

A Town Board Meeting was held Monday, December 27, 2011, at 7:00pm at Town Hall, 18 Russell Avenue, Ravena, New York

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

ABSENT: Richard N. Touchette, Councilman

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

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

OPENING COMMENT

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

AGENDA

- Public Announcements
 - Assessor's Office Hours
 - Town Offices Closed – 01/02/12
- Presentation
 - Proclamation, Richard P. Jacobson
- Public Comment
- Approval of Minutes
 - Public Hearing, 12-12-11
- Supervisor's Report
 - Amend October 2011
 - Approve November 2011
- Department Reports
 - Building Department, November
 - Sewer Department, November
 - Town Clerk, November
- Old Business
- New Business
 - Retainer & Fees for Legal Services of Attorney for the Town
 - Contract for Services, VFW Post #9594
- Resolutions
 - Amend Authorization of Issuance of Serial Bonds & Bond Anticipation Notes for New Dump Truck/Plow
 - Abolish Deputy Supervisor Position
 - Transfer of Funds
 - Approve December Abstract
- Town Board Workshops/Meetings
 - Organizational Meeting, January 1, 2012, 10:00am
 - Town Board Meeting, January 9, 2012, 7:00pm
 - Town Board Workshop, January 17, 2012, 6:00pm
 - Town Board Meeting, January 23, 2011, 7:00pm

PUBLIC ANNOUNCEMENTS

Assessor's Office Hours

Supervisor Youmans stated that there will be new hours in the Assessor's Office effective January 1, 2012 and continued by reading the following:

In an effort to provide better access to the public, effective January 1, 2012, the Assessor's Office will change its hours as follows:

Monday	9:00am – 2:30pm
Tuesday	5:00pm – 8:00pm
Wednesday	8:30am – 2:30pm
Thursday	8:30am – 2:30pm
Friday	Closed
Saturday	9:00am – 12 Noon

The information is also available on the website.

Town Offices Closed 01-12-12

Supervisor Youmans stated that Town Offices will be closed for New Year's Day and continued by reading the following.

On Monday, January 2, 2012, all Town Offices will be closed to observe the New Year in accordance with the Collective Bargaining Agreements.

As always, the closing of the Town Offices does not include the Police Department, which is a 24-hour, 7-day operation.

PRESENTATION

Proclamation – Richard P. Jacobson

Supervisor Youmans asked that Councilman Dolan handle the Proclamation for Richard P. Jacobson.

Councilman Dolan stated that as a little background, Mr. Jacobson was the Public Defender for the Town of Coeymans for three years and had indicated that he loved coming to the Town of Coeymans and working in the Town Court and continued by saying that he knows that he did a good job while he was here. He added that he wanted to present him with a proclamation and continued by reading the following.

WHEREAS, Richard P. Jacobson has served as the Albany County Public Defender the Coeymans Justice Court for the past three years, and

WHEREAS, Richard P. Jacobson served the citizens of the Town of Coeymans while working diligently with the Coeymans Justice Court, and

WHEREAS, Richard P. Jacobson was elected to the Albany County Legislature in the 23rd District, and received the most votes of any County Legislator, and

WHEREAS, Richard P. Jacobson will resign from the Public Defender's Office on December 15, 2011, due to his election to the County Legislature,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans hereby recognizes Richard P. Jacobson as an honorary citizen of the Town of Coeymans and designates December 15, 2011, as Richard P. Jacobson Day in the Town of Coeymans.

Councilman Dolan stated that Mr. Jacobson could not attend the meeting on December 15th and then asked that he come to the front of the room to accept the proclamation.

Councilman Dolan presented Mr. Jacobson with the proclamation.

Supervisor Youmans thanked Mr. Jacobson as well as Councilman Dolan for handling it.

PUBLIC COMMENT

Supervisor Youmans invited the public to comment at this time.

Mr. Henry Traver stated that he resides in Ravenna and continued by saying that once again he sees on the agenda that they are going to be playing game and are going to abolish the position of Deputy Supervisor. He continued by saying that they went through this when he was elected Supervisor and due to his ordeal, under the direction of Attorney for the Town, he strongly suggested that they have the position of Deputy Supervisor in place in case a problem arose. He added that once again it is being taken off the table and he does not know why because it should be left in place due to unforeseen circumstances that may happen to the Supervisor. He went on by saying that he does not know why they are playing this game again and concluded by saying that he strongly urges them not to abolish the position.

Supervisor Youmans thanked Mr. Traver and then asked if anyone else wished to comment.

Mr. Connors stated that he is present as a follow-up to a meeting that he attended and continued by reading the following:

I am here as a follow-up to a meeting that I attended on May 23, 2011 because of damage that was caused as a result of an open storm pipe that was installed by the Town without my permission near the top of my property and the damage to my Mother's property and my property that ensued because of a storm on Friday, May 20th of this year. That storm directed storm waters through said open pipe at a high rate of speed, which caused extensive flood damage throughout my property and on to Rte. 144 in front of my Mother's home. No recorded flooding had ever occurred to that area in the past. I attended a Town Board Meeting on May 23, 2011 and brought to the Board's attention that it was evident that the flood was created by the Town's decision to divert water from Westerlo Street to Colvin Avenue and onto my property via a new open storm-drain pipe installed by the Town in late winter of this year without my permission. Further, at a May 23, 2011 Town Board Meeting it was the decision of the member's of this Board to do the right thing in regards to my Mother for damage to her home and my property, to date nothing has been done to compensate either one of our losses, nothing has been done with the open storm-drain pipe, and ensuing storms have carved as much as a 6-7 foot ravine by the path of water as it flows down the hill through my property and the ravine continues to grow. An open concrete storm receiving station has been installed at the bottom of my property, again without my permission, further evidence that the open storm pipe needed corrective action at the bottom of the hill on my property in order to alleviate another storm flood on Rte. 144 in front of my Mother's home. After meetings, e-mails, and many telephone calls over the past 7 months, with the Supervisor and some of the Councilmember's present this evening I would like to pose a few questions to you in order to try and gain some clarification on the Town's intentions in regard to this matter. I have a copy of the Town's appraisal of my property, since the appraisal on my property had been completed on November 4, 2011 and valued at \$23,000.00 by the Town Appraiser, Margaret Dennis, what is the Town's decision in lieu of the damage that has been created by the installation of a storm pipe in regard to purchasing my property.

Attorney for the Town Wukitsch instructed the Town Board not answer any questions.

Mr. Connors continued by saying that if they knew that they were going to purchase the property, why would they move forward and spend taxpayer's money for the appraisal?

Attorney for the Town Wukitsch instructed the Town Board not to answer.

Mr. Conners continued by asking what decision has forced the Town to not do the right thing and provide restitution after the appraisal came in, especially after the previous conversations and e-mails.

Attorney for the Town Wukitsch stated that as he is well aware that a Notice of Claim has been filed on his behalf and the insurance carrier has entered the picture, the Attorney for the Town has entered the picture and negotiations are occurring and added that they are not going to debate the case with him in an open public forum.

Mr. Conners stated that it is his understanding that it was voted down at the Workshop Meeting last week.

Attorney for the Town Wukitsch stated that he is aware of the vote but the matter is in litigation and it's under advisement at this point in time.

Mr. Conners continued by asking what kind of timeframe they are looking at.

Attorney for the Town Wukitsch stated that he had some conversations with the carrier's attorney earlier in the day and added that he will be informed in due course and he will not be giving him a specific time other than saying that they are working on it now.

Mr. Conners stated that the only reason why he posed what he did is because a neighbor's property, Mr. & Mrs. Persico's driveway was rutted extensively from the flood waters and that driveway was repaired by the Town and his Mother's neighbor, whose driveway was flooded extensively as well as their backyard where the stone ended up, was cleaned up and removed and the driveway was restored to its original state by Town employees. He added that more than the purchase of his property, he is looking at his Mom who is a 76 year old woman who had her home flooded because of a storm pipe and they are 7 months into this at a substantial cost to her and he would like to know if they are near something or is it going to drag on and he wants a ballpark timeframe.

Attorney for the Town Wukitsch reiterated that he is having discussions with the carrier's attorney now and they will be advising him in the near future of where things stand and added that he is trying to coordinate the insurance company as well as working with the carrier's attorney.

Mr. Conners stated that he can wait but he does not want it to be forgotten.

Attorney for the Town Wukitsch stated that it has not been forgotten.

Supervisor Youmans interjected that he was under the impression that his Mother's claim had long been settled.

Mr. Conners stated that it hadn't been and his understanding is that whatever happens with his property determines the outcome of her claim and added why it is he does not know.

Councilwoman Rogers interjected that it does not make any sense to her.

Councilman Dolan stated that this is the first that they have heard it.

Supervisor Youmans stated that it makes no sense to them and he was long under the assumption for months and months that it had been settled.

Attorney for the Town Wukitsch interjected that he will follow-up on it.

Mr. Conners stated that it might not sound like a lot of money to the Town because they deal with hundreds of thousands of dollars but to his Mom who is 76 years old, it is just under \$12,000.00 and a lot of things that were damaged she didn't even claim.

Supervisor Youmans stated that he was in her home the morning after it occurred and he saw what happened and added that he wanted him to know that they worked extremely hard, which Attorney for the Town Wukitsch can attest to, to get the insurance carrier to cover it.

Mr. Conners reiterated that it has not been done yet and added that he will wait for Attorney for the Town Wukitsch's call and they will go from there.

Councilman Dolan stated that as far as last week's vote, Supervisor Youmans and he noted at that meeting that they needed to discuss it with Attorney for the Town Wukitsch and added that he didn't think that they should have voted on it.

Mr. Conners stated that it is his concern that a new Board member is coming on and there is going to be a new Supervisor and he didn't want it to fall by the wayside.

Councilman Dolan stated that it was fair enough and he understands.

Supervisor Youmans stated that it will be the same Attorney for the Town and then thanked Mr. Conners. He continued by asking if anyone else wished to comment.

Ms. Donna Pasquini asked if the Deputy Supervisor position was changed to a non-paid position this year.

Supervisor Youmans stated that it is a Public Comment period and added that they are not taking questions but he would tell her that to answer it he would say that yes, very early in the year it was turned into a non-paid position.

Ms. Pasquini stated that if it is a non-paid position, why are they abolishing it? She continued by saying that her concern is that they are going to abolish something that does not cost anything and if something happens and someone is ill, someone can step in. She went on by saying that the storm sewer was done and Chief Operator Breedlove had been to her house a few times and this time of year, when it is cold you can see the steam coming out of there and it look's like Lafarge's stack and added that it reeks to high heaven.

Supervisor Youmans asked her where she was talking about.

Ms. Pasquini stated that it is in her yard where they dug up and put the manhole in for the water to run off and added that you can smell raw sewer coming out of it. She continued by saying that she is not sure if it is houses from below or where it is coming from and reiterated that you can smell the raw sewer coming up out of there and when it is cold it is like a smoke stack constantly pouring out of there. She concluded by saying that she does not know who should be checking on it.

Supervisor Youmans asked Councilman Dolan if he is the current Sewer Liaison.

Councilman Dolan stated that he is not and it is Councilman Touchette.

Supervisor Youmans stated that in Councilman Touchette's absence he would ask that Councilman Dolan check with Chief Operator Breedlove in the morning.

Councilman Dolan stated that he would.

Ms. Pasquini asked if they would be doing something about the smell.

Supervisor Youmans stated that they would certainly investigate it and then thanked Ms. Pasquini. He then asked if there were any other comments.

Mr. Carver Laraway asked for an update on the Industrial Zone and added that he is there to follow-up to see where they are at.

Supervisor Youmans stated that he had come to a conclusion recently that it is going to be more involved and he was not going to have the time to get it done so it is up to the people that will be on the Board next week to finish up of it. He added that it is not as simple as rezoning one section and there are multiple zone updates that need to occur and it is more than he has had time to handle in the last two weeks and for that he apologizes because he wasn't able to get his teeth in it.

Attorney for the Town Wukitsch interjected that any change in the Town's Zoning Districts would require a Local Law, Notice and Public Hearings and a whole process would have to be followed.

Mr. Laraway inquired as to if he would need to make a formal presentation at the next Board Meeting.

Supervisor Youmans stated that he does think that there is a need for him to make any further requests or presentations and it is a matter that he has discussed with Supervisor Elect Flach and he is on board with it as well as the rest of the Board and reiterated that it was much more involved than he was going to be able to handle in a couple of weeks.

Mr. Laraway stated that he recognizes that and then asked if he should be looking for a 6-12 month time-frame.

Attorney for the Town Wukitsch interjected that 6 months would be reasonable and added that zoning would have to be amended to reflect what precise district they are talking about as well as the boundaries of the new Industrial Zone.

Mr. Laraway stated that it was originally on the agenda in 2007 and added that he does not think that it was voted on and he is wondering if it can be put back into place to get it done.

Attorney for the Town Wukitsch stated that he believes that it predated him as Attorney for the Town.

Mr. Laraway stated that it did predate him and added that it was almost done but then it was tabled.

Councilman Boehm asked if his request in 2007 was the same as it is now.

Mr. Laraway stated that it involved Mr. Biers.

Mr. William Burns stated that it was when LaBerge did the Comprehensive Plan and they could not "spot zone".

Supervisor Youmans stated that the Comprehensive Plan and the Economic Development Plan that are in place are all for industrial development in that area and added that it only makes sense to have it zoned industrial at this point.

Mr. Laraway stated that he thinks that they all agree in trying to get it zoned industrial.

Supervisor Youmans reiterated that it was a little late in the game for him to get it done for him and he apologizes.

Mr. Laraway stated that he totally recognizes that and he appreciates it.

Supervisor Youmans asked if anyone else wished to comment.

Councilman Elect Masti stated that it is hard to be prepared for Public Comment when they only get the agenda when they arrive for the meeting and added that he will be addressing it because people should be informed about what the Board is going to be talking about so they can be prepared. He added that he was looking at the agenda and saw the topic of abolishment of the Deputy Supervisor and in turn read the Town Manual

about the establishment, appointment and duties of the Town Board and then read the following:

“Any time that they establish the Office of Deputy Supervisor, the Deputy Supervisor is appointed by the Supervisor under Section 713.”

Councilman Elect Masti continued by saying that he is still on this side of the table and he does not know how it works but it seems like good common sense to have someone able to step up and be second in command because any business man has a VP and he would think that any Supervisor would want to have a Deputy Supervisor. He went on by saying that he does not understand what is to be gained by abolishing it and maybe next week he will have better sense of it but for right now he would ask that they not do it because it does not make sense.

Supervisor Youmans thanked Councilman Elect Masti and then asked if there were any additional comments, hearing none he moved to the next item on the agenda.

APPROVAL OF MINUTES

Supervisor Youmans stated that there was one set of minutes for Town Board approval, a Public Hearing on December 12, 2011 and then asked for a motion to approve them.

MOTION

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

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

SUPERVISOR’S REPORT

October 2011 - Amendment

Changes are indicated in red.

FUND	BAL. FWD.	RECEIPTS	DISBURSE.	BALANCE
General	\$ 52,329.66	\$434,512.66	\$246,170.64	\$240,671.68
Part-Town	\$728,001.65	\$420,833.67	\$437,328.16	\$711,507.16
Highway	\$ 11,213.51	\$ 75,263.01	\$ 61,325.00	\$ 25,151.52
Bridge Const.	\$ 4,484.76	\$ 4.13	-0-	\$ 4,488.89
Sewer	\$ 68,558.17	\$41,067.48	\$ 24,058.69	\$ 85,566.96
Special Water	\$ 49,236.88	\$ 37,269.48	-0-	\$ 86,506.36
Police Forf.	\$ 16,156.98	\$ 2.08	-0-	\$ 16,159.06
Comm. Tower	\$ 1,484.07	\$ 1,000.20	-0-	\$ 2,484.27
Trust & Agcy.	\$ 17,958.77	\$207,837.66	\$209,306.20	\$ 16,490.25
H-Fund Cap. Proj.	\$ 43,660.13	\$ 3.87	\$ 11,049.30	\$ 32,614.70
Section 8 HUD	\$109,885.79	\$ 40,479.27	\$ 43,714.65	\$106,650.41

			Total Rec. Balance	\$1,328,291.26
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Supervisor Youmans stated that he would move that they approve the amended report.

MOTION

On motion of Supervisor Youmans, seconded by Councilman Dolan, the October 2011 amended Supervisor’s Report was approved as presented and read.

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

Supervisor Youmans continued by giving the November 2011 Supervisor’s Report.

November 2011

FUND	BAL. FWD.	RECEIPTS	DISBURSE.	BALANCE
General	\$240,671.68	\$471,652.45	\$378,308.46	\$334,015.67
Part-Town	\$711,507.16	\$ 2,109.30	\$429,957.86	\$283,658.60
Highway	\$ 25,151.52	\$ 38,264.73	\$ 51,654.84	\$ 11,761.41
Bridge Const.	\$ 4,488.89	\$ 1.72	-0-	\$ 4,490.61
Sewer	\$ 85,566.96	\$ 81,810.82	\$ 30,280.73	\$137,097.05
Special Water	\$ 86,506.36	\$ 3,961.78	\$ 85,128.93	\$ 5,339.21
Police Forf.	\$ 16,159.06	\$ 1.99	-0-	\$ 16,161.05
Comm. Tower	\$ 2,484.27	\$ 1,000.29	-0-	\$ 3,484.56
Trust & Agency	\$ 16,490.25	\$296,462.56	\$298,117.16	\$ 14,835.65
H-Fund Cap. Proj.	\$ 32,614.70	\$250,058.04	\$ 67,274.59	\$215,398.15
Section 8 HUD	\$106,650.41	\$ 41,758.62	\$ 45,321.65	\$103,087.38
			Total Rec. Bal.	\$1,129,329.34

CERTIFICATES OF DEPOSITS

MATURITY DATE

NAT. BANK OF COX. (DA) Hwy. Bridge 2 months \$85,447.70 12-07-11

Supervisor Youmans stated that he needs to correct the Certificates of Deposit because it was for the bridge fund and it matured and that money should be reflected in the Bridge Construction Account and it is not.

SAVINGS ACCOUNTS

**COLLATERAL
 COVERAGE**

FDIC

COLLATERALIZED

Unemployment	\$ 731.15	Bank of Greene	\$250,000.00	\$1,753,332.20
Grove Cemetery	\$40,909.73	National Bank	\$250,000.00	\$ 61,132.55
Coey. Hollow Cem.	\$14,361.17			
Sewer-Dedicated	\$ 6,327.70			
Total	\$62,329.75			

Supervisor Youmans asked for a motion to approve the November 2011 Supervisor’s Report.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Dolan, the Supervisor's Report was accepted as presented and read.

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

DEPARTMENT REPORTS

Building Department – November

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

Councilwoman Rogers continued by giving the report.

Supervisor Youmans asked for a motion to accept the report.

MOTION

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

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

Sewer Department – November

Supervisor Youmans stated that in Councilman Touchette's absence he would be reading the Sewer Department Report.

Supervisor Youmans continued by giving the report and then offered a motion to accept the report.

MOTION

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

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

Town Clerk – November

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

Town Clerk Millious continued by giving the report.

Supervisor Youmans asked for a motion to accept the report.

MOTION

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

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

OLD BUSINESS

Supervisor Youmans stated that there were no Old Business topics on the agenda.

Councilman Boehm stated that they had briefly discussed the PILOT Agreement and then suggested that they have Town Clerk Millious draft a letter asking for payment for past due outstanding arrears.

Supervisor Youmans stated it is relative to Civil Senior Housing and the Payment in Lieu of Taxes Agreement (PILOT) and added that they had not received payment in 2 years.

Councilman Boehm asked that Town Clerk Millious draft a letter with the accurate figures according to the Agreement and have it at the next meeting for the Supervisor's signature for the first of January. He added that Internal Control Officer Purinton has the numbers too.

Town Clerk Millious inquired as to whether he had done the figures.

Councilman Boehm stated that he does not know if he has them for the current amount due.

Town Clerk Millious stated that she was in receipt of their Annual Financial Statement for 2011 and it use to be her that sent the letter mid January and when Mr. Hotaling was in office, he did it. She continued by saying that there is interest to be added and she can work with Internal Control Officer Purinton.

Councilman Boehm stated that they can give the figures and then draft a letter for the Supervisor to sign and send out and added that he believes it is \$19,000.00 - \$20,000.00 for the past two years.

Town Clerk Millious interjected that the amount is dispersed to the Town, County and School.

Councilman Boehm stated that he wanted to request it in the form of a motion.

MOTION

On motion of Councilman Boehm, seconded by Councilman Dolan, requesting Town Clerk Millious to draft a letter with the assistance of Internal Control Officer Purinton for the Supervisor's signature requesting payment for the Civil Housing PILOT Agreement.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Touchette) – SO MOVED

Supervisor Youmans stated that they have a better chance of seeing Elvis at Dunkin Donuts in the morning than they have of collecting the money and added that in the upcoming year they need to consider options, which would not be limited to canceling the PILOT Agreement and putting it back on the tax roles and in turn letting the County do battle with them. He concluded by saying that he thinks it would be the sensible thing to do but it is just his opinion.

NEW BUSINESS

Retainer & Fees for Legal Services for Attorney for the Town

Supervisor Youmans stated that there is request from Attorney for the Town Wukitsch relative to the 2012 retainer and fees for his professional legal services. He continued by saying that he would read the letter into the record and read as follows:

Dear Supervisor Youmans,

The following represents my proposal to provide legal services to the Town of Coeymans for the period January 1, 2012 through December 31, 2012. I agree to provide such contractual services on the following terms and conditions:

- (1) Payment of a retainer in the amount of \$28,000.00 to be disbursed by the Town in equal quarterly payments of \$7,000.00 each, upon submission of a voucher and statement.

Retainer services shall include legal advice and counsel to you, members of the Town Board, Highway Superintendent, Building Department and Police Chief as needed. Basic research as well as written legal opinions shall be included in retainer services. Also, I agree as part of retainer services to attend 12 regular second monthly Board Meetings during 2011, as well as up to four additional meetings and/or settlement conferences by mutual agreement.

- (2) Excluded from the scope of retainer legal services are the following:
 - (a) Representation on court litigation matters (except Article 7 Real Property Assessment litigation up to the actual trial).
 - (b) Representation of the Town in bond matters.
 - (c) Other major projects (i.e. annexations, special districts, etc.)
 - (d) Environmental matters.

Provided I am retained for the above non-retainer legal services under (2), same shall be billed at a rate of \$185.00 per hour; my normal hourly rate is \$250.00 per hour.

- (3) Disbursements incurred in the performance of retainer and non-retainer legal services shall be billed on a regular basis. All disbursements incurred will be reasonable in amount. The amount of disbursements for which the Town is obligated shall be exclusive of, and in addition to, the total retainer referred to in (1) above.

If you and the members of the Town Board agree to the terms and conditions state herein and agree to so obligate the Town of Coeymans, please sign this letter in the enclosed copy thereof. Return the original to me; the copy is for your files.

Very truly yours,

David J. Wukitsch

Supervisor Youmans stated that this is the same fee that was charged in 2011 and it did not go up from 2010.

Councilman Dolan inquired as to if the amount is worked into the budget.

Supervisor Youmans stated that it is what they budgeted for his services and he believes that everyone will agree that the Attorney for the Town has been extremely reasonable, easy to work with and reachable and he could not say enough good things about him. He then asked for a motion authorizing him to enter into an Agreement as presented by Attorney for the Town Wukitsch.

MOTION

On motion of Councilman Boehm, seconded by Councilman Dolan authorizing the Supervisor to enter into an Agreement as presented by Attorney for the Town Wukitsch.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Touchette) – SO MOVED

Attorney for the Town Wukitsch thanked the Town Board.

Supervisor Youmans thanked him for all of his hard work this past year.

Contract for Services – VFW Post #95944

Supervisor Youmans stated that he was in receipt of a Contract for Exchange of Services or Compensation with VFW Post #9594 and added that as everyone is aware, they enter into this Contract with the VFW and several other community organizations every year

for their services to the Town and it is standard fare that they approve it for the VFW and continued by offering a motion.

MOTION

On motion of Supervisor Youmans, seconded by Councilman Boehm, that they approve and authorize the Supervisor to sign the Contract with the VFW.

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

Councilman Boehm stated that some of the things that they will be doing is to package goods for deployed veterans, Veteran’s Day flags, Memorial Day celebration, special events, Operation Up Link making sick room supplies available for people in need and providing flowers and bibles at funeral services for deceased veterans.

Supervisor Youmans stated that the VFW has a stock of medical equipment including hospital beds and walkers and will help anyone in town who finds themselves in need of such equipment.

Councilman Boehm stated that he had an item for New Business discussion and continued by saying that Councilwoman Rogers brought to his attention the dam construction out at the Alcove Dam. He added that he had a chance to stop by and talked with Willy VanInderstine, the Chief of Security who advised that it is routine maintenance and concluded by saying that he didn’t want anyone to think that the dam was being repaired or there was a danger of collapse.

Councilwoman Rogers stated that it is a repair and although a minor repair, the City of Albany should have informed the Chief of Police, Emergency Coordinator Bruno or the Town and advise that they were doing repairs to it. She added that when she passed by the spillway there was an excavator on top of the dam and it was when she inquired about it and reiterated that the City of Albany should inform the Town of Coeymans of any work on the dam.

Councilman Boehm interjected that it would prevent people from panicking and reiterated that it is not anything like a danger of collapse and it is routine maintenance on the drain valve. He continued by saying that he had spoken with Emergency Management Coordinator Bruno and asked him to come to the Town Board Meeting in January to talk about the inspections and so forth.

Councilwoman Rogers stated that for those that are inquiring, they are making a concrete form for a pad for the equipment.

Councilman Boehm stated that they are going to put housing around the drains in the spring and repair the valve.

Supervisor Youmans thanked Councilman Boehm and Councilwoman Rogers and continued to the next item on the agenda.

RESOLUTIONS

Supervisor Youmans stated that there was a clerical error when they did the Bond Resolution for the dump truck and plow truck and the numbers in the advertisement that were posted and the resolution did not jive and the first resolution is what Mr. Haffner put together to correct it.

RES. #103-11 AMEND AUTHORIZATION OF ISSUANCE OF SERIAL BONDS & BOND ANTICIPATION NOTES FOR NEW DUMP TRUCK/PLOW

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

RESOLUTION AMENDING BOND RESOLUTION AUTHORIZING THE ISSUANCE OF UP TO \$54,756.00 SERIAL BONDS OF THE TOWN OF COEYMANS TO PAY THE COST OF TWO NEW VEHICLES; AND AUTHORIZING THE ISSUANCE OF UP TO \$54,756.00 BOND ANTICIPATION NOTES OF THE TOWN OF COEYMANS FOR THE SAME PURPOSE

WHEREAS, on July 25, 2011 the Town Board adopted a Resolution (the “Bond Resolution”) authorizing the issuance of up to \$54,756.00 in Serial Bonds and/or Bond Anticipation Notes (the “Bonds/BANs”) for the purpose of purchasing (a) a new pickup truck for use by the Parks Department at a cost not to exceed approximately \$23,656.00 and (b) a new vehicle for use by the Police Chief as a cost not to exceed approximately \$31,100.00 to replace similar vehicles previously in service, including related preliminary and incidental costs (the “Project”), and authorizing such specific object or purpose at a maximum estimated cost of \$54,756.00; and

WHEREAS, following the Board’s adoption of the Bond Resolution, the Town published the notice authorized by New York Local Finance Law 81.00 (the “Estoppel Notice”) which indicated that the Bond Resolution authorized the issuance of Bonds and/or BANs up to \$52,756.00; and

WHEREAS, the Town issued its General Obligation Serial (Statutory Installment) Bond dated as of August 30, 2100 (the “Bond”) in the amount of \$52,756.00 as indicated in the Estoppel Notice; and

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

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

Section 1. The Bond Resolution is hereby amended as follows:

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

RESOLUTION AUTHORIZING THE ISSUANCE OF UP TO \$52,756.00 SERIAL BONDS OF THE TOWN OF COEYMANS TO PAY THE COST OF TWO NEW VEHICLES; AND AUTHORIZING THE ISSUANCE OF UP TO \$52,756.00 BOND ANTICIPATION NOTES OF THE TOWN OF COEYMANS FOR THE SAME PURPOSE

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

Section 1. The specific object or purpose for which the obligations authorized by this Bond Resolution are to be issued is purchase of (a) a new pickup truck for use by the Parks Department at a const not to exceed \$21,656.00 and (b) a new vehicle for use by the Police Chief at a cost not to exceed approximately \$31,100.00, to replace similar vehicles previously in service, and related preliminary and incidental costs (the “Project”), and this specific object or purpose is hereby authorized at a maximum estimated cost of \$52,756.00.

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

Section 2. The plan for financing of such maximum estimated cost of the Project is the issuance of up to \$52,756.00 Serial Bonds and/or Bond Anticipation Notes of said Town, hereby authorized to be issued pursuant to the Local Finance Law. Pursuant to Local Finance Law Section 107 (d)(9), a down payment from current funds is not required.

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

Section 5. For the purpose of paying a portion of the cost of the Project, there are hereby authorized to be issued Serial Bonds of the Town up to a maximum

amount of \$52,756.00, the maximum maturity of which shall not exceed the period of probable usefulness set forth above, and which shall mature on or before such date as measured from the date of the bonds or from the date of the first Bond Anticipation Note issued in anticipation of the sale of such bonds, whichever date is earlier. Such bonds may be in the form of a Statutory Installment Bond pursuant to Local Finance Law Section 62.10.

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

Section 6. There are hereby authorized to be issued Bond Anticipation Notes for the specific object or purpose in an amount up to but not exceeding the \$52,756.00 Maximum amount of Serial Bonds authorized to be issued, in anticipation of the issuance and sale of the Serial Bonds authorized, including renewals of such Bond Anticipation Notes.

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

Section 3. This resolution shall take effect immediately.

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

Town Clerk Millious continued by doing a roll call vote as follows:

ROLL CALL VOTE: Youmans – Aye, Rogers – Aye, Boehm – Aye, Dolan – Aye, Absent – 1 (Touchette) – SO MOVED

The Resolution was declared duly adopted by a vote of not less than two-thirds (2/3) of the full membership of the Town Board

RES. #104-11 ABOLISH DEPUTY SUPERVISOR POSITION

On motion of Councilwoman Rogers, seconded by Councilman Dolan, the following resolution was APPROVED – AYES 3 – NAYS 0 – ABSENT 1 (Touchette) – ABSTAIN 1 (Youmans) – SO MOVED

WHEREAS, the Town Board of the Town of Coeymans previously created the position of Deputy Supervisor pursuant to New York Town Law Section 42, and

WHEREAS, the Town Board has the power to create the office of Deputy Supervisor and the power to abolish it,

NOW, THEREFORE, BE IT RESOLVED, that the position of Deputy Supervisor for the Town of Coeymans is hereby abolished.

RES. #105-11 TRANSFER OF FUNDS

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

WHEREAS, the following accounts have been exhausted because of unforeseen expenditures,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby authorize Supervisor James C. Youmans to transfer the following amounts to the respective accounts.

GENERAL FUND (A)

Amount	From Account	To Account
\$16,798.25	A1430.1 Human Resources (Personal Services)	A1310.1 Finance (Personal Services)
\$ 52.84	A1355.1 Assessor (Personal Services)	A1355.4 Assessor (Contractual)
\$ 3,386.26	A1990.4 Contingency	A1420.4 Attorney (Contractual)
\$ 1,356.43	A1355.1 Assessor (Personal Services)	A1620.4 Town Hall (Contractual)
\$ 5,435.02	A9060.8 Employee Benefit (Health Insurance)	A1640.4 Central Garage (Contractual)
\$ 1,106.48	A9060.8 Employee Benefit (Health Insurance)	A1650.4 Central Comm. (Contractual)
\$ 1,437.13	A3010.Public Safety Adm. (Contractual)	A3020.1 Communications (Personal Services)
\$ 3,259.09	A9060.8 Employee Benefit (Health Insurance)	A3120.11 Law Enforcement (Chief Salary)
\$29,510.09	A9060.8 Employee Benefit (Health Insurance)	A3120.1 Law Enforcement (Personal Services)
\$ 719.14	A9060.8 Employee Benefit (Health Insurance)	A3120.4 Law Enforcement (Contractual)
\$ 959.71	A9060.8 Employee Benefit (Health Insurance)	A5010.1 Highway Admin. (Personal Services)
\$ 212.70	A9060.8 Employee Benefit (Health Insurance)	A8090.4 Leachate Facility (Contractual)
\$ 898.32	A9060.8 Employee Benefit (Health Insurance)	A8510.2 Comm. Beaut. (Equipment Capital)
\$ 1,473.62	A1355.1 Assessor (Personal Services)	A8510.4 Comm. Beaut. (Contractual)

PART-TOWN FUND (B)

\$ 942.50	B9089.8 Other Employee Benefits	B3620.1 Safety Inspections (Personal Services)
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HIGHWAY FUND (DB)

\$ 1,213.51	DB5112.4 Special Improvements (Contractual)	DB5110.4 General Repair (Contractual)
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SEWER FUND (SS)

\$ 9,710.10	SS1220.4 Administration Fees	SS9070.8 Employee Benefit (Dental Insurance)
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RES. #106-11 APPROVE DECEMBER ABSTRACT

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

BE IT RESOLVED, that the Town Board, of the Town of Coeymans, does hereby approve the December 2011 Abstract as follows:

FUND	VOUCHER #	AMOUNT
GENERAL (A)		
General Pre-Paid	2452-2503	\$191,847.01
General	2551-2555,2557-2585	\$ 50,679.58
	General Total	\$242,526.59
GENERAL TOWER (A)		
General Tower	2556,2586	\$ 2,672.29
	General Tower Total	\$ 2,672.29
PART-TOWN (B)		
Part-Town Pre-Paid	2504-2518	\$429,573.16
Part-Town	2587	\$ 11.84
	Part Town Total	\$429,585.00
HIGHWAY (DB)		
Highway Pre-Paid	2519-2527	\$112,331.53
Highway	2588-2631	\$ 8,947.63
	Highway Total	\$121,279.16
SEWER (SS)		
Sewer Pre-Paid	2528-2542	\$ 17,000.65
Sewer	2632-2645,2651	\$ 10,252.99
	Sewer Total	\$ 27,253.64
CAPITAL PROJECTS (H) 36		
Capital Projects	2646-2648	\$ 57,283.18
	Capital Proj. Total	\$ 57,283.18
CAPITAL PROJECTS (H 37)		
Capital Projects Pre-Paid	2543	\$ 42,646.74
Capital Projects	2649-2650	\$ 4,956.75
	Capital Proj. Total	\$ 47,603.49
CAPITAL PROJECTS (38)		
Capital Projects	2544	\$ 30,822.13
	Capital Proj. Total	\$ 30,822.13
	TOTAL FOR ALL FUNDS	\$959,025.48
TRUST & AGENCY (T&A)		
Trust & Agency	2545-2550	\$218,911.46

	TRUST & AGENCY TOTAL	\$218,911.46
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TOWN BOARD WORKSHOPS/MEETINGS

- Town Board Organizational Meeting, January 1, 2012, 10:00am
- Town Board Meeting, January 9, 2012, 7:00pm
- Town Board Workshop, January 17, 2012, 6:00pm
- Town Board Meeting, January 23, 2012, 7:00pm

ADDITIONAL COMMENTS

Supervisor Youmans stated that he wanted to take a minute and say that this is his last Town Board Meeting for a while and it has been his honor and a privilege to serve the people of the Town of Coeymans, first as a Councilman and later as Supervisor. He added that it has been an honor to serve with each member of the Board as well as a special thank you to Nita Chmielewski who served as his Bookkeeper while being the Town Supervisor and also Mary Lewandowski who was his Confidential Secretary. He went on by saying that without those two people he would not have been able to do the job that he did. He concluded by saying that he won't say that it was a pleasure to serve but it has been an honor and then asked if there were any additional comments.

Councilman Boehm stated that he wanted to thank Jim for his services as Councilman and then as Supervisor as well as Mr. Touchette, who is not present, for his service to the Town.

Supervisor Youmans thanked Councilman Boehm and then asked if there were any additional comments.

Councilwoman Rogers stated that it has been fun, she had a good time and he is going to be missed.

Supervisor Youmans thanked Councilwoman Rogers and added that he has spent some time with Supervisor Elect Flach and for those on the Board who will be there on January 1st they will do everything they can to make him and Councilman Elect Masti feel welcome and he is sure that the Town will be in good hands. He then asked if there were any further comments.

Councilman Dolan stated that he believes that he did a great job as Town Supervisor and it was a pleasure to serve on the Board with him and to echo what Councilwoman Rogers had said, it was fun.

Supervisor Youmans thanked Councilman Dolan and then asked if there were any other comments.

Town Clerk Millious stated that she wanted to wish both him and Councilman Touchette best wishes and then offered a welcome to Supervisor Elect Flach and Councilman Elect Masti and added that she tries to do the best she can, whoever is on the Board. She continued by saying that she will be getting the Property Tax Bills shortly and they will work as hard as they can to get them out and they will be out by the first business day on January 3rd and her office will be ready to collect. She concluded by saying that if anyone has any questions they can phone her office at 756-2100 and then wished everyone a Happy New Year.

Attorney for the Town Wukitsch stated that he wanted to thank Jim for his service to the people of the Town of Coeymans and it had been a pleasure working with him. He continued by saying that public service is not an easy thing, which he can attest from his own personal experience with it and nor is the election process a lot of fun either. He continued by saying that he believes that he always tried to do the right thing, had the

interest of the people of the Town at heart and reiterated that he wanted to thank him for his service.

Supervisor Youmans thanked Attorney for the Town Wukitsch and then asked if there were any additional comments.

Highway Supervisor Deering stated that he didn't have any.

Supervisor continued by offering a motion to adjourn the meeting.

ADJOURNMENT

MOTION

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

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

Time: 7:57pm

Respectfully Submitted,

APPROVED:

Diane L. Millious, Town Clerk