

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

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

ALSO PRESENT: Diane L. Millious, Town Clerk
Albert Deering, Highway Superintendent
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 Announcements
 - Town Offices Closed, November 6, 2012 – Election Day
 - Town Offices Closed, November 12, 2012 – Veteran’s Day
 - Town Offices Closed, November 22 & 23, 2012, Thanksgiving
- Public Comment
- Approval of Minutes
 - Public Hearing, September 24, 2012
 - Bid Opening, October 4, 2012
- Old Business
- New Business
 - Police Car Bids
 - Establish Budget Workshop Dates
 - Establish 2013 Preliminary Date
- Resolutions
 - Authorize JCAP Application & Supervisor’s Signature
- Correspondence
 - RCS School District
- Executive Session
 - Personnel Matter
 - Matter Concerning Public Safety

PUBLIC ANNOUNCEMENTS

Town Offices Closed

Supervisor Flach stated that Town Offices will be closed on November 6th for Election Day, November 12th for Veteran’s Day and November 22nd & 24th for Thanksgiving.

Voter Registration Days – Date Change

Supervisor Flach read the following:

Voter Registration Days, Town of Coeymans Town Hall, 18 Russell Avenue Ravena, Wednesday October 10th 4:00pm-8:00pm and Saturday October 13th from 1:00pm-9:00pm. Please note that the only place to register is at Town Hall.

PUBLIC COMMENT

Supervisor Flach invited the public to comment at this time.

Gerry DeLuca read the following:

At the last meeting the Police Athletic League announced our Bowling Tournament, which we held a week ago this past Sunday. We had 54 kids show up and it was a highly successful event. The members of the Coeymans Police Department, officers, dispatchers and families continue to support this program and look to continue to support the program and they are working on their next event.

He continued by saying that he wanted to make sure that people are appropriately noticed so they can be present at the Budget Meeting and then asked when the Budget Public Hearing is going to be.

Supervisor Flach stated that there is a Budget Workshop on October 20th at 9:00am, which is a Saturday and then another on October 27th at 9:00, which is also a Saturday.

Mr. DeLuca asked if a Public Hearing has been scheduled.

Supervisor Flach stated that it is November 8th at 6:00pm.

Supervisor Flach asked if anyone else wished to comment.

Mary Driscoll stated that she has always supported the local Police Force and she hopes to be able to do so in the future and continued by reading the following:

In case you didn't know, October has been designated National Anti Bullying Month. It is being heavily promoted in the schools by the teachers to try and teach our children that bullying hurts not only the target of the bullies but as the poison spreads others are affected by the bully's actions and it becomes an accepted normal practice. We have seen several examples of bullying right here in this room over the past year or so. Pencil throwing, temper tantrums and so forth by some of our Elected Officials and now the latest, the Police Chief crying "poor little me" on television and in the newspapers and then reinforced by a Councilperson. Both of these Officials, including Councilman Boehm and Councilwoman Rogers were in this room when the appointed Supervisor announced that he was transferring \$10,000.00 of his salary to the Deputy Supervisor position due to the appointed Supervisor being out of town and would not be able to realistically handle the duties of the Town Supervisor. I am sure that Councilman Dolan was in on this because he was President of the Democratic Club at the time. Then because the appointed Supervisor made up the 2012 Budget, with the same assumption, the Supervisor's salary was listed \$10,000.00 less than the previous year's budget. This year the 2013 Budget has the Supervisor's salary listed correctly, so the Police Chief is wrong about any raise for the Supervisor. I think that the Police Chief should apologize to not only the Supervisor for the false rumor but to the residents of the community who are involving himself in politics. Are we starting to become a Police State? I think that if anybody should be ashamed to accept their salary, it is the three Councilpersons who have done nothing to earn their salary, except to show up for a couple meetings each month and harass the elected Supervisor every time he has tried to move this town forward. I mean you can see this stuff happening on the national and state levels and of course Albany but we are a small community, we should be working for the benefit of the town, not for our personal stepping up the ladder politically. Wouldn't it be nice if we could show our children that the pattern of bullying can be broken, especially by our local elected public officials?

Supervisor Flach asked if anyone else wished to comment.

David Flach stated that he lives at 353 Blodgett Hill Road and added that he wanted to comment on the last meeting that they had when he left the meeting totally confused because everyone was crying and complaining that the Police Force was going to be eliminated. He continued by saying that evidently they did not understand what the Sheriff said because what the Sheriff said is that he was going to hire the Town's Police Force with different uniforms and supply Sheriff's cars. He went on by saying that he does not understand where the Police Force was going to be eliminated or what the problem was with the Police Force. He added that he thinks that the Town's Police Force does a good job and he thinks that they will do a good job with Sheriff's uniforms on and Sheriff's cars and he is looking at this as a taxpayer and his family pays a lot of taxes in this town. He continued by saying that they are looking at ½ million dollars per year of savings and not losing any police and the County is going to supply their cars and gas, which he understands is \$50,000.00 a year just for gas. He went on by saying that it is nothing but a win, win proposition and he would also as a taxpayer insist that the Town Board bring it to a Public Referendum so that as taxpayers they can say yea or nay to save \$500,000.00 or more a year and it is their duty as Board Members and why they were elected, to save taxes and take care of our town, which he has lived in for 70 years and he wants to see something done.

Supervisor Flach asked if anyone else wished to speak.

Michele Maddage stated that she is a life long resident of the Town and continued by saying that she urges them not to look any further into the Sheriff's offer because it is an Albany County Office and although it is considered contracting with them, it is a contract and as she said before she has worked with contracts for many years and they all have termination dates on them. She added that Sheriff Apple had stated last week that should something happen somewhere else in the county, it would be his focus and as Councilman Boehm pointed out last week, when there was the hurricane no one else was here to help us but us and we need to protect home first. She went on by saying that they pay town taxes to protect the town and she would hate to see the epicenter of who's responsible for what is going on in the town to be given to another entity that has a bigger responsibility than just a contracted service, which is all we would be at that point in time. She continued by saying that as a taxpayer she did not see what the Sheriff gave anyone so she does not know in terms of numbers and details and continued by asking about having the Police Officers in different uniforms and cars and what would happen to the Police Officers who have been in service for many years as well as where they would rank in terms of switching their uniform, which could have a significant impact on them. She added that she also wanted to touch base on the residency issue and would like to know how many people who aren't Civil Service employees are residents of the Town, which she thinks is very important because they should be taking care of home first. She concluded by asking Supervisor Flach what he has done since he has been in office to bring more business into the town, which would increase our tax base because increasing the tax base would help these cuts every single year that they hear about.

Mark Mahar stated that the way to look at the situation with the Police Department and the County is that when he ran the Rescue Squad for 8-9 years and involved with bringing the medics into Greene County and involved with the Albany County Medic Program, it is very simple, when there is not a medic available, when you don't see them, they are run by the county and you have a contract with them, which is the same thing that will happen with the Police Department if they go this route.

Supervisor Flach asked if anyone else wished to speak.

Darlene Mergandahl stated that not only is the Police Department being affected; it is also the Beautification Department that is getting pushed to the wayside because they are so small. She added that they even though they are small, they do a lot for this town and do all of the parks, cemeteries, and they are at Town Hall in the winter time making sure that the roof is not leaking and that the sidewalks are clear and safe so no one falls and sues and are in Town Hall every single day to clean it. She went on by saying that all of

these things are still going to need to be done and considering to get rid of them is also an issue that they need to look at.

Supervisor Flach asked if anyone else wished to comment, hearing none he stated that he would be closing the Public Comment period. He continued by saying that he could answer some of the questions as well as wanting to reiterate some things based on some of the comments on Facebook and gossip going around. He added that he had a conversation with the Sheriff about a month to a month and a half ago and during the course of the conversation he asked about the Sheriff's Department coming to the Town of Coeymans and in turn the Sheriff said that he would give them a proposal. He went on by saying that he spoke with the Town Board on Tuesday, August 21st and then went out of Town on Thursday evening but in the meantime the Sheriff reached out to Chief Darlington before he had a chance to speak with him and in turn the Chief called him Friday evening and he told him to come and see him Monday morning and that he apologizes for not being able to tell him it himself before he left. He added that he wrote about the proposal in his column, which he has in the News Herald on September 6th, which was almost two weeks later and in the paper it stated that people were not told before it came out in his column, which is not true. He continued by saying that someone notified the media and the Sheriff brought his proposal and presented it to himself and the Town and this proposal would save taxpayers \$470,000.00 for four years and \$768,000.00 in year five. He went on by reading the following:

We as a Town Board are hired by thousands of people; if we have an opportunity to save the taxpayers that kind of money then we are responsible to look at this opportunity, which is a proposal. There are pros and cons, there are positives and negatives to every proposal, this might be the right fit for the town, it might not be the right fit for the Town.

He continued by saying that everything needs to be looked at in a proposal and his point is that it should be looked at as a Town Board, regardless of how they feel about it because they have a responsibility to every taxpayer and after a thorough investigation to see about feasibility and then a decision of this magnitude should be put to the people because it is a big decision. He added that this is his first Town Budget and he knows that there are some changes that may need to be made in the budget and as for the salary of the Supervisor it was \$45,000.00 in 2007, raised from \$35,000.00 by Supervisor Hotaling and at that time the Board's salaries were raised from \$9,000.00 to \$12,000.00, the Town Clerk's salary was raised from \$36,000.00 to \$40,500.00 and the Superintendent of Highways salary was raised from \$46,000.00 to \$50,000.00. He went on by saying that the Town Supervisor, Town Clerk and Highway Superintendent are all full-time jobs, they work hard for their money and they also get their health insurance and within the Town there are 97 employees with 6 department heads and multiple services dealing with the Village with their Water, Sewer and Highway Departments. He added that full-time pay at the current rate is \$14.50 an hour and increasing the pay rate to \$40,000.00, which is \$4,500.00 less than it was at the end of 2010, is \$19.00 an hour. He continued by saying that he wanted to say that the last Supervisor lowered the salary to \$30,000.00 because as he stated himself, he was only at Town Hall one day a week and the raise that he put in the budget puts the salary back to a full-time position, which is what it is. He went on by saying that in the Tentative Budget there are also some things with the Police Department that he and the Town Board will go over and he is sure that there are questions about the \$70,000.00 but some of it was due to the hiring of a new full-time position when they had already hired 6 part-time people to fill in the full-time positions that left, which was two employees with one being \$60,000.00 and the other \$40,000.00 and the Police Chief asked for \$57,000.00 more for the part-timers as well as it reflecting \$50,000.00 for overtime, which was an increase of \$10,000.00 from last year. He added that the overtime has been out of control for the lack of a better term and the highest paid full-time officer made \$22,000.00 in overtime alone. He continued by saying that the other thing in the 2013 Tentative Budget is the Beautification Department, which has a department head and 3 full-time employees, with one of the employees retiring next month and then read the following:

These are good working men, they mow and they keep this town looking great. Basically from March through October these guys are busy but during the winter months they do some snow clean up, maintain equipment, paint and possibly build picnic tables. I don't

want to diminish their work because they are good hard working men but if there is not enough to do for full-time men in the middle of the winter it is hard to justify having them full-time. I propose making the remaining two full-time positions seasonal from March to October, which will save the taxpayers approximately \$130,000.00. Keeping employees busy in the winter just to keep them busy is a burden on tax payers. If we can't keep them busy year round, then we should make them seasonal. This does not reflect their work ethic, they are good workers. I had discussed this with the Town Board before the meeting and they seemed to be on board with the proposal, but that may have changed, which is understandable, we are all certainly allowed to change our minds.

He continued by saying that when the Board gets together for the Budget Workshops, they will go over every number and every line in the budget and he believes that there are ways to communicate with one another without going to the newspaper and television stations every week. He added that he has been approachable since day one and he admits as he told the Town Board that he has not been the best communicator with the Town Board. He concluded by saying that he wanted to share with everyone some of his reasons for some of the things in the budget and reiterated that he and the Board will go over every line in the budget to make sure that is it good, fair and right for the people of our town.

Highway Superintendent Deering asked if department heads would be meeting with the Board.

Supervisor Flach stated that there are Workshops scheduled for October 20th and October 27th and each department has been scheduled and will be notified.

APPROVAL OF MINUTES

Supervisor Flach stated that there were two sets of minutes for Town Board approval, a Public Hearing on September 24th and a Bid Opening on October 4th and then asked for a motion to approve them.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Boehm, the Town Board Minutes were approved as presented and read.

VOTE – AYES 5 – NAYS 0 – SO MOVED

OLD BUSINESS

None at this time.

NEW BUSINESS

Bid for Police Vehicle

Supervisor Flach asked that Police Chief Darlington fill them in on the bid for a police vehicle.

Chief Darlington stated that there was a bid opening, which he just received.

Town Clerk stated that copies were provided to the Town Board and the Chief of Police the same day of the Bid Opening on October 4th and that there were two bids, one from R.C. Lacey for \$25,850.00 and one from Crossroads for \$25,210.00 and it was for a 2013 Ford Taurus, black P2M AWD Interceptor.

Supervisor Flach asked the Board if they were prepared to award the bid.

Chief Darlington stated that he was just recently notified about an agency that now has State Contract and he would like to compare it to see if it would be less.

Councilman Boehm asked why the car would be black.

Chief Darlington stated that there was discussion about a traffic safety car where some of the funding would come out of the Asset Forfeiture to pay for it so they have to show that it is different and unique from the rest of the fleet.

Budget Workshop Meeting Dates

Supervisor Flach stated that they need to establish some dates for Budget Workshops and asked if October 20th and October 27th at 9:00am was alright with everyone.

Councilman Boehm suggested that they start at 8:00am.

Collectively it was decided that 8:00am would be better.

Supervisor Flach stated that they will be Budget Workshops with department heads and the Public Hearing will stay the same, which is scheduled for November 8th at 6:00pm.

Worksite Non-Smoking Policy

Supervisor Flach stated that there is a new Non-Smoking Policy and continued by reading the following:

Effective immediately smoking will be prohibited within all areas of the Waste Water Treatment Plant and its grounds. This policy applies to all employees, clients, contractors and visitors. Prominent signs communicating the policy will be posted at all entrances of the building. Persons observing a violation of this policy should bring it to the attention of their supervisor. Supervisors receiving a complaint will investigate and take action to resolve the issue as soon as possible. Persons found to have violated this policy will be subject to disciplinary action in the same manner and magnitude as violation of other company policies.

Supervisor Flach stated that there are a lot of methane gases and other things at the Waste Water Treatment Plant and then asked for a motion to accept the new policy.

Councilman Masti stated that it is a policy for the employees, which is extended to the visitors and anyone else there.

Supervisor Flach stated that there will be a sign at the entrance gate stating the policy.

Councilman Masti inquired as to what the punishment would be for the public smoking down there.

Supervisor Flach stated that they have not thought about that at this point.

Chief Darlington stated that they would ask them to leave the property as an authority of the Town and if they don't, consequences would follow.

Councilwoman Rogers stated that as far as employees, there is already a No Smoking Law.

Chief Darlington interjected that there is a Health Department Law that prohibits smoking on governmental property.

Supervisor Flach asked for a motion to approve the new policy.

MOTION

On motion of Councilman Boehm, seconded by Councilman Masti, adopting the Non-Smoking Policy, effective immediately, which strictly prohibits it at the Waste Water Treatment Plant and its grounds that applies to all of its employees, clients, contractors and visitors.

VOTE – AYES 5 – NAYS 0 – SO MOVED

RESOLUTIONS

RES. #113-12 AUTHORIZE JCAP APPLICATION AND SIGNATURE

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

WHEREAS, the Town Court is desirous of making application for funding assistance to obtain office equipment, and

WHEREAS, such assistance is possible through the New York State Unified Court System Justice Court Assistance Program (JCAP) application,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans authorizes the Town Justice Court to prepare such JCAP application and forward the completed application to Supervisor Stephen D. Flach for signature and submission.

Supervisor Flach stated that it is a grant, which means it won't cost the taxpayers anything and they will be getting some office equipment that they need.

CORRESPONDENCE

R-C-S School District

Supervisor Flach asked that Councilman Masti read the correspondence from the R-C-S School District.

Councilman Masti continued by reading the following:

Dear Mr. Flach,

Thank you for presenting the Ravena-Coeymans-Selkirk School District with a Proclamation declaring October to be Bullying Awareness Month. The R-C-S District is committed to providing a safe and productive learning environment without our schools and to promptly address incidents of harassment or discrimination of students. We are pleased that the Town of Coeymans supports our effort to heighten awareness about the serious effects of bullying and to prevent such acts from occurring.

I strongly believe we can create a respectful school and community culture by working together to promote tolerance. I will share your Proclamation with the public at our next Board of Education meeting on October 9, 2012.

Sincerely,

Betsy Smith
Superintendent

TOWN BOARD WORKSHOPS/MEETINGS

- Town Board Workshop, October 16, 2012, 6:00pm
- ZBA Meeting, October 17, 2012, 7:00pm
- Budget Workshop, October 20, 2012, 8:00am
- Town Board Meeting, October 22, 2012, 7:00pm
- Joint Village and Town Board Meeting, October 23, 2012, 7:00pm
- Budget Workshop, October 27, 2012, 8:00am
- Budget Public Hearing, November 8, 2012, 6:00pm

ADDITIONAL COMMENTS

Supervisor Flach asked if there were any additional comments.

Chief Darlington stated that he received correspondence earlier in the day regarding the status of the Hannacroix Creek Project and added that F.X. Browne will start doing field work the beginning of November and they said even with the delay, everything should continue on schedule and he heard from Mr. Houston from C.T. Male who is concerned as to whether the fee approved by the Board a couple of years ago would still be accepted. He added that he received an e-mail stating that they would honor the same fee and they will move forward with the topographic survey map.

Supervisor Flach asked if there were any other comments.

Councilman Dolan stated that he would comment about the Supervisor's salary and added that he thinks that the job of the Town Supervisor is a weighty job and underpaid at even \$45,000.00 and certainly is at the \$30,000.00 level. He continued by saying that in speaking to the distinction between of it being part-time or full-time, it is a job and you have to do until the work is done and you have the same responsibility to the residents regardless of how many hours a day, week, month, or year that you put into it. He concluded by saying that he disputes that it was lowered because it was viewed as a part-time job as well as disputing the fact that the previous Supervisor worked one day a week because he worked more than one day a week and he is sure that they could provide documentation and his only issue personally with raising the salary is that he thinks Elected Officials should be bound by the salary that they run for but the salary itself is low.

Supervisor Flach asked if there were any other comments.

Councilman Boehm stated that he received a correspondence from the former Town of Coeymans Park Committee brining attention to a bench that was destroyed several years ago in memory of the Frangella family. He then asked Highway Superintendent Deering if he has the brass plaque for the bench.

Councilwoman Rogers interjected that they thought he had it but he doesn't.

Councilman Boehm stated that they should make an effort to replace the bench and he will reach out to Parks & Maintenance Supervisor Perry.

Supervisor Flach stated that it was a concrete sided bench with 2X4 slats and he's not sure where to get it now and added that he will have Nelson check it out and then asked if there were any other comments.

Councilman Masti stated that papers and news reporters tend to skew things to make it more marketable because they are in the business of selling news and they don't necessarily report it like they use to and added that if anyone has questions about what is going on in the Town they should contact the Supervisor, who keeps him pretty well informed. He continued by saying that as far as the Supervisor's salary, when he started campaigning, the last he knew when he campaigned four years earlier was that he would be making \$8,000.00 and he didn't really have any idea how much he was going to be

making because he was not campaigning for the money and just wanted to represent the Town. He concluded by saying that he cannot speak to whether it should be \$30,000.00 or \$45,000.00 but when they were campaigning he always said that if anyone had a problem, they should come down and talk because there is probably a solution and to date they have not seen enough people coming in and reiterated that he encourages people to talk to the Supervisor and Town Board.

Councilman Dolan stated that they received a letter from Mary Lewandowski and added that they should respond to her officially and it should be on the record.

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

ADJOURNMENT TO EXECUTIVE SESSION

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, the meeting was adjourned to Executive Session to discuss a personnel matter and a specific employee's job responsibility and a matter concerning public safety.

VOTE – AYES 5 – NAYS 0 – SO MOVED

Time – 8:45pm

EXECUTIVE SESSION & ADJOURNMENT

Executive Session convened in the Supervisor's Office immediately following adjournment from the Town Board Meeting with the entire Town Board and Chief Darlington present. Discussion ensued regarding a personnel matter and a specific employee's job responsibility and a matter concerning public safety, no decisions were made.

MOTION

On motion of Councilman Boehm, seconded by Supervisor Flach, Executive Session was adjourned.

VOTE – AYES 5 – NAYS 0 – SO MOVED

Respectfully Submitted,

APPROVED –

Diane L. Millious, Town Clerk