Attorney for the Town Wukitsch stated the action is the amendment of the law and the amendment and Local Law is before them and whether it could result in any adverse affects, which are listed in Section C. 1-7.

Supervisor Flach stated that it is on the action of the law itself.

Attorney for the Town Wukitsch stated that it would be any consequences that would flow from the passage of the law.

Councilman Boehm stated that they need to vote on the motion and second to table the resolution.

VOTE – AYES 3 – NAYS 2 – SO MOVED

Supervisor Flach stated that it is tabled until the next Workshop when they will go through the questions.

Attorney for the Town Wukitsch stated that in order to pass the resolution they have to complete the Short Environmental Assessment Form and when they do it, it will point them in the direction of whether they can issue a Negative Declaration or not. He added that after consideration of the factors outlined in Section C., if they determine that there are adverse affects associated with the passage of the Law, they cannot issue a Negative Declaration or if they conclude that there are no adverse affects, they can issue a Negative Declaration as well as making specific findings under Section 6 NYCRR617.7C in order to determine that there are no significant adverse impacts associated with the passage of the law. He concluded by saying that he is prepared to go through with them the 15-16 items that they need to look at and that the Board should look at them in advance and be prepared to analyze and go through each of the items C1-C7 and if they conclude that the answers to C1-C7 are no and there are no other adverse affects, they would be in a position to issue a Negative Declaration and pass the Local Law that is before them.

RESOLUTIONS

Supervisor Flach stated that the resolution for issuance of a Negative Declaration had been tabled and in turn they would have to table the resolution for adoption of Proposed Local Law Landfill. He continued by saying that there is a resolution to hire a part-time mechanic, which was advertised in the paper by Town Clerk Millious and then asked Highway Superintendent Deering if he was set to hire the mechanic.

Highway Superintendent Deering stated that he was.

Councilwoman Rogers interjected that this is the first she had seen this and added that she didn't know who he was hiring and she hadn't seen any resumes.

Supervisor Flach stated that they gave permission for Highway Superintendent Deering to hire a part-time mechanic.

Councilman Boehm interjected that it is the Town Board that would hire him.

Supervisor Flach asked Highway Superintendent Deering if he has authority to hire.

Highway Superintendent Deering stated that he has authority to hire but it is the Board that has to approve and fund it.

Attorney for the Town Wukitsch stated that he selects the candidate and recommends the candidate to the Board for hiring and added that he has to be satisfied with who he hires.

Councilwoman Rogers reiterated that she hadn't seen anything.

Supervisor Flach stated that there was only one resume.

Attorney for the Town Wukitsch asked Highway Superintendent Deering if this was the person that he wanted.

Highway Superintendent Deering stated that he would like to table it so everyone can go over it.

Attorney for the Town Wukitsch stated that there is only one candidate.

Highway Superintendent Deering stated that there are two candidates.

Attorney for the Town Wukitsch stated that he has to be satisfied with the person.

Supervisor Flach asked Highway Superintendent Deering if he wanted to table it.

Highway Superintendent Deering stated that he did, for discussion.

Supervisor Flach stated that he would offer a motion.

MOTION

On motion of Supervisor Flach, seconded by Councilman Dolan, the resolution to hire a part-time mechanic was tabled.

VOTE – AYES 5 – NAYS 0 – SO MOVED

RES. #111-12 ADOPT LOCAL LAW #2-2012 – “SIGNS”

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

WHEREAS, the Proposed Local Law “Signs” of 2012 which deals with the regulation of existing and proposed on-premises advertising signs and signs of all types in the Town of Coeymans was introduced by a member of the Board at the August 27, 2012 meeting; and

WHEREAS, a Public Hearing was duly advertised in the official newspaper of the Town; and

WHEREAS, said Public Hearing was duly held on September 24, 2012 at 6:00 P.M. at Town Hall and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to the Proposed Local Law, or any part thereof, and

WHEREAS, the Town Board of the Town of Coeymans after due deliberation, finds it in the best interest of said Town to adopt said Local Law,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans hereby adopts Local Law “Signs” of 2012 providing the regulation of existing and proposed on-premise advertising signs and signs of all types in the Town of Coeymans,

BE IT FURTHER RESOLVED, that the Town Clerk is directed to enter said Local Law in the minutes of this meeting as amended in the Public Hearing on September 24, 2012 and in the Local Law Book of the Town of Coeymans, and to give due notice of the adoption of said Local Law to the Secretary of State of New York.

Attorney for the Town Wukitsch stated that they made changes to it at the Public Hearing.

Councilman Boehm stated that the change was to make it clear that there is no fee.

Attorney for the Town Wukitsch stated that there were also some typos and Town Clerk Millious has the final version, which will be the adopted law.

Councilman Boehm interjected that they were small changes.

Attorney for the Town Wukitsch stated that most of the changes were typos except for one sentence and the deletion of another sentence, which was actually a clarification.

Supervisor Flach asked if there was any other discussion.

Councilman Dolan stated that he wanted to thank Councilman Boehm for fighting to have no fee as well as Supervisor Flach for putting it together and it answers a lot of questions and should make some things easier and it allows them to move on with the zoning changes, which are important.

Attorney for the Town Wukitsch agreed that Supervisor Flach did a good job.

Collectively Councilman Boehm and Councilwoman Rogers agreed that he did a good job.

Town Clerk Millious stated that they needed to do a roll call vote and continued by doing so.

Supervisor Flach – AYE, Councilwoman Rogers – AYE, Councilman Masti – AYE, Councilman Dolan – AYE, Councilman Boehm – AYE – SO MOVED

LOCAL LAW #2-2012 “SIGNS”

A LOCAL LAW, WHICH DEALS WITH SIGNS LOCATED WITHIN THE TOWN OF COEYMANS.

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF COEYMANS AS FOLLOWS:

A. Title

This law shall be known as the “Signs” Law.

B. Statutory Authorization

This local law is hereby adopted pursuant to the provisions of the New York State Municipal Home Rule Law.

C. Intent

In accordance with the Comprehensive Plan of 2006 for the Town of Coeymans, it is the intent of this law to promote and protect the public health and welfare of the residents of the Town of Coeymans by regulating existing and proposed on-premise advertising signs and signs of all types within the Town of Coeymans. This section is intended to create a more attractive economic and business climate, enhance the physical appearance, scenic and natural beauty of the community.

D. General Regulations

(1) No person, firm or corporation shall hereafter erect, re-erect, construct or structurally alter a sign or sign structure without first obtaining a permit issued by the Building Inspector.

(2) Every application for a sign permit shall be accompanied by plans to scale showing the area of the sign; the position of the sign in relation to nearby buildings or structures; the location of the building, structure or lot to which or upon which the sign is to be attached or erected; the method of illumination, if any; and statements indicating compliance with appropriate construction standards.

(3) No sign shall be erected which, in the opinion of the Building Inspector, may cause hazardous or unsafe conditions. If such signs exist, they shall be removed upon direction of the Building Inspector following notification to the owner.

(4) No sign, with the exception of an official traffic sign, a civic organization sign and/or a religious organization sign shall be erected within the right-of-way of any public street or highway.

E. General Standards

(1) Unless otherwise provided for in this section, no sign shall have more than two sides. The maximum allowable square footage of a two-sided sign shall be the sum of both sides, unless otherwise specified.

(2) All illuminated signs shall bear the Underwriters' Laboratories, Inc., seal in conformance with U.L. 48 or be inspected and by an authorized electrical inspection company.

(3) All freestanding signs shall be designed and constructed to withstand a wind pressure of not less than 90 pounds per square foot of surface area.

(4) All signs, including wall signs and projecting signs, shall be securely anchored and shall not swing or move in any manner.

(5) All signs shall be constructed of durable materials and shall be maintained in a good condition.

(6) Projecting signs shall have no more than two sides. The exterior edge of a projecting sign shall extend not more than five feet from the building face or one-third the width of the sidewalk over which it is suspended, whichever is less. No part of a projecting sign shall extend into a vehicular traffic area. A projecting sign suspended over a pedestrian traffic area shall have a clearance of not less than seven feet six inches. No sign shall project from an awning.

(7) On multi-story buildings, projecting signs shall be attached to the building above first-story windows and below second-story windowsills. On one-story buildings, projecting signs shall be attached above first-story windows and below the roofline. The size and location of a projecting sign shall complement neighboring signs.

(8) No wall sign shall be higher than the building to which it is attached. A maximum height of 30' is permitted.

(9) Illumination of any sign shall not produce a direct glare beyond the limits of the property. Ground-mounted spotlights used to illuminate a sign shall be shielded.

(10) All billboards of more than 150 square feet will be permitted with a Special Use Permit issued through the Planning Board. (A billboard sign is one, on which illustrated poster, or painted equivalents, are displayed).

(11) All freestanding signs of more than 150 square feet will be permitted with a Special Use Permit issued through the Planning board. (A freestanding sign shall mean a sign not attached to a building).

(12) Freestanding signs shall be set back a minimum of 10 feet from any highway right-of-way, or 35 feet from any highway center line, whichever is greater.

F. Signs in the Residential Districts.

(1) On all residential and mixed uses, one freestanding or wall sign is permitted, the total area of which shall not exceed 12 square feet. Freestanding signs shall be set back 35 feet from the highway center line. The height of the freestanding sign shall not exceed six feet above the finished grade.

(2) On multi-family premises, one freestanding and one wall sign are permitted. Wall signs shall have a maximum area of 20 square feet maximum. Freestanding signs shall have maximum area of 12 square feet per side and a maximum height of six feet.

(3) One sandwich/sidewalk sign of 12 square feet or less per side is permitted, provided that such signage is not placed so as to impede, restrict or otherwise interfere with pedestrian or vehicular traffic. Such signs shall not be permanently affixed to any structure, shall be displayed only during hours of operation, and shall be located between the building facade and the street. All other portable signs are prohibited.

(4) Signs in these districts may be lit by external means only.

G. Signs in the Commercial/Industrial Districts

(1) On all non-residential premises, wall signs and one freestanding sign are permitted. Wall signs shall have a maximum area of 50 square feet and shall not exceed 25% of the wall area to which it is attached. Freestanding signs shall have a maximum area of 150 square feet per side and a maximum height of 30 feet in height above the finished grade. Freestanding signs shall be set back 35 feet from any highway center line.

(2) Home occupations shall allow one freestanding or wall sign. Such sign shall not exceed 12 square feet in area and shall be set back 35 feet from the highway center line. No freestanding sign shall exceed 6 feet in height above the finished grade.

(3) Signs attached to buildings.

(a) No business sign shall exceed in area 25% of the area of the wall to which such sign is attached, nor shall such sign project more than 12 inches beyond the exterior face of such wall.

(b) Signs projecting above building roofs. One roof sign, per building, not to exceed 32 square feet and not more than 30 feet above grade and/or ground level shall be permitted.

(c) Freestanding signs. Not more than one freestanding sign, with the area of one side of such sign not to exceed 150 square feet, shall be erected on any lot for each 10 acres and/or each 400 feet of street frontage, or fraction thereof, of such lot; hereinafter, no such signs shall encroach on any required front yard.

(4) One sandwich/sidewalk sign of 12 square feet or less per side is permitted, provided that such signage is not placed so as to impede, restrict or otherwise interfere with pedestrian or vehicular traffic. Such signs shall not be permanently affixed to any structure, shall be displayed only during hours of operation, and shall be located between the building facade and the street.

H. Signs in the Residential/Agricultural (R/A) District

(1) Home occupations shall allow one freestanding or wall sign. Such sign shall not exceed 12 square feet in area and shall be set back not less than 35 feet from the highway center line. No freestanding sign shall exceed 6 feet in height above the finished grade.

(2) Approved commercial uses in the residential/agricultural district shall be regulated by the Commercial/Industrial Districts portion of this local law (section G. Signs in the Commercial/Industrial Districts).

(3) All residential uses in the residential/agricultural district shall be regulated by the Residential District portion of this local law (section F. Signs in the Residential Districts).

(4) Agricultural uses are to be considered as commercial uses.

I. Signs in Shopping Centers and Shopping Malls

(1) Notwithstanding any other provision of this section, a shopping center or shopping mall is permitted one freestanding sign per store. Freestanding sign(s) shall not exceed 300 square feet in area per side and shall not exceed 30 feet in height. Sign(s) shall be set back 35 feet from any highway center line, and shall not be placed less than 15 feet of any other property line.

(2) Each tenant is permitted one wall sign. Such wall sign shall not exceed 25% of the store front. Such sign shall not exceed the height of the facade. If the space such tenant occupies has more than one side of the enclosed center/mall building and therefore more than one facade, the tenant shall be allowed a maximum of two signs to be placed on the building's facade, one on each facade.

(3) Portable signs are prohibited except for sidewalk/sandwich board signs with a maximum area of 12 square feet per side that are permitted between the building and the parking.

J. Nonconforming Signs

Signs that were legally erected before the adoption of this chapter and which do not conform to the provision of this chapter may continue to be maintained as legal nonconforming signs, provided that such signs shall not be enlarged, reworded (other than in the case of theater or cinema signs or other signs that were designed to periodically change message, including signs designed to list multiple tenants), re-designed or altered in any way, including repainting in a different color, except to conform to the requirements of this chapter. Routine maintenance, including repainting of a nonconforming sign in the same color and design, shall be allowed.

K. Prohibitions

(1) No off-premises signs shall be allowed other than as permitted for agricultural premises and as stated in the exempt signs provisions of this section.

(2) No sign shall be illuminated by or contain flashing, intermittent, rotating or moving lights, except to show time, date and/or temperature.

(3) No sign shall contain any moving parts.

(4) No sign shall impair or cause confusion of vehicular or pedestrian traffic in its design, color or placement.

(5) Signs which appear animated or projected, or which are intermittently or intensely illuminated or of a traveling, tracing, scrolling, or sequential light type, or signs which contain or are illuminated by animated or flashing light are prohibited.

L. Exempt Signs

The following signs are exempt from these provisions:

(1) Decorative banners, flags, posters, placards and streamers on residential premises.

(2) Decorative banners on nonresidential premises not containing any words, labels, figures or descriptions.

(3) Permanent monument signs as part of a decorative entryway for pedestrian or vehicular traffic.

(4) Historical markers, tablets and statues, memorial signs and plaques; names of buildings and dates of erection when cut into any masonry surface or when constructed of bronze, stainless steel or similar material; and emblems installed by governmental agencies or religious or nonprofit organizations, not exceeding six square feet.

(5) Flags and insignia of any government.

(6) On-premises directional signs for the convenience of the general public, identifying public parking areas, fire zones, entrances and exits, not exceeding four square feet per face and six feet in height. Business names and personal names shall be allowed, excluding advertising messages.

(7) Number and name plates identifying residences mounted on the house, building, apartment or mailbox, not exceeding two square feet in area.

(8) Lawn signs identifying residences, not exceeding one square foot. Such signs are to be non-illuminated except by a light that is an integral part of a lamppost if used as a support.

(9) Private owner merchandise sale signs for garage sales and auctions located on the premises, not exceeding four square feet, for a period not exceeding seven days in any one month.

(10) On-premises "No Trespassing" or "Private Property" or similar signs.

(11) Real estate signs.

(a) Temporary, non-illuminated "For Sale," "For Rent," and "For Lease" real estate signs and signs of a similar nature concerning the vacant or improved real property upon which the sign is located, provided such signs do not exceed six square feet per side in a residential district and 32 square feet per side in a nonresidential district.

(b) Temporary "Opening Soon," "Coming Soon," and "Grand Opening" signs, and signs of a similar nature concerning the vacant or improved real property upon which the sign is located, provided such signs do not exceed 32 square feet per side, are limited to one such sign per property and are displayed only during the period of project construction and/or for a period not to exceed 30 days from the issuance of a certificate of occupancy for the establishment(s) advertised by said sign. In no instance shall said signs be displayed for a period exceeding one year from the date an application is submitted for the initial building permit for the project.

(12) Temporary, non-illuminated window signs and posters not exceeding 10% of the total window surface of a building.

(13) At a gasoline dispensing station, integral graphics or attached price signs on gasoline pumps and one portable sign per station not exceeding 16 square feet.

(14) Drive-through menu boards.

(15) Temporary informational and directional signs for meetings, conventions and other assemblies displayed only for the duration of the event.

(16) One sign, not exceeding 6 square feet in a residential district or 32 square feet in a nonresidential district, listing the architect, engineer, contractor and/or owner on premises where construction, renovation or repair is in progress.

(17) Political posters and similar signs as long as they are not placed within the right-of-way of any Town street or highway or on any other Town-owned property.

(18) Temporary grand opening banners, advertising banners that do not exceed 60 square feet in area, are limited to one banner per establishment and are displayed only during that period commencing on the date of issuance terminating 30 days thereafter.

(19) Temporary “Brand” Advertising Signs, which do not exceed 32 square feet and are displayed only for a period not longer than 60 days.

(20) A flag flown by a business with copy limited to the word "open," provided that said flag is attached to the building housing the business, the size of the flag is no greater than 15 square feet, the flag is removed when the business is closed, and no more than one flag is displayed per establishment.

(21) Signs that display time and/or temperature, electronic-message-center-type (LED, LCD) signs which display electronically changeable messages consisting of illuminated text or graphics that do not exceed 12 square feet.

M. Application Fee

There is currently no charge for obtaining a sign permit. Application fees may be set, from time to time, and at the discretion of the Town Board as per the Town of Coeymans Town Code Section A170 Permit Fees.

N. Substitution Clause

Any sign authorized pursuant to this chapter may contain a noncommercial message constituting a form of expression in lieu of other copy.

O. Enforcement

The Code Enforcement Official shall enforce this law and/or assistants duly authorized by the Town of Coeymans.

P. Repealer

This law repeals Chapter 165-10-Q of the Code of the Town of Coeymans.

Q. Effective Date

This law shall take effect upon its proper filing with the office of the Secretary of State.

RES. #112-12 APPROVE SEPTEMBER ABSTRACT

On motion of Supervisor Flach, seconded by Councilwoman Rogers, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

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

FUND	VOUCHER #	AMOUNT
GENERAL (A)		
General Pre-Pay	1794-1844	\$190,116.69
General	1893-1937,1992	\$ 35,145.53
	General Total	\$225,262.22
PART TOWN (B)		
Part Town Pre-Pay	1845-1860	\$314,339.56
Part Town	1938	\$ 98.78
	Part Town Total	\$314,438.34

HIGHWAY(DB)		
Highway Pre-Pay	1861-1870	\$ 48,511.97
Highway	1939-1971	\$ 68,636.70
	Highway Total	\$117,148.67
SEWER (SS)		
Sewer Pre-Pay	1871-1885	\$ 15,372.09
Sewer	1972-1990	\$ 9,620.46
	Sewer Total	\$ 24,992.55
CAP. PROJ. (H-38)		
Capital Projects	1991	\$ 4,450.00
	Capital Proj. Total	\$ 4,450.00
	Total	\$686,291.78
TRUST & AGENCY (TA)		
Trust & Agency Pre-Pay	1886-1892	\$227,280.82
	Trust & Agcy. Total	\$227,280.82

TOWN BOARD WORKSHOPS/MEETINGS

- Planning Board Meeting, October 1, 2012, 7:00pm
- Town Board Meeting, October 9, 2012, 7:00pm
- Town Board Workshop, October 16, 2012, 6:00pm
- ZBA Meeting, October 17, 2012, 7:00pm
- Town Board Meeting, October 22, 2012, 7:00pm

Town Clerk Millious stated that they need to make a motion to hold a Workshop on October 1, 2012 at 6pm for her to present his Tentative Budget to the Town Board.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Dolan, to hold a Special Workshop Meeting on October 1, 2012 at 6:00pm.

VOTE – AYES 5 – NAYS 0 – SO MOVED

ADDITIONAL COMMENTS

Supervisor Flach asked if there were any additional comments.

Councilman Dolan stated that on October 3, 2012 he is having an Emergency Preparedness Night done by one of his colleagues at Cooperative Extension on October 3, 2012 at 6:00pm at Town Hall. He continued by saying that previously one had been done at the Beautification Building for the Neighborhood Association and it was very informative and well presented. He added that the basic premise of it is for families and individuals to put together a plan to respond to emergencies that might affect your household and some of it may be termed common sense but it actually gets you moving in the direction of actually putting away some of the supplies that you may need in trying to survive an emergency.

Supervisor Flach asked if anyone else wished to comment.

Councilman Boehm stated that earlier in the meeting a lot of people talked about the police and added that his experience for his six years on the Board has been very positive with the Coeymans Police and he has worked very closely with Chief Darlington on several issues and he has always been professional and has always had the safety of our citizens in mind and added that he does not know all of the officers, but the ones he does know do a great job. He continued by saying that during Hurricane Irene he had an opportunity to go up to the shelter at the high-school and Investigator DeLuca had given him a number to call for the Red Cross to try to get some resources and the person on the other end of the line said that you are on your own. He went on by saying that what they had was the Police Department and Rescue Squad, who manned the shelter that night and it was community residents and agencies in Town that took the forefront and handled everything because all of the other agencies were busy. He concluded by saying having seen that, he thinks that it is important to maintain the Police Department in this community and he will not vote for any referendum to dismantle the Police Department.

Supervisor Flach asked if anyone else wished to comment.

Councilman Masti stated that he applauds Supervisor Flach and they had said while they were campaigning that they were going to look everywhere to save money for the public but ultimately they are representing the public. He continued by saying that the public came out, which was good because at Board Meetings there are a handful of people and this is what they have got to go with and it is what will influence them. He concluded by saying that they need more participation from the community.

Councilman Boehm interjected that he wanted to thank Supervisor Flach for bringing it forward and added that it takes a lot of courage to do something like that and they do have to look at things from all angles, which is important as well.

Supervisor Flach asked if there were any other comments.

Town Clerk Millious stated that the deadline for the Deer Management Permits is October 1st and her hours are 8:30 – 4:30.

Supervisor Flach asked if there were any other comments.

Chief Darlington stated that during the Workshop they had talked about retirement badges and he does not know if there needs to be a resolution or if they could just authorize him to purchase them for Willard Moore, Thomas Smith and Wayne VanKempen.

Councilman Boehm stated that he would offer a motion.

MOTION

On motion of Councilman Boehm, seconded by Councilwoman, authorizing the purchase of retirement badges for the three mentioned officers at the expense of the Town as well as those who will retire in the future at the recommendation of the Chief of Police.

VOTE – AYES 5 – NAYS 0 – SO MOVED

Chief Darlington stated that the other thing discussed was Albany County Sheriff's Department request for space on the tower and as discussed with the Board, this tower is actually under the control of a private company that handles it for the Town. He continued by saying that the purpose of the Town going into the "tower business" was to generate revenue to offset some of the expense of police and communications by rents that would be charged. He added that the housing that they were going to provide in exchange for space on the tower, the Town can provide itself for approximately \$6,000.00, which under the current rate for space on the tower would be 6 months rent from the Sheriff's Office and after that they would be gaining revenue again if they so choose to go on the Town's system.

Councilman Boehm asked Supervisor Flach if he felt comfortable reaching out to the Sheriff's Department to explain that to him.

Supervisor Flach stated that Sheriff Apple had not said much at all about what a proposal would be in lieu of space and added that he thought that earlier he might have presented his proposal.

Chief Darlington interjected that first and foremost he does not know if the Town has the authority to give him the space and added that the Town own the tower but it is managed.

Supervisor Flach stated that he phoned Crown Associates earlier in the day and suggested that they get in touch with the Sheriff's themselves and work out what the rents might be and in turn bring it back to the Town Board.

Chief Darlington stated that the Sheriff's Department pays rent to a private resident who is an employee of the Sheriff's Office for a telephone pole and if that is worth paying rent for, a 190 foot tower would be worth paying rent for.

Councilman Dolan interjected that he thinks that if possible they should try to accommodate the Sheriff and if they can get something in return, it might be worth doing and they need to find this out.

Supervisor Flach stated that he will let them know as soon as he hears back from Crown Associates.

Councilman Dolan stated that he sees this as a totally separate issue from the Sheriff's earlier proposal and he hopes that this does not stop them from moving forward with them in doing things that are mutually beneficial to all of them.

Supervisor Flach asked if anyone else wished to comment, hearing none he asked for a motion to adjourn the meeting.

ADJOURNMENT

MOTION

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

VOTE – AYES 5 – NAYS 0 – SO MOVED

Time – 8:53pm

Respectfully Submitted,

APPROVED –

Diane L. Millious, Town Clerk