**A Town Board Organizational Meeting was held Sunday, January 01, 2012, at 10:00am at Town Hall, 18 Russell Avenue, Ravena, New York**

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

**ABSENT:** Thomas A. Boehm, Councilman

**ALSO PRESENT:** Diane L. Millious, Town Clerk

**********

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

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**OPENING COMMENT**

Supervisor Flach stated that the records should reflect the presence of four Council Members with Councilman Boehm being absent, who was ill.

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**NOTICE**
**TOWN OF COEYMANS**
**TOWN BOARD**
**2012 ORGANIZATIONAL MEETING**

**NOTICE IS HEREBY GIVEN** that the Organizational Meeting of the Town Board of the Town of Coeymans has been scheduled for Sunday, January 01, 2012, at 10:00am.

The Meeting will be held at Town Hall, 18 Russell Avenue, Ravena, N.Y.

**By Order of the Town of**
**Coeymans Town Board**
**Diane L. Millious**
**Town Clerk**

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**RESOLUTIONS**

Supervisor Flach stated that there are approximately 30 resolutions that are necessary to run the Town effectively for the year and continued by asking that Councilman Dolan start with the first resolution.

**RES. #001-12 ESTABLISH TOWN BOARD MEETING DATES**
On motion of Councilman Dolan, seconded by Councilwoman Rogers, the following resolution was APPROVED – AYES 4 – NAYS 0 – ABSENT 1 (Boehm) – SO MOVED

**BE IT RESOLVED**, that the Town Board of the Town of Coeymans, does hereby set the following dates for Town Board Meetings 2012. Please note that Town Board Meetings start at 7:00pm.

| | | | |
|---|---|---|---|
| January | 01 | June | 25 |
| January | 09 | July | 23 |
| January | 23 | August | 27 |
| February | 13 | September | 10 |
| February | 27 | September | 24 |
| March | 12 | October | 09 ** |

| | | | |
|---|---|---|---|
| March | 26 | October | 22 |
| April | 09 | November | 13*** |
| April | 23 | November | 26 |
| May | 14 | December | 10 |
| May | 29* | December | 24 |

Moved to Tuesday for:
*Memorial Day
**Columbus Day
***Veterans' Day - Observed

**RES. #002-12 ESTABLISH TOWN BOARD WORKSHOP DATES**
On motion of Councilwoman Rogers, seconded by Councilman Dolan, the following resolution was APPROVED – AYES 4 – NAYS 0 – ABSENT 1 (Boehm) – SO MOVED

**WHEREAS**, it has been determined that one Town Board Workshop Meeting per month is deemed necessary,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board establishes the following dates in 2012 as Workshop Meetings. These meetings will take place on Tuesday evenings commencing at 6:00pm.

| | | | | | |
|---|---|---|---|---|---|
| January | 17 | June | 19 | November | 20 |
| February | --- | July | 17 | December | 18 |
| March | 20 | August | 21 | | |
| April | 17 | September | 18 | | |
| May | 22 | October | 16 | | |

**RES. #003-12 ESTABLISH PLANNING BOARD MEETING DATES**
On motion of Supervisor Flach, seconded by Councilman Masti, the following resolution was APPROVED – AYES 4 – NAYS 0 – ABSENT 1 (Boehm) – SO MOVED

**BE IT RESOLVED**, that the Town Board, of the Town of Coeymans, does hereby set the following dates for the Planning Board Meetings for 2012. Please note that the Planning Board Meetings start at 7:00pm.

| | | | |
|---|---|---|---|
| January | 03* | July | 02 |
| February | 06 | August | 06 |
| March | 05 | September | 04 ** |
| April | 02 | October | 01 |
| May | 07 | November | 05 |
| June | 04 | December | 03 |

* Due to New Year's Day Observed
** Due to Labor Day Observed

**RES. #004-12 ESTABLISH ZONING BOARD OF APPEALS MEETING DATES**
On motion of Councilman Masti, seconded by Councilwoman Rogers, the following resolution was APPROVED – AYES 4 – NAYS 0 – ABSENT 1 (Boehm) – SO MOVED

**BE IT RESOLVED**, that the Town Board, of the Town of Coeymans, does hereby set the following dates for the Zoning Board of Appeals Meetings for 2012. Please not that Zoning Board of Appeals Meetings start at 7:00pm.

| | | | |
|---|---|---|---|
| January | 18 | July | 18 |
| February | 15 | August | 15 |
| March | 21 | September | 19 |
| April | 18 | October | 17 |
| May | 16 | November | 21 |
| June | 20 | December | 19 |

**RES. #005-12 SET HOLIDAY SCHEDULE FOR 2012**
On motion of Councilman Dolan, seconded by Councilwoman Rogers, the following resolution was APPROVED – AYES 4 – NAYS 0 – ABSENT 1 (Boehm) – SO MOVED

**BE IT RESOLVED**, that the Town Board of the Town of Coeymans does hereby set the following Holidays for 2012 employees not covered by union contracts. Holiday schedules for covered employees are pursuant to active agreements in force.

| | | |
|---|---|---|
| January | 02 | New Year's Day (Observed) |
| January | 16 | Martin Luther King Day |
| February | 20 | President's Day |
| May | 28 | Memorial Day |
| July | 04 | Independence Day |
| September | 03 | Labor Day |
| October | 08 | Columbus Day |
| November | 06 | Election Day |
| November | 12 | Veteran's Day (Observed) |
| November | 22 | Thanksgiving Day |
| November | 23 | Day after Thanksgiving |
| December | 25 | Christmas Day |

**RES. #006-12 AUTHORIZE SUPERVISOR TO EXECUTE AGREEMENTS BETWEEN TOWN OF COEYMANS, CONTRACTUAL EMPLOYEES, CSEA AND COUNCIL 82**
On motion of Councilwoman Rogers, seconded by Councilman Dolan, the following resolution was APPROVED – AYES 4 – NAYS 0 – ABSENT 1 (Boehm) – SO MOVED

**BE IT RESOLVED**, that the Town Board of the Town of Coeymans, does hereby authorize Supervisor Stephen D. Flach to execute all agreements between the Town of Coeymans and contractual employees, CSEA, and Council 82.

**RES. #007-12 DESIGNATE DEPOSITORY OF FUNDS**
On motion of Supervisor Flach, seconded by Councilman Masti, the following resolution was APPROVED – AYES 4 – NAYS 0 – ABSENT 1 (Boehm) – SO MOVED

**BE IT RESOLVED**, that the Town Board of the Town of Coeymans, pursuant to Town Law, Section 64 (1), 20 and 35 that National Bank of Coxsackie, Key Bank, First Niagara, Citizens Bank, Bank of Greene County or any other bank or depository authorized by the State of New York, be designated as the depository of all funds of the Town of Coeymans. In addition, the Town Board directs that all Town Officials responsible for monies are hereby required to deposit said monies into said depository.

**RES. #008-12 ADOPT INVESTMENT POLICY**
On motion of Councilman Masti, seconded by Councilwoman Rogers, the following resolution was APPROVED – AYES 4 – NAYS 0 – ABSENT 1 (Boehm) – SO MOVED

**WHEREAS**, the Town of Coeymans has previously adopted a "Model Investment Policy" supplied by the State Comptroller's Office on April 29, 1996, and

**WHEREAS**, all towns must adopt an Investment Policy according to the State Comptroller's Office and General Municipal Law, and

**WHEREAS**, that "Investment Policy" shall be reviewed on an annual basis and shall be adopted at the Annual Organizational Meeting,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Coeymans does hereby adopt the Investment Policy for the year 2012.

**RES. #009-12 AUTHORIZE PREPAYMENT OF CLAIMS**
On motion of Councilman Dolan, seconded by Councilman Masti, the following resolution was APPROVED – AYES 4 – NAYS 0 – ABSENT 1 (Boehm) – SO MOVED

**BE IT RESOLVED**, that the Town Board, of the Town of Coeymans, does hereby authorize the payment in advance of audit of claims for public utility services, telephone, postage, freight and express charges, lease and maintenance agreements, and any other prepayments that would result in penalties against the Town of Coeymans. In addition, all payroll and employee benefits payable and due at specific times.

**RES. #010-12 DESIGNATE OFFICIAL NEWSPAPER**
On motion of Councilwoman Rogers, seconded by Councilman Masti, the following resolution was APPROVED – AYES 3 – NAYS 1 – ABSENT 1 (Boehm) – SO MOVED

**BE IT RESOLVED**, that the Town Board, of the Town of Coeymans, pursuant to Section 64, Subdivision 11 of the Town Law, designates ***The News Herald***, a newspaper regularly published in the Town of Coeymans, County of Albany, the official newspaper of the Town of Coeymans.

**RES. #011-12 ESTABLISH MILEAGE RATE**
On motion of Supervisor Flach, seconded by Councilman Dolan, the following resolution was APPROVED – AYES 4 – NAYS 0 – ABSENT 1 (Boehm) – SO MOVED

**BE IT RESOLVED**, that the Town Board, of the Town of Coeymans, pursuant to Section 102, Subdivision 1 of the Town Law, establishes the rate of **55.5** cents per mile for the authorized use of personal vehicles by Town Employees in the performance of their duties based on the Internal Revenue Service Rate.

**RES. #012-12 AUTHORIZE ASSOCIATION OF TOWNS MEETING PREREGISTRATION**
On motion of Councilman Masti, seconded by Councilwoman Rogers, the following resolution was APPROVED – AYES 4 – NAYS 0 – ABSENT 1 (Boehm) – SO MOVED

**WHEREAS,** the Association of Towns has developed an in-office pre-registration procedure for the 2012 Annual Meeting, and

**WHEREAS,** the Association of Towns has offered a preferential pre-registration rate of $100 per person,

**WHEREAS,** the Town Board of the Town of Coeymans authorizes the Supervisor to take advantage of the preferential pre-registration rate of $100 per person,

**NOW, THEREFORE, BE IT RESOLVED,** that all Elected Officials and employees specifically authorized by the Town Board may attend the Association of Towns Annual Meeting & Training School in New York City, February 19-22, 2012, and that the Town will reimburse them at a per diem of $75 per day.

**RES. #013-12 APPOINT ASSOCIATION OF TOWNS MEETING DELEGATE/ALTERNATE**
On motion of Councilman Dolan, seconded by Councilwoman Rogers, the following resolution was APPROVED – AYES 4 – NAYS 0 – ABSENT 1 (Boehm) – SO MOVED

**BE IT RESOLVED,** that the Town Board of the Town of Coeymans does hereby appoint Supervisor Stephen D. Flach as Delegate for the Town of Coeymans at the Association of Towns Convention, February 19-22, 2012, and Council member Peter E. Masti as an alternate.

**RES. #014-12 ESTABLISH OFF ICE OF DEPUTY SUPERVISOR**
On motion of Councilwoman Rogers, seconded by Councilman Dolan, the following resolution was APPROVED – AYES 4 – NAYS 0 – ABSENT 1 (Boehm) – SO MOVED

**WHEREAS,** pursuant to Town Law §42, the Town Board may establish the Office of Deputy Supervisor at any time, and

**WHEREAS**, the office of Deputy Supervisor does not presently exist in the Town of Coeymans, and

**WHEREAS,** the Town Supervisor is desirous of re-establishing the office of Deputy Supervisor, and appointing an individual to fill that position to exercise all the powers and duties authorized under State and Town Law,

**NOW, THEREFORE, BE IT RESOLVED,** that Supervisor Stephen D. Flach does hereby establish the office of Deputy Supervisor in the Town of Coeymans, effective immediately, and

**BE IT FURTHER RESOLVED,** that the Town Supervisor hereby appoints Peter E. Masti, effective immediately, with no additional compensation for services performed while serving in this position.

**RES. #015-12 APPONT ADMINISTRATOR OF ACCESS**
On motion of Supervisor Flach, seconded by Councilman Dolan, the following resolution was APPROVED – AYES 4 – NAYS 0 – ABSENT 1 (Boehm) – SO MOVED

**WHEREAS**, the Town Board of the Town of Coeymans, does hereby have an Agreement with Mid-Hudson Cablevision to provide public access programming directly from the Town Building, located at 18 Russell Avenue, Ravena, New York.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board, of the Town of Coeymans does hereby appoint William Horton as the Administrator of Access for the purpose of coordinating, programming, and overseeing individuals involved in the telecasting of approved programs, to serve without remuneration.

Councilman Dolan stated that Mr. Horton does a great job.

Supervisor Flach interjected that the Church is given preference on Sunday's and the Meeting was not being televised.

Town Clerk Millious stated that she can make sure that the tape goes to Mid-Hudson Cable for broadcasting.

**RES. #016-12 APPOINT PLANNING BOARD CHAIRMAN**
On motion of Councilman Masti, seconded by Councilwoman Rogers, the following resolution was APPROVED – AYES 4 – NAYS 0 – ABSENT 1 (Boehm) – SO MOVED

**BE IT RESOLVED**, that the Town Board, of the Town of Coeymans, does hereby appoint Peter Foronda as Chairman of the Town of Coeymans Planning Board. This appointment is effective immediately and will expire on December 31, 2012.

**RES. #17-12 APPOINT PLANNING BOARD MEMBER**
On motion of Councilman Dolan, seconded by Councilwoman Rogers, the following resolution was APPROVED – AYES 4 – NAYS 0 – ABSENT 1 (Boehm) – SO MOVED

**WHEREAS,** the term of Ernest Quinto on the Planning Board expires on December 31, 2011, and

**WHEREAS,** the Town Board has determined his service to be of value to the Town and,

**WHEREAS,** Mr. Quinto has expressed an interest in retaining a seat on the Planning Board,

**NOW, THEREFORE, BE IT RESOLVED,** that the Town Board of the Town of Coeymans does hereby reappoint Ernest Quinto to a seven-year term on the Town of Coeymans Planning Board to expire December 31, 2018.

**RES. #018-12 APPOINT ZONING BOARD CHAIRMAN**
On motion of Councilwoman Rogers, seconded by Councilman Dolan, the following resolution was APPROVED – AYES 4 – NAYS 0 – ABSENT 1 (Boehm) – SO MOVED

**BE IT RESOLVED**, that the Town Board, of the Town of Coeymans does hereby reappoint Kerry Marsh as Chairman of the Zoning Board of Appeals to a term to expire on December 31, 2012.

**RES. #019-12 APPOINT ZONING BOARD OF APPEALS MEMBER**
On motion of Supervisor Flach, seconded by Councilman Dolan, the following resolution was APPROVED – AYES 4 – NAYS 0 – ABSENT 1 (Boehm) – SO MOVED

**WHEREAS,** the term of Sarah Hafensteiner on the Zoning Board of Appeals expired on December 31, 2011 and

**WHEREAS,** the Town Board is desirous of filling the seat on this board,

**NOW, THEREFORE, BE IT RESOLVED,** that the Town Board of the Town of Coeymans does hereby appoint Joseph Shear to the Zoning Board of Appeals for a term to expire December 31, 2016.

Councilman Dolan stated that he wanted to thank Ms. Hafensteiner for her service to the Town and is very knowledgeable in zoning matters and really brought that knowledge to the Board and did a great job.

Supervisor Flach interjected that he will send Ms. Hafensteiner a letter thanking her for her service and from talking to many people, she did a great job and they appreciate her time.

Councilman Dolan stated that on occasion it can be a thankless job.

**RES. #020-12 APPOINT ZONING BOARD OF APPEALS COUNSEL**
On motion of Councilman Masti, seconded by Councilman Dolan, the following resolution was APPROVED – AYES 4 – NAYS 0 – ABSENT 1 (Boehm) – SO MOVED

**WHEREAS,** the term of office in the position of Counsel to the Zoning Board of Appeals expired on December 31, 2011 and

**WHEREAS,** the Zoning Board of Appeals is desirous of retaining Brendan Baynes, Esq. who has completed the term of office of the previous counsel,

**NOW, THEREFORE, BE IT RESOLVED,** that the Town Board of the Town of Coeymans does hereby appoint Brendan Baynes, Esq. to serve as legal counsel to the Zoning Board of Appeals for a yearly fee of $6,000, payable by monthly voucher submission, expiring December 31, 2012 and

**BE IT FURTHER RESOLVED,** that Mr. Baynes be compensated at the rate of $175.00 per hour (in addition to the monthly retainer) for any special projects which require extensive legal research communications or written opinions.

Councilman Dolan stated that Mr. Baynes does a good job but he's not too sure about the billboard on Rte. 9W.

Supervisor Flach stated that he completed the term of office of the previous counsel and from what he understands, he did a good job.

**RES. #021-12 APPOINT BOARD OF ASSESSMENT REVIEW MEMBER**
On motion of Councilman Dolan, seconded by Councilwoman Rogers, the following resolution was APPROVED – AYES 4 – NAYS 0 – ABSENT 1 (Boehm) – SO MOVED

**WHEREAS,** the term of Gerald T. VanAlstine on the Board of Assessment Review expired on September 30, 2011 and,

**WHEREAS,** the Town Board has determined his service to be of value to the Town and,

**WHEREAS**, Mr. VanAlstine has expressed an interest in retaining a seat on the Board of Assessment Review,

**NOW, THEREFORE, BE IT RESOLVED,** that the Town Board of the Town of Coeymans does hereby reappoint Gerald VanAlstine to a five- year term on the Town of Coeymans Board of Assessment Review to expire September 30, 2016.

**RES. #022-12 APPOINT CIVIL DEFENSE DIRECTOR**
On motion of Councilwoman Rogers, seconded by Councilman Dolan, the following resolution was APPROVED – AYES 4 – NAYS 0 – ABSENT 1 (Boehm) – SO MOVED

**BE IT RESOLVED**, that the Town Board, of the Town of Coeymans, does hereby appoint William Bruno as the Civil Defense Director for the Town of Coeymans, and Chairman of the Town Emergency Management Committee, for a term to expire on December 31, 2012. Compensation for this position is $1,500.00 per year.

Councilman Dolan stated that Mr. Bruno did a good job.

Supervisor Flach stated that he recalls that during Hurricane Irene there were a lot of things going on.

Councilman Dolan stated that he along with the entire Emergency Management Committee did a great job.

**RES. #023-12 APPOINT EMERGENCY MANAGEMENT COMMITTEE**
On motion of Supervisor Flach, seconded by Councilman Masti, the following resolution was APPROVED – AYES 4 – NAYS 0 – ABSENT 1 (Boehm) – SO MOVED

**WHEREAS**, the Town of Coeymans, Village of Ravena, Emergency Management Committee has an Emergency Management Plan to be implemented at the time of specific incidents of events which may result in severe or extensive damage, loss of property, casualties, deaths and/or disruption of the normal everyday routine of our specific geographic area, and

**WHEREAS**, the success of this plan depends on the cooperation and coordination of a number of individuals and organizations,

**NOW, THEREFORE, BE IT RESOLVED**, that the following will be participating and contributing agencies: Coeymans Fire Company, Coeymans Hollow Fire Corporation, Town of Coeymans Police Department, Ravena Hose Company, Ravena Rescue Squad, and

**BE IT FURTHER RESOLVED**, that the Committee shall consist of the following for a period ending December 31, 2012:

Bill Bruno, Chairman, Town of Coeymans
Chief Greg Darlington, Emergency Operations Director
Mark Deyo, Coeymans Fire Company #1
Steven Payne, Coeymans Hollow Volunteer Fire Corporation
Brian Dunican, Jr., Ravena Hose Company
Sherle Slingerland, Ravena Rescue Squad
William Bailey, Village of Ravena, Ad Hoc Member

**RES. #024-12 Appoint Ethics Committee**
On motion of Councilman Masti, seconded by Councilwoman Rogers, the following resolution was APPROVED – AYES 4 – NAYS 0 – ABSENT 1 (Boehm) – SO MOVED

**WHEREAS**, the Town Board is advised that the terms of office for the members of the Ethics Board expired December 31, 2011, and

**WHEREAS,** the Town Board wishes to continue the work of the Ethics Board

**NOW, THEREFORE, BE IT RESOLVED,** that the Town Board hereby appoints Harry A. Sturges, Gary Bogardus, and Delores Martinez to the Ethics Board with terms to expire December 31, 2012.

**RES. #025-12 APPOINT BINGO INSPECTOR**
On motion of Councilman Dolan, seconded by Councilwoman Rogers, the following resolution was APPROVED – AYES 4 – NAYS 0 – ABSENT 1 (Boehm) – SO MOVED

**WHEREAS**, the Town of Coeymans is in need of a Bingo Inspector to ensure that games being run in the town are in compliance with New York State regulations,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board, of the Town of Coeymans does hereby appoint Edward J. Domanico as Bingo Inspector, at the yearly rate of $2,600.00, with a term to expire December 31, 2012.

**RES. #026-12 APPOINT CLERK TO THE SUPERVISOR**
On motion of Councilwoman Rogers, seconded Councilman Dolan, the following resolution was APPROVED – AYES 4 – NAYS 0 – ABSENT 1 (Boehm) – SO MOVED

**WHEREAS,** Albany County Department of Civil Service previously advised the town that the position of Bookkeeper is no longer an exempt position, and

**WHEREAS,** the Town Board adopted the title Clerk to the Supervisor, which is in the Exempt Class for all towns, on January 24, 2011, and

**WHEREAS,** this position has the flexibility to perform the same duties,

**NOW, THEREFORE, BE IT RESOLVED,** that the Town Board of the Town of Coeymans herby, at the request of the Supervisor, appoints Rachel A. Weidman to the position of Clerk to the Supervisor, at the rate of $20.00 hourly.

**RES. #027-12 AUTHORIZE SUPERVISOR TO APPOINT CONFIDENTIAL SECRETARY**
On motion of Supervisor Flach, seconded by Councilman Masti, the following resolution was APPROVED – AYES 4 – NAYS 0 – ABSENT 1 (Boehm) – SO MOVED

**BE IT RESOLVED**, that the Town Board, of the Town of Coeymans, does hereby authorize Supervisor Stephen D. Flach to appoint a Confidential Secretary pursuant to Town Law, Section 29, Subdivision (15),

**BE IT FURTHER RESOLVED**, that the Town of Coeymans Supervisor does hereby appoint Mary M. Lewandowski as Confidential Secretary to the Supervisor.

**RES. #028-12 APPOINT FIRST DEPUTY TOWN CLERK**
On motion of Councilman Masti, seconded by Councilman Dolan, the following resolution was APPROVED – AYES 4 – NAYS 0 – ABSENT 1 (Boehm) – SO MOVED

**WHEREAS**, Lucinda Vatalaro, pursuant to Chapter 280 of the Laws of 2007, was appointed to the 1st Deputy Town Clerk position, and

**WHEREAS**, Town Clerk Millious is desirous that Ms. Vatalaro continue in this position,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board, hereby acknowledges the Town Clerk's appointment of Lucinda Vatalaro as 1st Deputy Town Clerk. This appointment is for a term to expire on December 31, 2012.

Councilman Dolan stated that Ms. Vatalaro does a great job and added that he wanted to apologize for indiscreetly, jokingly mentioning that she be fired and then found out that she is the person that transcribes the tape and reiterated that it was a joke.

**RES. #029-12 APPOINT MARRIAGE OFFICER**
On motion of Councilman Dolan, seconded by Councilwoman Rogers, the following resolution was APPROVED – AYES 3 – NAYS 0 – ABSTAIN 1 (Dolan) – ABSENT 1 (Boehm) – SO MOVED

**NOW, THEREFORE, BE IT RESOLVED,** that the Town Board of the Town of Coeymans does hereby appoint Mi-Lyn Dolan as Marriage Officer for the Town of Coeymans with the responsibilities as determined by Town Law. This appointment expires December 31, 2012.

Councilman Dolan stated that there is no pay or any other form of compensation from the Town attached to the position.

**RES. #030-12 APPOINT TOWN HISTORIAN**
On motion of Councilwoman Rogers, seconded by Councilman Masti, the following resolution was APPROVED – AYES 4 – NAYS 0 – ABSENT 1 (Boehm) – SO MOVED

**BE IT RESOLVED**, that the Town Board of the Town of Coeymans does hereby appoint Harry A. Sturgess, Town Historian for the Town of Coeymans, for a term to expire on December 31, 2012. Compensation for this position is $600.00 per year.

**RES. #031-12 APPOINT PART-TIME CLERK 1**
On motion of Supervisor Flach, seconded by Councilman Masti, the following resolution was APPROVED – AYES 4 – NAYS 0 – ABSENT 1 (Boehm) – SO MOVED

**WHEREAS,** the Assessor, Laura VanValkenburg, has reorganized her office and office hours in a cost-saving measure, reducing the need for two part-time clerks to staff the office, and

**WHEREAS,** that part-time Assessment Aide is in need of assistance in verification of construction information, and completion of property record cards to enter new data into the RPS program, and

**WHEREAS,** the current part-time Clerk 1, Anthony DiAcetis, has experience and knowledge in this area, and

**WHERAS,** the Assessor has confirmed he meets the minimum qualifications for the position,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Coeymans does hereby appoint Anthony DiAcetis, Jr. to the part-time position of Clerk 1 to assist the Assessment Aide, effective immediately, at a rate commensurate with the position, $11.18 per hour.

**RES. #032-12 APPOINT TOWN PROSECUTOR**
On motion of Councilman Masti, seconded by Councilman Dolan, the following resolution was APPROVED – AYES 4 – NAYS 0 – ABSENT 1 (Boehm) – SO MOVED

**BE IT RESOLVED**, that the Town Board, of the Town of Coeymans, does hereby appoint Gregory Teresi, Esq. to serve as Prosecutor for Town related matters as follows:

$ 5,200.00 per year – Traffic tickets issued by Town of Coeymans Police Officers to Town of Coeymans Court.

$ 5,200.00 per year – Traffic tickets issued by New York State Police to Town of Coeymans Court.

$ 2,480.00 per year – Town Code/Penal Law trial matters.
$12,800.00

These services shall be payable by monthly voucher submissions by Mr. Teresi.

Supervisor Flach stated that he had previously spoken with Mr. Teresi and the Justices and Court Clerk have indicated that they are very happy with his services and he is doing a great job.

**RES. #033-12 AUTHORIZE UNDERTAKING**
On motion of Councilman Dolan, seconded by Councilwoman Rogers, the following resolution was APPROVED – AYES 4 – NAYS 0 – ABSENT 1 (Boehm) – SO MOVED

**WHEREAS,** Public Officer's Law, Section 11 and Town Law, Section 25, require that the Supervisor, Town Clerk, Justices, Superintendent of Highways and such other officers and employees as the Town Board may identify, execute and file in the Office of the Town Clerk, County Clerk and/or the Office of Court Administration, as appropriate, an Official Undertaking for the faithful performance of their duties, and

**WHEREAS,** the Town Board has determined that a Surety Company authorized to transact business in the State of New York should execute the aforementioned undertaking and the expense thereof shall be an authorized charge against the Town,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board directs the acquisition of such Undertaking pursuant to the above stipulations.

**RES. #034-12 APPOINT 2012 EMPLOYEES**
On motion of Councilwoman Rogers, seconded by Councilman Dolan, the following resolution was APPROVED – AYES 4 – NAYS 0 – ABSENT 1 (Boehm) – SO MOVED

**WHEREAS**, the Town Board has previously approved the 2012 Annual Budget for the Town of Coeymans, and

**WHEREAS**, that budget included appropriations for personal services for contractual and non-contractual employees,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board, of the Town of Coeymans, authorizes the following employees for 2012, in accordance with Labor Contracts in effect and budgeted amounts for positions outside the scope of negotiated Contracts. (see attached list)

| NAME | POSITION | ANNUAL PAY PERIODS | RATE/HR. SALARY |
|---|---|---|---|
| S. Flach | Supervisor | 26 | $1,153.84 |
| M. Lewandowski | Confidential Secretary | 26 | $ 16.48 |
| R. Weidman | Clerk to the Supervisor p/t | 26 | $ 20.00 |
| L. Zeigler | Clerk I Part-Time | 26 | $ 11.30 |
| D. Purinton | Internal Control Officer | 26 | $105.00 |
| S. King | Clerk I | 26 | $ 15.56 |
| D. Rogers | Councilwoman | 26 | $ 461.54 |
| T. Boehm | Councilman | 26 | $ 461.54 |
| T. Dolan | Councilman | 26 | $ 461.54 |
| P. Masti | Councilman | 26 | $ 461.54 |
| | | | |
| G. Dardani | Justice | 26 | $ 673.08 |
| P. Crandall | Justice | 26 | $ 673.08 |
| L. Eissing | Clerk to the Justice F/T | 26 | $ 23.49 |
| Vacant | Court Clerk | 26 | $ 11.00 |
| | | | |
| D. Millious | Town Clerk | 26 | $1,557.70 |
| L. Vatalaro | Deputy Town Clerk | 26 | $ 18.64 |
| B. Lyons | Clerk 1 Part-Time | 26 | $ 12.35 |
| D. Ferrusi | Clerk 1 Part-Time | 26 | $ 11.00 |
| | | | |
| L. VanValkenburg | Assessor | 26 | $1,071.13 |

| | | | |
|---|---|---|---|
| D. DeRose | Clerk I Part-Time | 26 | $ 12.97 |
| A. DiAcetis | Clerk I Part-Time | 26 | $ 11.18 |
| R. Sevilla | Assessment Aide P/T | 26 | $ 11.18 |
| | | | |
| D. Crowley | Recreation Leader P/T | 26 | $ 13.00 |
| | | | |
| L. Breedlove | Chief Sewer Plant Operator | 26 | $ 23.54 |
| J. Lennon III | Sewer Plant Operator | 26 | $ 21.44 |
| K. Geraldson | Sewer Plant Operator Trainee | 26 | $ 18.04 |
| | | | |
| A. Deering | Highway Superintendent | 26 | $1,923.08 |
| S. Searles | Deputy Highway Super. | 26 | $ 20.77 |
| G. LaMountain | Equipment Operator II | 26 | $ 21.49 |
| E. Barrett | Equipment Operator I | 26 | $ 19.48 |
| G. Stevens | Equipment Operator I | 26 | $ 19.35 |
| D. Merrill | Equipment Operator I | 26 | $ 19.35 |
| T. Bennett | Equipment Operator I | 26 | $ 20.16 |
| P. DeLuke | Equipment Operator I | 26 | $ 18.12 |
| M. Coons | Equipment Operator I | 26 | $ 19.35 |
| L. Southwick | Equipment Operator I | 26 | $ 19.01 |
| L. Biance | Clerk I Part-Time | 26 | $ 11.30 |
| | | | |
| G. Darlington | Police Chief | 26 | $3,068.00 |
| D. Contento | Police Sergeant | 26 | $ 28.63 |
| C. Alberts | Police Sergeant | 26 | $ 28.33 |
| N. Westfall | Police Officer Full-Time | 26 | $ 25.75 |
| J. Albert | Police Officer Full-Time | 26 | $ 26.05 |
| R. Johnson | Police Officer Full-Time | 26 | $ 21.28 |
| F. McDonagh | Police Officer Full-Time | 26 | $ 19.35 |
| R. Cross | Police Officer Part-Time | 26 | $ 16.16 |
| T. Polverelli | Police Officer Part-Time | 26 | $ 21.08 |
| G. DeLuca | Police Officer Part-Time | 26 | $ 22.90 |
| J. Dunn | Police Officer Part-Time | 26 | $ 21.90 |
| R. Griffith | Police Officer Part-Time | 26 | $ 21.90 |
| S. Prokrym | Police Officer Part-Time | 26 | $ 22.90 |
| B. Rinaldi | Police Officer Part-Time | 26 | $ 21.90 |
| G. Rivituso | Police Officer Part-Time | 26 | $ 21.90 |
| K. Thompson | Police Officer Part-Time | 26 | $ 21.08 |
| B. McMullen | Police Officer Part-Time | 26 | $ 21.08 |
| J. Gallagher | Police Officer Part-Time | 26 | $ 21.08 |
| J. Myers | Police Officer Part-Time | 26 | $ 21.08 |
| J. Lare | Police Officer Part-Time | 26 | $ 17.42 |
| | | | |
| D. LaMountain | Sr. Telecommunicator | 26 | $ 22.05 |
| M. Von Schenk | Telecommunicator | 26 | $ 20.49 |
| N. McMullen | Telecommunicator | 26 | $ 20.19 |
| (vacant) | Telecommunicator P/T | 26 | $ 18.65 |
| J. D'Ambrosio | Telecommunicator P/T | 26 | $ 18.65 |
| B. Dunican | Telecommunicator P/T | 26 | $ 18.65 |
| Randy Hotaling | Telecommunicator P/T | 26 | $ 18.65 |
| Richard Hotaling | Telecommunicator P/T | 26 | $ 18.65 |
| K. Kearney | Telecommunicator P/T | 26 | $ 18.65 |
| K. Turek | Telecommunicator P/T | 26 | $ 17.25 |
| N. LaMountain | Telecommunicator P/T | 26 | $ 17.25 |
| A. Williams | Telecommunicator P/T | 26 | $ 17.25 |
| T. Maddage | Automotive Mechanic | 26 | $ 18.00 |
| J. Shear | Dog Control Officer P/T | 26 | $ 10.15 |
| | | | |
| L. Conrad | Building Inspector / CEO | 26 | $ 23.39 |
| S. DeBacco | Building Inspector P/T | 26 | $ 17.60 |

| | | | |
|---|---|---|---|
| C. Anderson | Clerk I | 26 | $ 15.94 |
| | | | |
| N. Perry | Parks & Rec. Maint. Super. | 26 | $ 20.97 |
| D. Mergendahl | Laborer | 26 | $ 18.57 |
| T. Plath | Laborer | 26 | $ 18.57 |
| J. Hoose | Laborer | 26 | $ 17.99 |
| | | | |
| E. Domanico | Bingo Inspector | 12 | $ 216.67 |
| | | | |
| W. Bruno | Civil Defense Director | 12 | $ 125.00 |
| | | | |
| H. Sturges | Town Historian | 12 | $ 50.00 |
| | | | |
| (vacant) | Cemetery Services Coordinator | 12 | $ 100.00 |
| | | | |
| B. Teriele | Carpenter | 26 | $ 30.00 |
| | | | |
| P. Foronda | Planning Board Chairman | 12 | $100.00/$50.00 |
| C. Kunz | Planning Board Vice-Chair | 12 | $ 90.00/$45.00 |
| D. Ross | Planning Board Member | 12 | $ 80.00/$40.00 Per Mtg/Wkshop |
| W. Brown | Planning Board Member | 12 | $ 80.00/$40.00 Per Mtg/Wkshop |
| E. Quinto | Planning Board Member | 12 | $ 80.00/$40.00 Per Mtg/Wkshop |
| J. Kapusta | Planning Board Member | 12 | $ 80.00/$40.00 Per Mtg/Wkshop |
| W. Irwin | Planning Board Member | 12 | $ 80.00/$40.00 Per Mtg/Wkshop |
| | | | |
| K. Marsh | Zoning Board Chairman | 12 | $125.00 per mtg. |
| R. Rivers | ZBA Member | 12 | $ 75.00 per mtg. |
| P. Brown | ZBA Member | 12 | $ 75.00 per mtg. |
| S. Schmitt | ZBA Member | 12 | $ 75.00 per mtg. |
| J. Shear | ZBA Member | 12 | $ 75.00 per mtg. |
| | | | |
| L. Ziegler | Recording Secretary PB/ZBA | 12 | $100.00 per mtg. |

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**TOWN BOARD WORKSHOPS / MEETINGS**

- Town Board Meeting, January 9, 2012, 7pm
- Town Board Workshop, January 17, 2012, 6pm
- Town Board Meeting, January 23, 2012, 7pm

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**ADDITIONAL COMMENTS**

Supervisor Flach asked if there were any additional comments, hearing none he offered a motion to adjourn the meeting.

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**ADJOURNMENT**

Supervisor Flach offered a motion to adjourn.

**MOTION**

On motion of Supervisor Flach, seconded by Councilwoman Rogers, the Town Board Organizational Meeting was adjourned.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Boehm) – SO MOVED

Supervisor Flach thanked and wished everyone a Happy New Year.

Time: 10:40am

***Respectfully Submitted,*** ***APPROVED:***

_____
***Diane L. Millious, Town Clerk***

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

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

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

**********

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

**********

**OPENING COMMMENT**

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

**********

**AGENDA**

- Public Announcements
  - Town Offices Closed, 01-16-12
  - Electronics Recycling Collection Day
- Public Comment
- Approval of Minutes
  - Town Board Meeting, December 12, 2011
  - Town Board Workshop, December 20, 2011
- Old Business
  - Business Owner Workshop re Local Laws #1&2
  - Hannacroix Creek Update
- New Business
  - Establish Date for Public Hearing, Proposed Rezoning
  - Ravena Grange, Contract for Services
- Resolutions
  - Authorize to Engage C.T. Male for I&I Report for 2011
- Town Board Workshops/Meetings
  - Town Board Workshop, January 17, 2012, 6:00pm
  - Town Board Meeting, January 23, 2012, 7:00pm
  - Town Board Meeting, February 13, 2012, 7:00pm

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**PUBLIC ANNOUNCEMENTS**

**Town Offices Closed, January 16, 2012**

Supervisor Flach stated that there were two public announcements and continued by reading the following:

Monday, January 16, 2012, all Town Offices will be closed in observance of Martin Luther King, Jr. Day.

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

**Electronics Recycling Collection Day**

Last year, as a service to residents in accordance with the NYS Electronic Equipment Recycling and Reuse Act, the Town began hosting collection days for recycling computer and electronic equipment.

The first collection day was held last October. The next scheduled collection date is Wednesday, January 26, 2012, from 7:00am to 3:00pm ONLY at the Town Highway Department, 1305 State Route 143 in Coeymans Hollow.

Items will not be accepted before or after the designated times. Town personnel will be available to assist.

Town residents are asked to bring only those items on the list: televisions (portable or console), computer equipment, typewriters, video game systems, cell phones, I-pods, monitors, scanners, ink cartridges, fax machines, printers, keyboards, and other computer accessories.

We can NOT accept liquids, air conditioners, dehumidifiers, refrigerators, kitchen or personal appliances, batteries or fluorescent lamps.

This information has been posted on the website.

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**PUBLIC COMMENT**

Supervisor Flach invited the public to comment at this time.

**Ms. Donna Pasquini** stated she lives in the Hamlet of Coeymans and added that she knows that Steve is new and probably would not have any idea what she is talking about and went on by saying that last summer the Historic Coeymans Landing Neighborhood Association came before the Board and questioned 9 First Street, which they called the Pigeon Hotel and they were told that everything was being done that could be done. She added that she contacted DEC and the Health Department at that time about the building and she received a letter from the Health Department stating that Supervisor Youmans had advised them that the Town was ready to take the next step to take it to Supreme Court. She continued by asking if it has gone forward at all.

Supervisor Flach stated that he definitely did not know and added that he will more than happy to make some calls to find out what he can and added that he will have to confer with everyone on the Board.

Ms. Pasquini stated that she would appreciate it and added that she thinks the ball was just dropped and it had not gone any further and continued by saying that she wanted to bring it up again because winter is coming and the roof is already caved in and the third floor is now on the second floor and it will be much worse come spring.

Supervisor Flach inquired as to where she said the letter was from.

Ms. Pasquini stated that she received a letter from the Health Department and she will find the copy for him.

Councilman Dolan inquired as to if it was Albany County Health Department.

Ms. Pasquini stated that it was and added that she also talked to DEC, who was going to question the Town because there are two oil tanks in the basement and the basement is filled with water. She continued by saying that she knows that it was being pushed by DEC and the Health Department and Supervisor Youmans informed them both that it would be taken care of right away and reiterated that she is wondering where they are with it 6-7 months later because she sees nothing being done. She concluded by asking that he check into it and get back to her and added that she would appreciate it.

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

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**APPROVAL OF MINUTES**

Supervisor Flach stated that there were two sets of minutes for Town Board approval, a Town Board Meeting on December 12th and a Town Board Workshop on December 20th.

**MOTION**

On motion of Councilwoman Rogers, seconded by Councilman Dolan, the minutes were approved as presented and read.
VOTE – AYES 5 – NAYS 0 – SO MOVED

**********

**OLD BUSINESS**

**Business Owners Workshop – Local Laws #1-2**

Supervisor Flach stated that they want to plan a Workshop Meeting for the business owners to get together with the Town Board and before they do that they will need to see some things in writing. He continued by saying that if anyone has something that they want to see change in Local Law 1 or Local Law 2 they can e-mail it to the Supervisor's Office sometime in the near future and added that they are going to schedule the Workshop as soon as they get some correspondence from some of the businesses in the area that are concerned about the laws. He concluded by saying that a lot of people want to see a Workshop happen and maybe it will be at the end of the month or early February and reiterated that as soon as they get the comments, they can establish what needs to be talked about for possible amendment or change.

**Update on Hannacroix Creek**

Supervisor Flach asked Chief Darlington for an update on the Hannacroix Creek Project.

Chief Darlington stated that he contacted SEMO earlier in the day and got a lengthy response and added that FEMA wants detailed explanations as to what the Town has done so far and a timetable of what they feel the future is going to be with the project and what they are looking at for a time extension. He continued by saying that he reached out to F.X. Browne, the Engineering Firm that was awarded the bid for the project and they will provide him, hopefully tomorrow, with what the future timeline will be and in turn he will draft what the past timeline has been and what they have done. He went on by saying that he will submit it to FEMA and hopefully they will have an answer on that as well as Councilman Dolan reaching out to Senator Breslin's office who also reached out to FEMA and basically FEMA has confirmed that they have given no decision on it and the person that is responsible for it was out until the 3rd and will be getting back to him. He concluded by saying that they are trying to push from every angle that they can to get the funding approved so they can move forward.

Supervisor Flach asked Highway Superintendent Deering if he had any report as far as what he has done.

Highway Superintendent Deering stated that it was only what he had given him and added that he did a little.

Supervisor Flach stated that they have been in contact with Mr. Slezak with the Soil & Conservation Department and he has stated that he can possibly help with the DEC permit in getting some of the bigger debris out of the water, which really needs to be done. He concluded by saying that he just wanted to update everyone to let them know

that there has been some contact and they are not going to let it go and then asked if there were any other comments.

Councilman Dolan stated that the Engineering Firm, F.X. Browne was originally to have all the permits and it was part of the original plan of work that went to FEMA and added that the other thing that he wanted to add is that the extension that they asked for was from October 2010 to April 2012. He continued by saying that FEMA acknowledges that an April 2012 deadline is not a reasonable and it is one of the reasons that they are asking for a timeline so they can have a new end date. He concluded by saying that once again their timeline comes and goes before any action is taken.

Councilman Boehm inquired as to if there is a change in the original bid because it was done so long ago and if it has to be re-bid.

Chief Darlington stated that he spoke with F.X. Browne when it looked like they were moving forward with getting approval and they had stated that they will honor their original bid. He added that the only thing that they need to change is obviously the timetables that are set in the bid because they came and went.

Councilman Masti inquired as to who the contact is that is out until the 3rd and whether it is a FEMA contact.

Chief Darlington stated that it is a FEMA contact.

Councilman Masti inquired as to if there is anyone there that can cover that person.

Chief Darlington stated that he is assuming not, not to give the answers that Breslin's office is looking for.

Councilman Dolan stated that in spite of that they did get a response from the State Emergency Management passing on the FEMA information so the fact that the person was out until the 3rd did not stop it from happening.

Supervisor Flach asked if there were any other comments or Old Business items.

Councilman Dolan inquired as to if they want to advertise for the part-time clerk position for the Court that is in the budget and whether or not they want to post it on the website.

Supervisor Flach stated that it was posted internally and added that now they need to post it externally in the paper.

Town Clerk Millious inquired as to if they want to put it in a classified ad.

Councilman Boehm inquired as to if they use the Times Union, News Herald or both.

Town Clerk Millious stated that it is usually just the News Herald.

Councilman Boehm stated that it should be posted on the website as well.

Supervisor Flach asked if there were any other Old Business topics.

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**NEW BUSINESS**

**Establish Date for Public Hearing – Proposed Rezoning**

Supervisor Flach stated that they would like to establish a Public Hearing for the proposed re-zoning of a portion of Rte. 144 in Coeymans and added that they would like to have it at 6:30pm on January 23rd, which will give them sufficient time to post it.

Councilman Dolan asked if they should get a report from the Planning Board before they hold a Public Hearing.

Supervisor Flach stated that it was his understanding that it is a Public Hearing to hear public comment and continued by asking if he feels as though they should table it.

Councilman Boehm stated that it will be a Local Law to rezone and he believes that the Public Hearing would be for a law to rezone that area.

Councilman Dolan stated that he believes in order to change the zoning, and they can check, that they have to get an advisory opinion from the Planning Board and once they ask for it they have 30 days to give it to the Board.

Supervisor Flach asked whether after that is when they should have the Public Hearing.

Councilman Dolan stated that he believes that they can schedule it before they get it back.

Supervisor Flach suggested that they hold off on it and added that he has been in touch with Attorney Baynes and Attorney for the Town Wukitsch and he will try to get more information this week and then bring it back to the table.

**Ravena Grange Contract for Services**

Supervisor Flach stated that there is a Contract for Services with Ravena Grange.

Councilman Boehm stated that this is something that they have done for quite a while and added that the Ravena Grange has provided emergency shelter for ice storms and other things and they have a generator hook-up and it is used primarily by people in Coeymans Hollow but it is for the entire town and added that he would offer a motion.

**MOTION**

On motion of Councilman Boehm, seconded by Councilwoman Rogers, authorizing Supervisor Flach to sign the Contact for Exchange of Services with the Ravena Grange in the amount of $500.00.
VOTE – AYES 5 – NAYS 0 – SO MOVED

**********

**RESOLUTIONS**

**RES. 35-12 AUTHORIZE SUPERVISOR TO ENGAGE WITH C.T. MALE ASSOCIATES FOR THE PURPOSE OF PREPARING AN I&I REPORT FOR 2011**

**WHEREAS,** the New York State Department of Environmental Conservation (NYSDEC) requires the Town of Coeymans to do an Inflow & Infiltration (I&I) Report based on the moratorium that occurred in the Sewer District in 2001, and

**WHEREAS**, the Town of Coeymans has to report to NYSDEC on an annual basis the improvements that they have made in addition to the amount of I&I that they have removed from the system, and

**WHEREAS**, the engineering firm of C.T. Male Associates, P.C. has provided the service of preparing the I&I Report in the past and the Town of Coeymans is desirous of C.T. Male Associates compiling the report for 2011,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Coeymans authorizes Supervisor Stephen D. Flach to engage with C.T. Male Associates for the purpose of preparing an I&I Report for 2011.

**TOWN BOARD WORKSHOPS/MEETINGS**

- Town Board Workshop, January 17, 2012, 6:00pm
- Town Board Meeting, January 23, 2012, 7:00pm
- Town Board Meeting, February 13, 2012, 7:00pm

**********

**ADDITIONAL COMMENTS**

Supervisor Flach asked if there were any additional comments.

Councilman Boehm stated that he would like to welcome Supervisor Flach and Councilman Masti to the Board and unfortunately he was not able to attend the Meeting on New Year's Day because he was sick and added that he is looking forward to working with them.

Supervisor Flach stated that they are looking forward to it as well and then asked if there were any other comments.

Councilman Dolan stated that he would also like to welcome Supervisor Flach and Councilman Masti again and added that they have a lot of things to work on and they are both very eager to get going and working on them.

Supervisor Flach asked if there were any additional comments.

Town Clerk Millious stated that she also wanted to welcome Supervisor Flach and Councilman Masti and added that it is tax time once again and she wanted to remind anyone that may be eligible for the Senior Exemption to contact the Assessor's Office at 756-8927 and continued by saying that if they are unable to contact the Assessor, they can contact her office at 756-2100.

Supervisor Flach asked if there were any other comments.

Chief Darlington stated that as indicated on the news, they have had a rash of vehicles being stolen and there have been three within three weeks. He added that it is basically a crime of opportunity and people are leaving their keys in the car and they are walking around looking for these cars so if your keys are in it, they are taking it. He continued by saying that it is advised not to leave your keys in your car and to lock your car. He went on by saying that Southgate Deli was burglarized last evening and he is happy to announce that three people are under arrest for doing it.

Supervisor Flach asked if there were any other comments, 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 – 7:23pm

***Respectfully Submitted*,** **APPROVED:**

_____
***Diane L. Millious, Town Clerk***

**January 17, 2012 – TOWN BOARD WORKSHOP – 6:00PM**

**A Town Board Workshop was held Tuesday, January 17, 2012, at 6:00pm at Town Hall, 18 Russell Avenue, Ravena, New York**

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

**ALSO PRESENT:** Diane L. Millious, Town Clerk
David Wukitsch, Attorney for the Town
Larry Conrad, Code Enforcement Officer

**********

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

**********

**AGENDA**

- Highway Department Staffing
- Business Owner Workshop
- Proposed Re-Zoning of Route 144
- Sewer District

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**DISCUSSIONS**

**Highway Department Staffing**

Supervisor Flach stated that he was in receipt of a request from Highway Superintendent Deering to hire a reserved driver and continued by reading the following:

Dear Supervisor and Town Board,

I am requesting approval to add Herbert Williams III to be set up as a reserve driver, this has been done in the past to cover any driver who is unable to report during a storm for example medical, etc.

An absentee driver causes an additional burden on the remainder of the crew to cover the route. Also during heavy storms an extra driver would be beneficial in keeping up with the storm. Attached please find a copy of his application, and current CDL License. As Mr. Williams is a former employee he is familiar with the operations of the Highway Department.

Discussion ensued regarding the position as far as him being a former employee, the need for him, whether or not they have to post for the position and the rate of pay for a driver.

Collectively it was decided that it is a good idea to have a backup and in moving forward they will have a resolution for the next Town Board Meeting to hire him as a part-time driver.

**Business Owner Workshop**

Supervisor Flach stated that there is not much of an update because no businesses had sent anything in writing for suggested changes to Local Laws 1&2-2011 as requested. Collectively it was decided to keep it open for further discussion.

**Proposed Re-Zoning**

Supervisor Flach stated that Code Enforcement Officer wanted to speak to the Town Board about several different topics, with rezoning being one of the issues.

Code Enforcement Officer Conrad supplied each Board Member with a copy of the proposed Zoning Map as it was left in 2007 with Laberge and continued by explaining the proposed changes. He added that rather than having Laberge head it up he would suggest that the Town Board ask the Town Planning Board to head the process up as well as a committee if necessary and for them to put together a proposed Local Law to move a segment of the zoning, mapping and uses to bring them up to 2012.

Discussion ensued between Code Enforcement Officer and Attorney for the Town Wukitsch as far as the number of districts and the rezoning.

Discussion ensued between Code Enforcement Officer, the Town Board and Attorney for the Town Wukitsch regarding the Planning Board heading up the process for a Proposed Local Law for re-zoning and re-mapping and the timeline for doing such.

Collectively the Town Board agreed that the Planning Board should head up the process and Councilman Boehm offered a motion.

**MOTION**

On motion of Councilman Boehm, seconded by Councilman Masti, authorizing the Supervisor to delegate authority for the Planning Board to review the zoning map and usage and to get back to the Town Board with their recommendations.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Code Enforcement Officer Conrad continued by discussing additional items within the Local Laws that have been problematic over the years and he would suggest that the Town Board review and repeal the following:

| | |
|---|---|
| Chapter 14 | Environmental Conservation Board – has not been appointed in years. |
| Chapter 78 | Law against burning – DEC has taken over and rewritten the law. |
| Chapter 88 | Environment Quality Review Board – the Planning Board now does this, as well as the Zoning Board, the law is not necessary. |
| Chapter 96 | Fresh Water Flat Lands |
| Chapter 105 | Junk Storage |
| Chapter 125 | Resolution to Adopt a Policy, which was never accepted. |
| Chapter 131 | Septic Systems – the Town has not had authority over them in years, Albany County Planning Board has jurisdiction. |

He continued by discussing re-written laws that have been thrown on the shelf which include.

| | |
|---|---|
| Chapter 102 | Garbage and receptacles |
| Chapter 109 | Landfills |
| Chapter 138 | Solid Waste |

Code Enforcement Officer Conrad stated that all three chapters need to be merged into one Local Law and added that Chapter 134, which deals with sewers has been a problem.

Chapter 134 – Sewers – the Village fails to enforce their meter law.

Code Enforcement Officer Conrad stated that there is also a problem with the Village sewer rate and there not being a rate set for the month of January because of some issues that have not been resolved such as a credit owed to the Village with respect to the Leachate Plant and town-only sewer portion as well as $1,800.00 in credit due to the Village because it was not spent in last year's budget. He added that on top of that are rates needing to be set for 2012 based on the BANS and Bonds that have been issued and

the contract for 2012 where the rates were to be established by meters, which are not yet functional.

Collectively the Town Board thanked Code Enforcement Officer Conrad.

Supervisor Flach asked if there were any additional topics for discussion.

Attorney for the Town Wukitsch stated that he has a final negotiated version of the lease for the Bower's property, which set out everything that has been agreed upon between him acting as a Town representative with guidance from the Town Board, and the Attorney for Ms. Bowers. He continued by saying that if they are in agreement after reviewing it, they can pass a resolution authorizing the Supervisor to sign it at the next Board Meeting on behalf of the Town.

Discussion ensued regarding the term and the Town storing material on her property and the well also being there.

Collectively the Board agreed to a resolution for the next Town Board Meeting.

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**ADJOURNMENT**

Supervisor Flach asked for a motion to adjourn to Executive Session to discuss the employment history of a Town employee as well as the Conner's property issue and added that they would not adjourn from Executive Session and would not be reconvening.

**MOTION**

On motion of Councilman Dolan, seconded by Councilman Boehm, the Town Board Workshop was adjourned to Executive Session.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time 6:45

**********

**EXECUTIVE SESSION**

Executive Session convened immediately following the Workshop.

Discussion ensued amongst the Town Board and Attorney for the Town Wukitsch relative to the employment history of a Town employee and the Conner's property issue. No formal action was taken.

**MOTION**

On motion of Councilwoman Rogers, seconded by Councilman Boehm, Executive Session was adjourned.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time – 7:31pm

***Respectfully Submitted*,** **APPROVED –**

_____
***Diane L. Millious, Town Clerk***

**A Town Board Meeting was held Monday, January 23, 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

**********

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

**********

**OPENING COMMENT**

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

**********

**AGENDA**

- Public Announcements
- Public Comment
- Approval of Minutes
  - Town Board Meeting, 12-27-11
  - Organizational Meeting 01-01-12
  - Town Board Meeting, 01-09-12
  - Town Board Workshop, 01-17-12
- Supervisor's Report - December
- Department Reports
  - Building Department, December
  - Sewer Department, December
  - Town Clerk, December
- Old Business
  - Bower's Lease
- New Business
  - Resignation of Police Officer
  - Authorization to Sign MVP Healthcare Gold Contract
- Resolutions
  - Authorization to Sign Lease Agreement for Bower's Property
  - Appoint Seasonal Road Maintenance Employee
  - Approve Reimbursement for Newly Elected Officials Training Expenditures Supervisor and Deputy Supervisor
  - Amend Town Board Meeting Dates for 2012
  - Amend Town Board Workshop Dates for 2012
  - Approve January Abstract
- Town Board Workshops/Meetings
  - Town Board Meeting, February 13, 2012, 7:00pm
  - Workshop Not Scheduled
  - Town Board Meeting, February 27, 2012, 7:00pm
- Executive Session

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**PUBLIC ANNOUNCEMENTS**

**Free Electronic Recycling Collection**

Supervisor Flach read the following public announcement:

Just a reminder to everyone that the Town is hosting an electronic recycling collection event this Wednesday, January 25th at the Town Highway Department at 1305 Rte. 143 in Coeymans Hollow from 7:00am to 3:00pm.

Items will not be accepted before or after the designated times. Town personnel will be available to assist.

Town residents are asked to bring only those items on the list: televisions (portable or console) computer equipment, typewriters, video game systems, cell phones, I-pods, monitors, scanners, ink cartridges, fax machines, printers, keyboards, and computer accessories.

We will NOT accept liquids, air conditioners, dehumidifiers, refrigerators, kitchen or personal appliances, batteries or fluorescent lamps.

The full list and additional information has been posted on the Town's website.

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**PUBLIC COMMENT**

Supervisor Flach invited the public to comment at this time.

**Ms. Donna Pasquini** stated she lives in the Hamlet of Coeymans and added that at the last Town Board Meeting she brought up the storm sewer in her yard that was broken and fixed and the sewer gas that it now coming out of it. She continued by asking if they have any idea what they are going to do with it because yesterday when she was shoveling her driveway she got a really bad headache and added that it is really bad on the weekends and nights when people are home.

Supervisor Flach stated that during his first three weeks in office he has been very diligently looking at the sewer with the Sewer Treatment Plant Operators and another gentleman who helps them with the sewer. He continued by saying that he is trying to look at the infrastructure as quickly as he possibly can and added that this is the best answer he can give at this time.

Ms. Pasquini stated that it is raunchy to walk out of your house and smell it and it is a bad odor.

Councilman Dolan stated that Chief Operator Breedlove checked it out.

Ms. Pasquini stated that he did and he put some lyme in it, which worked for a couple of hours.

Councilman Dolan asked if he had indicated where it was coming from.

Ms. Pasquini stated that he said that it is sewer gas and some sewer lines down below are hooked into the storm sewer and the gas is coming up out of the holes because it is a place for it to escape. She continued by saying that she smells sewer gas every time she walks out and gets a headache and rather than having health problems due to it she wishes someone would figure out what they can do with the problem.

Supervisor Flach thanked Ms. Pasquini and continued by asking if anyone else wished to comment.

M**s. Sylvia Lawler** stated that she lives in the Town of Coeymans and added that she wanted to address the noise coming from the Port of Coeymans and that the noise she is referring to, she assumes it is the loading of scrap metal on to barges. She continued by saying that she has spoken to several of her neighbors at the far end of the Hamlet in close proximity to her and up the hill toward Ravena and all of them are hearing it. She

went on by saying that they don't have a problem with it during the daytime but it continues throughout the entire night and it becomes a problem. She concluded by saying that if there is a way for the Town to speak with Mr. Laraway or whom ever is in charge of the scrap metal portion of the operation, it would be greatly appreciated.

Supervisor Flach thanked Ms. Lawler and continued by asking if anyone else wished to comment.

**Ms. Ann Marie Vadney** stated that she is representing herself as well as the Greater Coeymans-Ravena Area Community Business Group and then apologized for not getting information to the Board earlier. She added that their membership is getting bigger and they want to reiterate that many of the circumstances of December are still the same and continued by reading the following:

Dear Mr. Flach:

On behalf of the Greater Coeymans-Ravena Area Community Business Group I would like to formally advise you and the members of the Town Board that our position in regard to the passage of Local Laws #1 & #2 by the previous administration has not changed. These laws and their passage by the previous administration exemplified their blatant disregard and disrespect for concerns expressed by members of this community. At the Public Hearing for these Local Laws and then again at the December 15, 2011 Town Board Meeting the public was concise in expressing their reasons and issued that these laws should not be passed until additional discussion/Workshops were held, so together we could design guidelines that would retain, encourage and promote interest in the development within our community, as well as ensure compliance with requirements for public/community safety. It is quite disconcerting to have individuals at a public meeting advise the elected officials that they would be moving out of their town and/or never purchasing property, etc. because of laws such as the ones being considered, but yet these laws were passed. The previous administration (three of the current five Town Board Members participated in the December 2011 meeting regarding these laws) did make the commitment that a Workshop or forum would be provided so that public officials and the citizens of this Town could make changes to law(s) and ensure that implementation would be feasible and user friendly. This did not happen.

The comments in the minutes of the Public Hearing and the December 15, 2011 Town Board Meeting clearly identify the issues. If you require another letter that identifies these issues, please let me know.

I will again express on behalf of all the individuals and business owners that have taken the time to address these and other issues, their concern for the lack of respect expressed by public officials. We all realize there is a need for guidelines/laws, but without logic, fairness and knowledge of the issues success will be minimal. The members of our group and community are anxious to make it better, to work together, and be a part of the solution. We are looking forward to working with you and those involved.

Thank you.

Ann Marie Vadney on behalf of the Greater Coeymans-Ravena Area Community Business Group

Ms. Vadney stated that they don't want to beat a dead horse either but it seems like in listening to the minutes of the last Board Meeting, that issues are again coming up about zoning and maps and all kinds of issues that have a permanent effect on how they entice people to our community and as they have stated over and over and all of the people that attended both meetings and going back to Local Laws 1&2, it is reflected in many of the meetings that they really have to focus and try to look at what they really need to put down in a law. She continued by saying that they need to look at the current law, what the State requires and how they can make it a simpler mechanism and process so that people want to come to our community and she was shocked at some of the things that she heard at the previous meeting and people are moving out of the community, which they don't want. She went on by saying that they don't want people to leave, whether it is a family,

individual or business and they want to make it easier for people to survive and live in our community.

Supervisor Flach stated that during last year, when he was not Supervisor, he did get up at a Town Board Meeting and mentioned to the Board, currently with three members present, that they wanted a Workshop and since then in the current Board's defense among the three, they asked at that time that letters be written with requests for changes for the proposed local laws and it was not done at that time with the prior Board. He added that the current Board regrouped and said that they would have a Workshop where businesses could come together and since the first Town Board Meeting they have not had any suggestions, verbally or written. He continued by saying that they are not saying that they don't want to work with everyone and they do want to work with the people and businesses of the town and reiterated that they really need correspondence with something written down pertaining to the laws, whether it be the wording or something that you feel needs to be changed. He concluded by saying that they want some ideas before they have a Workshop and having correspondence first will let them know what some of the issues are.

Ms. Vadney stated that on behalf of herself as well as other individuals in their group, there is a lot of confusion as to when there is a Public Hearing and whether you are suppose to follow-up in writing. She continued by saying that they need to clarify the process as well and they will be more than happy to do that and Councilman Boehm had mentioned it at one of their meetings but then everyone said it is in the minutes and didn't understand why they had to re-do it. She added that if this is the way that they are going to be doing business in this town, when there is a Public Hearing or meeting that it has to be followed up in writing she would have had it together for them. She continued by saying that there needs to be some consistency and she does not know the rules with regard to that and whether it is in effect now or if they are just doing it to make it easier. She concluded by saying that either way they have to do it but they need to be clear with the public so they understand the process.

Supervisor Flach stated that it is just a matter of having correspondence to know some of the changes wanted so they don't have to go back through prior meetings to figure it out and if they have something specific to work with, it would be a good thing.

Ms. Vadney inquired as to if they want them to be more specific than they were at the Public Hearing.

Supervisor Flach stated that he does not know the specifics were.

Ms. Vadney stated that she has not gotten a chance to look at the minutes from the Public Hearing and added that she recalls brining up some basic points such as what is required by State Law because the issue did come up at the Public Hearing that they might be redundant because if it is State Law there is no sense in reiterating word for word in the Local Law and continued by saying that she might be mistaken and would appreciate being corrected if she is. She went on by saying that in listening to the last meeting, they don't know what is required and what the ultimate goal of the Town is or how they get there and she is not sure who to get the answers from.

Supervisor Flach stated that at the last Town Board Workshop Meeting, Building Inspector Conrad had indicated that there are 3-4 laws for refuse and they don't need four different laws for the same thing and continued by saying that some of them are State mandated and not necessary for the Town to have, such as open fires. He continued by saying that they are trying to respond to those types of things and if there is something specific that someone wants changed, it has to be given to them in writing. He then asked if anyone on the Board had anything to add.

Councilman Dolan stated that Building Conrad did list 7-8 Laws that are on the books that should be looked at and removed because they are covered by State Law and added that they can ask him also what it is in the law that is already covered by State Law but he has a feeling that he has looked at it already but it would not hurt to ask him again.

Supervisor Flach asked if there were any other comments.

Ms. Donna Pasquini stated that she was at the Workshop when they were talking about the laws and Mr. Conrad was talking about working with the Planning and Zoning Boards and he would confer with Attorney for the Town Wukitsch. She continued by saying that her opinion is that he is a Building Inspector and his job is to enforce the laws, not write the laws and it is a bit of a conflict of interest to have him working on producing the laws, writing the laws and then enforces them. She added that if he is a Building Inspector, he's a Building Inspector and if he is an Attorney who is going to write laws, he is an Attorney and then asked exactly what he is.

Councilman Dolan stated that he is a Building Inspector

Ms. Pasquini continued by reiterating that it is a conflict of interest and went on by asking why he is working on writing laws.

Councilman Dolan and Councilwoman Rogers collectively responded that they don't believe that he is.

Councilman Dolan stated that Mr. Conrad had stated that he was present as a representative of the Planning Board and the Planning Board would put it together and run it past the Attorney for the Town.

Ms. Pasquini stated that Mr. Conrad stated that he was going to work with the Planning Board and he would run it past the Attorney for the Town.

Councilman Dolan interjected that he would do it as their representative.

Ms. Pasquini stated that as a resident of the Town she is sick and tired of hearing Mr. Conrad is an expert on everything and added that he is a jack of all trades and master of none and he gets thrown into every pot there is in the Town of Coeymans to work on something and to her it is a conflict of interest to be the Building Inspector and work on the laws.

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

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**APPROVAL OF MINUTES**

Supervisor Flach stated that there were four sets of minutes for Town Board approval, a Town Board Meeting on December 27, 2011, an Organizational Meeting on January 1, 2012 a Town Board Meeting on January 9, 2012 and a Town Board Workshop on January 17th and then asked for a motion to approve them.

**MOTION**

On motion of Councilwoman Rogers, seconded by Councilman Dolan, the Town Board Minutes were approved as presented and read.
VOTE – AYES 5 – NAYS 0 – SO MOVED

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**SUPERVISOR'S REPORT**

**December 2011**

Supervisor Flach continued by giving his report.

| FUND | BAL. FWD. | RECEIPTS | DISBURSE. | BALANCE |
|---|---|---|---|---|
| | | | | |
| **General** | **$240,671.68** | **$471,652.45** | **$378,308.46** | **$334,015.67** |
| | | | | |
| **Part-Town** | **$283,658.60** | **$ 76,016.85** | **$ 43,906.72** | **$315,768.73** |
| | | | | |
| **Highway** | **$ 11,761.41** | **$161,042.61** | **$122,202.54** | **$ 50,601.48** |
| | | | | |
| **Bridge Const.** | **$ 4,490.61** | **$ 85,562.32** | **-0-** | **$ 90,052.93** |
| | | | | |
| **Sewer** | **$137,097.05** | **$ 20,158.58** | **$ 27,891.80** | **$129,363.83** |
| | | | | |
| **Special Water** | **$ 5,339.21** | **$ .37** | **-0-** | **$ 5,339.58** |
| | | | | |
| **Police Forf.** | **$ 16,161.05** | **$ 1.81** | **$ 300.00** | **$ 15,862.86** |
| | | | | |
| **Comm. Tower** | **$ 3,484.56** | **$ 1,000.31** | **$ 2,672.29** | **$ 1,812.58** |
| **Trust & Agency** | **$ 14,835.65** | **$227,170.27** | **$227,284.70** | **$ 14,721.22** |
| | | | | |
| **H-Fund Cap. Proj.** | **$215,398.15** | **$ 60.53** | **$104,896.67** | **$110,562.01** |
| | | | | |
| **Section 8 HUD** | **$103,087.38** | **$ 42,488.52** | **$ 48,563.91** | **$ 97,011.99** |
| | | | | |
| | | | **Total Rec. Bal.** | **$961,645.23** |
| | | | | |

| **SAVINGS ACCOUNTS** | | **COLLATERAL COVERAGE** | **FDIC** | **COLLATERALIZED** |
|---|---|---|---|---|
| Unemployment | $ 731.23 | Bank of Greene | $250,000.00 | $1,755,466.20 |
| Grove Cemetery | $40,914.39 | National Bank | $250,000.00 | $ 55,362.21 |
| Coey. Hollow Cem. | $14,362.78 | | | |
| Sewer-Dedicated | $ 6,328.41 | | | |
| **Total** | $62,336.81 | | | |

Supervisor Flach asked for a motion to approve the report.

**MOTION**

On motion of Councilwoman Rogers, seconded by Councilman Boehm, the Supervisor's Report was approved as presented and read.
VOTE – AYES 5 – NAYS 0 – SO MOVED

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**DEPARTMENT REPORTS**

**Building Department – December**

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 Masti, the report was approved as presented and read.
VOTE – AYES 5 – NAYS 0 – SO MOVED

**Sewer Department – December**

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 Councilman Masti, the report was approved as presented and read.
VOTE – AYES 5 – NAYS 0 – SO MOVED

**Town Clerk – December**

Supervisor Flach asked that Town Clerk Millious give the Town Clerk Monthly Report.
Town Clerk Millious continued by giving the report.

Supervisor Flach asked for a motion to approve the report.

**MOTION**

On motion of Councilman Boehm, seconded by Councilwoman Rogers, the report was approved as presented and read.
VOTE – AYES 5 – NAYS 0 – SO MOVED

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**OLD BUSINESS**

**Bower's Lease**

Supervisor Flach asked that Councilman Boehm give an update on the Bower's Lease.

Councilman Boehm stated that later in the meeting they will be formally adopting by resolution the Bower's Lease and added that Maria Bowers owns property directly behind the Highway Garage and the Town currently stores crusher run gravel and the well is physically located on her property. He added that in the past they have used an informal agreement to provide road repair in the form of gravel and grading to maintain her road, which extends over the creek and back into the woods. He continued by saying that on the advice of council it was determined that type of agreement is illegal and they should move forward with trying to make a more formal agreement, which they have been doing over the years on and off. He added that Attorney for the Town Wukitsch has been negotiating with Ms. Bower's Attorney and they have reached an agreement where the Town will be paying $225.00 to lease the property and provide her with a back payment of $4,000.00 for past rent and continued by saying that the property is hers and he feels as though it is a fair agreement that they are moving forward with and it is a two-year lease. He went on by saying that ultimately the ideal situation would be to purchase the land that is needed to store materials and where the well is but for now it is her land and she deserves some king of compensation for the Town using it. He concluded by reiterating that it will be formally done by resolution later in the meeting.

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**NEW BUSINESS**

**Resignation of Police Officer**

Supervisor Flach stated that he was in receipt of a copy of a letter to Chief Darlington indicating the resignation of Officer Frank McDonagh and continued by reading the following:

Dear Chief Gregory Darlington,

This letter is to advise you of my resignation from the Coeymans Police Department as a Police Officer. Due to newly being accepted to the Albany Police Department, I can no longer continue my position with the Coeymans Police Department.

I want to sincerely thank you for all that you have done for me. It is thanks to you that I am in this position and able to advance my career in law enforcement. I enjoyed working with you and for you under the Coeymans Police and Communications Department.

Thank you again for this opportunity.

Sincerely,

Frank McDonagh

Supervisor Flach asked for a motion to accept the resignation.

**MOTION**

On motion of Councilman Boehm, seconded by Councilwoman Rogers, accepting the resignation of full-time Police Officer McDonagh.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Councilman Boehm stated that he would like to thank Frank for his service with the Town and to wish him well with the Albany Police Department.

**MVP Healthcare Gold Contract**

Supervisor Flach stated that he there is an MVP Healthcare Gold Contract that needs his signature and added that the contract is for the healthcare benefits for the retirees of the Town and added that it actually went down a little bit this year. He then asked for a motion authorizing him to sign the contract.

**MOTION**

On motion of Councilman Dolan, seconded by Councilman Boehm, authorizing the Supervisor to sign the MVP Healthcare Gold Contract.
VOTE – AYES 5 – NAYS 0 – SO MOVED

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**RESOLUTIONS**

**RES. #36-12 AUTHORIZE SUPERVISOR TO SIGN BOWER'S PROPERTY LEASE**
On motion of Councilman Masti, seconded by Councilwoman Rogers, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

**WHEREAS**, the Town of Coeymans wishes to lease property owned by Maria Bowers for the Highway Department use,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Coeymans authorizes Supervisor Stephen D. Flach to sign the lease agreed to by the Town Board.

Councilman Boehm stated that the resolution does not include the lease and then suggested that they make it available for public review.

Collectively the Town Board agreed.

Councilman Masti inquired as to if Ms. Bowers has a well for her house.

Collectively the Town Board stated that she does.

Supervisor Flach stated that this is a well that the Town had done at some point.

Councilman Boehm asked if the Town originally dug the well on her property.

Highway Superintendent Deering stated that the Town did it years ago, before he worked for the Town and added that recently it fell down with all the flood water.

**RES. #37-12 APPOINT SEASONAL EQUIPMENT OPERATOR I**
On motion of Councilman Boehm, seconded by Councilman Masti, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

**WHEREAS**, Section 3.2.6 of the CSEA Labor Management Agreement provides for the hiring of winter road maintenance seasonal employees, and

**WHEREAS**, the Albany County Civil Service Department has confirmed this job title as a non-competitive position requiring the chosen candidate to meet minimum qualifications, and

**WHEREAS**, the Highway Superintendent has confirmed the candidate meets minimum qualifications,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Coeymans authorizes the appointment of Herbert Williams III as a seasonal Equipment Operator I, effective immediately, at the rate in effect in the current Bargaining Agreement and contingent on a successful drug screening report.

Councilman Boehm inquired as to what the actual hourly rate is.

Highway Superintendent Deering stated that he believes it is the first year rate of $17.79.

Supervisor Flach asked if he had any comments about it being seasonal.

Highway Superintendent Deering stated that if there is snow he will need him and added that right now one of the drivers is in the hospital.

**RES. #38-12 APPROVE REIMBURSEMENT FOR NEWLY ELECTED OFFICIALS TRAINING EXPENDITURES**
On motion of Councilwoman Rogers, seconded by Councilman Dolan, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

**WHEREAS**, the Association of Towns of the State of New York held a Newly Elected Officials 2012 Training School in Albany, New York, on January 11-13, 2012, and

**WHEREAS**, the Supervisor and Deputy Supervisor believed the agenda topics to be of benefit to the operation of the Town, and

**WHEREAS**, a registration fee of $200.00 was required, and

**WHEREAS**, Supervisor Flach and Deputy Supervisor Masti used their personal vehicles to attend this training,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Coeymans does authorize reimbursement of registration fees to Supervisor Flach and Deputy Supervisor Masti, and

**BE IT FUTHER RESOLVED**, that they also receive reimbursement for mileage incurred at the rate of 55.5 cents per mile, as established by the Internal Revenue Service and accepted by Town resolution.

**RES. #39-12 AMEND 2012 TOWN BOARD MEETING DATES**
On motion of Councilman Dolan, seconded by Councilman Masti, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

**WHEREAS**, the Town Board established the dates for Town Board Meetings at the Organizational Meeting of January 1, 2012, and

**WHEREAS**, one of the dates falls on the eve of a major holiday,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Coeymans does hereby amend the list of dates for Town Board Meetings for 2012 as follows: (Please note that Town Board Meetings start at 7:00pm)

| | | | |
|---|---|---|---|
| January | 01 | June | 25 |
| January | 09 | July | 23 |
| January | 23 | August | 27 |
| February | 13 | September | 10 |
| February | 27 | September | 24 |
| March | 12 | October | 09 ** |
| March | 26 | October | 22 |
| April | 09 | November | 13*** |
| April | 23 | November | 26 |
| May | 14 | December | 10 |
| May | 29* | December | 18**** |

Moved to Tuesday for: * Memorial Day, **Columbus Day, ***Veterans Day Observed, ****Christmas Eve

Supervisor Flach stated that there was a Town Board Meeting scheduled for Christmas Eve and they moved it to December 18th and switch a Workshop for a Regular Town Board Meeting.

**RES. #40-12 AMEND 2012 TOWN BOARD WORKSHOP DATES**
On motion of Councilman Masti, seconded by Councilman Dolan, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

**WHEREAS**, the Town Board has amended the listing of regular Town Board Meetings for 2012, and

**WHEREAS**, the Town Board is replacing a scheduled Town Board Workshop with a Town Board Meeting to allow for the holiday,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board establishes the following dates in 2012 as Workshop Meetings. These meetings will take place on Tuesday evenings, commencing at 6:00pm.

| | | | |
|---|---|---|---|
| January | 17 | July | 17 |
| February | --- | August | 21 |
| March | 20 | September | 18 |
| April | 17 | October | 16 |
| May | 22 | November | 20 |
| June | 19 | December | --- |

**RES. # APPROVE JANUARY ABSTRACT**
On motion of Councilman Boehm, 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 January, 2012.

| FUND | VOUCHER # | AMOUNT |
|---|---|---|
| | | |
| **GENERAL (A)** | | |
| General Pre-Pay | 1-41,86 | $172,621.85 |
| General | 88-153 | $103,747.44 |
| | | |
| | **General Total** | **$276,369.29** |
| | | |
| **POLICE FORTEITURE** | | |
| Police Forfeiture Pre-Pay | 42 | $ 300.00 |
| Part-Town | 154 | $ 200.00 |
| | | |
| | **Police Forteiture Total** | **$ 500.00** |
| | | |
| **PART TOWN** | | |
| Part Town Pre-Pay | 43-55 | $213,240.05 |
| Part Town | 155 | $ 40.00 |
| | | |
| | **Part Town Total** | **$213,280.05** |
| **HIGHWAY (DB)** | | |
| Highway Pre-Pay | 56-65 | $ 51,977.43 |
| Highway | 156-206 | $ 41,839.41 |
| | | |
| | **Highway Total** | **$ 93,816.84** |
| | | |
| **SEWER (SS)** | | |
| Sewer Pre-Pay | 66-78 | $ 18,582.59 |
| Sewer | 207-217 | $ 11,686.19 |
| | | |
| | **Sewer Total** | **$ 30,271.78** |
| | | |
| **CAPITAL PROJ. (H35)** | | |
| Cap. Proj. Pre-Pay | 79-80 | $378,375.00 |
| | | |
| | **Capital Proj. Total** | **$378,375.00** |
| | | |
| **CAPITAL PROJ. (H36)** | | |
| Capital Proj. | 218-220 | $ 75,095.94 |
| | | |
| | **Capital Proj. Total** | **$ 75,095.94** |
| | | |
| **CAPITAL PROJ. (H37)** | | |
| Capital Proj. Pre-Pay | 221 | $ 1,174.38 |
| | **Capital Proj. Total** | $ 1,174.38 |
| | | |
| | **Total for All Funds** | **$1,068,883.28** |
| | | |
| **TRUST & AGENCY (TA)** | | |
| Trust & Agency Pre-Pay | 81-87 | $245,570.50 |
| | | |
| | **Trust & Agcy. Total** | **$245,570.50** |
| | | |

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**CORRESPONDENCE**

**Association of Towns**

Supervisor Flach stated that he was in receipt of a letter from the Association of Towns and continued by reading the following:

Dear Supervisor,

I am writing to encourage you to contact your representatives in Congress in support of HR 6603, the Local Officials Tax Relief Act of 2012.

The Local Officials Tax Relief Act is a bill developed by the National Association of Towns and Townships (NATAT) as part of their advocacy on behalf of Towns on the national level. The bill is designed to maintain the existing base of volunteers and community service oriented citizens that so many small units of local governments across the nation rely on to serve their communities. It exempts from Social security (FICA) taxes compensation, up to $1,300.00, paid to elected or appointed members who serve on Boards or Commissions of their local government. The amount of compensation would still be reported as income for federal taxation purposes, and officials who receive more than $1,300.00 would not be entitled to the exemption.

A grassroots letter writing campaign from constituents is the best way to get Congressional support for this bill. Accordingly, a copy of this bill, along with a letter in support, is available on the Association of Towns website, www.nytowns.org. Please personalize this letter as appropriate, and forward to your Congressional representatives. Your support of this measure is appreciated.

Should you have questions about this bill, please contact Michael Kenneally at the Association of Towns.

Kindest Regards,

G. Jeffrey Haber
Executive Director

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**TOWN BOARD WORKSHOPS / MEETINGS**

- Town Board Meeting, February 13, 2012, 7:00pm
- No Workshop Scheduled for February (Assoc. of Towns Annual Meeting)
- Town Board Meeting, February 27, 2012, 7:00pm

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**ADDITIOINAL COMMENTS**

Supervisor Flach asked if there were any additional comments.

Councilman Boehm asked Ms. Vadney when the next meeting date for the Greater Coeymans Ravena Area Community Business Group is scheduled and whether or not she wanted to share some agenda items.

Ms. Vadney stated that the next meeting is February 9th and it will be at Ravena Grange and the agenda should be out within the next few days, which she will forward to the Town Board Members and the Supervisor. She added that the list of businesses is coming along very well and they are hoping to have Membership Forms at the next meeting as well as what you will receive as a member to entice and encourage membership. She went on by saying that the website will be an important part of it and they will be offering discounted prices for development of websites for businesses or individuals who want one and don't have it. She continued by saying that they will be discussing some issues that they had at the last Board Meeting about the Zoning and encouraging people to get involved by going on the website to obtain information and clarity on all of the different jargon that is being used so they can have a better understanding. She concluded by saying that she is waiting for recommendations on agenda items from the members.

Councilman Boehm stated that there is going to be a ribbon cutting for the Beverage Center on Rte. 9W in Ravena and asked if she was aware of it.

Ms. Vadney stated that she was not aware of it and added that she had stopped there several times to talk to the owner.

Collectively the Town Board discussed the invitation received by e-mail and the date, which was February 4th.

Ms. Vadney stated that she will stop by.

Supervisor Flach asked if there were any additional comments.

Councilman Dolan stated that the newly elected County Executive was in Town earlier in the day and was at Stanton's Farm and continued by saying that there is FEMA money available to farmers who lost feed during Hurricane Irene and anyone who thinks they might be eligible, he would encourage to call the County Executive's Office.

Supervisor Flach stated that he had one last item and added that he has been working with a small committee on a project like the cats in Catskill and added that they want the Town of Coeymans to have trains in the Town of Coeymans and continued by saying that it would be basically artists painting a train, which would be in the Village and along the 9W corridor. He went on by saying that it is a nice community project and what normally happens is that businesses sponsor to have a train and they will be contacted by the committee, which will be done jointly with the Village of Ravena. He concluded by saying that it will make the community a nicer place and it will bring people together and bring people to the streets in the Town and Village and income into the Town.

Supervisor Flach asked for a motion to adjourn to Executive Session.

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**ADJOURNMENT TO EXECUTIVE SESSION**

**MOTION**

On motion of Councilman Boehm, seconded by Councilwoman Rogers, the Town Board Meeting was adjourned to Executive Session.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time – 7:46

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**EXECUTIVE SESSION**

Executive Session convened in the Supervisor's Office immediately following the Town Board Meeting, the full Town Board was present as well as Attorney for the Town Wukitsch and Attorney Larry Farbstein and his son. Discussion ensued, no formal action was taken.

Time – 9:10pm

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**RECONVENE MEETING AND ADJOURN**

Supervisor Flach called the meeting back to order immediately following Executive Session and asked for a motion to adjourn.

MOTION

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

Time – 9:11pm

***Respectfully Submitted*,** **APPROVED –**

_____
***Diane L. Millious, Town Clerk***

_____
***Diane L. Millious, Town Clerk***

**A Town Board Meeting was held Monday, February 13, 2012 at 7:00pm at Town Hall, 18 Russell Avenue, Ravena, New York**

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

**ABSENT:** Thomas E. Dolan, Councilman

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

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

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**OPENING COMMMENT**

Supervisor Flach stated that the record should reflect the presence of four Town Board Members with Councilman Dolan being absent.

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**AGENDA**

- Presentation
  - Tax Levy Checks to Coeymans & Coeymans Hollow Fire Departments
- Public Announcements
  - Town Office Closed, President's Day, Monday February 20th
- Public Comment Period
- Approval of Minutes
  - Town Board Meeting, January 23, 2012
- Old Business
  - Electronic Recycling Event at Highway Department
- New Business
  - Senior Projects of Ravena, Contract for Services
  - Ravena Coeymans Historical Society, Contract for Services
  - Agreement with Laberge Group for Map Corrections and to Update Zoning Ordinance
  - Milton Cat Service Agreement for Highway Department Generator
- Resolutions
  - Appointment of Sewer Treatment Plant Operator
  - Authorization to Sign Conners Settlement Annexed Agreement
  - Approve First Half Sewer Billing Credit
  - Amend Abstract
- Correspondence
  - NYS Office of Parks, Recreation & Historic Preservation
  - Capital District Tobacco-Free Coalition
- Town Board Workshops/Meetings
  - No Town Board Workshop in February
  - Town Board Meeting, February 27, 2012, 7:00pm
  - Town Board Meeting, March 12, 2012, 7:00pm

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**PRESENTATION**

**Presentation of Tax Levy Checks**

Supervisor Flach stated that he would be presenting the Tax Levy check to the Coeymans & Coeymans Hollow Fire Departments and continued by inviting Mr. George LaMountain to receive the check for the Coeymans Fire Department and Donald Cross to receive the check for the Coeymans Hollow Fire Department.

Supervisor Flach presented the checks.

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**PUBLIC ANNOUNCEMENT**

**Town Offices Closed – President's Day**

Supervisor Flach stated that on Monday, February 20, 2012, all Town Offices will be closed in observance of President's Day with the exception of the Police Department, which is a 24 hour, 7 day operation.

Councilman Boehm stated that he wanted to include another public announcement and added that on March 14th at 7:30pm, at the VFW Post in Ravena, Jerry Stanloski, a Veteran's Services Officer will be discussing veteran's benefits. He continued by saying that any vets in the Town of Coeymans who might be interested in knowing their benefits can attend and if anyone wishes more information they can contact Guy Anatriello at 756-2877.

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**PUBLIC COMMENT**

Supervisor Flach invited the public to comment at this time.

**Ms. Starr Ross** stated that she lives in the Hamlet of Coeymans and added that she is present with a few other members of the Historic Coeymans Landing Neighborhood Association. She continued by saying that they had come before the Board in October with concerns and photographs of open building in the Hamlet and there were issues with broken windows and people being able to access the buildings. She added that they came to the Board and asked them to do something about it and they wanted to say thank-you because all of the buildings that they had talked about are now somewhat secured. She continued by saying that they also want them to know that they are supporting the Town looking into the vacant building laws, which they talked about in October and there is not much you can do as a Town Board to deal with abandoned or not maintained buildings and in turn they looked at Colonie's sample law, which she believes the Attorney for the Town was also looking into and she would appreciate if they pursue it so they can move forward. She added that they would wanted the Town Board to know that they are for maintaining Local Laws 1 & 2, which were passed, because the Zoning and Planning Boards need them. She concluded by saying that they are looking forward to the summer and the Farmer's Market and the Town's cooperation with it and they will be participating in a spring clean-up of the Hamlet, which they will let the Board know about because a Town truck picks up the trash for them.

Councilman Boehm inquired as to if the Farmer's Market will run in conjunction with the Evenings on the Green as it has been in the past.

Ms. Ross stated that it will and added that they have already started contacting vendors and they are moving forward on that.

Supervisor Flach thanked Ms. Ross and continued by asking if anyone else wished to comment.

**Ms. Donna Pasquini** stated that she belongs to the Neighborhood Association but she is present for another issue and added that she was reading on the agenda that they are going to settle with the Conner's property issue at the end of Colvin Avenue, where the storm sewer runs and continued by saying that she is curious why Ms. Conners was taken

care of and why Mike Conners property is being bought and her is being left to go to hell. She continued by saying that her house is falling apart because of the storm sewer collapse which created a sink-hole and damaged her home and then asked why she is being left out and singled out as not being as important as everyone else in the Town. She added that she has been a tax payer in this town for 34 years and then again asked why some cases are more important than others.

Supervisor Flach stated that personally he feels as though they don't think that any one is more important than others and added that NYMIR, the insurance carrier has been talking back and forth with the Town Board and the Attorney for the Town. He added that he has not had an update in quite a while and he had told Ms. Pasquini earlier in the day that he was going to do his best to look into it and see what is going on and continued by saying that he is not as well versed in the litigation.

Ms. Pasquini interjected that she understands because he has not been in office for that long.

Supervisor Flach stated that he is willing to ask questions and see what is going on.

Ms. Pasquini stated that she is getting upset because the longer it goes, the more damage she is getting and for someone to say in the beginning that they don't own the storm sewer when not one individual owns the storm sewer which runs from Civill Avenue down to the river. She continued by saying that it does not come down to Colvin and jump over her house and then go on down and then is owned by the Town and added that there have been several people on the Board in the past and currently who are on the Board that know that the Town owns that storm sewer. She added that as far as the texture of the soil, if she was a jack of all trades, she would probably say the same thing that Larry Conrad said and could pull anything out of her hat and went on by saying that without an engineering degree she does not take his word because she knows better and she hired her own structural engineer and she has a report. She concluded by saying that she is tired because this has been going on since 2010 and every year it has to be renewed, which is a big expense to her, who does not have the money and she cannot get this Town Board to work with her on the damages to her home that was created by the Town's infrastructure and it is sad that as a taxpayer she has to go through all this and she is hoping that someone stands up and says something.

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

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**APPROVAL OF MINUTES**

Supervisor Flach stated that there was one set of minutes for approval, a Town Board Meeting on January 23, 2012 and then asked for a motion to approve them.

**MOTION**

On motion of Councilman Boehm, seconded by Councilman Masti, the Town Board minutes were approved.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Dolan) – SO MOVED

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**OLD BUSINESS**

**Electronic Recycling Event at Highway Department**

Supervisor Flach read the following:

The second e-waste recycling collection held on January 25, 2012 at the Highway Department in Coeymans Hollow proved to be another success offering Town residents

an opportunity to dispose of unwanted electronic items. Residents deposited various electronic equipment filling none (9) "Gaylord" boxes. The next electronic recycling event will be April 25, 2012 at the Community Beautification Department Building, 70 South Main Street, Coeymans, 7:00am to 3:00pm.

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**NEW BUSINESS**

**Senior Projects of Ravena – Contract for Services**

Supervisor Flach stated that there is a Contract for Exchange of Services or Compensation that he needs authorization to sign with the Senior Projects of Ravena and then asked Councilman Boehm to comment.

Councilman Boehm stated that they have done this for several years and one of the benefits to the Town is that it provides an Emergency Shelter and meals as well as there being a training room for Town Government should they need it and added that in addition to that they do a great job helping seniors in the community by providing meals. He continued by offering a motion.

**MOTION**

On motion of Councilman Boehm, seconded by Councilwoman Rogers, authorizing Supervisor Flach to sign the Contract for Exchange of Services or Compensation in the amount of $7,000.00 with the Senior Projects of Ravena.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Dolan) – SO MOVED

**Ravena Coeymans Historical Society – Contract for Services**

Supervisor Flach stated that there is a Contract for Exchange of Services or Compensation that he needs authorization to sign with the Ravena Coeymans Historical Society and added that the Society is a referral of historical information and a community access to Town history and genealogical references. He continued by asking for a motion to authorize his signature.

**MOTION**

On motion of Councilman Boehm, seconded by Councilman Masti, authorizing Supervisor Flach to sign the Contract for Exchange of Services or Compensation in the amount of $500.00 with the Ravena Coeymans Historical Society.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Dolan) – SO MOVED

**Authorization to Sign Agreement with Laberge Group**

Supervisor Flach stated that there is an Agreement that he needs authorization to sign for Laberge Group to help with map corrections and to update the Zoning Ordinance, which they are trying to do and added that they would like a clearer understanding of some of the charges.

Councilman Boehm stated that he could speak to that and added that there should be some sort of cap set with Laberge Group because the bills rack up very quickly and with rates like $150.00 an hour is a concern because it is something that they have not budgeted for.

Mr. Buddy Irwin who was in the audience asked if Laberge had done much work for the Town lately.

Councilman Boehm stated that they hadn't.

Supervisor Flach stated that they are working on rezoning issues.

Councilman Boehm interjected that they have to redraw the maps but they don't want to have an open-ended bill.

Ms. Sylvia Lawler, also in the audience stated that a lot of the maps can be done online.

Councilman Boehm asked that Ms. Lawler go to the microphone.

Ms. Lawler stated that she is a resident of the Town of Coeymans and added that she works with the Onesquethaw Coeymans Water Shed Group and through Laura DeGaetano, who is with Albany County Natural Resources; they have been able to access a lot of maps. She continued by saying that the maps are out there and it's all that Laberge is doing and they are not drawing their own maps but rather going to a disc and downloading it the same way. She concluded by saying that if she knew what they need to have she would be happy to take it to Laura to see what she can do.

Ms. Lawler stated that she would.

Councilman Boehm asked that she reach out to Buddy Irwin and added that at some point there will be a time that they have to engage Laberge to finalize the maps but in the meantime they can try to do it the other way.

Ms. Lawler asked where she would get a copy of the proposed zoning changes.

Supervisor Flach interjected that it is on the Town's website.

Town Clerk Millious stated that she also has copies.

Councilman Boehm stated that he thinks that they should table it until they get a better handle on what type of services they will need and possibly engage outside sources until they need to finalize the maps and by doing so they would save some money.

**MOTION**

On motion of Councilman Boehm, seconded by Councilman Masti, to table signing the Agreement with Laberge.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Dolan) – SO MOVED

**Authorization to Sign Milton Cat Service Agreement**

Supervisor Flach stated that there is a Service Agreement from Milton Cat to service the Highway Department generator that needs to be signed and it is an annual rate of $1,147.00. He then asked for a motion authorizing him to sign the Agreement.

**MOTION**

On motion of Councilwoman Rogers, seconded by Councilman Masti, authorizing Supervisor Flach to sign the Milton Cat Contract for Services Agreement.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Dolan) – SO MOVED

Town Clerk Millious asked if they were going to discuss her request to advertise the vacancy in her office.

Supervisor Flach stated that they decided to table it and then asked if she wanted to discuss it now.

Town Clerk Millious stated that she would like to because she has a great need and added that she has a vacancy in her office and she is asking that the Board allow her to advertise the position for a part-time Clerk, which is in the budget and reiterated that it is her busy time. She continued by saying that she spoke with Councilman Dolan and he was ok with it and she was not aware that he was going to be absent and reiterated that he was ok with it and felt as though it is already in the budget.

Councilwoman Rogers interjected that it is in the budget.

Councilman Boehm stated that he had not had a chance to talk with Councilman Dolan and he would like to discuss it further before they advertise the position.

Town Clerk Millious stated that she would now have to wait until the end of the month and added that it takes a long time with the interview process and she does not know why it has to wait if it is in the budget. She continued by saying that it is a very busy office and it takes time to train and she wanted to get the process going.

Supervisor Flach inquired as to how many hours per week the current part-timer works.

Town Clerk Millious stated that right now she is covering as much as she can and added that she can't expect her to cover everyday because it is not what she was hired for. She continued by saying that she is doing the best that she can and it has already been a few weeks without the other part-timer and it could be another month.

Supervisor Flach stated that one of the concerns is the budget and he knows that it is in the budget and continued by asking if the position is non-union, non-competitive.

Town Clerk stated that it is.

Supervisor Flach stated that they are thinking about the budget for next year and if they have to make cuts and added that he believes that they should vote whether or not they want to table it and he knows that Councilman Boehm wants to table it. He then asked if there were any further questions or comments.

Councilman Masti stated that it is in the budget and continued by asking Town Clerk Millious if she really needs someone right now.

Town Clerk Millious stated that she feels as though she does and added that she gives her all to her office and would not ask for it if she didn't need it.

Councilman Boehm stated that he thinks it needs to be given more thought because it was not on the agenda and it was brought up last minute and he would like to confer with everyone and bring it up the next time.

Councilwoman Rogers stated that it should be put on the agenda for the Town Board Meeting on the 27th and that way they will have a chance to know what they are talking about.

Supervisor asked Town Clerk Millious if she was alright with that.

Town Clerk Millious stated that she didn't have any choice.

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**RESOLUTIONS**

**RES. #42-12 APPOINT OF SEWER TREATMENT PLANT OPERATOR**
On motion of Councilwoman Rogers, seconded by Councilman Boehm, the following resolution was APPROVED – AYES 4 – NAYS 0 – ABSENT 1 (Dolan) – SO MOVED

**WHEREAS**, Keith Geraldsen has been a Sewer Treatment Plant Operator Trainee since January 28, 2008, and

**WHEREAS**, Mr. Geraldsen has taken and passed the NYSDEC Certificate Examination for Wastewater Treatment Plant Operator on February 7, 2012,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Coeymans hereby acknowledges the passage of the required examination and increases

his hourly rate of pay to $21.10 to reflect his change in title to Sewer Treatment Plant Operator retroactive to February 8, 2012.

**RES. #43-12 AUTHORIZE CONNERS SETTLEMENT ANNEXED AGREEMENT**
On motion of Supervisor Flach, seconded by Councilman Masti, the following resolution was APPROVED – AYES 4 – NAYS 0 – ABSENT 1 (Dolan) – SO MOVED

**WHEREAS**, Robert M. Conners, Donna E. Conners and Susan E. Conners have filed a Notice of Claim against the Town of Coeymans for damage to property in the Town of Coeymans, and

**WHEREAS**, the Town of Coeymans and the Conners wish to settle all claims without the need for further litigation,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Coeymans hereby authorizes Supervisor Stephen D. Flach to sign the Annexed Settlement Agreement on behalf of the Town of Coeymans.

**RES. #44-12 APPROVE FIRST HALF SEWER BILLING CREDIT**
On motion of Councilman Boehm, seconded by Councilman Masti, the following resolution was APPROVED – AYES 4 – NAYS 0 – ABSENT 1 (Dolan) – SO MOVED

**WHEREAS**, the Sewer Rent billing for Jerry Perrine, at 2546 Rte. 9W was overcharged by one (1) unit of use for the 2012 first-half Sewer Billing period at $187.50,

**WHEREAS**, this was due to Mr. Perrine merging the video store and the liquor store area into one store, thereby reducing a unit of use that was not removed from the 2012 Sewer Billing.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Coeymans does hereby approve this credit to Mr. Perrine for the first-half billing.

**RES. #45-12 AMEND JANUARY 2012 ABSTRACT**
On motion of Councilman Masti, seconded by Councilman Boehm, the following resolution was APPROVED – AYES 4 – NAYS 0 – ABSENT 1 (Dolan) – SO MOVED

**BE IT RESOLVED**, that the Town Board, of the Town of Coeymans, does hereby approve the following claims of vouchers for the January 2012 Abstract as indicated in red.

| FUND | VOUCHER # | AMOUNT |
|---|---|---|
| | | |
| **GENERAL (A)** | | |
| General Pre-Pay | 1-41,86 | $172,621.85 |
| General | 88-153 | $103,700.86 |
| | | |
| | **General Total** | **$276,322.71** |
| | | |
| **POLICE FORTEITURE** | | |
| Police Forfeiture Pre-Pay | 42 | $ 300.00 |
| Part-Town | 154 | $ 200.00 |
| | | |
| | **Police Forfeiture Total** | **$ 500.00** |
| | | |
| **PART TOWN** | | |
| Part Town Pre-Pay | 43-55 | $213,240.05 |
| Part Town | 155 | $ 40.00 |
| | | |
| | **Part Town Total** | **$213,280.05** |
| **HIGHWAY (DB)** | | |
| Highway Pre-Pay | 56-65 | $ 51,977.43 |

| | | |
|---|---|---|
| Highway | 156-206 | $ 41,839.41 |
| | | |
| | **Highway Total** | **$ 93,816.84** |
| | | |
| **SEWER (SS)** | | |
| Sewer Pre-Pay | 66-78 | $ 18,582.59 |
| Sewer | 207-217 | $ 11,686.19 |
| | | |
| | **Sewer Total** | **$ 30,271.78** |
| | | |
| **CAPITAL PROJ. (H35)** | | |
| Cap. Proj. Sewer Pre-Pay | 79-80 | $378,375.00 |
| | | |
| | **Capital Proj. Total** | **$378,375.00** |
| | | |
| **CAPITAL PROJ. (H36)** | | |
| Cap Proj. Sewer | 218-220 | $ 75,095.94 |
| | | |
| | **Capital Proj. Total** | **$ 75,095.94** |
| | | |
| **CAPITAL PROJ. (H37)** | | |
| Cap Proj. Sewer | 221 | $ 1,174.38 |
| | | |
| | **Capital Pro. Total** | **$ 1,174.38** |
| | | |
| | **Total for All Funds** | **$1,068,883.28** |
| | | |
| **TRUST & AGENCY (TA)** | | |
| Trust & Agency Pre-Pay | 81-87 | $245,570.50 |
| | | |
| | **Trust & Agcy. Total** | **$245,570.50** |
| | | |

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**CORRESPONDENCE**

**NYS Office of Parks, Recreation & Historic Preservation**

Supervisor Flach stated that he was in receipt of a correspondence from NYS Office of Parks, Recreation & Historic Preservation, which informs them that a property in town will be considered by a State Review Board for listing in the National and State Registers, which provides properties a measure of protection from the effects of federal and/or State sponsored or assisted projects. He added that private properties proposed for listing in the National Register must be given the opportunity to concur in or object to the listing and there are some comments periods that have to be received by March 6, 2012 and a copy of the letter with additional information can be seen at Town Hall.

**Capital District Tobacco-Free Coalition**

Supervisor Flach asked that Councilwoman Rogers read the correspondence from the Capital District Tobacco-Free Coalition.

Councilwoman Rogers continued by reading the following excerpts:

The Capital District Tobacco Free Coalition (CDTFC) invites you to join the growing number of Capital Region municipalities in protecting children from exposure to secondhand smoke at public parks and playgrounds. Across the state, more than 300 municipalities have established tobacco-free outdoor recreation areas in their communities, including 14 right here in the tri-county region.

CDTFC is a not-for-profit program funded by the New York State Department of Health. We provide technical assistance and support at no cost to your municipality to assist you in developing tobacco-free policies. We can provide supportive materials to your boards and present at municipal meetings as well supply free metal signs to place in tobacco-free areas.

If you are interested in learning more, you can complete the enclosed fax form back.

Supervisor Flach thanked Councilwoman Rogers.

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**ADDITIONAL BUSINESS**

Supervisor Flach stated that he wanted to revisit the Town Clerk's request and then asked if it is something that they can make as a temporary position during busy times.

Town Clerk Millious stated that it is set up now that two part-timers share the time for five days and that it is how it is set up in the budget and added that they cover for each other when needed, which is how it has been done.

Councilwoman Rogers inquired as to if they can do three days temporarily.

Town Clerk Millious asked if she was referring to a new person.

Councilwoman Rogers stated that she is referring to the one that there is now.

Town Clerk Millious stated that she is now actually working at least four days and added that you can only work so many hours for so long when you are part-time and she can't keep it the way that it is, which is why she is concerned. She continued by saying that she did not think that it would be an issue because it is in the budget and reiterated that it takes time and they would have to wait until the next meeting. She went on by saying that it is a process with taking applications and interviewing and she has no one in mind right now, which will take some time.

Councilwoman Rogers suggested that they let her advertise so she gets the applications now.

Supervisor Flach suggested that they offer a motion to allow the Town Clerk to advertise and accept applications now, which will give her some time in the process prior to the next meeting when they will follow-up on it.

Town Clerk Millious asked for clarification that it is ok to advertise.

Councilman Boehm interjected that he is still opposed and added that they need to take a look at the overall budget and when a vacancy occurs, whether it is police or Town Clerk or any other department they need to have this same conversation and added that it is going to be difficult during budget season and he would like to give it more thought and advertising up front does not make any sense to him.

Supervisor Flach stated that it was budgeted and the loss that she had was not anything that was planned and she was already going to have that person there.

Councilman Boehm stated that he understands but he has to understand the conversation that they had about the Contingency Budget being little or nothing at this point and they are at the beginning of the year and if they don't make some corrections now, they are going to face the potential for a huge tax increase.

Councilman Masti interjected that he is in favor of Councilwoman Rogers' suggestion to get it moving and added that if they can't do it, they can't do it but if they can she will be a step ahead.

Supervisor Flach stated that by the next Board Meeting she will have already done the groundwork for it when they revisit it and he can't at this point tell her what they are going to say and if it will be yes or no, but this will get the ball rolling. He added it may come up in two weeks that they are going to have to take a look at the budget because they have had some unexpected things come up. He continued by offering a motion.

**MOTION**

On motion of Supervisor Flach, seconded by Councilwoman Rogers, authorizing Town Clerk Millious to advertise for the position to be revisited at the next Board Meeting to see if they are going to hire at that time.
AYES 3 – NAYS 1 (Boehm) – ABSENT 1 (Dolan) – SO MOVED

Town Clerk Millious stated that she wanted to say thank you and if they would like she can go through again the duties that her office is responsible for and the deadlines associated with them. She added that she is only one person, she has one full-time Deputy and she has gone through this many times and reminded them that it is a public office and it had been suggested prior to this meeting to close a day. She went on by saying that the Assessor's Office has cut, and people coming in want to speak to someone and the elderly are coming in and her office has been taking care of them for the Assessor because she does not want to make people run around. She continued by saying that she accommodates people and has even gone to homes to notarize and reiterated that she can once again explain everything that her office does and a lot of times there are deadlines. She added that she would not ask if she did not need the help and reiterated that the part-time positions do not get benefits and they share a position and it's not like she has four people in her office at the same time. She concluded by reiterating that she wanted to thank them for allowing her to advertise the position.

Supervisor Flach asked if there were any other comments.

Chief Darlington stated that his question is a lead off of what they were just discussing and the fact that Councilman Boehm said there was an issue with hiring, which includes the Police Department. He added that prior to January 1st the Board authorized the hiring of a full-time and three part-time police officers and at the current time they have hired one full-time and one part-time with the interviews continuing and since then a full-time officer has left and gone to the City of Albany Police Department. He continued by saying that his question would be whether the same is going on for the Police Department as far as hiring goes.

Councilman Boehm inquired as to what he is looking to hire.

Chief Darlington stated that originally when they initially started he was looking for one full-time and three part-time and they are currently looking at other opportunities, which he was not prepared to present right now, but will discuss with the Board. He added that his thought is the potential of five to six part-time and not replace the full-time position.

Councilman Boehm interjected that the part-time employees have a higher hourly rate.

Chief Darlington stated that one of the things that he presented to the Supervisor and a couple union members is that there is a new salary rate for part-time because when they are brought in now they actually make more than a starting full-time person and the pay grade would require steps for part-time, which is comparable to but a little less and it takes them a while to make a year step so ultimately if the Union adopts it, and the Board adopts it, it would be the same as if they hired a new full-time as it would for a part-time.

Supervisor Flach asked about benefits for part-time.

Chief Darlington stated that there are no benefits, which would be a savings and added that they have been conducting interviews and he would have to say with seven years of doing interviews, he was quite impressed and there was actually one that asked if he could work for nothing and he told them that he didn't know if they could do it and added

that they are very interested in coming to work for the Town. He concluded by reiterating that his question is as to the hiring issue and what was said is new to him.

Councilwoman Rogers stated that it is something that was just discussed now and they had not previously discussed it.

Supervisor Flach stated that the other thing that they had discussed is that this might alleviate the over-time that happens in the Police Department, which is always a concern and added that they should definitely look into it.

Councilman Boehm inquired as to if it is done during the regular contract negotiations.

Chief Darlington stated that anytime, they as a Board and he as a representative of the Board can ask for a Labor Management Meeting to discuss any issues and in turn there would be a Memorandum of Understanding that would take effect at the signing and then in the next contract it would just be added. He concluded by saying that in just the general discussions, it seem as it would be favorable because it would not affect the salary of any currently employed police officer part-time because most of them are at the top rate anyway.

Supervisor Flach asked if there were any other comments.

Mr. Buddy Irwin asked to speak and continued by saying that he would address the Board because it is their meeting and not the Chief's meeting and added that for years they have had a problem in that the Town is a training ground for other Police Departments and added that a full-time officer just left to go to the Albany Police Department. He continued by saying that this is probably the reason why the part-time rate is high to try and keep them here. He added that the Town pays for all their training and once trained they go to another department that either pays more or they can get a full-time job out of the other department. He went on by saying that he agrees that the Chief needs the help because it is a large important department that he runs but he thinks that they need to look at it as whether the people that they are going to hire, are they going to stay with the Town of Coeymans so the Town is not spending all of the money for training and outfitting them only to turn around and leave and go to another department and added that they have run into this before.

Chief Darlington stated that everyone that they have interviewed is certified and trained and they would actually be taking them from other Police Departments and added that in Albany County, they are one of the highest paid part-time Police Department. He continued by saying that they did raise the full-time salary to try and maintain them, because they were the ones that they were actually sending to school for training and once on the road and after a year they can lateral over. He added that with the part-time, the only cost once they are here, is their $100.00 a year boot allowance and the uniforms that they need. He went on by saying that there is training that they do annually and things like that but most of the part-time people, once they are here, stay here because they can work dual jobs.

Ms. Pasquini from the audience asked if they can negotiate that when they open it back up.

Supervisor Flach stated that when they negotiate with Council 82 there are a couple things that they are looking at, like lowering the pay.

Ms. Pasquini asked if they could negotiate that they have to stay for at least 10 years.

Chief Darlington stated that they cannot and added that they along with other municipalities use to have agreements but they were determined to be inappropriate. He continued by saying that in 2011 the Town Board authorized ITS to do upgrades to the Police Department and ultimately Town Hall and during the process he received a grant in the sum of $10,000.00 and he inquired to ITS when they would submit him a bill so he could apply for the grant and in turn he was told that the bill was paid a long time ago. He

then asked if the Town wants the money from the Albany County District Attorney's Office, or the Sheriff's Office.

Supervisor Flach stated that he would love to accept the money.

Chief Darlington stated that he needs a copy of the billings from ITS for the police side of the upgrade and added that he has the quote, which they can compare it to. He continued by saying that also in 2011 the Town Board authorized the Police Department to work in conjunction with Callanan Industries & C.D. Perry to assist with escorts to move their plant from Rte. 9W to Rte. 101 and just recently he submitted the billing for that and the Town can expect a check in the amount of $10,000.00.

Supervisor Flach thanked Chief Darlington and said that it was good news. He then asked if there were any other comments.

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**TOWN BOARD WORKSHOPS/MEETINGS**

- No Workshop Scheduled in February
- Town Board Meeting, February 27, 2012, 7:00pm
- Town Board Meeting, March 12, 2012, 7:00pm

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**ADDITIONAL COMMENTS**

Supervisor Flach asked if there were any additional comments.

Councilman Boehm stated that he had the opportunity to attend the ribbon cutting at Friendship Beverage last week, located on Rte, 9W and added that they have quite an impressive inventory and for anyone listening, they should stop in and see the new store. He continued by saying that he also stopped by for the Ice Bowl at Joralemon Park and he does not know how much they raised, but he knows that they collected food for the food pantries in the Town and for the CHOICES Program. He went on by saying that he believes the News Herald will be covering it and provide the information and concluded by saying that it was a great event and there were a lot of cars from out of state and it was very well organized.

Supervisor Flach inquired about what type of event it was.

Councilman Boehm stated that a Disc Frisbee Ice Bowl.

Supervisor Flach stated that the Frisbee Course is a good thing for the Town and then asked if there were any other comments.

Chief Darlington stated that he wanted to update them on the Hannacroix Creek project and added that he received an e-mail from Ms. Wollaber from SEMO, requesting a letter as to what has been done so far and what the time plan is suppose to be, which he submitted with the help of F.X. Browne who is the Engineering Firm and surprisingly they are still waiting for approval from FEMA.

Councilman Masti inquired as to what exactly has been done so far.

Chief Darlington stated that basically it has been the filing and asking for the approval of funding, which is 90% of it and added that they did the aerial for the topographical map.

Councilman Masti asked if there has been any actual improvement work done.

Chief Darlington stated that there has not been any actual work done.

Councilman Masti inquired as to a timeframe.

Chief Darlington stated that there is a timeframe but it is all contingent on approval of FEMA.

Supervisor asked if there were any additional comments, hearing none he asked for a motion to adjourn the meeting.

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**ADJOURNMENT**

**MOTION**

On motion of Councilman Boehm, seconded by Councilwoman Rogers, the Town Board Meeting was adjourned.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Dolan) – SO MOVED

Time – 7:45pm

***Respectfully Submitted*,** **APPROVED:**

_____
***Diane L. Millious, Town Clerk***

**A Town Board Meeting was held Monday, February 27, 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

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

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**OPENING COMMENT**

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

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**AGENDA**

- Presentation
  - Lafarge Plant Modernization, John Reagan
- Public Comment
- Approval of Minutes
  - Town Board Meeting, February 13, 2012
- Supervisor's Report – January 2012
- Department Reports
  - Sewer Department, December
  - Town Clerk, December
- Old Business
  - Bower's Lease
- New Business
  - Request by Chief Operator to Attend Training
  - Request by Chief Operator to Attend Training
  - Request by Chief Operator to Attend Training
- Resolutions
  - Authorization to Sign NYS DEC Order on Consent & Issue Payment
  - Appoint Clerk to Justice Court
  - Budget Amendment (Police)
  - Budget Amendment (Leachate)
  - Budget Amendment (Lease Income)
  - Transfer of Funds
  - Approval of February 2012 Abstract
- Correspondence
- Town Board Workshops/Meetings
  - Town Board Meeting, March 12, 2012, 7:00pm
  - Town Board Workshop, March 20, 2012, 6:00pm
  - Town Board Meeting, March 26, 2012, 7:00pm
- Adjournment

**PRESENTATION**

**Lafarge Plant Modernization – John Reagan**

Supervisor Flach stated that Mr. John Reagan was present from Lafarge to give a presentation on the plant modernization and added that they appreciate him taking the time to do it.

Mr. John Reagan introduced himself as the Environmental Manager at the Lafarge Ravena plant and that he appreciated the opportunity to come before the Town Board, which is the first time this year and he will continue to update them as the project moves along. He added that he would be talking about the Ravena plant and the proposed Modernization Project, which is moving from the proposal stage to the actual building stage and it is an exciting time for them. He went on by saying that Lafarge is a world leader in building materials and operates in over 70 countries with close to 70,000 employees and operates principally in three different product lines with one of them being gypsum, which is the sheet rock that people have in their homes, another is an aggregate and concrete division, which is crushed stone and concrete products and a cement division, which is the Ravena plant. He added that they are well represented by all three divisions in New York State and south of them in Buchanan there is a gypsum wall board plant, in western New York there are a number of aggregates, quarries and the plant in Ravena, which has been in operation since 1962 and this is the 50$^{th}$ year of operation. He went on by saying that the plant in Ravena was built for two very important reasons and there are two very important natural resources, which is the high quality lime stone and the access to be able to ship their product on the Hudson River to cement terminals up and down the Atlantic Coast and their current plant has the capacity to manufacture 1.8 million tons of cement per year, with most of the product being shipped to Boston, New York City, Bayonne, Baltimore and Norfolk and their principal customers are up and down the coast. He added that a couple of recent projects that they are proud to be part of is that their cement is going into the rebuilding of the Trade Center as well as their cement being in the Chip Fabrication Plant in Malta and their cement is high quality and they get rewarded by it being used in very important projects. He continued by showing a picture of the existing plant in the Town of Coeymans and explained that in the foreground there are a number of piles and equipment, which is Callanan Industries who until recently operated a aggregate crushed stone operation and they received limestone from their quarry. He went on by saying that in the background is the main manufacturing plant and to the west across 9W is where the quarry is located and the conveyor belt leads down to the wharf on the Hudson River where they ship most of their product. He continued by showing an artists rendition of what the proposed modernized plant is going to look like and the premise behind the project is that they are going to replace two long wet kilns and build one short kiln with a pre-heater, pre-calciner and the main purpose behind it is energy efficiency and it will be a much more efficient plant with one small kiln and the maximum capacity will be 2.8 million tons per year compared to 1.8 million tons a year, replacing two larger pieces of equipment. He added that they are replacing an old, outdated 1960 system with a modern system and some of the benefits are that it increases energy efficiency and fuel is a huge cost to them and they will be able to make the same amount of product using 50% less fuel per ton of product that they produce and reiterated that it is a much more energy efficient plant. He continued by saying that some of the other benefits is that this plant will be equipped with the most state-of-the-art pollution reduction equipment and there will be significant improvements in air quality and the new facility will enable them to be competitive in the world marketplace in cement because they face strong competition from exporters trying to import cement into our markets and in addition to that it will protect the jobs that they have at the plant and have estimated that during the construction of the plant there will be up to 800 temporary construction jobs generated, which will bring approximately 170 million dollars of earnings into the regional economy. He continued by showing a picture of the limestone quarry and reiterated that the main reason they are going to build a new plant in Ravena is that there is an excellent reserve of high quality limestone and they are not proposing any changes to the quarry operation. He then referred to a picture of a big hole in the ground and stated that it is what happens when they are finished mining a certain area of the quarry and they place backfill, plant trees and try to restore it to its natural condition, which is something that they undertake every year and it is 5-7 acres of

land per year that they reclaim and restore. He went on by showing a picture of a projected rendition, about 50 years in the future, of what the quarry will look like with a series of lakes and trees and it is graded, which could be used for recreational use, almost like a park. He then showed some pictures of the cement storage silos and the conveyor belt that crosses under the thruway and then across Rt. 144 down to the wharf and the barges that ship their product and added that they are not proposing any changes to this part of the new project. He continued by showing a picture of the inside of their mill room, which is where they take limestone and grind it into smaller crushed limestone and it is a part of the facility that they are changing and then showed a picture of the two long wet kilns and slurry storage basins, which will all be replaced, including the stack and it will be demolished at the end of the construction project. He then showed an overhead picture of the plant and said that in the foreground there is Callanan and if you driven by the plant lately you noticed that their equipment is not there anymore and he believes that it was moved to their South Bethlehem location, which will make room for them to build the new plant and have plenty of area to store construction materials during the construction portion of the project. He continued by showing some pictures of what they are changing and explained that raw milling is a step in their process now where they crush limestone, add water and additives and the new process will not use water but they will still have to crush limestone and the diagram shows what the new equipment will look like, which is replacing two raw mills with one much more efficient raw mill. He then showed a picture of their slurry basin, which is crushed limestone and water and is a very thick, cake mix kind of material and reiterated that they won't be using water anymore and they will have a ground limestone powder, which will be stored in a different type of silo so instead of pumping a wet material they will be blowing pneumatically a dry powder into their system. He went on by showing a picture of the inside of one of the kilns, which are 600 feet long and 20 feet in diameter, which is a pretty big cylinder and hanging down is a chain, which is a big, thick, heavy steel chain and it was the technology back in the 60's for transferring heat and they have a lot of heat at one end of the kiln and wet slurry at the other end of the kiln and the chain flops around in the kiln and transfers the heat into the slurry. He added that the new technology uses the cyclone and will capture heat from the kiln and the hot gas will be mixed with the dry powder and it will serve to preheat the powder before it even goes into the kiln. He then showed a diagram of what it will look like, which is 5 cyclones stacked one on top of the other, which is called a five-stage pre-heater, pre-calciner tower and the heat that comes out of the short dry kiln will be captured and mixed with the crushed limestone, then pass through the cyclone, which will heat the material from the ambient temperature to 1000 degrees in about 10 seconds it drops down through the tower, which is the technology that enables the process to use 50% less fuel per ton of product. He continued by saying that it will be a big structure and will be in the neighborhood of 500 feet tall, compared to the current stack that is about 350 feet tall and added that they will be taking down the current big stack but will be putting up another big structure. He added that he would be showing an short 2-3 minute, animated video of how a new cement plant operates and it was made on a plant that Lafarge built in British Columbia and the only difference in what they are proposing to build is the source of the limestone, which they bring into their facility on a barge and they have a conveyor belt that comes across Rt. 9W, which brings the limestone from the quarry and continued by saying that other than that, the process should be identical. At the conclusion of the video he added that they began the whole process of permitting the facility back in 2008 and it took three years to obtain the permits, which they were happy to receive the middle of last year, and the remainder of 2011 consisted of designing the facility and the procurement of equipment and construction began last fall, which will continue this year and is what they call site grading and drainage. He added that they are not actually building anything yet and they are demolishing structures, leveling the land, rerouting electrical and water lines and installing storm water controls to prepare the site to build and you will not see much change this year and the other work that will be going on will be elsewhere such as equipment being procured and designed offsite and the real construction work should commence and you will see things rise up out of the ground in 2013 and they are targeting completion of the construction start-up sometime toward the end of 2014 with 2015 being the first full year of operation. He continued by saying that it is a pretty aggressive construction schedule and then showed an artists rendition of what the facility will look like at the completion of construction followed by a picture of what is going on at the location now, which was creation of a pond, which is a catch basin to collect storm

water to let the solids settle out so no turbid water is being discharged from the site, which is the kind of work that will be going on this year and added that the real action should start sometime next year. He concluded by saying that if anyone is interested in receiving information and updates on the project they have a website www.lafargeravenafacts.com, which they try to update frequently and they will post information on the project as they continue to work and then asked if there were any questions.

Councilman Dolan inquired as to why the tower is 500 feet tall and if a function is for storage capacity or whether it has something to do with the height itself.

Mr. Regan stated that it houses the five cyclones that are arranged vertically, and it is the most energy efficient design, which allows them to use less fuel and in turn results in less emissions from the facility and the design is to make the process the most efficient.

Councilman Dolan asked if it is five separate things stacked on top of each other.

Mr. Reagan stated that essentially they are vertically stacked.

Councilman Dolan asked if this is what makes it energy efficient and if they were side by side if they would not be as energy efficient.

Mr. Reagan stated that was true because you would have to expend energy pumping material through it and there are problems when you pump horizontally instead of vertically.

Supervisor Flach stated that it is his understanding that other towers are going to be down into the ground a bit so they are not as visible.

Mr. Reagan stated that is correct and the base elevation on the 350 foot stack is about 100 feet higher than the base elevation of the tower and it's not actually 150 feet taller but rather 70-80 feet taller and added that it is a big structure.

Ms. Vadney from the audience inquired as to how much is underground.

Mr. Reagan stated that he did not know the answer but it is a big portion of it and there are a lot of foundations that have to go underground for support.

Ms. Vadney asked if what you would be seeing above ground is 375 feet.

Mr. Reagan stated that what he is saying is that the stack is located on a hill so the base of the tower is lower than the base of where the stack is.

Ms. Vadney stated that he had mentioned that there is only one other plant of this type in the world.

Mr. Reagan stated that was not true and added that this plants design is state-of-the-art now and there are other facilities with it and what they are going to have, at least in the United States is that the emission controls are going to be much more advanced than anyone has right now.

Ms. Vadney asked about the life span of the plant and whether or not it is known.

Mr. Reagan stated that the plants will last at least 50 years or more, depending on how much limestone you have.

Ms. Vadney asked if there have been any major issues with this type of plant that they have taken into consideration in the planning phases of this plant.

Mr. Reagan stated that he is not quite sure what she is asking.

Ms. Vadney asked if there are other safety precautions that are required for this type of plant that are not currently there.

Mr. Reagan stated that the equipment is much different and it will have to be maintained differently and there will be a big tall structure instead of a long horizontal structure and there are a lot of different design considerations.

Ms. Vadney stated that for her business group she would like additional information because around the community you hear all kinds of different things and as a preventative exercise they could maybe talk about those as far as what they are doing to prepare for this new venture and methodology.

Mr. Reagan stated that there will be an intensive training program for their employees because they will have to learn instead of 1960's technology there will be 21st century technology.

Ms. Vadney said that she is asking because of questions that some people have raised and added that she is sure that they are addressing this and it would be nice, and when they are ready and have a new Safety Plan Book, to meet with the business group for a presentation.

Mr. Reagan stated that he would be happy to come and talk to her group as well as put it on the website and update the Town Board.

The reporter from the News Herald stated that he had mentioned that there will be approximately 800 temporary construction jobs and continued by asking when it will be.

Mr. Reagan stated that it will not be this year and this year it will be a small group of people doing site work and added that the real heavy construction will not start until next year and it will ramp up and then ramp down as they get toward the end of the project.

She then asked how many are currently employed at Lafarge.

Mr. Reagan stated that there are about 150 people.

She continued by asking if they will all stay.

Mr. Reagan stated that the new plant is targeted to have 180 employees and last year at this time they had 180 employees but they had to lay-off because the economy is so bad but they hope to return to that level.

Ms. Starr Ross asked if going from a wet operation to a dry procedure will increase the increase the dust particles in the air.

Mr. Reagan stated that the particulate emission comes from the kiln operation and they have a technology called electrostatic precipitator, which collects most of the particulate and the new process will have a technology called a bag house, which will be even more efficient than what they have now and there will be less particulate emission. He added that he sees her point in wet vs. dry but most of the material once it is ground will be contained inside a silo or conveying tube of some sort.

Councilman Boehm asked if the people for the construction jobs will require temporary housing while working on site and whether they will be crews coming from other parts of the country or outside of the region.

Mr. Reagan stated that he would say that most of the building trades will come from the local area and it is typically what happens with large construction projects and they draw from people in the region to fulfill the need for whatever trade there is and they don't have big plans to import people from elsewhere.

Ms. Vadney inquired as to if there is a schedule for bidding.

Mr. Reagan stated that for the different phases of the project there will be contracts and requests for proposals but he does not know what the schedule is.

Ms. Vadney inquired as to how it will be advertised and whether it will be in the local newspaper so people will be aware of it.

Mr. Reagan stated that he does not know the answer and there is a construction group in Atlanta that will be letting the contracts and he can find out.

Ms. Vadney stated asked if he minded if she follows up on it.

Mr. Reagan stated that they will put some information on their website to address the question because he does not know the answer.

Supervisor Flach thanked Mr. Reagan.

Mr. Reagan thanked him for the opportunity.

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**PUBLIC COMMENT**

Supervisor Flach invited the public to comment at this time.

**Ms. Donna Pasquini** stated that she was from the Hamlet and continued by saying that she was reading on the agenda under resolutions that they will be authorizing a signature for the NYS DEC Order on Consent as well as issue payment of civil penalty and continued by saying as a taxpayer she wanted to know when the penalties took place and what they are.

Supervisor Flach stated that the penalties were due by February 3rd in the amount of $11,000.00 if they didn't pay the initial $2,500.00 and they gave the Town a certain time frame to get those in and they only had two weeks but there was a mess up on the date and it was sent back to the Town and they had to get it in and signed by a certain date. He added that there was a Board Meeting right around that time and he failed to put it on the agenda.

Ms. Pasquini stated that her question is what they are being fined for? She added that she read in the Times Union a couple of weeks ago about DEC and the Town of Coeymans but she is not sure of the specifics of why the Town is being fined.

Supervisor Flach stated that he would do the best that he could with what he has to work with and his limited scope of the sewer and added that there are percentages that they are allowed to have come into the plant and they are allowed so many thousands of gallons and during Hurricane Irene and Tropical Storm Lee, they had some overages come into the plant and it was one of the main problems that they had. He added that there was a manhole that had been plugged, which was unplugged but during the time that it was plugged, it was one of the issues that they cited the Town and there is a certain percentage of concentration of solids.

Town Attorney Wukitsch interjected that there are specific regulations that DEC has and they audit and examine the plant and if the plant is out of compliance they impose fines.

Ms. Pasquini asked if it all had to do with the Sewer Plant.

Supervisor Flach stated that it was mainly infiltration coming into the plant and 90% of it were things that they had already taken care of and in the meantime they had C.T. Male go with them to meet with DEC and he explained to DEC that they are a lot of things that were already taken care of and added that they will have to do a report and get it to them.

Ms. Pasquini inquired as to if there were any fines for the lagoon in the Hollow.

Supervisor Flach stated that there were not.

Ms. Pasquini stated that she heard that there were going to be fines for that as well as fines for some of the infrastructure.

Supervisor Flach stated that the there were no fines or Order of Consent for the Leachate Plant on Jarvis Road and added that they have some done repairs within the last year or so. He reiterated that there was no issue with that and there are always updates that they need to do because the plant and Leachate facility are so old.

Ms. Pasquini asked if this is something recent or if it something from the past.

Supervisor Flach stated that it is from 2009 and 2010, which resulted from inspections and added that since then a lot of the things have been taken care of and added that they only inspect every so often and it is a process that they have to go through.

Ms. Pasquini stated that she thought it could not have come up out of nowhere and it had to be an ongoing thing for a while and since the taxpayers are paying for it, she was curious as to why it was not taken care of sooner. She added that she knows the he is new and does not know all the answers and was hoping that someone would have an idea why.

Attorney for the Town Wukitsch interjected that it is an old plant and it sometimes does not perform up to the level that DEC regulations require and it is basically it in a nutshell and added that there are many other municipalities in the state that have the same kind of issues.

Ms. Pasquini stated that she knew and she had read in the paper about the infrastructure and there are a lot of town's having the same problems but it does not mean that they should let it go and wait to be fined.

Supervisor Flach stated that last year they spent almost $400,000.00 on the Sewer Plant and they are trying without hurting themselves and the taxpayers to do what they can a little bit at a time each year. He added that there are some manholes that have to be taken care of and they are going to try to do those and it is a work in progress kind of thing because it is so expensive to do some of the repairs.

Ms. Pasquini stated that hopefully someday they will have a legitimate contract with the Village and they will be paying their share of the sewer.

Supervisor Flach stated that they are working on it and he thinks that they are doing ok and have been in contact with the Village over the Consent because they are part of it because it is a joint venture.

Ms. Pasquini stated that she is not trying to put the pressure on him because she knows that it is all new to him and added that it has been going on for quite a while with DEC and the fines and this is not the first time that the Town has been fined so they should try and stay ahead of things so they can avoid the fines.

Supervisor Flach asked if there were any other comments.

**Mr. Rick Touchette** stated that he lives on Church Street in the Town of Coeymans and added that he is a member of the Historic Coeymans Landing Neighborhood Association and continued by reading the following:

I am here tonight to voice support as did another member of our organization at the last meeting, of Local Laws 1 & 2 of 2011. It has been suggested that these laws were rushed through in December of 2011, when in fact, the impotence for these two laws goes back to at least 2006. One of the strategies of the Comprehensive Plan, which was adopted by the Town Board in 2006 is to strengthen the Town's Site Plan Review regulations so that all topographic and physical geography and existing environmental conditions are taken into consideration when evaluating new development proposals, to promote new

development that is consistent with the Town's goals and to assist the Town in conveying its design and form preferences to potential applicants. The Site Plan Review requirements could provide information to applicants on how the Town wants new development to look and relate to existing development. These laws endured broad support from the public and members of the Planning and Zoning Boards, in fact the Planning Board was active in drafting and promoting this legislation. Virtually identical laws are on the book of surrounding towns of Coxsackie, Bethlehem and Guilderland. I have not heard any persuasive or credible arguments for repealing these laws and therefore, I respectfully request that no action be taken to diminish or repeal these laws.

Supervisor Flach asked if anyone else wished to comment.

**Ms. Vadney** stated that she is there representing the Greater Coeymans Community Business Group and announced that for their next meeting they would like to invite all members of the community, whether a business or not, to join them on Thursday, March 8th at 7:00pm at the Ravena Hose Company on Main Street in Ravena. She continued by saying that they are moving forward with many initiatives and also wanted to say to the Supervisor that she has been in contact with the Building Department to obtain copies of State laws, which she had difficulty getting on her computer and she contacted Building Inspector Conrad earlier in the day and she believes that she will have them so they can initiate the meetings with their group as well as members of the Town Board that want to work with them on it. She went on by saying that on an individual basis and as a representative of their group she wanted to comment on Mr. Touchette's comments regarding Local Laws 1&2 and added that she finds it very unusual that in many of the meetings that she had gone to, references were made to documents from 2006 & 2007 and upon her limited review of them she finds that not much has been done since that time, which has caused many of them in the business community to doubt and question the activities of the Town in regard to encouragement of businesses and members of the community in inviting new members and residential individuals, to move to our community because of the lack of implementation of many aspects of those plans. She continued by saying that she can only assume, and she hates to assume anything, that the plans were not implemented because the community may not have been behind them or maybe there wasn't money, which she does not know for sure because she had not been involved, but she does know that they were not implemented and she knows that the Town has had fewer individuals living here as a result of the economy and also as a result of the laws of the Town. She added that she does not think that Mr. Touchette as well as other individuals who previously were on the Board are very much aware of the many different individuals who came to the Public Hearing and to the meetings after, to comment on the fact that they did not think that Local Laws 1 & 2 were going to be beneficial to the community and this is why their group has pursued to move forward with the Town to review the laws. She went on by saying that many other communities may have similar laws but on the same hand those communities have far more businesses coming into their community and are doing much better and the Town's census went down, which should leave no doubt in their mind that something is going on that they need to address in our community. She concluded by saying that it is their hope as a group and on an individual basis as a business owner of the Town that they can make the laws better and improve them so that they can encourage more people to take a look at the Town of Coeymans and look at what it has to offer and she hopes that the Town will continue to work with their group to review the laws and make them better.

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

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**APPROVAL OF MINUTES**

Supervisor Flach stated that there was one set of minutes for Town Board approval, a Town Board Meeting on February 13, 2012 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 5 – NAYS 0 – SO MOVED

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**SUPERVISOR'S REPORT**

**January 2012**

| FUND | BAL. FWD. | RECEIPTS | DISBURSE. | BALANCE |
|---|---|---|---|---|
| | | | | |
| **General** | **$130,548.02** | **$2,120,401.09** | **$542,188.76** | **$1,708,760.35** |
| | | | | |
| **Part-Town** | **$315,768.73** | **$ 432,354.74** | **$228,819.62** | **$ 519,303.85** |
| | | | | |
| **Highway** | **$ 50,601.48** | **$ 201,289.45** | **$150,498.40** | **$ 101,392.53** |
| | | | | |
| **Bridge Const.** | **$ 90,052.93** | **$ 29.62** | **-0-** | **$ 90,082.55** |
| | | | | |
| **Sewer** | **$129,363.83** | **$ 40,212.96** | **$ 53,108.73** | **$ 116,468.06** |
| | | | | |
| **Special Water** | **$ 5,339.58** | **$ .23** | **-0-** | **$ 5,339.81** |
| | | | | |
| **Police Forf.** | **$ 15,862.86** | **$ 1.34** | **$ 1,200.00** | **$ 14,664.20** |
| | | | | |
| **Comm. Tower** | **$ 1,812.58** | **$ 1,000.14** | **-0-** | **$ 2,812.72** |
| | | | | |
| **Trust & Agency** | **$ 14,721.22** | **$ 231,779.01** | **$234,166.38** | **$ 12,333.85** |
| | | | | |
| **H-Fund Cap. Proj.** | **$110,562.01** | **$ 425,041.43** | **$454,645.32** | **$ 80,958.12** |
| | | | | |
| **Section 8 HUD** | **$ 97,011.99** | **$ 36,748.18** | **$ 45,928.91** | **$ 87,831.26** |
| | | | | |
| | | | **Total Rec. Bal.** | **$2,739,947.30** |

| **SAVINGS ACCOUNTS** | | **COLLATERAL COVERAGE** | **FDIC** | **COLLATERALIZED** |
|---|---|---|---|---|
| Unemployment | $ 702.34 | Bank of Greene | $250,000.00 | $3,538,482.38 |
| Grove Cemetery | $40,882.62 | National Bank | $250,000.00 | $ 754,733.48 |
| Coey. Hollow Cem. | $14,399.16 | | | |
| Sewer-Dedicated | $ 6,328.95 | | | |
| **Total** | $62,313.07 | | | |

Supervisor Flach asked for a motion to approve the report.

**MOTION**

On motion of Councilman Dolan, seconded by Councilman Boehm, accepting the report as presented and read.
VOTE – AYES 5 – NAYS 0 – SO MOVED

**DEPARTMENT REPORTS**

**Building Department – January 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 – January 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 Councilman Masti, the report was approved as presented and read.
VOTE – AYES 5 – NAYS 0 – SO MOVED

**Town Clerk – January 2012**

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

Town Clerk Millious continued by giving the report.

Supervisor Flach asked for a motion to approve the report.

**MOTION**

On motion of Councilman Boehm, seconded by Councilwoman Rogers, the report was approved as presented and read.
VOTE – AYES 5 – NAYS 0 – SO MOVED

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**OLD BUSINESS**

Supervisor Flach stated that there were no Old Business topics for discussion.

Councilman Dolan stated that he wanted to bring up something under Old Business and added that they still have a couple of outstanding issues with the Village regarding sewer and he thinks that they should resolve them sooner rather than later, such as setting the sewer rates and making the adjustment at the Leachate Plant as well as responding to a letter that the Village sent regarding postage.

Supervisor Flach stated that he had spoken with the Mayor and advised of the adjustment for the Leachate and added that they discussed the postage but it needs to be looked at again.

Councilman Dolan stated that he thinks that they should send them whatever the answer shall be.

**********

**Train Festival**

Supervisor Flach stated that he wanted to give an update on the Train Revitalization Program "Trackin' through the RC Station", which is a Revitalization Celebration for 2012 and continued by reading the following.

"Have you seen the painted cats in Catskill, the horses in Saratoga or the painted bears in Cairo? These beautiful sculptures created by artists and sponsored by local community businesses bring new people into the community, as well as unite the residents. The Town of Coeymans and the Village of Ravena (RC) have formed a committee that is excited to introduce a venture, "Trackin' through the RC Station". This venture is based on our community's historic railroad heritage. To celebrate this heritage we have chosen locomotive sculptures to be painted by various artists and proudly displayed throughout the community during the summer months."

Supervisor Flach stated that additional information is available for anyone interested and continued by reading the following:

"We are teaming up with the Hopeful Life Center; (a not-for-profit, bringing clothing, furniture and food to lower income families in our community) located in Faith Plaza, for this year 2012. The trains will be out June through September. At the end of the summer, we would like to have a Train Festival to further the heritage of our Town and Village. The trains will be auctioned off at the end of summer and proceeds will go to children and Youth Programs in our Village and Town, as well as the Hopeful Life Center.
We are grateful for our community, and appreciate the enthusiasm that is being shown for this project. We believe it will bring people in and give the people of Ravena & Coeymans a sense of community spirit."

Supervisor Flach stated anyone with additional questions should feel free to call his office.

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**NEW BUSINESS**

**Request for Chief Operator to Attend Training – NEIWPCC Seminar, Request for Chief Operator to Attend Training – Underground Safety & Request for Code Enforcement Officers to Attend Training – NYSBO Training Conference**

Supervisor Flach stated that there is a request for Chief Operator Breedlove to attend the NEIWPCC Seminar as well as attending an Underground Safety Event. He added that in addition to that there is a request from the Code Enforcement Officers to attend NYSOB training. He continued by saying that the Chief Operator and Code Enforcement Officers need to have a required amount of education during the year.

Supervisor Flach asked for a motion for the request for the Chief Operator to attend the NEIWPCC Seminar.

**MOTION**

On motion of Councilman Boehm, seconded by Councilman Masti, authorizing the Chief Operator to attend the training in the amount of $170.00 as well as be reimbursed for the mileage. VOTE – AYES 5 – NAYS 0 – SO MOVED

Supervisor Flach asked that Councilwoman Rogers go over the request for the Chief Operator to attend the Underground Safety Event.

Councilwoman Rogers continued by reading the following:

To: Town Board
From: Lawrence Breedlove, Chief Operator
Subject: Safety Training

I would like to request approval for the Sewer Department to attend New York's Most Important Underground Safety Event. This safety training is being hosted by Dig Safely, New York, "Call Before You Dig". I have attached a copy of the brochure.

The seminar is being held on March 29, 2012 in Albany. There is no cost for this training seminar. Operator contact hours will be available to all attendees.

Supervisor Flach asked for a motion for the Chief Operator to attend the Underground Safety Event.

**MOTION**

On motion of Councilwoman Rogers, seconded by Councilman Masti, authorizing the Chief Operator to attend the Underground Safety Event.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Supervisor Flach asked that Councilman Boehm go over the request for the Building Inspectors to attend the NYSBOC Seminar.

Councilman Boehm continued by reading the following:

To: Supervisor Flach and Town Board Members
From: Laverne H. Conrad, Building Inspector, C.E.O.
Subject: NYSBOC Seminar

Sandy DeBacco and I are requesting the Town Board's approval to attend the 2012 Hudson Valley CEO Educational Conference, a training seminar sponsored by New York State Building Officials Conference. It will be held at the Mid-Hudson Civic Center & Poughkeepsie Grand Hotel on Wednesday, Thursday and Friday; April 18th, 19th & 20th, 2012. This program will give us (18) eighteen credit hours of certified In-Service Training for Code Officials. The cost of the training is $285.00 per person.

Should the Board Members have any questions, I would be happy to respond at your convenience.

Supervisor Flach asked for a motion authorizing the Building Inspectors to attend the NYSBOC Seminar.

**MOTION**

On motion of Councilman Boehm, seconded by Councilwoman Rogers, authorizing the Building Inspectors to attend the NYSBOC Seminar in the amount of $285.00 per person
.
VOTE – AYES 5 – NAYS 0 – SO MOVED

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**RESOLUTIONS**

**RES. 46-12 AUTHORIZE SUPERVISOR TO SIGN NYS DEC ORDER ON CONSENT & ISSUE CHECK FOR PAYMENT OF CIVIL PENALTY**
On motion of, Councilman Dolan, seconded by Councilwoman Rogers, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

**WHEREAS**, the NYS Department of Environmental Conservation served upon the Town of Coeymans an Order on Consent as a settlement of violations of Environmental

Conservation Law, Article 17 and applicable regulations concerning the Waste Water Treatment Facility, and

**WHEREAS**, the Order would have been withdrawn as settlement on February 3, 2012, unless signed Order and payment of $2,500.00 were received, and

**WHEREAS**, the Order indicates that the balance of the penalty ($9,000.00) would be suspended upon timely compliance with the requirements of the order,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Coeymans does hereby authorize Supervisor Stephen D. Flach to sign the Order on Consent and issue payment of $2,500.00 for the civil penalty as stated in the Order.

**RES. #47-12 APPOINT CLERK TO THE JUSTICE COURT**
On motion of Councilwoman Rogers, seconded by Councilman Dolan, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 1 – SO MOVED

**WHEREAS**, Justice Crandall is desirous of part-time assistance to maintain staffing levels and service to the office, and

**WHEREAS**, the Justice has publicly advertised and received a number of applications, and

**WHEREAS**, a candidate has been selected who he has determined to have the necessary qualifications for the position,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Coeymans does hereby appoint Mary E. Rosato to the position of part-time Clerk to the Justice, at the hourly rate of $11.00, effective March 5, 2012.

**RES. #48-12 BUDGET AMENDMENT – POLICE**
On motion of Councilman Boehm, seconded by Councilman Masti, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

**WHEREAS**, the Town of Coeymans has adopted the 2012 Budget, and

**WHEREAS**, the Town of Coeymans included line item A2701 incorrectly labeled Police Forfeitures, and

**WHEREAS**, the correct name of this account should be Refund of Prior Year Expenditures, and

**WHEREAS**, there is currently no properly titled Line Item for Police Forfeitures, and

**WHEREAS**, there is currently no line item for Police Forfeiture Contractual, and one needs to be created,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Coeymans does hereby authorize the following amendments to the 2012 Adopted Budget as follows:

Line Item A2701 Refund of Prior Year Expenditures
Line Item A2626 Police Forfeiture of Crime Proceeds, Restricted
Line Item A3197.4 Police Forfeiture Contractual

**RES. #49-12 BUDGET AMENDMENT – LEACHATE**
On motion of Councilman Masti, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

**WHEREAS**, the Town of Coeymans has adopted the 2012 Budget, and

**WHEREAS**, the 2012 Budget did not include line items for Sewer Department SS8120.1, SS8120.4 and SS8120.8, and

**WHEREAS**, the Town of Coeymans is required to create a budget for the source and use of these funds, and

**WHEREAS**, there currently is a line item SS8120.5 containing the funds which can be broken down to specify the use of these funds,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Coeymans does hereby authorize the following amendment to the 2012 Budget as follows:

| | | |
|---|---|---|
| Decrease Collection System | SS8120.5 | $18,338.00 |
| Increase Expenditure Code (Pers. Service) | SS8120.1 | $ 2,945.00 |
| Increase Expenditure Code (Contractual) | SS8120.4 | $14,087.00 |
| Increase Expenditure Code (Other Emp. Ben.) | SS8120.8 | $ 1,306.00 |

**RES. #50-12 BUDGET AMENDMENT – LEASE INCOME**
On motion of Councilman Dolan, seconded by Councilwoman Rogers, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

**WHEREAS**, the Town of Coeymans is receiving lease income from J&S Towers, and

**WHEREAS**, the 2012 Budget did not include receiving these monies, and

**WHEREAS**, the Town of Coeymans is required to create a budget for the source and use of these funds,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Coeymans does hereby authorize the following amendments to the 2012 Budget as follows:

| | | |
|---|---|---|
| Increase Revenue Code | A2440 | $24,000.00 |
| Increase Expenditure Code | A1650.4 | $24,000.00 |

**RES. #51-12 TRANSFER OF FUNDS**
On motion of Councilwoman Rogers, seconded by Councilman Masti, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

**WHEREAS**, the following accounts was not funded in the 2012 Budget, and

**WHEREAS**, the attic insulation project for Town hall needed to be completed,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Coeymans does hereby authorize Supervisor Stephen D. Flach, to transfer the following amounts to the respective funds for the 2012 Budget:

**GENERAL FUND – (A)**

| Amount | From Account | To Account |
|---|---|---|
| $735.00 | A1620.4 Town Hall (Contractual) | A1620.1 Town Hall (Personal Services) |

Councilman Boehm inquired as to if it is for the insulation for after the roof was finished.

Supervisor Flach stated that it is and Mr. Teriele finished putting in the insulation.

**RES. #52-12 APPROVE FEBRUARY 2012 ABSTRACT**
On motion of Councilman Boehm, seconded by Councilman Masti, 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 February, 2012.

| FUND | VOUCHER # | AMOUNT |
|---|---|---|
| | | |
| **GENERAL (A)** | | |
| General Pre-Pay | 222-302 | $1,259,542.01 |
| General | 371-432 | $ 31,532.57 |
| | | |
| | **General Total** | **$1,291,074.58** |
| | | |
| **GROVE CEMETERY** | | |
| Grove Cemetery Pre-Pay | 303 | $ 35.16 |
| | | |
| | **Grove Cemetery Total** | **$ 35.16** |
| | | |
| **PART TOWN** | | |
| Part Town Pre-Pay | 304-322 | $ 49,484.80 |
| Part Town | 433-439 | $ 2,301.16 |
| | | |
| | **Part Town Total** | **$ 51,785.96** |
| **HIGHWAY (DB)** | | |
| Highway Pre-Pay | 323-337 | $ 112,640.90 |
| Highway | 440-490 | $ 14,521.25 |
| | | |
| | **Highway Total** | **$ 127,162.15** |
| | | |
| **SEWER (SS)** | | |
| Sewer Pre-Pay | 338-361 | $ 50,305.25 |
| Sewer | 491-512 | $ 11,665.57 |
| | | |
| | **Sewer Total** | **$ 61,970.82** |
| | | |
| **CAPITAL PROJ. (H36)** | | |
| Cap Proj. Sewer | 513-515 | $ 14,835.93 |
| | | |
| | **Capital Proj. Total** | **$ 14,835.93** |
| | | |
| **CAPITAL PROJ. (H37)** | | |
| Cap Proj. Sewer | 516 | $ 82.56 |
| | | |
| | **Capitial Proj. Total** | **$ 82.56** |
| | | |
| | **Total for All Funds** | **$1,546,947.16** |
| | | |
| **TRUST & AGENCY (TA)** | | |
| Trust & Agency Pre-Pay | 362-370 | $ 301,310.57 |
| | | |
| | **Trust & Agcy. Total** | **$ 301,310.57** |
| | | |

**CORRESPONDENCE**

Supervisor Flach stated that there were no correspondence at this time and continued by asking the Town Board if they had anything, hearing none he moved to the next item on the agenda.

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**ADDITIONAL COMMENTS**

Supervisor Flach asked if there were any additional comments.

Councilman Boehm stated that he wanted to thank Mr. John Reagan from Lafarge for doing a presentation, which was a great update on a long continuing process and added that he wanted to thank him for his time in bringing them up to date.

Supervisor Flach asked if anyone else wished to comment.

Councilman Dolan stated that a member of the audience, Carlos, lives along Laura Lane and they had spoken about a barrier between Laura Lane and the thruway and Councilman Boehm had spoken to someone at the Thruway Authority about it.

Councilman Boehm stated that the explanation that he was given is that the barriers are being placed because of the expansion of the third lane between exits 23 & 24 and since they are expanding the road, they are affecting the existing houses. He added that the thruway down in the southern part were already there so at this time they are not considering placing barriers for housing developments south of exit 23.

Councilman Dolan stated that as an update to that, he spoke with the Mayor about it and in turn he called someone that he knew in the Thruway Authority and he was advised the same thing but if the community was interested in doing a petition drive they would entertain that. He continued by saying that at first he was going to recommend that they forward it to the Thruway Authority but since it is in the Village, he thinks that the Mayor should do it and in whatever way they can, the Town should support the Mayor and the Village.

Ms. Vadney asked what they would be supporting and whether it would be the concrete columns and then asked why they would do that instead of planting pine trees as a barrier, which would be much more cost effective.

Mr. Carlo di Oliveira stated that he lives on Laura Lane and added that he speaks for most of his neighbors in that area and what Councilman Boehm had said is correct and the reason that they built the walls north between exit 23 & 24 is because when they modified the highway, federal funding was available for the towns to construct the structures for air pollution purposes. He added that in their case, federal funding is not available because there is not a disturbance or expansion of the highway but all of residents on Laura Lane are troubled with the pollution in the air from the thruway as well as noise pollution and they can't even open their windows in the summer because of the dust and noise. He continued by saying that they don't care how it is done and they don't need a wall but they would like to see if there is any way to address the problem and they would be fine with planting trees but the noise and pollution should be addressed somehow by the Town and the Village, which is their position. He concluded by saying that he spoke with Councilman Dolan and he was very welcoming an open to that possibility and he is present to see if there is anything that the Town can help in the effort.

Ms. Vadney stated that she has several friends that live along the thruway with the same problems and they planted trees that cost around $20.00 that grew very quickly and within 2-3 years the noise from the thruway was pretty much gone and it also would improve the air quality. She continued by saying that she did that on their own and maybe there would be some kind of grant that could assist if a group of people get together and

added that you can get three trees from the co-op certain times of the year as well as a forestry organization that you can also get trees from.

Councilman Dolan stated that his point in bringing it up is to acknowledge that the resident on that lane would like any assistance that they can get from the Town and Councilman Boehm did contact the Thruway Authority regarding it and he spoke with the Mayor and they will continue with it and get back to Mr. de Oliveira.

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**TOWN BOARD WORKSHOPS/MEETINGS**

- Town Board Meeting, March 12, 2012, 7:00pm
- Town Board Workshop, March 20, 2012, 6:00pm
- Town Board Meeting, March 26, 2012, 7:00pm

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**ADDITIONAL COMMENTS**

Supervisor Flach asked if there were any other comments.

Attorney for the Town Wukitsch stated that he is leaving the original lease with Maria Bowers with the Town.

Supervisor Flach asked if there were any other comments.

Chief Darlington stated that he received a call from the FEMA representative relative to Hurricane Irene and they are assigning the Town new representatives and they should be coming next week to draw up the PW's in addition to asking for three documents, which he has to get for him, the Town's two union contracts and the Town's insurance binder and once he gets that to them, they will assign someone to the Town and hopefully there will be some checks in the mail soon. He continued by saying that he wanted to announce and it will be in the newspaper that the Court has a new magnetometer and it will start being in use this coming Thursday.

Attorney for the Town Wukitsch asked who will be operating it.

Chief Darlington stated that it will be two police officers that were trained through the Office of Court Administration and added that he along with two other officers were trained and as a result of some incidents that are happening throughout the state, it was highly recommended that it be installed. He continued by saying that the Court entrance door will be locked and for anyone that is handicapped and needs access will have to knock on the door and an officer will escort them in to be scanned. He went on by saying that he had mentioned at the last meeting the $10,000.00 for the IT items and he had spoke with the DA, who is waiting for the paperwork, which he got earlier in the day as well as during negotiations with their office they are willing to fund some of the equipment that they had budgeted for this year and hopefully at the next meeting he will be announcing some additional funding that they will be receiving from the Albany County District Attorney's Office.

Councilman Dolan asked if the scanner will be used just during court.

Chief Darlington stated that was correct and anyone coming to do other Town business will be required to go through it.

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

**ADJOURNMENT**

**MOTION**

On motion of Supervisor Flach, seconded by Councilman Dolan, the Town Board Meeting was adjourned.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time – 8:17pm

***Respectfully Submitted*,** **APPROVED:**

_____
***Diane L. Millious, Town Clerk***

**A Town Board Meeting was held Monday, March 12, 2012 at 7:00pm at Town Hall, 18 Russell Avenue, Ravena, New York**

**PRESENT:** Stephen D. Flach, Supervisor
Dawn 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

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

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**OPENING COMMMENT**

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

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**AGENDA**

- Presentation
  - National Eye Donor Month, Lions Club
- Public Comment
- Approval of Minutes
  - February 27, 2012
- New Business
  - Change Date of Town Board Workshop, May
  - Lions Club Tree Planting Campaign
- Resolutions
  - Appoint Part-Time Clerk 1, Town Clerk's Office
  - Authorization to Submit Application to Department of State 2011-2012 Local Government Efficiency Program for Grant Funds to Support a Countrywide Shared Highway Services Study
- Correspondence
  - US Department of Homeland Security, FEMA
- Town Board Workshops/Meetings
  - Town Board Workshop, March 20, 2012, 6:00pm
  - Town Board Meeting, March 26, 2012, 7:00pm
  - Town Board Meeting, April 9, 2012, 7:00pm
- Executive Session

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**PRESENTATION**

**Proclaim March National Eye Donor Month - Lions Club**

Supervisor Flach stated that they would be doing a presentation of a proclamation to the Lions Club for National Eye Donor Month and continued by asking that Mr. Pat Downes join him in the front of the room. He continued by reading the following:

**WHEREAS,** National Eye Donor Month was first declared by President Ronald Reagan in 1983, and

**WHEREAS**, one of our most important senses is that of sight and restoration of this sense, to those not so endowed, is the goat of the Sight Society of Northeastern New York, Inc., and

**WHEREAS**, the Eye Bank in this area is supported by the Lions Club, a member of the Sight Society of Northeastern New York, Inc., and

**WHEREAS**, the Sight Society of Northeastern New York Inc. seeks to raise awareness of the need for cornea, tissue and organ donation, and

**WHEREAS**, the Lions Bank at Albany treats over 5,000 children and 30,000 adults every year, and

**WHEREAS**, the success of the Eye Bank Program is dependent on eye donors, and

**WHEREAS**, the Town Board wishes to urge our community to consider participation in the Eye Donor Program,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Coeymans, proclaim the month of March as "Eye Donor Month" in the Town of Coeymans for the year 2012.

Supervisor Flach asked if Mr. Downes wished to speak.

Mr. Downes stated that his daughter, Patricia Downes would speak.

Ms. Patricia Downes continued by reading the following:

On behalf of the greater Ravena area Lions Club I would like to thank the Town Board for this affirmation of the work that the Lions do both in this community and around the world. I just wanted to remind everyone that we help wherever we can within the community and we are here to serve. We provide eye exams and eye glasses to people in need, we have a scholarship every year for a student in the R-C-S School District that is graduating, we support food pantries and youth activities within the community. We have been doing this for over 50 years now and look forward to providing these types of services and working in conjunction with the community for many years to come. Thank you again for the affirmation.

Supervisor Flach thanked Ms. Downes.

Councilman Boehm asked that she leave contact information for anyone that may be interested in joining the organization.

Ms. Downes stated that if anyone wants more information about the Lions or is interested in joining, they can contact Mr. Pat Downes at 756-2879 and added that she also wanted to remind everyone that they also do the signatures for eye donors and tissue donors, which they recommend that people consider as they go through life because it is a good opportunity to give back.

Supervisor Flach asked that she mention the cell phones.

Ms. Downes stated that a new program that they are starting is collecting cell phones as a way to support various activities that they do and those funds are going toward sight and hearing as well, with their primary goal being sight and hearing assistance. She added that they also support Lions International for different things that they have going on such as vitamin B shots that help reduce blindness in third world countries and they send eye glasses overseas and they support doctors that go overseas and the Lions Eye Bank, which is a tissue donor collection organization. She continued by saying that there are boxes scattered around for collection of cell phones and eye glasses, which they will happily take and Southtowns Optical is collecting in Ravena as well as there being locations in Greenville and Coxsackie and any other members may take donations as well.

Supervisor Flach stated that he wanted to thank the Lions Club again and added that when they take prescription glasses they take them apart and categorize them by frames and lenses, with a lot of them going to third world countries and/or to people that can't afford them, which is a phenomenal program.

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**PUBLIC COMMENT**

Supervisor Flach invited the public to comment at this time.

**Ms. Donna Pasquini** stated that she lives in the Hamlet of Coeymans and has come before the Board for many years and has asked that they please consider putting a Noise Ordinance in the Hamlet and has been told that disturbing the peace and disorderly conduct covers it. She continued by saying that it does not, has not and is not working because Saturday night there was a whole evening of two cars racing up and down the street burning rubber and going sideways up the hill until approximately 5 different neighbors called the police. She added that it was a beautiful evening, kids were out playing and people were sitting out and when the police showed up the cars disappeared but there still was illegal parking and there was a car with a speaker in the back of their vehicle and played music as loud as they could and from the end of Colvin Avenue all the way out to Westerlo Street their windows were shaking. She continued by saying that if anyone wants to take a ride down Westerlo Street, they will see from Colvin Avenue down to Ms. Burton's at 22 Westerlo, that they were driving up and down the street and going sideways and it is like Lebanon Valley on weekends since the weather has gotten nice. She added that she understands that police coverage is short and they could be on another call and added that maybe a Noise Ordinance would help and it would make it a little easier and she feels personally that it would help the police do their job, because they would have something to fall back on other than disturbing the peace and disorderly conduct if they don't catch it or see it. She concluded by saying that she would appreciate it if the Board would consider something like that, which she has been asking for, for years, and if necessary she will go around with a petition in the Hamlet because they have all had it and she was to the point on Saturday night where she went outside and screamed at the people and it has pushed the residents to the point where it is going to end up being a bigger problem than it is when there are people partying and groups gathering and if it disturbs enough neighbors, it will be a bigger problem.

Supervisor Flach thanked Ms. Pasquini and asked if there were any other comments.

**Mr. Laszlo Polyak** stated that he has attended meetings for years and added that he wanted to confirm the rumors that he is running in a write-in campaign for Village Justice and if he is so blessed to be elected on the 20th, he will not be able to speak at a Town Meeting for a minimum of four years since Judges cannot make comments or ask questions about items such as budgets. He continued by saying that if he is elected, he may be able to help Ms. Pasquini because he will be available for arraignments 24/7, which should help assist the police if they do have to arrest someone for misconduct that is going on in the Hamlet.

Councilman Dolan stated jokingly that there is an upside to him being elected.

Mr. Polyak stated that he will be silenced as far as FOIL requests and he won't be able to say things like Colonie has 27,000 people living there with a million dollar police force and in Coeymans there are 8,000 people with a 1.4 million dollar force. He reiterated that if he is elected he won't be able to ask those types of questions.

Supervisor Flack thanked Mr. Polyak and then asked if anyone else wished to comment.

**APPROVAL OF MINUTES**

Supervisor Flach stated that there was one set of minutes for Town Board approval, a Town Board Meeting on February 27, 2012 and then asked for a motion to approve them.

**MOTION**

On motion of Councilman Boehm, seconded by Councilman Masti, the minutes were approved as presented and read.
VOTE – AYES 5 – NAYS 0 – SO MOVED

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**OLD BUSINESS**

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

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**NEW BUSINESS**

**Change Date of Town Board Workshop – May**

Supervisor Flach stated that Grievance Day is scheduled for May 22nd and it conflicts with a Town Board Workshop and added that Grievance Day has to happen on that particular day. He then asked for a motion to change the Town Board Workshop to Monday, May 21st.

**MOTION**

On motion of Councilman Boehm, seconded by Councilman Dolan, changing the Workshop date to May 21, 2012 at 6:00pm.
VOTE – AYES 5 – NAYS 0 – SO MOVED

**Lions Club Tree Planting Campaign**

Supervisor Flach stated that the Lions Club had asked the Town Board if they can plant some trees in the town and added that they have discussed the types of trees and where they would be planted and agreed that some should be at Coeymans Landing and some at Joralemon Park and continued by saying that they are excited about it and looking forward to discussing where and when.

Councilman Masti stated that they should let the Beautification Department know about it so they can be prepared.

Supervisor Flach stated that he will let them know about it and when it will happen.

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**RESOLUTIONS**

**RES. #53-12 APPOINT PART-TIME CLERK I – TOWN CLERK'S OFFICE**
On motion of Councilman Dolan, seconded by Councilwoman Rogers, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

**WHEREAS**, Town Clerk Millious is desirous of part-time assistance to maintain staffing levels and prevent backlogs in service in the Office of the Town Clerk, and

**WHEREAS**, the Town Clerk has advertised and interviewed a number of applicants for the position, and found a candidate who meets the minimum qualifications, and

**WHEREAS**, the Albany County Department of Civil Service has reviewed and approved the candidate's qualifications,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Coeymans does hereby appoint Bonnie Keyer to the position of part-time Clerk I at the hourly rate of $11.00, effective March 14, 2012.

Supervisor Flach asked Town Clerk Millious if she wished to comment.

Town Clerk Millious stated that she is thankful that the Board has given her the opportunity for the replacement in her office due to the workload and added that she was prepared to say more if it was a problem.

Councilman Boehm asked how many resumes she received.

Town Clerk Millious stated that there were six with more still coming in and she actually interviewed three and added that the person selected lives in Town and her qualifications are good for the position and when she gives out an application she gives an attachment that goes over what will be expected as far as the days and what her office does so there are no surprises and reiterated that she was prepared to go into more detail if necessary. She added that she had given it to the Board during budget preparation as well as giving it to Supervisor Flach and Supervisor Masti, who were new to the Board and went on by saying that you would be surprised by what her office does and it entails a lot more than going to the window and there are a lot of responsibilities with the cemeteries and Records Room and she likes to bring someone with her when she has to go to a cemetery or the Records Room. She continued by saying that she wants to keep her office open and a lot of times you have to have three people as well as trying to accommodate the other offices. She concluded by saying that if there is any doubt, any member of the Board can set up an appointment with her and she will take them for a tour of the Clerk's Office and show them all the books and things that are done on a daily basis and added that she does not know how else to explain it in writing and she takes her job very serious and she hopes that they take it all into consideration.

Councilman Masti stated that he had gone through the list and detail of duties and was quite impressed.

Supervisor Flach stated that earlier in the day he received a correspondence from Albany County Executive McCoy indicating that a number of municipal leaders thought a study of highway operations to identify opportunities for collaboration and consolidation would offer an area for hard-dollar savings for all municipalities. He added that Mr. McCoy has proposed applying to the NYS Department of State for a grant for up to $75,000.00 to study ways to find cost savings in highway services and if the grant is successful he committed Albany County to providing the $7,500.00 local match with no cost to any of the municipalities providing the support. He concluded by saying that the grant application is due in less than two weeks and he asked for confirmation of interest on the Town's part and after consulting with the Board members they confirmed their interest in providing such support and it is the reason for the resolution that follows and added that basically it is a shared services study to try and bring costs down in the Highway Departments.

Councilwoman Rogers stated that they are currently doing shared services with the Highway and they are currently sharing the salt shed and salt with Albany County.

**RES. #54-12 AUTHORIZATION FOR SUPERVISOR TO SUBIT AN APPLICATION TO THE DEPARTMENT OF STATE 2011-2012 LOCAL GOVERNMENT EFFICIENCY PROGRAM FOR GRANT FUNDS TO SUPPORT A COUNTYWIDE SHARED HIGHWAY SERVICES STUDY**
On motion of Councilwoman Rogers, seconded by Councilman Dolan, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

**WHEREAS**, the Town Board of the Town of Coeymans, after due consideration, has determined that it is desirable and in the public interest to act as a co-applicant with the

County Lead Applicant; and submit an application under the 2011-2012 Local Government Efficiency (LGE) Program to be titled the Albany County Countywide Shared Highway Services Study. This study will evaluate the efficiencies and cost savings to be gained by the functional consolidation, and where appropriate, the sharing of certain highway services between the County and its municipalities, and

**WHEREAS**, it is the intention of this community to ender into a Memorandum of Understanding (MOU) with Albany County prior to undertaking the study, and

**WHEREAS**, the maximum amount of funds being applied for from the LGE Program shall not exceed $67,500.00. The project will require a 10% share of project costs equal to $7,500.00, which Albany County has committed to contributing on behalf of all applicants.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Coeymans authorizes and directs, Stephen D. Flach, Town Supervisor, or designee, to submit an application for financial assistance under the LGE Program and is authorized to execute all other documents necessary for the implementation of this work, and is also authorized to execute all financial and/or administrative processes relating to the Grant Program.

Councilwoman Rogers stated that she was questioning the requirement of a 10% share of the project cost.

Supervisor Flach stated that 10% is $7,500.00, which Albany County has committed to contributing.

Councilman Dolan stated that for right now they are just committing to applying for the grant and have not agreed to give up any sovereignty for the Highway Department roads or agreed to the County taking over any part of the Town's Highway Department or Town.

Supervisor Flach stated that this just a study to look into what can be done.

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**CORRESPONDENCE**

**US Department of Homeland Security – FEMA**

Supervisor Flach stated that he was in receipt of a correspondence from the US Department of Homeland Security, FEMA and continued by asking that Councilman Dolan read it.

Dear Mr. Flach,

We are pleased to present your community with preliminary copies of the Flood Insurance Rate Map (FIRM) and Flood Insurance Study (FIS) report for Albany County, New York and incorporated areas for your review and comment. We have produced the FIRM and FIS report in our countywide format, which means that flooding information for the entire county, including the Town of Coeymans and all other incorporated areas, is also shown. However, we have enclosed only those FIRM panels that actually cover your community.

We have prepared the enclosed preliminary version of the FIRM using a process that involves capturing flood hazard information in a digital format and plotting map panels using computer technology. In so doing, we have incorporated all non-revised flood hazard information from all current effective FIRM's Flood Hazard Boundary Maps and Flood Boundary and Floodways Maps as appropriate.

We are sending preliminary copies at this time to give your community an opportunity to review them. Additionally, in an effort to assist you in circulating the information, the

Federal Emergency Management Agency (FEMA) has posted digital copies of the FIRM and FIS report materials to the following: http://rampp-team.com/ny.htm. We will contact you shortly to schedule a formal Community Coordination Meeting (a "Consultation Coordination Office (CCO)" Meeting) to discuss the revised flood hazard information, ordinance adoption, and other frequently asked questions and concerns. In the meantime, we encourage you to circulate the enclosed copies as widely as possible among elected officials, staff, and other individuals or organizations in the community that would have an interest in the FIRM and FIS report so that they will have the opportunity to review them thoroughly before the formal Community Coordination Meeting. The review period provides community officials and citizens in the affected communities with an opportunity to identify changes or corrections to non-technical information, such as corporate limits, road names, and stream names on the FIRM or in the FIS report. Comments may be sent to the following persons and addresses.

Paul Weberg
Senior Engineer
FEMA Region II
26 Federal Plaza, Suite 1337
New York, NY 10278-0002

Supervisor Flach stated that due to Hurricane Irene and other storms there have been a number of changes to the flood hazard areas, which may affect a piece of property that someone owns and it is recommended that people stop in the Building Department to review the maps to verify their locations in relation to the new boundaries and added that your property could be affected by the new Flood Plain Maps. He continued by saying that you can go to the Building Department or he will be available for any questions.

Councilman Dolan stated that if you feel as though you may be affected, you should check them out because to change data information on the maps after they are finalized is next to impossible.

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**TOWN BOARD WORKSHOPS/MEETINGS**

- Town Board Workshop, March 20, 2012, 6:00pm
- Town Board Meeting, March 26, 2012, 7:00pm
- Town Board Meeting, April 9, 2012, 7:00pm

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**ADDITIONAL COMMENTS**

Supervisor Flach asked if there were any additional comments.

**Ms. Lawler** from the audience asked what the subject of the Workshops on March 20th and May 21st and whether or not there is a specific agenda for either of them.

Supervisor Flach stated that there a couple of things on the agenda and continued by saying that she can call his office and he can let her know what is on the agenda so far. He then asked if there were any other comments.

**Town Clerk Millious** stated that she will be sending out the Property Tax Reminder Notices, which by law are required to be sent out on March 15th and added that it is a reminder that the bill is not paid. She added that sometimes a bank has not taken care of the bill and the property owner had not gotten the bill and continued by saying that she collects until April 2nd this year because the 1st falls on the weekend. She concluded by thanking them for her allowing to fill the position in her office.

Supervisor Flach asked if there were any other comments.

**Chief Darlington** stated that he met with a couple FEMA representatives and signed project work sheets, which they should be receiving the blue folders for in the amount of $86,404.49 with additional hopefully at the end of the week or beginning of next week to be signed. He added that once he gets the blue folders, he has to verify that the work is complete and they can move on from there.

Councilman Boehm inquired as to if he had gotten the parole change made.

Chief Darlington stated that he called the Parole Officer, Rebecca Hotaling, that reports here and she was going to make arrangements for the Town to have it and she called him and advised that parole has asked that it be put on hold for some reason and with the Department of Corrections taking over, he's not sure if the left hand knows what the right hand is doing right now and added that they will get the corrected one with the Town of Coeymans on it. He continued by requesting to be on the March Workshop agenda to discuss staffing and went on by saying that for clarification, his Police Budget is less than $518,000.00 and Colonie's is over $14 million.

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

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**MOTION TO ADJOURN TO EXECUTIVE SESSION**

**MOTION**

On motion of Councilman Boehm, seconded by Councilman Masti, the Town Board Meeting was adjourned to Executive Session.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time – 7:32pm

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**EXECUTIVE SESSION**

Executive Session convened in the Supervisor's Office immediately following the adjournment from the Town Board Meeting to discuss a personnel issue, the full Town Board was present. Discussion ensued, no action was taken.

Time – 8:00pm

**Respectfully Submitted,** **APPROVED –**

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**Diane L. Millious, Town Clerk**

**March 20, 2012 – TOWN BOARD WORKSHOP – 6:00PM**

**A Town Board Workshop was held Tuesday, March 20, 2012, at 6:00pm at Town Hall, 18 Russell Avenue, Ravena, New York**

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

**ALSO PRESENT:** Diane L. Millious, Town Clerk
Rachel Weidman, Bookkeeper
Albert Deering, Highway Superintendent
George Dardani, Justice
Tammy Eissing, Justice Clerk
Daniel Contento, Police Sergeant

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

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**AGENDA**

- Annual Capital Region Bike Race
- Community Wellness Walk
- Sewer Pipe – Pasquini
- Zero Turn Mower Purchase – Beautification
- Police Department Staffing
- Audit of Departments – Supervisor, Town Clerk, Justice Court, Police

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**DISCUSSIONS**

**Annual Capital Region Bike Race & Time Trials**

Mr. Paul McDonnell from the Capital District Racing Club gave a presentation of the proposed Coeymans Hollow Time Trial to be held on June 13, 2012 and the Annual Capital Region Bike Race to be held on July 28, 2012 with an alternate date of August 18, 2012 for the race and then requested the Town Board's approval and asked if there were any questions.

Discussion ensued amongst the Town Board regarding attendance, prior notice to let people know, and duration of the race.

Collectively it was agreed to formally address it at the next Town Board Meeting on Monday, March 26, 2012.

Councilman Boehm suggested that they waive the fee for the gazebo because of their donations back to the community.

Town Clerk Millious reminded them that they need to still have the liability insurance.

**Sewer Pipe – Pasquini Property**

Supervisor Flach asked Highway Superintendent Deering for an update on the sewer pipe on the Pasquini property.

Highway Superintendent Deering updated the Board on what he wants to do with the pipe.

Discussion ensued between the Town Board and Highway Superintendent Deering.

Supervisor Flach stated that there are some other issues that they need to discuss with counsel before the work is done and collectively the Board agreed that Supervisor Flach will get in touch with Attorney for the Town Wukitsch in the morning and then advise Highway Superintendent Deering.

**Zero Turn Mower Purchase – Beautification**

Supervisor Flach stated that there was a request from Nelson Perry for the purchase of a new mower last year, which was put in the budget for this year.

Discussion ensued amongst the Board regarding the purchase and trade in of a mower that is not used.

Collectively is was decided that after this purchase they will not entertain the need for another one, extra one or spare one and that Supervisor Flach should prepare a resolution for the next Town Board Meeting.

**Police Department Staffing**

Supervisor Flach indicated that Chief Darlington was not available and they would table the police department staffing discussion.

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**AUDIT OF DEPARTMENTS**

Audits were conducted by the Town Board for the Police, Justice Court, Town Clerk and Supervisor. Sergeant Contento represented the Police Department, Judge Dardani and Tammy Eissing represented the Justice Court, Town Clerk Millious represented her office and Rachel Weidman represented the Supervisor's Office.

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**ADDITIONAL DISCUSSION**

**Community Wellness Walk**

Doug Porter gave a presentation for a R-C-S Community Wellness Walk, which is a way to unite community and school and to promote physical activity and eating a balanced diet.

Discussion ensued between the Town Board and Mr. Porter.

Collectively it was decided that Joralemon Park will be reserved for May 6, 2012 with the fee being waved but liability insurance still being required and that it will be discussed further at the Town Board Meeting on March 26, 2012

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**ADJOURNMENT**

Supervisor Flach asked for a motion to adjourn.

**MOTION**

On motion of Councilwoman Rogers, seconded by Councilman Boehm, the Town Board Workshop was adjourned.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time – 7:50pm

***Respectfully Submitted***, **APPROVED –**

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***Diane L. Millious, Town Clerk***

**March 26, 2012 – Town Board Meeting – 7:00PM**

**A Town Board Meeting was held Monday, March 26, 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 (left prior to close of meeting)
Peter E. Masti, Councilman

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

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

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**OPENING COMMENT**

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

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**AGENDA**

- Public Announcement
  - Electronic Recycling Event, April 25, 2012
- Public Comment
- Approval of Minutes
  - Town Board Meeting, March 12, 2012
  - Town Board Workshop, March 20, 2012
- Supervisor's Report – February 2012
- Department Reports
  - Beautification
  - Building Department, February, 2012
  - Police Department, January & February, 2012
  - Town Clerk, February, 2012
  - Sewer Department, February, 2012
- Old Business
- New Business
  - Request from Capital Bicycle Racing Club to Hold Coeymans Hollow Time Trial and NY Capital Region Road Race
  - Request from RCS Wellness Committee to Hold RCS Community Wellness Walk at Joralemon Park
- Resolutions
  - Appoint Part-Time Police Officers
  - Authorize Beautification Department to Purchase John Deere Tractor
  - Designation of Internal Control Officer for Oversight of Single Audit for 2011
  - Approve Annual Audit of Town Officials
  - Approve Annual Audit of Justice Court
  - Amend Abstract, January 2012
  - Amend Abstract, February 2012
  - Approve March Abstract
- Town Board Workshops/Meetings
  - Town Board Meeting, April 9, 2012, 7:00pm
  - Town Board Workshop, April 17, 2012, 6:00pm
  - Town Board Meeting, April 23, 2012, 6:00pm

**PUBLIC ANNOUNCEMENT**

Supervisor Flach continued by reading the following public announcement:

We are continuing the program of electronic recycling which was begun last year.

The next collection day will be on Wednesday, April 25th at the Beautification Department building (old firehouse), 70 South Main Street, in Coeymans. Hours will be 7:00am – 3:00pm. Town personnel will be available to assist, however, items can not be dropped off before or after the designated times.

Town residents are asked to bring only those items on the list: televisions (portable or console), computer equipment, typewriters, video game systems, cell phones, I-pods, monitors, scanners, ink cartridges, fax machines, printers, keyboards and other computer accessories.

Do not bring liquids, air conditioners, dehumidifiers, refrigerators, kitchen or personal appliances, batteries or fluorescent lamps.

This information has been posted on the Town's website along with a complete list of items that can be accepted.

I'd like to not that there will be a special Lion's Club sponsored collection box for cell phones. The Lion's Club is collecting cell phones to support various activities whose funds are primarily for sight and hearing assistance.

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**PUBLIC COMMENT**

Supervisor Flach invited the public to comment at this time.

**Ms. Donna Pasquini** stated that she lives in the Hamlet of Coeymans and added that last year she came with the Neighborhood Association to address 9 First Street, which they call the pigeon motel and they addressed how bad it was with water in it, bricks falling off and everything caving in and they were told that there was nothing that the Town could do because the taxes were paid. She continued by saying that there are three current Board Members who were on the Board at that time and added that it is a lie because Albany County owns it and said that the Town could have torn it down at anytime they wanted and all they had to do was ask permission and now she understands that the house is going to be saved. She went on by saying that it is a pigeon motel and dangerous and should be torn down and they should let the County tear it down and stop fighting them when the Town could have done it themselves and refused to do it.

Councilman Dolan stated that it is not true that the Town could have torn it down at anytime and the only time that it could have been torn down was after the County took possession of it. He added that the County has condemned it and in turn some people with his assistance contacted the County to see if they could take over the house and rehabilitate it.

Ms. Pasquini stated that she talked with the Finance Manager at the County and he said that the County has paid the full tax amount for five years and advised that all the Town needed to do was ask and in turn it could have been turned over to the Town, who could have torn it down and he also advised that with the condition that it is in, the assessment was never lowered and they paid the full tax amount for the full five years because the Town never lowered the assessment. She continued by saying that she does not think that the Finance Manager for the State who is in charge of this is lying to her on the phone about it because he seems to know what he is talking about.

Supervisor Flach stated that after one of the Town Board Meetings, not too long ago, the Assessor got in touch with him and said that this piece of property at 9 First Street just went up for taxes and it was going to Albany County and a few days later they got in

touch with Albany County and at time they came down to look at the building and said that they can get it torn down. He added that in the meantime, someone had talked to Councilman Dolan about rehabilitating the property and he had not heard about it since then, which was a few weeks ago.

Ms. Pasquini stated that her point is that there was a group from the Neighborhood Association and they distributed pictures to the Town Board as to how bad it was and the whole idea was to try and get it taken down. She added that the County stepped in and said they wanted to take it down but they had received a call from Councilman Dolan asking them not to because he is trying to come up with funding to save it. She then asked why they would try to save something that is in such bad shape and an eye sore when there are other houses that are in or going into foreclosure that could actually use the grant money to be fixed.

Councilman Dolan stated that he did not receive an offer for grant money for any other property except that particular one.

Ms. Pasquini stated that she understands that the outside was built in the 1800's and he had told the County that the inside was the 1700's and Ms. Fori had told her that it is not true because it was built the same time that hers was, which was the 1800's.

Councilman Dolan stated that the main part of the house was the 1800's.

Ms. Pasquini stated that she was just wondering why the Town Board didn't consider the dangers that the Neighborhood Association as a serious matter and now it is a big turn around with trying to save it. She continued by saying that a while ago Town Clerk Millious had an employee who left and she was begging for help and she was at the meeting when it was tabled because they wanted to see if they could save some money by not replacing the employee, even though the money was in the budget to do so and now she sees on the agenda that they are hiring 7 part-time Police Officer's.

Councilman Dolan stated that it is not correct and added that Town Clerk Millious did hire her person.

Ms. Pasquini stated she knows that because she was at the last meeting, she added that it did get put off for a while.

Councilwoman Rogers interjected that it was tabled because she did not get the ad in the paper.

Ms. Pasquini stated that she thought it was tabled in the beginning because Councilman Boehm said that he didn't know if they should spend the money and maybe it should be saved to put toward this year's budget.

Councilman Boehm interjected that he is always looking to save the taxpayers money.

Supervisor Flach stated at the next meeting they went ahead with it because she had not even had it in the paper and they gave her permission to put it in the paper at that time.

Ms. Pasquini stated that she understands all that and added that if they were thinking about trying to save money then, how are they now hiring 7 part-time Police Officers and continued by asking if they are replacing Officers that have left or are leaving.

Supervisor Flach stated that one full-time Police Officer left and they want to hire part-time people and added that there are full-time Officers that are getting more overtime than they would like and they are paying overtime because of the lack of Officers to fill in the gaps and by hiring part-time, they can save that money in overtime and they can save money in benefits.

Ms. Pasquini asked if the part-time Officers get any benefits other than their uniforms and boots.

Councilman Dolan and Councilwoman Rogers collectively stated it is correct.

Supervisor Flach stated that it is also his understanding.

Ms. Pasquini inquired as to why they need 7 part-time to replace 1 full-time.

Chief Darlington stated that toward the end of last year, the Town Board approved hiring 4 part-time and 1 full-time Officer and 1 part-time and 1 full-time was hired at that point, resumes were gone through and interviews were conducted. He added that the first three are the remaining three from that approval and then a full-time Officer left and to save some money and cut down on overtime he is now asking to hire 3 part-time to replace the full-time that left.

Ms. Pasquini stated she thought that it said 7 and she was wondering why they are hiring such a large number and she was just curious and has nothing against the Police Department but one minute they are giving someone a hard time for one and then they are approving others without question.

Councilman Dolan interjected that it is the same principal they he applied to Town Clerk Millious' request and that it is to fill a position that is already budgeted and passed by the Town Board for this year's budget and it includes no extra money for the Police Department and it should actually result in savings.

Ms. Pasquini inquired if hiring these people to replace the one is the same amount of money in the budget.

Collectively the Town Board replied that it is.

Supervisor Flach asked if anyone else wished to comment.

**Mr. Laszlo Polyak** stated that as they know he ran for Village Justice and he wanted to give some feedback on his ten day write-in campaign so they can have some ideas, which he is not saying are good or bad, and some feedback from the approximately 300 people that he spoke with. He continued by saying that the first one that he wants to address, which is a frustrating peeve of his, is that he had four people tell him that they used to drive through our community but now they come down Rte. 144 and get on the thruway and exit at Coxsackie, which he finds sad. He added that like Councilman Dolan and the newly elected Judge, he got quite a few complaints and frustrations about an Officer that has been full-time for approximately 4-5 years and he also has a complaint and has a 50-H on this particular Officer, which is the Town's right to depose a person and it costs thousands of dollars. He went on by saying that he does not have to go into that in detail because they pretty much already have enough calling and complaining about this particular person. He continued by saying that he would like something nice to come out of this because he knows that the Albany Police Department has a form and there are instructions that you can go to the Police Chief or Supervisor/Mayor and get for a complaint against an Officer and in turn it would be duly investigated. He then asked if this type of form was available and if not, could one be created so they can get a realistic picture of when Officer's are doing something not so good and in turn can be reprimanded for or dismissed. He continued by saying that also during his ten day campaign it was colorful enough to know that his only two signs on a truck, were consistently complained about, no matter where it was parked either on public property or a public road and added that he can take that because it is part of slinging mud at each other. He added that in running for Judge, if elected, he will have very narrow abilities to begin with and he has repeated to many in the community that Judge's can only deal with things that come in front of them so if there is a problem with a certain Policeman, it has to go through the Chief and then further on to the Town Board because the Chief is the Officer's boss and the Town Board is the Chief's boss. He went on by saying that judges routinely throughout the country do dismiss tickets that are out there that don't make sense and some of the things that people said when they were pulled over and the reason why they were pulled over, were seniors being pulled over because they were 12 inches away from the curb, and three people who said they were ticketed for having snow on their roof. He continued by saying that he is just telling the Chief what the feedback was,

and whether it is true or not is his job and this is why he is getting paid between $80,000.00 - $90,000.00 a year and added that he is sure that 90% of it is getting dismissed and to those who it has happened to, it is very real. He added that he got 60 votes and he has no family here, and the people that came out were people that apparently worked in the city or were State workers and people that have never been pulled over, but they are concerned. He went on by saying that he does not know if he has solutions because some of the issues with the Police Department have been going on for 20 – 30 years and half the community feels as though they are not adequately covered, such as those in the Hollow and some people say that because of budgetary problems, the Police Department should be dissolved and he does not know how or what to do because where he grew up there were only County police. He continued by saying that he had stated that the Police Department has a 1 ½ million dollar budget but the Chief said it is $500,000.00, but he was including all of the amenities that go along with it such as communications and the purchase of new cars and equipment, overtime, etc. He then asked how they know and where it is reflected when people file law suits, how much they are for and if they are resolved before going down to a disciplinary action or court. He continued by saying that an officer can bring in money via tickets by writing ticket after ticket and more tickets and for example may bring in $25,000.00 but the Town is losing $30,000.00 in sales tax revenue. He added that he decided to run for Judge because he personally feels from George Washington to now, that everyone should have a choice because our Veteran's go off and fight those against communism and dictatorship and they come back and do not even have a choice and at least with him running there is a choice between two dictators. He continued by saying that Frank Nunziato came to his house and you have to have passion and love for someone who is well respected and has lived and done things in this community most of his life and he point blank said that it is destroying his business and something needs to be done because he is losing business and people have already closed businesses on Main Street and Rte. 9W and this is another way to look at it because you look at the short term of raising money vs. the long term factor of losing money. He added that he suggested to Breslin about 15 years ago that they explore the possibility of bringing all of the towns into the County and you would make every Police Chief a Divisional Chief and then of course you would have a Commissioner, which would be all of the Police under the County's Budget. He continued by saying that over the years he has seen even the Mayor come here and say that he does not see police coverage for his constituents and displayed his frustration, which is part of the record. He went on by saying that maybe it has come to the time when they can look at exploring other avenues to keep costs down and in looking at the budget, as he has every year, approximately 50% of the budget is going toward the Police Department for communications or retirement benefits and perspectively, it is a lot of money for 8,000 people. He added that he has police in his family from local police to special agents and even has a cousin that is a New York City cop and it is a thankless job that they work hard at but when people have legitimate complaints they should have an avenue to address it. He went on by saying that he also had some issues with this particular officer during his campaign when he used a hay wagon with his name on it and was pulled over and he is a little confused because if someone has been working for the Town for four years they should have the presence of mind to know that when you live and work in a community that is half farms and farmers, you would by now know that it is legitimate. He added that he also questions about having a parade with a hay wagon during an election and the last time he checked it was protected under the constitution while campaigning and he has friends that have been fined and/or letters sent to them to remove their signs that were political in nature.

Councilman Dolan inquired if the issue that he mentioned about the hay wagon was a ticket issue.

Mr. Polyak stated that there was not a ticket issued yet and added that later on in the day the same Officer pulled him over and he immediately requested his supervisor and in the conversation the Officer asked if he ever got a ticket, which he knew because the last ticket he got was from him over 2 ½ years ago and they are in a 50H. He continued by saying that it was a directional ticket, which was dismissed because in the video while trying to do a sobriety test in which they found out he was not drunk, his directional was flashing for 15-20 minutes. He added that there are other avenues that they can do, which frustrate people, and they can video tape and audio tape everything the police officer do

today and then put them on You Tube. He continued by saying that he would like to see some kind of form that people can get at the Town Clerk's Office or the Police Department for filing a complaint and added that the way it is now, many people don't file complaints and just like in the write-in, there is a possibility that he had more votes, but because it was not filled out right, it didn't count but it was not enough to make him the winner. He went on by saying that the news media contacted him because of the appearance of what is going on here with the ticket and hay wagon and he informed them that he is going through the normal procedures and having his attorney's look at it and let it play out in the system. He concluded by saying that ironically there are checks and balances and there are Police Chiefs around the country who have a right to un-arrest someone, for whatever reason and is usually done in situations like down in New York City where there are a bunch of people sitting in a park and 500 get arrested and 4-5 of them may be innocent and when it comes up for review it gets dismissed.

Supervisor Flach asked that he conclude his public comment because it had been 15 minutes and added that he wants him to have his time but there are other people that want to speak.

Councilman Dolan inquired as to if he is asking them for a complaint form.

Mr. Polyak stated that he is and added that because of the ticket he put in a phone request to talk to the Chief and he also talked with Supervisor Flach and he would like to sit down with the Police Chief in the Supervisor's Office and discuss it to see if they can resolve it. He continued by saying that he has 90 days to file a complaint and it is going to be another 50H and his attorney's are say that he should follow through with it all the way to the courts and it is going to be a minimum of $5,000.00 just for the 50H because the competency of this Officer is coming into play, especially if he didn't remember that he gave him a ticket 2 ½ years ago.

Chief Darlington interjected that if Mr. Polyak wanted to file a personnel complaint, Officer Alberts is downstairs waiting for him to fill out the proper paperwork in which it will be investigated.

Mr. Polyak asked if he was going to be available in the morning because he has other commitments and then asked if there is a procedure so the public knows.

Chief Darlington stated that there is and you would come in and file a complaint and meet with a Sergeant who takes the complaint and added that they have had this discussion at meeting prior to this year, and added that the complaint is filed and investigated.

Mr. Polyak stated that he can bring in a copy of the City of Albany's complaint form, which is approximately 3-4 pages long.

Supervisor Flach stated that as the Chief said, they do have something in their department for that.

Mr. Polyak stated that because of budget constraints they may have to look at what they should do with the Police Department in the future and added that he is not against the Police Department. He continued by saying that when he was campaigning, he asked who the favorite Officer is and Officer Polverelli topped the list and he did this in trying to be fair with all the complaints about the one and concluded by saying that some of the complaints were a bit on the bazaar side and he is concerned.

Supervisor Flach asked if anyone else wished to comment.

**Ms. Bernice Hopkins** stated that they recently bought a house in the Town of Coeymans and she attends the meetings for the Neighborhood Association and added that the Hamlet is a beautiful place but the buildings in it are not doing so well and if they could build up the landing back up to what it should be, the buildings in the Town would be very profitable because it is a beautiful park. She continued by saying that she is in favor of saving the building because it is a beautiful structure and part of the history of the

town and it is a private grant that has been offered and is not a grant though an agency but rather a private person saying that they will help someone save this building. She went on by saying that they are at the point where they are seeing if the building can be saved and the next step is to talk to someone about having someone save the building and she understands that there are a lot of building that need help as well as the whole town needing help and that the Neighborhood Association is looking at doing something and their meetings are the second Wednesday of the month and the more people that can help save the community and landing, the better. She concluded that in going for a walk and looking at what has been done at the landing is pretty amazing and she wanted to say that hopefully they will be seeing each other again and went on by saying that it is not a lost cause and it is a really great history of structure of what happened in this town in the ice business and everything else.

Councilman Dolan interjected that Ms. Hopkins has been doing a great job on her house in working to restore a lot of the original historic details.

Ms. Hopkins stated that it was nominated for the registry on March 7th and hopefully it will be listed and hopefully they can get a couple more people to go on the registry so a tax incentive can be offered and right now they are not eligible but the more houses that they have, the more they will be able to use it.

Councilman Dolan asked that when she gets on it, she should come back and tell them because they would like to hear about it.

Supervisor Flach asked if anyone else wished to comment.

**Ms. Anne Marie Vadney** stated that she wanted to let everyone know that the Greater Coeymans Ravena Area Community Business Group's next meeting is April 12th, which is the second Thursday of each month and is held at 1635 Rte. 9W and starts at 7:00pm. She added that she would also like to request any support from any members of the Town Board that can provide within the community as roll models because she finds a consistent theme in our community of the spreading of rumors that are not factual and she does not understand the motives of the individuals doing it. She continued by saying that she thinks that if people have questions about what is going on, they should be upfront and respectful and go directly to those individuals and request answers and not start rumors. She added that some of the recent newspaper articles have contained false information and it puts our community in a horrible position when they are all trying to work toward improving the community and then there is nonfactual information being seen by thousands of people and then asked how you would then tell them it is not the truth. She went on by saying that members of our community are good people and they have to work harder to respect even those individuals that they don't agree with and they should be kind to each other and try to seek out the truth and in their positions on the Town Board, she thinks that it makes a big difference if they identify some of these activities going on, wherever they begin and maybe they can stand up and say hold it, lets find out the facts before we do anything else.

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

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**APPROVAL OF MINUTES**

Supervisor Flach stated that there were two sets of minutes for Town Board approval, a Town Board Meeting on March 12, 2012 and a Town Board Workshop on March 20, 2012 and then asked for a motion to approve them.

**MOTION**

On motion of Councilwoman Rogers, seconded by Councilman Dolan, the Town Board Minutes were approved and accepted as read.
VOTE – AYES 5 – NAYS 0 – SO MOVED

**SUPERVISOR'S REPORT**

**February 2012**

| FUND | BAL. FWD. | RECEIPTS | DISBURSE. | BALANCE |
|---|---|---|---|---|
| | | | | |
| **General** | **$1,802,591.75** | **$ 548,321.67** | **$1,013,947.15** | **$1,336,966.27** |
| | | | | |
| **Part-Town** | **$ 520,877.31** | **$ 902.54** | **$ 30,387.95** | **$ 491,391.90** |
| | | | | |
| **Highway** | **$ 130,459.98** | **$ 169.93** | **$ 71,273.71** | **$ 59,356.20** |
| | | | | |
| **Bridge Const.** | **$ 90,082.55** | **$ 22.60** | **-0-** | **$ 90,105.15** |
| | | | | |
| **Sewer** | **$ 124,368.83** | **$ 65,734.64** | **$ 29,189.54** | **$ 160,913.93** |
| | | | | |
| **Special Water** | **$ 5,339.81** | **$ 44,578.26** | **-0-** | **$ 49,918.07** |
| | | | | |
| **Police Forf.** | **$ 14,864.20** | **$ 7,066.18** | **$ 200.00** | **$ 21,730.38** |
| | | | | |
| **Comm. Tower** | **$ 2,812.72** | **$ 1,000.15** | **-0-** | **$ 3,812.87** |
| | | | | |
| **Trust & Agency** | **$ 12,333.85** | **$ 288,746.18** | **$ 200,586.49** | **$ 100,493.54** |
| | | | | |
| **H-Fund Cap. Proj.** | **$ 80,958.12** | **$ 6,480.60** | **-0-** | **$ 87,438.72** |
| | | | | |
| **Section 8 HUD** | **$ 87,831.26** | **$ 35,665.96** | **$ 43,361.96** | **$ 80,135.26** |
| | | | | |
| | | | **Total Rec. Bal.** | **$2,482,262.29** |

| **SAVINGS ACCOUNTS** | | **COLLATERAL COVERAGE** | **FDIC** | **COLLATERALIZED** |
|---|---|---|---|---|
| Unemployment | $ 702.40 | Bank of Greene | $250,000.00 | $3,473,175.10 |
| Grove Cemetery | $40,885.86 | National Bank | $250,000.00 | $ 745,866.48 |
| Coey. Hollow Cem. | $14,400.30 | | | |
| Sewer-Dedicated | $ 6,329.45 | | | |
| **Total** | $62,318.01 | | | |

Supervisor Flach asked for a motion to approve the report.

**MOTION**

On motion of Councilman Dolan, seconded by Councilman Boehm, the Supervisor's Report was approved as presented and read.
VOTE – AYES 5 – NAYS 0 – SO MOVED

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**DEPARTMENT REPORTS**

**Beautification Department**

Supervisor Flach asked that Parks and Recreation Maintenance Supervisor Perry give a report.

Parks and Recreation Maintenance Supervisor Perry continued by reading the following:

Due to unexpectedly warm weather we had been experiencing this month, last Wednesday the Town docks were launched at Coeymans Landing. This is a moth earlier than usual and will, hopefully, provide the public more time to enjoy the boating season.

I would like to extend my thanks to Eric and his co-worker from the Coeymans Landing Marina, for their assistance in installing the poles on the docks, which includes new ones that were damaged during the flooding from Hurricane Irene last year. This demonstrates the kind of cooperation between private enterprise and government that can make the community better for all residents.

The swings at both Coeymans Landing and Joralemon Park have been installed. The nets are up at the tennis court at Joralemon Park.

The banners in Coeymans Hamlet have been switched out from winter flags and the spring/summer flags are hung.

All tractors, zero turn mowers, and other equipment are ready for the mowing season in the parks and cemeteries.

The Beautification Department built four (4) new picnic tables. (three 6 feet long and one 8 feet long) All existing picnic tables have been refurbished. Additionally, all trash cans have been repaired and re-stained for the season.

Parks and Recreation Maintenance Supervisor Perry stated that very shortly he will be working on the gazebo and having it ready.

Supervisor Flach asked for a motion to approve the report.

**MOTION**

Councilman Dolan stated that he would offer a motion with the addition of substituting Eric's co-worker with the name of Neil Dolan.

On motion of Councilman Dolan, seconded by Councilwoman Rogers, the report was accepted as presented and read.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Councilman Masti stated that he had taken a ride down to the Beautification Department and Nelson has the old lawn mowers looking as good as new and added that his crew does a really good job on maintenance.

Supervisor Flach interjected that they do appreciate how well he takes care of his equipment.

**Building Department, February, 2012**

Supervisor Flach asked that Councilwoman Rogers give the Building Department 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 Masti the report was approved as presented and read.
VOTE – AYES 5 – NAYS 0 – SO MOVED

**Police Department, January & February, 2012**

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

Chief Darlington continued by giving the report.

Supervisor Flach asked for a motion to approve the report.

**MOTION**

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

**Town Clerk, February, 2012**

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

Town Clerk Millious continued by giving the report.

Supervisor Flach asked for a motion to approve the report.

**MOTION**

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

**Sewer Department, February, 2012**

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

Councilman Masti continued by giving the report.

Supervisor Flach asked for a motion to approve the report.

**MOTION**

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

Councilman Boehm suggested that they put the portable toilets down at the Landing and then asked Parks and Recreation Maintenance Supervisor Perry when they usually do it.

Parks and Recreation Maintenance Supervisor Perry stated that they usually do not go in until sometime in April and added that he can look into it. He continued by saying that it was a fluke thing that they got an early start because it went to 70-80 degrees.

Councilman Boehm stated that given the weather and the fact that the docks are in, they might want to consider placing them now.

Supervisor Flach asked that Parks and Recreation Maintenance Supervisor Perry check on it.

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**OLD BUSINESS**

Supervisor Flach stated that there were no Old Business topics at this time.

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**NEW BUSINESS**

Supervisor Flach stated that there were two items on the agenda that needed motions.

**Request from RCS Wellness Committee to Hold RCS Community Wellness Walk at Joralemon Park**

**MOTION**

On motion of Councilman Dolan, seconded by Councilwoman Rogers to approve the request from the RCS Wellness Committee to hold an RCS Community Wellness Walk at Joralemon Park on May 6, 2012.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Supervisor Flach asked if there were any comments about the Wellness Walk.

Councilman Boehm stated that it is a new event and they will be walking from Sycamore Golf Course to Joralemon Park and they are looking for community support. He added that they have supporters and Father's Produce has donated 500 pieces of fruit and DeCrescente Distributing has donated 500 bottles of water. He continued by saying that the reason for it is that it is an effort to get people out to vote for the School Budget and Doug Porter was at the last meeting with more detailed information with the map and concluded by saying that it is a great community event and he is glad that they support it.

Ms. Vadney from the audience asked if it is a School Board event.

Supervisor Flach stated that it is not a school or town event and that it is just a Wellness Walk for the community.

Ms. Vadney asked who is coordinating the event.

Supervisor Flach stated that Mr. Doug Porter is and she can call his office for his number if she wishes.

Supervisor Flach asked for a motion to approve the Capital Bicycling Racing Club Time Trial and Road Race.

**Request from Capital Bicycle Racing Club to Hold Coeymans Hollow Time Trial and NY Capital Region Road Race**

**MOTION**

On motion of Councilman Boehm, seconded by Councilman Dolan, approving the request of the Capital Region Bicycle Racing Club to hold a Coeymans Hollow Time Trial on Wednesday, June 13th as well as approving the request for the NY Capital Region Road Race on Saturday, July 28, 2012.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Councilman Boehm stated that the NY Capital Region Road Race is an event that has been going on since he was first on the Board and it is a race that goes through a portion of Coeymans Hollow and new this year they are adding a Time Trial that is going to start just outside Star Road on the bridge and they will be timing out to Rte. 32 and back for individual racers on July 13th and added that for the race on July 28th they will be marking the routes. He concluded by saying that they donate money to the Rescue Squad and Coeymans Hollow Fire Company and that it is a great event and he hopes that the community supports it.

Councilman Masti reiterated that there will be signs so people will be aware because there are a lot of cyclists.

Councilman Boehm stated that on race day you should exercise caution.

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**RESOLUTIONS**

Supervisor Flach stated that the first resolution was to appoint part-time Police Officers.

Councilman Boehm stated that he wanted to offer a motion to table the hiring of the 6 part-time Police Officers to give the Supervisor and/or Chief of Police and/or Attorney enough time to seek a Memorandum of Agreement on the pay scale that the Chief put forward on March 8th, which lowers the starting pay for new hires for part-time, before they are hired.

Supervisor Flach asked if anyone wished to second it, not hearing a second he asked if they wanted to put it to vote.

Councilman Boehm interjected that he wants to table it so they can seek a Memorandum of Agreement.

Attorney for the Town Wukitsch stated that the Board needs to focus on the fact that there already is a part-time rate in the contract and it is the rate that they will be hired at.

Chief Darlington stated that was correct.

Attorney for the Town Wukitsch stated that Chief Darlington is talking about proposing a reduced rate, which the Union may or may not agree to.

Supervisor Flach interjected that they are going to need the part-time anyway, regardless.

Councilman Boehm stated that his point is, why hire and then try to negotiate a pay cut when they can ask the Union up front for a Memorandum of Agreement to lower the pay scale for the new hires, part-time.

Attorney for the Town Wukitsch stated that it is going to be difficult to obtain a pay cut once you hire them.

Councilman Boehm interjected that this is what he is saying.

Attorney for the Town Wukitsch stated that the Board has to decide one way or the other and either there is an urgent need to bring them onboard now, which will result in savings for the Town in the long run and with the understating that the new hires would be subject to the existing Collective Bargaining part-time rate, which they may or may not be able to achieve the reduction in the part-time rate. He continued by saying that you don't see it that much where a Public Union agrees to a reduction of the rates and added that they may be frozen at a particular rate for a year or so and forgo a raise later in the contract life, but to come up with an actual reduction, in his opinion, would be a long shot.

Councilman Boehm stated that it is not for the full-timers but rather the new hired part-timers.

Attorney for the Town Wukitsch stated that he knows that.

Chief Darlington stated that it would be anyone hired after January 1, 2012 and added that it is the new trend and it is his understanding that the Albany County Sheriff's Department did this same exact thing and some employees with 2 years actually took a pay cut.

Councilman Masti stated that they can negotiate it in the contract and they have to abide by it.

Chief Darlington stated that his conversation, preliminary with the Union, is that they are not against it but there is some concern that they have about current employees because they are making more being pulled off the schedule and he has expressed that and people that give him regular schedules is the first thing that is put in and then everyone else is filled in after.

Attorney for the Town Wukitsch stated that the options are, hire them now with the hope that he can attain some kind of reduction but no guarantee or defer the hiring until he can determine for certain whether or not they will agree to the reduced rate.

Councilman Boehm stated that he had said that it is a fairly simple process and is just a Memorandum of Understanding with the Union for this specific issue and they are not renegotiating the whole contract.

Attorney for the Town Wukitsch stated that the second action would be to defer the hiring now and prepare a Memorandum of Agreement with a reduced pay scale for the part-timers and go to the Union to see if they will agree to it.

Councilman Boehm interjected that he thinks it makes the most sense to do it this way.

Chief Darlington stated that he has requested that from them and he has not gotten any response other than them saying that they are concerned and added that Council 82 made contact with the office to open up full negotiations with the full contract that had expired in December. He added that he hears bi-weekly about the over-time and an option is to start cutting patrols or they are going to continue to pay overtime, until such time that these people are hired. He continued by saying that each two weeks that it is delayed, is an additional two week delay before they are trained and placed on the road.

Councilman Masti inquired as to how much they are looking at every two weeks for overtime.

Chief Darlington stated that on average, for shift coverage they are looking at easily somewhere between 3-4 shifts a week and now that spring break is coming and kids are going to be out of school a lot will be going on vacation.

Councilman Masti inquired as to if coverage would be out of the part-time force.

Chief Darlington stated that it would be out of the full-time and part-time and obviously the bigger the pool you have to draw from, the easier it is to cover.

Councilman Masti stated that he was not trying to be pessimistic but during negotiations there is also a possibility that part-time will get a higher rate than what they are being quoted right now.

Chief Darlington stated that it is true and they may never agree to this so they can postpone it or ultimately make the hire either way.

Supervisor Flach stated that they really do need the part-timers regardless of getting the pay down, just because of the overtime that they are paying, and if they hire them now, how do they tell them that they may be getting a pay decrease.

Chief Darlington stated that if they would hire now, they would be notified tomorrow with the understanding, as well as when they were interviewed they were told that their pay is in flux because he had presented a lower pay rate and was open with them and discussed what they are looking at and for a lot of them the amount of pay was not an issue as much as it was with their desire to work.

Councilman Boehm stated that another option would be to hire 3 instead of 6 now so they still have some bargaining position with the Union going forward with the other 3.

Attorney for the Town Wukitsch stated that it would be another option.

Councilman Boehm stated that it seems silly to hire all those people and negotiate a lower pay scale after they are hired.

Supervisor Flach stated that he understands that but at the same time, they are definitely going to need these part-timers.

Chief Darlington interjected that his issue is whether they hire them at this rate now; because nothing is going to change in the budget except that they may continue to pay overtime.

Attorney for the Town Wukitsch asked if they are guaranteed a set number of hours.

Chief Darlington stated that none of them were guaranteed hours except full-time and added that if they were to not hire them, the budget stays the same because he still fills it with the same people that are making the same dollar amount.

Councilman Masti stated that if they hire them now, they will be paying less than they would be paying the full-time people in overtime.

Chief Darlington stated that was correct and added that if they hire them now, they will not be relying on the full-time people to cover shifts when people call in.

Supervisor Flach stated that Councilman Dolan had stated that it gives them a bargaining chip and then asked that he explain it.

Councilman Dolan stated that his understanding is that the Union is more interested in the rates for the full-time people than they are the part-time people and if they don't hire the part-time people, the people that are full-time can continue to benefit from their lack of part-time officers to cover the shifts.

Councilman Masti interjected that the full-time people are making more than the part-timers coming in to start with.

Supervisor Flach stated that economically they are giving 6 more people employment and keeping within the Chief's budget.

Councilman Dolan stated that whatever way this washes out, he has to keep his budget the same.

Supervisor Flach stated that because they have to hire those part-timers, they are going to do the pay negotiations regardless.

**RES. #55-12 APPOINT PART-TIME POLICE OFFICERS**
On motion of Councilman Dolan, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 1 (Boehm) – SO MOVED

**WHEREAS**, the Chief of Police has conducted a search for available part-time Police Officers to supplement the monthly schedule and provide the coverage desired, and

**WHEREAS**, applications have been submitted to Albany County Department of Civil Service to review the candidate's qualifications,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Coeymans does hereby appoint Danielle Crosier, Henry Klein, John Laviano, Lisa Giddings-Fumarola, Peter McKenna and Peter Zownir as part-time Police Officers, effective immediately pending a successful background check and Civil Service approval. Such appointment will be compensated at the hourly rate designated in the current Collective Bargaining Agreement.

Councilman Boehm stated that he thinks that they should attempt a Memorandum of Agreement with the Union because by hiring these 6 people, they have no negotiating power and it is going to be lost. He added that he knows that they are budgeted positions and he knows that they need the help but they also need the savings that the new pay scale will reflect and this is why he voted no.

Supervisor Flach stated that he does not totally disagree with Councilman Boehm because he understands that and added that they have to hire these people anyway and it

stimulates a bit of the economy in putting 6 people to work, even if it is part-time and they are not going outside their budget.

Councilman Boehm interjected that he does not see Police Officers as a source of economic development for the Town.

Supervisor Flach stated that it is a small thing and maybe his thinking is small but it gives 6 people a job and hopefully they can stimulate the local economy.

Councilman Masti stated that he wanted to reiterated that there is no guarantee that they won't be paying as much if not more and there have already been weeks of overtime where they have lost money.

Councilwoman Rogers stated that she does not disagree with Councilman Boehm at all but in speaking with the Chief there have been some nights that patrols have been short and there were a couple issues when there were no Officers and she would like to get these people on board.

Councilman Dolan stated that Councilman Boehm has been totally consistent in trying to save as much money whenever possible and to put off whatever they can for as long as they can. He added that he has to disagree with him on this but he respects his position in trying to save every possible dollar that he can.

Councilman Dolan excused himself from the meeting as previously planned.

**RES. #56-12 AUTHORIZE PURCHASE OF ZERO TURN MOWER**
On motion of Councilman Masti, seconded by Councilwoman Rogers, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Dolan) – SO MOVED

**WHEREAS,** the Parks and Recreation Supervisor requested funding for a new zero-turn mower in the 2012 Budget, and

**WHEREAS**, the Town Board included funding in the budget for that purpose, and

**WHEREAS**, Parks and Recreation Supervisor Perry has sought quotes under New York State Contract PC64361, and

**WHEREAS**, the Town Board has reviewed the recommendation with quotes and determined that such a purchase is warranted,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Coeymans hereby authorizes Parks & Recreation Maintenance Supervisor Perry to commence the purchase process for a John Deere 997 Commercial Diesel Max-Frame Zero Turn Mower, from Hudson River Tractor Co., Chatham, NY for the State Contract price of $12,044.24, and

**BE IT FURTHER RESOLVED**, that Mr. Perry prepare a purchase order for review by Supervisor Flach for this purpose.

**RES. #57-12 AUTHORIZE INTERNAL CONTROL OFFICER TO OVERSEE WORK OF INDEPENDENT AUDITOR**
On motion of Councilman Boehm, seconded by Councilman Masti, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Dolan) – SO MOVED

**WHEREAS**, the Town of Coeymans is required to have a Single Audit because of the amount of Federal Financial Awards expended in 2011 exceeds $500,000.00, and

**WHEREAS**, the Town Board must engage an independent auditor to perform the audit work in accordance with the U.S. Office of Management and Budget Circular A-133 and Government Auditing Standards, and

**WHEREAS**, the Town Board is required under Government Auditing Standards to designate someone to oversee the work of the independent auditor.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Coeymans designates Internal Control Officer Purinton, to oversee the work of the independent auditor through the completion of the Single Audit in accordance with the U.S. Office of Management and Budget Circular A-133 and Government Auditing Standards.

**RES. #58-12 AUTHORIZE COMPLETION OF AUDIT**
On motion of Councilman Masti, seconded by Councilwoman Rogers, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Dolan) – SO MOVED

**WHEREAS**, the Town Board must complete or have completed an audit in accordance with Section 123 of Town Law of all Town Officials that handle cash, and

**WHEREAS**, the Town Board has adopted an audit procedure based on the Local Management Guide Fiscal Oversight Responsibilities, published by the State of New York Office of the State Comptroller, on May 14, 2007, to be applied to the records of each Town Official that handles cash, and

**WHEREAS**, the Town Board has completed the audit on March 20, 2012,

**NOW, THEREFORE, BE IT RESOLVED**, that the records of the Town Supervisor have been reviewed by the following reviewers and have concluded as follows:

| Board Member | Conclusion |
|---|---|
| Dawn Rogers | See attached checklist/comments |
| Thomas Boehm | See attached checklist/comments |
| Thomas Dolan | See attached checklist/comments |
| Peter Masti | See attached checklist/comments |

The records of the Town Clerk have been reviewed by the following reviewers and have concluded as follows:

| Board Member | Conclusion |
|---|---|
| Dawn Rogers | See attached checklist/comments |
| Thomas Boehm | See attached checklist/comments |
| Thomas Dolan | See attached checklist/comments |
| Peter Masti | See attached checklist/comments |

The records of the Receiver of Taxes have been reviewed by the following reviewers and have concluded as follows:

| Board Member | Conclusion |
|---|---|
| Dawn Rogers | See attached checklist/comments |
| Thomas Boehm | See attached checklist/comments |
| Thomas Dolan | See attached checklist/comments |
| Peter Masti | See attached checklist/comments |

The records of the Town Clerk's collection of Water receipts have been reviewed by the following reviewers and have concluded as follows:

| Board Member | Conclusion |
|---|---|
| Dawn Rogers | See attached checklist/comments |
| Thomas Boehm | See attached checklist/comments |
| Thomas Dolan | See attached checklist/comments |
| Peter Masti | See attached checklist/comments |

The records of the Town Clerk's collection of Sewer receipts have been reviewed by the following reviewers and have concluded as follows:

| Board Member | Conclusion |
|---|---|
| Dawn Rogers | See attached checklist/comments |
| Thomas Boehm | See attached checklist/comments |
| Thomas Dolan | See attached checklist/comments |
| Peter Masti | See attached checklist/comments |

The records of the Police Chief's collection of bail and other cash receipts have been reviewed by the following and have concluded as follows:

| Board Member | Conclusion |
|---|---|
| Dawn Rogers | See attached checklist/comments |
| Thomas Boehm | See attached checklist/comments |
| Thomas Dolan | See attached checklist/comments |
| Peter Masti | See attached checklist/comments |

The completed checklists, which include the reviewer's comments and conclusions, are made part of this resolution.

**RES. #59-12 AUTHORIZE COMPLETION OF AUDIT FOR JUSTICES**
On motion of Councilwoman Rogers, seconded by Councilman Masti, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Dolan) – SO MOVED

**WHEREAS**, the Town Board must complete or have completed an audit in accordance with Town Law Section 123 and Section 2019-A of the Uniform Justice Court Act of all Town Justices, and

**WHEREAS,** the Town Board has adopted an audit procedure based on the Local Management Guide Fiscal Oversight Responsibilities, published by the State of New York Office of the State Comptroller , on May 14, 2007 to be applied to the records of each Town Justice, and

**WHEREAS**, the Town Board has completed the audit on March 20, 2012,

**NOW, THEREFORE, BE IT RESOLVED**, that the records of Town Justice Dardani have been reviewed by the following reviewers and have concluded the following:

| Board Member | Conclusion |
|---|---|
| Dawn Rogers | See attached checklist/comments |
| Thomas Boehm | See attached checklist/comments |
| Thomas Dolan | See attached checklist/comments |
| Peter Masti | See attached checklist/comments |

The records of Town Justice Reilly have been reviewed by the following reviewers and have concluded the following:

| Board Member | Conclusion |
|---|---|
| Dawn Rogers | See attached checklist/comments |
| Thomas Boehm | See attached checklist/comments |
| Thomas Dolan | See attached checklist/comments |
| Peter Masti | See attached checklist/comments |

**RES. #60-12 AMEND JANUARY 2012 ABSTRACT**
On motion of Councilwoman Rogers, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Dolan) – SO MOVED

**BE IT RESOLVED,** that the Town Board, of the Town of Coeymans, does hereby amend the following claims of vouchers for the January, 2012 Abstract as indicated in red.

| FUND | VOUCHER # | AMOUNT |
|---|---|---|
| | | |
| **GENERAL (A)** | | |
| General Pre-Pay | 1-41,86 | $172,621.85 |
| General | 88-127, 129-132, 134-153 | $102,700.86 |
| | | |
| | **General Total** | **$275.322.71** |
| | | |
| **POLICE FORTEITURE** | | |
| Police Forfeiture Pre-Pay | 42 | $ 300.00 |
| Part-Town | 128,154 | $ 1,200.00 |
| | | |
| | **Police Forfeiture Total** | **$ 1,500.00** |
| | | |
| **PART TOWN** | | |
| Part Town Pre-Pay | 43-55 | $213,270.05 |
| Part Town | 155 | $ 40.00 |
| | | |
| | **Part Town Total** | **$213,310.05** |
| | | |
| **HIGHWAY (DB)** | | |
| Highway Pre-Pay | 56-65 | $ 51,977.43 |
| Highway | 156-206 | $ 41,839.41 |
| | | |
| | **Highway Total** | **$ 93,816.84** |
| | | |
| **SEWER (SS)** | | |
| Sewer Pre-Pay | 66-78 | $ 18,582.59 |
| Sewer | 207-217 | $ 11,686.19 |
| | | |
| | **Sewer Total** | **$ 30,271.78** |
| | | |
| **CAPITAL PROJ. (H35)** | | |
| Cap. Proj. Sewer Pre-Pay | 79-80 | $378,375.00 |
| | | |
| | **Capital Proj. Total** | **$378,375.00** |
| | | |
| **CAPITAL PROJ. (H36)** | | |
| Cap Proj. Sewer | 218-220 | $ 75,095.94 |
| | | |
| | **Capital Proj. Total** | **$ 75,095.94** |
| | | |
| **CAPITAL PROJ. (H37)** | | |
| Cap Proj. Sewer | 221 | $ 1,174.38 |
| | | |
| | **Capital Pro. Total** | **$ 1,174.38** |
| | | |
| | **Total for All Funds** | **$1,068,866.70** |
| | | |
| **TRUST & AGENCY (TA)** | | |
| Trust & Agency Pre-Pay | 81-87 | $ 245,570.50 |
| | | |
| | **Trust & Agcy. Total** | **$245,570.50** |

Councilman Boehm asked why the amendment was necessary.

Town Clerk Millious stated that in checking the vouchers there was a voucher in the General Fund that should have been in the Police Forfeiture Fund and in reviewing the Part-Town pre-paid it was discovered that the wrong amount was put for the total, which

changed the total for all funds. She added that when you change funds, in order to keep the funds straight, you have to do an amendment.

**RES. #61-12 AMEND FEBRUARY 2012 ABSTRACT**
On motion of Supervisor Flach, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Dolan) – SO MOVED

**BE IT RESOLVED,** that the Town Board, of the Town of Coeymans, does hereby amend the following claims of vouchers for the February, 2012 Abstract as indicated in red.

| FUND | VOUCHER # | AMOUNT |
|---|---|---|
| | | |
| **GENERAL (A)** | | |
| General Pre-Pay | 222-302 | $1,259,542.01 |
| General | 371-432,443,448 | $ 31,606.57 |
| | | |
| | **General Total** | **$1,291,148.58** |
| | | |
| **GROVE CEMETERY** | | |
| Grove Cemetery Pre-Pay | 303 | $ 35.16 |
| | | |
| | **Grove Cemetery Total** | **$ 35.16** |
| | | |
| **PART TOWN** | | |
| Part Town Pre-Pay | 304-322 | $ 49,484.80 |
| Part Town | 433-438 | $ 767.70 |
| | | |
| | **Part Town Total** | **$ 50,252.50** |
| | | |
| **HIGHWAY (DB)** | | |
| Highway Pre-Pay | 323-337 | $ 112,640.90 |
| Highway | 440-442,444-447,449-490 | $ 14,447.25 |
| | | |
| | **Highway Total** | **$ 127,088.15** |
| | | |
| **SEWER (SS)** | | |
| Sewer Pre-Pay | 338-361 | $ 50,305.25 |
| Sewer | 491-512 | $ 11,665.57 |
| | | |
| | **Sewer Total** | **$ 61,970.82** |
| | | |
| **CAPITAL PROJ. (H36)** | | |
| Cap Proj. Sewer | 513-515 | $ 14,835.93 |
| | | |
| | **Capital Proj. Total** | **$ 14,835.93** |
| | | |
| **CAPITAL PROJ. (H37)** | | |
| Cap Proj. Sewer | 516 | $ 82.56 |
| | | |
| | **Capital Pro. Total** | **$ 82.56** |
| | | |
| | **Total for All Funds** | **$1,545,413.70** |
| | | |
| **TRUST & AGENCY (TA)** | | |
| Trust & Agency Pre-Pay | 362-370 | $ 301,310.57 |
| | | |
| | **Trust & Agcy. Total** | **$ 301,310.57** |

Town Clerk Millious asked if the Board wanted an explanation for the amendment.

Councilman Boehm replied that he would.

Town Clerk Millious stated that for the General Fund, they were included in the Highway Fund but should have been General and in the Part-Town Fund a voucher was pulled because it was a duplicate.

**RES. #62-12 APPROVE MARCH 2012 ABSTRACT**
On motion of Councilman Boehm, seconded by Councilman Masti, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Dolan) – SO MOVED

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

| FUND | VOUCHER # | AMOUNT |
|---|---|---|
| | | |
| **GENERAL (A)** | | |
| General Pre-Pay | 517-567 | $179,685.66 |
| General | 608-659,726 | $ 45,072.89 |
| | | |
| | **General Total** | **$224,758.55** |
| | | |
| **CONSOLIDATED SAVINGS (A)** | | |
| Cons. Sav. Pre-Pay | 568 | $ 878.00 |
| | **Gen. Con. Sav. Total** | **$ 878.00** |
| | | |
| **POLICE FORFEITURE (A)** | | |
| Police Forfeiture Pre-Pay | 569 | $ 5,436.00 |
| | | |
| | **Police Forfeiture Total** | **$ 5,436.00** |
| | | |
| **PART TOWN (B)** | | |
| Part Town Pre-Pay | 570-580 | $ 12,112.92 |
| Part Town | 660-662 | $ 771.98 |
| | | |
| | **Part Town Total** | **$ 12,884.90** |
| | | |
| **HIGHWAY BRIDGE (DA)** | | |
| | 663 | $ 61,465.09 |
| | | |
| | **Highway Bridge Total** | **$ 61,465.09** |
| | | |
| **HIGHWAY (DB)** | | |
| Highway Pre-Pay | 581-586,725 | $ 35,622.40 |
| Highway | 664-702 | $ 23,429.49 |
| | | |
| | **Highway Total** | **$ 59,051.89** |
| | | |
| **SEWER (SS)** | | |
| Sewer Pre-Pay | 587-601 | $ 12,782.76 |
| Sewer | 703-722 | $ 8,363.95 |
| | | |
| | **Sewer Total** | **$ 21,146.71** |
| | | |
| **CAPITAL PROJ. (H36)** | | |
| Cap Proj. Sewer | 723-724 | $ 842.50 |
| | | |
| | **Capital Proj. Total** | **$ 842.50** |

| | | |
|---|---|---|
| | **Total for All Funds** | **$386,463.64** |
| | | |
| **TRUST & AGENCY (TA)** | | |
| Trust & Agency Pre-Pay | 602-607 | $200,644.92 |
| | | |
| | **Trust & Agcy. Total** | **$200,644.92** |

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**CORRESPONDENCE**

None at this time.

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**ADDITIONAL COMMENTS**

Supervisor Flach asked if there were any additional comments.

Councilman Boehm stated that he thinks that it is unfortunate that they did not pursue the Memorandum of Agreement prior to the hiring of the part-time Officers and added that he believes it would have resulted in a significant savings and concluded by saying that it seems like the tail is wagging the dog sometimes and they need to take a closer look at those things going forward.

Supervisor Flach asked if there were any other comments.

Town Clerk Millious stated that next Monday, April 2nd is her last day to collect property taxes and they can either be paid in person or has to be postmarked that date and added that there is an outdoor box at the front steps on the west side of the building for anyone that can't make it during her office hours.

Supervisor Flach asked if there were any other comments.

Chief Darlington stated that at the end of last week he met with F.E.M.A. for the close-out meeting and there were a total of 18 project worksheets that he signed, which will result in a return of $203,330.39 and they indicated that within the next couple of weeks we should start receiving the blue folders with the PW's in them and if the work is done, he signs them and send them back and in return they should start receiving checks.

Councilman Masti inquired if they are ever going to do anything about clearing out the creek.

Chief Darlington stated that they are still waiting for their approval and he actually sent an e-mail to Councilman Dolan asking that he reach out to our State and Federal constituents to see if they can get a response. He continued by saying that they asked for a written explanation as to what has been done and a timeline, which was provided and they asked if they were sure that they would be able to complete by the end of 2013 and he checked with F.X. Brown who said that if they hurry up and make their decision, they can start the planning and it is not unreasonable barring weather issues. He concluded by saying that there still is no answer from FEMA.

Councilman Masti asked what would happen if the locals, who own property there, took the trees that are snagged out of the creek.

Chief Darlington stated that he would highly recommend that they speak to ENCON before they do anything. He continued by saying he continually hears comments about the Police Department affecting business in the Town and added that they are not in the business of affecting local businesses, however they are in the business of keeping the streets safe and in fact driving while intoxicated will not be tolerated in this town and if people are responsible and get designated drivers, or do not drink and drive, they should not affect their businesses.

Supervisor Flach asked if there were any other comments.

Councilman Boehm asked Highway Superintendent Deering if he had to Roads List to discuss at the next Workshop.

Highway Superintendent Deering stated that he did.

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

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**TOWN BOARD WORKSHOPS/MEETINGS**

- Town Board Meeting, April 9, 2012, 7:00pm
- Town Board Workshop, April 17, 2012, 6:00pm
- Town Board Meeting, April 23, 2012, 7:00pm

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**ADJOURNMENT**

Supervisor Flach asked for a meeting to adjourn.

**MOTION**

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

Time – 8:26pm

***Respectfully Submitted*,** **APPROVED –**

_____

***Diane L. Millious, Town Clerk***

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

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

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

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

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**OPENING COMMENT**

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

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**AGENDA**

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

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**PRESENTATION**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Supervisor Flach and the Board collectively thanked County Executive McCoy.

County Executive McCoy thanked the Town Board for having him.

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**PUBLIC ANNOUNCEMENT**

**Free Electronic Recycling Collection**

Supervisor Flach read the following:

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

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

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

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

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

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**PUBLIC COMMENT**

Supervisor Flach invited the public to comment at this time.

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

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

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

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

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

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

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

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

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

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

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

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

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

Highway Superintendent Deering stated that they pick them up.

Mr. Laraway asked him what they do with them.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Supervisor Flach asked if there were any other comments.

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

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

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

Councilman Dolan stated that it was not him.

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

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

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

Councilman Dolan stated that it absolutely was not.

Supervisor Flach asked if anyone else wished to comment.

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

Supervisor Flach asked if there were any other comments.

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

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

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

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

**MOTION**

On motion of Supervisor Flach, seconded by Councilman Dolan, the Public Comment was closed.
VOTE – AYES 5 – NAYS 0 – SO MOVED

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**APPROVAL OF MINUTES**

None at this time.

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**OLD BUSINESS**

None at this time

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**NEW BUSINESS**

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

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

**MOTION**

On motion of Councilman Boehm, seconded by Councilman authorizing the Supervisor to sign the lowest quote, which is Blue Diamond Septic in the amount of $347.00.
VOTE – AYES 5 – NAYS 0 – SO MOVED

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

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

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

Councilman Boehm asked how much it is.

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

**MOTION**

On motion of Councilwoman Rogers, seconded by Councilman Boehm, authorizing Highway Superintendent Deering to attend the annual training in Ithaca from June 11 to June 13, with a registration fee of $100.00.
VOTE – AYES 5 – NAYS 0 – SO MOVED

**Authorize Signing Amendment for Group Life Insurance**

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

**MOTION**

On motion of Councilman Boehm, seconded by Councilwoman Rogers, authorizing the amendment to the Group Life Insurance retroactive to January 1, 2012.
VOTE – AYES 5 – NAYS 0 – SO MOVED

**Resignation of Court Clerk**

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

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

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

Mary Ellen Rosato

Supervisor Flach asked for a motion to accept the resignation.

**MOTION**

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

VOTE – AYES 5 – NAYS 0 – SO MOVED

**Resignation of Police Officer**

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

Dear Gregory Darlington, Chief of Police

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

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

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

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

Sincerely,

Sgt. Christopher Alberts

Supervisor Flach asked for a motion to accept the resignation.

**MOTION**

On motion of Councilwoman Rogers, seconded by Councilman Dolan, accepting the resignation of Sgt. Alberts.
VOTE – AYES 5 – NAYS 0 – SO MOVED

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

Chief Darlington stated that he wanted to confirm that it is effective April 20th.

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

**Highway Department Request to Extend Seasonal Employee**

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

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

Highway Superintendent Deering stated that it sounded good.

**MOTION**

On motion of Councilwoman Rogers, seconded by Councilman Dolan, authorizing the seasonal driver for a 90 day extension and then reconsider.
VOTE – AYES 5 – NAYS 0 – SO MOVED

**Establish Public Hearing Date**

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

**MOTION**

On motion of Councilman Masti, seconded by Councilwoman Rogers, establishing a Public Hearing on April 23, 2012 at 6:30pm.
VOTE – AYES 5 – NAYS 0 – SO MOVED

**Grange Week Proclamation**

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

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

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

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

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

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

Supervisor Flach asked if there were any comments.

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

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

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

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

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

Chief Darlington stated that he will.

**MOTION**

On motion of Councilman Boehm, seconded by Councilman Masti, authorizing $350.00 for the Taser Instructor Training for a designated Coeymans Police Officer.
VOTE – AYES 4 – NAYS 0 – ABSTAIN 1 (Dolan) – SO MOVED

Councilman Masti asked Chief Darlington how many tasers they have.

Chief Darlington stated that they have three.

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

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

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

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

Supervisor Flach stated that he will contact Sheriff Apple.

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

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**RESOLUTIONS**

None at this time.

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**CORRESPONDENCE**

None at this time.

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**TOWN BOARD WORKSHOPS/MEETINGS**

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

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**ADDITIONAL COMMENTS**

Supervisor Flach asked if there were any other comments.

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

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

**ADJOURNMENT TO EXECUTIVE SESSION**

**MOTION**

On motion of Councilwoman Rogers, seconded by Councilman Dolan, to adjourn to Executive Session.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time – 8:06pm

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**EXECUTIVE SESSION**

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

***Respectfully Submitted*,** **APPROVED –**

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***Diane L. Millious, Town Clerk***

**A Town Board Workshop was held Tuesday, April 17, 2012, at 6:00pm at Town Hall, 18 Russell Avenue, Ravena, New York**

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

**ABSENT:** Dawn Rogers, Councilwoman

**ALSO PRESENT:** Diane L. Millious, Town Clerk

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

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**AGENDA**

- Improvements to Disc Golf Course, Joralemon Park
- Solar Lights for Flag Poles
- Town Hall Sign
- Public Hearing Date to Amend Section 138 of Town Code
- Resolution – Appoint Part-Time Clerk to the Justice

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**DISCUSSIONS**

**Improvements to Disc Golf Course – Joralemon Park**

Kevin Rounds gave a presentation of proposed improvements of the teeing areas at Joralemon Park, which the Disc Golf Association will be funding and there will be no cost to the Town.

Discussion ensued; the Board collectively agreed to the proposal for stone pavers.

Supervisor Flach asked for a motion to authorize the installation of the stone pavers.

**MOTION**

On motion of Councilman Boehm, seconded by Councilman Masti, authorizing Kevin Rounds to proceed with the stone pavers and improvements to the Frisbee Golf tees as outlined and presented.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Rogers) – SO MOVED

**Solar Lights for Flag Poles**

Supervisor Flach stated that they priced solar powered lights for the flagpoles because he had been approached by 3-4 people asking about lights and they are $89.00 each.

Discussion ensued; the Board collectively agreed that they would purchase one solar light as a trial for the Memorial at the Highway Department.

**MOTION**

On motion of Councilman Boehm, seconded by Councilman Masti, authorizing the purchase one solar light for the Memorial at the Highway Department and if suitable place one at each flagpole throughout the Town.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Rogers) – SO MOVED

**Town Hall Sign**

Supervisor Flach stated that they have a drawing for a Town of Coeymans Municipal Building Sign drawn by Parks & Recreation Maintenance Supervisor Perry, for outside the building so people know it is a Town building.

Discussion ensued regarding where the sign will go and what should be on the sign, collectively it was decided to speak with Parks & Recreation Maintenance Supervisor Perry about the placement and design and discuss it at the next Town Board Meeting.

**Change Public Hearing Date - Proposed Local Law #1-12 to Amend Section 138 of Code**

Supervisor Flach stated that they have to amend the date for the Public Hearing, which was established at the last Town Board Meeting because there was not enough time to publish it in the Town's official newspaper.

Discussion ensued; collectively it was decided to change the date to May 14, 2012 at 6:30pm.

**MOTION**

On motion of Supervisor Flach, seconded by Councilman Dolan, authorizing the change of date for the Public Hearing to May 14, 2012 at 6:30pm.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Rogers) – SO MOVED

Discussion ensued amongst the Board regarding taking action via motions and resolutions at a Workshop, collectively it was decided that formal action should be done at Town Board Meetings when possible. It was also decided that the motions will remain and will be announced at the next Town Board Meeting.

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Supervisor Flach stated that they had to do the following resolution at a Workshop because of the timing of training and they could not wait until the Town Board Meeting on Monday, April 23rd to make the appointment.

**RES. 63-12 APPOINT PART-TIME CLERK TO THE COURT**
On motion of Councilman Dolan, seconded by Councilman Masti, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Rogers) – SO MOVED

**WHEREAS**, the part-time Clerk to the Justice has submitter her resignation, and

**WHEREAS**, the Justice Court is desirous of part-time assistance to maintain staffing levels and service to the office, and

**WHEREAS**, previous applications have been reviewed and an individual was selected who has been determined to have the necessary qualifications for the position,

**NOW, THERFORE, BE IT RESOLVED**, that the Town Board of the Town of Coeymans does hereby appoint Kevin Reilly to the position of part-time Clerk to the Justice, at an hourly rate of $11.00, effective April 18, 2012.

Supervisor Flach stated that the appointment will be mentioned under New Business at the next Town Board Meeting as well as the other motions that were made.

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**ADJOURNMENT**

**MOTION**

On motion of Supervisor Flach, seconded by Councilman Masti, the Town Board Workshop was adjourned. VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Rogers) – SO MOVED

Time – 7:48pm

***Respectfully Submitted,*** **APPROVED –**

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***Diane L. Millious, Town Clerk***

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

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

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

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

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**OPENING COMMENT**

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

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**AGENDA**

- Public Announcement
  - Electronic Recycling, April 25, 2012
  - RCS Community Wellness Walk, May 12, 2012
- Public Comment
- Approval of Minutes
  - Town Board Meeting, March 26, 2012
  - Town Board Meeting, April 9, 2012
  - Town Board Workshop, April 17, 2012
- Supervisor's Report – March 2012
- Department Reports
  - Building Department, March, 2012
  - Sewer Department, March, 2012
  - Town Clerk, March, 2012
- Old Business
  - Correction to Establish Public Hearing Date, Proposed Local Law #1-12
  - Authorization to Sign Contract with Towski & Co. to Perform Audit on Town of Coeymans Public Housing Agency for Year Ended 2011
- New Business
  - RCS Community Library
  - Safety/Workplace Violence Committee
  - Mid-Hudson Cable Franchise Renewal
  - Solar Lights for Town Flag Poles
  - Joralemon Park, Disc Golf Course Improvements
  - Resignation of Confidential Secretary
- Resolutions
  - Approve April Abstract
- Town Board Workshops/Meetings
  - Public Hearing, May 14, 2012, 6:00pm
  - Town Board Meeting, May 14, 2012, 7:00pm
  - Town Board Workshop, May 21, 2012, 6:00pm
  - Town Board Meeting, May 29, 2012, 7:00pm

**PUBLIC ANNOUNCEMENT**

**Electronic Recycling Day**

Supervisor Flach read the following:

I'd like to remind everyone about the free electronic recycling pickup that will be held on Wednesday, April 25, at the Beautification Department building at 70 South Main Street, Coeymans, from 7:00am – 3:00pm.

Detailed information has been posted on the website along with a complete list of items that can be accepted.

There will also be a Lions Club sponsored collection box for cell phones.

**R-C-S Community Wellness Walk**

Supervisor Flach read the following:

To create awareness of the importance of a healthy lifestyle to the people of the community, the RCS Wellness Committee, along with the students, are holding a wellness walk.

The event will take place at Joralemon Park on Saturday, May 12, from 1:00 to 5:00pm.

**Medication Disposal**

Supervisor Flach stated that Councilman Dolan had an announcement for the public.

Councilman Dolan stated that he has a big public announcement and continued by reading the following:

Got drugs? Turn in your unused or expired medication for safe disposal, Saturday, April 28, 10:00am – 2:00pm at the Town of Coeymans Police Department.

He continued by saying that it is for prescribed medication that you would like to get rid of safely and it is sponsored by the DEA.

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**PUBLIC COMMENT**

Supervisor Flach invited the public to comment at this time and asked that comments be kept within a few minutes timeframe so everyone can have an opportunity.

**Mr. Rick Touchette** stated that the last time the Town Board made a major change in the law, concerning land use, it was a 4-5 year process and it was the process that brought them to the Site Plan Review Law that was passed in December 2011 and it has now come to their attention that there is another land use change proposed for Section 138 about municipal waste. He continued by saying that it seems that this is slated for passage and approval in a very short period of time and some of them are very concerned and added that he wanted to read a petition that is being circulated throughout town. He continued by reading the following:

Article II of Chapter 138, Prohibition Against Waste Generated Outside of Town, was adopted in 1995 to protect Coeymans from the detrimental effects of the proposed Albany Landfill. The Legislative Declaration reads "A clean, wholesome, attractive environment is declared to be of importance to the health, safety, and welfare of the residents of the Town of Coeymans. It is further declared that importation of solid waste generated, from outside of the town to any site within the town is a hazard to such health, safety and welfare".

The Coeymans Town Board proposes to amend this law to permit unspecified "recyclables" to be imported into Coeymans. This proposed amendment is poorly drafted, ambiguous, and conflicts with other provisions of the law and the Town of Coeymans Comprehensive Plan.

We, the undersigned, urge the Town Board of the Town of Coeymans to table this proposal for a minimum of 90 days, pending a thoughtful and comprehensive review of the potential adverse effects to traffic, safety, environment, infrastructure and quality of life of Town residents and surrounding communities. We urge the Town Board to include scheduled Community Workshops as an integral part of this process.

Mr. Touchette reiterated that the petition is circulating throughout town and they have received a number of signatures thus far and he will be in touch later.

Supervisor Flach thanked Mr. Touchette and asked if anyone else wished to comment.

**Ms. Sylvia Lawler** stated that she is a resident of the Town of Coeymans and added that in 1995, as Mr. Touchette had noted, their Town fathers enacted Local Law #138 to protect the citizens of the Town of Coeymans, a community of 8,000, which includes the Village of Ravena and it was against the proposed Albany Land Fill. She continued by saying that to amend this law to accommodate the business venture of one businessman, no matter how responsible, it starts them down a very slippery slope.

Supervisor Flach thanked Ms. Lawler and asked if anyone else wished to comment.

**Ms. Cynthia Kunz** stated that she lives in the Hamlet of Coeymans and she wanted to speak about residential areas and putting a business or industry there, which is an issue that they have talked about, and it can work if they are good neighbors. She continued by saying that she has three strikes against it, which puts it out as far as she is concerned and added that the first strike is that she has lived in the Town since 1971 and has never had any flat tires until the last three months when she has had three flat tires on the car that goes in and out of Albany twice a day, strike two is the sleepless nights from the Port and earlier in the day she saw a truck and people out of the truck and traffic was backed up on Rte. 144 because there was debris in the road. She went on by saying that they pulled in her driveway and were removing box springs from the road, which happened because the truck was not tarped and straps must have given out and the height of it was into her Magnolia Tree that was planted by the former owner, Harry Niles at least 50-60 years ago and is irreplaceable. She continued by saying that the truck with the springs was in the branches of the tree and she went out and said that she was glad that they pulled off the road because it is dangerous and then asked if they knew that the springs were in her Magnolia Tree and she was told not to worry about it because they were not going to go forward but would be backing out and with that, out they went and she picked up all sorts of branches from her Magnolia Tree. She concluded by saying that a Recycling Center needs to have some considerations such as not accepting anything from a truck that is not loaded well and tarped and then asked if there is a way that they can not load the barges at night because people are trying to sleep, it does not seem fair and it's not being a good neighbor.

Supervisor Flach thanked Ms. Kunz and then asked if anyone else wished to speak.

**Mr. Jim Travers** stated that he lives in the Village of Ravena and added that before he addresses Local Law 138, and their suggested changes, he would say that he supports a Recycling Center if the Town actually owned it, it was on Town property and limited to Town residents but this he cannot because it is a foolish change for several reasons. He continued by saying that the definition of solid waste is well defined by not only the Federal Government but also DEC and the change says that they want to change the definition of solid waste, which does not include recycled materials processed at an approved recycling facility and went on by saying that he was going to read the Board some of the definitions. He continued by reading the following: "Solid waste means any garbage, refuse, sludge from a wastewater treatment plant, water supply treatment plant or air pollution control facility, and other discarded materials including, solid, liquid, semi-solid or containerized gaseous material resulting from industrial commercial mining

and agricultural operations and from community activities, and examples of solid waster are, waste tires, septage, scrap metal, latex paints, furniture, toys, domestic refuse, uncontaminated used oil and antifreeze, empty aerosol cans, paint cans, compressed gas cylinders, construction and demolition debris and asbestos." He went on by saying that under definitions of what recyclables are it states "Recyclables handling and recovery facility means a solid waste processing facility, other than collection and transfer vehicles, at which nonputrescible recyclables are separated from the solid waste stream" He continued by saying that recyclables are a solid waste and you cannot change the definition of that and added that he would work with them and is an expertise on solid waste management and has been at for 18 years, which is when the City of Albany decided to purchase some land in the Town of Coeymans, as well as working with people across the country that operate recycling businesses and are experts in the field. He went on by saying that what Mr. Laraway is asking to do here seems to be almost skirting a law and he got a Construction and Demolition Debris Sorting Facility Permit because it was not to be a recycling facility, which has a more arduous environmental review. He continued by saying that he is not opposed to the operation but it is not what he would have liked and he would have liked to have seen a destination point for tourism but they chose industry, which robbed them of their waterfront and he would suggest that they not make the changes to the law but rather protect the Town. He added that the City of Albany is still looking to develop the land in the Town of Coeymans for a solid waste or treatment facility and it is not out of the question because their permit is still active and if they allow the solid waste, the solid waste that remains from the overflow has to be landfilled so the Town will have other garbage as Mr. Laraway admitted before the Town Board when he was trying to get his permit to operate the C&D Facility and reiterated that there will be a portion of municipal waste in the recycled material. He concluded by saying that if they allow it to happen, Albany's project will move ahead and this town will never be the same.

Supervisor Flach thanked Mr. Travers and then asked if anyone else wished to comment.

**Mr. Keith Crossley** stated that he lives near the Coeymans Landing near Councilman Dolan and added that in reference to Chapter 138 several things jumped out at him and added that he would just mention them and continued by saying that the Legislative Declaration states a clean, wholesome, attractive environment and he thinks that psychologists have proven that environment is equal to heredity as far as molding people as far as persona, outlook, & sometimes intelligence. He added that it can affect quality of life because of visual clutter and nearness of watersheds, streams, waters and rivers as well as health, safety and welfare being mentioned. He continued by saying that as far as safety and traffic, he does not believe that the roads were ever designed or engineered to sustain the volume of heavy truck traffic and most certainly not designed for an increase in the heavy volume of the truck traffic, the roads are too small and the trucks will tear up the roads. He added that even on bigger roads like the Thruway, when you drive on the right-hand side you hear clunk, clunk because the constant pounding of the trucks displacing the big slabs of concrete and Rte. 9W is in a little worse shape than Rte. 144 but with what is proposed, Rte. 144 will go down really fast. He continued by saying that Rte. 144 is a small two lane road that is hilly and curvy and the entrance and exit of the existing places now are not really accommodating to trucks and as they start up the hill there are 5-8 cars behind them going very slow and then they pick up speed, beyond the speed limit to make it up the next hill. He went on by saying that he would like to know what DOT thinks about the safety aspects of it and that they should table it until they have a chance to check into it thoroughly with a minimum of 90 days and they should contact people in the community to see if they really do have the support of the majority of the people and so far the few people that he has presented the petition to, 100% of them have signed it without an explanation.

Supervisor Flach thanked Mr. Crossley and then asked if anyone else wished to comment.

Mr. Travers stated that he noticed a tractor trailer with Coeymans Recycling Center painted on it and then asked why it was allowed and then asked if he is operating a facility already and whether on not it is an illegal operation because it is being advertised and there is no permit for it. He added that he should be told that something needs to be put over the sign or it should be removed until such a time that the facility becomes a legal operation and there should be a cease and desist order if the operation is under way.

Mr. Keith Crossley stated that he wanted to add that weakening of the law would only invite Albany to renew efforts to establish the landfill here in Coeymans and in his opinion the law

should be changed or amended to strengthen and not weaken it and they should table any decisions until they have time for a thorough study.

Supervisor Flach asked if anyone else wished to comment.

**Mr. Jim Hopkins** stated that he is a resident of Coeymans and wanted to discuss Law 138 and added that with growth and industry they have to have some things that are going to come back to the community and with community involvement, which is the main theme because the residents of the Hamlet do not feel that the community has been involved to a degree to let them have their input and say they would accept some things as well as having a good neighbor policy with some restrictions such as not being a 24 hour operation. He added that the efforts to make money should not sacrifice the quality of the community as itself and the sportsman's piece of the striper run every year will be chased away if they open up industries and let them run freely with a possible waste disposal site, and if you open up those doors it shuts the community down. He concluded by saying that they have the riverfront to use for recreation, which is the piece that he thinks is missing.

Supervisor Flach thanked Mr. Hopkins and asked if anyone else wished to comment.

**Ms. Donna Pasquini** stated that she lives in the Hamlet of Coeymans and added that while they are speaking about health and safety with garbage and debris, she would like to know where the Town Board stands on the infrastructure of the Town where the sewer and the storm sewer are running together and whether or not they have moved on it because she noticed that on Colvin Avenue it smells terrible and it is not just storm water and when you go to the end of the cul-de-sac, you can actually see toilet coming out of where they rerouted it. She continued by asking where they stand with health and safety and if there has been any work done on the infrastructure or was it just part of their election spiel and now it's gone.

Supervisor Flach stated that they are now in the process of getting a couple of easements for the property to take care of that particular problem with the storm drain and the next thing that they need to do as a Board is make a resolution. He added that the main problem is between Blaisdell and Colvin Avenues where the sewer itself comes down through there.

Ms. Pasquini interjected that she thinks that there are problems below her house as well.

Supervisor Flach stated that it may be true and added that if they had been there at the inception of it being buried there, they would know better and they are trying to find the places as they go along and they think that between Blaisdell and Colvin is one of the major problems.

Ms. Pasquini stated that it is one of the main places where it smells the most and added that there are other places below her that you can smell when you go down through her neighbor's backyard and around the whole area from Civill down through. She continued by saying that the whole Hamlet's infrastructure needs to be looked at because everyone is getting tired of smelling sewer, which tells her that there is still sewer coming out of there because she did see toilet paper coming out of there. She went on by saying that this was talked about last year and she was wondering if anyone has moved forward on it.

Supervisor Flach stated that some of it is a funding issue and the Board needs to get together to see where the funds might come from.

Ms. Pasquini interjected that she understands that there are a lot of grants for infrastructure and the Town had gotten a letter at one point from Steve McLaughlin offering his help as well as a gentleman who attended a business meeting at the Bowling Alley who works with the City of Albany and he wanted to get up and speak but was not allowed to and he was going to advise how much grant money was out there and how to go and who to go for it. She continued by saying that there is grant money available and people who are willing to help but there needs to be people on the Board willing to move with it.

Mr. Touchette interjected that he could not let Ms. Pasquini's comments pass and added that he had a problem with his sewer and he paid for it to be repaired by himself and they have known about these issues for about 7 years and that Ms. Pasquini's house dumped their sewer directly into the storm sewer, which she knew about and every time she flushed her toilet it went right into the river. He continued by saying that she didn't do anything about it and eventually other members of the Sewer District eventually paid to have her sewer connected.

Ms. Pasquini stated that seven years ago she found out the same time that the Town found out when the sewer backed up in her driveway and flooded her yard and this was the day that the Town as well as herself found out that she was not hooked in and she was told that the Town was going to take care of it. She added that she had no idea that the sewer for sure was in there until that day when it was dug up and found that she had a lateral but no sewer line and when she bought her home it said municipal water and sewer and she had no way to know any different until everything started backing up and the Town came down to dig. She continued by saying that had she known, she might have been able to do something about it but because she didn't know and when the Town found out they did not do anything more and it is the Town's responsibility. She went on by saying that she paid sewer bills for 34 years and if she was not going into the sewer she would think that the Town would owe her a chunk of money if they don't like the idea that they had to dig her up and hook her in, because it is their sewer line and she paid good in the Hamlet for sewer.

Supervisor Flach asked if anyone else wished to comment.

Mr. Jim Travers stated that he wanted clarification as to whether or not the Board is going to take any action about the truck advertising the Coeymans Recycling Center.

Supervisor Flach stated that the only thing that he is aware of is that they are brining in metal, which is on the permit from when Mr. Trickey was operating down there and this is a continuation of that.

Mr. Travers interjected that Mr. Trickey never had a permit.

Councilwoman Rogers stated that currently it is under Mr. Trickey's name for scrap metal.

Mr. Travers stated that Mr. Trickey never had a permit issued from DEC to operate a Scrap Yard.

Supervisor Flach stated that he will look into it and let him know.

Mr. Travers stated that he was just wondering what they were going to do about the sign.

Ms. Sylvia Lawler stated that there is a permit with Mr. Trickey's name on it.

Mr. Travers stated that he has been unaware of that completely and if there is a permit for Mr. Trickey he apologizes.

Supervisor Flach stated that he would be happy to double check it.

Town Clerk Millious interjected that she has issued Junk Yard Permits in the past for Mr. Trickey and now it is being issued by the Building Department and he pays an annual fee of $25.00.

Mr. Travers stated that in the Code it is a prohibited operation.

Supervisor Flach asked if anyone else wished to comment.

**Mr. Paul Lawler** introduced himself as Sylvia Lawler's husband note and he wanted to note with regard to Article 2 of Chapter 138, he would be in favor of Mr. Touchette's proposal that the Town considers it very carefully and that they give the resident's time. He continued by saying that he lives at the mouth of Coeymans Creek where it joins the Hudson and after the storms of last year, if you look in the creek, there is a tremendous amount of debris at the mouth of the creek including metal debris and car parts that were washed down and they have spent a number of weeks trying to haul the metal out of the creek, which he would point out is important spawning ground for herring and blue fish and a lot of the spawning ground has been detrimentally impacted by a lot of the elements of the storms. He went on by saying that the Legislative Declaration, which exists now, as others have noted says that a clean, wholesome, attractive environment is declared to be of importance and he would ask that the Town Board consider carefully the environmental impact of any proposed change in the law to a very important watershed area of New York State.

Supervisor Flach thanked Mr. Lawler and then asked if anyone else wished to comment.

**Mr. Antonio Booth** introduced himself as the Co-Pastor of the Riverview Baptist Church at 11 Riverview Drive, which is up the street from the Recycling Center and one of the things that they are concerned about when they look at their neighbors, because it is a residential area, is the property values in the neighborhood. He continued by saying that the church is non-profit but he is concerned about the values of property because it is a residential area and if anything there should be some aesthetic way of designing some kind of landscape so it is not as noticeable to the neighborhood and home values can remain intact or continue to improve and continue to increase the property values in town. He continued by saying that they have noticed the number of heavy-duty vehicles that drive past the church quite often, which is a dead-end street and there is an increase, which was a surprise to see so much traffic at this point. He reiterated that he is concerned with his neighbor's property value and they should make sure that they can maintain the values so they can have a stable tax base in this town and he feels that aesthetically it is something that they have to look at.

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

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**APPROVAL OF MINUTES**

Supervisor Flach stated that there were three sets of minutes for Town Board approval, a Town Board Meeting on March 26th, a Town Board Meeting on April 9th and a Town Board Workshop on April 17th and then asked for a motion to approve them.

**MOTION**

On motion of Councilwoman Rogers, seconded by Councilman Dolan, the Town Board Minutes were approved as presented and read.
VOTE – AYES 4 – NAYS 0 – SO MOVED

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**SUPERVISOR'S REPORT – March 2012**

| FUND | BAL. FWD. | RECEIPTS | DISBURSE. | BALANCE |
|---|---|---|---|---|
| | | | | |
| General | $1,336,966.27 | $ 59,220.46 | $ 274,447.35 | $1,121,739.38 |
| | | | | |
| Part-Town | $ 491,391.90 | $ 2,372.40 | $ 217,091.90 | $ 276,672.40 |
| | | | | |
| Highway | $ 59,356.20 | $ 200,021.87 | $ 63,494.77 | $ 195,883.30 |
| | | | | |
| Bridge Const. | $ 90,105.15 | $ 21.87 | -0- | $ 90,127.02 |
| | | | | |
| Sewer | $ 160,913.93 | $ 13,584.89 | $ 28,716.39 | $ 145,782.43 |
| | | | | |
| Special Water | $ 49,918.07 | $ 2.11 | -0- | $ 21,730.38 |
| | | | | |
| Police Forf. | $ 14,864.20 | $ 7,066.18 | $ 200.00 | $ 21,730.38 |
| | | | | |
| Comm. Tower | $ 3,812.87 | $ 2,000.20 | -0- | $ 5,813.07 |
| | | | | |
| Trust & Agency | $ 100,493.54 | $ 232,662.16 | $ 279,509.69 | $ 53,646.01 |
| | | | | |
| H-Fund Cap. Proj. | $ 87,438.72 | $ 3.29 | $ 14,918.49 | $ 72,523.52 |
| | | | | |
| Section 8 HUD | $ 80,135.26 | $ 35,830.86 | $ 54,691.86 | $ 62,274.26 |
| | | | | |
| | | | Total Rec. Bal. | $2,096,111.95 |

| **SAVINGS ACCOUNTS** | | **COLLATERAL COVERAGE** | **FDIC** | **COLLATERALIZED** |
|---|---|---|---|---|
| Unemployment | $ 702.46 | Bank of Greene | $250,000.00 | $2,977,116.99 |
| Grove Cemetery | $40,889.32 | National Bank | $250,000.00 | $ 734,719.87 |
| Coey. Hollow Cem. | $14,401.52 | | | |
| Sewer-Dedicated | $ 6,329.99 | | | |
| **Total** | $62,323.29 | | | |

Supervisor Flach asked for a motion to approve the report.

**MOTION**

On motion of Councilman Boehm, seconded by Councilman Masti approving the Supervisor's Report as presented and read.
VOTE – AYES 5 – NAYS 0 – SO MOVED

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**DEPARTMENT REPORTS**

**Building Department – March 2012**

Supervisor Flach asked that Councilwoman Rogers give the Building Department 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 Masti to approve the report as presented and read.
VOTE – AYES 5 – NAYS 0 – SO MOVED

**Sewer Department – March 2012**

Supervisor Flach asked that Councilman Masti give the Sewer Department Report.

Councilman Masti continued by giving the report.

Supervisor Flach asked for a motion to approve the report.

**MOTION**

On motion of Councilwoman Rogers, seconded by Councilman Boehm to approve the report as presented and read.
VOTE – AYES 5 – NAYS 0 – SO MOVED

**Town Clerk – March 2012**

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

Town Clerk Millious stated that as Election Officer she wanted to take the time to advise of the Primary Election, which is Tuesday, April 24, 2012 from 12 noon to 9:00pm and added that the Polls are as follows:

First District – Coeymans Fire House, 67 Church Street, Coeymans
Second District – Coeymans Fire House, 67 Church Street, Coeymans
Third District – Congregational Christian Church, 175 Main Street, Ravena
Fourth District – R-C-S High School, 2025 US Rte. 9W, Ravena
Fifth District – Coeymans Hollow Fire House, 1290 SR 143, Coeymans Hollow

Town Clerk Millious stated that all Polling Sites are handicap accessible and any questions regarding voter district or eligibility can call her office at 756-2100 and she will be in her office until the Polls close.

Town Clerk Millious continued by giving her report.

Supervisor Flach asked for a motion to approve the report.

**MOTION**

On motion of Councilwoman Rogers, seconded by Councilman Masti, the report was accepted as presented and read.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Town Clerk Millious concluded by saying that to pay unpaid property taxes now you would have to call Albany County Director of Finance at (518) 447-7070 and added that the taxes were turned over to Albany County last week.

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**OLD BUSINESS**

**Correction to Public Hearing Date – Proposed Local Law #1-12**

Supervisor Flach stated that there is a correction to the Public Hearing date for Proposed Local Law #1-12 to amend Section 138 of Town Law and added that it was moved to May 14th at 6:30pm and the date was changed because there was not enough time between the Notice and the Public Hearing.

Town Clerk Millious stated that the Change of Notice was sent to the News Herald and is in the paper.

Ms. Lawler stated that their petition asks that they have a minimum of an additional 90 days and then asked when Supervisor Flach thought that the Board would be able to discuss this and give the Neighborhood Association an answer.

Supervisor Flach stated that they can talk to one another during the week because everyone wants to be on the same page.

Ms. Lawler inquired as to if they would start but not close the Public Hearing scheduled for May 14th.

Supervisor Flach stated that they will definitely have the Public Hearing and if any one has additional information they should bring it to his office so the Town Board can look at it because they want to know the concerns and he tried to write everything down that had been voiced earlier so they can look at all the issues. He added that people should feel free to call him, e-mail, or stop in to see him and the Board will be talking during the next couple of weeks about this.

Mr. Touchette asked if the Public Hearing is 6:00 or 6:30.

Supervisor Flach stated that it is at 6:30 even though the agenda says 6:00, which is a typo and added that it went in the newspaper as 6:30. He continued by saying that it may go a bit longer than 7:00 with all of the people for and against and they are prepared for it.

Mr. Travers suggested that they delay the Public Hearing date until they have more information and then schedule the Public Hearing once they have that information on hand.

Supervisor Flach stated that many are not for it and they want to give those that are for it an opportunity and added that it is just a Public Hearing so people can talk about it and voice their concerns.

Ms. Lawler asked if they will have some assurance that the Public Hearing will not be closed on May 14th because once it is closed, they will be able to vote on the amendment within the next several days. She asked that they have some assurance that although they need to open the Public Hearing on May 14th because it is scheduled, that it will not be closed and the Public Hearing can continue beyond that.

Supervisor Flach stated that he won't say that it might not be voted on that night and at this point he does not really know what they will do and they need to discuss it and he does not want to say that and then not have it happen.

Councilman Boehm suggested that they schedule a second Public Hearing thirty days from the first one and this will give them some time for some breathing room because they have been accused of pushing things hastily through before. He then offered a motion.

**MOTION**

On motion of Councilman Boehm, seconded by Councilman Dolan, scheduling a second Public Hearing 30 days from May 14th when they close the first Public Hearing and the date will be June 11th, at 6:30pm, the purpose of the Public Hearing will be to hear comments on amending Local Law Section 138.
VOTE – AYES 3 – NAYS 2 – SO MOVED

Supervisor Flach stated that it would have made more sense to schedule, if need be, a second Public Hearing after the first one.

Councilman Dolan stated that he wanted at some point, either before, during or after the Public Hearing, to have a conversation with Mr. Laraway and anyone who is interested who is either for or against the proposal and would like for there to be some good dialog relative to some suggestions that he has heard about screening, being a voluntary good neighbor and entering into an agreement. He concluded by saying that in speaking for himself he does not want to inhibit Mr. Laraway from running a thriving business there but if people have legitimate concerns, he would like for them to be taken into account.

Councilman Boehm interjected that he wanted to clarify that the motion carried 3-2 in favor of establishing a Public Hearing on June 11th at 6:30pm.

Town Clerk Millious stated that she would publish a Notice in the paper as a second Public Hearing.

**Authorization to Sign Contract with Toski & Company to Perform Audit of Town of Coeymans Public Housing Agency**

Supervisor Flach stated that he needed a motion for authorization to sign a contract with Toski & Company to perform an audit on the Town of Coeymans Public Housing Agency for 2011.

**MOTION**

On motion of Councilman Dolan, seconded by Councilwoman Rogers, authorizing the Supervisor to sign the contract with Toski & Company.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Councilman Boehm inquired as to the amount of the contract.

Councilman Dolan stated that the amount was on page 5 and it is $4,300.00.

**NEW BUSINESS**

**R-C-S Community Library**

Supervisor Flach stated that a representative of the library was present for a short presentation and then invited her to speak.

Ms. Shauna Reinisch stated that she is a member of the Board of Trustees for the Ravena Library and then asked that the Town Board think back to the first time that they used the library and added that hers was Summer Day Camp and it was exciting. She continued by saying that in Middle School or High School you used the library for a report and also possibly for the first time you got to use a computer and as an adult and being fiscally minded you check out a book or CD rather than buy it. She added that what she is trying to get across is that the library is used throughout your entire life and since 1997, when they moved from Main Street to the Village building they have doubled their availability of books, resources and programs to all the people of the R-C-S community, which is an increase of 60,000 circulated items per year. She went on by saying that they have had a wonderful space at the Village building but they have outgrown it and unfortunately with all of the activities such as story time, play time, computer class, poetry discussion or book group, they are busting at the seams and can not fit everyone and all of their resources. She continued by saying that on May 15th there is a Budget Vote, the same day as the School Budget Vote and if their budget vote passes they are looking to move to the old Knights of Columbus building on Main Street. She added that they have loved working with the Village and they have worked on a grant with an architect and library expert in deciding whether or not to expand their current space or if they should look at somewhere else and it was deemed by their Master Plan Committee that they had to find a more acceptable and larger place that they could grow into. She reiterated that the Budget Vote is May 15th and voters should think of all the things that the library does for the community and this will enable them to improve their services to everyone.

Supervisor Flach thanked Ms. Reinisch and then asked for a clarification about it being separate from the School Budget Vote.

Ms. Reinisch stated that when you go in and vote there is a separate line for the Library Budget.

**Safety/Workplace Violence Committee**

Supervisor Flach stated that he needed a motion to appoint Chief Darlington as Chair of the Safety/Workplace Violence Committee.

**MOTION**

On motion of Councilman Boehm, seconded by Councilman Masti, to appoint Chief Darlington Chairman of the Safety/Workplace Violence Committee.
VOTE – AYES 5 – NAYS 0 – SO MOVED

**Mid-Hudson Cable Franchise Renewal**

Supervisor Flach stated that the Mid-Hudson Cable Franchise time for renewal is coming up in eight months and there are some questions regarding it and continued by asking if anyone wished to comment.

Councilman Boehm suggested that they go forward and form a Public Committee to discuss the service and pricing and by forming a Committee they can make recommendations to the Board on possible changes to the Franchise Agreement. He added that State Telephone has a Franchise Agreement with the Village and they can inquire how the Franchise Agreement affects their ability against State Telephone services. He continued by saying that he has more questions than answers at this point and he spoke with Trustee Persico on the Village Board and they are also concerned and there has been a Committee in the past and he recommends that they form a Committee. He went on by saying that there a few people interested and anyone interested should call

the Supervisor's Office and it would be for those interested in taking a look at the Agreement and coverage area, which is not complete in the Town and there are a lot of questions about the services they provide and the existence of a Senior Package and reiterated that there are not many clear cut answers in talking to Customer Service or at their website and there are a lot of people in Town that would like to have some basic service without paying hundreds of dollars for it. He concluded by saying that given the timeframe they have, he thinks that they should start forming that Committee to get some answers, some price comparisons and how it affects the State Telephone Franchise for the Village and whether it can be expanded to the Town and anyone interested should contact the Supervisor's Office and they will go from there.

Councilwoman Rogers stated that she is not comfortable with a 15 year Agreement.

Supervisor Flach stated that it is quite a long time with the technology that they have today and added that in speaking with a few people, there are some concerns that if they sign an Agreement that State Telephone won't be able to bring in another provider and added that people should have a choice

Councilman Dolan stated that they should reach out to people that won't see it at home because they don't have Mid-Hudson Cable and he would like to know the opinions of those who currently don't have the option of having Mid-Hudson Cable.

Supervisor Flach stated that they definitely will form a Committee and anyone interested should contact his office.

**MOTION**

On motion of Councilman Boehm, seconded by Councilman Masti, to form a Committee for evaluating Mid-Hudson Cable's Franchise Agreement.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Supervisor Flach stated for the next two topics, they had a Workshop last week and there was a motion to purchase a solar light for the town flag pole because people were concerned that the flag was not lit up a night.

**Solar Lights for Town Flag Poles**

Supervisor Flach stated that they had a public Workshop last week and they made a motion to purchase a solar light for the Town flag pole because there were people concerned that the flag was not lit up at night. He added that the motion was to purchase one light to see how it works and then there are four others that they would like to purchase lights for. He concluded by saying that they wanted to make the public aware that they did this at a Workshop.

**Joralemon Park – Disc Gold Course Improvements**

Supervisor Flach stated that also at the Workshop Mr. Kevin Rounds discussed installing pavers at the tees for the Disc Golf Course, which are low impact and can be removed at any time and a motion was made approving this.

Councilman Masti interjected that the Disc Golf Association is paying for it.

Supervisor Flach stated that there is no cost to the Town.

**Assessor's Request to Attend Seminar**

Supervisor Flach stated that there is a request from the Assessor to attend a one-day seminar given by the NYS Institute of Assessing Officers and added that she is mandated to have training each year and then asked for a motion to approve her attendance.

**MOTION**

On motion of Councilman Boehm, seconded by Councilwoman Rogers, approving the Assessor's request to attend the Seminar at Columbia Greene College on November 16, 2012, with a cost of $85.00 as well as providing mileage.
VOTE – AYES 5 – NAYS 0 – SO MOVED

**Resignation of Confidential Secretary Lewandowski**

Supervisor Flach stated that he was in receipt of a resignation letter from Mary Lewandowski, Confidential Secretary to the Supervisor and continued by reading the following:

Dear Supervisor Flach,

For personal reasons, I am submitting my resignation as Confidential Secretary, effective June 29, 2012, close of business. This will allow sufficient time to post and find a replacement for this position.

Thank you for your confidence in appointing me as your secretary. I have enjoyed working with you, the Town Board, everyone in Town Government, as well as members of the public that I have had the privilege of meeting on a daily basis. I wish you all the best.

Sincerely,

Mary M. Lewandowski

Supervisor Flach stated that this is not a fun thing for him and added that she is a great secretary and he is at a loss for words as far as the letter and then asked for a motion to accept the resignation.

**MOTION**

On motion of Councilman Masti, seconded by Councilwoman Rogers, accepting the resignation of Mary Lewandowski, Confidential Secretary.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Supervisor Flach stated that he definitely does not want her to leave and everything runs like clockwork and they love her but this is her wish. He added that he had tried to talk her out of it on a few occasions and the Board has expressed to him and her, their agony over her leaving.

Councilman Boehm stated that he shares the same sentiments and that she is incredibly organized and very knowledgeable about Civil Service Law and she will be sorely missed.

Ms. Lawler from the audience interjected that she will be missed by the public as well and that she has been a true friend to anyone who has ever come into Town Hall as well as Town Clerk Millious.

Supervisor Flach stated that there are great people in Town Hall.

Councilwoman Rogers interjected that they will be hard shoes to fill.

Councilman Dolan stated that she does a great job and is absolutely the best.

Supervisor Flach stated that he will be looking for a Confidential Secretary at some point for anyone listening and he will be advertising in the paper.

Councilman Masti stated that he would offer a motion to advertise the position.

**MOTION**

On motion of Councilman Masti, seconded by Councilman Boehm, authorizing Town Clerk Millious to advertise in the Town's Official Newspaper, The News Herald, for the position of Confidential Secretary to the Supervisor.
VOTE – AYES 5 – NAYS 0 – SO MOVED

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**RESOLUTIONS**

**RES. #64-12 APPROVE APRIL ABSTRACT**
On motion of Councilman Masti, seconded by Councilman Dolan, 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 April, 2012.

| FUND | VOUCHER # | AMOUNT |
|---|---|---|
| | | |
| **GENERAL (A)** | | |
| General Pre-Pay | 727-778 | $182,649.71 |
| General | 833-861 | $ 95,176.85 |
| | | |
| | **General Total** | **$277,826.56** |
| | | |
| **PART TOWN (B)** | | |
| Part Town Pre-Pay | 779-794 | $214,870.57 |
| Part Town | 862-863 | $ 21.86 |
| | | |
| | **Part Town Total** | **$214,892.43** |
| | | |
| **HIGHWAY (DB)** | | |
| Highway Pre-Pay | 795-806 | $ 52,741.23 |
| Highway | 864-898 | $ 10,352.69 |
| | | |
| | **Highway Total** | **$ 63,093.92** |
| | | |
| **SEWER (SS)** | | |
| Sewer Pre-Pay | 807-822 | $ 14,210.51 |
| Sewer | 899-910 | $ 8,000.22 |
| | | |
| | **Sewer Total** | **$ 22,210.73** |
| | | |
| | **Total for all Funds** | **$578,023.64** |
| | | |
| **TRUST & AGENCY (TA)** | | |
| Trust & Agency Pre-Pay | 823-832 | $227,679.20 |
| | | |
| | **Trust & Agcy. Total** | **$227,679.20** |
| | | |

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**CORRESPONDENCE**

None at this time.

**TOWN BOARD WORKSHOPS / MEETINGS**

- Public Hearing, May 14, 2012, 6:30pm
- Town Board Meeting, May 14, 2012, 7:00pm
- Town Board Workshop, May 21, 2012, 6:00pm*
- Town Board Meeting, May 29, 2012, 7:00pm

* Changed from May 22nd due to Grievance Day.

Councilman Boehm stated that the second Public Hearing for Proposed Local Law #2-12, to amend Chapter 138 of the Town's Code is scheduled for June 11, 2011 at 6:30pm.

Supervisor Flach asked if there was a Town Board Meeting on June 11th.

Collectively he was advised that there is not.

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**ADJOURNMENT**

Supervisor Flach asked for a motion to adjourn the meeting.

**MOTION**

On motion of Councilwoman Rogers, seconded by Councilman Masti, to adjourn the Town Board Meeting.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time – 8:16pm

***Respectfully Submitted*,** **APPROVED –**

_____
***Diane L. Millious, Town Clerk***

**A Public Hearing was held Monday, May 14, 2012, at 6:30pm 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
Gregg Darlington, Chief of Police
Albert Deering, Highway Superintendent
Larry Conrad, Code Enforcement Officer

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Supervisor Flach opened the Public Hearing and led the Pledge of Allegiance.

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**OPENING COMMENT**

Supervisor Flach stated that the purpose of the Public Hearing was to receive comments from the public on Proposed Local Law #1-12, relating to amending Chapter 138 of the Coeymans Town Code. He then asked that Town Clerk Millious read the Notice of Public Hearing.

**NOTICE**
**TOWN OF COEYMANS**
**TOWN BOARD**
**PUBLIC HEARING**

**PLEASE TAKE NOTICE**, that a Public Hearing will be held by the Town Board of the Town of Coeymans on May 14, 2012 at 6:30pm at Town Hall, 18 Russell Avenue on Proposed Local Law #1 of 2012 as follows:

Town of Coeymans Proposed Local Law #1-12.

**A LOCAL LAW AMENDING CHAPTER 138 OF THE COEYMANS TOWN CODE.**

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

Section 1. Purpose

The purpose of this local law is to clarify the prohibition on disposal of solid waste contained in the Coeymans Town Code to indicate that recycling operations are permitted in the Town provided all applicable state and/or local approvals are obtained.

Section 2. Amendment

Town Code Section 138-17 is amended to add the following sentence:

This local law shall not apply to any recycling operations or recycled materials permitted under applicable law.

Section 3 Amendment

Town Code Section 138-16 is amended to add the following sentence to the definition of "Solid Waste".

Solid waste does not include recycled materials processed at an approved recycling facility.

Section 4. No Other Changes

All other provisions of Chapter 138 shall remain in effect.

Section 5. Effective Date

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State.

**By Order of the Town Board**
**of the Town of Coeymans**
**Diane L. Millious**
**Town Clerk**

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**SUPERVISOR'S COMMENT**

Supervisor Flach stated that he realizes that there are quite a few people present and everyone wants to voice their opinions and concerns and they want everyone who wants to be heard to have the opportunity and those wishing to speak needed to sign in and include where they live and when speaking, to direct their comments to the Town Board and that they would also ask that they only speak once and keep it to three minutes so everyone has a chance to speak. He went on by asking that there be no comments from the audience during or after someone had spoken and added that he wanted to assure everyone that no decision on the subject will be made and there will be another Public Hearing in mid June. He continued by saying that between now and then they will be taking a closer look at Local Law #138 and related matters for further modification and clarity as well as reassuring that the point of changing the local law is in no way, shape or form to bring a landfill into this Town. He reiterated that anyone wishing to speak should sign-in, three minutes will be allowed to make a comment, each person wishing to speak needs to come to the microphone, each person will be allowed to speak one time with no comments being taken from the floor and to limit comments that only pertain to Local Law 138. He concluded by asking that Code Enforcement Officer Conrad make a statement before they commence with the Public Comment.

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**CODE ENFORCEMENT OFFICER CONRAD'S COMMENT**

Code Enforcement Officer Conrad stated that he wanted to familiarize everyone with the situation and he wanted to clarify that it's not about the Port of Coeymans or anyone in particular and it's actually the ability to enforce the law as it is written. He added that the law originally came into effect in 1995 when the City of Albany made their intensions clear that they wanted to place a landfill in the Town of Coeymans and the Town's Environmental Attorney was Theresa Backner, who has since gone to work for the City of Albany and is their Environmental Attorney. He continued by saying that she was responsible for the drafting of the law, which he and several other people in the Town agree was poorly drafted and conflicting and part of the reason why over the past numerous years he has asked and as recently as February for the Board to look at the laws and try to do something with them so they can be enforced. He added that Local Law #1-95 was drafted originally as a stand-alone law and was to deal with the importation of solid waste as they know it and he is not sure why it ended up in the Recycling Section #138 when he thought it was intended to be in the Landfill Section, which should be Chapter #109 and this is one of his concerns. He continued by saying that he believes that the reason it ended up being where it is, is because in the year 2000 when the Town underwent codification they allowed General Code Publishers to look at the titles of the laws and merge things together where they saw fit and no one challenged what they did and this is basically what it is and it ended up being Article 2 of Chapter 138, with Article 1 being drafted at another point in time. He went on by saying that currently Article 2 of

Chapter 138, Solid Waste Collection Recycling and Disposal of Solid Waste aka Local Law #1-95, Article 1 was adopted by Local Law #2-92, and it to was titled Recycling and Disposal, which he thinks is the reason that General Code Publishers merged them together. He added that Local Law #1-95 was a stand-alone law dealing with the importation of solid waste to any site within the Town ie. landfills was the intent, which mainly deals with solid waste generated outside the Town and not inside and not outside the State of New York because it didn't want to interfere with Interstate Commerce Clause and the law repealed any law in conflict, provided however that this law shall in no way repeal, modify or otherwise alter Local Law #1-76 and Local Law #1-82 of which Local Law #1-76 had already been repealed by Local Law #1-82, which made no sense. He continued by saying that Local Law #1-92 also repealed Local Law #1-76 and repealed and superseded Local Law #1-82, a Landfill Law dealing with the Town of Coeymans and the Town of New Baltimore's site on Jarvis Road and Local Law #1-92 specifically dealt with the Town's operation, hours, permits and use of the landfill, which has now been closed for years. He added that Local Law #1-92 deals with a landfill that has been closed for years and is still valid when Local Law #1-95 appears to have repealed this outdated law and maybe Local Law #1-95 originally dealing with the aspects of importation should have replaced Chapter 109 – Landfills as it appears to have repealed and superseded the previous Local Laws not Article II of Chapter 138, intended to require recycling. He continued by saying that another problem is that Local Laws are somewhat limited in scope with respect to inconsistency with Federal and/or State laws, which means the Town can not write a law that violates the Interstate Commerce Clause as they noted but they forgot to take up some of the state laws, which require recycling like the Solid Waste Act of 1988, which lead to the state requiring every County, City Town and Village to implement recycling laws by 1992. He added that the State further required waste oil to be accepted by every motor vehicle repair facility no matter if it was from the Town of Coeymans or the Town of Bethlehem and also required motor vehicle repair shops to accept antifreeze and tires as part of the recycling and they don't require John Doe from the Town of Bethlehem to take his replaced exhaust system home for disposal or whatever parts that were replaced. He went on by saying that the clothes recycling boxes do not state "Town of Coeymans residents" and Northeast Chimney, who installs stoves, removes old ones, installs chimneys and removes old concrete brick and metal for disposal doesn't work for only the Town of Coeymans residents and it does not even begin to cover the home junk collectors throughout the Town. He continued by saying that the Lions Club who collects cell phones and eye glasses do not require only Town of Coeymans residents, and they too will be banned by the law and the Bottle Recycling Law of New York State and the thousands of tons of recycled blacktop that are recovered at Callanan's, Lafarge and P&M, the Junkyard Recycling Facility that the Town of Coeymans ZBA issued to Mr. Trickey in 1996, or the junkyard operated by William Zabel, which is also permitted and then there are the Special Use Permits that the ZBA has issued for filling, which allows concrete, bricks and blocks, also referred to as "clean fill" by DEC to be used. He concluded by saying that all of these issues appear to be in violation of Local Law #1-95 if the solid waste is determined not to be from within the town or outside of the state, which makes it difficult to enforce and monitor and he would have to check with every motor vehicle repair shop to see who is bringing tires in, especially when New York State requires them to recycle. He then asked that the residents of the town be a little bit more considerate because if they don't do something with the law, he is not sure that it could hold up to a legal contest in court and he does not know where to start to enforce it as a Code Enforcement Officer, which has been his concern for many years now with all of the Boards and reiterated that he hopes that people understand that they need to do something.

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**PUBLIC COMMENT**

Supervisor Flach stated that they would start the public comment and he start by calling the first name on the sign-in sheet and in turn, they come to the microphone for their comments.

**Mr. Rick Touchette** stated that he would be very brief and added that his feeling is that Chapter 138 has protected this town from the detrimental effects of an Albany Landfill for nearly 20 years and his question to them is why this law and why right now?

Supervisor Flach stated that they are not going to take questions and but he would be answering this one to start with. He continued by saying that we need recycling in this town and it is a private business that is willing to open a Recycling Center where there already is junk recycling permitted from 1996 and in looking at this himself, as a resident as well a the Supervisor, they need to recycle and if someone is willing, there is no service within the town to get rid of recyclables. He continued by saying that if it is a business that makes a profit through this, then so be it and God bless them, it is capitalism in America and if someone is willing to do this for the Town, he believes that it is something that they need to do.

**Mr. Keith Crossley** stated that he lives at 29 Second Street in the Hamlet and he is against changing the law because he feels it will open the door to Albany for making another attempt with the law more lenient towards them to bring their landfill in here and the Town will probably become the Regional Dump Capital.

**Mr. Carver Laraway** stated that for those who don't know him, he is from P&M Recycling and he wanted to thank the Board for their support to mend and fix the law so it does allow recycling and he believes that everyone in the room recognizes the need for recycling and he feels as though it is what it is all about. He concluded by saying that if they all recycle, there is no need for a landfill and it is as simple as that.

**Mr. Tony Cardona** stated that he is Counsel for P&M Recycling and continued by saying that everyone is concerned about this turning into a landfill and it is really not what it is about and recyclables is 100% in and 100% out, there is no waste or anything getting buried. He continued by saying that it all started as a "Not in My Backyard Law" and driving down here he saw signs that say "no dump" but this has nothing to do with a dump, it is material coming in and being recycled and they are saving the natural resources of everywhere and there is nothing going in the ground. He added that a lot of attention was spent talking about "spent materials", which are useless and worthless and he Code talks about garbage, refuse, industrial and commercial waste, sludges and rubbish, of which none of it applies and the key words are spent, useless and worthless and the materials and solid waste contemplated by the amendments of the Proposed Local Law, provided for recycling are those of commodities and recycled materials are considered commodities for the value they possess as a raw material.) He went on by saying that they are all going back into the world and are going to be used again, and include tin, junk, scrap metal, asphalt, copper, aluminum, etc., all being used by different companies and processors around the world. He continued by saying that Code Enforcement Officer talked about technical violations of the Local Law now, which are all over the place such as bottle and can drives by the Boy Scouts, which is not the intent and not why Chapter 138 was put into place and it was put into place to keep the dump out and he lives in the Town of Bethlehem and he does not want a dump in his town either and they can understand that. He added that anyone getting mulch from outside the Town is in violation of the law and back in 1996 the Town's Zoning Board of Appeals in dealing with the Tricky property, recognized the need for this and permitted it and issued a Special Use Permit and they need to continue, they need to keep the garbage out of the landfill and recycle and nothing prohibits Mr. Laraway from dong what he's doing now. He concluded by saying that Mr. Laraway is acting in accordance with the law and there is nothing that prohibits recycling, according to the law and the 138 amendment will just clear it up and even the Town recognizes the need for salvage and in looking at the budget he noticed that the Town salvaged $200.00 worth of metal somewhere and included it in the budget for this year and they all need it and should have it.

**Mr. Richard Stack** stated that he lives in the Village of Colonie and is a friend of Mr. Carver Laraway and he was talking to him about the proposal for amending 138 in the Town of Coeymans. He added that he's seen a lot of Transfer Stations built around the State of New York with one recently in the Town of Berne, which has been very successful and it is true that everything that goes in, goes out and the reason it goes out is because you are paid a fair price for the material, whether it is a milk jug or scrap metal at

$300.00 a ton and it is salvageable and there is a need for these products across the board. He continued by saying that being from the Transportation Committee of the Business Council, utilization of moving this stuff via truck or getting it to another place to be recycled is invaluable to the community and keeping your community green and clean and in his Town, the Town of Colonie, even though they recently leased their landfill, the people had a place to bring tires, old metal containers, computer tubes and paint, which are all things that no one knows where to put. He concluded by saying that it is a very worthwhile endeavor to clean up the language within Chapter 138 and he would say that everyone remembers what Powell & Minnock looked like down by the river, which was an eyesore and if a persons business is a reflection of what it looks like, Carver Laraway does a good job.

**Ms. Joann Segal** stated that she lives in the Hamlet of Coeymans and in listening to Mr. Conrad, it made her rethink a lot of what she has to say now and added that if she remembers correctly when she was at a meeting where Mr. Laraway spoke, he was asked if he would take household waste and his answer was "not yet", which means that at some point there will be household waste coming into the Port of Coeymans at the entrance or exit to our town. She continued by saying that she looked online and has seen that very few towns allow recycling centers such as this at their entrances, where people drive through and it does not say to new families that want to move here, to come to our town where you pass a dump and as far as how the Port looks, to her it looks like a dump with piles and piles of old cars and metal and it looks awful with no landscaping and the Tricky property is right next to the only church left in the Hamlet and it looks like a dump too. She went on by saying that when Mr. Masti ran for office, one of things that he was quoted as saying "to concentrate on assisting small businesses and encouraging them to locate in the Town, which includes sprucing up the Town to make it more attractive for visitors and residents alike" and added that she really liked what he said because he was the first person that she heard talk about how our town looks. She continued by saying that right at the entrance to our Town, which you don't see in any other town, there is a huge port where you can see piles and mountains of junk and she thinks that it will affect a change in who will move here if they do change things, as well as affecting the kinds of business that they have here, which includes a successful marina and restaurant down by the port and she does not see how barges and barges of trash and truck and trucks of bringing recyclables in, is going to benefit the Coeymans Landing Marina or any other businesses up and down the river. She went on by saying that in looking at the taxes, the Port of Coeymans pays a good amount of taxes but not as much compared to some of the other businesses in our town and the dairy farm on Stanton Road pays almost $26,000.00 in taxes and P&M Brickyard pays $43,647.00, while the Marina pays $29,000.00 in taxes and the differences are amazing with two Mobile Home Parks paying $43,000.00 and $57,000.00, which she does not understand. She concluded by saying that they need to change the law to make it more understandable but not to benefit one business as well as all of the other recyclable places and junkyards in town will then be open to do the same thing and start to import solid waste as she heard Mr. Laraway say.

**Mr. Bill Biers** stated that he supports rewriting the law, which he thinks is a good thing and will be beneficial to everyone. He added that Mr. Conrad gave a good speech and he didn't understand any of the Articles but he thinks that it is great that they are doing it because he has a vested interest in this because he owns 70-80 acres in between P&M Brick and the Tricky property. He continued by saying that he has known Mr. Laraway most of his life and he is a straight-up business person and when he says he is going to do something he does it and he does the right thing. He concluded by saying that he supports it 100% and the Town needs a recycling center.

**Ms. Mary Pape** stated that when they are making the decision on behalf of the citizens of the town they need to keep in mind that there are no regulations on the chemical wastes due to fracking and if they change the law they may dispose of the waste here and change our town forever. She continued by saying that they probably would not want to put that near the river but it could end up near anyone's home and there is shale up Gedney Hill way and they may frack there and they would not have to go far with the chemical waste. She concluded by saying that she thinks that this law opens the door for a whole lot more problems in the future for the whole town.

**Mr. Bill Bruno** stated that he lives at 19 Uthe Boulevard in Coeymans and he is not there to oppose or affirm the local law and apparently it needs to be corrected but he is concerned about quality of life issues in the Hamlet of Coeymans and he would hope that the Town Board would negotiate with Mr. Laraway to do things to help with that issue. He continued by saying that they do have a noise issue, as they are aware, and there have been some improvements but it has not been totally rectified, if it can be and added that he thinks that he does run a nice business and he has heard people speak of the operation and he has personally toured the facility, which he believes is a clean operation and he trusts in that sense that he will do a fine job. He went on by saying that what they don't know is what will happen with future owners of the business and there are concerns with noise, potential odors, and traffic and there already are several properties for sale in the Hamlet and he is hopeful that if he brings employees in, someone will come in and buy these properties. He concluded by saying that it is important to him that Mr. Laraway take an active interest outside the Port of Coeymans as well in the Hamlet of Coeymans because of the proximity to his operation and his success could be the success of the Hamlet of Coeymans or it could hurt the Hamlet and he would encourage the Town Board to push Mr. Laraway to work with them to make improvements or to help the Hamlet of Coeymans to be revitalized.

**Ms. Josie Bruno** stated that she lives at 19 Uthe Boulevard and she is for businesses coming into the Hamlet, is an active Real Estate Broker and lately she is concerned with the huge tractor trailer that is being used for signage because she has a property for sale by the recycling center and no one will look at it because they are very concerned and she feels bad for her client. She continued by saying that she is asking that the Town Board look at all of the factors as far as signage coming into the town and the noise and she lives up above the recycling center and they have never complained about the noise from the Port and they welcome business into the town and hopefully the Village to bring more people here to live. She concluded by saying that she wants them to take into consideration the noise and to be proactive and make sure that if the recycling center does come there, that it is not noisy because it will affect their residents.

**Mr. Gary Bogardus** asked if anyone knew what tomorrow was and added that it is the School Budget Vote with a 6.8% increase and never before has there been a 6.8% tax increase. He continued by saying that he commends Mr. Laraway for trying to bring more business here because it is what they need and added that he does not know if he is in his right mind with a 6.8% increase and the way that taxes are going up but he should be commended for brining business here under these conditions. He went on by saying that we need a Recycling Center, we have always wanted one but have never had one and if they don't get some business here to off-set some of the taxes, no one is going to be living here. He added that years ago you could not drive through Coeymans without holding your nose and many people don't remember that but now it is a whole lot better than it ever was down there and they could go back to growing mushrooms again, which is farming, and they can't stop you from farming. He concluded by saying that he is in favor of it, we need it and it will bring revenue to the Town and it is a win-win.

**Mr. Jim Travers** stated that he wanted to go back to some of the history from Larry's presentation earlier and added that one of the reasons that this law was passed, that they are trying to pass, was because of corruption and there was illegal dumping at the Town's Landfill and the school buses could not even travel down Jarvis Road because the traffic was so heavy early in the morning and there was mention of a Recycling Center at the Jarvis Road Landfill and Larry might tell them who operated it and that the Town did not get any money for it. He added that they are all for a Recycling Center for the Town and as Mr. Cardona had said, there is wealth in our recyclables and he wants the Town to have it and Mr. Laraway has not provided any tipping fees as a host benefit. He went on by saying that they are trying to change a law that all of the administrations over the last 20 years have fought to protect and he thinks it is rather rash and Mr. Laraway does not have a Recycling Center down at the Port, it is not the nature of his business or what he is permitted to do, which is being permitted to sort construction and demolition debris and that permit is issued by the DEC. He continued by saying that if he wants a Recycling Center in this town he has to apply to DEC for that permit and if they pass the law he can get the permit, if they don't, he can't and as he said it is the Town's interest to have a Recycling Center. He added that Mr. Laraway spoke about all of the mootness of the

laws and that the Town does not have a Recycling Center, which only shows the lack of action of the Town Board's in not appointing a Recycling Coordinator to operate a Recycling Center and then asked where the benefit would be to the Town. He continued by saying that the heavier trucks are going to impact the infrastructure and drive up costs and then asked how the Town will benefit from that and how it benefits from increased traffic and as he said earlier they cannot change the definition of solid waste to their liking because it is interpreted and defined by Federal and State regulations and recyclables are solid waste and they can call them what they want, they can call them commodities. He went on by saying that he is for jobs and earlier he provided the Town Board with a document that stated increased recycling will create a million and a half jobs and he has the Executive Summary and Appendices that the Town Board should take a look at, which he is submitting as part of his testimony as well as giving them the New Yorkers for Zero Waste Platform, which explains better techniques to deal with waste. He concluded by saying that DEC will help this town get a Recycling Facility operating if they want to do that and reiterated that they should not change this law.

**Ms. Donna Pasquini** stated that she lives in the Hamlet of Coeymans and she believes that they need a Recycling Center and Coxsackie has had a Transfer Station for years, which is where most of them are going if they have friends or relatives in Coxsackie because they have no place to go with it. She continued by saying that if you buy a new refrigerator or washer there is no place to go with the old and this is a business man who is willing to come into town and open another business and then asked what is wrong with bringing business into our town. She added that as far as the Town Board running a Recycling Center, everything in this town is to the point where everything has been cut back and scaled back so far because of taxes and they don't even have enough employees to even run the Highway Department let alone a Recycling Center. She went on by saying that she moved into town 34 years ago and when driving down Rte. 144 she closed her windows and vents and turned off either the heat or air conditioning because the Mushroom Plant reeked and she would rather have things recycled than to have an odor from something else going in up there. She continued by saying that she feels as though Mr. Laraway has invested money into this town with the Port of Coeymans that no one else wanted to and they should not refuse him the right to open another business because without business in this town, we are going to be a ghost town and County taxes are set at 9% and School Taxes are 6.8% and people are going to say that they can't afford to stay in the Town of Coeymans. She concluded by saying that they are going to run some of the smaller owned businesses, like Fori's Variety, which has been here for years, out of town and is on the verge of selling because she cannot afford the taxes and does not know how much longer she can stay open and then asked if they want to run people out of Town or do they want to keep people in town.

**Mrs. Mary Driscoll** read the following: as you know I have advocated the needs for jobs in this community for quite some time, having lived here for over 47 years I have seen how the loss of industry and/or factories has affected the residents, our schools and the future of our children and none of these affects have been good. If you listen to the President, read the papers and/or attended the hearings last year regarding the Cement Plant, you would know that this Country, this State and especially Albany County is desperately in need of industry and businesses just to keep afloat. We need industries, we need jobs, we need taxes to pay for our schools, we need to wake up and do something about encouraging businesses and industry to come here, not drive them out. Since you said we could not ask questions, I have a couple statements. Councilman Dolan I believe is a member of the Association, to me the Association is nothing more than a smaller example of the lobbyists in Washington who spend all kinds of money to persuade the Legislatures to vote for their agenda. If you are a member of the Association, how can you vote on this resolution? I don't feel as though you can and you definitely should refrain from doing so. For Councilman Boehm, last year it was stated by one of your fellow Councilman, that experience on the Town Board meant that the Councilmen knew what they were doing. Did your experience tell you that you should not have made motions to hold a second Public Hearing before you knew the outcome of the first Hearing, or did your motion mean that you caved in under pressure of mob rule from people yelling or that you already knew what the outcome of the first Public Hearing would be?

Councilman Boehm interjected that he would answer that and he did move to have a second Public Hearing because he wanted a room full of people to vet the issue, and put the information out there so they could take it to the Town Board and make a rational decision because they are all too often criticized for pushing things through and not having the time to discuss things and that is the reason why he made a motion for the second Public Hearing, so people like herself can stand where she stands, to say what she wants to say.

Mrs. Driscoll stated that it was not the people standing there that pushed it, it was the people sitting there yelling.

Councilman Boehm stated that he pushed it and it was his idea.

Mrs. Driscoll stated that for all of them in the room, she is going to tell them what she said ten years ago, they will get the Albany Landfill here, regardless of what they think and it is all of the opposition to the Recycling Center to discourage competitors so that when Albany finally wants to establish their dump here, not a Recycling Center but a dump, they will welcome them with open arms because we will be under so many debts and taxes that they can't afford not to. She continued by saying that it might be being used to further someone's career in politics and 40 years ago she sat in the room when they did the Master Plan that they proposed for the Town of Coeymans and Mr. D'Ambrosio got up and said "if you don't tax the grand plan, if you don't approve it, you will end up as the south end of Albany". She concluded by saying that a lot of them don't remember that after World War II, Japan was rebuilt on recyclables and to look where Japan is today and added that as an after thought, whenever she writes a letter to the editor, she has never been ashamed to sign her name to it.

**Ms. Patti LaFevre** stated that she lives in the Town of Coeymans and has lived in the town for 54 years and she supports the Recycling Center and it is really important to generate business in this town and by generating business in town you are increasing jobs in this town and those that will be working at the Recycling Center will stop at the pizza joints, get their gas, go to restaurants and generate business. She continued by saying that someone had mentioned that they are almost a ghost town but as far as she is concerned they are 85% of the way to being a ghost town and we need to encourage business here and we need to help support our schools where they teach recycle, reuse, renew, revitalize and this Recycling Center could definitely vitalize this town.

**Ms. Audrey Toussaint** stated that she lives on Tracey Road in Ravena and she wanted to speak about her support of the Recycling Center. She added that she grew up here but when she had a child she chose to move and has lived elsewhere and for 26 years in Clifton Park and there is a Recycling Center in Clifton Park, which is a town of 70,000 and you would not know that it is there, except for the convenience. She continued by saying that her one big problem with moving back here is that she is a huge recycler and there is no place to go and she is not going to load up and drive to Albany or Coxsackie. She continued by saying that she didn't feel as though this community had anything to offer 26 years ago and in moving back, there is nothing here that wasn't here when she left 26 years ago but some things are gone, which is actually a step way back. She added that a Recycling Center will be a convenience, offer employment, bring revenue to the town and enable the Town of Coeymans to begin going green and in talking to some residents who are in opposition, they said that the main reason is increased traffic. She concluded by saying that the numbers in this town are decreasing and people are moving out and not in and any increase in traffic will be offset by the loss of people that have left here.

**Mr. Laszlo Polyak** stated that he lives in Ravena and is in favor of this and in 1975 the Town decided to recycle and since then a lot of other towns have taken its lead. He continued by saying that if they are concerned with recyclables, the carpet that they are standing on probably has recycled fibers in it, the desk that they sit at has recycled fiber board and wood fibers and all around them there are recycled items. He continued by saying that 35 years ago you could not drive down here without rolling up your windows and as industry changed and the Mushroom Plant went to the wayside, other people came in and the Allen's who are in the audience turned the marina into one heck of a marina

from when it was an eyesore and Yanni did so to when he opened his restaurant as well as Mr. Tricky, who also was well respected and Mr. Laraway wants to do the same thing and it is very much needed. He added that in California they have garbage trucks that have two sides, one side for general waste and the other side for recyclables and it has three compartments for solid waste and one of the compartments is for food products and it goes back to the landfill where it is turned into either mulch or dirt, which is also a wave of the future. He added that we can ask to use some of the recycled products to build things that we need in our parks, such as swing sets and maybe some wood that comes in could be set aside to build an amphitheater down at Coeymans Landing where people can sit, which is something positive for the community. He continued by saying that it will create jobs and related jobs and a solution for the trucking might be at the north end of Trickey's property, they could put a bridge across the creek there, which would eliminate the trucks entering at the hairpin curve. He went on by saying that these could be solutions and are ideas and as far as changing the wording of the law, they should change it, as far as a dump coming here, it's not happening and never will happen because our children have been engrained about recycling that they won't allow it and our children's children won't allow it because there is money in every thing that is recyclable. He concluded by saying that in Coxsackie there was a group called Twelve Tribes and they took down old barns for free and reused the wood and some of the old wood from those barns is worth thousands of dollars per linear foot because the grain is so beautiful and can be made into wonderful pieces of furniture.

**Ms. Leslie Lopez** stated that she lives in the Hamlet of Coeymans and she is all for recycling and having a Recycling Center would be a wonderful thing, however she is very concerned about the quality of life as well and what will happen down the road if it's not this business, what would the law change mean for another business that comes along, or the landfill eventually. She added that she thinks that it needs to be addressed in whatever they put in their laws and her big concern right now with adding a Recycling Center, is the traffic with the trucks on the road. She continued by saying that as it is right now, she lives on Rte. 144 and there is not good infrastructure with the water & sewer pipes that are constantly breaking and the roads are a mess and have fallen apart along the edges and nothing is being done. She went on by saying that the water pipes need to be redone and the road needs to be taken care of and it was her understanding, initially, that the increased truck traffic was going to be coming mainly from Exit 22 down to the Port and they get a lot of trucks going by her house and her entire house shakes and she is concerned about property values going down. She concluded by saying that in addition she hears people talking all the time about flat tires of the people that travel Rte. 144 and her own family has replaced probably seven tires on four cars in the last year and it wasn't until she heard people talking about it that she began to realize it is because they are going over these roads where trucks are going and things are falling off the truck and they are paying for that.

**Mr. Jerry Hall** stated that he lives at 10 Greening Lane and he wanted to say that he has not known Mr. Laraway very long and has had limited exposure to his operations but the exposure that he has had has been very awakening. He added that he has a tremendous talent to pick responsible people to run each one of his operations and it goes right down to every one of his employees, who take responsibility for what they do and it would be great to see that kind of endeavor developed here. He continued by saying that they could all learn by it and his management style is unique, it works well for him from what he can see and he believes that they should support him as well as thinking that the answers to some of the concerns are right at their fingertips and they should give the Code Enforcement people the authority, if there are any infractions that take place, to act on them immediately then things won't drag on and get out of hand. He concluded by saying that they should treat things as they happen and then carry-on with it and he thinks the Town would be better off to have him and all of his employees among us.

Supervisor Flach stated that there were no other names on the sign-in sheet and then asked if anyone else wished to comment.

**Mr. Bill Tryon** stated that he lives at 141 Cedar Grove Road and he is not fully up and running completely on the subject but he has watched this in all the towns across our country where anything that can be done, will be done, to hinder any business that tries to

move forward in any way shape or form and it is about time that they start helping the businesses. He continued by saying that they have learned to live under this hysterical environmentalism and isn't it about time that they can live with just a little bit of parts per billion and in doing dredging the Mohawk River, 30 years down the road, the difference between dredge or not dredge is like two parts per billion and they are going to spend billions of dollars to do this. He added that anything that the Town Board, the Town of Coeymans, the State of New York or this Federal Government can do to support local business, with taking precautions because we don't want people poisoning everything we have, should be on their side and thank God there are people willing to put their money into this Town because they can go somewhere else. He continued by saying that when Southworth Machinery wanted to put their business in East Greenbush, the town residents got in an uproar and that multi-million dollar industry, which is global, is now in Clifton Park and those same residents felt bad that they lost that industry. He concluded by saying that we have to look to industry because we don't have anything else to fall back on and we have become a nation of self-centered, spoiled brats, who will not tolerate the littlest bit of inconvenience and for that reason we are going to go down and the Federal Government is going to collapse and at any time our economic system is about to roll over and why would we not try to fortify our local area with as much industry as they can.

Supervisor Flach asked if there were any further comments, hearing none he stated that they would be moving on the Regular Town Board Meeting in five minutes.

Mr. Travers from the audience stated that he believed the Public Hearing should be suspended until the next Public Hearing and not closed.

Supervisor Flach stated that there will be another Public Hearing in June, that will be discussing at the Regular Town Board Meeting and it will be June 16th.

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**CORRESPONDENCE**

Supervisor Flach gave Town Clerk Millious two letters that he received prior to the Public Hearing and asked that they be part of the record.

May 12, 2012

Supervisor Stephen D. Flach
Building Inspector, Laverne H. Conrad
Coeymans Town Board
Coeymans Planning Board
Coeymans Zoning Board of Appeals

I am writing today regarding the Coeymans Recycling Center. It has come to my attention that there is a question in the Town as to what the existence of this facility should encompass. It appears to me, as a life-long resident of the Town of Coeymans, that changes brought to our community by the Port of Coeymans and now the new Recycling Center, are both needed and important for the stability of our Town.

I've observed over the last ten years the development and care taken by everyone involved with the restoration of the old and abandoned brick yard that my father and unless had worked at their whole lives. I have greatly enjoyed watching that area come back to life. I have met Carver Laraway and spoken with him about the future of our Town and find him to be very forthright.

I know in the Port, along with his partner, Mr. Weis, they have invested 25 million dollars and have brought multiple companies into our area for manufacturing and new business. I remember seeing the beautiful bridges being built and shipped down the river and I am always fascinated at how it has grown and been so neatly maintained.

Now, I understand he is doing the same type of restoration to the old "Tricky" property that has been deteriorating for years. I believe he will take the same care in this project and feel as a Town we must support this endeavor 100%. I know this to be a Recycling Center and NOT a garbage dump. He intends to recycle metals, plastics, cardboards, electronics, appliances, cars and car parts. Additionally, I know this has a lot to offer and when someone is willing to invest time and money into our community, we need to be open minded and forward thinking in order for growth and not stagnation.

I think that this is an excellent opportunity for our community in that it has already brought more jobs and a greater tax base for the Town of Coeymans. As both of these businesses grow, I for one am hoping it will reduce the individual taxpayer's obligation, as jobs and lower taxes are a benefit to us all.

Please consider this letter my support for the Recycling Center and know there are many others like me, who have lived their whole lives and want to see our community grow and prosper once again. I am proud to see Coeymans come back to life and hope you as Board Members feel the same.

Thank you.

Anne M. McHugh

May 13, 2012

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

Dear Supervisor Flach and Members of the Coeymans Town Board,

We are writing in advance of the May 14th Public Hearing on the amendment of Local Law 138, to express our opposition to the proposed change. We ask that this letter be entered into the record of the Public Hearing on this action.

As elected Municipal Officials, you have accepted a fiduciary and moral responsibility to uphold the laws of the nation, state and most relevant, this community. Laws by definition are promulgated to provide for the common good and protection of the public in general. Laws are not and never have been established for the benefit of a single person or corporation. This is unequivocal.

The lessening of Local Law 138 was established for the general protection of the citizens of Coeymans from future large-scale commercial solid waste operations. This law, for the past 20 years has been a bedrock principal in this community. It has proven in its present form to be an important mechanism for the long-term protection of the Town of Coeymans from outside entities that seek to utilize this town for the purposes that are decidedly not in the best interest of our citizens.

As with all discretionary governmental actions, the decisions on how to proceed must always be tipped in favor of the best interest of the community and its citizens who have elected you to act on their behalf in the legislative process. No discretionary action can or should be decided on that which does not represent what is in the best interests of those you represent.

In this situation, the decision seems clear. If you vote to approve the diminution of Local Law 138, the following issues will be undisputable.

- You will have provided a specific and singular benefit to one individual corporation. The minimizing of this legislation will only benefit Carver Laraway and their subsidiary entities.

- You will establish a law that allows for the importation of unspecified waste materials. Based on the broad and non-specific definition found in DEC Law, the potential for this operation to evolve into a regional transfer center of unparallel size is a viable and real possibility. By Mr. Laraway's own admission, household refuse in a long range part of this project.
- Our community will be faced with the fact that the Port of Coeymans has the existing capacity and infrastructure to immediately import massive quantities of "recyclables". The current shipping system (deep water docking and slip) of the Port allows for the largest river-going vessels to both deliver and receive materials at unprecedented levels.
- The operation will exponentially increase large industrial-scale truck traffic into the heard of the Coeymans Landing neighborhood. The increase will have a direct, immediate and demonstrable affect on the access route through the Village of Ravena, along Church Street, at the intersection of NYS 143 & 144, and through the narrow access to the Recycling Center. Under Carver Laraway's existing C&D Permit with the NYS DEC, deliveries to the Port are restricted to the north gate only. This was put into place in the permit to help protect the immediate neighborhood from an increase in large truck traffic. Yet the newly posted signage would indicate that the south gate will be used if this new venture is authorized. This is in direct contradiction to assurances that were given with the C&D Permit was issued.
- The increased industrial scale truck traffic will have a direct and demonstrable impact on infrastructure in the community.
- The importation of unspecified "recycling" waste has the potential to pollute the Coeymans Creek, Hudson River and the surrounding areas with shards of paper, metal and other materials. A trip to Green Island and a look at the Freedman and Kelman Scrap Recycling Yards provides a graphic depiction of what this decision has the potential to produce.
- The industrial scale ambient noise associated with the existing Port operation will certainly increase as more materials are loaded and offloaded adjacent to the Coeymans Landing neighborhood.
- The establishment of a massive new "recycling" center of an unparalleled scale will provide no direct benefit to the people of Coeymans. As is evidenced by the current assessed value of the Port of Coeymans, the fixed real property is negligible in comparison to the large industrial scale machinery used to process (recycle) the massive quantities of debris currently entering the town. The monumental piles growing throughout the facility are evidence of the current scale of C&D operation yet the assessed value is negligible for the direct and indirect impact this operation imposes on the neighboring residential/recreational community. A new industrial scale "recycling" center will create more massive piles of processed solid waste imported from literally anywhere in the world. Currently ships flagged from around the world are docked at the port.

Unlike our community, seeking to establish new laws that would entice the development of new nanotechnology or other high paying technical and professional jobs, you are deciding on whether or not to change a bedrock law in our town for the benefit of (1) company. Unlike the word "nanotechnology" which can transform a community and a region overnight, the word "solid waste", no matter how pretty you try to make it, it is still heard as "garbage" by the world. Our town is at the edge of its ability to recover from economic disaster of the last four years. Our property values have diminished; home sales have plummeted along with resale values. The items above are real and demonstrable issues that you must consider as you do your due diligence on this matter.

In closing, you represent the people of the Town of Coeymans and not Mr. Laraway's best interest. You and you alone now control our future, which is what you were elected to do. A careful analysis of the benefits of this action can only demonstrate that this change is not in the best interests of the people of this town. A minimal number of low paying jobs, a minimal tax assessment increase are the only benefits. The negative impacts, even without looking at the ANSWERS issue, simply are too great to overcome. If Mr. Laraway is unhappy with the laws of the Town of Coeymans, then he may want to consider relocating to Altamont, Guilderland or Bethlehem, but we are doubtful any of these communities will be so willing to change their laws for his express benefit.

If you are truly weighing the best interests of the people of Coeymans against the interests of a single company, you have no choice but to vote to leave Local Law 138 intact. I truly hope that you will do the right thing for our community.

Sincerely,

John & Anna Marie Bonafide

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**ADJOURNMENT**

**MOTION**

Supervisor Flach asked for a motion to close the Public Hearing.

On motion of Councilman Dolan, seconded by Councilman Masti, the Public Hearing was adjourned.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time 7:25pm

***Respectfully Submitted*,** **APPROVED -**

_____
***Diane L. Millious, Town Clerk***

**A Town Board Meeting was held Monday, May 14, 2012, at 7:00pm at Town Hall, 18 Russell Avenue, Ravena, New York**

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

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

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

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**OPENING COMMENT**

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

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**AGENDA**

- Public Announcements
  - Town Board Workshop Change
  - Food for Thought Program
  - Town Office Closed, Memorial Day
- Public Comment
- Approval of Minutes
  - Town Board Meeting, April 23, 2012, 7:00pm
- Old Business
  - Correction to Established Second Public Hearing, Proposed Local Law #1-12
- New Business
  - Request for Seed Collection at Joralemon Park
  - Request by Ravena Rescue Squad to use Old Basketball Court
- Resolutions
  - Town Road Adoption
  - Establish Village Sewer Rates
  - ERS Elected Official Standard Workday Reporting
  - Settlement of Civil Housing PILOT Agreement
  - Budget Amendment, Highway
- Town Board Workshops/Meetings
  - Town Board Workshop, May 21, 2012, 6:00pm
  - Town Board Meeting, May 29, 2012, 7:00pm
  - Public Hearing, June 19 2012, 6:00pm
  - Town Board Meeting, June 19, 2012, 7:00pm
- Executive Session
  - Personnel Matter

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**PUBLIC ANNOUNCEMENTS**

Supervisor Flach read the following announcements:

**Town Board Workshop Change**

Reminder to the Public – The Town Board Workshop scheduled for Tuesday, May 22, 2012 has been moved to Monday, May 21, 2012, 6:00pm.

Grievance Day will be Tuesday, May 22, 2012 at Town Hall from 1:00pm-8:00pm.

**Food for Thought Program**

As in previous years, the Food for Thought Program for children 5 – 11 years of age residing in the Town of Coeymans and will be held at the Pieter B. Coeymans Elementary School. The program will run from July 9th to August 10th.

Registration forms will be available in the Supervisor's Office at Town Hall, R-C-S Community Library, and from Danyell Crowley, Program Director. The deadline for registration in June 29th. Any registrations returned after that date will be subject to space available.

Due to budgetary restrictions for both the Town of Coeymans and R-C-S School District, busing for the program will not be available this year.

**Town Office Closed – Memorial Day**

Monday, May 28, 2012, all Town Offices will be closed in observance of Memorial Day.

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

The Town Board Meeting usually held on the fourth Monday of the month, will take place on Tuesday, May 29th due to the holiday.

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**PUBLIC COMMENT**

Supervisor Flach invited the public to comment at this time.

**Ms. Mary Pape** stated that she lives in the Hamlet on the corner of James Drive and Rte. 144 and continued by reading the following:

My concern is with the lack of respect that some Town of Coeymans employees have for the property of others, in particular some Highway Department employees. Last Monday morning at about 8:15 the Highway Department was getting ready to repair parts of James Drive and I was sitting at my kitchen table looking out the window when they parked equipment on my lawn, the same part of my lawn that they drove over with a snow plow two winters ago and never fixed. The employee driving the bucket loader parked, finished his beverage and got out of the equipment and urinated on my lawn. I find this disgusting and a very bad reflection on Town employees. I know that we have some excellent people employed by the Town, however we also some that don't deserve to be employed here. There are plenty of people that would be grateful to have those jobs and would make better employees. I don't know what the Highway Department is going to do or be like when Mr. Deering retires, this is from my own personal observation, the employees don't appear to work well without his supervision and he worked all afternoon on the big part of that job with one other employee. From what I saw, it appeared that he did more work and a more careful job than most of the other employees involved that day and didn't stop for any coffee breaks while completing the task. At the end of their day some of the others started parking the equipment back on my lawn, I think Mr. Deering directed them not to park on the lawn but to park on another part of the road, which they did.

She concluded by saying that she was appalled by this and wants to know what disciplinary action is taken on the part of the employee who went to the bathroom on her property.

Supervisor Flach thanked Ms. Pape and continued by asking if anyone else wished to comment.

**Mr. Larry Ruff** stated that he lives in the Hamlet of Coeymans at 46 Main Street and added that he had a couple of comments that he wanted to make and he didn't want to make them earlier at the Public Hearing because he did not think that they directly applied even though some of the other people's comments were outside of what he thought was the Local Law. He went on by asking if there is any way that they can get the Town Laws on the website because it would seem that in this day and age it would be easy to generate PDF's and get them up there and when he found out about the meeting he looked at the site trying to find the law so he could intelligently speak about the changes that were going to be made to the law but there was nothing on the site.

Councilman Dolan stated that he thought it was on the site.

Mr. Ruff stated that he didn't find them anywhere.

Town Clerk Millious stated that it is on the Town of Coeymans website.

Mr. Ruff stated that it is where he looked and will have to look again because he searched all around and could not find it.

Town Clerk Millious suggested that he call her office in the morning to direct him to it.

Mr. Ruff stated that in talking about the Recycling Center, a lot of comments were made about traffic and a few people made comments about the population dropping and the traffic has been dropping but he has been living her for 28 years and has driven Rte. 144 & 787 the whole period of time and he's seen only an increase in traffic. He added that since the Port has gone in he has seen a tremendous increase in truck traffic and he thinks a lot of them have seen this and a lot of them realize that Rte. 144 is in horrible shape right now, especially if you get out of your car and look at it and not just drive along and you will see that it is in really bad shape in certain areas. He went on by saying that he has wondered if any traffic studies have been done to look at what the increase in truck traffic has been and then look at the proposed Recycling Center and see what the increase in truck traffic will be due to that. He continued by saying that he is really concerned because Rte. 144 is very narrow and plenty of times he has seen wider trucks crossing the double yellow line and has driven him and other people off the road as well as his wife having an experience where she was following a truck where big rocks were falling off it and one actually dented someone's car, who pulled in front of the truck and stopped the truck and reiterated that he is really concerned about the increase in truck traffic. He added that he is not anti-industry and he teaches students who are learning manufacturing and contrary to popular belief, manufacturing is growing again and coming back to this country and for those saying that government is anti-industry, the government is not anti-industry. He continued by saying that he really would like to see the traffic numbers and then try to figure out what it is going to do to us and concluded by asking the Town Board what the plan is for Rte. 144 because they did a beautiful job of Rte. 143, even though in Coeymans Hollow it did not need to be repaved and it was done all the way out to Rte. 32.

Councilman Boehm interjected that they are State roads.

Mr. Ruff stated that he knows and the Town Board should be beating up the State about it because they did it for Rte. 143 and there are many sections of Rte. 144 that are in worse shape than sections of Rte. 143 were.

Councilman Dolan interjected that he believes that they should do the same thing that they did for Rte. 143, meaning to advocate that they take a look at it.

Mr. Ruff reiterated that it really needs work and continued by asking if they can stop trucks from using their jack brakes going through the Hamlet, especially those coming out of the Sewer Plant because they come out, come down the hill and hit their jack brakes and it makes a lot of noise. He continued by saying that plenty of Towns have an Ordinance to not to use jack brakes going through town and if they can do that it would be great because it is really annoying. He went on by saying that his last comment goes back to about a year ago when they were talking about metering the sewer lines coming into the Village and out of the Village and then asked if it was done and if there were numbers.

Councilman Dolan stated that they have been installed and it will take a year to get the numbers.

Mr. Ruff asked when they were going to have the numbers.

Councilman Dolan stated that it will be in less than a year.

Mr. Ruff asked when they were installed.

Supervisor Flach stated that they were installed at the end of February and they have numbers for March and April. He continued by saying that they have been getting an idea about all the different kinds of weather and it has been fairly dry.

Mr. Ruff interjected that it goes back to the sewer rate issue that caused a big commotion a while ago.

Supervisor Flach thanked Mr. Ruff and continued by asking if anyone else wished to speak.

**Ms. Donna Pasquini** stated that it is on the agenda that they are establishing sewer rates and in knowing where the infrastructure is and knowing that they are being metered she continued by asking if there are going to be changes before the meters are completed and the readings are done because the rates go up and down with no steady rate in the Hamlet.

Supervisor Flach stated that he believes that the sewer rates have not changed very much and the rates were established in the fall but the ones for the Hamlet were not established and he is not sure why it happened. He continued by saying that in going over the budget for this year they have been waiting for correspondence from the Village and then they received it and there were some credits due and this is where they are at.

Ms. Pasquini asked when the meter readings are set and done, if there will be a new contract with the Village.

Councilman Dolan interjected that it will change the percentages but will still be the same contract.

Supervisor Flach stated that the percentages right now are 70/30 for regular sewer and for capital projects it is 65/35 and once the readings are established after a full year, whatever they are is what they will be according to the meters.

Ms. Pasquini continued by asking if there will be work on the infrastructure so they do have proper readers.

Supervisor Flach stated that right now they are working on some projects on Blaisdell to Colvin Avenue and they are waiting on some easements and continued by saying that there is so much to do on the sewer and it is mind boggling.

Ms. Pasquini stated that she walked up to Colvin through her neighbor’s backyard and she stepped on something and almost went all the way through.

Supervisor Flach stated that they are working as quickly as they can and reiterated that there is so much that needs to be done.

Ms. Pasquini stated that she didn't want to be hit again with a big increase without being justified when the Village is still getting the little rate and the Town the big rate and they are the ones having the problems with the sewer line and storm sewer and it seems like they pay the price for everything down in the Hamlet and she wanted to ask where they were going with it before they announced it.

Supervisor Flach thanked Ms. Pasquini and then asked if anyone else wished to comment.

**Mr. Wayne Noyes** stated that he lives at 7 Greening Lane in Coeymans Hollow and continued by saying that he was wondering how the stream situation is coming because they have not been to a meeting since last fall after Hurricane Irene. He continued by saying that nothing has been happening and they have not heard anything and then asked if he would be able to get any answers.

Supervisor Flach stated that they have had some correspondence from FEMA and continued by asking Chief of Police Darlington to give an update.

Chief Darlington stated that FEMA, with a push from local constituents and with an article in the paper, which they didn't like, started to pay attention and they required him to give a scenario of what has happened with the Hannacroix Creek Project, what the proposed plans are and what the estimated completion time is. He added that all of it was provided to them and they responded by asking if the Town can guarantee that it can be completed by December 2013 and in turn he contacted the engineers who said that if FEMA does not delay approval, it should not be an issue and the information was provided to FEMA and since then they have closed their ears to the Town again. He continued by saying that in talking to State Representatives, when Irene went through they suggested that the Town roll it into Irene, which meant that the Town of Coeymans would be on the hook for 25% of the cost and the FEMA representative stated that they would keep it where they are paying 100% and when the Governor agreed to pay 12.5% he contacted his State Emergency Management liaison and asked if it could be rolled over now that they were going to pay 100% and they said no because the Federal Government won't let them. He concluded by saying that he has been trying to get an answer from FEMA and to this day they still have not responded and SEMO representatives have gotten their supervisor's involved and the suggestion is that the Town Board reach out to their federal, state and county constituents and put some pressure on them to get an answer.

Mr. Noyes stated that next month is when they can get in the creek and then they have to be out in December 2013 and it is a huge project and then asked if they are just going to do a little at a time.

Chief Darlington stated that the hope is to get in there and get it done and he had hoped to have the approvals by now but the Federal Government is not authorizing them to do it.

Mr. Noyes stated that they have been at this since 2007.

Chief Darlington stated that he can feel free to contact the Federal Government and get an answer because they are not answering him and he cannot authorize the spending of funds.

Mr. Noyes stated that they are very lucky that they did not get any kind of winter because they would have been in trouble and concluded by saying that the Town, this past winter did not have to pay for overtime or to run the trucks, or for the salt that they didn't use but yet they are still broke.

**Mr. Jerry Hall** asked if it is possible to get a copy of the correspondence to FEMA.

Chief Darlington stated that he could.

Mr. Hall continued by asking if he has any idea who the gentleman was from the Town of Bethlehem that was able to secure $78,000.00 from FEMA to get a roof replaced on their

swimming pool and if FEMA could explain to him what the heck that has to do with flood relief and when he read that he was totally appalled by it and they are struggling and have an absolute epidemic that is going to happen out there and it is another Prattsville waiting to happen with the stones and everything pointing towards their development. He continued by saying that it is as plain as the nose as everyone's face and they can replace a roof on a swimming pool.

Mr. Noyes interjected that he lost his pool and no one paid him for that.

Mr. Hall stated that he spoke with Larry Conrad who had a correspondence from Mr. Marcuccio, who said they would revisit the problem in April but now April is gone. He added that he also made a comment that hopefully spring run-off will clear the channel but if two flood events didn't clear anything, a little bit of run-off from snow that they didn't have, he is really dreaming. He continued by saying that he will stop by and pick up the correspondence and then asked if it contained names of people that they can contact because they have got to get moving on it. He concluded by saying that they will try to be polite and professional about it without irritating anyone but it has been five years.

Chief Darlington stated that media worked the last time.

Mr. Noyes asked if they want that and if they want them to go to Channel 10 and make the Town look bad.

Chief Darlington stated that it is not the Town; it is the Federal Government that is refusing to give an answer as to whether the Town can move forward with the funding.

Mr. Hall stated that the first four years had something to do with the Town.

Chief Darlington stated that he was not on the project then and he is saying that since he took it over 2 ½ year ago, FEMA has refused to answer their questions and when it came to additional funding, FEMA delayed and delayed and delayed and it would take 4-6 months to get answers from FEMA. He added that he cannot move forward with anything, but if the Town of Coeymans opts to spend $300,000.00 to relocate that creek, he would start the process.

Mr. Hall stated that they are not asking for that but if the Federal Government pushes them to the point of that, they will make some noise.

Chief Darlington stated that he has made contact with some people he knows and Councilman Dolan has reached out and when they came to a meeting and complained and the News Herald reported it, it was the day after the article that SEMO called him and asked what the article was that FEMA was asking them about, which was the News Herald article. He added that he can stop down to fill out the proper FOIL paperwork so he can get the correspondence.

Mr. Hall stated that he is very familiar with the FOIL process.

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

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**APPROVAL OF MINUTES**

Supervisor Flach stated that there was one set of minutes for approval, a Town Board Meeting on April 23, 2012 and then asked for a motion.

**MOTION**

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

VOTE – AYES 5 – NAYS 0 – SO MOVED

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**OLD BUSINESS**

**Correction to Announced Second Public Hearing Date – Proposed Local Law #1-12**

Supervisor Flach stated that a Public Hearing was set for June 11th and he is now requesting that they change it to June 18th, a week later and then asked for a motion authorizing the change.

**MOTION**

On motion of Councilman Boehm, seconded by Councilman Masti, to move the second Public Hearing on Proposed Local Law amending Section 138 to June 18, 2012
VOTE – AYES 5 – NAYS 0 – SO MOVED

Councilman Boehm inquired as to if it will be published in the paper.

Town Clerk Millious stated that it will be published in the paper for June 18th at 6:30pm.

Councilman Masti pointed out that there is a Town Board Workshop on June 19th and suggested that they have it prior to the Workshop.

Discussion ensued regarding the time and whether it should be before or after the Workshop, collectively it was decided that it should be June 19th at 6:30pm, prior to the Workshop.

Councilman Boehm stated that he would amend the motion to change the date to June 19th at 6:30pm and move the start time of the Workshop to 7:00pm.

Councilman Dolan suggested that they do the Public Hearing at 6:00pm because they would normally start the Workshop at 6:00pm.

Discussion ensued, collectively it was decided to change the time to 6:00pm.

**MOTION**

On motion of Councilman Boehm, seconded by Councilman Dolan, to hold the Public Hearing on June 19th at 6:00pm.
VOTE – AYES 5 – NAYS 0 – SO MOVED

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**NEW BUSINESS**

**Request for Seed Collection at Joralemon Park**

Supervisor Flach stated that there was a request for seed collection at Joralemon Park and continued by reading the following:

Applied Ecological Services, Inc. wishes to collect native seed from some of the plants in the park in late May. Last year they spent two days collecting species, harvesting a pound of seed, Jack in the Pulpit, False Solomen Seal, Miter Wort, Wild Columbine and Wild Ginger. They spent six hours working on some of the front areas getting rid of Garlic Mustard, a bad invasive that can take over the woods.

Councilman Masti asked where the company is based.

Supervisor Flach read the following:

Applied Ecological Services, Inc. is from Brodhead Wisconsin and they are working on a project with the City of Albany in conjunction with the Albany Pine Bush Preserve Commission to restore several hundred acres back to its natural state and to increase the habitat specific to the Karner Blue Butterfly. Seed obtained from the Town of Coeymans would be used in the establishment of an on-site nursery within the Pine Bush Preserve for use on the project and not for commercial sale. With the collection of the seed we will spend up to 1/3 of the time getting rid of invasive populations within Joralemon Park.

Supervisor Flach asked for a motion to allow them to collect the seed.

**MOTION**

On motion of Councilman Masti, seconded by Councilwoman Rogers, authorizing Applied Ecological Services, Inc. to collect seed at Joralemon Park.
VOTE – AYES 5 – NAYS 0 – SO MOVED

**Request from Ravena Rescue Squad to Use Basketball Court**

Supervisor Flach stated that there is a request from Ravena Rescue Squad to use the old basketball court for Vehicle Extrication training.

Councilman Masti continued by reading the request.

Mr. Flach,

The Ravena Rescue Squad is currently hosting an original and refresher Emergency Medical Technician Course at our facility. One of the many segments that are part of the curriculum is “Vehicle Extraction”, where students are shown how the Fire Department Rescue Team can gain access to patients in the motor vehicle that has been involved in an accident.

This involves using a junk vehicle, where as the Rescue Team will gain entry using manual tools and air/hydraulic equipment to open and cut away at a vehicle, and having the students see what needs to take place on a scene for the safety of the patient, as well as the responders.

We are scheduled for this class on Saturday, June 2, 2012, between 8:00am and 4:00pm.

I would like to ask permission to use the old basketball court across from the Senior Projects on Bruno Blvd. for this event. This location would make it easier for the students to attend, with the close proximity of the Squad Building and the Ravena Fire Department, who will be performing the demonstration.

I will ensure that the lot will be cleared of any debris from the demonstration once completed.

This request will be contingent upon my being able to arrange for a vehicle to be delivered and picked up by Burns Auto; otherwise, we will have to make other arrangements.

Thank you for your time and consideration in this matter.

Respectfully,

Marvin Powell Jr.
Chief of Operations
Ravena Rescue Squad, Inc.

Supervisor Flach asked for a motion to authorize use of old basketball court by Ravena Rescue Squad.

**MOTION**

On motion of Councilman Boehm, seconded by, authorizing the Supervisor to send a letter to Marvin Powell Jr., Chief of Operations, Ravena Rescue Squad to grant permission for use of the basketball court for the scheduled class on June 2, 2012 between 8-4pm.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Highway Superintendent Deering stated that for New Business he had his Road List to hand in and continued by distributing it to the Town Board for review and authorization.

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**RESOLUTIONS**

Supervisor Flach stated that there was a request from Highway Superintendent Deering to accept Wonder Vue Drive as a Town Road and continued by reading the following:

Since the Highway Department has maintained Wonder Vue Drive for a period exceeding ten (10) years, we wish to have the road officially adopted as a Road by Use as outlined by Highway Law Section 189. This will be added to our road list and qualify for additional CHIPS grant funding.

Supervisor Flach asked that Councilman Masti read the first resolution.

**RES. #65-12 ACCEPT TOWN ROAD**
On motion of Councilman Masti, seconded by Councilwoman Rogers, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

**WHEREAS**, New York State Highway Law Section 189 provides that all lands which shall have been used by the public as a highway for the period of at least ten (10) years shall be a highway with the same force and effect as if it had been duly laid out and recorded as a highway by the Town, and

**WHEREAS,** the Town of Coeymans has maintained Wonder Vue Drive for a period exceeding ten (10) years, and

**WHEREAS**, the Town of Coeymans wishes to declare the said Wonder Vue Drive as a Town Highway to be added to the Official Road List and to qualify for additional CHIPS grant funding,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Coeymans hereby declares Wonder Vue Drive, as set forth on the annexed map, is a public highway I the Town of Coeymans under Section 189 of the New York Highway Law, and

**BE IT FURTHER RESOVED**, that Wonder View Drive shall be added to the Town's Official Road List in order to qualify for additional CHIPS grant funding.

**RES. #66-12 ESTABLISH VILLAGE SEWER RATE**
On motion of Councilman Boehm, seconded by Councilman Masti, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

**WHEREAS,** the Town Board previously established the sewer rates at a meeting on December 12, 2011, and

**WHEREAS**, the Village rate was not established at that time.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Coeymans hereby establishes the rate at $22,015.00, and

**BE IT FURTHER RESOLVED**, that the Town Board of the Town of Coeymans establishes a credit for costs involved for operations of the Leachate Plant at $6,600.00 based on an estimate of 220 hours spent at the facility by Sewer Department employees and a Town Only credit of $3,000.00 based on 111 hours for operation of pump stations and collection system.

Councilman Boehm stated that the Leachate Plant is not part of the Sewer Plant and is located on Jarvis Road.

Supervisor Flach stated that it is Town only and does not apply to the Village and it is the reason for the credit, which is for operations at the Leachate Plant.

**RES. #67-12 ESTABLISH ERS ELECTED OFFICIAL STANDARD WORKDAY REPORTING**
On motion of Councilwoman Rogers, seconded by Councilman Masti, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Coeymans hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees Retirement System based on the record of activities maintained and submitted by these officials to the Clerk of this body.

| Title | Name | SS# | Registration | Standard Work Day | Term Begin/End | Participates Employers Time Keep System | Days/Mos. Based on Record of Activities |
|---|---|---|---|---|---|---|---|
| Elected | | | | | | | |
| Supervisor | Stephen D. Flach | 7271 | 50628619 | 7 | 1/12-12/13 | N | 21.94 |
| Board Member | Peter E. Masti | 7921 | 50659606 | 7 | 1/12-12/15 | N | 8.59 |
| Board Member | Thomas E. Dolan | 2038 | 38062329 | 7 | 1/12-12/15 | N | 7.85 |
| | | | | | | | |

Councilwoman Rogers asked where the numbers came from for Days/Months Based on Record of Activities.

Councilman Dolan stated that they tracked their time.

Councilwoman Rogers asked if the number was hours.

Councilman Dolan stated that it is days per month.

Supervisor Flach stated that it is for newly elected and does not apply to Councilwoman Rogers or Councilman Boehm.

**RES. #68-12 SETTLEMENT OF CIVILL SENIOR HOUSING PILOT AGREEMENT**
On motion of Councilman Dolan, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

**WHEREAS**, the Civill Senior Housing Associates, LP (Civill Housing) have not paid the Town of Coeymans the PILOT Agreement amount for the years 2010, 2011 and 2012, and

**WHEREAS**, the majority of the PILOT payment is for RCS (School District) and Albany County, and

**WHEREAS**, the Town remains responsible for enforcing the collection of all amounts owned under the Agreement, and

**WHEREAS**, the Town is not obligated to pay RCS and Albany County in advance of collection from Civill Housing, and

**WHEREAS**, the Town's collection efforts don't include relevy on the Town's Tax Warrant, which would ultimately lead to payment by Albany County, and

**WHEREAS**, Civill Housing has requested the Town to apply Section 581A of the New York State Real Property Law as the preferred way in which the Town and RCS can be assured of getting its share of the property tax through the relevy process used for other delinquent tax collections.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Coeymans authorizes the Town Supervisor to negotiate a settlement of payment under the PILOT Agreement and termination of that Agreement in conjunction with the placement of the parcel on the Tax Role as taxable, and

**BE IT FURTHER RESOLVED**, that the Town Assessor must apply Section 581A of the New York State Real Property Law, the Civill Housing parcel on the tax role for the year 2012.

Councilman Boehm stated that he wanted to amend the wording to:

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Coeymans authorizes the Supervisor to collect previous amounts due under the PILOT Agreement, not negotiate and collect the full amount due as a condition of the termination of the PILOT Agreement.
VOTE – AYES 5 – NAYS 0 – SO MOVED

**RES. #69-12 APPROVE BUDGET AMENDMENT – HIGHWAY**
On motion of Councilman Dolan, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

**WHEREAS**, the Town of Coeymans 2012 Adopted Budget did not provide a revenue line item for gifts and donations, and

**WHEREAS**, the Town of Coeymans Highway Department will be receiving $2,000.00 in gift funding from the Kellogg Foundation and has received a $1,000.00 gift donation from Paul and Sylvia Lawler to replace the fencing on Stone House Road in Coeymans, and

**WHEREAS**, the Town of Coeymans is desirous of establishing a revenue line item in the 2012 Adopted Budget.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Coeymans does hereby establish revenue line item DB2705 – Gifts and Donations in the 2012 Adopted Budget, and

**BE IT FURTHER RESOLVED**, that the 2012 Budget be amended as follows:

| | | |
|---|---|---|
| Increase Revenue Line Item DB2705 | Gifts & Donations | $3,000.00 |
| Increase Appropriation Line Item DB5110.4 | General Repairs Contractual | $3,000.00 |

Councilman Boehm inquired as to why they would not pay someone and do it themselves and why are they giving the Town money to do it.

Highway Superintendent Deering stated that they gave money for the Town to put it up.

Supervisor Flach stated that they donated $1,000.00 and in order for them to get the $2,000.00 from the Kellogg Foundation it had to go to the Town.

Councilman Boehm inquired as to if the $1,000.00 donation covers the cost of repairs for the stone wall.

Highway Superintendent Deering stated that it is a chain link fence.

Councilman Boehm asked if it covers the cost of the chain link fence.

Highway Superintendent Deering stated that it does.

Councilman Dolan interjected that it is on Town property and not on their personal property.

Councilman Boehm inquired as to if the donation was for the Town to repair the chain link fence on Town property.

Highway Superintendent Deering stated that it was and they are taking the old one down that is rickety looking and putting a new one up.

Supervisor Flach stated that it is right on the road.

Highway Superintendent Deering stated that after the fence is done, he has box beam railing to put down there in front of the fence to protect the bank.

Councilman Boehm asked if it would be covered by the donation they provided.

Highway Superintendent stated that it was donated and came from somewhere else and added that he wanted to thank the Lawler's for doing it.

Supervisor Flach also thanked them for the donation as well as thanks for the Kellogg Foundation gift.

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**TOWN BOARD WORKSHOPS / MEETINGS**

- Town Board Workshop – May 21, 2012, 6:00pm
- Town Board Meeting – May 29, 2012, 7:00pm
- Public Hearing – June 19, 2012, 6:00pm
- Town Board Workshop – June 19, 2012, 7:00pm

**********

**ADDITIONAL COMMENTS**

Supervisor Flach asked if there were any additional comments.

Councilman Dolan stated that he wanted to thank Satan Cycles who had an event over the weekend and added that they have opened two new businesses on Main Street and including their shop on Central Avenue they will have added 6 new jobs. He continued by saying that they did receive two letters for the Public Hearing, one from Ann Marie and John Bonafide and the other from Annie McHugh, which were placed in the record. He concluded by saying that he wanted to suggest that they have a Joint Meeting with the Village on sewer matters and then asked if Supervisor Flach could arrange it.

Supervisor Flach stated that he concurs with that and he will work on setting one up with the Mayor and Village Trustees and continued by asking if there were any other comments.

Councilwoman Rogers asked Highway Superintendent Deering how it is coming along with the new truck.

Highway Superintendent Deering stated that they are working on it and the last he knew; they had most of the stuff for it.

Councilwoman Rogers asked if he thought it would be by the end of the month.

Highway Superintendent Deering stated that he hoped so and added that he had not called them recently but the last time he was up there they had most of the stuff.

Supervisor Flach asked if there were any other comments.

Councilman Masti stated that he wanted to thank Parks & Maintenance Supervisor Perry for getting Joralemon Park looking good for the Wellness Walk on Saturday and also thanks to Doug Porter for putting it together. He added that hopefully they can make it a little bit bigger and focus on more health issues such as childhood and adolescent obesity and diabetes and reiterated that it was a good start with the community coming together for the kids.

Supervisor Flach stated that the R-C-S School Budget Vote is May 15th from 7:00am – 9:00pm and then asked for a motion to adjourn to Executive Session.

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**ADJOURN TO EXECUTIVE SESSION**

**MOTION**

On motion of Councilwoman Rogers, seconded by Councilman Dolan, the Town Board Meeting was adjourned to Executive Session.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Supervisor Flach stated that they would be discussing a personnel matter in Executive Session and that they will be reconvening.

Time – 8:23

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**EXECUTIVE SESSION**

Executive Session convened in the Supervisor's Office immediately following the Town Board Meeting with the full Town Board present to discuss a personnel issue, action was taken and a motion would follow immediately when the Town Board Meeting was reconvened.

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**RECONVENE MEETING AND ADJOURNMENT**

Supervisor Flach called the meeting back to order and asked that Councilman Boehm offer a motion as discussed in Executive Session.

**MOTION**

On motion of Councilman Boehm, seconded by Councilwoman Rogers, authorizing the Supervisor and Chief of Police to sign the Agreement with the Drug Enforcement Administration NY Field Division and the Upstate Tactical Diversion Task Force Agreement.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Supervisor Flach asked for a motion to adjourn the meeting.

**MOTION**

On motion of Councilman Dolan, seconded by Councilman Masti, the Town Board Meeting was adjourned.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time – 8:30

***Respectfully Submitted*,** **APPROVED –**

_____
***Diane L. Millious, Town Clerk***

**A Town Board Workshop was held May 21, 2012, at 6:00PM at Town Hall, 18 Russell Avenue, Ravena, New York**

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

**ALSO PRESENT:** Diane L. Millious, Town Clerk
Linda Ziegler, Payroll Clerk
Albert Deering, Highway Superintendent

**********

Supervisor Flach opened the Town Board Workshop and led the Pledge of Allegiance.

**********

Town Clerk Millious read the Notice of Change of Workshop as follows:

**NOTICE**
**TOWN BOARD MEETING CHANGE**

**NOTICE IS HEREBY GIVEN** that the Town of Coeymans Town Board regularly scheduled Workshop Meeting on May 22, 2012 has been changed to May 21, 2012 at 6:00p.m., Town Hall, 18 Russell Avenue, Ravena, NY 12143.

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**AGENDA**

- Ravena Rescue Squad
- Employee Handbook
- Discussion of Local Law #1-12
- Police Forfeiture
- Drug Testing Laboratories
- Outdated Surplus Supplies/Equipment
- Highway Roads List

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**DISCUSSIONS**

**Ravena Rescue Squad**

Ms. Ginny Pearson, Bookkeeper and acting President of the Rescue Squad discussed with the Town Board the possibility of potentially becoming a Tax District in the Town of Coeymans as well as concerns with their budget and the way that it currently is. Collectively it was decided that the Town Board should talk with the Attorney for the Town to see where they currently stand, what they need to do and when they have the facts in front of them they can set up a meeting to discuss it.

**Employee Handbook**

Payroll Clerk Ziegler discussed with the Town Board the second draft revision of the Employee Handbook. Collectively it was decided that the Town Board will review it over the next two weeks and move forward with it at the Town Board Meeting on May 29, 2012.

**Proposed Local Law #1-12**

Discussion ensued amongst the Town Board regarding Proposed Local Law #1-12, which will replace the current Landfill Law, which pertains only to Jarvis Road Landfill. Concerns were expressed that it has now been revised and is different from what was originally introduced. Collectively it was decided that it should be discussed with Attorney for the Town Wukitsch and that it would be introduced at the next Town Board Meeting.

**Police Forfeiture**

Discussion ensued amongst the Town Board regarding the need to purchase a police car and the possibility of having Chief of Police Darlington discuss at the next Town Board Meeting the inventory of the cars and using the Forfeiture Account to offset the expense. Collectively it was decided that Councilman Boehm as the Police Liaison would discuss it with Chief Darlington.

**Discussion of Drug Testing Laboratories**

Discussion ensued regarding the drug testing laboratory, Energetics, used by the Police Department and the concern with the same person coming all the time at the same time, which makes for the same people being tested all the time. Collectively it was decided that they should discuss with the Chief making some kind of policy to send those to be tested directly to the lab so that it is more random and the same four people are not being tested all the time.

**Outdated Surplus Supplies/Equipment**

Discussion ensued regarding the surplus equipment and office items stored at the 70 South Main Street building. Collectively it was decided that they should auction what they can and recycle what they can't sell and they should pursue Auctions International.

**Highway Roads List**

Discussion ensued amongst the Town Board and Highway Superintendent Deering regarding the Highway Roads List for roads to be repaired and Councilman Boehm's concern that Cement Plant Road is on the list but Stanton Road was omitted. Collectively it was decided that the anticipated $143,000.00 in FEMA money should be used to do Stanton Road and that repairs would be made to the bottom of Stanton Road where it was washed away. Discussion also ensued regarding Councilman Boehm's concern with the lack of guide rails along the ditch where it washed out to the shoulder and the possibility of Highway Superintendent Deering looking into putting some up.

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**ADDITIONAL BUSINESS/COMMENTS**

Supervisor Flach stated that he had a couple more items and continued by asking that Councilman Boehm discuss Russell Avenue.

Councilman Boehm stated that the Mayor had indicated that the Village is going to pave Russell Avenue and he suggested that the parking be eliminated at the side of the building and build up a berm.

Discussion ensued amongst the Town Board and Supervisor Flach as to the proposed plans.

Supervisor Flach stated that the Lion's Club has four trees that they want to plant for the Town and two suggestions as to where they plant them are to plant 2 at the end of the point at Town Hall and two at Coeymans Landing by the Memorial.

Collectively the Town Board agreed that it sounded good and that it should be checked into with Parks & Maintenance Supervisor Perry.

Supervisor Flach stated that he has had a lot of inquiries about adding some drop-down links added to the website for things such as the Lion's Club, churches and schools, collectively it was decided that the Town Board is in favor of it and for Councilman Masti to work with I.T.S. on it.

Highway Superintendent Deering asked when they anticipated getting the FEMA money.

Discussion ensued amongst Highway Superintendent Deering and the Town Board and they collectively agreed that Chief Darlington had submitted the paperwork and it should be within a month or so and suggested that they wait a bit and figure all the work together so they gat a better deal on tonnage.

Councilman Boehm stated that he had one more item and it was in regard to the Summer Recreation Program at Pieter B. Elementary, they have hired a Recreational Coordinator and there will be a resolution at the next Town Board Meeting.

Councilman Masti stated that the lock broke to the Community Beautification Building and Parks & Maintenance Supervisor Perry put a new one on and he is not comfortable with people going in and out when he is not there.

Councilman Boehm asked Highway Superintendent Deering if he had any discussion with Ms. Maria Bowers.

Discussed ensued as far as an approach off Greenbush Avenue and the cost.

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

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**ADJOURNMENT**

**MOTION**

On motion of Councilman Boehm, seconded by Councilwoman Rogers, the Town Board Meeting was adjourned.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time – 7:15pm

***Respectfully Submitted*,** **APPROVED:**

_____
***Diane L. Millious, Town Clerk***

**A Town Board Meeting was held Tuesday, May 29, 2012, at 7:00pm at Town Hall, 18 Russell Avenue, Ravena, New York**

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

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

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

**********

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

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**OPENING COMMENT**

Supervisor Flach stated that the record should reflect the presence of four members of the Town Board with one as being absent, Councilwoman Rogers.

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**AGENDA**

- Public Announcement
  - Mosher Park Pool
- Public Comment
- Approval of Minutes
  - Public Hearing, May 14, 2012
  - Town Board Meeting, May 14, 2012
- Supervisor's Report – April 2012
- Department Reports
  - Building Department, April 2012
  - Highway Department
  - Sewer Department, April 2012
  - Town Clerk, April 2012
- Old Business
  - Proposed Local Law #1-12 (Amendment to Chapter 138) v. Revised Proposed Local Law #2 (Repeal of Chapter 138 & Replacement of Chapter 109)
- New Business
  - Evening on the Green Schedule
  - Request for Planning & ZBA Members to Attend Local Government Planning & Zoning Workshop
  - R-C Sportsmen's Club Fishing Derby
- Resolutions
  - Appoint Confidential Secretary
  - Appoint Summer Recreation Program Recreation Leader
  - Establish Public Hearing on Revised Proposed Local Law #2
  - Establish Capital Project for Repair/Replacement of Storm Water Drain Pipes
  - Establish Capital Project for Repair/Replacement of Sewer Lines
  - Approval of Abstract
- Correspondence
  - NYS Department of Transportation
  - NYS Department of Environmental Conservation/FEMA
- Town Board Workshops/Meetings

- Public Hearing, June 19, 2012, 6:00pm
- Town Board Workshop, June 19, 2012, 7:00pm
- Town Board Meeting, June 25, 2012, 7:00pm

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**PUBLIC ANNOUNCEMENT**

Supervisor Flach asked that Councilman Boehm go over the Village Pool public announcement.

Councilman Boehm stated that the public announcement is a result of a Joint Meeting that he had with Trustee Case and Trustee Persico and Councilman Dolan and continued by saying that he wanted to make the announcement because everyone might not be aware that if you are not a resident of the Village, you are able to swim at Mosher Park Pool. He added that the fee is $2.00 daily and you can buy a 7 day pass for $10.00, which does not have to be used consecutively and if you go with a Village resident it is $1.00 a day to swim and they plan on opening it after the end of June when school lets out. He reiterated that he wanted to let people know that residents of the Town of Coeymans who do not live in the Village, can use the pool for a nominal fee.

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

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**PUBLIC COMMENT**

Supervisor Flach invited the public to comment at this time.

**Ms. Anne Marie Vadney** stated that she missed the Public Hearing on Chapter 138 and that they are in support of amending it because it will make it more business and people friendly and based on her limited understanding of what is included in the law, modifications to this law should be beneficial to our town.

**Mr. Laszlo Polyak** stated that he wanted to find out for the record what the hierarchy of the Police Department is after the Chief if someone has a complaint.

Supervisor Flach stated that it is the Town Board.

Mr. Polyak asked if there were any liaisons.

Councilman Boehm stated that he and Councilman Dolan are liaisons to the Police Department.

Mr. Polyak asked if there was anything beyond that.

Chief Darlington interjected that it would be the Public Defenders Office, Albany County District Attorney's Office, and Attorney General's Office.

Mr. Polyak stated that he was just wondering what the hierarchy was.

Supervisor Flach thanked Mr. Polyak and asked if anyone else wished to comment.

**Ms. Sylvia Lawler** stated that she is a resident of the Town of Coeymans and added that she has a couple of questions on the agenda and continued by saying that there is a revised Proposed Local Law to the Landfill Law and an item to establish a Public Hearing to obtain Public Comment on that and then there is a Public Hearing on June 19th. She then asked if the Public Hearing on June 19th is the second Public Hearing on the original proposed amendment.

Supervisor Flach stated that was correct.

Ms. Lawler continued by asking if it is no longer on June 19th.

Supervisor Flach stated that was not true and the revised Local Law that they will be bringing forth will be the Public Hearing on June 19th, which they will establish with a resolution.

Ms. Lawler then asked if they could have two Public Hearings because of the summer months and children being out of school and families going on vacation and might not be available to comment. She concluded by saying that they would like an extension, especially given that it is the summer months.

Supervisor Flach stated that the normal protocol is that at the Public Hearing there can be an extension granted at that time and they will consider it then.

Ms. Lawler asked if she could suggest that the Public Hearing on June 19th is too soon, which is three weeks away and people need time to look at it and digest it and people have to prepare their public comments or write letters. She concluded by stating that the request is for the Board's consideration.

Supervisor Flach thanked Ms. Lawler and continued by asking if anyone else wished to comment.

**Ms. JoAnn Segal** stated that she lives in the Hamlet of Coeymans and added that she agrees with Ms. Lawler and would also like an extension because she looked online and the new revised law that revises the old revised law is not even on the website.

Supervisor Flach interjected that it is not on the website because later in the meeting they will be introducing it and this is the first Town Board Meeting to introduce a Proposed Law, and it is what it says, it is a proposal and she will be able to comment at the Public Hearing.

Ms. Segal stated that she would also ask that the Public Hearing be pushed further into June so they have time to study it because now this is something new that is coming along and everyone has been working on something that they thought they were dealing with.

Supervisor Flach stated that the Local Law gets rid of a lot of fear about the landfill, which is the main concern of people, which is Albany bringing a landfill here and this law, speaks to that particular problem with Albany bringing in a landfill.

Ms. Segal stated that in talking to people, this is not their main concern or only concern and it concerns especially people that are close to where this is going to take place as well as people who live away from here. She continued by saying that in reading it briefly, she thinks that it opens the whole town to being part of some sort of importation of waste from all over and not just the Hamlet. She went on by saying that those in the Hamlet have been suffering with it for at least 6 months since she noticed some real change down there and reiterated that it is not just the landfill but rather this type of dirty business and she would like to see more clean businesses brought here and grants being applied for in New York State to update the sewer system so they can get businesses in here the way that they have them in Glenmont and Coxsackie and this is what she sees for this town, where they are paying high taxes and getting the benefit of having those clean and light industry businesses.

Supervisor Flach thanked Ms. Segal and then asked if anyone else wished to comment.

**Ms. Starr Ross** stated that she lives in the Hamlet of Coeymans and continued by saying that she wanted to know who the author is of the new law, and which attorney wrote it.

Supervisor Flach stated that it was himself and Code Enforcement Officer Conrad who sat down together and looked at Laws 109 and 138 and 109 is an old law that does not apply to the Town because it has to do with the Jarvis Road landfill and in turn they went

to the Attorney for the Town, which is the proper course and he went through the law completely and this is where it currently is.

Supervisor Flach thanked Ms. Ross and continued by asking if anyone else wished to comment.

**Ms. Donna Pasquini** stated that she lives in the Hamlet and added that she agrees with some of the people in that they have to be careful with doing laws but she also knows from past experience and past administrations, that she has sat at these meetings for many years and lived in the town for 34 years and things that get put off seem to sit on the shelf in an office for many years or are forgotten about. She continued by asking that they not table it for too long and if they are going to do something, move forward and do it and keep the Town moving on. She concluded by saying that she understands their point but she does not want it to be thrown aside and forgotten.

**Ms. Mary Driscoll** stated that she lives in the Village of Ravena and at the last meeting on May 14th there was a fact sheet put out by the Historic Coeymans Landing Neighborhood Association and added that she objects to the fact sheet for two reasons. She continued by saying that it was put on the table labeled Fact Sheet along with the agenda for the meeting, which made it look like it was an official paper as well as it not being a fact sheet but rather a lot of suppositions, which she won't go through but the last one says that it benefits absentee business owners. She went on to say that if they were worried about absentee business owners they would not have a CVS, Shop n' Save, Rite Aid or Subway, which are run by absentee business owners as well as Stewart's and she does not think that there is anything wrong with the businesses and they seem to take care of their business. She continued by saying that she herself has been down to the Port of Coeymans and it is amazing if you go down there and see it and there are certain people who hire responsible people to take care of their business when they are not there and even the Marina is an absentee business owner who is here 6 months out the year and for those months that he is gone you have to look at all of the boats with plastic on them. She concluded by saying that to say that the Port of Coeymans is an absentee business owner is not correct and reiterated that all of the other things on the fact sheet are suppositions and not facts.

Mr. Laszlo Polyak stated that he has a point of information on two notes and added that he thinks that they are asking for the extension because under of the Freedom of Information Law it could take almost up to 30 days to get your information and therefore they could not make their arguments as well as they could and may ask for an extension of time. He added that the second point of information is that approximately three weeks ago, Police Departments around the country no longer have to "Mirandaize" you and they do not have to tell you your rights and it came down from the Federal Courts that as an American citizen you are pretty much aware of your rights and only people who are not from this country have to be given their rights.

Attorney for the Town Wukitsch interjected that he was not aware of it.

Chief of Police Darlington stated that he also was not aware of it.

Supervisor Flach thanked Mr. Polyak and then asked if anyone else wished to comment, hearing none he closed the Public Comment and moved to the next item on the agenda.

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**APPROVAL OF MINUTES**

Supervisor Flach stated that there were two sets of minutes for Town Board approval, a Public Hearing on May 14, 2012 and a Town Board Meeting on May 14, 2012 and then asked for a motion to approve the minutes.

**MOTION**

On motion of Councilman Boehm, seconded by Councilman Masti, the Town Board Minutes were accepted as presented and read.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Rogers) – SO MOVED

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**SUPERVISOR'S REPORT**

**April 2012**

| FUND | BAL. FWD. | RECEIPTS | DISBURSE. | BALANCE |
|---|---|---|---|---|
| | | | | |
| **General** | **$1,121,739.24** | **$ 59,053.38** | **$ 233,599.99** | **$ 947,192.63** |
| | | | | |
| **Part-Town** | **$ 276,672.40** | **$ 425,852.41** | **$ 15,434.34** | **$ 687,090.47** |
| | | | | |
| **Highway** | **$ 195,883.30** | **$ 610.98** | **$ 81,856.58** | **$ 114,637.70** |
| | | | | |
| **Bridge Const.** | **$ 90,127.02** | **$ 25.73** | **$ 61,465.09** | **$ 28,687.66** |
| | | | | |
| **Sewer** | **$ 145,782.43** | **$ 1,894.11** | **$ 29,907.72** | **$ 117,768.82** |
| | | | | |
| **Special Water** | **$ 49,920.18** | **$ 2.05** | **-0-** | **$ 49,922.23** |
| | | | | |
| **Police Forf.** | **$ 16,295.86** | **$ 1.34** | **-0-** | **$ 16,297.20** |
| | | | | |
| **Comm. Tower** | **$ 5,813.07** | **$ 1,000.27** | **-0-** | **$ 6,813.34** |
| | | | | |
| **Trust & Agency** | **$ 53,646.01** | **$ 246,264.01** | **$ 227,351.39** | **$ 72,558.63** |
| | | | | |
| **H-Fund Cap. Proj.** | **$ 72,523.52** | **$ 2.94** | **$ 842.50** | **$ 71,683.96** |
| | | | | |
| **Section 8 HUD** | **$ 9,998.45** | **$ 57,091.40** | **-0-** | **$ 67,089.85** |
| | | | | |
| | | | **Total Rec. Bal.** | **$2,179,742.49** |

| **SAVINGS ACCOUNTS** | | **COLLATERAL COVERAGE** | **FDIC** | **COLLATERALIZED** |
|---|---|---|---|---|
| Unemployment | $ 702.52 | Bank of Greene | $250,000.00 | $2,944,464.04 |
| Grove Cemetery | $40,892.67 | National Bank | $250,000.00 | $ 729,755.56 |
| Coey. Hollow Cem. | $14,402.70 | | | |
| Sewer-Dedicated | $ 6,330.51 | | | |
| **Total** | $62,328.40 | | | |

Supervisor Flach asked for a motion to approve the report.

**MOTION**

On motion of Councilman Dolan, seconded by Councilman Masti, the Supervisor's Report was approved as presented and read.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Rogers) – SO MOVED

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**DEPARTMENT REPORTS**

**Building Department Monthly Report – April 2012**

Supervisor Flach asked that Councilman Dolan give the Building Department Monthly Report in Councilwoman Roger's absence.

Councilman Dolan continued by giving the report.

Supervisor Flach asked for a motion to approve the report.

**MOTION**

On motion of Councilman Boehm, seconded with Councilman Masti, the report was approved as presented and read.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Rogers) – SO MOVED

**Highway Department**

Supervisor Flach asked that Highway Superintendent Deering give a Highway Department Report.

Highway Superintendent Deering stated that he wanted to let the public know that they did not sit around and do nothing because it didn't snow and added that they have been out and about, repairing vehicles, cutting brush and trees, putting pipes in and picking up the roads, which had not been completely done in quite a while. He concluded by saying that he wanted the public to know what they have been doing, and that they have not been sitting around doing nothing.

Supervisor Flach offered a motion to approve the report.

**MOTION**

On motion of Supervisor Flach, seconded by Councilman Boehm, the report was approved as presented and read.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Rogers) – SO MOVED

**Sewer Department Monthly Report – April 2012**

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

Councilman Boehm continued by giving the report.

Supervisor Flach asked for a motion to approve the report.

**MOTION**

On motion of Councilman Masti, seconded by Supervisor Flach, the report was approved as presented and read.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Rogers) – SO MOVED

**Town Clerk Monthly Report – April 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.

**MOTION**

On motion of Councilman Boehm, seconded by Councilman Dolan, the report was approved as presented and read.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Rogers) – SO MOVED

**OLD BUSINESS**

**Proposed Local Law #1-12 (Amendment to Chapter 138) v. Revised Proposed Local Law #2 (Repeal of Chapter 138 and Replacement of Chapter 109)**

Supervisor Flach stated that at the last meeting they had discussed changing the first proposal and as he had said earlier that one of the concerns is the landfill. He continued by asking Attorney for the Town Wukitsch if it would still be Proposed Local Law #1-12.

Attorney for the Town Wukitsch stated that was correct and added that they tabled the original Proposed Local Law and they are now moving on to consider the revised Proposed Local Law.

Supervisor Flach stated that they are tabling the first Proposed Local Law #1-12 and now bringing forth revised Proposed Local Law #1-12, which is the repeal of Chapter 138 and replacement of Chapter 109, which allows recycling and protects the Town from a landfill. He continued by reading the revised Proposed Local Law #2-12 as follows:

**REVISED PROPOSED LOCAL LAW #1-12**

**A LOCAL LAW WHICH DEALS WITH LAND FILLING OPERATIONS AND/OR LANDFILLS LOCATED WITHIN THE TOWN OF COEYMANS**

**Section 1. Title**

This law shall be known as the "Landfill Law."

**Section 2. Statutory Authority**

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

**Section 3. Intent**

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 solid wastes to be buried within the Town of Coeymans outside the Village of Ravena.

**Section 4. Definitions**

As used in this law, the following term(s) shall have the meaning(s) indicated:

**SOLID WASTE -** All putrescible land nonputrescible materials or substances discarded or rejected as being spent, unless worthless or in excess to the owners at the time of such discard or rejection, including but not limited to garbage, refuse, industrial and commercial waste, sludge from air or water control facilities, rubbish, ashes, contained gaseous material, incinerator residue, demolition and construction debris, discarded automobiles and offal.

**CLEAN FILL –** Uncontaminated soils, concrete blocks, bricks and concrete with small amounts of wire mesh or rebar.

**Section 5. Prohibition**

The placement of solid waste within the Town of Coeymans for disposal in the land filling operation and/or landfill is hereby prohibited.

**Exceptions:**

a.) Land applications of fertilizer for growing of crops and similar products associated with farming.

b.) Recycling activities as required or allowed by New York State other than solid waste facilities, which allow anything to be buried.
c.) Recycling activities as required or allowed by the Town of Coeymans.
d.) Excavations as permitted or allowed by the Town of Coeymans, which in clued "clean fill".
e.) Burial of farm animals and/or domestic pets.
f.) Stumps, brush and misc. vegetation generated on an individual property.

**Section 6. Penalties for Offenses**

A. Any person, firm or corporation committing an offense of this article shall be guilty of a violation and shall be subject to a mandatory minimum fine not to exceed $1,000.00.
B. In the event of a continuing offense of this article, each day such offense shall continue shall be a separate violation and subject to a separate penalty.
C. The Town Attorney may also maintain an action or proceeding in a court of competent jurisdiction to restrain any violations of this article.

**Section 7. Enforcement**

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

**Section 8. Repealer**

This law repeals Local Law #1-95 also know as Article II of Chapter 138 Solid Waste, of the Code of the Town of Coeymans. This law shall replace Local Law #1-92 also known as Chapter 109 Landfills of the Code of the Town of Coeymans.

**Section 9. Effective Date**

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

Supervisor Flach asked if there were any comments.

Councilman Boehm asked that he highlight how it came about so it is clear to understand.

Supervisor Flach stated that they looked at Chapter 109, which was the Landfill Law and it pertained to the Jarvis Road Landfill, which is no longer in use so it did not apply and Local Law 138 does not allow the Town to recycle.

Attorney for the Town Wukitsch interjected that it is broad enough to prohibit any kind of recycling and there is no exception.

Supervisor Flach stated that if someone brought a battery from Glenmont into the Town to recycle, you can't recycle it and this is the kind of thing that it takes care of. He reiterated that Chapter 109 is obsolete and Chapter 138 does not allow recycling.

Attorney for the Town Wukitsch interjected that it pretty much sums it up.

Councilman Boehm stated that in essence it really strengthens the existing Landfill Law that they already have.

Attorney for the Town Wukitsch stated that it clarifies it and carves out an exception for recycling activities, which in his view is the main difference and recycling activities would now be permissible.

Councilman Dolan stated that they already have recycling activities now.

Supervisor Flach stated that they do and are within the town and special permits were granted such as for the Trickey property in the late 90's. He continued by saying that one thing that they talked about with Attorney for the Town Wukitsch is that if there were

some exceptions that they needed to add before the Public Hearing and they could do that.

Attorney for the Town Wukitsch stated that the only thing about the Public Hearing is that like he had mentioned earlier, the intent of the Public Hearing is to give everyone who wants, an opportunity to speak, either in favor or in opposition to the law and if for some reason there is not enough time at the date that has been set, they then can set another date and adjourn the Public Hearing to another date.

Councilman Boehm inquired as to if they can set the date for another Public Hearing at the Public Hearing.

Attorney for the Town Wukitsch stated that they can close the Public Hearing and adjourn it to another date so that everyone who wants an opportunity to speak can have an opportunity to be heard. He continued by saying that the Town Board can take up the issue whether there has been ample time afforded everyone at the Public Hearing on the 19th of June.

Supervisor Flach stated that at the last Public Hearing there was plenty of time.

Attorney for the Town Wukitsch stated that they can decide that night if they didn't have enough time and then they can adjourn to another date.

Councilman Boehm interjected that they could actually keep the Public Hearing open.

Attorney for the Town Wukitsch stated that they could but he would suggest that they adjourn it to another date.

Councilman Dolan stated that it is a good thing that they adjourned the last one because now they actually have a totally different law from the last Public Hearing.

Supervisor Flach stated that at the last Public Hearing they mentioned that they would look at it and possibly do some revisions and added that he realizes that it is a big revision.

Councilman Dolan asked if the recycling that takes place on the Trickey property now, is allowed by the law because of the permits issued previously.

Attorney for the Town Wukitsch stated that there are permits authorizing it, you could say that it is permitted but if you do a strict reading of the existing law, he would say that it is probably prohibited because there is no carve out for that type of activity. He continued by saying that it is being condoned and it is being permitted but at the same time it does not seem like there is any leeway in the existing law.

Councilman Masti stated that with the existing law, if he buys Tonic Water in Glenmont and brings the bottles to recycle at Shop n' Save, and technically under the existing law it would be prohibited.

Attorney for the Town Wukitsch stated that you could read it that way.

Councilman Dolan stated that he would not think it was so.

Attorney for the Town Wukitsch stated that it is as broad as you can make it.

Councilman Dolan stated that it is a State Law that the bottle can be returned anywhere that can accept them.

Attorney for the Town Wukitsch stated that they could come up with other examples and he understands what Councilman Masti is referring to and you could come up with scenarios that are as innocuous as that where you can say that it is prohibited.

Councilman Dolan stated that based on the commentary in total during the Public Comment, he thinks that if they are not going to set two dates, they should still allow for some time after the Public Hearing to take suggestions of what people say before they vote on it. He continued by saying that he also thinks that they should not wait forever to act on it and they should not just let it go.

Attorney for the Town Wukitsch stated that if they make significant revisions, they will have to have another Public Hearing.

Councilman Boehm inquired as to what constitutes significant changes.

Attorney for the Town Wukitsch stated that as the Supervisor said it would be for other than adding one additional exception, correcting a typo or changing one word and reiterated that for major revisions and changes you would have to have another Public Hearing.

Supervisor Flach stated that he thinks at the Public Hearing on the 19th, if they need to, they can decide to have another Public Hearing.

Attorney for the Town Wukitsch stated that they should wait and see what happens and to see what the public has to say and then make a decision.

Ms. Sylvia Lawler from the audience asked Attorney for the Town Wukitsch at what point when you revise an environmental law, is it appropriate to have a SEQRA Review.

Attorney for the Town Wukitsch stated that they are doing a SEQRA Review and the Town Board is declaring themselves Lead Agency later in the meeting and added that there has to be a SEQRA Review and they have to make a determination on environmental significance if they decide to move forward with the passage of the Law.

Councilman Boehm stated that if on the 19th they close the Public Hearing, it does not go into effect then.

Supervisor Flach stated that they would have to vote on it.

Attorney for the Town Wukitsch stated that they can wait another four weeks and added that SEQRA has to be completed and an Environmental Assessment Form has to be done.

Ms. Lawler from the audience asked if SEQRA is usually a minimum of 30 days.

Attorney for the Town Wukitsch asked from what date for the 30 days.

Ms. Lawler stated that it would be from when it is proposed and then asked how the scoping period works in amending a law.

Attorney for the Town Wukitsch stated that scoping, from his understanding, deals with once you have made your determination, there will be a Positive Declaration, which has not been done and the only thing that they are going to do is to declare themselves Lead Agency.

Ms. Anne Marie Vadney asked if she could ask a question.

Supervisor Flach asked Attorney for the Town Wukitsch about taking questions from the floor.

Attorney for the Town Wukitsch stated that it is up to the Supervisor because he is running the meeting.

Ms. Anne Marie Vadney from the audience interjected that no questions should have been or will be taken.

Councilman Dolan stated that in all fairness they should take Ms. Vadney's questions because they have already taken and answered questions.

Ms. Anne Marie Vadney stated that she wanted to ask a few questions for clarification based on the information that some people of the community have asked and continued by saying that she is confused and hopefully it can be clarified so the community is not confused. She added that she thought that the Recycling business currently in the Town of Coeymans was approved in 1996 and then asked if it was correct because there was discussion that it is not legal and she does not understand how it can be illegal when it was approved by the current administration and town officials at that point in time. She went on by saying that people of the community should be aware of what the facts are and there should be a fact sheet from the Town prior to the Public Hearing so people are aware of what the facts are. She continued by saying that she understands that a Public Hearing can be adjourned but by law can you have 2 and 3 Public Hearings because they need to make a decision but the public and the Town have to have their facts correct and accurate and before the law gets presented she believes that there needs to be a better explanation than what they heard earlier in the meeting to explain and things such as not being able to bury cats or dogs on their property, which is a minor thing but very unusual and a bit restrictive and added that there are other issues, she was just using that one as an example.

Councilman Dolan stated that he believes that it says that you are allowed to bury cats and dogs.

Ms. Vadney stated that she must have misunderstood.

Supervisor Flach stated that they are exceptions to the law and when they post it, if there are questions, anyone can call and they will have it on the website and copies will be made available.

Ms. Vadney stated that she wanted to emphasize that there should be a little more background for people before they walk into the Public Hearing, which could possibly be on the website, so they do understand that the business is already there as well as urging that there are also other recycling facilities within the geographical region that can be visited and people should go and look at them because they are not dumps. She add that it would enhance and promote more jobs in our community and she is pro business and does not want to harm our community or the people in our community and she respects their concerns but on the other hand it is there and they should enlighten the people of the town so everyone is not going crazy over it. She concluded by saying that permits have already been provided and it is essential that people understand that it is in existence and currently on going and has been.

Supervisor Flach stated that for anyone with questions about the permits should go directly to the Building Department and talk with Code Enforcement about the junk yard permit that goes way back, which carries over and as far as the facts he believes that it would behoove them to put it on the website.

Ms. Vadney stated that the clearer it is, the better it will be when people are trying to decide whether they are pro or con.

Supervisor Flach thanked Ms. Vadney and added that they would take one more comment.

Ms. Segal stated that she agrees with Ms. Vadney and added that she had done some research herself and called DEC and spoke with Mr. Reynolds and he said that they have letters from the Town authorizing recycling in the town and recycling in the town is legal. She continued by saying that she asked him what it means as far as bringing in fertilizer or the Lions recycling eye glasses for the blind or people bringing flat tires to dealers and he said that it means nothing because it is allowed they are recyclables and they have to take it in because they are not solid wastes and as a recyclable they are going to be used again. She went on by saying that you have a perfect right to take in fertilizer for your yard as well as collecting eye glasses from all over the country.

Attorney for the Town Wukitsch asked if she could get that in writing from Mr. Reynolds.

Ms. Segal stated that she will ask him to and this is what he explained to her as well as telling her that if anyone brought this up in court the judge would throw it out.

Attorney for the Town Wukitsch interjected that he would love to see that in writing.

Ms. Segal stated that she thinks that it would have to be a FOIL request, which would take about 30 days.

Attorney for the Town Wukitsch stated that he is giving information over the phone and he assumes that it is accurate so he should not be reluctant to put it in writing.

Ms. Segal stated that he wasn't reluctant, she did not ask him for it and she just asked for an explanation.

Attorney for the Town Wukitsch asked Ms. Segal if she could give him his phone number.

Ms. Segal stated that she would and added that she also spoke with Mr. Marcuccio and he corroborated what Mr. Reynolds said as well as saying that what they are doing at the Port as far as recycling is totally legal in this town and there is nothing being done illegally. She continued by saying that she does not know why the law has to be changed to make it legal when it is legal.

Supervisor Flach thanked Ms. Segal and added that they need to establish a Public Hearing.

Attorney for the Town Wukitsch stated that it is significant if it is legal and if the State feels as though it is legal under the existing codes, there is no reason to change it.

Councilman Boehm asked Attorney for the Town Wukitsch if State Law supersedes Town Law anyway.

Attorney for the Town Wukitsch stated that he would call Mr. Reynolds and find out and added that if recycling is allowed, they don't need to exercise their home rule power to allow recycling and there is no need to do that if they are willing to state that. He added that the laws on the books right now that are referred to in the repealer are confusing and inconsistent and need to be brought up to date but if the intent is to deal with recycling, which he understands to be the main impotence, then why pass another law if they don't need to.

Supervisor Flach stated that it is because of recyclables being brought from other towns and for instance if you live in the Town of New Baltimore, you can't bring in recyclables or solid wastes.

Councilwoman Rogers stated that it is not what Mr. Reynolds said.

Supervisor Flach stated that it is according to what the definition of solid waste is.

Attorney for the Town Wukitsch stated that if the State is taking the position that the Town's Laws allow for that type of recycling, he does not see a need to do it and added that they should get all the information on the table first to see what they need to do.

Councilman Boehm interjected that if it is so, there is still the landfill part of it.

Attorney for the Town Wukitsch stated that there already is probation on the books about landfills.

Mr. Keith Crossley from the audience stated that he does not think that it is just the landfill that everyone is upset about.

Ms. Lawler stated that her question on the recycling that Mr. Laraway proposes at the Port and in 1996 it was a very long process with the Zoning Board and Mr. Trickey asked for Special Use Permits and he was granted two Special Use Permits, one for his junkyard business and auto recycling business and the other one was for an auto towing and repair shop and gas station and it triggered something called a 239, which is when it has to go through the Albany County Planning Board. She continued by saying that the Albany County Planning Board voted unanimously to disapprove the application and gave all sorts of reasons such as being close to a trout stream and certain things had not been addressed in the permitting process. She continued by saying that because of Home Rule, the Zoning Board of Appeals overrode Albany County and could very well be that during the time between Albany County's Meeting and the Zoning Board Meeting, Mr. Trickey came into compliance or the concerns were met so Mr. Trickey was given two permits. She added that she does not believe that any of them are against a Recycling Facility for the Town of Coeymans and if all of the other towns surrounding the Town of Coeymans already have their own facility she would question where all the recyclables are coming from, which she believes is a legitimate question and if it is coming from Coeymans and Ravena they are not going to foul their own nest. She continued by saying that aside from that it is a much bigger operation and they may need to revisit it and she is not saying that recycling is bad but is a place by the river the best place for it and they need to at least look at it, especially since Albany County voted to disapprove it and as far as she knows they have not give any parameters as far as how big it is going to be or how much truck traffic there will be. She went on by saying that DOT told her that they are about to prohibit a right turn into Riverside Drive and the traffic is now going to have to go west, then south on 9W then up Rte. 143 so they can make a left-hand turn into Riverside Drive and now there is going to be all of this truck traffic on Rte. 143. She reiterated that she does not think that anyone is against recycling but there are a lot of things to consider and it is something that the citizens, Town Board and everyone needs to do due diligence. She concluded by saying that she does not believe that they are on separate pages.

Ms. Donna Pasquini asked if Mr. Laraway had said that he was going to put in his own road to go into the Recycling Center, which is up where the Mushroom Plant was and it is going to be up that way and where he had the road now and he was going to try and get permission for a bridge to go over.

Councilman Dolan stated that it was his understanding that he was looking at two spots for a bridge, one up further where you would have to access through Lafarge's property and then one south closer to where Riverview Drive meets Rte. 144.

Councilman Masti interjected that it is closer to the south entrance of the port where he owns property that he was looking to put a road.

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

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**NEW BUSINESS**

**Evening on the Green Schedule**

Supervisor Flach stated that they now have the Evening on the Green schedule.

Councilman Boehm stated that he wanted to thank Councilman Dolan for the July 12th performance with his band Folding Sky and added that he wanted to make it clear that he does not receive any compensation in any form for doing it and behalf of the Town Board he wanted to thank him for his performance and they look forward to hearing from them.

Supervisor Flach stated that the other bands get compensated for their time and that they appreciate Councilman Dolan donating his band for a performance.

Councilman Dolan continued by reading the following:

- July 12 Folding Sky
- July 19 Sync Sound
- July 26 Hilltown Ramblers
- August 2 Music Magic
- August 9 Dusk til Dawn
- August 16 Peaceful Country
- August 23 Robin O'Herin
- August 30 Jeff Spencer Band

Councilman Dolan stated that the performances are 6:30-8:30 on Thursday evenings.

Supervisor Flach stated that Lafarge donates to this.

Councilman Boehm interjected that last year and this year Lafarge has agreed to pay for the performances with the exception of Folding Sky and added that it is not taxpayer dollars but rather a generous contribution from Lafarge Cement.

**Request for Planning & ZBA Members to Attend Training**

Supervisor Flach stated that members of the Planning & Zoning Board members have requested the Town Board's approval to attend a Local Government Planning & Zoning Workshop.

He continued by reading the following:

To: Supervisor Flach & Town Board Members
From: Town of Coeymans Planning & Zoning Members
Subject: Local Government Planning & Zoning Workshop

Members of the Town of Coeymans Planning and Zoning Boards are requesting your approval to attend a Local Government Planning & Zoning Workshop sponsored by the Capital District Regional Planning Commission. It will take place at the Bulmer Telecommunications Center, Hudson Valley Community College on June 20, 2012. The estimated cost for the course is $30.00 per person.

Deadline for registration is June 13, 2012

Supervisor Flach stated that many of the Town employees on certain boards have to go to workshops for recertification and have to do so many hours a year and this is for that. He then asked for a motion authorizing attendance.

**MOTION**

On motion of Councilman Boehm, seconded by Councilman Dolan, authorizing the Planning & Zoning Boards to attend the Local Government Planning & Zoning Workshop.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Rogers) – SO MOVED

**RC Sportsmen Club Fishing Derby**

Supervisor Flach stated that there is a request from the R-C Sportsman's Club and continued by reading the following:

The R.C. Sportsmen Club is sponsoring our 34th Annual Fishing Derby for children ages 1-16 who reside in the R-C-S Central School District. The Derby will be held Sunday, June 17th from 9:00am to 11:00am at the Town of Coeymans Filtration Plant on Route 144.

To insure that this Derby is successful, we are once again soliciting contributions. In past years your generosity has enabled us to award each participant with a prize and a serving of hot dogs and drinks after the completion of the Derby.

At this time we would like to take this opportunity to invite you to join us on the 17th so you can see first-hand the reactions from the children participating as the reel in their "big" one. We hope to see you there.

Very truly yours,
James Reilly,
Fishing Derby Committee

Supervisor Flach stated that they have asked the Town once again for permission to use the Filtration Plant as their base for the Derby and then asked for a motion to allow them to do that.

**MOTION**

On motion of Councilman Boehm, seconded by Councilman Masti, authorizing Supervisor Flach to address a letter to James Reilly indicating their permission to utilize the Sewer Treatment Facility for the Fishing Derby on June 17th.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Rogers) – SO MOVED

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**RESOLUTIONS**

**RES. #70-12 APPOINT CONFIDENTIAL SECRETARY**
On motion of Councilman Dolan, seconded by Councilman Masti, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Rogers) – SO MOVED

**WHEREAS**, the current Confidential Secretary to the Supervisor has submitted her resignation, and

**WHEREAS**, the Supervisor is desirous of filling this position,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Coeymans does hereby authorize Supervisor Stephen D. Flach to appoint a Confidential Secretary pursuant to Town Law, Section 29, Subdivision (15), and

**BE IT FURTHER RESOLVED**, that Town of Coeymans Supervisor Stephen D. Flach appoints Lisa M. Cirillo as Confidential Secretary to the Supervisor, at the rate of $14.50 per hour, effective June 11, 2012.

Councilman Boehm asked if there is going to be some training with Confidential Secretary Lewandowski and whether or not there was going to be an overlap.

Supervisor Flach stated that she is starting on June 11th and Mary is leaving June 30th so there is almost three weeks for training.

**RES. #71-12 APPOINT SEASONAL RECREATIONAL LEADER**
On motion of Supervisor Flach, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Rogers) – SO MOVED

**WHEREAS**, the Town of Coeymans and the Village of Ravena established a Summer Recreation Program to be based at Mosher Park, and

**WHEREAS**, both the Town Board and Village Board has agreed to equally fund this Program, and

**WHEREAS**, a seasonal part-time staffer is needed to organize and operate the Program to run from July 9 to August 10, 2012,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Coeymans hereby appoints Eric Norris as part-time Seasonal Recreation Leader at the hourly rate of $11.00, effective immediately.

Councilman Boehm stated that the reason they are hiring someone immediately is so that he can go to the schools and promote the Recreation Program and to start training and purchasing equipment prior to the program beginning in July. He added that he along with Councilman Dolan, Trustee Case, and Trustee Persico will be meeting within the next week to hire the additional aides that will be assisting Eric, who was a former Recreation Aide. He concluded by saying that the purpose of the Program is to offer things to do this summer and he hopes that a lot of people take advantage of it.

Ms. Vadney from the audience asked if it is on the website.

Councilman Boehm stated that it will be on the Town's website.

Ms. Vadney stated that she will link it to the Business Association website.

**RES. #72-12 DECLARE LEAD AGENCY & SET PUBLIC HEARING DATE – LOCAL LAW #1-12**
On motion of Councilman Boehm, seconded by Councilman Masti, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Rogers) – SO MOVED

**WHEREAS**, the Town Board of the Town of Coeymans intends to consider a Local Law to amend the existing provisions regarding solid waste collection, recycling and disposal of solid waste, and

**WHEREAS**, Local Law #1-12 has been distributed to members of the Town Board, and

**WHEREAS,** the Town Board should be designated as Lead Agency under the provisions of the State Environmental Quality Review Action (SEQRA), and

**WHEREAS**, the Town Board wishes to set a Public Hearing date to provide members of the community with an opportunity to express their views on the Proposed Local Law #1-12,

**NOW, THEREFORE, BE IT RESOLVED**, as follows:

The Town Board hereby declares itself Lead Agency for the review and possible adoption of Local Law #1-12, and

**BE IT FURTHER RESOLVED**, that the Town Board hereby sets June 19, 2012 as the date for a Public Hearing and directed the Town Clerk to issue a Notice of Public Hearing to be published in accordance with law for that date.

Town Clerk Millious interjected that a time should be put in the resolution.

Supervisor Flach stated that they decided on 6:00pm.

Town Clerk Millious interjected that the Workshop will follow at 7:00pm.

Attorney for the Town Wukitsch stated that someone should offer a motion to amend the resolution.

**MOTION**

On motion of Councilman Boehm, seconded by Councilman Masti, amending the motion to say that the Public Hearing will take place on June 19, 2012 at 6:00pm at Town Hall.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Rogers) – SO MOVED

**RES. #73-12 ESTABLISH CAPITAL PROJECT H-38**
On motion of Councilman Masti, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Rogers) – SO MOVED

**WHEREAS**, the Town of Coeymans has determined that the storm water drain pipes in Colvin Avenue to Route 144 and Blaisdell to Colvin Avenue roads are in need or repair and/or replacement, and

**WHEREAS**, the Town of Coeymans is desirous of creating a Capital Project to repair and replace said drainage pipes, and

**WHEREAS**, the Capital Project shall be known as H-38,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Coeymans establishes Capital Project H-38 for repair and replacement of storm water drainage pipes at Colvin Avenue to Route 144 and Blaisdell Avenue to Colvin Avenue.

Supervisor Flach stated that this is the storm water issue that they have had from Blaisdell to Colvin and the H-38 Project was actually started as far as work being done and they had to officially do a resolution so they can finish getting prices to make the repairs and they are trying to move forward as quickly as they can to take care of the problems.

**RES. #74-12 ESTABLISH CAPITAL PROJECT H-39**
On motion of Councilman Dolan, seconded by Supervisor Flach, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Rogers) – SO MOVED

**WHEREAS**, the Town of Coeymans has determined that the sewer lines in Colvin Avenue to Route 144 and Blaisdell to Colvin Avenue roads are in need or repair and/or replacement, and

**WHEREAS**, the Town of Coeymans is desirous of creating a Capital Project to repair and replace said lines, and

**WHEREAS**, that Capital Project shall be known as Capital Project H-39,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Coeymans establishes Capital Project H-39 for repair and replacement of sewer lines at Colvin Avenue to Route 144 and Blaisdell Avenue to Colvin Avenue.

Supervisor Flach stated that the reason for the H-39 Project is for the sewer line, which is Town and Village and they have not put a price on it because they need to sit down with the Village and discuss some of the issues that need to be taken care of.

**RES. #75-12 APPROVE MAY ABSTRACT**
On motion of Supervisor Flach, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Rogers) – SO MOVED

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

| FUND | VOUCHER # | AMOUNT |
|---|---|---|
| | | |
| **GENERAL (A)** | | |
| General Pre-Pay | 911-971 | $195,883.36 |
| General | 1025-1028, 1030-1092 | $ 43,549.73 |
| | | |
| | **General Total** | **$239,433.09** |
| | | |
| | | |

| | | |
|---|---|---|
| **POLICE FORTEITURE** | | |
| Police Forfeiture | 1029 | **$** 2,250.00 |
| | | |
| | **Police Forfeiture Total** | **$ 2,250.00** |
| | | |
| **PART TOWN (B)** | | |
| Part Town Pre-Pay | 972-985 | $ 12,645.11 |
| Part Town | 1093-1097 | $ 1,251.71 |
| | **Part Town Total** | **$ 13,896.82** |
| | | |
| **HIGHWAY(DB)** | | |
| Highway Pre-Pay | 986-995 | $ 43,934.97 |
| Highway | 1098-1139 | $ 23,464.53 |
| | | |
| | **Highway Total** | **$ 67,399.50** |
| | | |
| **SEWER (SS)** | | |
| Sewer Pre-Pay | 996-1017 | $ 15,362.55 |
| Sewer | 1140-1156 | $ 10,221.28 |
| | | |
| | **Sewer Total** | **$ 25,583.83** |
| | | |
| **CAPITAL PROJ. (H-36** | | |
| Capital Projects | 1157-1158 | $ 31,993.38 |
| | | |
| | **Capital Proj. Total** | **$ 31,993.38** |
| | | |
| | **Total for all Funds** | **$380,556.62** |
| | | |
| **TRUST & AGENCY (TA)** | | |
| Trust & Agency Pre-Pay | 1018-1024 | $210,310.75 |
| | | |
| | **Trust & Agcy. Total** | **$210,310.75** |
| | | |

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**CORRESPONDENCE**

**NYS Department of Transportation**

Supervisor Flach stated that he was in receipt of a letter addressed to the Town of Bethlehem as well as the Town of Coeymans and it is to advise that NYSDOT will resurface a section of Rte. 9W from just north of Rte. 396 to the Coeymans Creek and this will affect both the Towns of Bethlehem and Coeymans.

**NYS Department of Environmental Conservation/FEMA**

Supervisor Flach stated that NYSDEC FEMA previously held a series of community coordination meetings, which provided an opportunity for community officials to go over the maps and the legal map adoption process with NYSDEC or FEMA staff and two Public Open Houses separate from and in addition to those meetings have also been scheduled in Albany County. He continued by announcing the following:

Albany County Flood Mapping Open Houses

| | |
|---|---|
| June 19, 2012 | June 20, 2012 |
| 4:00-8:00PM | 4:00-8:00PM |
| | |
| Town of Green Island | Bethlehem Public Library |
| Heatly School Gymnasium | Community Room |

| | |
|---|---|
| 171 Hudson Avenue | 451 Delaware Avenue |
| Green Island, NY 12183 | Delmar, NY 12054 |

Supervisor Flach stated that he would urge anyone who has not looked at the new flood plain maps, to take the time to look at the maps because you will be given an opportunity to grieve the maps. He continued by saying that if your house is now in the flood plain, your insurance can go up drastically as well as affects many other things and reiterated that he urges everyone to go to the Building Department and look at the new maps. He concluded by saying that there are areas now designated as flood plain areas that have never been before and it can affect the owners greatly.

Ms. Vadney from the audience asked if the information is on the website.

Supervisor Flach stated that he just received it on Friday and he will have it put on the website.

Councilman Boehm interjected that there is a website listed to view the maps.

Supervisor Flach stated that it is www.rampp-team.com/ny.htm and reiterated that he will get it on the website.

Councilman Boehm suggested that a copy be made for Town Clerk Millious so people can go to her office and look at it.

Councilman Dolan asked to read the two items that they underlined in the letter and continued by reading the following:

"We would like to emphasize that there will not be a formal presentation at these events and residents are welcome to stop by any time during the scheduled events.

This is an opportunity for property owners in your community to review the maps and to ask questions about flood plain management, flood mapping, the National Flood Insurance Program and whether the new mapping will affect insurance requirements on their property."

Ms. Vadney from the audience inquired as to why it is being held in Bethlehem as opposed to Coeymans, where there are so many changes.

Supervisor Flach stated that he thinks that they are trying to keep it toward the southern end because it affects everyone, even in Bethlehem and they are trying to keep it at a central location. He added that he thinks for everyone's sake it is a good thing to look at and it is not all bad news and he just wants everyone to be aware.

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**TOWN BOARD WORKSHOPS/MEETINGS**

- Public Hearing, June 19, 2012, 6:00pm
- Town Board Workshop, June 19, 2012, 7:00pm
- Town Board Meeting, June 25, 2012, 7:00pm

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**ADDITIONAL COMMENTS**

Supervisor Flach congratulated Mr. Dolan for his nomination.

Councilman Dolan stated that he didn't think that they should talk about it at a Town Board Meeting.

Supervisor Flach asked if there were any other comments.

Ms. Vadney stated that in regard to the Evenings on the Green she wanted to know why they are competing with Albany who have Alive at 5 on the same night because they should want to get as many people as they can to come to the Evenings on the Green and anyone coming from Albany will stay in Albany for Alive at 5 and added that in order to try and get more people, they might want to consider another night even though they have a schedule.

Councilman Dolan stated that perhaps for next year they will and added that the Town of Coeymans has better entertainment and added that considering it for next year is a good idea and they will talk more about it.

Supervisor Flach asked if there were any additional comments.

Councilman Masti stated that he was impressed with the Memorial Day Service at the Highway Garage and added that it was very well done and there was a good turn out.

Supervisor Flach stated that it was very nice and they dedicated a Blue Star Memorial to the Garden Club and added that everyone so appreciates our Veterans, those who have gone on before us and those still with us we thank them immensely.

Councilman Dolan stated that it was a great event and the garden looked wonderful and Supervisor Flach installed a plaque and it was good to see all the veterans there. He continued by saying that the Summer Youth Program operated through CHOICES is for ages 14-21 and you must be income qualified as follows:

Household of four - Annual Income $46,100.00 or less - $3,842.00 monthly

He continued by saying that the applications are lengthy and he will be happy to help anyone fill them out or if anyone has any questions, he can be reached at 756-8650.

Councilman Boehm interjected that it is for local employment and all of the jobs are in the Town of Coeymans.

Supervisor Flach asked if there were any other comments.

Highway Superintendent Deering stated that he wanted to thank the Women's Garden Club, especially Joan Radley who does a lot of work on the garden and added that it looks beautiful.

Councilman Boehm stated that she has done a lot throughout the years bringing back the garden and has done a real good job.

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

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**ADJOURNMENT**

**MOTION**

On motion of Councilman Boehm, seconded by Council, the Town Board Meeting was adjourned.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Rogers) – SO MOVED

Time – 8:15pm

***Respectfully Submitted*,** **APPROVED –**

_____
***Diane L. Millious, Town Clerk***

**A Public Hearing was held Tuesday, June 19, 2012, at 6:00pm at Town Hall, 18 Russell Avenue, Ravena, New York**

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

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

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Supervisor Flach opened the Public Hearing and led the Pledge of Allegiance.

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**OPENING COMMENT**

Supervisor Flach stated that the record should reflect that four members of the Board were present with Councilwoman Rogers being delayed. He continued by saying that the purpose of the Public Hearing was to receive comments from the public on Revised Proposed Local Law #1-12, relating to land filling operations and/or landfills located in the Town of Coeymans. He went on by reading the following:

"In order for every one to be heard on the subject the Board will conduct the meeting as follows: if you wish to speak please be sure you have signed the sheet for that purpose, three minutes will be allowed per person to present their comments, each person must come to the microphone, and no comments from the floor."

Supervisor Flach continued by asking that Town Clerk Millious read the Notice of Public Hearing into the record.

Town Clerk Millious continued by reading the following:

**NOTICE**
**TOWN OF COEYMANS**
**TOWN BOARD**
**PUBLIC HEARING**

**PLEASE TAKE NOTICE**, that a Public Hearing will be held by the Town Board of the Town of Coeymans on Tuesday, June 19, 2012 at 6:00pm at Town Hall 18 Russell Avenue, on proposed Local Law #1-2012 as follows:

**Town of Coeymans Revised Proposed Local Law #1-2012**

**A LOCAL LAW WHICH DEALS WITH LAND FILLING OPERATIONS AND/OR LANDFILLS LOCATED WITHIN THE TOWN OF COEYMANS**

A copy of the Proposed Law may be obtained at the Town Clerk's Office during regular business hours.

**By Order of the Town Board**
**of the Town of Coeymans**
**Diane L. Millious**
**Town Clerk**

Town Clerk Millious continued by reading the Proposed Law as follows:

**REVISED PROPOSED LOCAL LAW #1-2012**

**A LOCAL LAW WHICH DEALS WITH LAND FILLING OPERATIONS AND/OR LANDFILLS LOCATED WITHIN THE TOWN OF COEYMANS**

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

**Section 1. Title**

This law shall be known as the "Landfill Law."

**Section 2. Statutory Authorization**

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

**Section 3. Intent**

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 solid wastes to be buried within the Town of Coeymans outside the Village of Ravena.

**Section 4. Definitions**

As used in the law, the following term(s) shall have the meaning(s) indicated:

**SOLID WASTE** – All putrescible and nonputrescible materials or substances discarded or rejected as being spent, useless, worthless or in excess to the owners at the time of such discard or rejection, including but not limited to garbage, refuse, industrial and commercial waste, sludge from air of water control facilities, rubbish, ashes, contained gaseous material, incinerator residue, demolition and construction debris, discarded automobiles and offal.

**CLEAN FILL** – Uncontaminated soils, concrete blocks, bricks and concrete with small amounts of wire mesh or rebar.

**Section 5. Prohibition**

The placement of solid waste within the Town of Coeymans for disposal in a land filling operation and/or landfill is hereby prohibited.

Exceptions:

A. Land applications of fertilizer for growing of crops and similar products associated with farming.
B. Recycling activities as required or allowed by New York State other than solid waste facilities, which allow anything to be buried.
C. Recycling activities as required or allowed by the Town of Coeymans.
D. Excavations as permitted of allowed by the Town of Coeymans, which include "clean Fill".
E. Burial of farm animals and/or domestic pets.
F. Stumps, brush and misc. vegetation generated on an individual property.

**Section 6. Penalties for Offenses**

A. Any person, firm or corporation committing an offense of this article shall be guilty of a violation and shall be subject to a mandatory minimum fine not to exceed $1,000.00.
B. In the event of a continuing offense of this article, each day such offense shall continue shall be a separate violation and subject to a separate penalty.

C. The Town Attorney may also maintain an action or proceeding in a court of competent jurisdiction to restrain any violations of this article.

**Section 7. Enforcement**

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

**Section 8. Repealer**

This law repeals Local Law #1-1995, also known as Article II of Chapter 138, Solid Waste. This law shall replace Local Law #1-1992, also known as Chapter 109, Landfills, of the Code of the Town of Coeymans.

**Section 9. Effective Date**

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

Supervisor Flach stated that the record should reflect that there were four correspondences from people that could not be present and were received from Elyse Kunz, Toni & Malcolm McNaughton, Karen Toscano and Daniel Lomoriello. (Letters in meeting folder.)

Councilman Dolan interjected that they also received an e-mail from Barbara Heinzen. (In meeting folder)

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**PUBLIC COMMENT**

Supervisor Flach stated that he would be calling names from the sign-in sheet to make public comment and that any questions should be held and will be addressed at a later date.

**Mr. Tom Ellis** stated that he lives in Albany and he is in opposition to a proposal to amend Chapter 138 of the Town Code, a law that prohibits the importation of solid waste into the Town of Coeymans. He continued by reading the following:

"As I recall this law was enacted in 1995, after it became clear that the City of Albany seriously intended to site a large regional landfill on a 363 acre parcel the City now owns in the Town. I spoke at several meetings and hearings in opposition to the Landfill Proposal in 1995 and was an active member of S.C.R.A.P. (Selkirk, Coeymans, Ravena Against Pollution) from 2005-2008. Through our efforts, S.C.R.A.P. was successful in reminding and activating residents of this town of how serious the landfill threat was. Almost 1,000 signatures were collected on a petition opposing the landfill. Residents of the town spoke at a meeting of the Albany City Council, at the same meeting the Mayor delivered his State of the City speech, expressing strong opposition to the city's Landfill Plan. Town residents reminded Albany City lawmakers that they were way out of line thinking they could dump trash from a dozen or more municipalities in the same town that the City gets it water from. Albany City politicians finally acknowledged the 363 acre site is unsuitable for a landfill, in part because the site contains more than 100 acres of wetlands. Blocking the landfill was a great victory for the Town, something you can all be proud of achieving. However, the City still owns the 363 acre parcel, despite facing large projected budget deficits each year in recent years, the City has not put the parcel up for sale. A few years ago I urged the City Council to at least get it appraised, as far as I know this has not been done, why is the City keeping the property? I cannot say for sure but it may be because the City hopes to use the 363 acres to site a giant sized trash incinerator or some variation of an incinerator. In late 2008 Albany Mayor Jennings appointed a committee, supposedly to develop a long range Solid Waste Plan for the City and the other municipalities who dump trash at the City's Rapp Road Landfill. During the next one and a half years this committee met 14 times, I attended all but one of these meetings. The first draft of the committee's report in December 2009 called for a disposal

facility with 1,500 tons per day capacity, large enough to meet the disposal needs of 700,000 people. The language was removed from the final report after considerable objections when the final report was issued a few months later but Mayor Jennings had spoken several times in recent years of his desire to see a large disposal facility site. Amending the law to allow importation of solid waste into the Town would be a colossal error, it would likely be interpreted by Mayor Jennings as a welcome gesture for the City to propose a large or giant sized disposal facility. Maintaining the Town's importation ban helps assure the Town will not become the trash disposal capital of the Capital Region and beyond."

**Mr. Marty Hudecek** stated that he lives in Colonie and the reason he is commenting is that he is a member of the Ravena Coeymans Yacht Club and has been for more than 40 years and before that he had worked for Honeywell and they did work at the Powell & Minnock Brickyard. He continued by saying that he is familiar with the area and familiar with the river, industry and lack of in this community and since Carver Laraway came in with the Port of Albany, which is right next door and closest neighbor, he did take time to read the notes of the previous Public Hearing and he read the objections, which were noise and garbage. He went on by saying that as far as he can say, they are right next door and the noise is not a factor and if there were noises or any problem at all, they go right to Carver and it is taken care of. He continued by saying that he is in support of the operation and he thinks that the area needs industry and he thinks they are going too much into government support and they need people to come in and actually develop property. He added that one objection that he read, and he's not sure and up to date on this, was about garbage and the previous speaker spoke about landfills, the first couple days that Carver was on site, he went to the Yacht Club and they asked about garbage and he said he does not deal in garbage. He concluded by saying that the man has been honest and forthcoming with everything and if they do anything they go to their next door neighbor and speaks to them and are open and honest and if there are any questions they go and talk to him and reiterated that the reason that he is present is to say that they are good neighbors, they support them and he thinks that they help pay taxes that the community needs to have.

**Mr. Bob Baldwin** stated that he is also from the Ravena Coeymans Yacht Club and added that he wanted to add that no one likes a landfill and in his town, the Town of Bethlehem, they have the same issues in dealing with similar waste disposal and it seems like the solution should be recycling and more support into taking what they have already consumed and turn it around and use it. He continued by saying that in working with the Thruway Authority you can see all of the construction on 23 & 24 and most of the material is getting recycled and put back down. He added that it is where job creation is, it's where your income is going to come in by promoting the growth of industry in the town. He added that while he is personally against the landfill, recycling efforts should be supported to the fullest extent of the community and people should get behind them and reiterated that they have been good neighbors, they have no problems, and he is absolutely honest and above board with them and there is a very good relationship between the two organizations.

**Mr. Jim Travers** stated that they all know that he is tremendously opposed to it because what they are doing is opening the door for New York City's trash to come through our town, whether it is incinerated in our town or burned in Lafarge's kilns, allowing this to go through will be a travesty and will damage our town tremendously. He continued by saying that he wanted to reassure them that he is very much in favor of recycling and he advocates for it all the time but if a pile of garbage 200 feet high is sitting down at the Port for 72 hours or longer, or perpetually because as a pile moves out a new pile moves in, he does not think that the members of the Yacht Club would be pleased with the odor. He added that they need to stop the law from being passed and as he advised before, a solid waste facility, is a recycling facility so there is a contradiction in terms and allowing something that they are not allowing it is a very poorly written law. He went on by saying that this is not about Carver Laraway or his operation at the Port but rather what they are doing to the town in what they have fought for more than 20 years to stop from happening and every other township around here has its own recycling facility, which he has advised that they do the same. He continued by saying that if they want to look as to why it has not happened, they don't have to look further than this Board and past

administrations and ask them why the town has not had this within the past 20 years because this is what they need and they need to capture the wealth to offset the costs and the Town needs the money, not Carver Laraway, who is doing just fine with his Port business. He added that they can surely send their stuff baled up to Carver Laraway for export, but the money should be the Town's because it is their trash and not Carver's and there is money in it and he would not be doing it if there wasn't and they know it. He concluded by saying that it is extraordinary that a man who use to be in the garbage business, who is the Town's Building Inspector, brings this to the Town Board and pushes this legislation forward instead of finding and stopping an illegal operation from continuing and then asked again that they not pass the law because they will be litigating for years and no one wants that.

**Mr. Laszlo Polyak** stated that he lives in the Village of Ravena and added that he is for it because recycling is a positive thing and you need sites to do recycling. He continued by saying that you can play puns on words like solid waste and what have you, but it is not garbage, it is recyclable materials because no one makes money in garbage, they make money in recyclable materials when it becomes valuable. He went on by saying that 50 years ago recycling plastic bottles was not viable and now it is because there are a lot of secondary and tertiary reasons for it and now there is money to be made. He added that as far as coming up from New York City, which he is originally from, 20 years ago a gentleman named J.D. Basilico stood before the Board and his Attorney was John T. Biscone, and he wanted to bring sludge up, and luckily it was denied. He continued by saying that he later saw him and he said that the fruit does not fall far from the tree and his reply was that his pops would not allow him to bring sludge up here knowing his grandchildren live her and added with that being said there are not going to be any dumps, which is an archaic term because there is so much money in recycling as well as a federal judge saying that it is wetlands here, so it cannot be used as a dump and there is no way that there is going to be a dump. He went on by saying that we need this, we need to employ people and we need to revitalize our entire community, but he does have some concerns such as the trucks and roadways and if the roads can handle it because of the children and as they just heard out in Schoharie, two kids were on a four-wheeler and lost control and went on the highway and within a split second were in front of a dump truck and even an unloaded dump truck cannot stop and as he had mentioned before, if there were problems with it up on the north property, a bridge could be put up there so trucks would not have to make that hairpin turn and they need to look at solutions. He concluded by saying that his personal experiences, as rare as they have been with Mr. Laraway, is that he addresses issues quickly and finds solutions to them for the residents and his neighbors around him because most of the businesses want to be great neighbors.

**Mr. Carver Laraway** stated that he owns the Port of Coeymans and he supports recycling in every aspect because he thinks that it takes care of any issues with landfills and if we recycle and do a good job of it, like everyone present believes in recycling, it is a good business to be in and reiterated that he supports it and feels very strongly about it. He continued by saying that in correcting some of the people in this town, last year he paid $56,000.00 in taxes and he wanted everyone to know that they pay their school and property taxes and he has approximately 170-180 people working for him and he believes in it 100% and he will do a good job of it, maintain it and work with the people in every aspect.

**Mr. Gary Bowitch** stated that he is an Environmental Attorney and he is representing the Historic Coeymans Landing Neighborhood Association and they asked that he speak on their behalf on the proposed law. He continued by saying that he would keep his thoughts brief and that there has been a lot of talk about where the law came from and whether it is being pushed on behalf of one or more people in the community and his attitude is whether or not that is true does not matter. He added that the main thing the Town Board needs to consider when evaluating the law is how it will impact and affect all of the residents of this town all 7,000, so whether or not it's for one or more people he does not care because it will impact the whole town. He went on by saying that he thinks that it is fair to say that the law does two major things and it says that it will prohibit landfilling but actually guts its own prohibition by allowing the exemptions, which there is a list of, as well as the law being very poorly crafted in the sense that it is very vague and as they probably know as a Town, legislative body statutes are thrown out all the time when they

are void for vagueness and this law does not tell the citizens of the town what actions are prohibited and which ones are allowed and the list of exemptions is vague and unclear. He continued by saying that it says "recycling activities as required or allowed by New York State other than solid waste facilities, which allow anything to be buried" and then asked if they mean the recycling activities that are to be buried or the waste facility and reiterated that it is entirely unclear and he thinks that in and of itself the law would be kicked out on legal challenge. He added that more importantly what the law does is it repeals Article 2 of Chapter 138, which others have spoken to, and this is the importation ban and what is going to happen is that once this protection is gone, solid waste, whether recycled or landfilled or whatever is going to happen to it, is going to come into this town and this town as others have said is proud to have prevented that since 1995 and this law guts that and it is totally repealed. He went on by saying that one other thing is that he does not know how much of the procedure has been done because with every town law that gets enacted, you have to do a SEQRA analysis, which is a evaluation of the potential adverse environmental impacts of this law. He continued by saying that the Town must take a hard look to see what the impacts are of taking away the prohibition of any kind of waste that comes from outside the border of the town and SEQRA looks at traffic, noise, odors and substantial change in use or intensity of use of the land, which will happen when you bring in garbage from anywhere outside the town as well as SEQRA saying that you have to look at whether or not the law will conflict with the Town's adopted Comprehensive Plan and in looking at it, it is very clear. He added that many laws get legally challenged and thrown out and reiterated that a hard look has to happen and he does not believe that the Town has gotten that far and done it yet and if you compare this law, the potential impacts/actions conflict with the Comprehensive Plan and the Comprehensive Plan talks about minimizing negative impacts of natural resources and allowing the importation of out of town waste will work just the opposite of that. He continued by saying that in prohibiting nuisance uses, whether it is recycling or a transfer station, a garbage transfer station as someone had said, in 72 hours it will increase the nuisance impact as well as reducing junk, which he thinks this law has the potential to do the opposite as well as preventing the development of a landfill, which is in the Comprehensive Plan and this law and the Comprehensive Plan are in stark contract. He concluded by saying that he thinks it is important to know and his group wants to emphasize that there is no rush and they need to look at the environmental impacts and look at whether it is one person benefiting or 500, it impacts all 7,000 people and his suggestion is that if they want to change things, they need to start over, get rid of the proposal and take into account all the public input and if they don't decide to do that he would respectfully request that they extend the public comment period beyond the close of the day.

**Mr. Keith Crossley** stated that he lives in the Hamlet of Coeymans and had come with some notes but tore them up because they seemed to be lecturing and no one needs to be lectured. He continued by saying that he thinks very seriously that the old law text is better than the new law and he believed that they fought against the landfill and won temporarily so no one is worried right now about a landfill. He added that the new law seems to address a landfill but it doesn't seem to address what happens if the garbage comes up anyway as solid waste and the definition has a certain amount of things in there that they definitely don't want such as sludge and chemicals. He went on by saying that there will be garbage and when demolition people tear things down, everything goes in and they throw the garbage in as well and then what will happen when a lot of garbage comes up and they have this new law that prohibits landfills, and then asked what they are going to do with it. He continued by saying that one comment was that no one makes money with garbage but teamsters make millions of dollars hauling garbage, which brings in trucks and then there is a safety issue and he believes that the accidents are going to be spectacular and possibly may run through a house with his house being 20-30 feet below Route 144 and if a truck goes off the road it will come through his ceiling. He added that he has had a few personal experiences with the trucks and while driving north on Route 144 right before the bridge a truck swerved into his oncoming lane and the driver was on his cell phone and thankfully they didn't have an accident but it was not that far from being one with another incident on Main Street in Ravena, a truck hit a bump or curve or something and a lot of debris fell out such as bricks and concrete and the truck kept going with another incident when he was going north on Rte. 144 and where Rte. 143 and 144 meet, a truck had a stop sign but was going way to fast to make

the stop and when the driver saw that he had slowed down he stepped on the gas and went through the stop sign at least 50 miles an hour. He reiterated that he thinks that the old law protects better than the new one to ban landfills and he thought that they were not going to have one anyway and continued by saying that no one in the room wants an adversary relationship and he thinks that Mr. Laraway is an honorable man, has a clean record and does not like to break the law and if he ever goes out of regulation he pays the fine super promptly and he wants it to be said that they are not seeking a confrontational relationship. He concluded by saying that the duty falls on the Town Board to pass what's best for the people and what is best for business, which is the American way, and it is not always what is best for the people.

**Ms. Sylvia Lawler** stated that she is a resident of the Town of Coeymans and also is a neighbor of Mr. Laraway's and just one up from the boat club. She continued by saying that she wanted to address the necessity of taking time with the law and she too would like some kind of commitment on the part of the Town that the Public Hearing continues beyond the Public Hearing because she did a F.O.I.L. for some material from DEC, Army Corps. Of Engineers and the Department of State and she has not received her answers yet and would like to do more research. She added that her volunteer work in the Town is with the homebound population and she would very much like to see the next Public Hearing televised because she knows how disappointed they are when they go to one meeting a month for the summer and she knows that they would like to participate and occasionally past Supervisor Hotaling would have a phone-in opportunity for them. She continued by saying that they are homebound and unable to participate in the process and they physically cannot get to the meeting as well as their caregivers being homebound in that they must be home with them. She went on by saying that it would be a great opportunity to let a part of the population, who she knows they have not meant to overlook, has been overlooked by having a non-broadcast meeting such as this. She continued by saying that she has heard very good things about her neighbor Mr. Laraway, from regulatory at DEC and from people that have had business dealings with him and she would very much like to form an alliance with the Port and be on the same side of the aisle as she was with the Watershed Council when they meet with Lafarge, SABIC & CSX and it was not adversarial and they worked together to solve problems. She added that she does have issue with the noise and she is not sure if she is just enough further than the boat club and the way that it comes across the water but she would like to see it addressed. She concluded by saying that she wanted to urge the Board because as Mr. Bowitch had said, she does not believe that there is a rush and they want to do their due diligence and want to be able to hear from a lot of members of the public and they could not have chosen a more inopportune time for a Public Hearing because it is the last week of school and there is Moving Up Day, Graduation coming up, concerts and a number of other things that have kept people who would have liked to have attended the Public Hearing to make comment.

**Ms. Mary Pape** stated that her comments were put in a letter to the Board and proceeded to hand it to each member and continued by saying that there is one thing not in the letter that she wanted to say, She added that she lives on Rte. 144 heading toward New Baltimore and when she was pulling out of her driveway she saw a truck with junk vehicles on it and one of the doors was wide open and she does not know how it missed hitting a school bus when they passed because the door was right out in the south lane even though it was going north. She continued by saying that she does not know who they report those things to as well as thinking that it was against the law for junk cars to be coming into the Town of Coeymans and if they loosen the law they will probably get more junk cars in addition to who knows what else. She concluded by saying that she is against relaxing the law and a lot of consideration was put into the existing laws as they are and she has respect for the consideration that went into the laws.

**Ms. JoAnn Segal** stated that she has a home in the Hamlet of Coeymans and may repeat what others have said but it is easier for her to read and read as follows:

"I am here to request that the Town Board put aside the repeal of Local Law 138 and 109 until they have determined why it is that they are repealing these laws in the first place and weakening them in the second place. As of yet, I have heard nothing from the Board or from Mr. Laraway, who requested this law be changed as to what his proposals and

intentions are with the Board of Coeymans and the Trickey property. What does having his business move forward actually mean? I've heard him speak and he wants to recycle and that we will be able to take our recyclables to his facility. I believe that all of us here have carting companies who collect our recyclables along with our trash. We also have other businesses nearby that will accept things like empty propane tanks, light bulbs, plastic bottle, car batteries, tires and so forth. There are many options to have large objects carted away so most of us will not be renting and loading a truck and driving to the port with our old refrigerators and automobiles. But if this law is repealed then there will be no stopping the importation of waste including household garbage from all over the state, not to mention barges from New York City with their municipal waste and it won't be only the port that can import waste, it will apply to every junk yard and recycler throughout the town. I have heard from Mr. Laraway's lawyer, employees, business partners and political allies attesting to his character, his character has never been in question. It's his business that needs to be clarified to the Town's residents, especially those in close proximity to the port, a small but significant group that is feeling the brunt of this business. The constant noise, dirt, dump trucks speeding on Main Street and Rte. 144, concrete and metal strewn on the road, trucks driving in the oncoming lane to make a right turn into Trickey's is disturbing. Then there are the health issues that come from having an active port such as an influx of rats into the neighborhood, what methods and rodenticide does this port and the town propose to use to control the rat population, which may explode when the barging of waste to the port begins. How many new employees will the Town need to hire in order to oversee the safety of residents when the port grows even bigger? How many trucks will be going in and out of the port and Trickey's property on a daily and hourly basis? Who will be responsible for the upkeep of the roads, who will police the traffic on Main Street and Rte. 144? Where will the waste that is not recyclable be stored and for how long? Will the Board be asked at some point to then repeal their new land fill law? As of now I don't see much enforcement of existing laws, which leads me to Local Law 138 part 2, there are a number of interpretations, one is that the Town allows importation of solid waste if it is a recyclable, as recyclables are not considered waste by the New York State DEC. If that is a correct legal interpretation then the port is allowed under law to do what it is already doing without the need to repeal this law. Another interpretation is that Local Law 138 makes it illegal for the port to be recycling what it has been recycling and therefore breaking the town law, if that's so then why hasn't the town law ever been enforced? If the law can be broken or appealed because one business doesn't like it, then shouldn't we all have the power to petition the Board to repeal laws or not enforce some laws that we as residents don't care for? I don't see that as being a wonderful way to bring more residents and citizens into this town. Again, I request that the Board have more public comment and inform its constituency, what exactly are the future plans of the Port of Coeymans. If Mr. Laraway has not yet articulated these plans and the Board is unaware of what they are, then there is no reason to move forward with a repeal, there could be no intelligent decision made in the absence of facts. We need to be safe rather than sorry."

**Ms. Mary Driscoll** read the following:

"My name is Mary Driscoll and I live in Ravena and in listening to some of these people I would be scared stiff to get out of bed in the morning. In the first place, previous to this Board, because there are a couple of new members, the Town Board has been very anti-business, they do nothing to encourage new business. It was suggested that we have our own Recycle Center with our money. Mr. Laraway pays taxes, by the way I never knew Mr. Laraway before this stuff started, and as far as I am concerned a Recycling Center would probably end up just like the water treatment center where everything was ignored. Albany has done nothing for us and never will. This association, the Historic Coeymans Neighborhood Association, is not governed by any laws, is not registered as a historical association that she knows of and it is a group of people who try to push their rules or their wants onto the rest of the town. They talk about traffic, I don't know where they've been but I can remember when we only had one car in the family, and one day I looked out in the yard and we had five cars. Progress, if you want to call it that, has happened times have changed. Yes, Rte. 144 is a busy road, it has been and it will be. Rte. 9W is a busy road, Main Street in Ravena is a busy road, it is not like before. The Association evidently has some money because they bring in these experts, they have done this before

to tell us what to do and as far as I am concerned, Tom Dolan should not be a member of this because he is on the Town Board, I think it is a big conflict of interest."

She continued by saying that she was not really prepared and was not going to get up and talk and added that if you are going to have business, there is nothing else that they can do and this town is struggling because it needs business.

Tape change – some dialect lost,

**Ms. Michele Hueth** stated that she is speaking in behalf of the Port and Carver Laraway and his businesses and she is an employee at the Port of Coeymans and since she has been employed there she has moved herself, her boyfriend and her daughter here and they are enjoying the Town of Coeymans and they want to see it flourish and through the support of local business, they can do that.

**Ms. Donna Pasquini** stated that they indicate that it is Local Law of 1992 & 1995 and then asked if she misunderstood at a meeting when she heard it said that the Town did not have any Local Laws on the books that were legal at the time because they had not been filed the way that they should have been.

Councilman Dolan stated that she did not hear that.

Ms. Pasquini stated that she heard Larry Conrad say it at a Town Board Meeting.

Councilman Dolan stated that he was referring to a specific kind of law and not all Town Law.

Ms. Pasquini stated that he said that he didn't have any laws that he could enforce and continued by saying that either way her point is that before Carver Laraway took over the business you had the brickyard, with major trucks loaded with bricks causing problems with traffic and they were a good neighbor and they weren't bad. She continued by saying that the local garbage businesses scatter garbage all over the roads off their trucks and they are not complaining about them. She went on by saying her concern is that they don't run business out of town but rather bring them into the town because we need tax money and she does not understand why if the State allows it, they even needs a law because he can do it with or without the Town and they can't stop him because they can't go above the State Law, which is the way that she understands it. She concluded by saying that she is going to say that if the City of Albany wants to come in with the land fill, they would not be able to stop them and they could use eminent domain and do whatever they want on their property and reiterated that if they want to they will come in and she does not care who you are because you are not going to stop them.

**Ms. Linda Marshall** stated that she is a resident of the Town of Coeymans for many years and has done what she could to improve this town to make it a safe place to raise her children and for other people to raise their children, to provide the best quality education that could be provided and had served on the School Board and has worked hard for the town. She continued by saying that she also worked hard to prevent the town from becoming a dump for the City of Albany and she has worked hard to keep it clean and green and she participated in a program that happened in Town Hall four to five years ago when neighbors from all over the community met and they spent night after night during a lovely summer working as hard as they could to envision the kind of Town that they wanted here. She added that no one wanted the importation of waste here and they discussed their concern with what the P&M Brickyard might become and they discussed their vision for that site. She went on by saying that the envisioned high-end housing, something that might bring people from other places to live her and people do envision business in this town but what kind of business, the kind of business that's forward moving, not a backward moving business where we take other people's refuse. She continued by saying that they envisioned something like Malta has, where they are doing things to provide a high tech environment where we would like our children to work where they can earn a decent living and support their families with salaries that can send their children to college and they are looking for a good quality of life in town. She added that the issues of noise has come up and she has heard noise from the Port of

Coeymans and she lives about 2 ½ miles away and the issue of trucks and garbage has come up and in the past month her husband has gotten two flat tires and when they took the tire to a shop to be patched, they discovered a piece of shrapnel in the tire and it was about to blow and she has heard from other people that they have gotten flat tires on Rte. 144 with increasing regularity. She continued by saying that they talked about job creation and her wish for Coeymans is that they have a high tech facility with business friendly businesses and they do not want a porn shop or garbage but rather a decent place for our kids to live and she is voicing her strong opposition to any attempt to remove or modify Local Law #1, which was enacted to keep Coeymans clean. She went on by saying that the existing code should not be amended, importing or transferring solid waste or other back end-elements is not forward looking but backward looking, importing or transferring any used products will only impede the growth of Coeymans making it a less desirable place to live, although it may make money for some individuals and in making Coeymans a less desirable place to live will lower property values here and they will affect almost all and certainly affect the finances of most in the community. She concluded by saying that it is important for the fiscal health of Coeymans' residents that the Town of Coeymans be an attractive place for young families, a place where people would like to live, a place where developers would like to come and build houses and they look at things like the quality of life and school district and she thinks that it is clear that she does not think that it is a good idea.

**Mr. Wayne Everingham** stated that he has lived in the Town of Coeymans for over 46 years and lives on Rte. 144 near Fox Street and one of his concerns is traffic and where the trucks will be coming from as well as how many trucks a day and whether or not DOT has done a study of the traffic on Rte. 144. He continued by saying that he is a Coeymans Fire Police and just in the last two years there has been two big truck accidents and fortunately no one has been seriously injured but it is a matter of time and someone is going to get killed. He went on by saying that you don't argue with a 50,000 pound truck when you are running a 4,000 pound car, the car always loses and the passengers in the car are going to lose and right now there is in the neighborhood of 1 truck every 10-15 minutes going past his house and when he first moved here there were probably ten trucks for the whole day along with maybe 15 cars. He added that times have changed and that is progress and there is not much that you can do about it but if there is going to be a lot more truck traffic on the road, DOT might want to think about dropping the speed a little bit and where he is now, northbound he can see perfectly for ¼ mile but southbound he can see only 150 feet. He continued by saying that when he pulls out of his driveway with his motor home, he looks north, south, north, south and then south again and stomps on the gas because when trucks come around that corner, if he is in the road there is no way that they are going to stop because there is not enough sight distance. He added that DOT needs to do a study to find out what increased truck traffic will do and as a Fire Police Officer he can see that they are going to have more accidents and during one accident when he was directing traffic, they had Rte. 144 shut down for 9 hours when the truck hit the bridge and there was another one when a truck went off the road and blocked traffic for 8 hours and truck traffic will shut down that road at times. He went on by saying that he and the Police Chief have talked about traffic on that road many times and he told him that the officers can sit in his driveway anytime and he will provide the coffee for free because traffic goes by his place 60-65 miles an hour and no one pays attention to speed limits anymore and if they can get DOT to slow things down a bit, it might help and reiterated that that they should do a study on traffic because he has not seen a counter on the road for probably 20 years.

**Mr. Gary Bogardus** stated that he is after Mr. Laraway's tax money because school taxes just went up 6.8%, they are tearing down buildings on Main Street that are off the tax rolls and they need to get some business back on the tax rolls because there no one will be able to afford to live here. He added that when the brickyard was in business there was truck traffic up and down Main Street constant with trucks running all day hauling bricks and no one complained because everyone was working and the mushroom plant was running at the same time hauling manure in and it didn't smell too good down there but everyone was working and no one complained. He continued by saying that he wants to do a nice business up in the back where no one can see it, and it probably won't smell and there won't be much more truck traffic than they use to have and the trucks pay taxes on the roads by paying tax on every mile that they drive. He went on by saying that you

don't pay tax for every mile your car drives but these trucks do and they are State highways and if they are not good enough, it is up to the State to fix them and not the Town, it will be no cost to the Town. He concluded by reiterating that this town needs business.

Supervisor Flach stated that Mr. Bogardus was the last person on the list.

Ms. Lawler asked if she could speak again.

Supervisor Flach stated that she could.

**Ms. Sylvia Lawler** stated that she wanted to clear up some things and continued by saying that they are not a Historical Society and they are just a Neighborhood Association with their name being Historic Coeymans Landing Neighborhood Association. She continued by saying that it listening to what everyone has said, and it seem abundantly clear to her that there are a lot of misconceptions that need to be cleared up and it could be done by sitting around a common table, which could include Mr. Laraway sitting down with the Neighborhood Association. She added that they are not against business but rather the nature of the business or the scale of the business and no one wants to be adversarial and when working to keep the landfill from the town she said that she would never put herself in an adversarial position again and she now works with Watersheds. She went on by saying that Mr. Laraway is their neighbor and she thinks that they need to be good neighbors and she has only heard good things about him but she does have a few problems with the noise and truck traffic. She continued by saying that she thinks that they need to come to the table and have dialog and what she heard earlier was Mary Driscoll talking at them but not to them and there was a lot of just short of name calling, which she does not like to see. She added that we are a community, Mr. Laraway is part of it as a businessman and it is okay for a Neighborhood Association to be concerned when it has seen that industry and business rather than being a part of the community is starting to define us and she reiterated that they need to come back around the table as they did with the Comprehensive Plan. She went on by reiterating that she has only heard very good things about her neighbor Mr. Laraway, both from DEC and people that have worked with him and he is her neighbor and she would like to know him better and she would like to talk about possibly a mixed use at the port, like they do in Europe where they have industry and people friendly business. She concluded by saying that she would like for them to keep the Public Hearing open and that they take a non-confrontational approach and come to the table together.

**Mr. Carver Laraway** stated that he thinks that they are all in agreement that the Town of Coeymans needs building and industry too and they realize what they have and as a visionary, because he sees things like this, they have a mile of thruway that he acquired from Mr. Trickey and the port and they are looking for good clean businesses that would face the thruway such as warehousing, storage, manufacturing, which would create jobs. He continued by saying that he is not trying to hurt anyone, he is not trying to do a landfill, they are trying to put people to work, a lot like it use to be when the Mushroom Farm was here, good, clean, blue collar jobs. He added that this is a community and the more that is happening, the more 9W corridor and everything else will grow and it is a vision that they all feel and they need to work together. He went by saying that he will sit down with them, he has no problem with that because they are all working together for the good and he thinks that they are taking a law and trying to put it into something that he is doing but it is not him doing it and the laws need to be corrected so CEO Larry Conrad and others can enforce the rules and regulations. He concluded by saying that he is trying to be a good neighbor, he tries to do his best and if there are problems with anything they should call his office.

Supervisor Flach offered a motion to close the Public Hearing.

Ms. Lawler asked if they are closing the Public Hearing or if there will be a continuance.

Supervisor Flach stated that they are closing the Public Hearing and added that anyone that wants to come in and talk, he would be more that happy to speak with Mr. Bowitch

and Attorney for the Town Wukitsch just to make sure that they have clarity and that they are going about things the right way.

Ms. Lawler asked if there would be an opportunity for further public comment.

Supervisor Flach stated that if it comes to a vote for a law, there will be opportunity that night as there always is because it will be during a regular Town Board Meeting.

Mr. Travers asked if there is a cut off date for written comments.

Supervisor Flach stated that there is not and he would encourage people to do so.

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**ADJOURNMENT**

**MOTION**

On motion of Supervisor Flach, seconded by Councilman Masti, to close the Public Hearing.
VOTE – AYES 5 – NAYS

Time – 7:11pm

***Respectfully Submitted*,** **APPROVED –**

_____
***Diane L. Millious, Town Clerk***

**A Town Board Workshop was held June 19, 2012, at 7:00PM at Town Hall, 18 Russell Avenue, Ravena, New York**

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

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

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Supervisor Flach opened the Town Board Workshop and led the Pledge of Allegiance.

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The following Notice appeared in the Ravena News Herald and was posted in several locations throughout the town.

**NOTICE**
**TOWN BOARD**
**MEETING CHANGE**

**NOTICE IS HEREBY GIVEN** that the Town of Coeymans Town Board regularly scheduled Workshop Meeting on June 19, 2012 at 6:00pm has been changed to 7:00pm at Town Hall, 18 Russell Avenue, Ravena, NY 12143.

**By Order of the Town Board**
**of the Town of Coeymans**
**Diane L. Millious**
**Town Clerk**

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**AGENDA**

- Review of Health Plan Proposals
- Ravena Coeymans Historical Society Request
- Workplace Violence
- Safety Committee
- Police
  - Staffing
  - New Police Vehicle
  - Misc. Fees

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**DISCUSSIONS**

**Review of Health Plan Proposals**

Discussion ensued regarding the quotes for Health Insurance for employees and the increase of co-pays for drugs for the current plan as well as an increase in premium. Collectively it was decided that the current plan is the best choice and it will be discussed at a Town Board Meeting.

**Ravena Coeymans Historical Society Request**

Supervisor Flach read the following:

Dear Supervisor Flach and Town Board Members,

The Ravena Coeymans Historical Society is in the process of updating and enhancing the cemetery data collection in the Town of Coeymans for publication. During our recent field research we discovered that many of our historical burial sites are severely overgrown and in danger of being lost. We would like to clean and restore these sites before this happens.

The burial sites are such an invaluable resource of genealogical information. We have been receiving increasingly more inquiries for this information.

In the past the Town was able to engage a work crew for us through the Department of Corrections. We are appealing to the Board to see if this might be possible again for these cleanup projects. Any efforts through you on our behalf would be greatly appreciated.

Sincerely,

Ralph Biance
President
Chairman, Cemetery Committee

Discussion ensued amongst the Town Board and Mr. Ralph Biance regarding the request and who they might get to do the work (inmates, community service) collectively it was decided that they would contact Sheriff Apple and follow through with Chief Darlington as far as community service.

**Police Issues**

**Workplace Violence**

Discussion ensued between Chief Darlington and the Town Board relative to the Workplace Violence Committee and the need for official appointments of Department Heads as well as the need for updates, such as panic buttons. Collectively it was decided that they will make appointments by resolution at the next Town Board Meeting.

**Misc. Fees**

Discussion ensued between Chief Darlington and the Town Board relative to misc. fees for things such as impoundment fees, storage fees for vehicles, and dog related fees. Collectively it was decided that they should check with Reigning Cats & Dogs because it is the kennel that the Town of Bethlehem uses and prepare a resolution for the June 25th Town Board Meeting for a $25.00 a day fee for vehicle storage and a $25.00 administrative fee and whatever fees they decide for dog related fees.

**Police Vehicles**

Discussion ensued between Chief Darlington and the Town Board relative to replacement of police vehicles and why it is imperative to have a replacement plan so they don't all need to be replaced at the same time as well as discussing possible funding. Collectively it was decided that it makes sense to use Police Forfeiture funds and funds that will be coming from F.E.M.A and to find other funding in the budget and in turn do a resolution at a Town Board Meeting.

**Police Staffing**

Discussion ensued between Chief Darlington and the Town Board relative to a Police Officer that will be giving his letter of resignation in lieu of another opportunity as well as another Officer being out with an injury, and Officer McDonagh and Officer Alberts,

who moved to other agencies and the request for 2 additional part-time for those that have left and consideration for a part-time supervisory position with the title of Lieutenant and a second Dog Control Officer who would be available during the day. Collectively it was decided that Chief Darlington should start to look for candidates and upon finding them, advise the Board who will in turn prepare a resolution for the next meeting to hire 2 part-time Officers and a part-time dog control officer.

**Petty Cash**

Discussion ensued regarding the Petty Cash Fund, which is set at $300.00 and recent undercover incidents have been $150.00 - $250.00 each time and the difficulty with getting checks signed on a daily basis and the possibility of increasing it to $1,000.00. Collectively it was decided that they would prepare a resolution for the next Town Board Meeting.

**Ravena Rescue Squad**

Discussion ensued regarding the Ravena Rescue Squad and the creation of an Ambulance District. Collectively it was decided that they would have a Special Workshop with Alex Betke, Supervisor of the Town of Coxsackie who is a attorney who specializes in Municipal Law as well as inviting a Village Trustee, Fire Chiefs from local companies, someone from the Police Department and members of the Rescue Squad to try and figure out what direction they are going to head in. It was decided that there will be a Special Workshop on July 9th at 6:00pm and there will be a resolution prepared for the June 25th Town Board Meeting.

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**ADDITIONAL COMMENTS**

Councilman Masti asked Chief Darlington if there was anything else from F.E.M.A. on the Hannacroix Creek.

Chief Darlington gave an update.

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**ADJOURNMENT**

Supervisor Flach asked for a motion to adjourn the Workshop.

**MOTION**

On motion of Councilwoman Rogers, seconded by Councilman Boehm, the Town Board Workshop was adjourned.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time – 8:32pm

**Respectfully Submitted,** **APPROVED –**

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**Diane L. Millious, Town Clerk**

**A Town Board Meeting was held Monday, June 25, 2012, at 7:00pm at Town Hall, 18 Russell Avenue, Ravena, New York**

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

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

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

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**OPENING COMMENT**

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

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**AGENDA**

- Presentation
  - Housing Choice Voucher PHA Plan, James Mastrianni
- Public Announcement
  - Town Offices Closed, Independence Day
- Public Comment
- Approval of Minutes
  - Town Board Workshop, May 21, 2012
  - Town Board Meeting, May 29, 2012
- Supervisor's Report – May 2012
- Department Reports
  - Building Department, May 2012
  - Town Clerk, May 2012
  - Sewer, May 2012
  - Police Department, May 2012
- Old Business
- New Business
  - Authorization to Sign HUD Annual Certification
  - Highway Department Request to Extend Seasonal Employee
  - Highway Department Request to Auction Surplus Equipment
  - Resignation of Police Officer
- Resolutions
  - Appoint Food for Thought Aides
  - Appoint Summer Recreation Program Aides
  - Appoint Summer Choices Supervisor
  - Authorization to Sign C.T. Male Proposal
  - Appoint Safety/Workplace Committee Members
  - Authorization to Increase Police Petty Cash Allotment
  - Authorization to Set Impound Fees for Police Department
  - Authorization to Increase Kennel Fees
  - Approval of Abstract, June 2012
- Correspondence
  - NYS Office of Parks, Recreation & Historic Preservation
  - NYS Department of Public Service

- Town Board Workshops/Meetings
  - Joint Workshop Meeting of Village Board & Town Board, June 26, 2012, 7:00pm
  - Special Town Board Workshop Meeting, July 9, 2012, 7:00pm
  - Town Board Workshop, July 17, 2012, 6:00pm
  - Town Board Meeting, July 23, 2012, 7:00pm

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**PRESENTATION**

**Housing Choice Voucher PHA Plan – James Mastrianni**

Supervisor Flach invited Mr. James Mastrianni to the microphone for his presentation.

Mr. James Mastrianni stated that he was from Joseph E. Mastrianni Inc. and they are a consulting firm located in Saratoga Springs and administer Section 8 Housing Choice Voucher Programs and Family Self Sufficiency Programs in eight counties in upstate New York with more than 2,600 units of housing. He continued by saying that the reason he is present, is that annually HUD requires that they evaluate their PHA Plan, which they do not have to make any changes this year and they only need a simple certification form and in his letter to the Supervisor he had indicated that he would do a presentation. He added that he would be giving a summary of the program and some summary statistics as well as a brief financial review, SEMAP (Section 8 Management Assessment Program) score letters and integrity of the program followed by some requests about the waiting list and a housing complex. He outlined the following:

- The Housing Choice Voucher Program is sponsored by the Department of Housing and Urban Development
- The goal of the program is to help elderly, disabled and low income families afford safe, sanitary and decent housing, which is done by subsidizing a portion of their rent based on their income.
- It does not require any of the Town's resources to fund the program.
- They have been working with the Town of Coeymans since 1978.
- Total Federal Funding for this year is estimated at $418,000.00, which allows them to help 76 families.
- There are 56 applicants on a waiting list of which 14 are elderly or disabled who live or work in the Town of Coeymans with 28 living or working in the program area.
- Out of the 76 families, 60 are elderly or disabled, which is 79%.
- HUD requires them to support a program called Portability, which allows participants to move out of poverty concentrated areas into less poverty concentrated areas and allows them to move toward their job and better education. There are currently 5 families that have come from other programs living in the Town of Coeymans and 2 families moved out.
- Every unit must be inspected; more than 4,000 are done per year by staff certified in housing quality standard inspections as well as the EPA to look for lead paint.
- Housing quality standards are a set of standards that is required by the Federal Government and are distinct from Town Code with some overlapping.
- In the Town of Coeymans they performed 150 inspections, 11 had lead based paint and failed inspection.
- Participants' average gross monthly income was $1,070.00 and the average subsidy is $477.00 per month.

Mr. Mastrianni continued by going over a spreadsheet for funding received and funding spent for calendar years 2011 & 2012. (copies in minute folder)

Mr. Mastrianni stated that on an annual basis HUD performs an assessment of the work that they are doing, which is called SEMAP (Section 8 Management Assessment Program) and because it is a smaller program they actually look at them every 2 years. He continued by saying that he provided two letters to show that the program has been

well administered and the score for 2010 was 100% and the score for 2008 was 91%. He added that a couple of years ago he worked with the previous administration with the Town and the Police Department to determine how they could improve their program integrity to try to decrease the rate of fraud, which resulted in some policy and practice changes as well as creating a new position of Program Integrity Coordinator who works with the Police Department on a monthly basis who receives reports from the Supervisor and this assures that the program will be run according to the regulations. He went on by saying that he had two requests, which he does not expect an answer right away and will follow up with a letter to the Supervisor and continued by saying that in 2005 the Town Board requested that there be changes to the waiting list. He added that the waiting list preferences are different from any other program that they administer and typically what they offer as a preference system is whether or not you live or work in the community, you are given a preference and if you don't live or work in the community you are given a second preference but in the Town of Coeymans they set up three tier system of preferences with the first preference given to elderly or disabled, the second being if you live or work and are elderly or disabled or live and work and are not elderly or disabled and the third being if you are elderly or disabled and do not live or work in the community. He continued by saying that at the request of the Town Board this was the requirements and they have been doing this for seven years and currently the program is serving 79% elderly or disabled and the waiting list for the non-elderly or disabled is 66% of the waiting list, which is a one year wait for elderly or disabled and 3-4 year wait for non-elderly or disabled. He went on by say that he is concerned because they have a tip toward one section of the population and it is a segment of the population that right now has a lot of resources in the matrix of social services with there being more services for the elderly or disabled and his concern is that the other segment of the population is not being served by the program. He added that he will be sending a letter asking them to think about modifying the preferences so it is more equitable to all members of the community. He continued by saying that the last thing that he needed to address is that there is a housing complex in the community that 7 years ago they placed a moratorium on adding participants to because there were significant code problems and his understanding is that the code problems have been rectified and they no longer have the basis of not putting people in the complex, which he will address as well in a letter. He concluded by saying that he does not think that they have the authority anymore to prevent people from being in the Housing Program and then asked if there were any questions.

Chief Darlington stated that the integrity was a grave concern 2 years ago and with the appointment of the Program Integrity Coordinator, the communication has opened up and he thinks that it is a relationship that has definitely comforted him more with the Section 8 Program. He continued by saying that when people on the program move out they know that they move out because of their address and continued by asking if they are notified with people move in.

Mr. Mastrianni stated that it is on the report and every person that moves in and out is on the report.

Collectively the Town Board thanked Mr. Mastrianni.

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**PUBLIC ANNOUNCEMENT**

**Town Offices Closed – Independence Day**

Supervisor Flach stated that he had one public announcement and continued by reading the following:

On Wednesday, July 4, 2012, all Town Offices will be closed in observance of Independence Day. As always, the closing of Town Offices does not include the Police Department, which is a 24-hour, 7 day operation.

**PUBLIC COMMENT**

Supervisor Flach stated that there was an item on the agenda that was taken off earlier in the day, which was due to a miscommunication and it was relative to Local Law 1-12 and as they stated at the Public Hearing they will be taking time to talk to some lawyers and to make sure that the environmental assessments are done to ease some fears. He continued by inviting the public to comment at this time.

**Mr. Stephen Schmidt** introduced himself as well as his wife Lisa and added that they live on North Lane which is off from County Route 102, Starr Road. He continued by saying that next to them is the old poultry farm and Callanan owns the property behind the farm and throughout the years they have been blasting and turning it into a quarry and he brought to Mr. Conrad's attention at his last Zoning Board of Appeals Meeting and he told him what he sees going on there. He went on by saying that he does not know at this time where Callanan is in the process or where they are in accordance with the area and he does know that a ways back there is an Industrial Zone and it is zoned for mining and blasting but at some point it hits a Residential/Agricultural Zone. He added that recently they put up a big berm that is probably 100 to 150 from one of his neighbors and it is out front right behind the poultry farm that goes along Starr Road and reiterated that he has some concerns with where they are, what they are doing and what their future plan is and he thinks that it might have gotten to the point that it needs to be investigated by the Building Department and if they are in the Residential/Agricultural Zone, they don't have the Special Use Permits that allow them to blast. He continued by saying that approximately 3-4 weeks ago he received a call from Callanan and they said that they are going to start blasting and he knew that they had renewed permits but up until 4 weeks ago they had not started blasting and for the last 3 weeks they have blasted every day because every morning he has gotten calls saying that they will be blasting between 12:30 and 2:30pm. He went on by saying that he does not know specifically where they are blasting but he does know that they are getting rather close as well as along that Starr Road area, the City of Albany has a waterline that runs through there and he does not know if they are aware of what is going on and he has a call into the them to give them a heads up. He added that with them blasting as close as they are, his house is shaking and earlier they came home and saw cracks in the ceiling and in parts of the bathroom and last week he was told by Callanan that they are doing a production blast, which he does not know what it is. He continued by saying that his neighbors were home and it was pretty significant and he had spoken to Mr. Conrad and he also wanted to let the Town Board know so hopefully they can figure out what they are doing and what their plan is and bring them either to the Planning Board or Zoning Board to get a hold of what is going on.

Supervisor Flach stated that in speaking to Mr. Conrad, he thought that he was going to call to find out where they are blasting because they know that their permits only go to a certain part.

Mr. Schmidt interjected that they are not allowed to come near the residential area.

Supervisor Flach stated that he will speak with Mr. Conrad in the morning.

Mr. Schmidt stated that he spoke with him earlier.

Supervisor Flach stated that if he has not called, he will make the call himself.

Mr. Schmidt stated that it would be great and he would appreciate that.

Councilwoman Rogers interjected that she knows that years ago when they were blasting back there, they caused a residence so much damage that they bought them out.

Mr. Schmidt stated that he is aware of that.

**Ms. Lisa Schmidt** stated that she believes that the residence that she is speaking about, there is now a berm and they are that close and added that it is a lot easier to apologize after they have dried their wells and crushed their homes and it is a lot easier to apologize

when it is over than it is to make sure that you have the right permits. She continued by saying that she understands that they need all of the taxable businesses that they can in this town but at what expense.

Councilman Dolan asked Mr. Schmidt what Mr. Conrad had said.

Mr. Schmidt stated that he spoke with him earlier and he said that he has a call in, and it is the same person that he spoke with and he is waiting for a call back and he has no reason to not believe what Mr. Conrad had said and hopefully in the near future they will find something out.

Supervisor Flach interjected that they can do a follow-up call.

Mr. Schmidt stated that his biggest concern if they have encroached on that Residential/Agricultural Zone and are continuing to mine and blast where they are not suppose to and the next thing you know they are going to be on Starr Road. He added that his biggest fear is with the water going somewhere else and if it does there are going to be some angry people with no water.

Supervisor Flach thanked Mr. Schmidt and then asked if anyone else wished to comment.

**Mr. Anthony Lintner** stated that he lives at 34 North Lane and is one of the original residents there and they built the road and since then four houses have been built in the area and he has been there 24 years. He continued by saying that the blasting is intense and they did an industrial blast last week and a worker almost fell off his roof and he could have been held responsible and sued. He added that Callanan did call and said that there was going to be an industrial blast and then asked how far the Town is allowing them to do this and what is the legal realm for such a blast because he thinks that they are way to close and their houses are shaking like never before and it has never happened before. He continued by saying that the second issue that he wants to bring up is the dust storm that comes after the blast because you can't breathe and he has to bring his grandson in the house because he does not want him to breath and inhale that dust. He went on by saying that they are taxpayers too and this is unacceptable and they can clearly do something about it and if they are in the realm of doing what they are suppose to be doing they should water it down and they should not allow this to happen. He added that if you leave your windows down it still gets in their houses, which is a health risk and issue and reiterated that it is unacceptable and with the water line being so close, if they blast and rupture the line it will wash out their road and heaven knows what else with a five foot water main breaking loose. He went on by saying that there are laws on the books and they are suppose to be 600 feet from where they put the berm, which keeps getting closer and closer to CR 102. He continued by saying that he personally spoke with Supervisor Flach when they first started bulldozing up there and it is zoned Residential/Agricultural and what they are doing on the other side of the berm is unacceptable because it is a bull dozer and not a farm tractor and he asked that Supervisor Flach get someone up there to look at it because he is looking at a 300 foot wall of dirt being piled up. He added that he had done some investigating on his own and Callanan has notified him that they put the berm there for a sound buffer and he wishes they had come to them sooner because you get nervous when you see dozers pushing dirt and scraping rock and he thinks that they are exploring for stone because there was plenty of stone scraping as they got deeper and deeper and if they are looking for rock, they are within a couple hundred feet of his neighbor. He went on by saying that they have been very patient with Callanan and the Town Board and he is asking as a taxpayer and citizen of this town who has lived here all his life, to look into this because they are their backbone and they look to the Board to protect them and their rights and if they are breaking the law they need to come down on them because it is not right or fair and as they come closer, his property value is decreasing and his taxes have not decreased. He concluded by saying that he does not have a problem paying taxes but what's fair is fair and they really are having a problem and asked that the Town Board address the issues and get back to them to keep them informed of what is going on and with the dust issue, if it is legal, please stop them from doing that and what happened with Atlantic Cement and the dust that was happening to him as a kid is happening to him now in his own backyard.

Supervisor asked if anyone else wished to comment.

**Mr. Walter Ross** stated that his driveway is just before North Lane and he is the one that they are talking about if the water line does break and if it happens he won't have a house and hopefully he is not in the house because he was told that years ago there was a break and it flooded that whole area where it was logged and is now his home. He continued by saying that he has not received phone calls other than one call 3-4 weeks ago but he is not as close as up on North Lane and the day of the big blast he was home and it shook the glass and rattled everything in the house and he has to be a couple thousand feet away. He went on by saying that he has lived there since 1988 and he remembers back when they were doing all the other blasting and it seems like it is getting a lot closer and louder and during the day you can hear the heavy construction up there, which tells that they are getting a lot closer than they ever were. He added that the berm along Starr Road has definitely grown it height and closeness and the berm on the backside by North Lane just popped up pretty quick, which tells them that they are moving down and out and they need to figure out what is going on up there. He concluded by saying that they do need the tax dollars from them but they need to keep them in check too.

Supervisor Flach asked Mr. Ross how far he said he is from it.

Mr. Lintner stated that they are about 500 feet from 34 North Lane.

Mr. Ross stated that he is probably 1,500 – 2,000 from where the blasting is.

Mr. Lintner stated that below the water line, if it ever broke, he is in big trouble and would never get out.

Supervisor Flach asked Mr. Lintner how far he is from Mr. Ross.

Mr. Lintner stated that it is approximately 700 feet and he is just below them and it is 6 acre lots and he is 1 acre in so he figures he is 4 acres away and approximately 800 feet. He continued by saying that he wanted to address their wells and if Callanan takes their water away who would be responsible because he has no house if he has no water and this is a major concern of theirs. He added that it is on record that he has 100 gallons a minute, its good water but if it becomes Lake Callanan, who will punish their water, who will be responsible for that and whether it will it be the Town or Callanan, or is water no ones treasure and he wants an answer as soon as possible. He continued by saying that he foresees this happening if they keep coming closer and sooner or later they will hit a crack and then there go the wells and they will be homeless because without water you cannot survive. He concluded by reiterating that they need to address that and he thinks that with an industrial blaster, they are just waiting for something bad to happen.

Supervisor Flach asked Attorney for the Town Wukitsch if there is a distance for blasting.

Attorney for the Town Wukitsch stated that he did not have any idea but it must be in State Law somewhere because they are talking about an international corporation and he assumes that if they are doing this there has to be some kind of permit through the State that they are working under.

Councilman Boehm asked if it would be a DEC Permit.

Attorney for the Town Wukitsch stated that he would think so.

Mr. Lintner interjected that they could check with State Mining Codes.

Attorney for the Town Wukitsch stated that he understands what they are saying and they have important rights that they want to protect and he would be communicating directly with Callanan if he was in their shoes.

Mr. Lintner stated that they have tried but don't get very high-up.

Attorney for the Town Wukitsch stated that he would go on record if he were them and added that he cannot give them legal advice and the Town will do what they can do but they have to protect themselves.

Ms. Schmidt asked if the Town would entertain bringing them in for some sort of a presentation because if they knew what their plans were, such as a certain duration, and an outline of what the plan is, they might not be so worried.

Supervisor Flach stated that they can ask when they get a hold of them what exactly is going on and they are going to have to let Code Enforcement Officer Conrad in to see what is going on.

Ms. Schmidt interjected that she does not think that it is safe to assume that people have permits to do what they are suppose to be doing.

Attorney for the Town Wukitsch stated that the Town would not have a copy of their permit and it is not the Town who issues the permit to do the blasting.

Mr. Schmidt stated that if they are in the R/A Zone, they would need a Special Use Permit issued by Zoning.

Attorney for the Town Wukitsch stated that it is a possible zoning issue and they will have to look into it and reiterated that the Town can do what it can do and get Larry involved but he is the only one to handle these types of issues. He continued by saying that there has to be someone at Callanan that will talk to them or communicate with them and if he was in their shoes he would be communicating with them.

Mr. Lintner asked if the water line ruptures because of a blast, is the Town responsible because they were made aware of it and didn't let Albany know. He continued by saying that it could be an issue with the Town and as taxpayers they could be paying heavily for this. He added that there are people that ride up and down the road occasionally and it is far and few in between and he is sure that they don't realize how close they are to the water line and Albany has a lot more money in lawyers than the Town does as well as time and it is their water line and they need to protect it.

Supervisor Flach stated that anything is possible and they definitely need to talk to the person in charge and he does not remember his name.

Mr. Schmidt interjected that his name is Andy Stokes and he does know that in talking to Larry, if they are somewhere that they are not suppose to be, he does have the authority to issue a Cease and Desist Orders until the proper permits are put in place and in being on the Zoning Board of Appeals himself, he does know that it is accurate. He continued by saying that not only are they afraid of losing water, they are also afraid of possible contamination from blasting with whatever is used to break the rock apart.

Councilman Dolan stated that he knows that the Town Attorney was not giving advice but he would take his advice and make contact with them directly.

Mr. Schmidt stated that he has.

Councilman Dolan stated that they need to put all of the questions out there.

Attorney for the Town Wukitsch stated that they should put their questions in writing.

Councilman Dolan suggested certified mail and reiterated that it should be put in writing and sent to them directly.

Supervisor Flach stated that it certainly can help with the follow-up call for them to say that they are not only concerned about how close but also the water issues and putting it in writing is a good idea from every home owner. He concluded by saying that they will definitely follow-up on it. He then asked if anyone else wished to comment.

**Ms. Laurie Lambertson** stated that she is the lucky one and Callanan is directly her neighbor. She continued by saying that they built in 1988, before Callanan owned the 2 parcels next to her and they were blasting at that time, supposedly without permits from what she understands and when they were still working on the house, they heard this loud noise and through the woods a rock came flying into their yard missing the house by approximately 100 feet and her husband and uncle by 50 feet. She added that there are pictures somewhere and at the time she called Mr. Caark, who was in charge of Callanan and she told him what happened and she told him the first rock was free but the next one they would pay for but now she is older and wiser and has children. She went on by saying that Callanan did hire a firm to do testing on the houses and wells and they have answered questions when they have had concerns but now with the berm she is starting to feel like a rat in a maze and in taking a few steps off her property you walk into this berm, which they did say that they were going to seed and plant trees and it was for sound. She continued by saying that someone from Austin Powder who had worked with her husband told him that prior to the blast that threw the rock, Callanan had said that they didn't need a blanket on it and to go ahead and blast, so they did it on purpose and it was not good and they were not following the rules and someone could have been killed and it was negligence. She added that back then they would come on their property and set up their machines and she asked for a release of liability in case someone breaks a leg or something, which she does not want to be liable for, and she has the same issue still and she spoke with Steve Acres and told him that she has teenage girls and she does not want people just coming on her property because she does not know who they are. She went on by saying that her daughter said that one person went around to the back of their property and set up a machine and then sat in his car in her driveway and reiterated that she has two girls and she does not want just anyone coming up. She continued by saying that they have called her and they have been blasting since October and it has been small blasts with nothing big and she did speak with DEC, back when it first started and DEC told her that they are suppose to keep their dust on their own property and unfortunately she is not home during the day but her kids are and she remembers being home before and the dust coming over and she stopped hanging laundry years ago. She reiterated that they are suppose to keep the dust on their own property and she had spoken to three different people at DEC back in October when it first started and they were still in the permitting process. She concluded by saying that so far they have been nice but she does not want them running amok and she wants someone to keep them in check and her neighbors workers are practically falling off the roof, she has a little crack in her kitchen that she just noticed and big dust blankets are coming over again, which she can't have and it is bad.

Supervisor Flach asked if they were on her property just recently.

Ms. Lambertson stated that they were and when they blast, they come up with their seismographs and she is a patient person and understands that they need to monitor it for their protection but she still has not seen a release of liability and they said that they are insured and added that she does not want to have to go out and hire an attorney. She continued by saying that before when they were doing the same thing, they were there first and she had to be patient but now she was there before they purchased the two parcels of land and now they are coming closer to her yard and she wants to make sure that they follow the rules.

Supervisor Flach asked if there were any other comments.

**Mr. Laszlo Polyak** stated that he lives at 1 Central Avenue in Ravena and in looking at the agenda, he would like a couple of clarifications with the first being a resignation of a police officer and then asked whether or not it was fore known when they hired the six last month or if it was a new resignation.

Supervisor Flach stated that it is a recent resignation.

Mr. Polyak asked if they will re-hire someone part-time or if they will be making up a schedule with the current 6 part-time that they have.

Supervisor Flach stated that he is not sure what they are doing at this time and they may have to hire another part-timer with no benefits.

Mr. Polyak stated that it is also on the agenda to increase the Police Department Petty Cash but it does not say how much.

Councilwoman Rogers stated that there is a resolution, which they will be reading later.

Mr. Polyak continued by asking about the impound fees on the agenda.

Councilwoman Rogers interjected that there is a resolution for later in the meeting.

Supervisor Flach stated that they are impound fees for when the cars are down at the impound lot and they are next to nothing and it is to get people to pick up their things.

Mr. Polyak asked about towing fees and what the various different companies will be able to charge.

Supervisor Flach stated that it is an impoundment fee for where they house the cars.

Mr. Polyak stated that after listening to Mr. Mastrianni, he would like to give the Board his two cents and he would like for it to continue the way that it is for the senior citizens and handicap to still take priority because it has worked well and he believes that senior citizens have worked most of their lives and they deserve a little more of a break and there is a reward for working hard all of their lives and being a good citizen with the same thing for the handicap, who through no fault of their own they are limited to what they can earn and they should have that priority also. He added that Mr. Mastrianni had also spoken about Oakbrook and years ago there was a different owner but now there is a new owner who has spent millions of dollars. He continued by saying that years ago he did advocate that the Town withdraw until Oakbrook changed, which they have done and personally would not mind it they were allowed to have Section 8 in their facilities and apartment buildings again with a preference to the elderly and/or handicapped and he thinks that they have made repairs under the new administration

Supervisor Flach asked if there were any other comments.

**Ms. Donna Pasquini** stated that she lives in the Hamlet of Coeymans and she saw on the agenda that there is a resolution for the kennel fees and then asked if their intention was to raise the fees.

Collectively the Town Board stated that it is their intention.

Ms. Pasquini stated that she would be ashamed to call it a kennel is she were them because she has been down there to visit a dog and she does not know if any of them had taken the time to go in there and look and see and then asked the Town Board if they had gone down there.

Supervisor Flach stated that he had and he thinks that the reason that they are raising the kennel fee is because they want to make sure that people come and get their dogs because there are a lot of people that work the system. He added that they need people to take care of the dogs and they have to pay someone to do this, which usually is a couple hours a day.

Ms. Pasquini stated that she understands that and reiterated that she was down there to visit a dog, not her dog because he had never been there and it is a concrete floor with kennel up around it and there is a bed but it is not aired out and the air is not fresh and there was dog feces all over the floor and she felt bad for the dog being there and maybe they should put the owner in to see what the animal has to go through because it is cruel for people to leave their dog in that situation. She continued by saying that they have a Joint Workshop Meeting with the Village and then inquired as to whether or not it is on the sewer meters.

Supervisor Flach stated that it is a plethora of subjects with sewer and water that they will be discussing and it is not one specific thing.

Ms. Pasquini asked if it is open to the public.

Attorney for the Town Wukitsch stated that it has to be.

Supervisor Flach stated that it is a Joint Workshop Meeting.

Ms. Pasquini stated that they have been talking about raising water rates and she thinks that they pay more than their fair share for now in the Hamlet and they need Town Board members sticking up for the Hamlet. She continued by saying that they have been getting the shaft down there for years with the sewer rates and now it is going to happen again because it has been let go for so long and added that there has to be a better way to do business with the Village.

Supervisor Flach stated that they are some of the issues that they really need to discuss at the Joint Workshop to try to get some of it taken care of with the percentages.

Ms. Pasquini stated that she is asking for the Board to look out for residents in the Hamlet that are the Sewer District and that they make sure that they have their backs covered because they are the ones that vote and put them in and they would like to have their backs covered as well.

Supervisor Flach asked if anyone else wished to comment.

Ms. Sylvia Lawler stated that she is representing the Onesquethaw Coeymans Watershed Council and they did a study of the Coeymans Creek and they are trying to get interest in forming a sister watershed on the Hannacroix and they were hoping to meet with the Town of Coeymans and Village of Ravena to discuss natural stream design and would like to make a presentation. She continued by asking if at their Joint Workshop if they could mention it so they could possibly set something up for the fall.

Supervisor Flach stated that he would mention it.

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**APPROVAL OF MINUTES**

Supervisor Flach stated that there were two sets of minutes for Town Board approval, a Town Board Workshop on May 21, 2012 and a Town Board Meeting on May 29, 2012 and then asked for a motion to approve them.

**MOTION**

On motion of Councilwoman Rogers, seconded by Councilman Dolan, the Town Board Minutes were approved as presented and read.
VOTE – AYES 5 – NAYS 0 – SO MOVED

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**SUPERVISOR'S REPORT**

**May 2012**

| Fund | Balance Fwd. | Receipts | Disbursements | Total |
|---|---|---|---|---|
| | | | | |
| **General** | **$947,192.63** | **$ 89,027.70** | **$286,176.32** | **$750,044.01** |
| | | | | |
| **Part-Town** | **$687,090.47** | **$ 1,114.69** | **$ 13,073.67** | **$675,131.49** |
| | | | | |
| **Highway** | **$114,637.70** | **$ 1,454.77** | **$ 48,619.35** | **$ 67,473.12** |

| | | | | |
|---|---|---|---|---|
| **Bridge Const.** | **$ 28,687.66** | **$ 13.35** | **-0-** | **$ 28,701.01** |
| | | | | |
| **Sewer** | **$117,768.82** | **$ 54,328.83** | **$ 15,523.75** | **$156,573.90** |
| | | | | |
| **Special Water** | **$ 49,922.23** | **$ 2.11** | **-0-** | **$ 49,924.34** |
| | | | | |
| **Police For.** | **$ 16,297.20** | **$ 1.02** | **-0-** | **$ 16,298.22** |
| | | | | |
| **Comm. Tower** | **$ 6,813.34** | **$ 0.29** | **-0-** | **$ 6,813.63** |
| | | | | |
| **Trust & Agency** | **$ 72,558.63** | **$205,798.58** | **$202,612.52** | **$75,744.69** |
| | | | | |
| **H-Fund Cap. Proj.** | **$ 71,683.96** | **$ 3.04** | **-0-** | **$ 71,687.00** |
| | | | | |
| **Section 8 HUD** | **$ 67,089.85** | **$ 41,359.72** | **$ 42,824.33** | **$ 65,625.24** |
| | | | | |
| | | | **Total Rec. Bal.** | **$1,964,016.65** |
| | | | | |

| **SAVINGS ACCOUNTS** | | **COLLATERAL COVERAGE** | **FDIC** | **COLLATERALIZED** |
|---|---|---|---|---|
| Unemployment | $ 702.56 | Bank of Greene | $250,000.00 | $2,903,491.30 |
| Grove Cemetery | $40,895.24 | National Bank | $250,000.00 | $ 722,552.97 |
| Coey. Hollow Cem. | $14,403.60 | | | |
| Sewer-Dedicated | $ 6,330.91 | | | |
| **Total** | $62,332.31 | | | |

Supervisor Flach asked for a motion to approve the report.

**MOTION**

On motion of Councilman Dolan, seconded by Councilman Boehm, the Supervisor's Report was approved as presented and read.
VOTE – AYES 5 – NAYS 0 – SO MOVED

**********

**DEPARTMENT REPORTS**

**Building Department – May 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 Building Department Report was approved as presented and read.
VOTE – AYES 5 – NAYS 0 – SO MOVED

**Town Clerk – May 2012**

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

Town Clerk Millious continued by giving the report.

Supervisor Flach asked for a motion to approve the report.

**MOTION**

On motion of Councilwoman Rogers, seconded by Councilman Dolan, the Town Clerk Report was approved as presented and read.
VOTE – AYES 5 – NAYS 0 – SO MOVED

**Sewer Department – May 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 Councilman Boehm, seconded by Councilwoman Rogers, the report was approved as presented and read.
VOTE – AYES 5 – NAYS 0 – SO MOVED

**Police Department – March, April, May 2012**

Supervisor Flach asked that Chief Darlington give the Police Department Monthly Reports.

Chief Darlington continued by giving the reports.

Supervisor Flach asked for a motion to approve the reports.

**MOTION**

On motion of Councilman Boehm, seconded by Councilman Dolan, the reports were approved as presented and read.
VOTE – AYES 5 – NAYS 0 – SO MOVED

**********

**OLD BUSINESS**

None at this time.

**********

**NEW BUSINESS**

**HUD Annual Certification**

Supervisor Flach stated that the HUD Annual Certification needs to be signed and as Mr. Mastrianni had said, it is something that they do every year and the questions that he had for the Town Board earlier do not pertain to this particular document. He continued by saying that they will all discuss them at some point in time and then asked for a motion authorizing him to sign the Certification.

**MOTION**

On motion of Councilman Boehm, seconded by Councilman Dolan, authorizing the Supervisor to sign the Certification Agreement with Joseph E. Mastrianni, Inc.
VOTE – AYES 5 – NAYS 0 – SO MOVED

**Highway Department Request – Extend Seasonal Employee**

Supervisor Flach stated that Highway Superintendent Deering had submitted a request to extend a seasonal employee and continued by asking him how long the extension is needed.

Highway Superintendent Deering stated that he would like to see it for 90 days.

Councilman Dolan inquired if that will get him through the paving season.

Highway Superintendent Deering stated that it would.

Supervisor Flach asked if there were any other questions, hearing none he asked for a motion to authorize an extension.

**MOTION**

On motion of Councilman Boehm, seconded by Councilwoman Rogers authorizing the extension of Herbert Williams as a seasonal employee with the Town of Coeymans Highway Department for 90 days.
VOTE – AYES 5 – NAYS 0 – SO MOVED

**Highway Department Request – Auction Surplus Equipment**

Supervisor Flach stated that there is a request from Highway Superintendent Deering to place an International Dump Truck with plow on Auctions International and then asked Highway Superintendent Deering how old the equipment is.

Highway Superintendent Deering stated that it is 1994.

Councilman Boehm inquired as to what it is worth and if there is a minimum bid that he wants to put on it.

Highway Superintendent Deering stated that there isn't a minimum and added that there is a sander that he wants to get rid of that is as old as or older than the truck that he wants to put out to bid as well.

Supervisor Flach interjected that the truck has been replaced and continued by asking if they get some kind of idea what the equipment is worth.

Councilwoman Rogers stated that they usually leave it up to Albert.

Councilman Boehm asked if there is a minimum bid or reserve.

Highway Superintendent Deering stated that there is no minimum.

Chief Darlington stated that Auctions International, which he uses for the police cars, usually come back with very high bids and he has been very impressed with them.

Highway Superintendent Deering stated that he has used them before and they are very good.

Supervisor Flach asked for a motion authorizing the bid.

**MOTION**

On motion of Councilman Boehm, seconded by Councilman Masti, authorizing the C-8 truck, plow and sander to be auctioned off by Auctions International.
VOTE – AYES 5 – NAYS 0 – SO MOVED

**Resignation of Police Officer**

Supervisor Flach stated that he was in receipt of a resignation of a Police Officer from Chief Darlington and continued by reading the following:

Dear Chief Darlington:

I am writing to inform you that I will be resigning from the position of Police Officer for the Town of Coeymans. Due to my extremely busy work schedule, I feel that at this time I am unable to fulfill my obligations to your department was as much availability as you require. As I mentioned in you in our phone conversation, my full-time job has had some unexpected changes and this, unfortunately will not allow me to be as flexible as I once thought. There are no words that can express my gratitude for all that you have done for me and I am greatly appreciative of that. It is with deep regret that my last day of employment with the Police Department will be July 1, 2012.

I have thoroughly enjoyed my time with your department. I would like to personally thank you for all the opportunities that you and this job have given me; it was an enormous learning experience. I hope that this does not close the door for me to come back to your department in the future once my schedule is more flexible. Again, thank you for everything.

Respectfully Submitted,

Joshua M. Lare

cc: Town Supervisor
Union President

Chief Darlington stated that Josh was hired back in December when his career took a change that allowed him to start working for the Town and he worked a couple of months, which was working out great and then his employers company got sold and they did some reorganization and now he has to travel internationally. He continued by saying that he was not able to provide that many hours with the schedule that they are putting out and as they discussed many times, availability is a must and as such he agreed to resign and open up the space up for someone that can work the hours.

Supervisor Flach asked for a motion to accept the resignation.

**MOTION**

On motion of Councilman Masti, seconded by Councilwoman Rogers, accepting the resignation of Police Officer Joshua Lare.
VOTE – AYES 5 – NAYS 0 – SO MOVED

**********

**RESOLUTIONS**

**RES. #76-12 APPOINT RECREATIONAL ASSISTANTS**
On motion of Councilman Masti, seconded by Councilman Dolan, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

**WHEREAS**, the Summer Food for Thought Program is in need a Recreational Assistants to supervise the children who have signed up for the program,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Coeymans does hereby appoint the following individuals as part-time Recreational Assistants for the Food for Thought Program:

| | |
|---|---|
| Bullis, Micaela | McHugh, Andrew |
| Holodook, Christine | O'Brien, Brittany |

| | |
|---|---|
| Hotaling, Savannah | Perotte, Ryan |
| Krein, Sarah | Shear, Emily |
| Kolis, Madison | Youmans, Chelsea |
| Margiasso, Kelci | Zullo, Michael |

Substitute Recreational Assistants to be called on an as needed basis:

| | |
|---|---|
| Maddage, Cassandra | Huntsman, Savannah |

This appointment is effective July 9 to August 10, 2012 and will be at the hourly wage of $7.25.

Supervisor Flach asked if there were any questions or comments.

Councilman Boehm stated that it is a great program and he hopes that people take advantage of it.

**RES. #77-12 APPOINT ASSISTANTS FOR SUMMER RECREATION PROGRAM**
On motion of Councilman Boehm, seconded by Councilman Masti, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

**WHEREAS**, the Summer Recreation Program is in need of Recreational Assistants to supervise the children who have signed up for the program,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Coeymans does hereby appoint the following individuals as part-time Recreational Assistants for the Summer Recreation Program:

| | |
|---|---|
| Biernacki, Kasey | Kyer, Dylan |
| Hodson, Christian | Persico, Brandi |
| Kane, Sydney | Zeoli, Connor |
| Reith, Dalton | Darlington, Jacob |
| Shear, Matthew | |

The appointment is effective July 10 to August 17, 2012, and will be at the hourly rate of $7.25.

Councilman Boehm stated that he hopes that people take advantage of the Recreation Program and added that the numbers have been steadily building year after year and it is a great opportunity. He continued by saying that for clarification, it is a drop-in program and not sign-up, it is at Mosher Park and there are a lot of structured activities.

Councilman Dolan interjected that it is a program that they do in conjunction with the Village of Ravena and they pay for half of it.

**RES. #78-12 APPOINT SUMMER C.H.O.I.C.E.S. FUNDED EMPLOYEES**
On motion of Councilwoman Rogers, seconded by Councilman Dolan, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

**WHEREAS**, the Town of Coeymans has been approved to receive summer season personnel assistance through the C.H.O.I.C.E.S. Program from July 9 through August 7, 2012, and

**WHEREAS**, these summer employees are being assigned to perform various seasonal tasks in the community, and

**WHEREAS**, the Town Board is desirous of providing supervision for these summer seasonal C.H.O.I.C.E.S. funded employees,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Coeymans does hereby authorize payment for the services of Ralph Surrano to provide the necessary and required supervision for these employees, and

**BE IT FURTHER RESOLVED**, that Mr. Surrano shall receive $1,000.00 for these services during the approximate five-week duration of the program. This payment will be made by voucher in the August 2012 Abstract.

Councilman Boehm stated that he would like to thank Mr. Surrano who has been running the program for several years and does a great job.

**RES. #79-12 AUTHORIZE SUPERVISOR TO SIGN CONTRACT WITH C.T. MALE**
On motion of Councilman Dolan, seconded by Councilman Masti, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

**WHEREAS**, the Town of Coeymans has determined that the storm water drain pipes in the Colvin Avenue to Rte. 144 and Blaisdell to Colvin Avenue roads are in need of repair and/or replacement, and

**WHEREAS**, C.T. Male Associates, P.C. has presented a proposed scope of services and engineering fee schedule for the project through construction,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Coeymans authorizes Supervisor Stephen D. Flach to sign the Contract Agreement with C.T. Male Associates, P.C. for $6,700.00.

**RES. #80-12 APPOINT SAFETY/WORKPLACE VIOLENCE COMMITTEE**
On motion of Councilman Masti, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

**WHEREAS**, the Town Board has established the need for a Safety/Workplace Violence Committee, and

**WHEREAS**, it has been determined that such a Committee should be comprised of a team of employees knowledgeable of Safety/Workplace Violence issues,

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

| | |
|---|---|
| Chief Gregory Darlington | Scott Searles, Assistant Chair |
| Albert Deering, Highway | Diane Millious, Town Clerk |
| Linda Ziegler, Clerical | Nelson Perry, Beautification |
| Larry Breedlove, Sewer | Larry Conrad, Building |

Councilman Boehm stated that he believes it is an important committee and he wanted to thank the Chief for Chairing the committee and added that it will be a great addition to improve the safety of the workers.

**RES. #81-12 AUTHORIZE INCREASE OF PETTY CASH FUND FOR POLICE DEPARTMENT**
On motion of Councilman Boehm, seconded by Councilwoman Rogers, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

**WHEREAS,** the Town of Coeymans Police Department has a Petty Cash allotment in the amount of $300.00, and

**WHEREAS**, it has been determined that such allotment is inadequate, and

**WHEREAS**, Chief Gregory Darlington has requested an increase and justification for such increase has been provided,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Coeymans hereby increases the Town of Coeymans Police Department Petty Cash allotment to $1,000.00

**RES. #82-12 SET AND APPROVE IMPOUND FEES**
On motion of Councilwoman Rogers, seconded by Councilman Dolan, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

**WHEREAS**, the Town of Coeymans has a policy wherein any vehicle can be impounded as necessary. Said vehicle would be transported to the Town of Coeymans Impound Yard, and

**WHEREAS**, New York State Vehicle and Traffic Law allows for impound fees to be charged,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Coeymans hereby sets the following fees to be effective immediately:

Impound Fees - $40.00 per day One-Time Administrative Fee - $25.00

**RES. #83-12 AUTHORIZE INCRESE IN KENNEL FEES**
On motion of Councilman Dolan, seconded by Councilman Masti, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

**WHEREAS**, the Town of Coeymans maintains its own dog kennel for the purpose of housing dogs which have been seized or otherwise apprehended by the Dog Control Officer, and

**WHEREAS**, it has been determined that the current fees of maintaining said kennel do not cover the expenses for the care and handling of animals when housed as well as maintenance of the facility,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Coeymans hereby increases the said kennel fees to $100.00 for the first three days and $20.00 each day thereafter, to be effective immediately.

**RES. #84-12 APPROVE JUNE ABSTRACT**
On motion of Councilman Masti, seconded by Councilman Boehm, 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 June, 2012 Abstract.

| FUND | VOUCHER # | AMOUNT |
|---|---|---|
| | | |
| **GENERAL (A)** | | |
| General Pre-Pay | 1159-1198 | $230,562.07 |
| General | 1256-1258,1260-1297 | $ 17,258.34 |
| | | |
| | **General Total** | **$247,820.41** |
| | | |
| **POLICE FORTEITURE (A)** | | |
| Police Forfeiture Pre-Pay | 1199-1200 | $ 900.00 |
| Police Forfeiture | 1259 | $ 209.40 |
| | **Police Forfeiture Total** | **$ 1,109.40** |
| | | |
| **COMMUNICATION TOWER (A)** | | |
| Communication Tower – Pre-Pay | 1201 | $ 6,813.63 |
| | | |
| | **Comm. Tower Total** | **$ 6,813.63** |
| | | |

| | | |
|---|---|---|
| **PART TOWN (B)** | | |
| Part Town Pre-Pay | 1202-1214 | $214,614.84 |
| Part Town | 1298-1301 | $ 2,306.14 |
| | | |
| | **Part Town Total** | **$216,920.98** |
| | | |
| **HIGHWAY(DB)** | | |
| Highway Pre-Pay | 1215-1226 | $ 46,770.93 |
| Highway | 1302-1334 | $ 14,723.39 |
| | | |
| | **Highway Total** | **$ 61,494.32** |
| | | |
| **SEWER (SS)** | | |
| Sewer Pre-Pay | 1227-1241 | $ 14,726.29 |
| Sewer | 1335-1348 | $ 6,528.56 |
| | | |
| | **Sewer Total** | **$ 21,254.85** |
| | | |
| **SPECIAL WATER (SW)** | | |
| Special Water Pre-Pay | 1242 | $ 25,121.27 |
| | | |
| | **Special Water Total** | **$ 25,121.27** |
| | | |
| **CAPITAL PROJ. (H-36)** | | |
| Capital Projects | 1349 | $ 419.68 |
| | | |
| | **Capital Proj. Total** | **$ 419.68** |
| | | |
| | **Total for all Funds** | **$ 580,954.54** |
| | | |
| **TRUST & AGENCY (TA)** | | |
| Trust & Agency Pre-Pay | 1243-1255 | $329,117.35 |
| | | |
| | **Trust & Agcy. Total** | **$329,117.35** |
| | | |

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**CORRESPONDENCE**

**NYS Office of Parks, Recreation & Historic Preservation**

Supervisor Flach read the following:

Dear Mr. Flach:

Following a detailed review, the State Review Board has recommended to the Commissioner of Parks, Recreation and Historic Preservation, who is the New York State Historic Preservation Officer (SHPO), that the property identified above be listed on the New York State Register of Historic Places and nominated to the National Register of Historic Places.

After reviewing the nomination, the SHPO has agreed with the recommendation of the State Review Board and has listed the property on the State Register of Historic Places. We shall now forward the nomination to the Keeper of the National Register in Washington D.C.

If the Keeper of the National Register approves the nomination, the property will be listed on the National Register. You will be notified when this decision is made.

Information about the results of State and National Register listing were included in our earlier notification letter. For more information, please contact John, Bonafide, Historic Preservation Field Services Bureau, New York State Office of Parks, Recreation and Historic Preservation, PO Box 189, Waterford, NY 12188-0189.

Sincerely,

Ruth L Pierpont
Deputy Commissioner for Historic Preservation

Supervisor Flach stated that it is the Dr. Wesley Blaisdell house located on NYS Rte. 144.

**NYS Department of Public Service**

Supervisor Flach read the following:

Dear Consumer Leader:

I am writing to let you know about changes to the Lifeline Telephone Program that may affect low-income consumers across the state. Lifeline is a government benefit program that helps eligible consumers maintain telephone service and save money on their monthly telephone bills. The service is offered by many telephone companies, including some wireless phone providers.

Earlier this year, the Federal Communications Commissions (FCC) approved a comprehensive overhaul of its Lifeline Program to be effective June 1, 2012. The FCC reform is designed to eliminate waste, fraud, and abuse of the program.

As part of the revisions to the Lifeline Program, telephone service providers are required to annually certify that their subscribers are eligible for a Lifeline discount. Please be advised that between June and December of this year, providers such as Verizon will be contact current Lifeline customers to verify their eligibility. As part of the recertification process, the Lifeline service provider may ask for:

- The subscriber's full name.
- The subscriber's residential and billing addresses.
- The subscriber's date of birth.
- The last four digits of the subscriber's social security number (or Tribal Identification number)
- Information on how the subscriber meets the eligibility requirements for receiving Lifeline. Subscribers that qualify through income-based criteria will be asked to confirm the number of individuals in their household.

Subscribers will be asked to certify that they meet the eligibility requirements for the program, are only receiving one discount for their household and that what they are reporting is accurate to the best of his knowledge.

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**TOWN BOARD WORKSHOPS/MEETINGS**

- Joint Workshop Meeting of Village of Ravena & Town of Coeymans Boards June 26, 2012, 7:00pm
- Special Town Board Workshop, July 9, 2012, 6:00pm
- Town Board Workshop, July 17, 2012, 6:00pm
- Town Board Meeting, July 23, 2012, 7:00pm

**ADDITIONAL COMMENTS**

Supervisor Flach asked if there were any additional comments.

Town Clerk Millious stated that she wanted to announce that there is a US Senate Primary Election on June 26th, which is for Republicans enrolled in that party and the polls are open from 12 noon to 9:00pm and continued by giving the locations of the Polling places as follows:

- 1st District Coeymans Fire House, 67 Church St., Coeymans
- 2nd District Coeymans Fire House, 67 Church St., Coeymans
- 3rd District Congregational Christian Church, 175 Main St., Ravena
- 4th District R-C-S Senior High School, 2025 US Rte. 9W, Ravena
- 5th District Coeymans Hollow Fire House 1290 SR 143, Coeymans Hollow
- 6th District Coeymans Hollow Fire House 1290 SR 143, Coeymans Hollow

She concluded by saying that all Polling Places are handicapped accessible. Any questions as to voting district or eligibility should call her office at 756-2100 or the Board of Elections at 487-5060.

Supervisor Flach asked if there were any other comments.

Chief Darlington stated that he wanted to make the public aware that when it came to the impoundment fees; they went based on local tow companies, who were averaging $65.00 a day and they came up with $40.00, which is much lower than what the local businesses charge and there are special circumstances when a vehicle gets brought to the Town's lot as opposed to a regular tow company. He continued by saying that in reference to the kennel fees, he wanted to make the Board aware that it is inspected annually by the Department of Agriculture & Markers and they pass them and have been noted many times for going above and beyond what is required. He went on by saying that Jim Shear, the Town's Dog Control Officer goes down at least twice a day and cleans up and takes the dogs outside for a walk and once a week goes through and disinfects. He concluded by saying that one reason why they raised the kennel fee is that they were charging $12.00 a day but it was costing over $25.00 a day to have Jim go and do what he needed to do and it didn't include dog food, equipment and heating the kennel during the winter and it was actually costing the taxpayers more money to maintain it.

Supervisor Flach asked if there were any additional comments.

Councilman Dolan stated that he wanted to mention that on July 12th , the first Evening on the Green concert will start as well as the Farmer's Market starting on the same day with the Farmer's Market starting at 4:00. He added that they are still looking for vendors and if anyone is interested they can give him a call or call the Neighborhood Association.

Supervisor Flach asked if there is a fee.

Councilman Dolan stated that there is not a fee and added that it is the best bargain in Farmer's Markets in the Capital District. He added that the scheduled music for that night was Folding Sky but they have now switched that night with Music Magic and Folding Sky will be performing August 2nd.

Supervisor Flach asked if there were any additional comments.

Councilman Boehm stated that with the Evenings on the Green, Food for Thought Program, Summer Recreation program and Ravena pool, there is a lot to do in the Town and Village and asked that everyone please take advantage of the programs.

Supervisor Flach asked if there were any additional comments.

Councilman Masti stated that the Matthew Project will be starting up with lunch distribution and it is possible through a federal grant that allows them to do this and added that they are looking for a few more volunteers.

Supervisor Flach stated that he wanted to thank Councilman Boehm for taking charge of the Summer Recreational Program and Councilman Dolan for the C.H.O.I.C.E.S. Program and added that our kids are so important. He then asked if there were any additional comments, hearing none he asked for a motion to adjourn.

**********

**ADJOURNMENT**

Supervisor Flach asked for a motion to adjourn the meeting.

**MOTION**

On motion of Councilman Boehm, seconded by Councilwoman Rogers, the Town Board Meeting was adjourned.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time – 8:30pm

***Respectfully Submitted,*** ***APPROVED –***

_____
***Diane L. Millious, Town Clerk***

**June 26, 2012 – Joint Village of Ravena and Town of Coeymans Board Workshop Meeting – 7:00PM**

**A Joint Workshop of the Village of Ravena Board and Town of Coeymans Board on Tuesday, June 26, 2012 at 7:00pm at Town Hall, 18 Russell Avenue, Ravena, New York**

**VILLAGE BOARD:** John Bruno, Mayor
Bill Bailey, Trustee
Martin R. Case, Trustee
Rocco Persico, Trustee
Nancy Warner, Trustee

**TOWN BOARD:** 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
Laverne Conrad, Town Code Enforcement Officer
Fritz Persico, Foreman, Village Highway Department
Joseph Burns, Village Code Enforcement Officer

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The following Notice was published in the Ravena News Herald:

**NOTICE**

**JOINT VILLAGE OF RAVENA BOARD**
**&**
**TOWN OF COEYMANS BOARD**

**WORKSHOP MEETING**

In compliance with Public Officer's Law, this will inform you that the Village Board of the Village of Ravena and the Town Board of the Town of Coeymans will hold a Joint Workshop Meeting, Tuesday, June 26, 2012 at 7:00pm at the Village of Ravena, 15 Mountain Road, Ravena, NY for the purpose of discussing Sewer and Water issues.

**By Order of the Town of**
**Coeymans Town Board**
**Diane L. Millious**
**Town Clerk**

**********

**AGENDA**

**Sewer**

- Martins Hill
- 9W North of Village
- VanHosen Overflow
- Pieter B Coeymans
- Colvin and Blaisdell
- Line into Sewage Plant
- Plant
- Consent Orders Town/Village
- Town Sewer District Financial Situation
- Meters

**Storm Water**

- Camille Drive
- Back of News Herald
- Orchard Avenue & Bruno Boulevard
- South Clement Avenue & Clearwater Street
- Colvin Avenue & Blaisdell Avenue

**Water Contract**

**********

**OPENING COMMENT**

Mayor Bruno opened the Workshop Meeting and added that the record should show that all members of the Village and Town Boards were present. He continued by saying that there would not be any public comment and they would be following an agenda prepared by Trustee Bailey and then asked that Trustee Bailey start the Workshop.

**********

**DISCUSSIONS**

Trustee Bailey stated anyone else can add to the agenda and he thought of all of the situations that he knows that they want to discuss with the Town as well as Supervisor Flach wanting to add the water contract item. He continued by saying that he would start with the first topic and anyone could jump in at any time and what he is looking for is that they all have an understanding that these are the issues that they are dealing with both in the Village and Town and he does not expect solutions immediately but that they are all on board that these are the issues.

**SEWER**

**Martins Hill**

Discussion ensued between the Town Board, Village Board and Code Enforcement Officer Conrad relative to Martins Hill sewer.

Key points of the discussion were:

- They have between $40,000 & $50,000 in the ground that the Town paid the State so they can create another Sewer District, which the Town has not done thus far.
- It was funded from the A-Fund, which has to be paid back.
- There are currently people hooked into the system that are not paying.
- Creation of a District has to be done before they can bill for use.

Trustee Bailey stated that they acknowledge that they have a situation on Martins Hill and they need to follow-up on the district status and find out who is in the system and who isn't.

Code Enforcement Officer Conrad stated that it is a matter of finishing the creation of the district, establishing the amount of money that has to be collected and how it is going to be collected.

**9W North of Village**

Discussion ensued between the Town Board, Village Board and Code Enforcement Officer relative to 9W north of the Village of Ravena.

Key points of the discussion were:

- District or no district up there and who should be billing.
- 17 users are currently being billed, for two years they were not billed by the Village or Town.
- Out of district user rate because they are not in the Town's Sewer District.

**VanHosen Overflow**

Discussion ensued between the Town Board, Village Board and Code Enforcement Officer relative to 9W north of the Village of Ravena.

Key points of the discussion were:

- The State wants them to put a lot of money into the VanHosen overflow and they are talking about relining and some type of chlorination system.
- The need to solve the problem with the flow going to the plant.
- The possibility of the Village and Town doing the work together in-house.
- Possibly replacing lines to increase flow.
- Developing a shared trump line.
- Consent Orders from DEC.

**Pieter B. Coeymans**

Discussion ensued between the Town Board, Village Board and Code Enforcement Officer relative to Pieter B. Coeymans and two other properties that are both in the Town and Village.

Key points of the discussion were:

- The outflow of Pieter B. Coeymans sewage flows back into the Village line before the meter.
- Who should be billing the school?
- Rite Aid and a Flach property should also be included in the Village billing.
- Properties that are both in the Town & Village.

Collectively it was decided that the Village should be billing the three properties and they need to work out the logistics of how to change it so the Village bills rather than the Town.

**Colvin & Blaisdell - Line into Sewage Plant**

Discussion ensued between the Town Board, Village Board and Code Enforcement Officer relative to the lines on Colvin & Blaisdell and the line going into the sewage plant, which goes along the back of the houses on Rte. 144.

Key points of the discussion were:

- The line is reduced and has two 90 degree turns within a couple hundred feet then it reduces to 12 inch and then a piece of 10 inch, which are causing a lot of trouble with restricted flow causing back-ups.
- The possibility of doing an overflow line and leaving the original line.

**Sewer Plant**

Discussion ensued between the Town Board, Village Board and Code Enforcement Officer relative to the Sewer Plant.

Key points of the discussion were:

- On-going work, upgrades and what needs to be done.

- The possibility of doing some work in-house and reusing material.
- Currently there is not enough area for the sludge.
- Consent Orders from DEC for flows and I&I.
- The cost and funding for what needs to be done.

**Consent Orders Town & Village**

Discussion ensued between the Town Board, Village Board and Code Enforcement Officer relative to Consent Orders for both the Village and Town.

Key points of the discussion were:

- The Town needs to have a working plan with the Village
- Sewage System problem across from the Coeymans Creek, but not part of the Town's existing Sewer District.
- DEC overstepping their boundaries.
- Many of the issues they have been dealing with.
- The possibility of meters helping out.
- Work that has already been done to remedy the problems.

**Town Sewer District Financial Situation**

Discussion ensued between the Town Board, Village Board and Code Enforcement Officer relative to the Town Sewer District Finances.

Key points of the discussion were:

- The Town Sewer District owes the B-Fund $300,000.00 - $350,000.00, which has been for 4-5 years.
- It is not identified in the budget.
- The difference in rate between the Town & Village.

**Meters**

- Some problems when the meters were first started but have been corrected.
- Some issues because the flow on 9W north is extremely low.
- Adjusting the meter reading and estimating the flow because of the placement of meters.

Trustee Bailey asked if anyone else had anything else to address on topics discussed so far.

The following were topics addressed.

- The Town & Village collectively have to agree on what it is that they want to do at the plant.
- Getting together a list of what can be done in-house.
- Solving issues with DEC and the Consent Orders.
- Have a firm such as C.T. Male quote a price on some of the projects and look at it from both perspectives.

**STORM WATER**

Discussion ensued between the Town Board, Village Board and Code Enforcement Officer relative to storm water on Camille Drive, the back of the News Herald, Orchard & Bruno Boulevards, South Clement Avenue and Colvin & Blaisdell Avenues.

**Camille Drive**

- Trying to get the water to go south, instead of going through the Town and the Hamlet.
- Issue with the new flood plain maps – Camille Drive, Southgate Deli, the Medical Center and into the plaza and Village are now considered flood plain.

**Back of New Herald**

- When the water overflows behind the News Herald it goes into the existing culvert and goes along the old bowling alley and onto Orchard Avenue & Bruno Boulevard.
- The possibility of putting a holding area near Louis Apartments was discussed that will reduce the amount of flow into the system.
- The storm water management that was put in when they rebuilt Martins Hill has never functioned as designed and now they have a system that never drains.
- Sending a letter from both the Town & Village to DOT saying that the storm water management does not function and is not acceptable.

**Orchard Avenue & Bruno Boulevard**

- Taking out the existing pipe and adding pipe so there is a straight run from the old bowling alley through to where Bruno Boulevard is.
- The Village needs a right-of-way to go across the property.

**South Clement Avenue & Clearwater Street**

- Only gets bad during an Irene type storm and overwhelms everything.
- During Irene only one property flooded.

**Additional Discussion**

- Village and Town storm water flow routes were described and discussed.
- Current problems with the flows.
- Work that has been done and is currently being done.

**WATER CONTRACT**

Discussion ensued between the Town Board, and Village Board ensued relative to the Water Contract.

Key points of the discussion were:

- The Supervisor's concern based on the Internal Control Officers recommendation that full payment should not be paid all at once.
- The 1982 contract's intent.
- Jurisdiction
- Putting the Town Clerk in jeopardy because of legalities.
- Possible solutions.

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**DECISIONS/ACTION**

Collectively it was decided that the Town would drop Pieter B. Elementary, Rite Aid and the Flach property from the Town billing and would be included in the September billing from the Village and that a joint letter should be sent to each.

**ADJOURNMENT**

Time- 8:36pm

***Respectfully Submitted*,** **APPROVED –**

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***Diane L. Millious, Town Clerk***

**A Town Board Workshop was held Monday, July 9, 2012, at 6:00pm at Town Hall, 18 Russell Avenue, Ravena, New York**

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

**ALSO PRESENT:** Diane L. Millious, Town Clerk
Gregory Darlington, Chief of Police

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

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Town Clerk Millious read the following Notice of Special Workshop.

**NOTICE**

**SPECIAL**
**TOWN OF COEYMANS**
**TOWN BOARD**
**WORKSHOP**

Pursuant to Section 123 of Town Law, please take notice that the Town Board of the Town of Coeymans has scheduled a Special Town Board Workshop for Monday, July 9, 2012 at 6:00pm. The Town Board will be meeting with the Ravena Rescue Squad and Fire Commissioners to discuss funding and the possibility of redistricting. The Workshop will be held at Town of Coeymans Town Hall, 18 Russell Avenue, Ravena, New York.

**By Order of the Town Board**
**of the Town of Coeymans**
**Diane L. Millious**
**Town Clerk**

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**AGENDA**

- Ambulance Districting

  - Current operating cost of Ravena Rescue Squad.
  - Areas to be covered by the district.
  - Towns/municipalities are located within the area.
  - Assessed valuation of the proposed area.
  - Funded through property taxes or service contract.
  - Cost to taxpayers i.e. – dollars per thousand.
  - Will this be an Advanced Life Support District?
  - Will ALS personnel be available each shift as required by the State?
  - Can we take over paramedic – have our own on-call paramedic?
  - Will there be a back-up responder for the district?
  - If agreed upon, an application for a determination of public need has to be made in writing to the appropriate regional council.
  - A Public Hearing has to be held for public comment on the proposed district.

**OPENING COMMENT**

Supervisor Flach welcomed everyone and added that it would be an informal Workshop and then asked that they go around the room and have everyone introduce themselves and state where they are from.

Those in attendance were:

William Price, Ravena Rescue Squad
Ginny Pearson, Ravena Rescue Squad
Bill Bailey, Village Board
Marty Case, Village Board
Rocco Persico, Village Board
Scott VanWormer, New Baltimore Fire
Christopher Norris, New Baltimore Board
Susan O'Rorke, New Baltimore Super.
Todd Polverelli, Coeymans Police Dept.
Alice Ross, Ravena Rescue Squad
Nancy Warner, Village Board
Mike Beachler, Coeymans Hollow Fire
Bill Bruno, Coeymans Fire
Frank Chmielewski, Coeymans Hollow Fire
Alan VanWormer, New Baltimore EMO
Alex Betke, Coxsackie Supervisor

Supervisor Flach stated that the reason for the Workshop was to figure out what needs to happen with the Ravena Rescue Squad as far as funding and to discuss redistricting and the ins and outs and pros and cons. He added that the reason that there are so many people from so many organizations is because they all have different ideas about districting, which might be a great thing or not so great a thing for the Town of Coeymans, Town of New Baltimore and Ravena Rescue Squad. He continued by saying that they need to get a feel for what the leaders of all the organizations are thinking.

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**DISCUSSIONS**

The following topics were discussed amongst the Town Board and those present from the various organizations.

Key points of the discussion by members of the Town Board, Ravena Rescue Squad and others present were as follows:

- Ravena Rescue Squad has gone to a fully paid staff and no longer has any volunteers, which saved over $10,000.00 in insurance costs.
- The full paid staff is 24/7 day a week operation and do not have a second, which has precipitated their discussions with the fire companies.
- Looking to come on board with Fire Company EMT's who are certified to come on for second call, mainly at the scene of a fire in case a fire fighter gets hurt and the ambulance is on another call.
- They are using their reserve funds year after year and by the end of 2013 they won't have much left.
- The Town of Coeymans denies them of the money that they figure they need to run the ambulance and they have asked the Town of Coeymans to increase the budget since 2008.
- They do not get enough income to run the Ravena Rescue Squad and they need to buy an ambulance this year.
- At the end of 2012 they will not have enough in their reserve to get them through 2013.
- They are getting less money from insurance companies, i.e. - Medicare, Medicaid, last year they collected $251,000.00 and had budgeted $285,000.00.
- They are down on calls thus far for the year, which is a loss so far of $20,000.00.
- They are running a deficit and if they can't come to some type of arrangement, they are going to close the doors.
- Without New Baltimore it would be another $70,000.00 to $80,000.00 that the Town Board would have to come up with.
- Their staff has not gotten a raise in 2 years and they will start losing quality EMT's.

- If firemen EMT's come on board, they will be paid employees and get an hourly rate of Ravena Rescue EMT's.
- This year they are asking for $150,000.00 from the Town of Coeymans and in 2011 they got $81,000.00.
- Total expenses for 2011 were $400,825.84 and 2012 was $452,266.00 and their preliminary budget for 2013 is $456,400.00 and the payroll is $316,000.00.
- Sources of income are medical recovery and the Towns of Coeymans.
- In 2011 they had 1,084 calls and so far this year through June they have had 483.
- They get reimbursed for transports and get paid for about 70% of them.
- Missed calls so far this year are 41.
- The Town paid $187,000.00 for paramedics.
- The $316,000.00 payroll provides 28, 12 hour shifts
- The Town of Coxsackie has two districts, and it is municipal.
- The Town of New Baltimore is split in half and covered by Ravena Rescue and the Town of Coxsackie and there are two districts.
- Albany County Sheriff's Department covers some calls and it averages 4-5 calls a month.
- Ravena rescue will provide mutual aid for the Town of Coxsackie.
- In Albany County ALS responds to 100% of the calls, in Greene County it is on a priority system and they don't go to every call.
- They will not have the funds to operate at the present funding level and will need a different funding cash flow to continue to operate.
- Ravena Rescue Squad needs a new ambulance.
- As of June 30, 2012 they have $63,323.50 owed to them from the people who have no insurance, which they will not get.
- If it became municipal, will the Ravena Rescue Squad be willing to move over their assets.
- The Town has the option to either form or not form a district.
- The formula that the Ravena Rescue Squad currently uses to bill the Towns of Coeymans and New Baltimore.
- Insurance recoveries for ALS are returned to both Towns
- Approximately $15,000.00 - $20,000.00 is returned to the Town for ALS.
- To meet the Squads budget request the Town has to come up with $70,000.00 by raising taxes and/or they can discuss establishing a district.

Supervisor Flach stated that Mr. Alex Betke, Supervisor for the Town of Coxsackie where they have two districts, was present and he would explain to them Municipal Districting.

Key points of the discussion were as follows:

- Coxsackie has an Ambulance District that is run by the Town Board.
- Two options would be: It would be an A-Fund charge to every taxpayer in the Village & Town or they would set up some sort of district that would be a separate line on their tax bill, which would be an A-Fund type charge but in a district.
- A benefit of a district is if there are any PILOT Agreements they don't apply to the district so the full assessment goes into that district and it is not exempted.
- There is a process in forming a district and there has to be a Local Law done by the Town Board and subject to permissive referendum.
- They would have to set a taxing limit on the district and they would work with the Rescue Squad to determine what the budget would be and in turn they would set some type of baseline limit in terms of what can be raised via taxes.
- The district would operate much like it is now with the Town Board as the administrative staff making the decisions.
- The Town would have a billing company; they would have to go through a Certificate of Need process to have it transferred out of the Ravena Rescue Squads name.
- It should be done in January at the beginning of the year and not in mid year, which would give them ability to set their tax rate in the prior year's budget.

- Ravena Rescue is a corporate entity and assets would have to be dealt with via whatever by-laws and corporate documents that they have and there may be a charge to the district for the assets and the Town would have to work with Ravena Rescue in terms of what would be transferred over and what the cost would be.
- The district would encompass whatever they want to make it to encompass and it would not be into New Baltimore, the district would have a separate contract with New Baltimore.
- Employees of the Ravena Rescue Squad would become Town employees and be vested under whatever process the Town has and would be paid in the Town's payroll schedule under the district funds.
- It would be town employees, town equipment and a town building, unless they lease it from the Rescue Squad.
- The Supervisor would be the responsible party for Medicaid & Medicare and through the billing company all of the revenue would come to the Town and would have to be allocated to the district.
- ALS would be contracted and paid out of the district.

Supervisor Flach continued by asking about Ravena Rescue continuing to be their own entity like the Fire Companies and creating an Ambulance District.

Key points of the discussion were as follows:

- There would have to be a Local Law and referendum.
- There would have to be a Board of Commissioners.
- The Town Board would appoint the first Board of Commissioners.
- After the appointment there would be an election for Commissioners and the top vote getter would be a five-year term, which would start the staggering and you would not be electing a Board all at one time.
- In addition to the Commissioner, they will need a staff of a treasurer and clerk, which will be an added cost.
- Staff would be considered public employees and in the State Retirement System.
- There would be election costs for the Commissioners.
- The district would be a government entity and would have to report to the Comptroller's Office every year.
- The Board of Commissioners would control the amount of money that could be spent, which has no limit and they would be their own authority.
- Going into the Town of New Baltimore would be an option and if so there can not be a jurisdictional limit for being a Commissioner.

A question and answer period followed.

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**CLOSING COMMENTS**

Supervisor Flach stated that there are a number of options and they have to get some numbers and if they decide to have a separate district there would be a Public hearing and continued by saying that they need to figure out what Ravena Rescue Squad needs to continue to operate and there is no question as to whether the ambulance service is needed in our Town because it is important to our community. He added that people need to know what things cost and if they really want the service, it has to be conveyed to them.

Supervisor Flach asked if anyone else wished to comment.

Councilman Boehm stated that he wanted to thank every one for coming out and many agencies were represented, which shows that people care in this community and the dialog was very helpful and productive.

Supervisor Flach asked if anyone else wished to comment.

Councilman Boehm stated that at the next Town Board Meeting they should formally establish a Committee and also discuss the possibility of working with Alex Bettke to push forward with the best option.

Councilman Dolan interjected that there is a Workshop next Tuesday.

Supervisor Flach stated that they would bring it up at the next Workshop Meeting.

Councilman Boehm stated that there should be representation from Coeymans Fire Department, Coeymans Hollow Fire, the Town of New Baltimore, Village of Ravena, and Police at the Workshop.

Supervisor Flach stated that anyone wishing to volunteer for the Committee should contact his office. He continued by asking if there were any other comments, hearing none he asked for a motion to adjourn.

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**ADJOURNMENT**

On motion of Councilman Boehm, seconded by Councilman Masti, the Town Board Workshop was adjourned.
**VOTE – AYES 5 – NAYS 0 – SO MOVED**

Time – 7:37pm

***Respectfully Submitted,*** **APPROVED:**

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***Diane L. Millious, Town Clerk***

**A Town Board Workshop was held July 17, 2012, at 7:00PM at Town Hall, 18 Russell Avenue, Ravena, New York**

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

**ABSENT:** Dawn Rogers, Councilwoman
Thomas E. Dolan, Councilman

**ALSO PRESENT:** Diane L. Millious, Town Clerk
Nelson Perry, Parks and Maintenance Supervisor
Larry Conrad, Code Enforcement Officer

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Supervisor Flach opened the Town Board Workshop and led the Pledge of Allegiance.

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**OPENING COMMENT**

Supervisor Flach stated that the record should show that there were three Town Board members present, himself, Councilman Boehm and Councilman Masti and that there were two absent, Councilwoman Rogers and Councilman Dolan.

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**AGENDA**

- Need for Seasonal Employee
- Repealing Local Laws
  - Chapter 14, Environmental Conservation Board
  - Chapter 78, Outdoor Burning
  - Chapter 88, Environmental Quality Review
  - Chapter 96, Freshwater Wetlands
  - Chapter 105, Storage of Junk
  - Chapter 125, Road Specs
  - Chapter 131, Septic Systems
  - Chapter 158, Vehicles Off-Road
- B Funds – Funds Owed to Sewer
- H40 Project – Catwalks, Lighting, Grit Screws, etc.
- Bruno Boulevard Easement
- Letter to Village Regarding Sewer Billing
- Ambulance Report
- Callanan Blasting
- Martins Hill District
- Charles Hite – Obtain Easements
- Local Law #1 (SEQRA Review and Unlisted Action Requiring Negative Declaration

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**DISCUSSIONS**

**Need for Seasonal Employee**

Supervisor Flach stated that there was a request from Parks and Maintenance Supervisor Perry asking for a seasonal employee.

Discussion ensued with Parks & Maintenance Supervisor Perry and the Town Board relative to his need for a seasonal employee.

Key points of the discussion were:

- There are absences due to illness and vacations, which creates a shortage and results in falling behind in duties.
- The position would be 40 hours a week at $14.00 an hour.
- The position would start upon the Board's approval and run for approximately 10 weeks.
- A mandate by NYMIR requires more work at playgrounds.
- Cleaning duties at Town Hall is 2 hours a day, which takes away from mowing and trimming time.
- The expense would be within his budget.
- It has been a struggle since the loss of the seasonal employee and there is a lot of work that didn't get done.
- One of his employee's will be retiring in the fall.
- There has been an increase in burials at the cemeteries, which requires a lot of time.

Collectively it was decided that they need to take time to look at the request and they will get back to him within a week.

**Repealing Local Laws**

Supervisor Flach stated Code Enforcement Officer Conrad was present to discuss the repealing of some Local Laws.

Discussion ensued with Code Enforcement Officer Conrad and the Town Board relative to the need to repeal some local laws.

Key points of the discussion were:

- This is not a new issue, it has been hanging on for quite a few years and discussed with prior Boards.
- In 2005 the Board agreed to repeal the ATV Law and at the same time CEO Conrad put together a list of laws that need to be repealed.
- State Law can be used in the absence of Town Law.
- SEQRA Law is one of the most abused sections of law that there is.
- Most of the laws just sit there and are archaic and don't deal with anything and can be repealed with no damage to the Town.
- Local Laws conflict with the State Laws and the State Law is the guideline and you can further restrict but you can't lesser restrict.
- An advantage of Local Law is that the Town's Court system can collect fines, which keeps the fees internal and a percent does not go to the Judicial System.
- Local Laws can be more restrictive than State Law for things such as property maintenance, which would be helpful with the vacant properties.
- The Town Attorney advised that the laws would have to be repealed by a Local Law, which could be one all at once.
- A Public Hearing would have to be held.
- It's about the usage, implementation and what the Board really wants to achieve through their Local Laws.
- Items that were assumed to be Local Laws are not actually Local Laws and were never filed with the State as such.
- Since 1984 the State took over the Building Codes and has their own mandates and at that same time they were given jurisdiction over septic systems.

Collectively it was decided that the Town Board will take a closer look at the laws in question.

**Callanan Blasting**

Discussion ensued with CEO Conrad and the Town Board relative to Callanan blasting on Starr Road.

Key points of the discussion were:

- CEO Conrad and Supervisor Flach met with representatives from Callanan's and DEC and in turn got back to them and it appears that with everything that they have bee provided and see, they are currently within their footprint that was approved in the 80's.
- It was dormant for 15-20 years and very little blasting was going on.
- They have a valid permit for blasting.
- The two properties in question, which are known as the chicken farm property are not being mined with the exception that they did put a berm on the piece of the property to try and block some sound from the neighbors on North Lane, which is the property line for the chicken farm property.
- They intend to head south, which will promote complaints from neighbors to the south going down Starr Road.
- Permits are up to date and they are within their boundaries.
- There is nothing that the Town can do at this point.
- The dust is part of the mining process; there are mining standards that they go by.
- Cracks in foundations were addressed, on-site testing was done near each home to see how much vibrations is taking place, they were well within the limit, which are federal guidelines.
- Complaints that come in to the Town about cracks and well problems are to be directed immediately to Callanan's to address.
- Well studies were done.
- DEC will make sure that they deal with the issues of cracks in foundation & wells.
- Going south on Starr Road barns will be torn down by Callanan's and as they come south they have the ability to open up.
- The City of Albany is also concerned with the vibration and their water line that was put in during the 20's on top of bedrock.
- The Town is monitoring the situation and at this point they are not violating any regulations.
- Complaints go to Callanan's first and then to DEC.
- DEC is required to monitor and they can go back and review any situations to determine if they are violating their permits.

**Martins Hill District**

Supervisor Flach stated that they talked with the Village at the Joint Meeting about forming a Martins Hill District.

Discussion ensued with CEO Conrad and the Town Board regarding forming a Martins Hill District.

Key points of the discussion were:

- They have a legal description of the district that was done for the water.
- The water was never approved because of the cost involved.
- The Sewer District has $35,000.00 - $45,000.00 worth of cost that has been expended.
- No one is being billed because they have not created the district.
- Originally it was going to be set up as an ad valerom tax that would be added to the property taxes in January, which needs to be worked out in some legal manner.
- For the Gray Water System they were going to use the same rates because they contribute to the system.

- Some rules and regulations need to be established for the Gray Water System such as filters on the septic tanks in case it failed and to assure that no solids got into the system.
- Four families have been approved based on hardship, there are six others that are interested but the Town has to prove its case with DEC through the trade-off methods that are available to them under the moratorium that they are under.
- They need to follow-up with creating the district so they can get those people on and recoup some of the money expended.
- Eventually there will be 12 families hooked in.
- Each home has to have an approved septic tank with a filter system and so far only one of them has it.
- They need to establish the cost to hook into the system and then they will be billed the rate for the flow charges.
- The other option is to enlarge the current Sewer District footprint to take them in.
- Those that have benefited from the system have to pay the fee, which would be those on Martins Hill.
- They need to have an attorney guide them because there is legal work to be done but they have to watch the costs.

**Charles Hite – Obtain Easements**

Supervisor Flach stated that they have to obtain a couple easements for the H-Storm Sewer Project at the end of Colvin Avenue and one is spelled out already but the other needs to be done and has to happen soon.

Discussion ensued between CEO Conrad and the Town Board regarding the need to obtain easements for the Storm Sewer Project.

Key points of the discussion were:

- The easement was drawn up and described but never followed up and the legal work needs to be done to create the actual easement to be signed.
- There are two adjoining property owners that are affected.
- Mr. Hite has the one drawn up that was done when they did the subdivision and he has all of the information available and it is a duplication reversed on the other person's property.
- It would be less money to hire Mr. Hite and his professional services have always been good with the Town.
- It was suppose to be done in 2007 and Councilman Touchette was going to follow it up but failed to do so.
- The description was written.
- Mr. Rotello is prepared to sign the easement for the Town.

Supervisor Flach stated that there would be a motion at the next meeting to authorize it.

**Local Law #1 - (SEQRA Review and Unlisted Action Requiring Negative Declaration)**

Supervisor Flach stated that they moved by resolution to do a SEQRA Review and they have to move forward with the Environment Assessment.

Discussion ensued between CEO Conrad and the Town Board regarding the SEQRA Review for Local Law #1.

Key Points of the discussion were:

- Under SEQRA it is not a Type I because it is not zoning and typically most of the Local Laws have never had SEQRA performed.
- DEC & Assoc. of Towns hedged on the side of safety and said it would be best if the Town went ahead and did a SEQRA action, an unlisted action at the very least and review the consequences from that perspective.

- It is a legal issue that they should have an attorney look at.
- If they are going to proceed with it they need to review the SEQRA.

**B-Funds – Funds Owed to Sewer**

Supervisor Flach stated that at the Joint Meeting they discussed what the Sewer owes the H35 Fund almost $38,000.00 and the B-Fund $340,000.00 and the DB Fund $90,000.00.

Discussion ensued amongst the Town Board regarding funds owed

Key points of the discussion were as follows:

- The $89,945.00 in the Sewer Fund has to be paid back to the Highway Fund because they are running short.
- An issue with the Comptroller Office in the past has been that the Town has not been paying itself back in a timely fashion.
- They are going to have to Bond $340,000.00 to repay the funds.
- They need a resolution to authorize the transfer from the SS to H35 Fund.
- There are two more H-Projects coming up that need to be funded, which are separate.
- They are going to have to double check figures and in turn they will have to Bonds something.

Supervisor Flach stated that they would have a resolution for the next meeting to authorize the transfer.

**H40 Project – Catwalks, Lighting, Grit Screws, etc.**

Supervisor Flach stated that they discussed the H40 Project with the Village at the Joint Meeting.

Discussion ensued amongst the Town Board relative to the H40 Project.

Key points of the discussion were as follows:

- They have to discuss what needs to be done.
- They have some pricing but need to finish pricing it.
- They will be in trouble if they don't move on it.

**Bruno Boulevard Easement**

Discussion ensued amongst the Town Board relative to Bruno Boulevard.

Key points of the discussion were:

- The Town owns Bruno Boulevard, the parking lot, basketball court and the piece that squares it off to Orchard.
- The Village storm water runs down through there and originally they wanted an easement to run through the whole property.
- If the Town deeds the property to the Village, they may find at a later time that they may need it for something.
- Granting an easement vs. transferring the property.

Collectively it was decided that they should all get their thoughts together as far as keeping the property for future use.

**Letter to Village Regarding Sewer Billing**

Discussion ensued amongst the Town Board relative to the Sewer Billing.

Key points of the discussion were:

- There are three properties that should be billed by the Village, Pieter B. Elementary, Rite-Aid and Aaron Flach's property, which are within the Village jurisdiction.
- The Town and Village have agreed to this.
- A resolution should be prepared for the meeting on Monday.

**Ambulance Report**

Supervisor Flach asked if there were any new developments with the Ambulance District.

Councilman Boehm suggested that they do a resolution appointing a Committee to include: Trustee Persico, Trustee Bailey, Emergency Management Coordinator Bruno, Chief of Police Darlington, Officer Polverelli, Ginny Pearson from Ravena Rescue, Councilman Masti, himself and possibly Bill Kapusta from Coeymans Hollow Fire Department. He added that they should keep all of the agencies and districts involved because it will be a good sounding board as they go forward and continued by saying that he believes that they should do a resolution to hire Alex Bettke specifically for the purpose of aiding them in creating an Ambulance District once they decide the best way to proceed.

Discussion ensued amongst the Town Board.

Key points of the discussion were:

- Should they appoint a Committee first?
- His estimated cost to set up everything without any major hitches was $5,000.00 to $7,500.00.
- Capping the cost on the low side at $5,000.00 and then do another resolution if they need to spend more.
- Concern with the cost of the Town owning the Rescue Squad and the cost to taxpayers.
- Other options like contract employees.
- The Rescue Squad not having the funds to operate after 2013 unless there is a change in funding.

Collectively it was decided to prepare a resolution for Monday's Town Board Meeting to include the first meeting date.

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

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**ADJOURNMENT**

**MOTION**

On motion of Supervisor Flach, seconded by Councilman Masti, the Workshop was adjourned.
VOTE – AYES 3 – NAYS 0 – ABSENT 2 (Rogers, Dolan) – SO MOVED

Time – 7:08pm

***Respectfully Submitted*,** **APPROVED –**

_____
***Diane L. Millious, Town Clerk***

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

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

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

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

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

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**OPENING COMMENT**

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

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**AGENDA**

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

- Appoint Part-Time Police Lieutenant
- Approve July 2012 Abstract

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

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**PUBLIC ANNOUNCEMENT**

**10th Annual Capital Region Road Race**

Supervisor Flach read the following:

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

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

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

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

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**PUBLIC COMMENT**

Supervisor Flach invited the public to comment at this time.

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

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

Supervisor Flach asked if anyone else wished to comment.

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

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

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

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**APPROVAL OF MINUTES**

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

**MOTION**

On motion of Councilman Boehm, seconded by Councilman Masti, the minutes were approved as presented and read.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Rogers) – SO MOVED

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**SUPERVISOR'S REPORT**

**June 2012**

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

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

| **SAVINGS ACCOUNTS** | | **COLLATERAL COVERAGE** | **FDIC** | **COLLATERALIZED** |
|---|---|---|---|---|
| Unemployment | $ 702.59 | Bank of Greene | $250,000.00 | $2,857,347.74 |
| Grove Cemetery | $40,896.92 | National Bank | $250,000.00 | $ 714,677.66 |
| Coey. Hollow Cem. | $14,404.19 | | | |
| Sewer-Dedicated | $ 6,331.17 | | | |
| **Total** | $62,334.87 | | | |

Supervisor Flach asked for a motion to approve the report.

**MOTION**

On motion of Councilman Dolan, seconded by Councilman Boehm, the report was approved as presented and read.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Rogers) – SO MOVED

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**DEPARTMENT REPORTS**

**Town Clerk – June 2012**

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

Town Clerk Millious continued by giving the report.

Supervisor Flach asked for a motion to approve the report.

**MOTION**

On motion of Councilman Boehm, seconded by Councilman Dolan, the report was accepted as presented and read.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Rogers) – SO MOVED

**Building Department – June 2012**

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

Councilman Dolan continued by reading the report.

Supervisor Flach asked for a motion to approve the report.

**MOTION**

On motion of Councilman Boehm, seconded by Supervisor Flach, the report was accepted as presented and read.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Rogers) – SO MOVED

**Sewer Department – June 2012**

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

**MOTION**

On motion of Councilman Masti, seconded by Councilman Dolan, the report was accepted as presented and read.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Rogers) – SO MOVED

**Police Department – June 2012**

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

Chief Darlington continued by giving the report.

Supervisor Flach asked for a motion to approve the report.

**MOTION**

On motion of Councilman Boehm, seconded by Councilman Masti, the report was accepted as presented.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Rogers) – SO MOVED

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**OLD BUSINESS**

**Callanan Blasting**

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

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

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**NEW BUSINESS**

**Active Employees Health Insurance**

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

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

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

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

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

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

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

**MOTION**

On motion of Councilman Boehm, seconded by Councilman Masti, to remove the Health Insurance topic from the agenda and move it to Executive Session.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Rogers) – SO MOVED

**Resignation of Zoning Board of Appeals Member**

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

Dear Mr. Flach,

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

Sincerely yours,

Robert Lee Rivers

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

**MOTION**

On motion of Councilman Boehm, seconded by Councilman Dolan, accepting the resignation of Robert Lee Rivers, Zoning Board of Appeals member.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Rogers) – SO MOVED

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

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

Councilman Boehm asked the criteria for filling the position.

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

**RESOLUTIONS**

**RES. #85-12 AUTHORIZE ASSESSOR TO ATTEND NYS ASSESSOR'S ASSOCIATION SEMINAR**
On motion of Councilman Masti, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Rogers) – SO MOVED

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

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

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

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

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

**RES. #86-12 AUTHORIZE ASSESSOR TO ATTEND ORPS THREE DAY COURSE**
On motion of Councilman Boehm, seconded by Councilman Masti, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Rogers) – SO MOVED

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

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

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

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

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

**RES. #87-12 RESCIND PORTION OF RESOLTION #68-12 RE: CIVILL HOUSING TAX ROLL**
On motion of Supervisor Flach, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Rogers) – SO MOVED

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**RES. #88-12 AUTHORIZATION TO HIRE CHARLES HITE SURVEYOR FOR COLVIN AVENUE EASEMENT**
On motion of Councilman Dolan, seconded by Supervisor Flach, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Rogers) – SO MOVED

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

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

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

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

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

**RES. #89-12 AUTHORIZATION TO HIRE ALEX BETKE AS SPECIAL COUNSEL RE: AMBULANCE DISTRICT**
On motion of Councilman Masti, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Rogers) – SO MOVED

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

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

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

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

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

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

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

**RES. #90-12 ACKNOWLEDGE VILLAGE OF RAVENA AS A WATER/SEWER BILLING AGENT FOR NAMED PARCELS**
On motion of Councilman Boehm, seconded by Councilman Dolan, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Rogers) – SO MOVED

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

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

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

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

**RES. #91-12 ESTABLISH PUBLIC HEARING LOCAL LAW #3-12 – REPEAL CHAPTERS OF TOWN CODE**
On motion of Supervisor Flach, seconded by Councilman Masti, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Rogers) – SO MOVED

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Supervisor Flach asked if they should take them out now.

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

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

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

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

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

**RES. #92-12 APPOINT AMBULANCE COMMITTEE**
On motion of Councilman Dolan, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Rogers) – SO MOVED

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

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

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

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

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

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

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

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

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

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

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

**RES. #93-12 AUTHORIZE SUPERVISOR TO TRANSFER DEED OF BRUNO BOULEVARD PROPERTY TO VILLAGE OF RAVENA**
On motion of Councilman Dolan, seconded by Supervisor Flach, the following resolution was NOT APPROVED – VOTE – AYES 2 – NAYS 2 – ABSENT 1 (Rogers) – SO MOVED

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

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

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

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

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

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

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

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

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

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

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

Supervisor Flach stated that they did.

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

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

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

**RES. #94-12 AMEND BOND RESOLUTION**
On motion of Councilman Masti, seconded by Supervisor Flach, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Rogers) – SO MOVED

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Councilman Boehm interjected that it was a while ago.

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

Councilman Boehm asked if they have the truck.

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

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

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

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

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

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

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

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

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

**RES. #95-12 APPOINT PART-TIME POLICE LIEUTENANT**
On motion of Councilman Boehm, seconded by Councilman Dolan, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Rogers) – SO MOVED

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

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

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

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

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

**RES. #96-12 APPROVE JULY 2012 ABSTRACT**
On motion of Supervisor Flach, seconded by Councilman Masti, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Rogers) – SO MOVED

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

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

| | | |
|---|---|---|
| | **Trust & Agcy. Total** | **$214,202.98** |
| | | |

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**CORRESPONDENCE**

**Letter from Mary Pape**

Supervisor Flach asked that Councilman Boehm read the first correspondence.

Councilman Boehm continued by reading the following:

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

To Whom It May Concern:

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

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

Sincerely,

Mary Pape

**Letter from Capital Bicycle Racing Club**

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

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**TOWN BOARD WORKSHOPS / MEETINGS**

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

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**ADDITIONAL COMMENTS**

Supervisor Flach asked if there were any additional comments.

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

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

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

Supervisor Flach asked if anyone else wished to comment.

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

Supervisor Flach asked if anyone else wished to comment.

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

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

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

Supervisor Flach asked if anyone else wished to comment.

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

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

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

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**ADJOURNMENT TO EXECUTIVE SESSION**

**MOTION**

On motion of Councilman Boehm, seconded by Supervisor Flach, to adjourn to Executive Session to discuss a personnel matter.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Rogers) – SO MOVED

Time – 8:05pm

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**EXECUTIVE SESSION**

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

**RECONVENE MEETING AND ADJOURN**

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

**MOTION**

On motion of Councilman Boehm, seconded by Councilman Dolan, the Town Board Meeting was adjourned.
**VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Rogers) – SO MOVED**

Time – 8:30

***Respectfully Submitted,*** **APPROVED:**

_____
***Diane L. Millious, Town Clerk***

**August 21, 2012 – TOWN BOARD WORKSHOP – 6:30PM**

**A Town Board Workshop was held August 21, 2012, at 6:30PM at Town Hall, 18 Russell Avenue, Ravena, New York**

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

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

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Supervisor Flach opened the Town Board Workshop and led the Pledge of Allegiance.

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**AGENDA**

- Proposed "Sign" Law
- Drug Testing Policy
- Housing Choice Voucher Program
- Ambulance Districting
- Police Issues
  - Colvin Avenue Parking
  - New Police Car
  - Police Repeater
  - Asset Forfeiture Accounts
- Executive Session
  - Personnel Issues

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**DISCUSSIONS**

**Police Issues**

- Parking on Colvin Avenue

Chief Darlington stated that he had previously sent an e-mail concerning parking on Colvin Avenue and the signage and wants to discuss with the Board what their pleasure is with it.

Discussion ensued amongst the Town Board and Chief Darlington relative to the Highway Department moving the "No Parking Sign" and their authority to do so under Highway Law, which creates a problem because then the Police Department cannot enforce it unless there is a law on the books.

Collectively it was decided that they should address all the parking problems in the Town of Coeymans and come up with a law so the Police Department can enforce the law and that Chief Darlington should submit a formal request to the Town Board for further action.

- **Asset Forfeiture Accounts**

Chief Darlington stated that the Police Department will be receiving some funds from the Federal Government in regard to some joint investigations that they have done and the Asset Forfeiture Account that they have is for Federal Funds and they have to set one up for State Funds and then a checking account, which have to be kept separate.

Discussion ensued amongst the Town Board and Chief Darlington relative to the amount that will be received and what has to be done before they receive the money.

Collectively it was decided that Chief Darlington should meet with Supervisor Flach to discuss a resolution for a budget amendment to create the accounts.

- **Police Repeater**

Chief Darlington stated that he had budgeted $10,000.00 for a police repeater that under FCC mandates, has to be Narrowband by January 1, 2013 and he had put in a purchase order for it a few days ago.

Discussion ensued amongst the Town Board and Chief Darlington relative to the cost, where the funds will come from for the purchase of a repeater.

Collectively it was decided that they would review the purchase order and discuss doing a resolution for the purchase.

- **Police Car**

Chief Darlington stated that they had previously discussed a new police car and how they were going to fund it and added that it is his understanding that they have started receiving FEMA money and he was wondering if he can move forward with it.

Discussion ensued amongst Chief Darlington and the Town Board relative to the type of car, cost, timeline from order to delivery and the current fleet.

Collectively it was decided that they would take a look at the FEMA money coming in and money that they have and they will discuss it at the next Town Board Meeting.

**Ambulance Districting**

Supervisor Flach stated that Councilman Boehm and Councilman Masti have been involved in seeing what the best options are for the Town and Ravena Rescue Squad.

Emergency Management Coordinator Bruno gave a brief update of a meeting held by the Ambulance District Committee relative to their discussion about the Rescue Squad's financial status, budget and needs. He continued by giving an update of a meeting when they met with Brian Wood from Albany County who discussed what they are doing at a County level.

Discussion ensued amongst the Town Board, Bill Bruno, Ginny Pearson, Marvin Powell Alex Bettke and Chief Darlington relative to the options that are before the Town Board with how to go forward in funding the Rescue Squad, the current financial status of the Ravena Rescue Squad, the process of how the Rescue Squad gets funded, what they need from the Town for next years budget, whether or not an Ambulance District would be owned by the Town of Coeymans and solely for Town residents, how the Town of New Baltimore would fit in the equation, mutual aid, Workman's Compensation for volunteers vs. paid on call employees and what they need to do to move forward in creating an Ambulance District.

Mr. Bettke stated that he would prepare a plan & report along with a district map and have it for the next Town Board Meeting for discussion of options.

Collectively it was decided that maybe they should have a contract with Ravena Rescue Squad for next year so they do not have to rush on the district with budget season coming up and in turn negotiate a contract and prepare a resolution for a Town Board Meeting and then continue with the process for an Ambulance District, which would be effective for January 2014.

**Proposed "Sign Law"**

Supervisor Flach stated that the reason for a Proposed Sign Law is because the current laws/ordinances are within the zoning and they are in the process of looking at changing the zoning and one of the things that they need to do is to get the sign part out of it and have it be a stand alone law.

Discussion ensued about the possibility of everyone being exempt from fees as well taking into consideration temporary vs. permanent signs and the actual size.

Collectively they decided that the Town Board will look at the Proposed Law and they will schedule a Public Hearing for September 10th at the next Town Board Meeting and authorize publication for Notice of Public Hearing.

**Drug Testing Policy**

Supervisor Flach stated that there are a couple of options for drug testing for all employees and that there should be zero tolerance.

Discussion ensued amongst the Town Board and Chief Darlington about the possibility of those to be tested, to go directly to the facility instead of having it done in Town Hall as well as exactly who should be tested.

Collectively it was decided that the Town Board should review the proposal and in turn discuss it at the next Town Board Meeting.

**Housing Choice Voucher Program**

Supervisor Flach stated that Mr. Mastrianni had indicated a desire to open up the Housing Choice Voucher Program to everyone and not just seniors and/or disabled.

Discussion ensued amongst the Town Board relative to their desire to keep it seniors and/or disabled as well as not wanting to support people who are living outside the Town of Coeymans.

Collectively it was decided that there would be a motion offered at the next Town Board Meeting to advise Mr. Mastrianni that they would be keeping it limited to seniors and/or disabled.

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**ADJOURNMENT TO EXECUTIVE SESSION**

Supervisor Flach asked for a motion to adjourn the meeting to Executive Session.

**MOTION**

On motion of Councilman Boehm, seconded by Councilwoman Rogers, the Town Board Workshop was adjourned to Executive Session.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time – 7:35PM

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**EXECUTIVE SESSION & ADJOURNMENT**

Executive Session convened in the Supervisor's Office immediately following the Town Board Workshop, the entire Town Board was present as well as Michael A. Richardson, Labor Relations Consultant to discuss personnel issues. No decisions were made. The Workshop was adjourned from Executive Session.

***Respectfully Submitted*,** **APPROVED –**

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***Diane L. Millious, Town Clerk***

**A Town Board Meeting was held Monday, August 27, 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

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

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**OPENING COMMENT**

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

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**AGENDA**

- Public Announcement
  - Town Office Closed September 3rd – Labor Day
- Public Comment
- Approval of Minutes
  - Town Board Meeting, July 23, 2012
  - Public Hearing, August 21, 2012
  - Workshop, August 21, 2012
- Supervisor's Report – July 2012
  - Amend Supervisor's Report February - June
- Department Reports
  - Town Clerk Monthly Report, July 2012
  - Building Department Monthly Report, July 2012
  - Sewer Department Monthly Report, July 2012
- Old Business
  - Drug Testing
- New Business
  - Approve Expenditure for Highway Money
  - Accept Auctions International Bid for Truck
- Resolutions
  - Adopt Findings and Conclusions of Environmental Assessment
  - Adopt Proposed Local Law "Landfill"
  - Authorize Supervisor to Transfer Deed to Village of Ravena
  - Approve Settlement between Town of Coeymans and Bank of Greene County
  - Authorize Attorney for the Town to Sign Stipulation of Settlement – Verizon
  - Authorize to Forgo H29 Capital Project Fund Loan to Sewer
  - Authorize 2012 Budget Amendment
  - Rescind Chapter 125 "Road Specifications" Resolution of May 24, 1993
  - Adopt Proposed Local Law Repealing Chapters 78,131,158 of Town Code
  - Establish Public Hearing for Proposed Local Law "Signs"
  - Authorize Supervisor to Sign Contract with Albany County Sheriff's Office for ALS Service
  - Appoint Highway Operator I
  - Authorize Funds for Stanton Road Paving
  - Approve July Abstract

- Correspondence
  - NYS Office of Parks Recreation and Historic Preservation
- Workshops/Meeting
  - Planning Board Meeting, September 4, 2012, 7:00pm
  - Public Hearing, September 10, 2012, 6:00pm
  - Town Board Meeting, September 10, 2012, 7:00pm
  - Town Board Workshop, September 18, 2012, 6:00pm
  - ZBA Meeting, September 19, 2012, 7:00pm
  - Town Board Meeting, September 24, 2012, 7:00pm

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**PUBLIC ANNOUNCEMENT**

**Town Offices Closed – Labor Day**

Supervisor Flach stated that Town Offices will be closed on September 3rd for Labor Day.

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**PUBLIC COMMENT**

Supervisor Flach stated that they would begin the Public Comment period but prior to that he wanted to make a statement that would probably change a lot of what people were going to say. He continued by saying that several Board Members had requested that resolutions for the EAF and the Proposed Landfill Law be taken off the agenda along with the authorization for the Supervisor to transfer the deed for Bruno Boulevard to the Village of Ravena and in turn will not be included in the meeting. He then asked if anyone wished to comment.

**Virginia Pearson** stated that she is a resident of the Town of Coeymans and she has started a Committee to get people together from the churches, fire companies, granges or any other organization that has fundraisers in the Town of Coeymans. She continued by saying that she sent a letter and has gotten a good response from people that are interested in joining the Committee so that they can put together a calendar so events don't conflict and once it gets going and then asked the Town Board if they would put it on the Town's website.

Supervisor Flach stated that he believes it is a great idea and one of the churches called him and asked about doing a drop down on the website listing the local churches in the area and the services that they provide and added that they can do businesses as well.

Councilman Boehm stated that they could update and add some links because there are a lot of them.

Supervisor Flach asked Ms. Pearson if she was thinking about it being a community calendar.

Ms. Pearson stated that this is what she was thinking, whether it be monthly, or 2-3 months like a planner or possibly a whole year so people can know what they will be doing and where they are going. She added that it should encompass New Baltimore, Coeymans Hollow, Coeymans, Ravena, South Bethlehem, Selkirk and Feura Bush.

Supervisor Flach asked if anyone else wished to comment.

**Jim Travers** stated that he lives on Blodgett Road and continued by asking if the minutes of the Public Hearings were available on the landfill legislation.

Town Clerk Millious stated that all of the minutes are online.

Mr. Travers asked if they are for the last Public Hearing.

Town Clerk Millious stated that any Town Board Meetings are posted on the website.

Mr. Travers stated that the last that he looked they were over a year behind.

Town Clerk Millious stated that they are there and up to date and if he needs help finding them, he should contact her office.

Mr. Travers stated that his comment is on changing the ban on importing solid waste into Coeymans and that he understands the benefit to one business operator but he does not see how it benefits our town in any way whatsoever. He continued by saying that if you open the door, there is no stopping the next "Joe" who wants to come in and create a landfill or anything else because there will be an equal protection issue and they have allowed one, so they would have to allow everyone and they should be very cautious with what they are doing. He added that they know that Albany County can't build a gigantic landfill here without mitigating the wetlands and the wetlands cost over $100,000.00 an acre to mitigate and 2/3 of the land is wetlands, so they know that it is not possible but what is possible and what the City of Albany has talked about, because he went through the entire swamp process, is being solid waste management planned.. He went on by saying that the City does want to build a waste incinerator, which you can call what you want, but they are all combustion and regulated as combustors by the EPA, which is another source of air pollution in this community that they do not need. He continued by saying that he would urge the Town to open their recycling facility and use it as a Transfer Station and then get a tipping fee from everything that comes in and goes out and this is how the Town and citizens can benefit as opposed to only one businessman in our Town, which would be throwing away the wealth that we could capture from the waste. He added that they need to be cautious and think it through and the SEQRA process is a very long process, which is a long form issue and not a short-from issue and he would urge them not to change the law as they are planning to do because it is inappropriate that the Code Enforcement Officer approached the Board to change it when he found a business operating in violation of the Town Code and instead of issuing a Cease and Desist Order he came to the Town Board to change the law to make an illegal operation, legal. He concluded by saying that he is trying to protect the Town and to turn it into something nice and good because it is a great town and we all live here and his point is what are they going to get and they can't just have any business come to town, they have to be very selective of what they grow in this town or they will lose control of what our town is to us and they have a beautiful Hamlet by the river that they can turn into a Riverfront Community to attract tourism rather than turning it into an Industrial Area where they will lose the town.

Supervisor Flach asked if anyone else wished to speak.

**Mary Driscoll** stated that she lives on Winnie Avenue in Ravena, which she thinks that some people believe is an Indy 500 racetrack with the speeding. She continued by saying that there are young people, joggers, bicyclist's and R-C-S Cross Country Track Team that runs the area. She added that when the Town Board wanted to eliminate the Village Police Department, which eventually happened, they were promised one car, one shift everyday for the Village and they are lucky if they see a car once a month. She went on by saying that she went to the Village Board Meeting and was told to go to the Town and added that she would like to see some patrols on that street to slow down the speeders because they come off Rte. 9W at 45 mph and they don't slow down. She continued by saying that at the end of Winnie Avenue there are some animals and someday someone is going to swerve to miss an animal and hit a car or possibly hit someone. She went on by saying that she was present to see if they can get some patrols on Winnie Avenue and when she was talking with the Village Board they mentioned that there is a lot going on with people going through stop signs and speeding and reiterated that they need some help in the Village and they pay Town taxes the same as everyone else and reiterated that they were promised one car, one shift everyday. She added that a couple of years ago, the appointed Supervisor had indicated that he started an Economic Committee and she read where there was discussion in Greene County that involved all of the areas because New York State is looking for industry to help people pay taxes. She concluded by saying that nothing ever happened and she does not know whether anyone on the Board went to it or not and does not know what happened to the Committee because New York State is

looking for industry, business and a tax relief but all they are doing is fighting businesses and for the past two years they have fought the Cement Plant, Recycling Center, Port of Coeymans and they better wake up because people are having a hard time making ends meet and they need tax relief

Supervisor Flach asked if anyone else wished to comment.

**JoAnn Segal** stated that she lives in the Hamlet and she is not present to talk about the Local Law but rather to voice her unhappiness about the tearing down of the Slingerland house with such little notice. She added that she knows that it has been a problem for many years and they have complained about it and nothing was ever done but as soon as there was a developer who came in and was willing to put $300,000.00 into renovating the property, just as soon as it was about to happen, that is when it had to be torn down. She continued by saying that they lost a tax base with the house that could have been a home to a number of families and it was a historic property that should have been preserved and it was torn down without anyone being notified in the neighborhood, and no one told them to close their windows or not drink the water. She concluded by saying that they just came in and tore in down and she does not think that it was right and she hopes that it does not happen again with any other property or with any other developer who wants to put money into the Town and Hamlet.

Supervisor Flach asked if anyone else wished to comment.

**Ann Marie Vadney** stated that on the agenda there is a resolution for ALS services and continued by asking what it meant.

Councilman Masti stated that it stands for Advanced Life Support.

Ms. Vadney asked if it is the $180,000.00 that will be approved.

Supervisor Flach stated that it is for the paramedics that Albany County provides.

Ms. Vadney stated that she also sees that there is a resolution to repeal some of the Local Laws and she thinks it is wonderful to get some garbage off the books and hopes that there are some more that they can get rid of. She continued by saying that she would also like to say that they need to encourage businesses as much as they can and with the Public Hearings that have been held, they are trying to do it in a constructive and positive manner. She added that she does not know how any of them could not support more business if they look around because with the recent school tax hike, if you talk to any realtors in the area they have 40-50 houses on the market that they can't get anyone to show up to look at when they find out they are in the Town of Coeymans. She continued by saying that anything that they can do publicly and if they can stop the horrible newspaper articles about our community would also be a benefit. She went on by saying that they still have their Small Business Group, which they hope will become a chamber in the fall and they are very anxious about keeping their head above water and ending the increases in taxes and losing population because there is no one in town to shop and if they can encourage some type of small planning process like they are doing in Coxsackie. She added that she has spoken with members of the Coxsackie Chamber of Commerce and the Economic Development Committee in Greene County and she knows that they are at the bottom of the boot in Albany County but maybe they can get some new ideas and seek out funds and grants from Albany County and the Economic Development office in Albany. She concluded by saying that she encourages everyone to try and support what it going on in our community as well as taking a look at scheduling the Committee Meetings because there are School Board and Workshop Meetings and they are usually on Tuesday night and so many people who are involved in both areas are unable to participate and they have a lot of background and knowledge about our community so it would be beneficial to coordinate the meeting schedule so that they can have everyone attend both meetings.

Supervisor Flach asked if anyone else wished to comment.

**Sylvia Lawler** stated that she lives in the Town of Coeymans and then asked Supervisor Flach if he intended to read the letter that was submitted by Barbara Heinzen at the end of the Public Comment period.

Supervisor Flach stated that he can do that.

Ms. Lawler stated that she speaks to something that he, Councilman Boehm and she discussed as well as just giving some information to Mr. Laraway and had spoken with some people in the Town and Lafarge and they are trying to find a couple of businesses that will participate in a Environmental Conservation Board. She continued by saying that they would want to make a balanced Board between industry, business and citizenry and that way they will be able to start a dialogue rather than having what seems to be a disconnect. She then asked Councilman Boehm if he was going to speak to it.

Councilman Boehm stated that he did get her e-mail but was not prepared to speak to it and asked that she continue.

Ms. Lawler stated that she has reached out to various members of the community and asked that they read about the Environmental Conservation Board, and she thinks that Barbara Heinzen said it well in her letter and probably a lot more concisely than she can and then asked that Supervisor read her letter into the public record.

Ms. Ann Marie Vadney asked to say something and continued by saying that she has looked into the Environmental Conservation Board that Ms. Lawler is referencing and to be frank with her she is not sure how anything with DEC could benefit the community and businesses and she is very much involved with DEC and find that such a level of in competency is frightening for her.

Ms. Lawler interjected that it not the DEC.

Ms. Vadney continued by saying that DEC created that concept and that either way she thinks that there are so many other things going on and DEC has set them back another 150 years with the EPA and she just wanted to comment on that.

Supervisor Flach stated that the Environmental Conservation Board was to be established in 1973. He continued by saying that Lafarge has a Citizen's Liaison Panel and he thinks that it works well for them and they discuss matters of environmental conservation and that might be the type of panel that someone could start. He added that with an Environmental Conservation Board he gets a little nervous when they are adding something to bring more legislation.

Ms. Lawler interjected that the Environmental Conservation Board is only an advisory board and there is nothing legal about it and they would report to the Town Board and they would not have any power other than to make suggestions.

Supervisor Flach continued by reading Ms. Heinzen's letter

Dear Steve,

Unfortunately, I am away on Monday evening (27 August) when the Town Board will be meeting. I understand there will be public comments and a vote on the "landfill" law and I would like this e-mail to be read out during the Public Comment period.

As I said when we met, this is an important decision for the Town with a very long term consequences. I therefore urge you and the Town Board to postpone any decision on changes to the Landfill Law. There are two reasons for postponing a vote.

First, as I have already written to arrange, several neighbors would like to meet with Mr. Laraway in order to start the kind of direct dialogue we both agree is necessary. I see no point in changing the law until that dialogue has begun. Why antagonize people unnecessarily? If a vote is taken too quickly, any appetite for dialogue and compromise will be undermined.

Second, there is considerable support in the Town for creating an Environmental Conservation Board, with several people already saying that they would be happy to serve on it. Rather than causing more unhappiness in the Town, a widely respected Environmental Conservation Board can be created quickly and charged with reviewing the Landfill Law. This Board could also propose any necessary changes to the Law in order to meet everyone's needs.

As I have not heard any arguments for changing the Landfill Law immediately. I trust that the Town Board will give these two important initiatives enough time to succeed.

With many good wishes,

Barbara Heinzen

Supervisor Flach asked if anyone else wished to comment.

**Rodney Krzykowski** stated that he resides in Coeymans Hollow and added that he agrees that they do not need any more EnCon involvement because they have not kept up with what they started 6-7 years ago and have enough on their plate, which should be settled first and then they can talk to them about something else.

**Zachary Assael** stated that he lives on Fox Street and continued by asking if there is a date on when the landfill will be on the agenda.

Supervisor Flach asked if he was referring to the adopting the proposed law.

Mr. Assael stated he was referring to what he tabled earlier.

Supervisor Flach stated that it was tabled because several Board Members want to discuss it further and he is hoping at the next Town Board Meeting and then asked if anyone else wished to comment.

Councilman Dolan stated that he is not of the opinion that Mr. Laraway would do anything illegal and he does not believe that it is the opinion of the Board. He continued by saying that he sees the issue of addressing the law as something totally separate and he does not want people to leave with the impression that it is what he thinks. He went on by saying that there are reasons to look at the law and possibly change the law but personally he does not think that what he is doing is illegal.

Councilwoman Rogers interjected that she agrees with Councilman Dolan.

Supervisor Flach asked if anyone else wished to comment.

**Ms. Donna Pasquini** stated that if she remembers correctly, at a past meeting it was stated that Mr. Laraway was doing nothing illegal and they didn't need a law to change anything because what he is doing is not illegal.

Councilman Dolan interjected that it is what he had just said.

Ms. Pasquini reiterated that it was stated in the past and they don't need a law because what he is doing is not illegal so they can't stop him and they should not be sitting there talking back and forth about Local Laws that aren't even needed.

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

**APPROVAL OF MINUTES**

Supervisor Flach stated that there were three sets of minutes for Town Board approval, a Town Board Meeting on July 23rd, a Public Hearing on August 21st, and a Town Board Workshop on August 21st and then asked for a motion to approve them.

**MOTION**
On motion of Councilwoman Rogers, seconded by Councilman Dolan, the Town Board Minutes were approved as presented and read.
VOTE – AYES 5 – NAYS 0 – SO MOVED

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**SUPERVISOR'S REPORT**

**July 2012**

| FUND | BALANCE FORWARD | RECEIPTS | DISBURSEMENTS | BALANCE |
|---|---|---|---|---|
| | | | | |
| GENERAL | $583,371.62 | $201,401.94 | $251,539.07 | $533,234.49 |
| | | | | |
| PART TOWN | $470,966.05 | $421,949.46 | $ 16,252.88 | $876,662.63 |
| | | | | |
| HIGHWAY | $184,292.96 | $263,9323.05 | $208,38917 | $239,835.84 |
| | | | | |
| BRIDGE CONST. | $ 28,716.86 | $ 26.10 | -0- | $ 28,742.96 |
| | | | | |
| SEWER | $191,917.66 | $ 49,847.45 | $112,361.13 | $129,403.98 |
| | | | | |
| SPECIAL WATER | $ 25,692.28 | $ 1.09 | -0- | $ 25,693.37 |
| | | | | |
| POLICE FOR. | $ 15,398.86 | $ 0.65 | -0- | $ 15,399.51 |
| | | | | |
| COMM. TOWER | -0- | -0- | -0- | -0- |
| | | | | |
| TRUST & AGENCY | $ 11,318.58 | $209,018.77 | $208,755.70 | $ 11,581.65 |
| | | | | |
| CAPITAL PROJECTS | $ 39,275.78 | $ 3,376.79 | $ 580.00 | $ 42,072.57 |
| | | | | |
| SECTION 8 | $ 61,342.94 | $ 37,999.71 | $ 43,191.57 | $ 56,151.08 |
| | | | | |
| | | | Total Rec. Bal. | $1,958,778.08 |
| | | | | |

| SAVINGS ACCOUNTS | | COLLATERAL COVERAGE | FDIC | COLLATERALIZED |
|---|---|---|---|---|
| Unemployment | $ 702.62 | Bank of Greene | $250,000.00 | $2,823,684.82 |
| Grove Cemetery | $40,898.65 | National Bank | $250,000.00 | $ 709,534.54 |
| Coey. Hollow Cem. | $13,416.49 | | | |
| Sewer-Dedicated | $ 6,331.44 | | | |
| **Total** | $61,349.20 | | | |

Supervisor Flach asked for a motion to approve the report.

**MOTION**

On motion of Councilman Boehm, seconded Councilman Dolan, the Supervisor's Report was approved as presented and read.
VOTE – AYES 5 – NAYS 0 – SO MOVED

**AMENDED SUPERVISOR'S REPORT'S**

**February 2012 (changes in red)**

| FUND | BAL. FWD. | RECEIPTS | DISBURSE. | BALANCE |
|---|---|---|---|---|
| | | | | |
| General | $1,708,760.35 | $ 549,209.71 | $1,017,086.69 | $1,240,883.37 |
| | | | | |
| Part-Town | $ 519303.85 | $ 902.54 | $ 33,103.21 | $ 487,103.18 |
| | | | | |
| Highway | $ 101,392.53 | $ 169.93 | $ 70,789.62 | $ 30,772.84 |
| | | | | |
| Bridge Const. | $ 90,082.55 | $ 22.60 | -0- | $ 90,105.15 |
| | | | | |
| Sewer | $ 116,468.06 | $ 65,734.64 | $ 36,766.25 | $ 145,436.45 |
| | | | | |
| Special Water | $ 5,339.81 | $ 44,578.26 | -0- | $ 49,918.07 |
| | | | | |
| Police Forf. | $ 14,864.20 | $ 7,066.18 | -0- | $ 21,730.38 |
| | | | | |
| Comm. Tower | $ 2,812.72 | $ 1,000.15 | -0- | $ 3,812.87 |
| | | | | |
| Trust & Agency | $ 12,333.85 | $ 288,746.18 | $ 282,167.30 | $ 18,912.73 |
| | | | | |
| H-Fund Cap. Proj. | $ 80,958.12 | $ 6,480.60 | $ 14,918.49 | $ 75,520.23 |
| | | | | |
| Section 8 HUD | $ 87,831.26 | $ 35,665.96 | $ 43,361.96 | $ 80,135.26 |
| | | | | |
| | | | Total Rec. Bal. | $2,241,330.53 |

**March 2012 (changes in red)**

| FUND | BAL. FWD. | RECEIPTS | DISBURSE. | BALANCE |
|---|---|---|---|---|
| | | | | |
| General | $1,240,883.57 | $ 60,220.32 | $ 224,228.91 | $1,076,874.78 |
| | | | | |
| Part-Town | $ 487,103.18 | $ 2,372.40 | $ 213,575.16 | $ 175,900.42 |
| | | | | |
| Highway | $ 30,772.84 | $ 200,021.87 | $ 58,340.90 | $ 172,453.81 |
| | | | | |
| Bridge Const. | $ 90,105.15 | $ 21.87 | $ 61,465.09 | $ 28,661.93 |
| | | | | |
| Sewer | $ 145,436.45 | $ 13,584.89 | $ 21,136.15 | $ 137,885.19 |
| | | | | |
| Special Water | $ 49,918.07 | $ 2.11 | -0- | $ 49,920.18 |
| | | | | |
| Police Forf. | $ 21,730.38 | $ 1.48 | $ 5,436.00 | $ 16,295.86 |
| | | | | |
| Comm. Tower | $ 3,812.87 | $ 2,000.20 | -0- | $ 5,813.07 |
| | | | | |
| Trust & Agency | $ 18,912.73 | $ 232,662.16 | $ 197,928.88 | $ 53,646.01 |
| | | | | |
| H-Fund Cap. Proj. | $ 72,520.23 | $ 3.29 | $ 842.50 | $ 71,681.02 |
| | | | | |
| Section 8 HUD | $ 80,135.26 | $ 35,830.86 | $ 44,693.41 | $ 72,272.71 |
| | | | | |
| | | | Total Rec. Bal. | $1,961,404.98 |

April 2012 (changes in red)

| FUND | BAL. FWD. | RECEIPTS | DISBURSE. | BALANCE |
|---|---|---|---|---|
| | | | | |
| General | $1,076,874.78 | $ 59,053.38 | $ 280,719.96 | $ 855,208.20 |
| | | | | |
| Part-Town | $ 275,900.42 | $ 425,852.41 | $ 15,232.36 | $ 686,520.47 |
| | | | | |
| Highway | $ 172,453.81 | $ 610.98 | $ 63,329.42 | $ 109,735.37 |
| | | | | |
| Bridge Const. | $ 28,661.93 | $ 25.73 | -0- | $ 28,687.66 |
| | | | | |
| Sewer | $ 127,885.19 | $ 1,894.11 | $ 22,180.48 | $ 117,598.82 |
| | | | | |
| Special Water | $ 49,920.18 | $ 2.05 | -0- | $ 49,922.23 |
| | | | | |
| Police Forf. | $ 16,295.86 | $ 1.34 | -0- | $ 16,297.20 |
| | | | | |
| Comm. Tower | $ 5,813.07 | $ 1,000.27 | -0- | $ 6,813.34 |
| | | | | |
| Trust & Agency | $ 53,646.01 | $ 246,264.01 | $ 227,351.39 | $ 72,558.63 |
| | | | | |
| H-Fund Cap. Proj. | $ 71,681.02 | $ 2.94 | -0- | $ 71,683.96 |
| | | | | |
| Section 8 HUD | $ 72,272.71 | $ 38,617.05 | $ 43,799.91 | $ 67,089.85 |
| | | | | |
| | | | Total Rec. Bal. | $2,082,115.73 |

May 2012 (changes in red)

| Fund | Balance Fwd. | Receipts | Disbursements | Total |
|---|---|---|---|---|
| | | | | |
| General | $855,208.20 | $ 89,172.95 | $238,083.69 | $706,297.46 |
| | | | | |
| Part-Town | $686,520.47 | $ 1,114.69 | $ 13,755.38 | $673,879.78 |
| | | | | |
| Highway | $109,735.37 | $ 1,454.77 | $ 67,181.55 | $ 44,008.59 |
| | | | | |
| Bridge Const. | $ 28,687.66 | $ 13.35 | -0- | $ 28,701.01 |
| | | | | |
| Sewer | $117,598.82 | $ 54,328.83 | $ 25,575.03 | $146,352.62 |
| | | | | |
| Special Water | $ 49,922.23 | $ 2.11 | -0- | $ 49,924.34 |
| | | | | |
| Police For. | $ 16,297.20 | $ 1.02 | $ 2 ,250.00 | $ 14,048.22 |
| | | | | |
| Comm. Tower | $ 6,813.34 | $ 0.29 | -0- | $ 6,813.63 |
| | | | | |
| Trust & Agency | $ 72,558.63 | $205,798.58 | $202,612.52 | $75,744.69 |
| | | | | |
| H-Fund Cap. Proj. | $ 71,683.96 | $ 3.04 | $ 31,993.38 | $ 39,693.62 |
| | | | | |
| Section 8 HUD | $ 67,089.85 | $ 41,359.72 | $ 42,824.33 | $ 65,625.24 |
| | | | | |
| | | | Total Rec. Bal. | $1,851,089.20 |
| | | | | |

**June 2012 (changes in red)**

| Fund | Balance Fwd. | Receipts | Disbursements | Total |
|---|---|---|---|---|
| | | | | |
| General | $706,297.46 | $134,541.11 | $257,466.95 | $583,371.62 |
| | | | | |
| Part-Town | $673,879.78 | $ 14,127.01 | $217,040.74 | $470,966.05 |
| | | | | |
| Highway | $ 44,008.59 | $202,015.86 | $ 61,731.49 | $184,292.96 |
| | | | | |
| Bridge Const. | $ 28,701.01 | $ 15.85 | -0- | $ 28,716.86 |
| | | | | |
| Sewer | $146,352.62 | $ 66,780.50 | $ 21,215.46 | $191,917.66 |
| | | | | |
| Special Water | $ 49,924.34 | $ 889.21 | $ 25,121.27 | $ 25,692.28 |
| | | | | |
| Police For. | $ 14,048.22 | $ 2,460.04 | $ 1,109.40 | $ 15,398.86 |
| | | | | |
| Comm. Tower | $ 6,813.63 | -0- | $ 6,813.63 | -0- |
| | | | | |
| Trust & Agency | $ 75,744.69 | $269,615.86 | $334,041.97 | $ 11,318.58 |
| | | | | |
| H-Fund Cap. Proj. | $ 39,693.62 | $ 1.84 | $ 419.68 | $ 39,275.78 |
| | | | | |
| Section 8 HUD | $ 65,625.24 | $ 42,432.03 | $ 46,714.33 | $ 61,342.94 |
| | | | | |
| | | | Total Rec. Bal. | $1,612,293.59 |
| | | | | |

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**DEPARTMENT REPORTS**

**Building Department – July 2012**

Supervisor Flach asked that Councilwoman Rogers give the Building Department 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 – July 2012**

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

Councilman Dolan continued by giving the report.

**MOTION**

On motion of Supervisor Flach, seconded by Councilman Masti, the report was approved as presented and read.
VOTE – AYES 5 – NAYS 0 – SO MOVED

**Sewer Department DMR Report – June 2012**

Supervisor Flach gave the Sewer DMR Report for the month of June and then 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

**Town Clerk's Report – July 2012**

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

Town Clerk Millious continued by giving the report.

Town Clerk Millious advised that there is going to be a Primary Election for the Democratic Party, which will be on a Thursday and not the usual Tuesday, due to 9/11 and the polls will be open from 12noon to 9:00pm and gave the sites of the Polling Districts as follows:

- **1st District** Coeymans Fire House, 67 Church St. Coeymans
- **2nd District** Coeymans Fire House, 67 Church St. Coeymans
- **3rd District** Congregational Christian Church, 175 Main St. Ravena
- **4th District** R-C-S Senior High School, 2025 US Rte.9W Ravena
- **5th District** Coeymans Hollow Fire House, 1290 SR. 143, Coeymans Hollow
- **6th District** Coeymans Hollow Fire House, 1290 SR. 143, Coeymans Hollow

Town Clerk Millious continued by saying that all Polling Places are handicap accessible and anyone with questions as to Voting District or eligibility can call her office at 756-2100 or Board of Elections at 487-5060

Supervisor Flach asked for a motion to approve the report.

**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

Councilman Dolan interjected that on the same date there is a Green Party Primary.

**Police Department – July 2012**

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

Chief Darlington continued by giving the report.

Supervisor Flach asked for a motion to approve the report.

**MOTION**

On motion of Councilman Boehm, seconded by Councilwoman Rogers, the report was approved as presented and read.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Chief Darlington stated that when he did the Monthly Report in the month of July, for Winnie Avenue there were 8 tickets issued with 5 of them for speeding and of the total of 84 tickets, it shows that it is for many streets in the Village. He added that the Police Department covers 60+ square miles with two cars generally on during a shift as well as

covering other calls and investigations and on midnights they only have one car and they do the best they can with what they are provided.

**********

**OLD BUSINESS**

**Drug Testing**

Supervisor Flach stated that they are still undecided with a company for drug testing and there are three that they are looking at and they should be deciding in the near future.

Councilwoman Rogers stated that they are leaning toward Concentra.

Supervisor Flach stated that representatives from Concentra met with him.

Ms. Vadney asked if it was a RFP.

Supervisor Flach stated that it was.

**Section 8 – HUD**

Supervisor Flach stated that he received a letter from Mr. James Mastrianni relative to Section 8 and he requested a change as to how it is done and the Board has decided to leave it the way that it is, which is exclusive for in-town elderly and/or disabled.

He continued by reading the letter that was sent to Mr. Mastrianni.

Dear Mr. Mastrianni,

The Town Board has reviewed your request to restore the current preference system for the HCV Program to the system previously enacted prior to June 25, 2005.

It is the feeling of the Board that the current system is sufficient. Therefore, the Board wishes to continue with the current preference system.

We thank you for your understanding concerning this matter.

Sincerely,

Stephen D. Flach
Supervisor

Councilwoman Rogers stated that it took a long time to clean up the mess within the program and she would not want to see it go back to the way it was.

Supervisor Flach stated that he thinks that it is going well.

Councilwoman Rogers stated that she had another item for Old Business and continued by asking how the "Train Project" is coming along.

Supervisor Flach stated that the trains were ordered back in February and they have not received them yet and added that he is beside himself over it. He continued by saying that the gentleman that they ordered from was given a deposit by the Committee that is doing it, which is jointly the Town and Village and he cannot get him to return his phone calls. He went on by saying that the company is American Fiberglass Animals, which was suppose to be a good company but they have not come through and they are in the process now of ordering from someone new so they get them here and have them for a month or two in the fall. He continued by saying that it is very disheartening because he thought it would be a good thing for the Town and people would enjoy it and it's hard when you have expectations and someone comes along and takes your money and does

not come through. He concluded by saying that they are working through the legal aspects of it as well as ordering from someone else.

Supervisor Flach asked if anyone else had any Old Business topics for discussion.

Councilman Boehm stated that the Rescue Squad was a topic of discussion at the Workshop Meeting last week and the Board decided to move forward with contract negotiations with them as opposed to formation of a taxing district this year, which would have been a lot of paperwork.

Supervisor Flach stated that they hope to get together very quickly within the next week with the Rescue Squad because the Town has a budget and they have a budget at this time of year.

**********

**NEW BUSINESS**

**Approve Expenditure of Highway Money**

Supervisor Flach stated that he needed a motion to approve the Agreement for the Expenditure of Highway Money in the amount of $46,775.00 for paving from the intersection of Rte. 143 up Stanton Road leading to Coons Road. He continued by saying that there is a resolution for FEMA money later in the meeting and that the Board had already signed the Agreement but there needs to be a motion.

**MOTION**

On motion of Councilman Boehm, seconded by Councilman Masti, authorizing payment in the amount of $46,775.00 to repair and resurface Stanton Road from Rte. 143 to Coons Road.
VOTE – AYES 5 – NAY 0 – SO MOVED

**Accept Auctions International Bid for 1994 International Dump-Truck**

Supervisor Flach stated that he received a memo from Highway Superintendent Deering asking that the bid for the International Dump-Truck be accepted. He continued by reading the following:

To: Town Board
From: Highway Superintendent Deering

I wish for the final bid for the 1994 International Dump-Truck, in the amount of $3,651.00 to be accepted. Attached is a copy of the e-mail from Auctions International.

Supervisor Flach state that Auctions International is the company that the Town uses whenever they are going to auction off a piece of equipment and there is a bid pending for $3,651.00.

Councilman Boehm asked if it was a fair amount and is it worth it or more.

Highway Superintendent Deering stated that he thinks it is worth more but it is all they are going to get because of the way that it looks and it is old.

Councilman Boehm asked if they should auction it further or take the bid.

Highway Superintendent Deering stated that they should take the bid.

Supervisor Flach asked for a motion to approve the bid.

**MOTION**

On motion of Councilman Boehm, seconded by Councilwoman Rogers, authorizing the bid to Auctions International in the amount of $3,651.00 for the 1994 International Dump Truck.
VOTE – AYES 5 – NAYS – 0 – SO MOVED

**********

**RESOLUTIONS**

Supervisor Flach stated that the first resolution was to approve a settlement between the Town of Coeymans and Bank of Greene County.

Attorney for the Town Wukitsch stated that he was not aware that it was on the agenda and added that as he had told them, this has been outstanding for 2-3 years and the Assessor has periodically checked with him on the status. He added that he keeps repeating the same story, which is that they did have a tentative agreement with the bank through their attorney and in turn their attorney was to prepare settlement papers, which has never been done. He concluded by saying that they do not have the legal paperwork to implement the resolution and he does not think that he should be doing the legal work for the Bank of Greene County.

Councilman Boehm asked if he could make an inquiry as to if they plan on doing this.

Attorney for the Town Wukitsch stated that he has and they want to settle it but they have to present the Town with the legal documentation to implement the settlement and he does not feel as though he should be drafting settlement papers for the Bank of Greene County because their attorney should be doing it.

Councilman Boehm asked if he could move for a dismissal because they are non-responsive.

Attorney for the Town Wukitsch stated that they could go that route but he feels as though they have a handshake agreement and added that he does not think that taxpayers should be spending money paying him to implement a settlement for the bank and reiterated that their attorney should be doing it.

Councilman Boehm stated that given the information, he would suggest that the table the resolution.

Supervisor Flach stated that he would agree with Councilman Boehm and added that he did receive a letter from the Assessor but he could be wrong and then asked Attorney for the Town Wukitsch if he forwarded it to him.

Attorney for the Town Wukitsch stated that it was for Verizon not the Bank of Greene County and the Verizon attorney did what he was suppose to do and prepared the Settlement Order and Stipulation and presented it to them and they are approving it later in the meeting and the same should apply to the Bank of Greene County and the Town should not be doing their legal work.

Councilman Boehm inquired as to how they can resolve it.

Attorney for the Town Wukitsch stated that they need to tell them that if they want a settlement, they have to get their attorney and if he is not available to get another attorney, to prepare the paperwork just like Verizon did and in turn send it in for the Town Board to look at.

Supervisor Flach asked if he should send a letter stating those terms.

Attorney for the Town Wukitsch stated that it is what he would do and if they want to bring it to a conclusion, this is the only reasonable way that he can think of doing it and

reiterated that Verizon did it the right way and he does not understand why they can't do it the right way and added that maybe he should send the letter to their attorney and copy the Board.

Supervisor Flach asked for a motion to table the resolution.

**MOTION**

On motion of Councilman Boehm, seconded by Councilwoman Rogers, to table the Bank of Greene County Settlement Agreement resolution.
VOTE – AYES 5 – NAYS 0 – SO MOVED

**RES. #97-12 AUTHORIZE TOWN ATTORNEY TO SIGN STIPULATION OF SETTELEMENT – VERIZON WIRELESS**
On motion of Supervisor Flach, seconded by Councilman Dolan, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

**WHEREAS**, Verizon of New York, Inc. commenced a proceeding in State Supreme Court against the Town of Coeymans and other municipalities seeking a reduction of the assessment of certain of its property located in the Town of Coeymans, and;

**WHEREAS**, Verizon of New York, Inc. and the Town wish to settle the proceeding in accordance with a consent order and stipulation, a true copy of which is attached,

**NOW THEREFORE BE IT RESOLVED**, that the Town Board based on the recommendation of the Assessor, believes it is in the best interest of the Town of Coeymans to settle in accordance with the terms set forth in the Consent Order,

**BE IT FURTHER RESOLVED**, that the Town Board of the Town of Coeymans, hereby directs the attorney representing the Town of Coeymans to sign the Stipulation of Settlement.

Councilman Boehm asked what the amount of the reduction was.

Councilwoman Rogers stated that it was $208,993.00.

Councilman Masti inquired about the second parcel.

Attorney for the Town Wukitsch stated that two parcels were involved.

Councilman Masti asked why it went down in value.

Attorney for the Town Wukitsch stated that he would have to check with the Assessor and added that he is not sure what the valuation issue is.

Councilman Masti stated that there in not much they can do with a Court Order.

Councilwoman Rogers stated that he can check with the Assessor.

Attorney for the Town Wukitsch stated that they are the numbers that the Assessor presented after reviewing all of the data and coming to a conclusion and added these cases have been started all over the area and there is one pending in New Baltimore and several more throughout the State and the Town of Coeymans is not the only town.

Councilman Boehm inquired about it being a Court Order.

Attorney for the Town Wukitsch stated that it is a Proposed Court Order that they would present to the Judge and ask him to approve the Settlement, which are the numbers that the Assessor feels are appropriate.

Councilman Boehm asked what would happen if they decline.

Attorney for the Town Wukitsch stated that the lawsuit would continue and they would have to hire an expert who in turn will opine as to the value and then they will hire an expert who will give a different opinion, the case will continue and litigation will go forward and the purpose of the Settlement in this case is to save that money. He reiterated that the Assessor looked at the numbers and he is sure that with these kind of technical valuations involving utilities & other service providers such as AT&T, a lot of expert analysis goes into the valuations and it is not like valuing a piece of property with a house on it and it is a totally different analysis that they look at. He concluded by saying that he is sure that with her training and continuing education, she has been familiarized with the type of analysis that goes in and based on that she feels that the numbers are appropriate.

**RES. #98-12 AUTHORIZE TO FORGO H29 CAPITAL PROJECT FUND LOAN TO SEWER**
On motion of Councilwoman Rogers, seconded by Councilman Boehm, the following resolution was TABLED – VOTE – AYES 5 – NAYS 0 – SO MOVED

**WHEREAS,** the H29 Capital Project Fund had made a loan to the Sewer Fund; and

**WHEREAS,** the Sewer Fund does not have future receivables necessary to pay the indebtedness owed to the H29 Capital Project Fund; and

**WHEREAS**, the Town desires to forego the loan by H29 Capital Project Fund to the Sewer Fund,

**NOW, THEREFORE, BE IT RESOLVED,** that the Town Board of the Town of Coeymans will forego the loan in the amount of $89,180.87.

Councilman Boehm inquired asked where the loan came from.

Supervisor Flach stated that this was an old loan from back in 2008 and a lot of the due to and due from are loans within departments and money was moved from one department to the other department.

Councilman Masti stated that when one department ran out of money they borrowed from another.

Supervisor Flach stated that their books have many of these and in talking to the accountant, the due to and from need to be resolved and cleaned up.

Councilman Boehm stated that it was leant to them but because they can't figure out where it came from, they are not going to pay it back.

Councilman Masti stated that there is no money in the fund to pay it back.

Supervisor Flach stated that in essence it is because money was moved around and added that he is sorry for the lack of a better answer and they would have a better idea if the bookkeeper showed them the books.

Councilman Dolan stated that he would be more comfortable voting on it if he saw some sort of backup.

Supervisor Flach stated that it was fine and added that they will cancel the second and table the resolution.

**RES. #99-12 RESCIND CHAPTER 125 – ROAD SPECIFICATIONS RESOLUTION OF MAY 24, 1993**
On motion of Councilman Dolan, seconded by Councilwoman Rogers, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

**WHEREAS,** the Town Board of the Town of Coeymans has previously adopted a resolution known as "The Street and Highway Resolution of the Town of Coeymans"; and

**WHEREAS**, the intent of this resolution was to rescind all previous regulations or resolutions affecting the acceptance and dedication of streets by the Town, except the sub-division regulations; and

**WHEREAS**, the sub-division regulations were to be superseded with this resolution, these regulations can only be amended with the creation of a new Local Law or Ordinance being duly filed; and

**WHEREAS**, a new Local Law or Ordinance was not duly filed,

**NOW THEREFORE BE IT RESOLVED**, that Chapter 125, "Road Specifications" also known as "The Street and Highway Resolution" passed on May 24, 1993 is hereby rescinded.

Supervisor Flach stated that this is one of the Local Laws repealing Chapter 78, 131 & 158 and Chapter 125 was actually never made into a Local Law and was an Ordinance that was added onto a Local Law and was not legal and they are cleaning it up because it has no merit.

Supervisor Flach stated that for the next resolution there was not enough money taken out so they had to take $1,948.00 from another fund and move it over.

**RES. # 100-12 AUTHORIZE 2012 BUDGET AMENDMENT**
On motion of Councilman Masti, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

**WHEREAS,** the following accounts need to be increased or decreased in the 2012 Budget,

**NOW, THEREFORE, BE IT RESOLVED,** that the Town Board of the Town of Coeymans does hereby authorize Supervisor Stephen D. Flach, to amend the 2012 budget as follows:

| **AMOUNT** | **INCREASE** |
|---|---|
| $ 175,473.84 | DB5130.2 – Highway Machinery/Equipment |
| $ 173,525.00 | DB5710 – Revenue for Serial Bonds |
| **AMOUNT** | **DECREASE** |
| $ 1,948.84 | DB9730.6 - Debt Services for BAN |

**RES. #101-12 ADOPT PROPOSED LAW REPEALING CHAPTERS 78, 131, 158 OF TOWN CODE**
On motion of Councilman Boehm, seconded by Councilman Dolan, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – S0 M0VED

**WHEREAS**, the Proposed Local Law No. 2 of 2012 dealing with repealing various Chapters of the Coeymans Town Code was introduced by a member of the board at the July 23, 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 August 21, 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 #1-12 to repeal the various outdated Chapters of the Town Code of 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 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.

Supervisor Flach asked Town Clerk Millious if she needed to read the Local Law.

Town Clerk Millious stated that she did not and added that for adoption of a Local Law she had to do a roll-call vote.

Supervisor Flach asked Town Clerk Millious to do the roll-call vote.

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

Stephen D. Flach – Aye, Dawn L. Rogers – Aye, Thomas A. Boehm – Aye, Tomas E. Dolan – Aye, Peter E. Masti, Aye
AYES – 5 – NAYS 0 – SO MOVED

**LOCAL LAW #1-12**

**A LOCAL LAW PROVIDING FOR THE REPEAL OF VARIOUS CHAPTERS OF THE COEYMANS TOWN CODE**

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

Section 1. Purpose

The purpose of this Local Law is to repeal various outdated sections of the Town Code of the Town of Coeymans.

Section 2. Repealer

The following chapters set forth in the Coeymans Town Code are repealed:

Chapter 78 – Outdoor Burning
Chapter 131 – Septic Systems
Chapter 158 – Vehicles off Road

Section. 3 Effective Date

The Local Law shall take effect immediately upon filing in the office of the New York Secretary of State.

**RES. #102-12 ESTABLISH PUBLIC HEARING – PROPOSED LOCAL LAW "SIGNS"**
On motion of Supervisor Flach, seconded on Councilman Boehm, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

**WHEREAS**, the Town Board of the Town of Coeymans intends to consider a local law to regulate existing and proposed on-premises advertising signs and signs of all types in the Town of Coeymans; and

**WHEREAS**, this Proposed Local Law known as "Signs" has been distributed to members of the Town Board; and

**WHEREAS,** the Town Board has reviewed the content of this Proposed Local Law,

**NOW, THEREFORE, BE IT RESOLVED**, the Town Board wishes set a public hearing date to provide members of the community with an opportunity to express their views on the Proposed Local Law known as "Signs";

**BE IT FURTHER RESOLVED**, that the Town Board hereby sets September 24, 2012, at 6:00pm as the date and time for a Public Hearing, and directs that the Town Clerk to issue a Notice of Public Hearing to be published in accordance with law for that date.

Councilman Boehm stated that the Town Board discussed and decided to waive any fees associated with obtaining a sign.

Supervisor Flach stated that the Proposed Law will be posted on the website and any one wishing to obtain a copy can stop at Town Hall and get one. He continued by saying that the Sign Law right now is in the Town's Zoning and in working on rezoning they want to take the sign section out of zoning so it is a stand-alone law. He added that the Sign Ordinances within the Zoning are very restrictive and this loosens it up a bit and encourages businesses to be able to advertise.

Councilman Dolan stated that just to be clear, his copy says a $25.00 fee for signs but Councilman Boehm proposed that it will be zero and the law as proposed should be zero.

Attorney for the Town Wukitsch stated that it should be read into the record prior to the Public Hearing and it should be the final version.

Supervisor Flach stated that they will read the complete law into the record the night of the Public Hearing.

**RES. #103-12 AUTHORIZE SUPERVISOR TO SIGN ALS CONTRAT WITH ALBANY COUNTY SHERIFFS FOR ALS SERVICES**
On motion of Councilwoman Rogers, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

**WHEREAS**, the Town of Coeymans has participated in the County's Emergency Medical Services Program to provide Advanced Life Support services; and

**WHEREAS**, a new contract is in place for the Advanced Life Support services with the Albany County Sheriff's Office for the period of January 1, 2012 through December 31, 2012; and

**WHEREAS**, this contract amount is not to exceed $181,324.09 as stated in said contract;

**NOW THEREFORE BE IT RESOLVED**, that the Town Board of the Town of Coeymans hereby authorizes the Supervisor to execute the contract for ALS Services with the Albany County Sheriff's Office.

Councilman Boehm inquired as to if they know the amount of the increase from last year.

Supervisor Flach stated that last year it ended up being $175,000.00 and they had contracted for $180,000.00 and added that they estimated it at not to exceed $181,324.09 and it is usually 4-5 thousand under the estimate.

Councilman Boehm interjected that last year they came in under what was contracted.

Supervisor Flach stated that it was $4,000.00 under what they contracted for.

Councilman Boehm stated that this is for the paramedic services for the Town.

Supervisor Flach stated that it is Albany County's Emergency Medical Services, which are the paramedics.

Councilwoman Rogers stated that she is amazed that the Town of Coeymans is just below the Town of Coeymans.

Supervisor Flach stated that the paramedic service is broken into x amount of dollars for 6 different municipalities.

Councilwoman Rogers stated that they are Bethlehem, Berne, Rensselaerville, Westerlo, Coeymans and New Scotland and the Town of Coeymans is the third highest.

Supervisor Flach stated that it goes by population and the paramedic services are for those six towns.

Ms. Vadney from the audience inquired as to why they were approving it before they have a contract with Ravena Rescue Squad.

Supervisor Flach stated that it does not have anything to do with the ambulance and that it for paramedic services.

Ms. Vadney stated that she understands what it is but with the various proposal that might be coming in for the Ravena Rescue Squad, there may be options available that could enhance the Rescue Squad.

Supervisor Flach stated that it is separate.

Councilman Dolan interjected that it is for 2012.

Attorney for the Town Wukitsch stated that they are well into the Contract and they are always late.

Chief Darlington stated that if you think of the DWI Contracts, they put them out at the end of the year even though they have already provided the service.

**RES. #104-12 APPOINT HIGHWAY OPERATOR**
On motion of Councilman Dolan, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

**WHEREAS**, the Superintendent of Highways is desirous of filling a position of Equipment Operator I at the Highway Department and,

**WHEREAS,** the Albany County Civil Service Department has confirmed this job title as a non-competitive position requiring the chosen candidate to meet minimum qualifications and,

**WHEREAS,** the Highway Superintendent has confirmed the candidate meets minimum qualifications,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Coeymans does hereby appoint George LaMountain, to the position of Highway Equipment Operator I, effective immediately, at a salary consistent with the labor-management agreement in effect.

**RES. #105-12 AUTHORIZE FUNDS FOR STANTON ROAD PAVING**
On motion of Councilman Masti, seconded by Supervisor Flach, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

**WHEREAS**, the Town Highway Department has requested an Expenditure of Money for the repair and repaving of Stanton Road in the amount of $46,775.; and

**WHEREAS,** the Town of Coeymans had applied to FEMA for disaster relief in connection with Hurricane Irene and Tropical Storm Lee; and

**WHEREAS**, the FEMA funds have been received and distributed to the proper accounts; and

**WHEREAS**, the Town Highway Department budget shall be amended as follows:

| **Increase Line Item** | **Amount** |
|---|---|
| **DB5112.4 & DB4089** | **$46,775.00** |

**NOW THEREFORE BE IT RESOLVED**, that the Town Board of the Town of Coeymans authorizes the use of these funds for the repair and repaving of Stanton Road.

Councilman Boehm stated that it looks good and that the Highway Department did a good job.

**RES. #106-12 AMEND JUNE 2012 ABSTRACT**
On motion of Councilman Boehm, 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 June, 2012 Abstract as indicated in red.

| FUND | VOUCHER # | AMOUNT |
|---|---|---|
| | | |
| **GENERAL (A)** | | |
| General Pre-Pay | 1159-1198 | $230,562.07 |
| General | 1257-1258,1260-1297 | $ 17,214.34 |
| | | |
| | **General Total** | **$247,776.41** |
| | | |
| **POLICE FORTEITURE (A)** | | |
| Police Forfeiture Pre-Pay | 1199-1200 | $ 900.00 |
| Police Forfeiture | 1259 | $ 209.40 |
| | | |
| | **Police Forfeiture Total** | **$ 1,109.40** |
| | | |
| **COMMUNICATION TOWER (A)** | | |
| Communication Tower – Pre-Pay | 1201 | $ 6,813.63 |
| | | |
| | **Comm. Tower Total** | **$ 6,813.63** |
| | | |
| **PART TOWN (B)** | | |
| Part Town Pre-Pay | 1202-1214 | $214,614.84 |
| Part Town | 1298-1301 | $ 2,306.14 |
| | | |
| | **Part Town Total** | **$216,920.98** |
| | | |
| **HIGHWAY(DB)** | | |
| Highway Pre-Pay | 1215-1226 | $ 46,770.93 |
| Highway | 1302-1334 | $ 14,723.39 |
| | | |
| | **Highway Total** | **$ 61,494.32** |
| | | |
| **SEWER (SS)** | | |
| Sewer Pre-Pay | 1227-1241 | $ 14,726.29 |
| Sewer | 1335-1348 | $ 6,528.56 |
| | | |
| | **Sewer Total** | **$ 21,254.85** |
| | | |
| **SPECIAL WATER (SW)** | | |
| Special Water Pre-Pay | 1242 | $ 25,121.27 |
| | | |
| | **Special Water Total** | **$ 25,121.27** |
| | | |
| | | |

| | | |
|---|---|---|
| **CAPITAL PROJ. (H-36)** | | |
| Capital Projects | 1349 | $ 419.68 |
| | | |
| | **Capital Proj. Total** | **$ 419.68** |
| | | |
| | **Total for all Funds** | **$ 580,910.54** |
| | | |
| **TRUST & AGENCY (TA)** | | |
| Trust & Agency Pre-Pay | 1243-1255 | $329,117.35 |
| | | |
| | **Trust & Agcy. Total** | **$329,117.35** |
| | | |

**RES. #107-12 APPROVE AUGUST ABSTRACT**
On motion of Councilwoman Rogers, seconded by Councilman Masti, 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 August, 2012 Abstract.

| FUND | VOUCHER # | AMOUNT |
|---|---|---|
| | | |
| **GENERAL (A)** | | |
| General Pre-Pay | 1543-1605 | $300,683.62 |
| General | 1672-1702,1704-1733 | $ 50,674.07 |
| | | |
| | **General Total** | **$351,357.69** |
| | | |
| **POLICE FORFEITURE (A)** | | |
| Police Forfeiture | 1703 | $ 2,539.89 |
| | | |
| | **Police Forfeiture Total** | **$ 2,539.89** |
| | | |
| **PART TOWN (B)** | | |
| Part Town Pre-Pay | 1606-1621 | $ 36,589.83 |
| Part Town | 1734-1737 | $ 157.71 |
| | | |
| | **Part Town Total** | **$ 36,747.54** |
| | | |
| | | |
| **HIGHWAY(DB)** | | |
| Highway Pre-Pay | 1622-1636 | $ 67,540.06 |
| Highway | 1738-1773 | $201,108.41 |
| | | |
| | **Highway Total** | **$268,648.47** |
| | | |
| **SEWER (SS)** | | |
| Sewer Pre-Pay | 1637-1656 | $150,054.97 |
| Sewer | 1774-1791 | $ 11,853.62 |
| | | |
| | **Sewer Total** | **$161,908.59** |
| | | |
| **CAP. PROJ. (H-29)** | | |
| Capital Projects Pre-Pay | 1657 | $ 26,881.61 |
| | | |
| | **Capital Proj. Total** | **$ 26,881.61** |
| | | |
| **CAP. PROJ. (H-30)** | | |
| Capital Projects Pre-Pay | 1658 | $ 4,038.59 |

| | | |
|---|---|---|
| | **Capital Proj. Total** | **$ 4,038.59** |
| | | |
| **CAP. PROJ. (H-32)** | | |
| Capital Projects Pre-Pay | 1659 | $ 34,060.30 |
| | | |
| | **Capital Proj. Total** | **$ 34,060.30** |
| | | |
| **CAP. PROJ. (H-34)** | | |
| Capital Projects Pre-Pay | 1660 | $ 2,406.00 |
| | | |
| | **Capital Proj. Total** | **$ 2,406.00** |
| | | |
| **CAP. PROJ. (H-35)** | | |
| Capital Projects Pre-Pay | 1661 | $ 54.04 |
| | | |
| | **Capital Proj. Total** | **$ 54.04** |
| | | |
| **CAPITAL PROJ. (H-36)** | | |
| Capital Projects Pre-Pay | 1662 | $ 168.00 |
| Capital Projects | 1792 | $ 6,789.78 |
| | **Capital Proj. Total** | **$ 6,957.78** |
| | | |
| **CAPITAL PROJ. (H-37)** | | |
| Capital Projects | 1793 | $ 1,800.00 |
| | | |
| | **Capital Proj. Total** | **$ 1,800.00** |
| | | |
| **PNCH** | | |
| PNCH Pre-Pay | 1663 | $ 988.29 |
| | | |
| | **PNCH Total** | **$ 988.29** |
| | | |
| | **Total for all Funds** | **$898,388.79** |
| | | |
| **TRUST & AGENCY (TA)** | | |
| Trust & Agency Pre-Pay | 1664-1671 | $317,518.42 |
| | | |
| | **Trust & Agcy. Total** | **$317,518.42** |
| | | |

Councilman Masti asked if it would be possible to indicate what the Capital Projects are for.

Supervisor Flach stated that he could if he had the list in front of him.

Town Clerk Millious stated that are all in the red folders and added that she has the list in her office as to what they are.

Supervisor Flach stated that some of them date back a couple of years and none of them are for this year, with most being last year.

Councilman Masti stated that it would be nice if you knew what they were for.

Supervisor Flach stated that they are readily available at the Town Clerk's and Business Office.

**CORRESPONDENCE**

**New York State Office of Parks, Recreation and Historic Preservation**

Supervisor Flach stated that he was in receipt of a letter for NYS Office of Parks, Recreation and Historic Preservation and continued by reading the following:

Town Historian
18 Russell Avenue
Ravena, NY 12143

RE: Dr. Wesley Blaisdell House
NYS Rte. 144
Coeymans, NY
Albany County

Dear Sir or Madam:

I am pleased to inform you that the above referenced property was listed July 17, 2012 on the National Register of Historic Places. As you may know, the National Register is the nation's official list of properties worthy of preservation. Listing on the National Register recognizes the importance of these properties to the history of our country and provides them with a measure of protection. In addition, owners of income producing properties may qualify for Federal Income Tax Benefits. Properties owned by municipalities and not-for-profit organizations are eligible to apply for state historic presentation matching grants.

If you would like more information about any of these programs, please contact your field representative, in this case, John Bonafide, Historic Preservation Field Services Bureau, New York State Office of Parks, Recreation and Historic Preservation, Peebles Island, P.O. Box 189, Waterford, New York 12188-0189, (518) 237-8643, ext. 3263.

Sincerely,
Ruth Pierpont
Deputy Commissioner for Historic Preservation

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**WORKSHOPS/MEETINGS**

- Planning Board Meeting, September 4, 2012, 7:00
- Public Hearing, September 10, 2012, 6:00pm
- Town Board Meeting, September 10, 2012, 7:00pm
- Town Board Workshop, September 18, 2012, 6:00pm
- ZBA Meeting, September 19, 2012, 7:00pm
- Town Board Meeting, September 24, 2012, 7:00pm

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**ADDITIONAL COMMENTS**

Supervisor Flach asked if there were any additional comments before the adjournment.

Councilman Boehm stated that on or about this date a year ago was Hurricane Irene and a lot of different agencies were involved, Coeymans Police, Coeymans Fire Department, Coeymans Hollow Fire Department, R-C-S School District, Ravena Fire Department, and various others and it was an opportunity for everyone to come together and help the community. He continued by saying that a lot of the roads are just being repaired today that were affected by the floods and he wanted to say thank you to everyone that participated, it was a real community effort and it is something that they should be proud of.

Councilman Dolan stated that along that same line, he wanted to say that they received a letter from F.E.M.A. regarding the 2007 disaster and they did get an extension until December 31, 2013 and he believes that Chief Darlington did contact the engineering firm.

Chief Darlington stated that he contacted both engineering firms and approximately ½ hour before the meeting they e-mailed him their proposed timeline for the Board's approval, which he didn't get in time to have ready for the meeting but he will have it ready for the next meeting so they can move forward.

Councilman Masti inquired as to if this is to clean out the creek.

Chief Darlington stated that it is.

Councilman Dolan stated that also on the emergency topic, they have scheduled two Emergency Preparedness Workshops, which are being done through his main office in Voorheesville with one being October 3rd at Town Hall at 6:00pm and one for the Beautification building on September 19th at 6:00. He continued by saying that they will get the information out and added that the other thing that the wanted to mention is that the house that Joann spoke about earlier at 9 Fist Street, he did work to try to save it and up until they arrived on the scene to tear it down he had the cell phone number of the Deputy DGS who if they have reached a deal to save it, they could have because it was up to the last minute. He added that he wishes that it was saved and on the Tax Rolls but the County deemed it a danger to the neighborhood.

Attorney for the Town Wukitsch stated that it should be pointed out the County was the owner of the building.

Councilman Dolan stated that it didn't go the way he wanted it to but the County was well within its rights to take it down and reiterated that he wished that it was a different outcome but it wasn't.

Councilman Masti stated that he wanted to thank Pastors Jim and Sherry Datri for the Matthew Project, which Grace Covenant hosted again and added that he did not get the numbers but he knows that they had a very good year and he got to help a few times. He continued by saying that it is nice seeing several churches in the area coming together to provide a service for the kids, which is what they need in this town in getting the community together and he thinks that they are a great example to follow.

Ms. Lawler asked the name of the project.

Councilman Masti stated that it is the Matthew Project and they put lunches out for the school kids for the summer because they don't have them in school and added volunteers make sandwiches and provide string cheese, snack and drinks and then take it out to 6-7 locations.

Supervisor Flach asked that Councilman Dolan give an update of the youth that worked the Summer Program.

Councilman Dolan stated that town-wide they had 30 youth that worked in various spots, at the Sewer Plant, Beautification building, Food for Thought Program, High School, Mayor's Office, Village Park and Village Pool. He continued by saying that 30 youth got jobs through a federally funded program at no cot to the Town and the jobs were 20 hours a week, for 5-6 weeks and it went very well.

Supervisor Flach asked that Councilman Boehm give an update of the Summer Recreation Program.

Councilman Boehm stated that there was an average of well over 60 kids average for each day, the weather was pretty decent this year and it was another good program with the Village of Ravena and Town of Coeymans and it went really well.

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

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**ADJOURNMENT**

**MOTION**

On motion of Supervisor Flach, seconded by Councilman Masti, the Town Board Meeting was adjourned.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time – 8:36pm

***Respectfully Submitted*,** **APPROVED –**

_____
***Diane L. Millious, Town Clerk***

**A Town Board Meeting was held Monday, September 10, 2012, at 7:00pm at Town Hall, 18 Russell Avenue, Ravena, New York**

**PRESENT:** Peter E. Masti, Councilman/Deputy Supervisor
Dawn L. Rogers, Councilwoman
Thomas A. Boehm, Councilman
Thomas E. Dolan, Councilman

**ABSENT:** Stephen D. Flach, Supervisor

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

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Deputy Supervisor Masti opened the meeting and led the Pledge of Allegiance.

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**OPENING COMMENT**

Deputy Supervisor Masti stated that Supervisor Flach was absent due to a death in his family and that he had given him a letter to read and continued by reading the following:

September 10, 2012

Residents and Town Board Members of the Town of Coeymans

Dear Ladies and Gentlemen:

I want to thank everyone for coming tonight. I want to send my apologies for not being there. As many of you know, I have a wake tonight and a funeral tomorrow. A close relative passed away last week.

I want to address everyone before the Public Comment Period and assure you that I will read the minutes of the meeting this week.

I feel obligated to the Town's people and our Town employees to let you know my thoughts as the Chief Fiscal Officer and elected Supervisor. I believe it is one of my jobs to spend taxpayer dollars efficiently and to save the Town money where I can.

If we can provide a service that is as good as we have and save a large sum of money, I think we have an obligation to look at this. I also realize that there are individuals and families that would be affected by such a decision, so I would never look at this lightly. I am only speaking for myself on this matter tonight, as the Board has not even looked at a proposal, just a thought.

On September 24, 2012, Albany County Sheriff Craig Apple will present an option to the Town at a regular Town Board Meeting at 7:00pm. I thank our officers for the job that they do. We have hired quite a few part-time people this year. I know this may seem like a reflection on them, it is not.

Looking at the budget is the primary reason for these questions. Please come and talk to me. If this is something the people do not want to see happen, then so be it. I would be remiss in my duties if I did not look at all our services.

We have just done the same thing with the ambulance services and we realize that Ravena Rescue Squad is currently our best option.

Thank you for understanding my absence.

Stephen Flach, Supervisor

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**AGENDA**

- Presentation
  - VFW Ladies Auxiliary
- Public Announcement
  - Town Offices Closed 10-08-12
- Public Comment
- Approval of Minutes
  - Town Board Meeting, August 27, 2012
- Old Business
  - Employee Drug Testing
- New Business
  - Part Time Mechanic – Seasonal Employee, Highway Dept.
- Resolutions
  - Budget Amendment for New Line Item
  - Appoint Highway Equipment Operator II
  - Authorize Transfer of Funds
- Meetings/Workshops
  - Public Hearing, September 24, 2012, 6:00pm
  - 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

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**PRESENTATION**

**Proclamation to VFW Ladies Auxiliary**

Deputy Supervisor Masti stated that Councilman Dolan had a presentation of a Proclamation to the VFW Ladies Auxiliary and asked that he read it.

Councilman Dolan read the following Proclamation:

**WHEREAS,** the VFW Ladies Auxiliary 9594 serves the Town of Coeymans and beyond; and

**WHEREAS**, the Ladies Auxiliary to the Veterans of Foreign Wars was established in 1914 to serve the veterans of this country and our communities in honor of the sacrifices and commitment of every man and woman who has served in uniform; and

**WHEREAS,** the members of the Ladies Auxiliary to the veterans of Foreign Wars live by the motto, "Honor the dead by helping the living"; and

**WHEREAS,** the VFW Ladies Auxiliary 9594 provides support to veterans and active duty service men and women and their families through programs such as; the Legislative Program, Americanism, Cancer Aid and Research, Veterans and Family Support, The Buddy Poppy Program, Voice of Democracy and Patriot's Pen Scholarships, as well as many other programs; and

**WHEREAS,** the Town Board wishes to proclaim the third Friday in September of each year as VFW Ladies Auxiliary 9594 Day

**NOW, THEREFORE, BE IT PROCLAIMED,** that the Town Board of the Town of Coeymans does hereby designate Friday, September 21, 2012 as VFW Ladies Auxiliary 9594 Day in the Town of Coeymans as a symbol of our support to this organization.

Councilman Dolan invited those present from the VFW to come forward to receive the Proclamation and added that Ms. Christine Snyder, President of the VFW Ladies Auxiliary wished to say something and invited her to the microphone.

**Ms. Christine Snyder** stated that she is the President of the VFW Ladies Auxiliary Post 9594 and she wanted to thank them for the Proclamation because it not only gives them an opportunity to continue what they do, which is to honor the Veteran's that are within in our community as well as all the communities in our nation. She continued by saying that on the 21st of September they are hosting a POW-MIA Ceremony and have flyers posted around town and it is the first on its kind in this area and they are hoping to bring awareness to those men and women who did not return from war and those that did return but were prisoners and that she wanted everyone to join them for that event. She added that they are wearing a tear drop pin on their uniforms today and throughout the month of September because they are bringing awareness that September is Military Suicide Awareness Month because they lose approximately one soldier each day due to Post Traumatic Stress Disorder and other situations when they return from combat. She continued by saying that they have pins available for anyone wishing to have one and they are free and she hopes that everyone helps them in support of this project because it means a great deal to them and they want to honor veteran's that may be struggling from situations from war.

Collectively the Town Board thanked Ms. Snyder and the entire Ladies Auxiliary.

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**PUBLIC COMMENT**

Deputy Supervisor Masti invited the public to comment at this time and asked that anyone commenting should keep their comments under three minutes as well as asking those not at the microphone to give respect to the person that is.

**Mary Driscoll** stated that she had three items to discuss and continued by reading the following:

My name is Mary Driscoll and I live in the Village of Ravena. I have four things tonight; first of all I would like to thank Chief Darlington and the Town of Coeymans Police Department for their swift and very effective response to my request to have the speeders on Winnie Avenue checked. I understand several tickets have been issued and because of that I feel the children on Winnie Avenue are much safer now. There is a rumor going around that you want to get rid of the Police Force. Knowing the politics in this town like I do, in my opinion there is some more dirty Albany politics going on. This country was founded on small government, not big government, we have been very fortunate in this community in not only having a Police Force but our own dispatchers, which I know has been a thorn in a lot of the county politicians and others. A few years ago my house became the target of an attempted burglary; we foolishly dialed 911 and were told that someone would be there soon, 50 minutes later a State Trooper showed up. Is that what we want here in the community? About 60 years ago we were sold a bill of goods about saving money by centralizing our schools and you know what happened there. A few years ago Village residents were convinced that the Village would be better off if their small Police Force was combined with the Town and I believe that several members of this Town Board were at that meeting. We were promised three cars each shift, every year since then the Board has downsized the Police Budget and we don't seem to get those three cars every shift now. What is the County going to promise and then not deliver? I shudder to think of that. Years ago we only had one or two Police Officers; we also could leave our front doors unlocked. Times have changed; we need our Police Force even more now.

Ms. Driscoll continued by saying that she had another comment and read the following:

A few weeks ago a young marine from Massachusetts was killed in Afghanistan; unfortunately his burial was marred by protestors. This has happened several times to service personnel killed in the line of duty. Although I am a firm believer in the right to

protest anything, I feel with that right, comes a responsibility. Every military family has a right to bury their child or spouse without interference from any religious or anti-war group. People who are grieving should receive respect and consideration from the community; funerals are not the place for protest or demonstrations no matter what the cause is. Some communities have instituted a ban on any kind of a protest or demonstration within so many yards of a church or a funeral home. I would like to suggest that this Board consider this option before we find ourselves in this difficult fight of position.

Deputy Supervisor Masti asked Ms. Driscoll is she had much more.

Ms. Driscoll stated that she had one more and read the following.

Lastly I would like to remind everyone to remember all of the victims of 9/11 tomorrow. Say a prayer, light a candle, or just spend a moment of silence in memory of their heroic acts and deeds.

Deputy Supervisor Masti asked if anyone else wished to comment.

**Mr. Joseph Dunn** stated that he not a local resident but is President of the local Police Benevolent Association for the Police Department and has been a member of the Town Department since 1994, which are several years. He added that the reason why he came is because they are a little concerned about the developments in the Supervisor's Report and the safety of the community and as they can see a number of members were present to show their concern. He continued by saying that they are not all members of the community and live in the community but those like himself feel as though they are members of the community and they feel if something is missing, or the Supervisor thinks that there is something that they are doing wrong that needs to be corrected, they would like to hear from him what the problem is. He went on by saying that he realizes that there are money issues and he knows as Union President from the past contract negotiations and they have been very flexible and have not asked for raises. He concluded by saying that they would like the members of the Town Board to make sure that they really examine what they are going to lose if they do lose a department like theirs and it has happened in other towns and villages and they are going to lose the services that they get and asked that they keep that in mind.

**Ms. Kathy Emory** stated that she has lived in this town for the last 27 years and since she has been here they have always had their own Police Force. She continued by saying that unfortunately over the last 9 months she has had a need to have the police at her residence several times and her feeling is, because they have been through this before and this is not the first time this issue has come up, is that it is really nice to be able to put in a call to the Police Department and have some idea who is going to respond. She added that in the instances that she needed them she did not want strangers and the Town's Police Force was there in full force and they are compassionate, do their jobs and know the people here and it would be much easier for this town in a lot of ways. She went on by saying that if you are having problems you are not going to go to a Sheriff because you know the local Police Officers and are comfortable with them and when you need a Police Officer it is nice to know who is on your side and who is going to respond and the familiarity is a major issue that they are not going to have with the Sheriff's Department. She continued by saying that cost is a factor but they can't sit there are tell her that there aren't other ways to cut here and there to protect our town and they don't have the drug and gang problems like they do in Albany and surrounding areas. She added that this is because of the Police Officer's who are on top of it and know what's going on and when it is going down and that stops a lot of it because they know the people involved. She concluded by saying that they are not going to have this with the Sheriff's Department and she pleads with the Board to please find a way to keep our local Officers.

Deputy Supervisor Masti asked if anyone else wished to comment.

**Ms. Audrey Toussaint** stated that she lives in Ravena and for the past 26 years she lived in Clifton Park, which is over 70,000 and they did not have a Police Department, they subbed out and their crime rate was way down and their fiscal accountability and

responsibility to the community was met. She continued by saying that she has had occasion to be involved with the Police Department of Coeymans once because she owns a rental property in town and she had a squatter there for three days and her tenants called the police and they came and they filled out a blank report because the squatter that lived in the cellar was a drug dealer and a known informant and was allowed to simply walk free and there were not any trespassing violations. She added that as the owner of the property she came to the Police Department to ask that she be notified if something were to happen, because the safety of her tenant is a concern of hers, and to have someone living on the floor below that was discovered when the tenant went down to do the laundry was frightening. She continued by saying that she was met very rudely by a Sergeant who said that they don't have the time to track down everyone and when she asked if she could leave her name to be informed he advised that she could file a F.O.I.L. request and she is the property owner. She concluded by saying that her point is that she should have been the person that decided whether or not a trespassing violation occurred because it was her property and there are ways that you don't have to have a Police Department in town.

Deputy Supervisor Masti asked if anyone else wished to comment.

**Mr. Jeff Lukens** stated that he has lived in town since 1974 and when he was growing up as a kid there was a very small Police Department and he remembers Sergeant VanKempen who was a wonderful guy and did a good job. He continued by saying that he remembers a State Trooper that a group of them in Coeymans Hollow called him Uncle Al, Al Ostrander Sr., and he checked up on him and his group of friends at least once a week and he knew what color their dirt bikes were and knew a lot about them and had coffee with his parents as well as a lot of this friend's parents. He added that he understood that our area was his patrol route and he was very personable, which he does not see in the Coeymans Police Department right now. He went on by saying that he really wants the best for our community and he believes that the best for the community would be the very best trained Police Department, which he thinks would save tax dollars as well with better training and he would hope that all of the current policemen could become Sheriff's or Troopers and could patrol our district because they do know the district better than other departments. He continued by saying that he thinks that the best scenario would be if we could have the best trained police, which would be the Sheriff's or Troopers and if they are doing a contract with them, maybe a part of the contract would be that they hire some of the people that they have now. He concluded by saying that he thinks the best for our community, they would do best with better trained and he does not know why they are trained more and it's probably because they spend more money for training that the Town can afford.

Deputy Supervisor Masti asked if anyone else wished to comment.

**Ms. Ann Marie Vadney** stated that she thinks that they should approach this and review it from a fiscal and economical perspective and they have to be very careful not to personalize it even though many of them feel as though there should be some type of Police Department. She continued by saying that there is always room for improvement and room to look at their budgets to cut costs and maybe reapply costs in other areas and if they downsize or eliminate it, the Union should be working very closely to transition individuals to other jobs or retrain. She went on by saying that she does not think that anyone wants to see someone lose a job but she also thinks that they have to be responsible economically and not just with the Police Department but with the Rescue Squad and everything else in the community. She concluded by saying that she thinks it should be a plan presented to the public so that people can prepare and look for other options and ensure that the people who are currently involved are treated fairly and equitable as well as insure that the community is protected.

Deputy Supervisor Masti asked if anyone else wished to comment.

**Mr. Mark Maher** stated that a few years back he ran the Rescue Squad when Ron Hotaling was Supervisor and when he first came into office he did the same thing and wanted to get rid of the Rescue Squad and Police Department and go to a paid agency outside of our district and he insisted that he could do it cheaper. He continued by saying

that he proved a point to him that there is no way that he could bring a paid Rescue Squad into this community based on figures and at the same point he dropped the subject along with the Police Department and in hearing an earlier comment about the Rescue Squad, they wasted money to do it again. He added that if you go to New Baltimore to see how long it takes a County or State Police unit to respond, when he was in the Fire Department down there it could take up to 40 minutes for someone to show up and the Sheriff's Department is great but it does not mean that there is a car in the community all the time and it is going to happen, the same as it happens everywhere else, there is not a sub station sitting here with 8-10 cars like Clifton Park or a station or barracks like there is in the middle of Clifton Park. He continued by saying that there is a lot to look at and he was told first thing this morning that someone with the Village Department told him that the Town Board had some closed door conversations that leaked out and they should be careful about, when they leave, who they talk to that had been previously on the Board and in turn starts making phone calls.

Deputy Supervisor Masti asked if anyone else wished to comment.

**Mr. Pat Downes** stated that with their own Police Department they have within minutes to the scene, whether it is a fire, someone having a heart attack or someone breaking into your home, those first couple of minutes. He added that it means a lot and the money means nothing when someone is trying to break in your house and you are inside or you are laying there having a heart attack and want to someone come through the door to help you. He continued by saying that they should make sure that they worry about first response and when they are in Westerlo, Cohoes or Voorheesville, they prioritize it and the Town of Coeymans will be on the short end of the stick as they showed them with the chase car. He concluded by saying that when they took the chase car out of here over two years ago and didn't tell anyone in the public and what they have now is a bill for $180,000.00 and maybe they will be here in 20-25 minutes.

Deputy Supervisor Masti asked if anyone else wished to comment.

**Mr. Richard Beck Sr.** stated that he understands that there are a few lawsuits against the Town of Coeymans Police Department and he was wondering who foots the bill for their defense. He added that he knows that there has been a lot of good with the Police Department and he knows over the years there has been a lot of not so good right out of our own Police Department and there was an Officer convicted of actually starting fires and burning barns. He went on by saying that he is wondering and his concern is that it falls on the taxpayer to pay for their defense with what they have had in the past and from what he understands what is happening in the present.

Deputy Supervisor Masti asked if anyone else wished to comment.

**Mr. Laszlo Polyak** stated that the Supervisor's statement said that Sheriff Apple will be present on September 24th and they can't draw any conclusions until he makes his presentation and added that he had to correct Mr. Mahar in that there is a satellite now in New Baltimore where a Sheriff stays in Town Hall.

Mr. Mahar stated that there is a car parked with no one in it most of the time.

Mr. Polyak stated that these are the type of questions that the community need to know and like Pat Downes had said, response time is important and if they are going to put a satellite like there is in Voorheesville with 4-5 cars and take over downstairs, he believes that they will need some of the Town's employees along with some of their employees and find other people jobs and transition them. He continued by saying that right now he is open to ideas and suggestions until he hears what the Sheriff himself has to say and he understands there are dollars and cents and they are in hard times but he agrees with Mr. Downes that there is response time also. He went on by saying that if they are going to have to come 20 miles in 40 minutes it is not worth it, or if they are going to be close by through a marriage of a smaller Coeymans Police Department and the State Troopers also using it as well as the Sheriffs it would be. He added that he is going to stay open minded to all of the suggestions here and he does not want to see anyone go uncovered because they do a lot of good and 1-2 in every Police Department unfortunately ruins it for all of

the officers who put in the time and effort to be good. He continued by saying that maybe they should go to the schools so they get to know people and people get to know them so then they won't have all of rumor and gossip, which factually is 99% false, and deal with just the facts.

Deputy Supervisor Masti asked if anyone else wished to comment.

**Mr. Rodney Krzykowski** stated that he too would want to wait until the Sheriff's Department comes down and gives their presentation but no matter who is here, they need to make sure that procedure is being followed properly and to date he can't say that they are. He concluded by saying that in his own instance he could talk to them about several that have not been followed at all and he is not too happy about it and he knows that there are others that have the same problem and reiterated that procedures need to be done and they need to be done properly, no matter who does it.

**Mr. George Babcock** stated that he has lived in the Town all of his life, 62 years, and it seems to him that what they are hearing a lot of is a lot of complaints about different personnel in the Police Department and it would behoove the Town Board to form a Police Review Board that will not only field complaints from the public but also do something about them and if nothing else, answer back whether it is justified or unjustified. He concluded by saying that he thinks that this is what really needs to be done if the Coeymans Police Department is going to survive around here.

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

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**PUBLIC ANNOUNCEMENT**

**Town Office Closed – Columbus Day**

Deputy Supervisor Masti stated that the Town Offices will be closed on October 8th in observance of Columbus Day with the exception of the Police Department, which is a 24/7 operation.

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**APPROVAL OF MINUTES**

Deputy Supervisor Masti stated that there was one set of minutes for Town Board approval, a Town Board Meeting on August 27, 2012 and then asked for a motion to approve them.

**MOTION**

On motion of Councilwoman Rogers, seconded by Councilman Dolan, the Town Board Minutes were approved as presented and read.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Flach) – SO MOVED

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**OLD BUSINESS**

**Employee Drug Testing**

Deputy Supervisor Masti stated that they had discussed Employee Drug Testing at prior meetings and asked for a motion to accept the proposal and authorize the Supervisor to sign the contract with Concentra Drug Testing.

**MOTION**

On motion of Councilman Boehm, seconded by Councilwoman Rogers, accepting the proposal from Concentra Drug Testing and authorize the Supervisor to sign the agreement.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Flach) – SO MOVED

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**NEW BUSINESS**

**Part-Time Mechanic & Seasonal Employee – Highway Department**

Deputy Supervisor Masti stated that a part-time mechanic and seasonal employee are on the agenda for discussion.

Councilman Boehm stated that there is a resolution later in the meeting addressing it and added that it is filling in LaMountain's vacancy that he created.

Deputy Supervisor Masti stated that the resolution is for Tom Bennett to become an Operator II and then asked if Councilwoman Rogers could read the resolution.

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**RESOLUTIONS**

**RES. #108-12 APPOINT HIGHWAY EQUIPMENT OPERATOR II**
On motion of Councilwoman Rogers, seconded by Councilman Dolan, the following resolution was APPROVED – AYES 4 – NAYS 0 – ABSENT 1 (Flach) – SO MOVED

**WHEREAS**, the Superintendent of Highways is desirous of filling a position of Operator II at the Highway Department, and

**WHEREAS**, the Albany County Civil Service Department has confirmed this job title as a non-competitive position requiring the chosen candidate to meet minimum qualifications,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Coeymans does hereby appoint Thomas Bennett to the position of Highway Equipment Operator II, effective immediately, at a salary consistent with the Labor Management Agreement in effect.

Councilman Boehm stated that they should authorize Highway Superintendent Deering to advertise for a part-time mechanic.

Councilwoman Rogers stated that they had already given him permission to advertise.

Highway Superintendent Deering stated that they gave his permission to advertise for part-time unless they want to make it full-time.

Collectively the Board said they didn't want to make it full-time.

Highway Superintendent Deering stated that the seasonal driver is for December 1st and not now and the mechanic position they are doing now.

Councilman Boehm inquired as to if the seasonal driver is for snow plowing, effective December 1st.

Highway Superintendent Deering stated that was correct reiterated that the mechanic is to be advertised for now.

Town Clerk Millious asked if they wanted her to do the ad.

Collectively it was agreed that Town Clerk Millious would do the ad.

**RES. #109-12 APPROVE BUDGET AMENDMENT FOR NEW LINE ITEM**
On motion of Councilman Boehm, seconded by Councilman Dolan, the following resolution was APPROVED – AYES 4 – NAYS 0 – ABSENT 1 (Flach) – SO MOVED

**WHEREAS**, the Town Board of the Town of Coeymans received $3,000.00 in donations from Lafarge Building Materials, Inc. for Evenings on the Green, and

**WHEREAS,** the Town of Coeymans 2012 Adopted Budget did not provide a revenue line item for Gifts and Donations, and

**WHEREAS**, the Town of Coeymans is desirous of establishing a revenue line item in the 2012 Adopted Budget,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Coeymans does hereby establish revenue line item A2705 – Gift and Donations in the 2012 Budget,

**BE IT FURTHER RESOLVED**, that the 2012 Budget be amended as follows:

Increase Revenue Line Item A2705 – Gifts & Donations $3,000.00
Increase Appropriation Line Item A7270.4 – Bands Contractual $3,000.00

Councilman Dolan stated that he wanted to point out, as he always does, is that even though his band played they did not get paid or compensated in any way.

Councilman Boehm stated that he wanted to thank Lafarge for their generous gift, which enabled them to do the Evenings on the Green without using taxpayer dollars.

**RES. #110-12 AUTHORIZE TRANSFER OF HIGHWAY MONEY**
On motion of Councilman Dolan, seconded by Councilwoman Rogers, the following resolution was APPROVED – AYES 4 – NAYS 0 – ABSENT 1 (Flach) – SO MOVED

**WHEREAS**, the following account has been exhausted due to unforeseen expenditures,

**NOW, THEREFORE, BE IT RESOLVED,** that the Town Board of the Town of Coeymans does hereby authorize Supervisor Stephen D. Flach to transfer the following amount to the respective account.

**Highway Fund (DB)**

| **Amount** | **From** | **To** |
|---|---|---|
| $16,551.16 | DB9730.6 BAN Principal | DB5110.4 General Repair (Contractural) |

Councilman Boehm stated that this was the money left over from the BAN on the truck.

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**TOWN BOARD WORKSHOPS / MEETINGS**

- Public Hearing, September 24, 2012, 6:00pm
- 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

**ADDITIONAL COMMENTS**

Deputy Supervisor Masti asked if there were any additional comments.

Councilman Boehm stated that he wanted to congratulate and thank the VFW Ladies Auxiliary for the service that they provide to our community and they do a great job.

Deputy Supervisor Masti asked if there were any additional comments.

Town Clerk Millious stated that there is a Primary Election on Thursday, which is usually on a Tuesday but it was changed because of 9/11 and that the Polls are open from 12:00-9pm. She continued by reading the location of the Districts.

- 1st District Coeymans Fire House, 67 Church St., Coeymans
- 2nd District Coeymans Fire House,67 Church St., Coeymans
- 3rd District Congregational Christian Church,175 Main St., Ravena
- 4th District R-C-S Senior High School,2025 US Rte. 9W, Ravena
- 5th District Coeymans Hollow Fire House,1290 SR. 143, Coeymans Hollow
- 6th District Coeymans Hollow Fire House,1290 SR. 143, Coeymans Hollow

Town Clerk Millious continued by saying that it is a Democratic and Green Party Election and you have to be enrolled in one of the two in order to vote and anyone with questions can call her office at 756-2100. She concluded by saying that her thoughts and prayers are with the Flach family.

Deputy Supervisor Masti asked if there were any other comments.

Chief Darlington stated that he e-mailed a contract to get the Hannacroix Creek Project moving to the Town Supervisor and asked for it to be put on the agenda for approval.

Deputy Supervisor Masti stated that it was not on the agenda and he didn't hear anything.

Chief Darlington stated that he wanted to make the Board aware that they are on a very tight schedule and only have until December 2013 to finish the project. He continued by saying that at previous Workshops they had discussed the purchase of a new patrol car for this year and then asked if they want to move forward with putting it out to bid.

Councilman Boehm asked what putting it out to bid means and if they are just looking for pricing.

Chief Darlington stated that they get bids from who ever choose to bid on it and it gives them a price to work with and go forward from there.

Councilman Dolan interjected that they need bids because it is not something under State Contract.

Chief Darlington stated that currently the Ford Taurus Police Package is not under State Contract as of last week and they are supposed to notify him when it goes out.

Councilwoman Rogers stated that there isn't any reason why it can't go out to bid at this point.

Councilman Boehm stated that he would offer a motion to put it out to bid.

**MOTION**

On motion of Councilman Boehm, seconded by Councilwoman Rogers, authorizing Chief Darlington to advertise for bids for a new patrol car.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Flach) – SO MOVED

Chief Darlington asked that he be placed on the next Workshop Agenda to discuss Retirement Badge and ID's because several of the employees had retired from the Department under the previous Chief's and never received anything.

Councilman Boehm asked if there is a cost associated with that.

Chief Darlington stated that for the ID it is $13.00 and most of them agreed to purchase their own badge, which is usually $20.00-$30.00.

Deputy Supervisor Masti stated that it would be placed on the next Workshop Agenda.

Councilman Boehm asked Chief Darlington for an update on Colvin Avenue parking.

Chief Darlington stated that he believes that they said they wanted to move forward with the parking in the whole town rather than dealing with just one issue and he will e-mail it to the Board so they can move forward.

Deputy Supervisor Masti asked if there were any other comments.

Highway Superintendent Deering asked if the can get permission to advertise for a truck.

Deputy Supervisor Masti stated that he could not.

Highway Superintendent Deering stated that it was worth a try.

Deputy Supervisor Masti stated that he helped Grace Covenant Church with the Matthew Project, which provides lunches to school aged children over the summer and they put together 5,258 lunches that they served. He added that it was an average of 135 a day at 8 different locations and they started the program 3-4 years ago with 4-5 locations, which means that the program had gotten bigger. He continued by saying that the cost was $5,731.00, which averages out to be $1.14 per lunch and it included a sandwich of peanut butter & jelly or meat, bag of pretzels or chips, fruit snack roll, juice pouch drink and string cheese. He added that there were 14 different community churches, not just from the Town of Coeymans who participated with 97 volunteers and there was no cost because it was 100% donated with 50% being from the private sector, 25% from the churches and 25% from corporate within the area. He continued by saying that it is a awesome program and some of the kids offered a prayer of thanks for the food, actually helping pass out the lunches and taking ownership that they are helping their own community, which is a great thing to encourage. He concluded by saying that it shows what communities can do without Federal aid.

Deputy Supervisor Masti asked for a motion to adjourn.

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**ADJOURNMENT**

**MOTION**

On motion of Councilman Boehm, seconded by Councilwoman Rogers, the Town Board Meeting was adjourned.
APPROVED – AYES 4 – NAYS 0 – ABSENT 1 (Flach) – SO MOVED

Time – 7:50pm

***Respectfully Submitted,*** **APPROVED –**

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***Diane L. Millious, Town Clerk***

**September 18, 2012 – TOWN BOARD WORKSHOP – 6:00PM**

**A Town Board Workshop was held September 18, 2012, at 7:00PM at Town Hall, 18 Russell Avenue, Ravena, New York**

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

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

**********

Supervisor Flach opened the Town Board Workshop and led the Pledge of Allegiance.

**********

**AGENDA**

- Hannacroix Creek
- Environmental Conservation Board
- Computer Services
- Radio Tower
  - Shared Services
- Police Retirees
  - Badges and ID's
- Capital Project H-29
- Employee Handbook
- Executive Session

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**DISCUSSIONS**

**Hannacroix Creek**

Supervisor Flach stated that they have a contract that they need to look at, which is for professional services by and between the Town of Coeymans and F.X. Browne for the Hannacroix Creek Channel Restoration Project. He then asked Chief Darlington for an update.

Chief Darlington indicated the following:

- The contract was forwarded to Attorney for the Town Wukitsch.
- The time-line is an issue; the project has to be completed within a specified time in order to receive funding.

Discussion ensued amongst the Town Board and Chief Darlington regarding the wording of the contract and the time-line.

Collectively it was decided that they would offer a motion to authorize the Supervisor to sign the contract if approved by Attorney for the Town Wukitsch.

Discussion ensued regarding offering a motion during a Workshop. Collectively it was decided that due to the time-line issue they should get it moving immediately.

**MOTION**

On motion of Councilman Masti, seconded by Councilwoman Rogers, authorizing the Supervisor to sign the contract with F.X. Browne if approved by Attorney for the Town Wukitsch.
VOTE – AYES 5 – NAYS 0 – SO MOVED

**Environmental Conservation Board**

Supervisor Flach asked that Councilman Boehm discuss the Environmental Conservation Board.

Councilman Boehm stated that there were three individuals present that wanted to speak about an Environmental Conservation Board, Mr. John Bonafide, Mr. Paul Lawler and Barbara Heinzen and then asked that they comment.

Mr. Bonafide discussed the benefits of having an Environmental Conservation Board.

Discussion ensued amongst the Town Board and Mr. Lawler relative to individuals interested in being on the Board, which included Lafarge, the Port of Coeymans, farmers, Mr. Bonafide and those knowledgeable in finance that would be willing to work on a volunteer basis.

Ms. Heinzen discussed the benefits of having an Environmental Conservation Board.

Discussion ensued amongst the Town Board, Mr. Bonafide, Mr. Lawler and Barbara Heinzen relative to forming an Environmental Conservation Board.

Councilman Boehm stated that he would contact Rene VanSchaack with the Greene County Industrial Development Agency and ask for some guidance and added that they should prepare a resolution to form an Environmental Conservation Board.

**Computer Services**

Supervisor Flach stated that they are looking at computer services for the Town and added that they currently have Intelligent Technology Solutions, which most employees are not happy with the services that they are providing as well as it being very costly.

Discussion ensued amongst the Town Board, Chief Darlington and Town Clerk Millious regarding the amount that has been spent to date as well as some issues with the services that they are providing. They continued by discussing BAS relative to their evaluation and the quote that was prepared by them to provide IT services and whether or not it has to go out to bid as well as the charges that are currently being billed by ITS.

Collectively it was decided that Supervisor Flach would give each Board Member a copy of the quote from BAS as well as finding out who other towns are using.

**Radio Tower – Shared Services**

Supervisor Flach stated that he received a copy of a memo that was sent to Sheriff Craig Apple Sr. and continued by reading the following:

The cellular tower located on Gedney Hill Road in the Town of Coeymans has been identified as an extremely viable site for the Sheriff's Office to use in the construction of a new radio system. This radio system will support the entire 911 system. Without this site the service in the southeastern portion of the county would be severely compromised.

The Sheriff's Office would need to install a 10 X 22 precast building at the site as well as 3 VHF antennas. The antennas would be at a height of approximately 70 feet. In addition to the antennas two 6 foot microwaves dishes would need to be placed on the tower to connect with the other sites in the system. The shelter would be placed on a cement pad

with the same dimensions. The pad would have a depth of 4 feet to resist frost. All design, construction and planning would be done in accordance with current regulations and would take place between Motorola and the Town's Site Manager.

Currently the Town of Coeymans utilizes this site for public safety radio. The equipment is housed in a converted shipping container with no climate control. The benefit for the Town of Coeymans would be housing their equipment within the county shelter free of charge. By moving their equipment into this shelter the Town would have all equipment properly grounded, climate controlled and placed on generator backup. The Town's radio vendor would be given access to the shelter and the movement of their equipment could be done by the county's vendor to alleviate any costs to the Town.

I have had conversations with the Fire Chief in Coeymans Hollow and he has indicated that there are existing radio coverage issues in his district. If this system were completed, this site as well as other sites would provide 95% paper coverage to the Coeymans Fire and EMS agencies over the entire county. In order to achieve this, the county could allow the Town of Coeymans to conduct fire paging on the country fire control channel.

Supervisor Flach stated that Sheriff Apple will be discussing this at the next meeting.

Discussion ensued amongst the Town Board and Chief Darlington relative to construction of a new radio system, possible issues with the current contract and lease agreement, rental fees for use of the tower and the split of revenue between JNS, the Town of Coeymans and Carver Laraway.

Collectively it was decided that Chief Darlington should call JNS to see what they would charge the County.

**Police Retirees – Badges and ID's**

Chief Darlington stated that he has been approached by past employees that have voluntarily left the Coeymans Police Department who consider themselves "retired from the Coeymans Police Department" and they have asked for retirement badges and ID's.

Discussion ensued relative to those that have requested them, the circumstances of them leaving and what the purpose for them is.

Collectively it was decided that the Town would cover the cost associated with doing it as a sign of recognition for their service and that it should be approved by resolution at the next meeting.

**Capital Project H-29**

Supervisor Flach read the following:

The H29 Capital Project owed the Sewer Fund $116,069.48. The H29 Capital Project has a remaining cash balance of $26,888.61. The H29 Capital Project Fund does not have any further revenue, has no funding and no loans, therefore this $26,888.61 is the only remaining cash balance in the H29 Capital Fund. The Project had been completed long ago; however, this loan remains on the books. The Town's accountant advised the bookkeeper to pay the Sewer Fund $26,888.61 from the H29 Capital Project account. This depleted the account and the account has a zero balance. The balance of the "loan" to the Sewer Fund is $89,180.87. The Town's Accountant advised the Bookkeeper to draft a resolution to allow the Sewer Fund to "forgive" the loan since H29 Capital Project cannot and will not ever be able to repay this loan. The Town's Accountant has advised the Bookkeeper to "clean up" the Town's books. Therefore, the Bookkeeping Department is working with the Accountant to get the books in proper order.

Discussion ensued and collectively it was decided that they should get the Comptroller's opinion.

**Employee Handbook**

Supervisor Flach stated that last year Payroll Clerk Ziegler started to re-do the Employee Handbook and it was not completed and there are some changes that need to be done.

Collectively it was decided that they should go over what the suggested changes are, which will be e-mailed to every Board member and then discuss it at the next Workshop.

Supervisor Flach asked if there were any additional comments, hearing none he asked for a motion to adjourn the Workshop and to go into Executive Session to discuss personnel issues and added that they would not be returning.

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**ADJOURNMENT**

**MOTION**

On motion of Councilman Boehm, seconded by Councilman Masti, the Town Board Workshop was adjourned.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time – 7:05

**EXECUTIVE SESSION**

Executive Session was called to order immediately following the Town Board Workshop with all members of the Board present to discuss personnel matters. No decisions were made.

**MOTION**

On motion of Councilman Dolan, seconded by Supervisor Flach, Executive Session was adjourned.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time – 8:01

***Respectfully Submitted*,** **APPROVED –**

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***Diane L. Millious, Town Clerk***

**A Public Hearing was held Monday, September 24, 2012, at 6:00pm 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

**********

Supervisor Flach opened the Public Hearing and led the Pledge of Allegiance.

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**NOTICE OF PUBLIC HEARING**

Supervisor Flach asked that Town Clerk Millious read the Notice of Public Hearing that was published in the Ravena News Herald.

**NOTICE**

**PUBLIC HEARING**

**PLEASE TAKE NOTICE,** that a Public Hearing will be held by the Town Board of the Town of Coeymans, on September 24, 2012 at 6:00pm at Town Hall, 18 Russell Avenue on Proposed Local Law #4-12 as follows:

**Town of Coeymans**
**Proposed Local Law #4-12 "Signs"**

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

A copy of the Proposed Law may be obtained at the Town Clerk's Office during regular business hours, Monday – Friday 8:30am to 4:30pm.

**By Order of the Town Board**
**of the Town of Coeymans**
**Diane L. Millious**
**Town Clerk**

Town Clerk Millious continued by reading Proposed Local Law #4-12

**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 Sate 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.

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**PUBLIC COMMENT**

Supervisor Flach invited the public to comment at this time.

**Ms. Ginny Pearson** stated that she had one question and added that she is not sure if they went over political signs and garage sale signs and other types of signs that get up and never get taken down and whether there is a time frame.

Supervisor Flach stated that there is a timeframe in there.

Collectively it was decided that there is not a timeframe for political signs.

Attorney for the Town Wukitsch interjected that as far as political signs it is good etiquette for who ever is running for political office to remove them in a timely manner and he does not know whether or not they would want to go to the point of making it a violation of the Local Law and added that he would expect who ever is running for a political office to clean them up.

Supervisor Flach asked if there were any other comments.

**Ms. Donna Pasquini** inquired as to who actually wrote the law.

Supervisor Flach stated that he drafted it himself and looked at the current Town Code along with adjoining towns to see the wording. He added that signs is currently in the Zoning Law Chapter 165 10-Q and it was very restrictive and in order to restructure the Zoning, this has to be a stand-alone Local Law.

Ms. Pasquini asked if the Planning Board or Zoning Board was in on this.

Supervisor Flach stated that the Planning Board went over it.

Ms. Pasquini stated that she was present at one of their meetings when they were going over the laws and she found something to be a very big conflict of interest when she heard Mr. Conrad telling them what to put in this law, which is a law that he has to enforce and reiterated that it is a huge conflict of interest to write the law that you have to enforce.

Supervisor Flach stated that Mr. Conrad is the Building Code Enforcer.

Ms. Pasquini interjected that he can't write the laws that you have to enforce.

Supervisor Flach stated that Mr. Conrad works hand in hand with the Planning Board.

Ms. Pasquini stated that he works with everyone and has his hand in every pocket in town.

Supervisor Flach asked if there were any other comments, hearing none he asked for a motion to adjourn the Public Hearing.

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**ADJOURNMENT**

Supervisor Flach asked for a motion to adjourn the meeting.

**MOTION**

On motion of Councilman Dolan, seconded by Councilman Boehm, the Public Hearing was adjourned.
VOTE – AYES 5 – NAYS 0 – SO MOVED

***Respectfully Submitted*,** **APPROVED -**

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***Diane L. Millious, Town Clerk***

**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

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

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**OPENING COMMENT**

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

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**AGENDA**

- 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.

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**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.

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**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 rule 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 brining 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 Ravena 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 interested 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.

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**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 of 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.

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**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**

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**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** | | **COLLATERAL COVERAGE** | **FDIC** | **COLLATERALIZED** |
|---|---|---|---|---|
| Unemployment | $ 702.65 | Bank of Greene | $250,000.00 | $2,772,762.48 |
| Grove Cemetery | $40,900.38 | National Bank | $250,000.00 | $ 701,700.35 |
| Coey. Hollow Cem. | $13,417.06 | | | |
| Sewer-Dedicated | $ 6,331.71 | | | |
| **Total** | $61,351.80 | | | |

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

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**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.

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**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.

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**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 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 Sate 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** |
| | | |

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**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

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**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***

**A Special Town Board Meeting was held Monday, October 1, 2012, at 6:00pm at Town Hall, 18 Russell Avenue, Ravena, New York**

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

**ALSO PRESENT:** Diane L. Millious, Town Clerk

**********

Supervisor Flach called the meeting to order and led the Pledge of Allegiance.

**********

Supervisor Flach stated that the record should reflect that a full Town Board was present and then asked that Town Clerk Millious read the Notice for the Special Town Board Meeting, which was published in the Ravena News Herald.

**NOTICE**
**SPECIAL TOWN BOARD MEETING**

In compliance with Public Officer's Law, this will inform you that the Town Board of the Town of Coeymans has scheduled a Special Town Board Meeting for Monday, October 1, 2012 at 6:00pm. The purpose of the meeting will be for the Town Clerk to submit the 2013 Tentative Budget to the Town Board. The meeting will be held at Town of Coeymans Town Hall, 18 Russell Avenue, Ravena, NY.

**By Order of the Town of**
**Coeymans Town Board**
**Diane L. Millious**
**Town Clerk**

**********

**PRESENTATION OF BUDGET**

Town Clerk Millious presented the 2013 Tentative Budget to the Town Board.

**********

**SUPERVISOR'S COMMENT**

Supervisor Flach stated that over the next few weeks the full Town Board will be getting together to go over the Tentative Budget.

**********

**ADJOURNMENT**

Supervisor Flach asked for a motion to adjourn the meeting.

**MOTION**

On motion of Councilwoman Rogers, seconded by Councilman Masti, the Special Town Board Workshop was adjourned.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time – 6:02pm

Respectfully Submitted, APPROVED –

_____
Diane L. Millious, Town Clerk

**A Bid Opening was held Thursday, October 4, 2012, at 2:00pm at Town Hall, 18 Russell Avenue, Ravena, New York**

**PRESENT:** Diane Millious, Town Clerk
Bonnie Keyer, Clerk

**********

The following Legal Notice appeared in the News Herald:

**TOWN OF COEYMANS**
**NOTICE TO BIDDER**
**INVITATION TO BID**

**NOTICE IS HEREBY GIVEN,** that the Town Board of the Town of Coeymans, Albany County, New York, hereby invites sealed bids for:

One (1) 2013 Ford Taurus, Black, P2M AWD Interceptor

All prospective bidders may call the Chief of Police at (518) 756-3388 between the hours of 9:00am – 4:00pm regarding this bid. Bid packages can be obtained at the Town Clerk's Office between the hours of 8:30am – 4:30pm.

Bids will be received at the Town Clerk's Office, Town of Coeymans Town Hall, 18 Russell Avenue, Ravena, NY 12143 up to 2:00pm on Thursday, October 4, 2012, and read aloud on that same day at 2:00pm.

Non-Collusive Bidding Forms must be submitted with all bids. The Town Board of the Town of Coeymans reserves the right to waive any informality and to reject any and all bids.

The bidder is responsible for compliance with all Federal and State Laws and guidelines for this bidding process.

**By Order of the Town Board**
**of the Town of Coeymans**
**Diane L. Millious**
**Town Clerk**

**********

**BID OPENING**

Town Clerk Millious opened the bids and read them aloud as follows:

R C Lacy Inc $25,850.00
25 Maple Ave
Catskill, N.Y. 12414

Crossroads Ford $25,210.00
2351 Route 9W
PO Box 190
Ravena, N.Y. 12143

***Respectfully Submitted,*** **APPROVED:**

_____
***Diane L. Millious, Town Clerk***

**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

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**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.

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**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.

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**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

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**OLD BUSINESS**

None at this time.

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**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

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**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.

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**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

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**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.

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**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

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**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 –**

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**Diane L. Millious, Town Clerk**

**October 16, 2012 – TOWN BOARD WORKSHOP – 6:00PM**

**A Town Board Workshop was held October 16, 2012, at 6:00PM at Town Hall, 18 Russell Avenue, Ravena, New York**

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

**ALSO PRESENT:** Diane L. Millious, Town Clerk
Albert Deering, Superintendent of Highways

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Supervisor Flach opened the Town Board Workshop and led the Pledge of Allegiance.

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**AGENDA**

- Part-Time Mechanic – Highway Department
- Mid-Hudson Cable Franchise Renewal
- Computer Services
- Zoning Maps/Engineering

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**DISCUSSIONS**

**Mid-Hudson Cable Franchise Renewal**

Supervisor Flach stated that Mr. Reynolds from Mid-Hudson Cable will be attending the October 22nd Meeting and anyone with questions should have them ready.

Discussion ensued regarding getting notice out to the public.

Town Clerk Millious advised that there would not be enough time to get it in the paper.

Supervisor Flach stated that he was going to the Village Trustee Meeting immediately following the Workshop and he would announce it then, which is televised.

Town Clerk Millious suggested that they post it on the website as well.

Collectively everyone agreed.

**Computer Services**

Supervisor Flach stated that there are three proposals for computer services, which the Town Board has and added that they need to take a look at them.

Discussion ensued regarding the proposals and the problems with the current provider as well as the amount budgeted for 2013.

Town Clerk interjected that she would print from the BAS Program how much has been expended thus far for services provided by ITS.

Collectively it was decided that the Town Board would look at the proposals, look at the information provided by Town Clerk Millious and then discuss it further at the next Town Board Meeting.

**Part-Time Mechanic – Highway Department**

Supervisor Flach asked that Highway Superintendent Deering discuss his request for a part-time mechanic.

Highway Superintendent Deering stated that they discussed a part-time mechanic at the last Town Board Meeting and it was tabled but what he actually wants is a full-time mechanic, which he needs, has had and is budgeted for and added that this person would also run a snow plow.

Discussion ensued regarding how many employees and what positions are currently being held at the Highway Department as well as the pay scale and benefits for full-time vs. part-time.

Supervisor Flach stated that he put in the budget for next year a part-time position as well as the fact that they advertised for a part-time position.

Highway Superintendent Deering stated that he has another item not on the agenda and added that he has a 950 Caterpillar with a blown head gasket or cracked head, sleeve or block and it needs work, which is going to be a lot of money and then asked what the Town Board wanted him to do.

Discussion ensued regarding what he has in his budget this year for equipment as well as what a new loader would cost and what the cost to repair the broken one would be.

Collectively it was decided that they would look at the budget and put it on the agenda for the next meeting as well as appointing a part-time mechanic for the remainder of this year by resolution at the next meeting.

**Zoning Maps/Engineering**

Supervisor Flach stated that he got a price from Laberge for maps and engineering, which was very pricey and in turn they called C.T. Male for a proposal and it is $1,900.00, which is less than half of what Laberge wanted.

Collectively it was decided that it should be a not to exceed $1,900.00 contract price and that there will be a resolution to authorize it at the next meeting.

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**ADJOURNMENT**

**MOTION**

On motion of Councilman Masti, seconded by Councilman Boehm, the Workshop was adjourned.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time – 7:00pm

***Respectfully Submitted*,** **APPROVED –**

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***Diane L. Millious, Town Clerk***

**A Budget Workshop was held Saturday, October 20, 2012 at 8:00am at Town Hall, 18 Russell Avenue, Ravena, New York**

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

**ALSO PRESENT:** Diane L. Millious, Town Clerk
Rachel Weidman, Bookeeper
Nelson Perry, Parks & Recreation Maintenance Supervisor
Albert Deering, Highway Superintendent
Scott Searles, Deputy Highway Superintendent
Linda Biance, Highway Clerk
George Dardani, Justice
Philip Crandall, Justice

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

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**TOWN OF COEYMANS**
**SPECIAL BUDGET WORKSHOP**

Please take notice that the Town Board of the Town of Coeymans has scheduled two Special Budget Workshops for Saturday, October 20, 2012 and Saturday, October 27, 2012 at 8:00am. The meetings will be held at Town of Coeymans Town Hall, 18 Russell Avenue, Ravena, New York.

**By Order of the Town Board**
**of the Town of Coeymans**
**Diane L. Millious**
**Town Clerk**

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**AGENDA**

- Community Beautification
- Justice Court
- Highway Department
- Town Clerk

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**BUDGET DISCUSSIONS**

Discussion ensued amongst the Town Board and Department Heads relative to their budget's proposed for 2013. No action was taken, no decisions were made.

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**ADJOURNMENT**

Supervisor Flach asked for a motion to adjourn the Special Budget Workshop.

**MOTION**

On motion of Councilwoman Rogers, seconded by Councilman Boehm, the meeting was adjourned.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time – 12:10pm

***Respectfully Submitted,*** **APPROVED –**

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***Diane L. Millious, Town Clerk***

**October 22, 2012 – Town Board Meeting – 7:00PM**

**A Town Board Meeting was held Monday, October 22, 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

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

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**OPENING COMMENT**

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

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**AGENDA**

- Presentations
  - Mid-Hudson Cable, James Reynolds
  - Rev. Antonio Booth, R-C-S Community Library
- Public Announcements
  - Town Offices Closed
    November 6, 2012 – Election Day
    November 12, 2012 – Veterans Day
    November 22 & 23, 2012 - Thanksgiving
- Public Comment
- Approval of Minutes
  - Town Board Meeting, September 24, 2012
  - Special Town Board Meeting, October 1, 2012
  - Town Board Meeting, October 9, 2012
  - Town Board Workshop, October 15, 2012
- Supervisor's Report, September 2012
- Department Report Review
  - Town Clerk, September 2012
  - Building Department, September 2012
  - Sewer Department, September 2012
  - Police Department, August & September 2012
- Old Business
  - Authorize Supervisor to Sign Employees Health Insurance Plan (CDPHP)
- New Business
  - Authorize CT Male to Prepare Updated Zoning Maps
- Resolutions
  - Appoint Part-Time Mechanic
  - Authorize Attorney for the Town to Commence Legal Action for Shed Removal on Town Right of Way
  - Approve Abstract, October 2012
- Correspondence
- Town Board Workshops/Meetings
  - Joint Village/Town Meeting, October 27, 2012, 7:00pm
  - Budget Workshop, October 27, 2012, 8:00am

- Planning Board, November 5, 2012, 7:00pm
- Public Hearing, November 8, 2012, 6:00pm
- Town Board Meeting, November 13, 2012, 7:00pm
- Town Board Workshop, November 20, 2012, 6:00pm
- ZBA Meeting, November 20, 2012, 7:30pm
- Town Board Meeting, November 26, 2012, 7:00pm

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**PRESENTATIONS**

**Mid-Hudson Cable – James Reynolds**

Supervisor Flach invited Mr. Reynolds to give his presentation.

**Mr. Reynolds** stated that he had given a copy of the proposed Franchise Renewal Agreement to each member of the Town Board, which is to deliver cable services to the Town of Coeymans and the original Franchise was January 11, 1977. He continued by saying that over the course of that time, they have rebuilt the system several times and in the last Franchise term they did that again in order to keep pace with technology and the latest telecommunication services as well as adding a number of new services such as voice over internet, high definition television, video on demand and they have invested a significant amount of money in their data network, which provides access to the internet. He added that they are requesting a renewal of their contract and the contract that they submitted is one that has been submitted to the Public Service Commission before and they are interested as to when the Town Board is comfortable for setting a date for a Public Hearing and going through the process and if there are any issues or questions that need to be reviewed prior to that he would be happy to have another meeting to do that.

Supervisor Flach asked if the Board had any questions.

Councilman Boehm inquired as to if there is a senior package available at a lower rate and added that he had asked and had gotten several different answers.

Mr. Reynolds stated that they don't have a package that refers to a Senior Citizen Discount but what they do have is a Broadcast Basic Package, which is a collection of the broadcast signals and some other services and it is $19.95 a month, which is a lifeline service that is there for that specific reason. He continued by saying that one of the challenges with offering other discounts is that if you have any of the popular programming services in that package, it increases the monthly fee.

Councilman Boehm inquired as to what you get in the $19.95 package.

Mr. Reynolds stated that it is all of the broadcast channels, which he can provide and it is approximately 20 channels.

Councilman Boehm stated that he spends approximately $140.00 a month for cable and high speed internet, high definition and channels 1-160 and every time he added something, the price on something else went up. He added that he finds their packages very confusing and it seems like a bait and switch as you talk about the packages with a representative.

Mr. Reynolds stated that he is sorry that it appears that way and added that they follow a practice, which is called in the industry, a triple play and it includes voice, video and high speed internet access and if you take all three services they offer discounts, which lowers the overall price and then there are customers who just want one or two services and it changes the price. He added that they are trying to give a discount to those who are interested in subscribing to more of the services and from time to time, quite often they run specials, which can make the price confusing but it really centers around the fact that they have gotten significantly escalating programming fees over the past several years, particularly sporting events, the major sports services that they carry such as the S-Channel, Madison Square Garden, Sports Channel New York, ESPN and all of their

networks are going up double digits almost on an annual basis and it makes it challenging and they try to put together packages that will give some savings to subscribers.

Supervisor Flach stated that his only question is the proposed 15 year Franchise Agreement and the fact that the last one was 10 years.

Mr. Reynolds stated that they are basing their request on the Public Service Commission and the overwhelming numbers of Franchises that are granted are for a 15 year term because the infrastructure to deliver the services that they deliver has become far more expensive than initially when they first started service in 1977. He added that they are delivering a video service only and the line electronics and in the plant itself they are using fiber-optic cables and sophisticated electronics to deliver the signals and all of that has increased the cost and the labor in order to complete the construction. He continued by saying that the franchise term should not be of great concern because what is being presented is a non-exclusive franchise and they are not saying that Mid-Hudson is the only company that can deliver service and at any point during the term of the franchise, if they wanted to offer a franchise to someone else they have the ability to do so if some new technology came along or someone with better pricing comes along. He went on by saying that the franchise documents that they have always used have sufficient "police powers" or jurisdiction so that if they don't perform, the Town has recourse and 15 years may seem like an eternity but its really based more on the fact of the investment necessary to deliver the services and it is not well understood that you build the system and you are done with the investment, which is not true, particularly with the internet service because as you develop the data network and more and more people use it, the content becomes richer and you use more bandwidth, which forces them to go back and have to update the data network so that you continue to have a reasonable experience, so the investment is ongoing and this is why they are requesting 15 years.

Councilman Boehm stated that there are some places in the Hollow and in North Coeymans that do not have cable service and continued by asking what the criteria is for providing service.

Mr. Reynolds stated that the State guideline is wherever there are 35 homes per mile, which they know does not exist and anything that resembles that, they would be happy to build and for the past 20 years they have been pursuing extensions where there are 20 homes per mile but the landscaping is changing because with competition, if they go into an area they are likely to only get initially a response from people who need a faster internet connection because most people have gone to satellite if they want a video service and they have a contract and cannot convert to their service. He added that they will look at any line extension and report back to the Town and on a daily basis there are a pile of line extension requests from different parts of the system, which they go out and review and price it out based on the State's formula, which is included in the franchise document and wherever possible they try to make sense out of it because realistically if you go below 20 homes per mile, the economics become very challenging. He continued by saying that they have looked at ways to approach extending service and they would be happy to look at any area they fell should be reviewed prior to the franchise process.

Councilman Boehm asked if anyone in the audience had any questions.

Supervisor Flach stated that Mr. Reynolds had mentioned that he could come back and added that they could schedule him to do that so people can ask questions and then asked Mr. Reynolds if he would be willing to do that.

Mr. Reynolds stated that he would and added that typically the issues that arise out of a Franchise Renewal Process are the term of the franchise, which they have already raised and the coverage area, which would be if there are areas that it would make sense to add and also the franchise fees that are paid, which they pay 3% of the gross receipts and the State Public Service Commission allows up to 5%. He added that the reason most municipalities don't go higher is because it is not an equal tax, it would just be affecting those that have cable television service so in most cases they don't choose to do that. He concluded by saying that they are the three issues that he thinks are most widely brought up and in some cases there are individuals who feel like they have had a service problem

that has not been resolved properly and they would be happy to look into it and typically when they get a call for service, if it is not taken care of on that day, it is the next day and they keep accurate records and have to provide the Public Service Commission with their response and they do periodic tests on their head end and equipment to make sure that they are delivering proper signals.

Councilman Dolan inquired as to how many homes are serviced in the Town of Coeymans.

Mr. Reynolds stated that he did not have that kind of information but will have it when they come back. He continued by saying that in terms of scheduling a Public Hearing, he would like to recommend, if they are willing, to outline the process if they are not familiar with it because the Public Service Commission requires publication in the paper of record and it has to be done in a certain fashion, which they would be happy to help. He added that once the process goes forward, if they choose to renew the franchise, they have to submit it to the Public Service Commission for their scrutiny and approval and then it gets finalized and reiterated that he would be happy to help with that.

Councilman Boehm stated that they can have residents come forward that live on certain roads that do not have cable.

Mr. Reynolds stated that it would be helpful to know in advance where they would like to have services extended because at a Public Hearing, all they can really say is that they can look into it. He continued by saying that he would rather look into it prior to the Public Hearing and bring to them the results of the survey at that time so they can talk about it.

Councilman Boehm stated that if someone is interested in cable services they should contact the Supervisor and let him know the area and in turn they will get it to Mr. Reynolds prior to the Public Hearing.

Mr. Reynolds stated that they know there are parts of the town that are very rural and low density and it is unlikely that they could do service there but there may be areas that they have not looked at and they are more than happy to look at wherever it makes sense.

Supervisor Flach thanked Mr. Reynolds and told him that he will be in touch with him relative to the process involving the public.

Mr. Reynolds stated that if there are people interested in having their area added they should let them know prior to the meeting and they will contact them and if there are 10-30 people in an area they will take a look at it and in turn they will bring the Field Survey Map to the meeting.

**Rev. Antonio Booth – R-C-S Library**

Supervisor Flach stated that Reverend Antonio Booth was present representing the R-C-S Library and then invited him to speak.

**Rev. Booth** thanked the Board for supporting the Library's Fundraising Event along with Yanni's last Thursday, which was a fun fundraiser where you ate and a portion of the cost of the meal went to the library and they raised approximately $1,000.00. He continued by saying that the library is moving to 98 Main Street, the former Knights of Columbus building and they plan on moving by the beginning of the year and they are in the process of negotiating a lease with the owner of the building, Mr. Don Persico and he is rapidly renovating the building for their benefit, which they are grateful for his time and effort to help them. He added that they will be moving from the Village office building to that particular location and they are grateful that the Village has allowed them to be there so far and they want to encourage people in their goal to not only lease the building but hopefully purchase the building, which Mr. Persico is open to. He continued by saying that their fundraising efforts are going toward some of the initial relocation expenses but primarily going towards raising enough money to purchase that particular building, which is approximately $300,000.00. He went on by saying that they are very ambitious and

they need to increase the amount of cash that the library has because they want to apply for a grant through the State Library Development Division that will probably be a matching grant and they have to have some cash available for them to match that particular grant and their whole goal in raising the money is to make sure that they don't have to ask for an increase in the tax rate that the library is currently getting because they know that money is tight. He concluded by reiterating that this is their goal and why they are doing it and they are putting their time and effort in trying to raise money and added that anyone that wants to help can call the library at 756-2053 and they need approximately 200 people who are willing to donate $50.00 a month for one year or 200 people to donate $20.00 for one year, which will help them raise a substantial amount of money pretty quickly and anyone wishing to do it can call the library for details and it can be done by writing a check or using a credit or debit card.

Supervisor Flach thanked Rev. Booth and asked if anyone wished to comment.

Councilman Boehm stated that it was a great event and well attended and the library is the centerpiece of our community and he hopes that it does stay in the Village.

Supervisor Flach stated that it is a great thing and he is blessed because his son uses the library quite a bit.

Councilman Dolan stated that two of his daughters have worked at the library over the years and he loves the library and he has worked with Judy Felston the Librarian as well as being glad that Rev. Booth is on Board.

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**PUBLIC ANNOUNCEMENTS**

Supervisor Flach stated that Town Office will be closed on November 6, 2012 for Election Day, November 11, 2012 for Veterans Day and November 22 & 23 for Thanksgiving.

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**PUBLIC COMMENT**

Supervisor Flach stated that before public comment he wanted to say one thing and added that it is in regard to the Tentative Budget that he put out. He added that he had spent the last two days reviewing the Tentative Budget and one question that arose was elimination of the Beautification Department and he tried to take a close look because he stated in his opinion that some of the good workers that are there in the winter time have not had enough work to sustain them for the four months. He continued by saying that since then he has talked with the Highway Department and went back through the budget in quite a bit of detail and in going through the numbers he is hoping that they can keep those two gentlemen in the Beautification Department. He went on by saying that this is his first budget and there are a lot of numbers to go through and he is going back through and trying to redo some of the numbers and keep everyone employed if at all possible and there is a Budget Workshop on Saturday and still a lot of decisions to make. He concluded by saying that he felt it was important to let everyone know that he is looking at the budget again to make sure that it is a good budget for everyone and then thanked everyone for their patience in dealing with his first budget and added that he will continue to try and do his best.

Supervisor Flach invited the public to comment at this time.

**Joseph Scalzo** read the following:

My name is Joe Scalzo and about ten years ago I sat on that side of the table. A lot has happened since then and I asked to address the Board as I think that it is time for me to speak about things I have had on my mind for a long while and it took a couple of recent events to pique my interest enough to come here and talk with you. I am not here for

political reasons but for what I feel is in the best interests in the Town of Coeymans. I was born here and it looks like I will not be able to leave, which may be good or bad, I'm not sure. My wife tells me it's the world according to Joe, and it probably is. Thanks again for the opportunity. The events that brought me to be here was the fact that the Supervisor, Mr. Flach, proposed exploring the idea of eliminating our Police Department and moving to using the Albany County Sheriff's Department in its place. Presently I am not here to present a case either way but to say thank you to the Board for allowing Sheriff Apple the opportunity to present his plan in detail as to the number of cars, officers and times to you, which Greg can probably expound upon. There was a lot of other police work that he went over, I was not here for the presentation, and I just read the report. To me this was a large undertaking and that is something I feel is very valuable to Coeymans as it describes what to expect if the move actually takes place and what Sheriff Apple feels is actually needed here. This is a very valuable document in my opinion and it affords the Town the opportunity to evaluate what we currently have along with its cost and should make any decision pretty cut and dry. As far as I know, our Police Department performs well and does a good job. However, today it's all about money in everything else, so why not with the Police Department. As I understand from what I have read, the Sheriff's Department would use our current officers, including the Chief, absorbing them into the department. If you decide to go any further with this and make the move and all the officers keep their jobs, it's a money thing. If the Sheriff will sign a bonafide contract detailing any and all aspects of any move and what we can expect and how we can get out of the contract if we are wronged. To me the most important part, forget about the actual Police Department, the most important part is what the Sheriff gave us was a RFI or maybe an RFP for services that he would be willing to perform for a certain amount of money and to me that is depressing, the Police Department is just a vehicle here for me. This should be a contract with measurable bench marks and results allowing either side to make, break, renew or not to. This is all I have to say about the police issue but the issue of an RFP is where I want to go, I believe that the Town should be operated as a business with all of us as customers who need to be satisfied. I believe any and all requests for services, products, equipment and the like should be bid in an effort to be sure that we know exactly what we are looking to obtain and how much it will cost. Here in Coeymans I don't think we are or have purchased anything so unique that there is not precedence for a bid. Again I feel all and everything should be sent to bid. I have examined the Town's purchasing practices and find nothing that would disallow such a procedure. As stated, while some things are specifically exempt from bidding such as professional services, such as Town Attorney, it does not mean that you don't have to. If you don't have to, you still could if you wanted to, so why not do it, why not bid everything within reason. If fact the Town Attorney itself could be bid and should be bid as that bidding practice would detail what is expected to result in payment and also open up the position to any other attorney in the Town of Coeymans. The second personal issue that urged me to come here was my inquiry to sell my home and move to Guilderland. At an interview with the real estate person I was asked what town our property was in and then what school district. The interview went on its way as to what I was looking to sell my house for and to what I was looking to buy in Guilderland. After the interview I went to the bank and inquired as to the availability of funds for a home equity line of credit. Subsequent to both of these events I now know that our home cannot demand more than its assessed valuation, resulting in a higher interest rate and lower sale price. To say I was surprised is putting it mildly. That is the background to why I am here and that is why I said that I probably can't leave. In speaking to purchases, I think we need to be sure that all local businesses are aware of the purchases that the Town of Coeymans intends to make and they are contacted so they are not left out while we shop online or go to a Glenmont big box places for products and services available right in our town. Our Town vehicles should not be in Albany or Glenmont when the drivers are making purchases from vendors that make free deliveries. I am sure that Advanced Auto Parts on Delaware Avenue would deliver here, but so would NAPA. I am sure that computer parts & services, near and dear to my heart, can be purchased here in town but my business has not been contacted one time for service or parts while Coeymans is going out of town and is about to once again purchase these parts, equipment and services from another area far away from our town. When I sat at that side of the table, we bid out the purchase of carpeting for Town Hall, I am standing on it now, after an automobile struck the building, all three carpet vendors in town at the time. All bid on the job and while it was not an easy task, I believe that Jerry Perrine

received the award and both Way's and Fori's bid. The chairs and tables that you are sitting at were purchased from a New York State Contract vendor while Joe Neri and Bernie Teriele did the necessary renovations to bring the building to basically what it is today. The point is the work was kept local and fairly awarded. In closing about this subject, if the Board wants to set a threshold on the maximum purchase without the competitive bidding requirement, then so be it but it must be remembered that any threshold means we are willing to possibly overspend on that item. Additionally I feel the town would do well in exploring the possibility of not endorsing anything unless it would benefit the Town in some positive and measurable way, for example naming a newspaper or a bank or a service station or the like as the official Town site should be the result of such entity providing the Town with both a favorable advantage and a specific, predictable, and measurable results. If it means preparing an RFP for those type of services, then so be it. With specific regard to the designation of the official newspaper, you may be surprised as to the respondents, especially if it is left and open for design and media type. Even a journalism class at the high-school could possibly respond as would the current official newspaper, our News Herald, could an existing Delmar or Greenville newspaper and they would be able to offer things like timely reports on each and every Town Meeting that we have, whether they publish it or not, investigative reports, the dreaded profiles, comments and things that are noteworthy about Coeymans. Depending on the Board's desire and any applicable laws, the newspaper could be of the online variety thereby opening the publishing up to many other alternatives. Bank or banks designated as Town banks could offer services to Coeymans that they may not be offered to its regular customers like deposit pick-up, to save Town employees time in going to the bank to deposit in person, no fees, or favorable interest rates and things like that. Now back to the Police Department just for a minute, I am not a Police Officer, nor am I versed in the inner workings of police work, thankfully. However, it does seem like our Police Department, like many if not all are hung up on remedial measures when it comes to crime rather than working on preventing crimes so remediation is not needed as much as it is now. Personally, and again I am not a Police Officer, I do not think that the use of officers as speed collectors when sitting along side our roadways like across from the former Marshall's Garage, on Edna Avenue, Coeymans Fire House, Port of Coeymans entrance, high-school driveway, Nolan Propane and Miller Road looking to nab those of us making the mortal sin of forgetting that we are going 49mph and not 35mph and then have to take time off from work, because court is during the day when most of us work, so that we can see what our fine is going to be, what our NYS payment is going to be and then paying an increase in insurance for years. As long as I am on a roll here, why can a Police Officer use their cell phone when they are driving while we get ticketed for doing it? It also seems like using a police radio requires as much or more concentration than a cell phone yet the police have to use while driving and while looking at their computer. I know I will hear that much is done after a traffic stop because many other crimes are found as the result of a traffic stop. But if these people are passing through Coeymans, more than likely they will be apprehended at their destination. If Coeymans was the destination then maybe we need better surveillance or intelligence here so that the criminals can be arrested here doing whatever it is that is illegal. It would seem like to me anyway, that there is a lot more community involvement for our police to get into, which may go a long way to deter real crimes and possibly provide needed intelligence. When is the last time that anyone here has seen a Police Department representative at one of your group's meeting in town? How about directing traffic at the start and end of religious services? I'm sure our Police Officers can learn a lot about our community by stopping for a cup a coffee and talking to Dick Tracey, Jim Pietropaoli, Al Collins, Jerry Perrine, Roni Fori, Michele at The Spot, Deli Plus or Ravena Welding or Dale Ann at Louise Apartments or anyplace in town, Oakbrook, any local business or someone mowing the lawn. It would be good for the neighborhood because a Police Officer could show up at any time, so you better be careful of what you are doing because a Police Officer could stop by to say hi. Although I believe a School Resource Officer is a non-existing position at this time, it certainly would be nice to see a Police Officer is our schools having a cup of coffee or lunch with the kids on a regular basis as a public relations move and as we all know, a police uniform is a really good deterrent to criminal activity. As I recall the turkey, potatoes and gravy were very good and eating with the students goes a long way in building a needed foundation for the future good relationships. I may hear about what I have said above and if I do, I will be back to give you a report on it. It seems like the Assessor's Office needs to revalue our properties at some point, which has been done in

the past. However, now that our property values have decreased, why is a reduction in assessed value not done at a regular basis? It seem like the State provides spreadsheets that should be able to accommodate this task pretty easily. However, like the gasoline prices, it takes a long time for values to go down but can rise dramatically over a relatively short period of time. The next thing reminds me to ask the Board to explore ways to relieve the tax burden on property owners in Coeymans. Property owners whether they are residential or commercial, bear the brunt of the tax load and there does not seem to be any relief in sight. Although it may sound terrible, and it does, I propose that we ask the county, state, DC or whoever is in charge, if we can add a ½ of 1% sales tax to the county levy and have that money moved directly back to our town and put towards the money that has to be raised by property taxes, so in effect it would lower our property taxes. I don't know if it is legal or not, I am not a lawyer and I don't want to be but it seems like if I charge ½ of 1% on a 99 cent cup of coffee, it might make it a $1.00 and 1/2 cent might come back and take away from property taxes. If you look into it you will probably find that we need to do something so it does not add significantly to the cost of the product so people go out of town to buy something. We have to set a threshold so maybe $500.00 could be set so it does not have an adverse effect on higher end purchases like automobiles. We need to do something outside the box to stop the never ending spiral of higher taxes. A number of years ago, there was a maximum effort put forth to put an end to the awful traffic accidents at the middle-high school entrance. As I remember, the Village of Ravena took the lead role in getting the traffic light installed in a very quick installation time frame. It seems that it really helped but there remains the one glaring fact needing attention, we are probably the only traffic light that has the left turn lane located in the driving lane causing vehicles to turn and pass on the right to get past a vehicle waiting to make that left turn into the complex. As I remember, we were taught to not pass on the right as it was not the safest thing to do and we are encouraging that to happen. We need to talk to who ever is in charge because it needs to be dealt with. We need to get 9W straightened out so that the left turn lane is not the line designated as the main driving lane. We are settling for a 2nd best solution and don't deserve it we pay good money like everyone else does. Think about other similar situations, the Creble Road intersection is a familiar one where one needs to turn to get into the left turn lane while through traffic continues on straight. Oops, I forgot that is Bethlehem and they don't put up with 2nd best or have to compromise like we do here and we shouldn't, especially on safety issues. As an example of treating municipalities differently, how about the paving just completed in Coeymans on Rte. 9W and the similar project going on right now as we speak in Bethlehem and Glenmont where they have ground up the old surface and are installing new pavement on a fresh bed rather than just smoothing out the bumps, like they have done in our Town. Also, it must be noted that the Bethlehem portion was one at night so as to not disrupt traffic while the Coeymans portion was done in the daytime without regard to disrupting traffic. Our government needs to stand up and be counted, we should not have to settle for whatever is given as we have the right to have a job done properly and insist that the company that does the paving in our town also have attended surface transition training so we do not have to feel every new bump and transition that they put in the road, like coming down from the north in the twin dips, you know exactly where they started and where they stopped. If you keep on going you are going to feel two hard hits where trucks drop some of their load, which can bounce and hit your windshield. I know 9W is not a Town road but we can still voice our concern and a letter can't hurt, especially at election time and a letter to the right person can really help. I think that we need to be heard. Supervisor Flach has expressed his interest and desire in to Coeymans having its own Transfer Station, similar to other towns. I wholeheartedly agree with this but with the stipulation that it be privately operated and on a private taxable property, again via a contract with strict monetary penalties. The operators would bid on the sites and I think we would need one out back and one here, possibly using existing facilities with Town Officials performing the to be specified inspections and enforcing the monetary penalties and penalties should hit them hard, because we don't want to have any. I think the same should be done with regard to official Town Recycling Centers; again I would bid both of these things out. Again these would be permitted operations and utilize competitive bidding practices. I am steadfastly against any landfill activity and the town inspections will have to deal with enforcement for any Transfer Station or Recycling Center. Supervisor Flach has indicated that the line will be held on taxes and it appears that he has cut out some services. I am not for cutting services as we hardly receive any now. If you are a resident of Coeymans and you receive

a service like municipal water, sewers, lighting or the like, you are already paying for it. If you don't live in those areas, you are not, so what can you lose? The Police Department provides our first line of defense and first priority for safety, the Highway Department provides for Town road repairs and snowplowing and someone cuts the grass alongside the road, who does a good job because there is junk alongside the road because there is no place to bring your white goods, beds & mattresses and the like, which are all over the place. Other than that, all services that Town residents receive are located in this building as the Fire Department and Ambulance Service are maintained and supported on the own. So I ask, what can be cut? There is nothing to be cut unless you close the doors on the building. Instead of typical cutting, increasing, adding, moving and the like, we need something positive to be done to move our town out of the doldrums it is in and to provide a place our youngsters can live and work as they are our future, gray hair and gray beards don't represent the future. The youth are our future and we need to provide something other than gathering places, they need jobs and productive ones at that, the government does not make jobs, they make the opportunity for jobs to be created. We need to work with R-C-S to coordinate and begin programs that can help both groups, there are a number of things that we can both work together on but the groups need to sit together and talk about it, good things will happen based on talking. A lot more can be said and I've got a lot more that I am not going to say tonight. I believe the bottom line is to bid everything possible, be flexible and stand up to meet the needs of both our residents and the tax paying property owners. Again I thank you.

Supervisor Flach thanked Mr. Scalzo and then asked if anyone else wished to speak.

**Mark Mahar** stated that Supervisor Flach talked about how many employees he has in Town under him, but he also has Department Heads under him, who is actually responsible for the departments. He continued by saying that the Budget Workshops are when everyone comes in at one time and he would question why they don't have each Department Head and a representative of the employees to sit down one on one with each department to try to straighten out and do something with the budget. He added that he thinks that it makes much more sense because there are less people in the room and there are not multiple departments trying to straighten things out at the same time and they will accomplish a lot more.

Councilman Dolan interjected that it is one on one.

Mr. Mahar stated that in reading the budget and the way that they talked last meeting, it sounded like everyone is going at the same time.

Supervisor Flach stated that there are four different departments who come in at different time and added that any Town Meeting that they have, whether a Budget Workshop or regular meeting, has to be a public meeting so anyone can come in and sit in the audience. He continued by saying that they bring the Department Heads up to the front table and go over their budgets line by line.

Mr. Mahar stated that it is the way it should be and added that the Department Heads are ultimately responsible for their departments and staying within their budgets, which most of them can do and there are places that they can find some savings here and there by sitting down that way. He continued by saying that he understands that there is another mechanic being put on part-time but they have been talking about laying people off and not replacing full-time people that are leaving and he is trying to figure out how they are bringing in a mechanic now if it is the case.

Supervisor Flach stated that they do not have a seasonal employee that they have had and they have one gentleman that left so they are actually down to seven instead of eight and they lost their mechanic to a different grading position.

Mr. Mahar stated that with the Beautification guys it makes more sense because the Town is self insured and they have to pay unemployment and it is foolish to pay unemployment over the winter when they can find things for them to do to keep them busy around town, which would be more cost effective and they would not lose any one.

Supervisor Flach thanked Mr. Mahar and then asked if anyone else wished to comment.

**Sylvia Lawler** stated that she is a resident of the Town of Coeymans and added that Supervisor Flach had spoken to the Beautification Department and she did some math and found that the Beautification Department is what she would consider bare bones so she divided $200,000.00 by the number of residents in the Town, which come to $25.00 per resident, per year for beautification, which she thinks speaks for itself. She reiterated that it is bare bones if you compare it to other communities and with Rev. Antonio Booth asking for individuals to contribute individually because everyone realizes how important a library is to the community and the Town needs to think of their citizenry with the Beautification Department. She concluded by saying that if it is in anyway compromised, it would be a grave mistake for the Town.

Councilman Dolan interjected that the budget is actually lower than that because one of the workers is retiring and there has been no talk of replacing him and by going line by line in the budget at the Budget Workshops they see where they can save money.

Supervisor Flach stated that he wanted to speak to that and added that they have to be careful when they say that it is so much per resident, because there are people that pay $300.00 in taxes in a year and people that pay $2,000.00 a year, which is so much difference as well as people in the town that aren't affected by certain services that the Town provides. He continued by saying that the Beautification Department does quite a bit of work in Coeymans Hollow by the Highway Department and mow at Joralemon Park but then there are people that are way out there who don't see anything that they do. He added that he tries to look at everything as a whole and every taxpayer because every taxpayer is so different and he tries to be careful with that.

Supervisor Flach thanked Ms. Lawler and continued by asking if there were any other comments.

**Donna Pasquini** stated that one of her concerns is that she knows there are two employees that have more than one job with the Town and has more than one position and in Beautification there is a gentleman that has worked for the Town for 28 years, who has a family and without going into details, if you cut him to make his job temporary he will lose his Health Insurance and he has a wife who is battling cancer. She continued by asking if anyone cares about the residents in this town and added that they need to start thinking about the residents and what they are going through because to cut someone who has that on their shoulders, who has been an employee for 28 years and a good employee, it's a shame that it would even be brought up when you are paying people for two different positions in this town.

Supervisor Flach stated that he wanted to address that and added that when you are the Supervisor or an Elected Official of the Town, you are the Elected Official for 7,418 residents and not just two or twenty but all the residents. He continued by saying that they have to remember that in Town Government everything in the budget affects everyone in the town and they have to look at taxes coming in from people because there are people paying $2,000.00 and people that pay $300.00 and anywhere in between. He added that they have to be careful as Town Board members to remember that it is the Town as a whole when they look at the budget and his original feeling way that maybe there was not enough work for those two people and it was $100,000.00 on all of the town's people and this is what he looked at when he did his budget and he understands that saying that they have an employee that has been here 28 years and one that has been here 6-7 years. He added that if he can find work for them to do, and he talked with the Highway Department and they are actually lacking a guy, if they can keep them busy at the Highway Department and making sure that there is work for them to do and they are not just painting picnic tables all winter, they need to look at it and do it. He continued by saying that it is the reason he spent the last few days searching the budget in trying to figure out how they can keep those guys and he understands.

Councilman Dolan stated that he would commend the Supervisor for looking into it and not having a closed mind on the issue and he did the extra work that it took to do the math to find the money for those two people.

Supervisor Flach asked if anyone else wished to comment.

**Gary Bogardus** asked how they are doing with the zoning changes.

Supervisor Flach stated that later in the meeting they will be signing a resolution to finish the mapping process, which started long before he came and once they get them done the Zoning Board can complete the zoning process that has been started. He added that it has been an uphill thing, it is something that has to be done and he has been trying to put it forward to the Zoning Board.

Mr. Bogardus stated that it seems to him that it has been dragging on and on and if someone had a junk car in their lot and they wanted to pass a law for it, it would be done in a heartbeat. He continued by saying that maybe they can get this done and they can get some business here to replace the buildings that are being torn down. He went on by saying that he is glad about what Supervisor Flach said about looking at things because he does not like misleading comparisons and the school budget was only suppose to be a cup of coffee and then asked how they liked their cup of coffee when they got their school taxes. He added that the police were only suppose to be 47 cents but in putting it into perspective, a $500,000.00 savings on a 3 million dollar budget equals 1/6 of the budget.

Supervisor Flach stated that it is actually a 6 million dollar budget, so it would be 1/12.

Mr. Bogardus stated that on the website it says 3 million dollars.

Supervisor Flach stated that the complete budget is approximately 6 million.

Mr. Bogardus stated that on the website he sees a figure of 3 million.

Supervisor Flach reiterated that the complete budget is 6 million and that he will look into what is on the website.

Mr. Bogardus stated that it is a huge chunk of money and then asked if the Police Budget is 1.4 million.

Supervisor Flach stated that some things that people don't look at when they look at a budget is Workers Compensation, insurances, retirement, fuel and other things that are used and with all of that added together with communications and the Police Department it is pretty big and the total is 1.368.

Mr. Bogardus stated that if it is a 3 million dollar budget like he saw on the website, it's half of the budget going to the Police Department to protect against ourselves, basically. He added that he thinks the people in town ought to have the right to vote on whether they want to save $500,000.00 or not and the five on the Board are not any smarter than the 7,500 people in the Town and they should let the people of the town decide what they want to do. He continued by saying that if they want to keep the Police Department, that is fine because it is their decision but if they want to save some money and get the same services, then they would vote the other way and it is up to the Town Board to put it up to vote. He concluded by asking how many seats would be up for election next year.

Supervisor Flach stated that there will be three, 2 Council and the Supervisor. He then asked if anyone else wished to comment.

**Laszlo Polyak** stated that he was from Ravena and added that when the Sheriff came and made his proposal he came and wanted to see it because as a former auditor you want to look at the numbers and see how they comparatively work. He added that it was hard to follow Joe Scalzo with all the stuff that has been said and done and he is either for getting rid of the Police Department or keeping them. He continued by saying that he comes from a community where there is only a County Police Department and it was one town out of the 12 townships, South Hampton, which was wealthy enough that in addition to that they were able to maintain a local Police Department. He went on by saying that everyone is right and it should be brought before the people and the 7,500 should make

the decision, whether they want to spend the 1.5 million, then so be it or they could say that they want to do away with it and have the Sheriff's & State Police Departments. He added that everyone on either side of the issue is right that it should go to the public, which would resolve the issue that has come up for the past 15 years, which includes the Village. He continued by saying that he has family members that are agents all the way down to a NYC Police Officer and he has knowledge of what goes on in their lives and you don't see in the paper when a tree falls in front of a car doing 65 mph and it falls in front of the car and they are catapulted right out of their car and they are injured but you always hear about the heroic things like shooting up a gang that is dealing drugs. He went on by saying that what he is trying to say, and he is a little frustrated to say that he read in the newspaper that the Town's Police Chief made a comment that Coeymans would collapse if they did away with the Police Department and it was a very hubris statement to make if you had real leadership here and leadership elsewhere would have called him on the carpet for making the comment because they are the Elected Officials and to him it would be insubordination because it was a statement that was very careless and could even get your fellow officers all the way up to your fellow agents killed. He added that to him, when he read it, he said that he had no confidence in our Sheriff, who actually grew up here and he doubts very much that anyone who grew up here would not help out in their hometown in someway, shape or form even if contracts were not made as well as it being a kick in the State Police faces because he is saying that they are incompetent and won't come in and help either, which they will. He then asked if any member of the Board addressed the issue when it was made, which should have been addressed in Executive Session and he is really concerned about that comment and the type of leadership that they have in the Police Department, if that's the case because it also undermines some of the officers that work here because you don't know if you are going to have or not have backup. He continued by saying that everyone is replaceable and the way the Constitution was written, it was written so we all work together and even if there was no Police Department he finds it very difficult to believe that the sun would not come up the next day and the Town would not work and that they would not do the things that they need to do. He added by saying that it's bad enough that we have bad press in the Times Union almost on a daily basis from various elected and non-elected officials and leaders in various offices, which include the Village, Town & School Board. He went on by saying that as Mr. Scalzo had stated, they are stuck and if you have driven around the community in the past 3-4 months there are more and more signs on houses for sale and in going into other communities you are in awe when you see the building and growth but we have a dead Main Street and he has been watching it die for the past 23 years that he has been here. He continued by saying that there are dysfunctional Boards, both in the Town and Village and they keep arguing over the same issues over and over again but it never goes to the next level and at some point in time it should go to the next level and let a Judge figure it out. He added that he is not involved with the Mayor anymore and his epitaph and legacy is a boarded up Main Street and we can't get around it because in other communities there are Planning & Zoning Boards that are friendly and want stuff and he witnessed a property that was both in the Village and Town and the owner had to succumb to two Planning & Zoning Boards and businesses are moving because they like what is going on in other communities. He went on by saying that we lost our McDonalds and Coxsackie is building one and it is because our Elected Officials don't call people on the carpet when they need to be on the carpet and he believes that Greg is a nice guy but sometimes you have to be called on the carpet and reprimanded for some of the things that you do. He continued by saying that they are elected and if they continue down the path of being dysfunctional, two things are going to occur; the residents will not re-elect them or the State will come in, which they already have in demanding no more than a 2% cap and they are forcing the issues because the State is now concerned that millions of people are leaving and we are still seeing more signs of those that want to leave. He concluded by saying that he does not know what else to say and he is telling his children to leave the Town because there is nothing here and it is a Ghost Town.

Supervisor Flach asked if anyone else wished to comment.

**Ann Marie Vadney** stated that it seems as though everyone is on the same path with the comments and that she would be brief. She continued by saying that she is very concerned about the budget process and she thinks that a lot of things are being piecemealed and they are not looking at issues in a comprehensive manner. She added

that as an example they talk about the Police Department, the ambulances and the medics and when you add all of that money up, it is a lot of money and she firmly believes that there is room for them to analyze all of those and possibly put the group together and take a look to see how they can offset each other and have a much more cost effective delivery of services. She continued by saying that she also thinks that we need solidarity amongst the Town Board and she does not care what political party people are representing because the citizens voted them in and they have one Supervisor and it should not matter what party and we are in a situation, like many other communities but in our community no one wants to cut anywhere and there has to be cuts somewhere. She went on by saying that it goes back to the issue of a boarded up Main Street and the fact that businesses do not want to come to our community, for many reasons with high taxes being one but another reason are the processes in place here and they have been working since the last Supervisor to change the proposals and now they are talking about zoning and after researching zoning and comparing the purposes of it, she does not know why they have zoning because if they have Local Laws 1 & 2 for Site Plan Review Processes, there really is not a need for zoning because whether you are in a district where you are zoned for a specific use, or not in the district, you still have to go through the same steps and the same review process, which seems like double jeopardy. She added that businesses don't come to this community because they have to jump through hoops, first a process to see if it would be an approved use in a particular district and then the review process with the Planning Board, which is duplication. She continued by saying that they need to think out of the box in this area because our Town is not in the same category as Coxsackie, Bethlehem and even Athens and they need to put their heads together and be innovative and have some initiative, they have to look at the facts as far as what laws are in effect, what is really required and how we can make changes in our community to encourage both businesses and individuals to come here because as everyone knows, there are a lot of houses for sale and people are not even coming to look at them. She went on by saying that they are talking dramatic issues and it is wonderful that they are trying to address them, but they have to do a better job and people in the community and our elected officials really need to get it together if we are going to see any kind of changes. She added that she also wanted to comment on presentations and as an example she would use Mid-Hudson Cable, and the fact that they don't have any facts about our community and they should not waste their time. She continued by saying that when they walked in the room they should have known how many people are in this community, how many people they serve and what type of services they provide and the Town Board needs to start demanding this kind of conscientious, effective management, which she has heard has been this way for many years. She added that she use to work with people like that and she fired most of them because she is a firm believer that just because it has been done that for a lot of years does not mean that it is the right way to do it and there is nothing in this world that they cannot approve upon. She went on by asking how we get there and added that she is looking to them as leaders to help everyone in this community join together and they have tried, they have a business group, they are trying to form a Chamber but she has found that every time you attempt to do something positive in this community, there are people out there that are supported by people in various positions at the Village and Town levels that put dampers on it and try to kill it. She continued by saying that she is a firm believer too and if they don't want her to take the lead, they should do it and she will help because she does not need to be in the limelight, she just wants to make our community a better community where business can survive because all small businesses are struggling and when a small business pays $15,000.00 a year in taxes and doesn't make a profit, there are not a lot of years that you can do it and you can't raise your prices so things need to change. She concluded by saying that the people in the community need to stick together and they need the Town Board to stick together to support their needs and consolidation and innovation are what they need to look at as well as respecting each other and working together so they can determine who and how they can keep as many people employed as possible while saving tax paying dollars.

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

**APPROVAL OF MINUTES**

Supervisor Flach stated that there were four sets of minutes for Town Board approval, a Town Board Meeting on September 24th, a Special Town Board Meting on October 1st, a Town Board Meeting on October 9th and a Workshop on October 16th and continued by asking for a motion to approve them.

**MOTION**

On motion of Councilwoman Rogers, seconded by Councilman Masti, the Town Board Minutes were approved as presented and read.
VOTE – AYES 5 – NAYS 0 – SO MOVED

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**SUPERVISOR'S REPORT**

**September 2012**

| Fund | Balance Fwd. | Receipts | Disbursements | Balance |
|---|---|---|---|---|
| | | | | |
| **General** | $266,920.08 | $369,715.92 | $341,731.27 | $294,904.73 |
| | | | | |
| **Part-Town** | $850,808.96 | $ 805.69 | $319,142.95 | $532,471.70 |
| | | | | |
| **Highway** | $ 7,142.96 | $201,435.69 | $115,968.97 | $ 92,609.68 |
| | | | | |
| **Bridge Const.** | $ 28,775.84 | $ 18.47 | -0- | $ 28,794.31 |
| | | | | |
| **Sewer** | $144,181.06 | $ 2,097.73 | $ 24,637.14 | $121,641.65 |
| | | | | |
| **Special Water** | $ 26,241.22 | $ 9,245.02 | -0- | $ 35,486.24 |
| | | | | |
| **Police Forf.** | $ 12,860.27 | $ .57 | -0- | $ 12,860.84 |
| | | | | |
| **Trust & Agency** | $ 13,142.24 | $223,514.04 | $225,280.04 | $ 11,376.24 |
| | | | | |
| **H-Fund Capital Proj.** | $ 41,869.92 | $ 1.76 | -0- | $ 41,871.68 |
| | | | | |
| **Section 8 – HUD** | $ 50,399.14 | $ 40,082.94 | $ 44,325.33 | $ 46,156.75 |
| | | | | |
| | | | **Total Rec. Bal.** | **$1,218,173.82** |
| | | | | |

| **SAVINGS ACCOUNTS** | | **COLLATERAL COVERAGE** | **FDIC** | **COLLATERALIZED** |
|---|---|---|---|---|
| Unemployment | $ 702.68 | Bank of Greene | $250,000.00 | $1,554,458.50 |
| Grove Cemetery | $40,902.06 | National Bank | $250,000.00 | $ 1,136.59 |
| Coey. Hollow Cem. | $13,417.61 | | | |
| Sewer-Dedicated | $ 6,331.97 | | | |
| **Total** | $61,354.32 | | | |

Supervisor Flach asked for a motion to approve the report.

**MOTION**

On motion of Councilman Dolan, seconded by Councilman Boehm, the Supervisor Report was approved as presented and read.
VOTE – AYES 5 – NAYS 0 – SO MOVED

**DEPARTMENT REPORTS**

**Town Clerk – September 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.

**MOTION**

On motion of Councilwoman Rogers, seconded by Councilman Dolan, the Town Clerk's Report was approved as presented and read.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Town Clerk Millious stated that she has an announcement from Albany County Board of Elections regarding extended hours for absentee ballots and continued by reading the following:

**PUBLIC SERVICE ANNOUNCEMENT**

The Albany County Board of Elections is extending office hours to accommodate voters who will need absentee ballots for the General Election on November 6, 2012.

The Election Board, located at 32 North Russell Road, Albany, NY 12206, will be open on the following days, dates and times:

| | | |
|---|---|---|
| Monday | October 22nd | 4:30-8:00pm |
| Wednesday | October 24th | 4:30-8:00pm |
| Saturday | October 27th | 9:00am-1:00pm |
| Tuesday | October 30th | 4:30-8:00pm |
| Thursday | November 1st | 4:30-8:00pm |
| Saturday | November 3rd | 9:00am-1:00pm |

Voters applying for absentee ballots by mail must have the application postmarked to the Board no later than October 30, 2012. Voters applying in person at the Board may do so up to and including November 5, 2012.

Ballots returned by mail must be postmarked no later than November 5th or may be returned in person to the Board by 9:00pm on November 6th, Election Day. Ballots returned by mail must be received within seven days of the Election, November 13, 2012)

**Building Department – September 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 Building Department Report was approved as presented and read.
VOTE – AYES 5 – NAYS 0 – SO MOVED

**Police Department – August & September**

Supervisor Flach asked that Chief Darlington give the Police Department Monthly Reports for August & September.

Chief Darlington continued by giving the reports.

Supervisor Flach asked for a motion to approve the reports.

**MOTION**

On motion of Councilwoman Rogers, seconded by Councilman Masti, the Police Department Monthly Reports were approved as presented and read.
VOTE – AYES 5 – NAYS 0 – SO MOVED

**OLD BUSINESS**

**CDPHP Health Insurance Plan**

Supervisor Flach stated that there is a CDPHP Health Insurance Plan that needs to be signed and continued by asking for a motion authorizing him to sign it.

**MOTION**

On motion of Councilman Boehm, seconded by Councilman Masti, authorizing Supervisor Flach to sign the CDPHP Health Insurance Plan for Town employees.
VOTE – AYES 5 – NAYS 0 – SO MOVED

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**NEW BUSINESS**

**C.T. Male – Zoning Maps**

Supervisor Flach stated that they went over this at the last Workshop and continued by asking for authorization for C.T. Male to update the zoning maps.

**MOTION**

On motion of Councilman Masti, seconded by Councilman Boehm, authorizing C.T. Male to update the zoning maps.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Councilman Boehm inquired as to the amount.

Supervisor Flach stated that the proposal says that they will not exceed a maximum of $1,900.00.

Councilman Boehm interjected that this is opposed to Laberge Group who were going to charge a substantial amount more.

Supervisor Flach stated that it was quite a bit more and approximately double the amount.

Councilman Boehm stated that as they discussed at the Workshop that as the maps become available they will be accessible for the public to view.

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**RESOLUTIONS**

Supervisor Flach stated that the Highway Department has requested a part-time mechanic due to their mechanic going to a different class. He added that as Supervisor he will recuse himself from the vote because Mr. Deering had interviewed and has chosen his brother-in-law and the Board had approved the position but it is up to Highway Superintendent Deering to choose the individual.

Councilman Dolan added that it is the individual that Highway Superintendent had recommended to the Board and it was properly advertised in the paper.

**RES. #114-12 APPOINT PART-TIME MECHANIC**
On motion of Councilman Masti, seconded by Councilwoman Rogers, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSTAIN 1 – SO MOVED

**WHEREAS**, Highway Superintendent Deering is desirous of filing a part-time position for a mechanic at the Highway Department, and

**WHEREAS**, the Highway Superintendent has advertised and interviewed a number of applicants for the position, and found a candidate who meets the minimum qualifications, and

**WHEREAS**, the position is pending the Albany County Department of Civil Service review and approval of the candidate's qualifications,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Coeymans does hereby appoint Guy Weidman to the position of part-time Diesel/Heavy Equipment Mechanic, at the hourly rate of $25.00 effective October 23, 2012.

Councilwoman Rogers stated that they have another mechanic in Town for the Police Department and continued by asking if they are going to raise him to $25.00 an hour.

Supervisor Flach stated that it is a Diesel/Heavy Equipment Mechanic and not an Auto Mechanic, who will be working on the heavy equipment and dump trucks and they checked around and the going rate for part-time was between $25.00-$45.00 dollars per hour.

Supervisor Flach stated that there is a resolution prepared to authorize the Attorney for the Town to commence legal action for a shed removal on the Town right-of-way and he wanted to table it because he spoke with the person earlier in the day about the shed that has to be removed because they are in the process of doing some sewer work between Colvin and Blaisdell Avenues. He continued by saying that he now has her cell phone number so he can contact her and Highway Superintendent Deering is going to write a letter so that when the Town helps her move it, she will not hold the Town liable if anything happens to it as well as having it ready to move by next Monday.

Attorney for the Town Wukitsch stated that they have been trying to do this for weeks and weeks.

Supervisor Flach stated that he was in the Hamlet for another matter and noticed that she was home so he went and talked to her and it was very positive and good.

Councilman Dolan asked Highway Superintendent Deering if he had a standard form for that.

Highway Superintendent Deering stated that he does and he has to change it a little bit and in turn he will have the Attorney for the Town look at it.

Supervisor Flach stated that they will deliver it to her and get it signed before any work is started.

**RES. #115-12 APPROVE OCTOBER ABSTRACT**
On motion of Councilman Boehm, seconded by Councilman Dolan, 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 October, 2012 Abstract.

| FUND | VOUCHER # | AMOUNT |
|---|---|---|
| | | |
| **GENERAL (A)** | | |
| General Pre-Pay | 1993-2035 | $169,103.93 |

| | | |
|---|---|---|
| General | 2085-2120,2173-2174 | $103,692.05 |
| | | |
| | **General Total** | **$272,795.98** |
| | | |
| **GENERAL CONSOLIDATED** | | |
| General Cons. Pre-Pay | 2036-2039,2171-2172 | $198,809.26 |
| | | |
| | General Cons. Total | **$198,809.26** |
| | | |
| **PART TOWN (B)** | | |
| Part Town Pre-Pay | 2040-2051 | $ 13,079.08 |
| Part Town | | $ -0- |
| | | |
| | **Part Town Total** | **$ 13,079.08** |
| | | |
| | | |
| **HIGHWAY(DB)** | | |
| Highway Pre-Pay | 2052-2061 | $ 31,984.67 |
| Highway | 2121-2154 | $ 5,435.60 |
| | | |
| | **Highway Total** | **$ 37,420.27** |
| | | |
| **SEWER (SS)** | | |
| Sewer Pre-Pay | 2062-2076 | $ 13,074.77 |
| Sewer | 2155-2170 | $ 31,544.08 |
| | | |
| | **Sewer Total** | **$ 44,618.85** |
| | | |
| | **Total for all Funds** | **$566,723.44** |
| | | |
| **TRUST & AGENCY (TA)** | | |
| Trust & Agency Pre-Pay | 2077-2084 | $210,339.79 |
| | | |
| | **Trust & Agcy. Total** | **$210,339.79** |
| | | |

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**TOWN BOARD WORKSHOPS / MEETINGS**

- Joint Village/Town Meeting, October 27, 2012, 7:00pm (Village Hall)
- Budget Workshop, October 27, 2012, 8:00am
- Planning Board, November 5, 2012, 7:00pm
- Public Hearing, November 8, 2012, 6:00pm
- Town Board Meeting, November 13, 2012, 7:00pm
- Town Board Workshop, November 20, 2012, 6:00pm
- ZBA Meeting, November 20, 2012, 7:30pm
- Town Board Meeting, November 26, 2012, 7:00pm

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**ADDITIONAL COMMENTS**

Supervisor Flach asked if there were any additional comments.

Ms. Lawler asked if she could comment and added that she would be brief.

Supervisor Flach stated that she could.

Ms. Lawler stated that she hopes that she is not out of line and added that she has been coming to the Town Board Meetings on a regular basis for approximately a year and what has become blaringly apparent to her is the lack of civility on the part of the public when addressing the Board. She continued by saying that one this current Board, not one of them has been disrespectful to the public and earlier in the meeting, three times, the public resorted to name calling when they called the Board dysfunctional and told them that they had to get it together. She concluded by saying that it is disrespectful and if they want them to be sensitive, how can they ask them to become callous and they are our fellow citizens as well with feelings and they are cut to the quick just as easily as everyone else and the fact that they are Elected Officials should not mean that they should be treated with the degree of disrespect that she has seen meeting after meeting and it has gotten them no where.

Supervisor Flach asked if there were any other comments.

Chief Darlington stated that he wanted to comment on a couple of things that Mr. Scalzo brought up, which he appreciates and added that his officers are in the schools frequently, unfortunately sometimes for calls and they go to the three schools and actually walk around so they are aware of the building and the students are use to seeing them in a positive way. He continued by saying that as far as being involved with the local churches and such, they frequently assist with funerals when they are of a large size to help them move along as well as currently working with the River View Baptist Church for their Halloween Night and they are donating Halloween bags with safety tips on them as well as some candy to go with them. He went on by saying that the purpose of the traffic enforcement is not to generate revenue and the purpose is to reduce traffic related accidents, alcohol related fatalities and to provide safe streets for everyone to travel and as far as officers in a coffee shop, he met Mr. Masti in one and Mr. Dolan in one and it took him over 45 minutes to get out of the coffee shop because he was speaking to members of the public as well as when he goes grocery shopping or when he is trying to eat at a diner and he has never turned anyone away when they want to discuss issues that they have in their family. He added that he wanted to make one thing clear and added that Sheriff Apple did not grow up in this town; he lived in the Town of Bethlehem. He continued by saying that the have a PAL Program that took about three years to get up and running and it is running actively and they had 56 youth from the community, which included the Hamlet, Hollow and Village who bowled for approximately three hours for nothing and many of them at one point were in trouble with them but did not make it into the Court System because the officers worked with them and helped keep them out of the Court System. He added by saying that a hard part is that the media only likes to publish the negative things that go on and they frequently publish what they do on the positive side but for some reason it does not make it in the paper. He went on by saying that this Saturday night there will be a basketball game between the Town of Coeymans Police Department, the Albany County Sheriffs, the NY State Police and Albany County Correctional Facilities for Barb McMullen who is going through some medical issues and is having a tough time and recently they had a Ride for Barb and there were over 150 motorcycles and it was amazing. He concluded by saying that he checked into the State Contract price for the police car and it is approximately $1,025.00 less than the low bid.

Supervisor Flach asked if there were any other comments.

Mary Pape stated that she believes that there are some corrections with the meeting dates and continued by asking about what she believed to a wrong date for the Zoning Meeting and a wrong date for a Meeting that they approved earlier in the meeting and concluded by saying that she hoped that they all got a copy of the letter that someone asked that she put in the Town Board's mail boxes.

Collectively the Town Board stated that they did receive the letter and discussed at the previous meeting that they had gotten it.

Supervisor Flach stated that they would look into the dates and asked if there were any other comments.

Highway Superintendent Deering stated that he wanted to point out that the part-time Mechanic position use to be a full-time position and he knows that they are trying to save some money but if anything changes he will be back to the Board. He continued by saying that according to Section 142 of Highway Law he had to submit his equipment list to the Board and then distributed a copy to each member of the Board. He concluded by thanking Joan Radley from the Garden Club for doing such a great job with the Memorial Garden at the Highway Department.

Supervisor Flach asked if there were any other comments.

Councilman Dolan stated that the budget process is not pretty and not fun but the do endeavor to do their best. He continued by saying that Department Heads do not come before the Board and ask for something that they don't believe is absolutely necessary for their department, which they don't always agree with them and there is a combination of negotiations and arm twisting. He added that if anyone has time to stop in to a Workshop they would see that they don't rush through it or arbitrarily do things or deliberately take something out of a budget or just add extra money and would see that it is not the case and all of them take it seriously. He concluded by saying that Supervisor Flach has worked hard at redoing the numbers and looking at them again and hundreds, maybe thousands of numbers come into play.

Councilman Boehm stated that he agrees with Councilman Dolan in that he does not think that the Town Board is dysfunctional at all and they have different opinions and it can be adversarial at times, which he thinks is healthy and good but they are all committed to making the Town a better place and coming out with a budget that makes sense for everyone. He reiterated that he does not believe that they are dysfunctional, it is what they do here and they have a commitment to get this done and they will. He concluded by saying that he hopes that everyone comes out to support Officer McMullen and added that his daughter was involved in a car an accident a number years ago and she was very helpful to her and he hopes that it is a good turnout for her.

Councilman Masti stated that the Budget Workshops and preparation of the budget is an interesting process and you will see that while they are not dysfunctional, they are definitely of different opinions on a lot of things and he agrees that it is good and what made America great and if they can work through their differences for the betterment of the community, they will get through this challenge. He then asked Chief Darlington for an update on the Hannacroix Project.

Chief Darlington stated that he has nothing new.

Councilman Masti asked what they are waiting on.

Chief Darlington stated that they are waiting on the topographical survey and the new timeline from F.X. Browne, which they figured to be early November.

Councilman Masti stated that he had a question for Ms. Lawler and continued by asking if anyone from the Hamlet had gone and talked to Mr. Laraway.

Ms. Lawler stated that they have tried to set up a meeting but it has been to no avail and she does not know but he might be more comfortable if someone from the Town Board contacted him about a meeting. She added that he had suggested that they get in touch with him but maybe he is really busy and she knows that Barbara Heinzen wrote him a letter and called him but did not succeed. She reiterated that it might be more comfortable for him if a member of the Board calls him and she knows that the Coeymans Landing Neighborhood Association also wants to speak with him.

Councilman Masti stated that he was trying to catch up on follow-up things.

Supervisor Flach stated that he wanted to let Chief Darlington know that he had a gentleman come up to him last night and told him that an Officer had approached some students at the football game and it was done in a good way and a good example for the students and he was very happy and impressed that he had done that. He added that he

went on the ride for Barb McMullen and it was a great thing for her, she is a great lady and then asked that everyone keep her in their prayers. He continued by saying that he wanted to thank Mr. Geraldson, an employee at the Sewer Plant for last night when they had an alarm go off at the Division Street pump and he had to stay there for four hours and had to operate it every 15 minutes until someone got there to repair it. He added that Mr. Bullock got out of bed and came down to repair the pump and he wanted to thank him as well for doing it at night and he was going to relieve Mr. Geraldson but he didn't have to.

Supervisor Flach asked for a motion to adjourn the meeting.

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**ADJOURNMENT**

Supervisor Flach asked for a motion to adjourn the meeting.

**MOTION**

On motion of Councilman Boehm, seconded by Councilman Masti, the Town Board Meeting was adjourned.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time – 8:50pm

***Respectfully Submitted*,** **APPROVED –**

_____
***Diane L. Millious, Town Clerk***

**A Budget Workshop was held Saturday, October 27, 2012 at 8:00am at Town Hall, 18 Russell Avenue, Ravena, New York**

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

**ALSO PRESENT:** Cindy Vatalaro, Town Clerk
Rachel Weidman, Bookeeper
Greg Darlington, Chief of Police
Larry Conrad, Building Inspector, CEO
Larry Breedlove, Chief Operator W.W.T.P
Dawn DeRose, Assessor's Clerk

**********

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

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**TOWN OF COEYMANS**
**SPECIAL BUDGET WORKSHOP**

Please take notice that the Town Board of the Town of Coeymans has scheduled two Special Budget Workshops for Saturday, October 20, 2012 and Saturday, October 27, 2012 at 8:00am. The meetings will be held at Town of Coeymans Town Hall, 18 Russell Avenue, Ravena, New York.

**By Order of the Town Board**
**of the Town of Coeymans**
**Diane L. Millious**
**Town Clerk**

**********

**AGENDA**

- Police Department
- Building Department
- Sewer Department
- Assessor

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**BUDGET DISCUSSIONS**

Discussion ensued amongst the Town Board and Department Heads relative to their budget's proposed for 2013, no formal action was taken.

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**ADJOURNMENT**

Supervisor Flach asked for a motion to adjourn the Special Budget Workshop.

**MOTION**

On motion of Councilwoman Rogers, seconded by Councilman Boehm, the meeting was adjourned.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time – 12:20pm

***Respectfully Submitted,*** **APPROVED –**

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***Diane L. Millious, Town Clerk***

**A Public Hearing was held November 8, 2012 at 6:00pm at Town Hall, 18 Russell Avenue, Ravena, New York**

**PRESENT:** Stephen D, Flach, Supervisor
Dawn 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

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Supervisor Flach opened the Public Hearing and led the Pledge of Allegiance.

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**OPENING COMMENT**

Supervisor Flach stated that he had a Public Notice that he wanted to share from R-C-S Central and continued by reading the following:

There is an opportunity to donate nonperishable food items, blankets, warm clothing and basic hygiene items, which will occur on Wednesday, November 7th through November 14th at the R-C-S School District. This is called Stuff the Truck – Sandy Relief. School children are encouraged to bring items to school to leave in drop-off boxes. Capital region residents are encouraged to bring items, boxed and labeled to the R-C-S Middle School parking lot November 10th from 10:00am to 2:00pm and November 12th, 10:00am to 2:00pm. Due to the enormous catastrophe incurred in the Burroughs of Staten Island, all goods received will go to victims in this devastated area. Stuff the Truck – Sandy Relief is working with an organization associated with F.E.M.A. Those interested in volunteering for this event, please contact Suny Swann at 518 588- 3781.

Supervisor Flach stated that he wanted to share the information now because the next Town Board Meeting is on November 13th and continued by asking that Town Clerk Millious read the Notice of Public Hearing.

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Town Clerk Millious read the following Notice of Public Hearing.

**NOTICE**
**OF**
**PUBLIC HEARING**

**NOTICE IS HEREBY GIVEN,** that the Town Board of the Town of Coeymans will meet and hold a Public Hearing at Town Hall, 18 Russell Avenue, Ravena, New York at 6:00pm on Thursday, the 8th day of November 2012 for the purpose of hearing comments on the budget.

Pursuant to Section 108 of Town Law, listed below are the proposed salaries of Elected Officials.

| | | |
|---|---|---|
| Supervisor | (1) | $30,000.00 |
| Councilman | (4) | $12,000.00 each |
| Justice | (2) | $17,500.00 each |
| Highway Supt. | (1) | $50,000.00 |
| Town Clerk | (1) | $40,500.00 |

A copy of the Preliminary Budget will be available at the Town Clerk's Office, 18 Russell Avenue, Ravena, New York, where it may be viewed and a copy can be obtained during regular business hours.

**By the Order of the Town Board**
**of the Town of Coeymans**
**Diane L. Millious**
**Town Clerk**

**********

**OPENING COMMENT**

Supervisor Flach stated that his Tentative Budget had a 0% tax increase but things changed due to normal costs and operating expenditures and the Board as a whole expressed a desire to keep the two Beautification Department guys. He continued by saying that they found a way to keep them with some Leachate money that they didn't need for next year because they replaced the liner and the fence this year. He added that in the Tentative Budget there were raises for Elected Officials, which was taken out of the Preliminary Budget and for the non-union workers they had a 3% raise, which was asked to be put down to 1% and in turn they found a way to put it at 2%. He went on by saying that the Police Budget went up from the Tentative approximately $43,000.000, which is so the part-time officers can have the same coverage that they have now and the budget was down a little bit last year because they did not put in to hire a full-timer at $40,000.00 but there were a couple of things that were up such as Dog Control and some other things in the office that were up a little bit. He continued by saying that one of the major increases was fuel, with diesel being $4.00 plus a gallon as well as gasoline for the Town vehicles, which is unfortunately rising.

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**PUBLIC COMMENT**

Supervisor Flach invited the public to comment at this time and asked that anyone wishing to speak to sign in, hearing none he asked if any Board Members wished to comment.

Councilman Dolan stated that there are some things that each of them wanted to be higher and some things lower and the Preliminary Budget is a result of the talking back and forth and coming up with the best compromise.

Councilwoman Rogers interjected that they all did a good job on it.

Councilman Boehm stated that one of the components that they will see at the next Town Board Meeting is the purchase of a new police car before the end of the year and in his mind this is part of the budget and it is an important component.

Supervisor Flach asked if there were any additional comments.

**Mr. Gary Bogardus** inquired as to the percent of the increase in the budget.

Supervisor Flach apologized for not stating it and continued by saying that it is 1.92%.

Mr. Bogardus asked if it is because they reinstated some jobs or because they are buying equipment that they don't need.

Supervisor Flach stated that they had found that when they reinstated the jobs it kept the budget right around zero up to maybe ¼ of a percent and $39,000.00 represents what the 2% would have been and in the Police Budget they added $43,000.00 but they had also taken out the raises for the Elected Officials and it was not all the Police because there were fuel increases.

Mr. Bogardus inquired as to what the $43,000.00 increase was for.

Supervisor Flach stated that it was mainly for the part-time employees and he had put in the Tentative Budget $137,000.00 and the Police Department had asked for $172,000.00, which would cover the cost of the current part-time officers. He continued by saying that they left out $40,000.00 for a full-time officer that they had lost through attrition and they compromised with the police, whose budget actually went down from last year and it needed to go back in so they would have the same coverage that they have now.

Mr. Bogardus stated that he hates to see people lose their jobs but they should take a look down the road to when someone leaves and they should see about not replacing that person rather than laying people off.

Councilman Dolan stated that they are actually doing that with one of the positions in the Beautification Department where there is a gentleman retiring and they are not replacing him at all.

Councilman Boehm interjected that the Internal Control Officer is also leaving and not being replaced.

Supervisor Flach stated that they actually have had three positions in the last three months that have been vacated with one at the end of the year and another in two weeks and they are positions that they are not replacing. He continued by saying that they did set some seasonal positions up for the Highway Department because they actually lost one of their operators, which was not replaced with a full-time and they left enough money in the budget to have two seasonal for approximately 6 months for snow.

Mr. Bogardus stated that people can do more than one job and when he started out at Lafarge they had loader operators and that's all they did as well as dozer operators who only ran dozers and truck drivers who only drove trucks but when he left there they had one operator who ran light and heavy equipment. He continued by saying that he realizes that it would probably be a union issue but they had a union too and to save jobs they compromised.

Councilman Dolan stated that if he understands it correctly, they are looking to make a similar move in the Highway Department, which may have to be negotiated but his point is well taken.

Mr. Bogardus stated that if there is no snow plowing but there is a truck that needs new tires, it's not rebuilding a diesel motor or anything and does not take a rocket scientist to do it and going down the road, things are going to get worse every year and they are grabbing for straws to try and save money so there is not a big tax increase and they are going to have to look at being flexible.

Councilman Dolan stated that part of keeping the two Beautification jobs was because of unemployment and the fact that the Town is self-insured so they would not save as much money as you think they might but also one of the conversations that they had as a Board and with that department was that they will need to be flexible in the work that they would do and they agreed to it.

Mr. Bogardus stated that they are on the right track.

Supervisor Flach asked if there were any other comments.

**Mr. David Flach** stated that he wanted to know why the salaries are so lopsided with Highway Superintendent Deering getting $50,000.00 a year when he deserves $60,000.00 and the Chief of Police getting $90,000.00 and the Town Board gets $12,000.00 a year. He then asked how many days the Town Board actually puts in as Council.

Councilwoman Rogers inquired as to if it includes telephone calls.

Councilman Dolan stated that it is 7 days a week.

Mr. Flach stated that he didn't care about telephone calls and reiterated that he wanted to know how many days they leave their house and their jobs and come to Town Hall.

Councilwoman Rogers stated that with full-time jobs they cannot make it to Town Hall.

Mr. Flach stated that he does not mean that and asked again how many days they spend at Town Hall in a total of a year.

Councilwoman Rogers and Councilman Boehm collectively stated that it is not just that and the job is not coming to Town Hall.

Councilwoman Rogers stated that their jobs are out there bringing things to the Supervisor that they hear and sometimes they are on the phone for 3 hours a night.

Mr. Flach asked how many got raises this year.

Councilman Dolan stated that basically everyone will except the elected officials and the Chief of Police.

Mr. Flach asked why the Elected Officials did not get a raise if the union people did.

Councilman Dolan stated that they had a certain amount of money and this is how they agreed to split it up.

Mr. Flach stated that years ago he asked a politician what he was going to do with a deficit of $250,000.00 and his reply was that he was going to raise his taxes, which he didn't like. He continued by saying that he doesn't mind paying taxes as long as he can see some results and he pays a lot of taxes because he and his wife own a lot of property and he gets upset because he gets nothing for his tax dollars, no garbage pick up, no sewer or water, no street lights and this is why he so adamant about saving taxes and he wants them to know where he is coming from. He added that he thinks a lot of the taxpayers in this town that pay a substantial amount of taxes are in the same boat, they have a limited income with social security and this is all they have plus their savings that they have saved over the years and the worse thing that happens to them are the school taxes, which is not their fault. He went on by saying that he commends them on a 1 ½ - 2% increase and it is wonderful because the county is looking at 9% and other towns are talking 8-12%. He continued by saying that the Supervisor is his son and he thinks that people who put in a lot of time should get paid for that time and he does not think that there is anyone on the Board or in the room that would do his job for $30,000.00 a year, which is totally ridiculous and a few years ago he wouldn't get out of bed for that. He added that it is ludicrous and then asked why they are denying him a raise because the vote on the Board is 3-2, always 3-2, which Councilman Dolan had said himself.

Councilman Dolan asked what he said.

Mr. Flach stated that Councilman Dolan had stated that there are 3 against 2 one night when they were talking about something that he didn't appreciate. He continued by saying that even if they give him $2,000.00 - $5,000.00 because it was $45,000.00 but now it is $30,000.00 and he is full-time and he is at Town Hall at 7:30 in the morning until 5:30 at night when he has said that he can't help him on the farm, which is wrong. He concluded by saying that he commends them for the 2% increase and they know what his feelings are.

Councilman Boehm stated that in commenting about the deficit and in borrowing money for what they don't have, he mentioned the purchase of a police car before the end of year and to borrow money to purchase trucks and police cars he believes is the biggest danger going forward and he agrees with Mr. Flach that they have to put in the budget equipment purchases. He continued by saying that they can't borrow money on everything that they can't afford to put in the budget and they need to pay cash for the police cars and loaders and they can't buy equipment because things wear out and they can't go from budget to budget not replacing the equipment but they can't borrow it, because then they will be in a situation where in 4-5 years the budget will be BAN payments for money that they

borrowed. He concluded by saying that he thinks it is essential that they buy a police car this year and also in going forward, budget for these things so they aren't borrowing money and when he first came on the Town Board the only debt that they had was in the Sewer Fund and now they are gradually creeping debt into everything else, which they need to stop.

Mr. Flach stated that as far as equipment goes, he owns a lot of equipment and as a farmer he has six tractors, which he needs because two of them break down and he needs four and added that you make equipment go as much as you can and you stretch it as much as you can.

Councilman Boehm stated that he would hate the police car with 200,000 miles blow an engine while going up a hill.

Mr. Flach interjected that you can buy a car in a matter of days if you want to and added that another thing with a police car is that they should buy them at Crossroads because they pay taxes here and we have to take care of our own people if we expect to have things done the way that we need to have them done.

Councilman Dolan stated that he believes that the plan is to buy it at Crossroads.

Supervisor Flach stated that he wanted to say something about the 2% and added that there is a formula and certain things in Municipal Government, even though there is a 2% cap, that you can actually go over the cap and he is pretty happy that they kept it under the 2% in every area and he knows that everyone wants a 0% tax increase.

Councilman Boehm interjected that it is not realistic.

Supervisor Flach reiterated that fuel was one of the biggest things that they had this year and it is really putting a hurting on everyone.

Councilman Masti inquired as to if they gave the raises to everyone that were in the initial budged, how much it would increase the budget.

Councilman Dolan stated that it would be at least an additional 1%.

Supervisor Flach stated that at 1.29% there is only $1,000.00 until you get to the 2% cap and $39,000.00 was the 2% that the budget could go up this year and 1.92 is $38,000.00.

Mr. Flach interjected that fuel was $1.80 and now it is $4.00 so automatically it raises the percentage immensely and that is only one item and you are talking tires, cars, trucks, etc.

Councilman Masti interjected that everything to keep the vehicles on the road went up.

Councilman Dolan stated that you add to that retirement and health care costs, which are well above the 2% and they would have to cut even more.

Mr. Flach reiterated that he is thankful that they kept it at 2%.

Councilman Masti inquired as to if they can save money from one budget to the next to make major purchases rather than borrow money.

Collectively the Town Board stated that they can and it would be reserve.

Councilman Dolan stated that it would not stay on the same line.

Councilman Masti inquired as to if it would go to the general fund.

Councilman Dolan stated that he's not sure.

Supervisor Flach stated that he's not sure and he should know the answer but he doesn't.

Councilman Dolan stated that it's not like they have to spend it by the end of the year or they lose it.

Councilman Masti stated that it would be like a family when you go to make a purchase and have set so much aside so you don't have to spend a large amount at once and on a $40,000.00 purchase they could set aside $20,000.00 from the prior year and combine it with $20,000.00 from the current year. He continued by asking if the Town Board could do this.

Collectively the Town Board said that they could do this.

Highway Superintendent Deering stated that he had a comment and continued by saying that it was mentioned that the union people get raises but the Elected Officials, who pay a part of their health benefits, get nothing and have not gotten anything in the past five or six years and every time there is an increase they have to pay it but nothing helps their pay check.

Councilman Masti interjected that they are basically losing money instead of getting any kind of pay raise.

Highway Superintendent Deering stated that it is cutting into the paycheck more but the union people get it.

Deputy Highway Superintendent Searles interjected that last year they also got a stipend too.

Mr. Flach interjected that he thinks that the taxpayers would be happy to spend another 1% to give them a decent raise and added that the price of living has gone out of sight.

Highway Superintendent Deering stated that when it comes to paying, they pay and there is not question and they don't hesitate to make them pay for something but they don't get any raises and added that just a little bit would be nice.

Councilman Masti stated that it should be some kind of acknowledgment for his service and added that he agrees.

Mr. Flach stated that it should be at least enough to compensate for the increases that they have to pay in benefits.

Councilman Dolan stated that Councilman Boehm had proposed giving a raise to elected officials in exchange for a lower increase to the non-union employees and it was voted down.

Councilman Masti stated that he didn't recall that.

Supervisor Flach stated that in the original budget he had 3-5% for elected and non-union members but there were things put back in the budget and he could not do both.

Town Clerk Millious stated that as far as a raise for elected officials, this is the second time that everyone has had a raise except the elected officials and she considers herself a full-time employee and has taken on extra work and it is a hardship with different departments because you feel like you are singled out. She continued by saying that it's not like she has a job somewhere else and in being fair she feels as though she should be included with the rest of the employees because she considers herself a full-time employee and not just an elected official. She concluded by saying that she has a lot of duties and reiterated that this is the second time that she has been by-passed and it is disappointing.

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

**ADJOURNMENT**

**Motion**

On motion of Councilwoman Rogers, seconded by Councilman Boehm, the Public Hearing was adjourned.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time – 6:32pm

***Respectfully submitted*,** **APPROVED –**

_____
***Diane L. Millious, Town Clerk***

**A Town Board Meeting was held Tuesday, November 13, 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
Scott Searles, Deputy Highway Superintendent
Greg Darlington, Chief of Police

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

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**OPENING COMMENT**

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

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**AGENDA**

- Public Announcements
  - Town Office Closed November 22 & 23, Thanksgiving
  - Adoption of 2013 Budget November 20, 2012, 6:00pm
- Public Comment
- Approval of Minutes
  - Town Board Meeting, October 22, 2012
- Old Business
  - Establish Public Hearing for Mid-Hudson Cable Franchise Renewal
- New Business
  - Establish Public Hearing for Proposed Local Law to Appoint Alternate ZBA Members
  - Resignation of Thomas Plath
- Resolutions
  - Appoint Special Counsel for DEC Order on Consent
- Town Board Workshops/Meetings
  - Town Board Workshop, November 20, 2012, 6:00pm
  - ZBA Meeting, November 21, 2012, 7:00pm
  - Public Hearing, November 26, 2012, 6:00pm
  - Town Board Meeting, November 26, 2012, 7:00pm

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**PUBLIC ANNOUNCEMENTS**

Supervisor Flach stated that Town Offices will be closed November 22nd and 23rd for Thanksgiving. He continued by saying that the 2013 Budget will be adopted on November 20th, which will be a regularly scheduled Workshop.

Councilman Boehm stated that he wanted to announce to the public that Mark Evans from State Telephone will do a presentation at the November 26th Town Board Meeting regarding cable and internet service for the town.

**PUBLIC COMMENT**

Supervisor Flach invited the public to comment at this time.

**Mr. Gary Bogardus** stated that he wanted to clear up something that was said a few weeks ago when someone blamed some of them of accusing the Board of being dysfunctional and he wanted to clarify that it was not him.

Councilman Dolan stated he totally agrees with him.

Mr. Bogardus stated that it is actually the other way around and he thinks that the Board is doing a good job. He continued by saying that he had one question on the budget where it lists Special Improvements in the amount of $190,000.00 and then asked what it consists of.

Supervisor Flach stated that it is for the Road List that they have every year and it comes from C.H.I.P.S. money.

Councilman Boehm interjected that most of it is reimbursed by C.H.I.P.S.

Mr. Bogardus stated that he didn't realize that people like Town Clerk Millious and Highway Superintendent Deering have not had pay raises in years and he thinks that it is unfair and with a 6 million dollar budget they should be able to find $15,025.00 for all of the raises to be approved and if they want people to do a good job you have to give them a little incentive. He continued by saying that as far as the Supervisor's pay goes, Ron Hotaling did a full-time job and he got $45,000.00, Jim Youmans lowered the salary to $30,000.00 because he realized that he could not do it on a full-time basis and Rick Touchette was going to get some extra for filling in. He added that in the Tentative Budget it was raised to $40,000.00 for the Supervisor and he feels if he is doing a full-time job, he should be paid close to what Ron was for a full-time job but if he is only going to be there for a couple hours a day he shouldn't get it and as a Board, if he is not doing full-time, they could lower the salary to a part-time salary. He went on by saying that for snow removal he thinks that they should see if they can get a contract with the County to plow their roads because they drive over them anyway to get to the Town roads.

Highway Superintendent Deering interjected that it is County and State roads.

Mr. Bogardus stated that all they would have to do is drop the plow.

Highway Superintendent Deering stated that they do it now when it is necessary.

Chief Darlington stated that they have talked about this because they end up calling Highway Superintendent Deering for the State roads because the County cannot get to them.

Mr. Bogardus stated that they need to do some work on it and he realizes that it is political and will require some arm twisting but people don't realize that the County taxes went up 9% and if the County can save some money, the Town saves money on both ends. He continued by saying that the County could reimburse the Town because there is a cash flow problem with less revenue and there are businesses closing and buildings being torn down and reiterated that they need to get some revenue somehow. He added that he realizes that it would take some work but the way the Country is moving, they have to consolidate to stay afloat because they can't keep going to the taxpayers who are tapped out. He went on by saying that he believes that they should have a metal collection a couple times a year because junk is $200.00 - $300.00 a ton.

Councilwoman Rogers interjected that she believes that Highway Superintendent Deering has that set-up now and there is a bin at the Highway Garage.

Mr. Bogardus stated that it should be like the brush collection where you can put it out by the road and have it picked up by a dump truck and then taken the Port for $200.00 - $300.00 a ton.

Councilman Dolan stated that he can tell him that the County has zero interest in paying the Town to plow their roads.

Councilman Masti inquired as to what happens if the Town doesn't plow them.

Councilwoman Rogers stated that we do plow them because during one storm they only had one plow and the Town covered for them and added that she hears that they may have two plows now.

Mr. Bogardus stated that if this is the County's attitude, the Town should not put a plow down on their roads and let the people complain.

Councilman Boehm stated that there could be an emergency and people have to get out.

Supervisor Flach stated that the Town is caught between a rock and a hard place because of the residents.

Mr. Bogardus stated that they are going to have to make some good publicity for the law makers in power and as he said earlier, it is going to take some arm twisting.

Councilman Masti interjected that the County had a 9% increase and then asked what they have done for the Town and where the money is going.

Councilwoman Rogers stated that they gave their own some nice raises.

Mr. Bogardus stated that most people don't realize that their County taxes have gone up because they don't see it.

Councilman Masti stated that you don't unless you are in the County Legislature.

Mr. Bogardus reiterated that they have to give them some publicity in the newspaper and on the television.

Supervisor Flach asked if there were any other comments.

Councilman Dolan asked Highway Superintendent Deering how much of the Special Improvement money they get back from C.H.I.P.S.

Highway Superintendent Deering stated that they get approximately $87,000.00.

Councilman Masti inquired how much road, which are not town roads, does the Highway plow during a snowstorm.

Deputy Highway Superintendent Searles stated that they tell the guys that if the roads are not plowed when they go from one town road to the next, to keep their plow down.

Councilman Masti stated that that they should be getting something back from the County for their services.

Chief Darlington interjected that they literally had to shut Rte. 144 and Rte. 9W because they were impassable and they counted on the Town Highway Department to bail them out. He continued by saying that at least the State road might be able to be contracted and when they closed the road, they notified State DOT.

Mr. Bogardus stated that the County would be saving money if they don't have to plow the roads.

Councilman Masti stated that what cost the most for the Highway Department was increased fuel and salt but they won't give the Town enough salt when they need it to salt their own roads.

Councilwoman Rogers interjected that the Town ran out and had to pay for more.

Councilman Dolan stated that he does not think that there is any basis in Town Law for billing the County for plowing roads.

Chief Darlington stated that there is with an Intermunicipal Agreement.

Councilman Dolan stated that they don't have one.

Highway Superintendent Deering stated that there has to be an Agreement and then you can get paid for it because there are towns that do it.

Councilman Boehm asked if there are hill towns that have an Agreement with the County.

Highway Superintendent Deering stated that there are towns that plow county and state roads and get reimbursed because there is a contract.

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

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**APPROVAL OF MINUTES**

Supervisor Flach stated that there was one set of Town Board minutes for approval, a Town Board Meeting on October 22nd and then asked for a motion to approve them.

**MOTION**

On motion of Councilman Boehm, seconded by Councilman Masti, the minutes were approved as presented and read.
VOTE – AYES 5 – NAYS 0 – SO MOVED

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**OLD BUSINESS**

**Establish Public Hearing for Mid-Hudson Cable Franchise Renewal**

Supervisor Flach stated that they need to establish a Public Hearing for the Mid-Hudson Cable Franchise Agreement Renewal and as Councilman Boehm had stated earlier, Mr. Evans from State Telephone will be giving a presentation on November 26th. He continued by saying that the Public Hearing will be at 6:00pm, November 26th , which is one hour prior to the Town Board Meeting at 7:00pm.

Councilman Dolan stated that he would encourage anyone with cable to contact the Town Board if there are any problems or questions about their cable service as well as if they know someone who does not have cable but has questions.

Councilman Boehm stated that the Village residents have cable through State Telephone.

Collectively the Town Board agreed to the date and time.

Town Clerk Millious interjected that she would take care of the Notice.

**NEW BUSINESS**

**Establish Public Hearing for Proposed Local Law to Appoint Alternate ZBA**

Supervisor Flach stated that they need to establish a Public Hearing for a Proposed Law to Appoint Alternate ZBA Members and they talked about December 10th at 6:00pm prior to the Town Board Meeting at 7:00pm.

Collectively the Town Board agreed to the date and time.

**Resignation of Beautification Employee**

Supervisor Flach stated that he was in receipt of a resignation letter from Tom Plath and continued by reading the following:

Dear Supervisor Flach and Town Board,

I am submitting my resignation for the purpose of retirement, effective close of business on November 25, 2012. Thank you for the opportunity of working for the Town of Coeymans for the past 35 years.

Sincerely,

Thomas Plath

Supervisor Flach stated that 35 years is a long time and Tom has been a good part of the Town's workforce and he is a great guy and good solid worker and they appreciate all of his hard work and everything that he has done for the Town.

Councilman Dolan stated that he would echo Supervisor Flach's comments and he is a great worker and one of the more colorful workers and he always enjoys seeing and talking to him and added that he is a great guy and he will miss him.

Councilman Masti stated that he is very friendly and he introduced himself when he first came on the Town Board and told him that if he had any questions, to just ask him.

Supervisor Flach asked for a motion to accept the resignation.

**MOTION**

On motion of Councilman Boehm, seconded by Councilman Dolan, accepting the resignation of Tom Plath for the purpose of retirement.
VOTE – AYES 5 – NAYS 0 – SO MOVED

**Snow Emergency Procedures**

Supervisor Flach asked that Chief Darlington discuss the Snow Emergency Procedure.

Chief Darlington stated that in the Town as well as the Village, when there is 3 inches or more of snow accumulation there is no parking on town or village roadways and if you are parked on the road you will be ticketed up until 48 hours after the completion of the storm. He continued by saying that he recommends that people register with NIXLE.com because when snow emergencies are declared they are put on there and you will be aware of it.

Councilman Boehm inquired as to if it is on the television news stations.

Chief Darlington stated that they try to get them and it depends on how many are going on that determines how quick you get it.

Supervisor Flach asked what the procedure is for registering on NIXLE.

Chief Darlington stated that when you go on, there is a place to register and you put in your zip code and it will give you anything that is in the area if any other agencies are using it.

Councilman Masti inquired as to if it come across on cell phones.

Chief Darlington stated that it is cell phone and e-mail and it is free.

Councilman Boehm inquired about the parking lots in the Hamlet when people move their cars off the street.

Highway Superintendent Deering stated that he plows them out so they can park there and they don't have to move their cars from there for plowing.

Councilman Boehm suggested that they put something in the News Herald reminding people of the snow emergency so the first snow storm goes smoothly.

Supervisor Flach stated that he would get it in the News Herald for next week.

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**RESOLUTIONS**

Supervisor Flach stated that they received a Modification of the Order on Consent from NYS DEC and much of it goes along with the Village because they share the Waste Water Treatment Plant and Attorney Biscone is representing the Village and he should also represent the Town so they are not paying two different lawyers to do the same thing and continued by reading the following resolution.

**RES. #116 APPOINT SPECIAL COUNSEL FOR DEC ORDER ON CONSENT**
On motion of Supervisor Flach, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

**WHEREAS**, the Town of Coeymans has received a Modification of Order on Consent from NYS Department of Environmental Conservation, and

**WHEREAS**, the Order on Consent has certain stipulations that require further legal action, and

**WHEREAS**, the Town of Coeymans and the Village of Ravena wish to use the services of Michael Biscone, Attorney at Law to address the legal issues regarding the Order on Consent with fees shared on a 50/50 basis,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town of Coeymans hereby appoints Michael Biscone as Special Counsel for the purpose of handling the legal issues regarding the Order on Consent.

Councilman Boehm asked if they had a cap amount for this.

Supervisor Flach stated that he didn't ask about that and he does not know what to expect.

Councilman Boehm suggested that they offer $5,000.00 and then authorize a resolution for more payment if need be because he doesn't feel comfortable leaving it open-ended.

Supervisor Flach stated that they could do that and do another resolution later if they need to authorize more money.

Councilman Boehm offered an amended motion, which was seconded by Councilman Dolan.

Councilman Dolan stated that he believes that Mr. Biscone has some expertise in this particular field of legal practice and in talking with the Village Board that has been involved, they are very happy with the work that he has done previous to this and it makes sense to share the cost but also important to have someone that is skilled in this particular area. He added that Mr. Biscone on occasion has been known to be aggressive when he needs to be and he thinks that they need this because there were some issues with the modification of the Consent Order, which steps it up a notch.

Councilman Boehm suggested that they let Mr. Biscone know about the $5,000.00 cap.

Supervisor Flach stated that he will send him a letter.

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**ADDITIONAL BUSINESS**

**Police Car**

Councilman Boehm inquired about the status of a new police car.

Chief Darlington stated that Town Clerk Millious pulled the bids.

Town Clerk Millious stated that there were two bids on October 4th for the 2013 Ford Taurus with one bid from R.C. Lacy for $25,850.00 and the second from Crossroads in the amount of $25,210.00.

Supervisor Flach asked for a motion to award the bid.

**MOTION**

On motion of Councilman Boehm, seconded by Councilman Dolan, authorizing Chief Darlington to award the bid for the purchase of a 2013 Ford Taurus in the amount of $25,210.00 with Crossroads Ford in Ravena.
VOTE – AYES 5 – NAYS 0 – SO MOVED

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**TOWN BOARD WORKSHOPS/MEETINGS**

- Town Board Workshop, November 20, 2012, 6:00pm
- ZBA Meeting, November 21, 2012, 7:00pm
- Public Hearing, November 26, 2012, 6:00pm (Mid-Hudson Cable Franchise)
- Town Board Meeting, November 26, 2012, 7:00pm
- Public Hearing, December 10, 2012, 6:00pm (Local Law to Appoint Alternate ZBA Members)

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**ADDITIONAL COMMENTS**

Supervisor Flach asked if there were any additional comments.

Councilman Boehm interjected that the reason that they are purchasing a police car is that they can pay cash for it before the end of the year so they will not have to Bond or BAN the balance and then asked that Supervisor Flach advise as to where the funds are coming from.

Supervisor Flach stated that the DB Fund owes B Fund and B Fund owes A Fund so they were able to come up with the money for it and the money that the Sewer Fund owes to B Fund and B Fund to A Fund will be bonded and there will be a resolution for the next Town Board Meeting.

Supervisor Flach asked if there were any other comments.

Town Clerk Millious stated that it has been busy at Grove Cemetery with one burial earlier in the day and one scheduled for Saturday. She continued by saying that she is getting ready for the relevy process for water, sewer, school and Village taxes.

Supervisor Flach asked if there were any other comments.

Chief Darlington stated that Halloween was fairly quiet with no major incidents. He added that earlier in the day they had a meeting with F.X. Browne regarding the Hannacroix Creek Project and they actually started some of the ground work and he along with Supervisor Flach, Councilman Dolan and Larry Conrad sat down with five representatives who explained what is going on out there and hopefully they will be moving this process along. He continued by saying that they had talked about parking on Colvin Avenue and decided that they should review the whole parking issue and he had forwarded what he and Deputy Highway Supervisor Searles came up with a couple of years ago and he would like for it to be put on the agenda for the next meeting.

Supervisor Flach asked if there were any other comments.

Councilman Boehm asked if the Proposed Law to appoint alternate ZBA Members is on the website and if there is somewhere that copies could be obtained.

Town Clerk Millious stated that it is not but will be.

Supervisor Flach asked if there were any other comments.

Councilman Dolan stated that he wanted to mention another thing about the meeting with F.X. Browne and added that they are skilled in this case in balancing the needs, demands, and wishes of what the homeowners will need out there and they did a very good job of explaining how things can get done to satisfy the needs and he is confident that they will be able to do it in a timely manner. He concluded by saying that he wanted to thank Larry Conrad and Chief Darlington for their knowledge of the history of the creek.

Supervisor Flach asked if there were any other comments.

Councilwoman Rogers stated that she wanted to wish Tommy Plath the best of luck in his retirement.

Supervisor Flach asked if there were any other comments.

Councilman Boehm stated that everything went smoothly with Hurricane Sandy and they didn't have to use the services that were available and the police did an excellent job evacuating people from Miller Road in preventing any issues if the storm became worse and the school district was phenomenal setting up the shelter and there were Suburban's ready to transport people and the food service was ready and they got 20 more cots and blankets from the Red Cross. He concluded by saying that they did a great job and fortunately they didn't need all of it and the meetings run by Chief Darlington and Emergency Management Coordinator Bruno were effective and it all came together nicely.

Chief Darlington stated that there was an article in the News Herald relative to the police response to the Hudson River going over its banks and added that throughout the entire day in their Emergency Operations Center downstairs they repeatedly contacted Albany County Emergency Operations Center who had direct contact with National Weather. He continued by saying that the question was what effect it would have on the river because they were seeing 5 foot storm surges in New York City, which they figured would effect up here and the prediction was that there would be no effect as of 9:00pm on that evening. He went on by saying that at 3:00am he was awakened to find out that the river had gone over and the river had been checked at 1:30am and was one foot below the sidewalk but at 3:00am it was up and over. He concluded by saying that he wanted to explain how it transpired and two days after the storm the National Weather came down

and he took them down to the river and they were amazed of the impact that the Hudson River had down there and they met with Carl Allen and they are considering working with them to put in a station to help monitor the river because right now there is a station in Poughkeepsie and one in Albany and the effects in between are still unknown and the reason why they get last minute advisements and they end up advising National Weather.

Councilwoman Rogers inquired as to who would install the station.

Chief Darlington stated that Carl Allen is very interested in working with them and there maybe grants with National Weather and there may be something that they can do to assist, to help predict. He added that a small number of businesses and people are impacted and when people are impacted it doesn't matter how small.

Supervisor Flach asked if there were any other comments.

Highway Superintendent Deering stated that he would like to thank the people on Miller Road who evacuated when they were asked to do so.

Supervisor Flach stated that there was very good cooperation and then asked if there were any other comments.

Councilman Boehm sated that he wanted to thank the Lions Club for the Halloween Party at the firehouse and those type of activities helps to make it a little safer in giving kids something to do.

Supervisor Flach asked if there were any other comments.

Councilman Masti stated that there was an article in the News Herald about the Girl Scouts going out and doing something for other people by collecting for U.N.I.C.E.F. and it is good to encourage the youth to go beyond their needs to do what they can for other people.

Supervisor Flach asked if there were any other comments.

Councilman Dolan stated that he along with Councilman Boehm, Doug Porter, Nancy Warner and Mr. Case met at the high school and Councilman Boehm suggested that they get some shelter training and Albany County Cooperative Extension has a contract with the Albany County Sheriff's to do shelter training, which will be December 17th at 6:00pm in Town Hall.

Councilman Boehm suggested that they contact Jen, Brian and Doug and the Village to let them know about it.

Councilman Masti stated that they had discussed getting their own blankets and cots and continued by asking if they were going to look into doing it.

Supervisor Flach stated that there are a number of cots up there now.

Chief Darlington stated there were 19 and the County came and retrieved the ones that they delivered and added that he did request it in his budget to buy cots and blankets.

Councilman Boehm stated that it makes sense to purchase the blankets and cots because there is a problem when everything hits and everyone is looking for them and you can't depend on being able to get them. He added that Doug Porter did a great job storing the cots from Hurricane Irene and reiterated that it makes sense to purchase the cots and blankets because the high-school is a perfect location for a power source, food source and transportation, which makes it a perfect shelter.

Supervisor Flach asked if there were any other comments.

Councilman Dolan stated that the last thing that he had to mention was that he wanted to thank the V.F.W. for the very nice memorial that they had on Main Street in Ravena.

Supervisor Flach stated that they all thank the Veteran's for all they have done and he personally thanked a Veteran and added that we are so blessed in the country to have people that are willing to fight for us. He continued by saying that Friday, December 7th is the Holiday Parade tree lighting at the gazebo. He went on by saying that he and Councilman Masti took over for Councilman Dolan and Councilman Boehm at the shelter and they were there until 2:30am and he got at call at 3:30am to go down to the river to rescue the dogs in the Town's shelter and to make sure that the Waste Water Treatment Plant was not completely under water and concluded by thanking Chief Darlington and his department for all of their hard work in our town, which is pretty long from one end to the other.

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

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**ADJOURNMENT**

**MOTION**

On motion of Councilman Boehm, seconded by Councilman Masti, the Town Board Meeting was adjourned.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time – 7:45pm

***Respectfully Submitted***, **APPROVED –**

_____
***Diane L. Millious, Town Clerk***

**A Town Board Workshop was held November 20, 2012, at 6:00PM at Town Hall, 18 Russell Avenue, Ravena, New York**

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

**ALSO PRESENT:** Diane L. Millious, Town Clerk
Larry Conrad, CEO, Building Inspector
David Wukitsch, Attorney for the Town

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Supervisor Flach opened the Town Board Workshop and led the Pledge of Allegiance.

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**AGENDA**

- SEQRA – Proposed Local Law "Landfill"
- Computer Services
- Set Public Hearing Date for Mid-Hudson Cable Franchise Renewal
- Adopt 2013 Budget

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**SEQRA – Proposed Local Law "Landfill"**

Supervisor Flach stated that there is a Short Environmental Assessment Form that is part of the Negative Declaration for the SEQRA Process and then asked that Larry Conrad, Code Enforcement Officer explain it to them.

CEO Conrad continued by giving them information that has been portrayed to him by the Association of Towns, DEC and Albany County Planning Board regarding the current Landfill Law and the Proposed Local Landfill Law. He then proceeded to go over Part II of the Environmental Assessment Form with the Board, who is the Lead Agency for the SEQRA Review.

Discussion ensued amongst CEO Conrad and the Town Board.

CEO Conrad stated that he would be more comfortable discussing this with Attorney for the Town Wukitsch.

Supervisor Flach suggested that they wait until Attorney for Town Wukitsch's arrival to continue the discussion and moved to the next topic on the agenda.

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**Computer Services**

Supervisor Flach stated that he is waiting to hear back from the Chief of Police about shared services with the school.

Discussion ensued resulting in Councilman Dolan suggesting that because they have a proposal from BAS, the Chief should have it with him when he discusses it with the school so he has something to compare it to.

**Set Public Hearing Date for Mid-Hudson Cable Franchise Renewal**

Supervisor Flach stated that he needed a motion to set a date for the Mid-Hudson Cable Franchise Renewal, which they had previously set but have to change because of time restraints.

Town Clerk Millious stated that they had previously set it for November 26, 2012 at 6:00pm but had to be changed because it has to be advertised for two weeks prior to the Public Hearing.

Supervisor Flach stated that the date for the Public Hearing is now December 18, 2012 at 6:00pm.

Councilman Boehm asked if it was a Workshop or Town Board Meeting.

Town Clerk Millious stated that they switched a Workshop for a Town Board Meeting, which is December 18, 2012 and then suggested that they offer a motion to change the date.

**MOTION**

On motion of Supervisor Flach, seconded by Councilman Masti, changing the Public Hearing date for the Mid-Hudson Franchise Renewal from November 26, 2012 to December 18, 2012 at 6:00pm.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Town Clerk Millious interjected that they should read the Proposed Law for Alternate ZBA Members into the record to introduce it to the public, which was previously discussed at a prior meeting.

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**ADOPTION OF 2013 BUDGET**

Supervisor Flach stated that there were a couple for changes to the budget and then proceeded to go over them prior to asking the Town Board to adopt the Budget.

Councilman Boehm interjected that the changes represent a 2% increase, which is consistent with the raise for the non-elected Department Heads.

Councilman Dolan stated that the overall increase in the budget is 1.92%.

Councilman Boehm stated that it does not affect the tax rate.

Supervisor Flach asked for a motion to adopt the 2013 Budget for the Town of Coeymans.

**MOTION**

On motion of Councilman Boehm, seconded by Councilwoman Rogers, the 2013 Town of Coeymans Budget was adopted by the Town of Coeymans Town Board as presented.
VOTE – AYES 5 – NAYS 0 – SO MOVED

# TOWN OF COEYMANS

## 2013

## ADOPTED BUDGET

**November 20, 2012** **Stephen D. Flach, Supervisor**

### 2013
### SUMMARY OF BUDGET

| CODE | FUND | APPROPRIATIONS | LESS ANTICIPATED REVENUES | LESS APPROPRIATED REVENUES | AMOUNT TO BE RAISED BY TAXES |
|---|---|---|---|---|---|
| A | General | $ 3,101,215.00 | $ 1,085,061.00 | $ 166,063.00 | $ 1,850,091.00 |
| B | Part Town | $ 1,879,992.00 | $ 1,677,495.00 | $ 202,497.00 | $ -0- |
| DA | Bridges | $ 28,590.00 | $ | $ 28,590.00 | $ -0- |
| DB | Highway | $ 1,115,938.00 | $ 1,067,292.00 | $ 48,646.00 | $ -0- |
| SS | Special Sewer | $ 498,978.00 | $ 498,978.00 | $ -0- | $ -0- |

| | | 2012 ADOPTED BUDGET | 2012 MODIFIED BUDGET | 2013 TENTATIVE BUDGET | 2013 PRELIMINARY BUDGET | 2013 ADOPTED BUDGET |
|---|---|---|---|---|---|---|
| **GENERAL (A) APPROPRIATIONS** | | | | | | |
| **TOWN COUNCIL** | | | | | | |
| A1010.1 | PERSONAL SERVICES | $ 48,000.00 | $ 48,000.00 | $ 48,000.00 | $ 48,000.00 | $ 48,000.00 |
| A1010.4 | CONTRACTUAL | | | $ - | | $ - |
| | TOTAL | $ 48,000.00 | $ 48,000.00 | $ 48,000.00 | $ 48,000.00 | $ 48,000.00 |
| **JUSTICE** | | | | | | |
| A1110.1 | PERSONAL SERVICES | $ 87,762.00 | $ 87,762.00 | $ 88,763.00 | $ 88,763.00 | $ 89,463.00 |
| A1110.2 | EQUIPMENT & CAP | $ - | $ - | | | |
| A1110.4 | CONTRACTUAL | $ 6,000.00 | $ 6,000.00 | $ 6,000.00 | $ 5,000.00 | $ 5,000.00 |
| | TOTAL | $ 93,762.00 | $ 93,762.00 | $ 94,763.00 | $ 93,763.00 | $ 94,463.00 |
| **SUPERVISOR** | | | | | | |
| A1220.1 | PERSONAL SERVICES | $ 61,988.00 | $ 61,988.00 | $ 68,210.00 | $ 58,210.00 | $ 58,210.00 |
| A1220.2 | EQUIPMENT & CAPITAL OUTLAY | $ 500.00 | $ 500.00 | $ 500.00 | $ 500.00 | $ 500.00 |
| A1220.4 | CONTRACTUAL | $ 1,500.00 | $ 1,500.00 | $ 1,000.00 | $ 1,000.00 | $ 1,000.00 |
| | TOTAL | $ 63,988.00 | $ 63,988.00 | $ 69,710.00 | $ 59,710.00 | $ 59,710.00 |
| **FINANCE** | | | | | | |
| A1310.1 | PERSONAL SERVICES | $ 47,023.00 | $ 47,023.00 | $ 20,275.00 | $ 20,275.00 | $ 20,275.00 |
| A1310.2 | EQUIPMENT & CAP | | $ - | | $ - | |
| A1310.4 | CONTRACTUAL | $ 400.00 | $ 400.00 | $ 400.00 | $ 400.00 | $ 400.00 |
| | TOTAL | $ 47,423.00 | $ 47,423.00 | $ 20,675.00 | $ 20,675.00 | $ 20,675.00 |
| **ACCOUNTANT** | | | | | | |
| A1315.4 | CONTRACTUAL | $ 7,800.00 | $ 7,800.00 | $ 6,000.00 | $ 6,000.00 | $ 6,000.00 |
| | TOTAL | $ 7,800.00 | | $ 6,000.00 | $ 6,000.00 | $ 6,000.00 |

**TOWN OF COEYMANS**
**2013 ADOPTED BUDGET**

| | | 2012 ADOPTED BUDGET | 2012 MODIFIED BUDGET | 2013 TENTATIVE BUDGET | 2013 PRELIMINARY BUDGET | ADOPTED BUDGET |
|---|---|---|---|---|---|---|
| **TAX COLLECTION** | | | | | | |
| **A1330.4** | CONTRACTUAL | $ 4,500.00 | $ 4,500.00 | $ 5,000.00 | $ 5,000.00 | $ 5,000.00 |
| | TOTAL | $ 4,500.00 | $ 4,500.00 | $ 5,000.00 | $ 5,000.00 | $ 5,000.00 |
| **ASSESSOR** | | | | | | |
| **A1355.1** | PERSONAL SERVICES | $ 41,653.00 | $ 41,653.00 | $ 44,471.00 | $ 43,946.00 | $ 43,946.00 |
| **A1355.2** | EQUIPMENT & CAP | $ 1,500.00 | $ 1,500.00 | $ 1,600.00 | $ 1,600.00 | $ 1,600.00 |
| **A1355.4** | CONTRACTUAL | $ 7,350.00 | $ 7,350.00 | $ 11,000.00 | $ 11,000.00 | $ 11,000.00 |
| | TOTAL | $ 50,503.00 | $ 50,503.00 | $ 57,071.00 | $ 56,546.00 | $ 56,546.00 |
| **TOWN CLERK** | | | | | | |
| **A1410.1** | PERSONAL SERVICES | $ 101,466.00 | $ 101,466.00 | $ 105,908.00 | $ 102,703.00 | $ 103,513.00 |
| **A1410.2** | EQUIPMENT & CAP | $ 1,000.00 | $ 1,000.00 | $ 1,000.00 | $ 1,000.00 | $ 1,000.00 |
| **A1410.4** | CONTRACTUAL | $ 2,300.00 | $ 2,300.00 | $ 3,150.00 | $ 3,150.00 | $ 3,150.00 |
| | TOTAL | $ 104,766.00 | $ 104,766.00 | $ 110,058.00 | $ 106,853.00 | $ 107,663.00 |
| **ATTORNEY** | | | | | | |
| **A1420.1** | PERSONAL SERVICES | $ - | $ - | $ - | $ - | $ - |
| **A1420.4** | CONTRACTUAL | $ 42,800.00 | $ 42,800.00 | $ 42,800.00 | $ 42,800.00 | $ 42,800.00 |
| | TOTAL | $ 42,800.00 | $ 42,800.00 | $ 42,800.00 | $ 42,800.00 | $ 42,800.00 |
| **HUMAN RESOURCES** | | | | | | |
| **A1430.1** | PERSONAL SERVICES | $ 41,434.00 | $ 41,434.00 | $ 39,412.00 | $ 39,412.00 | $ 39,412.00 |
| **A1430.2** | EQUIPMENT & CAP | $ 154.00 | $ 154.00 | $ 200.00 | $ 200.00 | $ 200.00 |
| **A1430.4** | CONTRACTUAL | $ 13,000.00 | $ 13,000.00 | $ 16,500.00 | $ 16,500.00 | $ 16,500.00 |
| | TOTAL | $ 54,588.00 | $ 54,588.00 | $ 56,112.00 | $ 56,112.00 | $ 56,112.00 |

**TOWN OF COEYMANS**
**2013 ADOPTED BUDGET**

| | | 2012 ADOPTED BUDGET | 2012 MODIFIED BUDGET | 2013 TENTATIVE BUDGET | 2013 PRELIMINARY BUDGET | 2013 ADOPTED BUDGET |
|---|---|---|---|---|---|---|
| **ELECTIONS** | | | | | | |
| **A1450.4** | CONTRACTUAL | $ 15,000.00 | $ 15,000.00 | $ 25,000.00 | $ 22,000.00 | $ 22,000.00 |
| | TOTAL | $ 15,000.00 | $ 15,000.00 | $ 25,000.00 | $ 22,000.00 | $ 22,000.00 |
| **RECORDS MANAGEMENT** | | | | | | |
| **A1460.4** | CONTRACTUAL | $ 3,550.00 | $ 3,550.00 | $ 3,675.00 | $ 3,675.00 | $ 3,675.00 |
| | TOTAL | $ 3,550.00 | $ 3,550.00 | $ 3,675.00 | $ 3,675.00 | $ 3,675.00 |
| **TOWN HALL** | | | | | | |
| **A1620.1** | PERSONAL SERVICES | | $ 735.00 | $ 3,500.00 | | |
| **A1620.2** | EQUIPMENT & CAP | | | | | |
| **A1620.4** | CONTRACTUAL | $ 38,000.00 | $ 37,265.00 | $ 50,500.00 | $ 38,000.00 | $ 38,000.00 |
| | TOTAL | $ 38,000.00 | $ 38,000.00 | $ 54,000.00 | $ 38,000.00 | $ 38,000.00 |
| **CENTRAL GARAGE** | | | | | | |
| **A1640.4** | CONTRACTUAL | $ 38,000.00 | $ 38,000.00 | $ 50,000.00 | $ 50,000.00 | $ 50,000.00 |
| | TOTAL | $ 38,000.00 | $ 38,000.00 | $ 50,000.00 | $ 50,000.00 | $ 50,000.00 |
| **CENTRAL COMMUNICATIONS** | | | | | | |
| **A1650.2** | EQUIPMENT | $ - | $ - | $ 10,000.00 | $ 10,000.00 | $ 10,000.00 |
| **A1650.4** | CONTRACTUAL | $ 25,000.00 | $ 49,000.00 | $ 48,920.00 | $ 48,920.00 | $ 48,920.00 |
| | TOTAL | $ 25,000.00 | $ 49,000.00 | $ 58,920.00 | $ 58,920.00 | $ 58,920.00 |

**TOWN OF COEYMANS**
**2013 ADOPTED BUDGET**

| | | 2012 ADOPTED BUDGET | 2012 MODIFIED BUDGET | 2013 TENTATIVE BUDGET | 2013 PRELIMINARY BUDGET | 2013 ADOPTED BUDGET |
|---|---|---|---|---|---|---|
| **CENTRAL STOREROOM** | | | | | | |
| **A1660.4** | CONTRACTUAL | $ 14,000.00 | $ 14,000.00 | $ 10,000.00 | $ 10,000.00 | $ 10,000.00 |
| | TOTAL | $ 14,000.00 | $ 14,000.00 | $ 10,000.00 | $ 10,000.00 | $ 10,000.00 |
| **CENTRAL PRINTING AND MAILING** | | | | | | |
| **A1670.4** | CONTRACTUAL | $ 8,000.00 | $ 8,000.00 | $ 6,000.00 | $ 6,000.00 | $ 6,000.00 |
| | TOTAL | $ 8,000.00 | $ 8,000.00 | $ 6,000.00 | $ 6,000.00 | $ 6,000.00 |
| **INSURANCE** | | | | | | |
| **A1910.4** | CONTRACTUAL | $ 89,259.00 | $ 89,259.00 | $ 86,550.00 | $ 86,550.00 | $ 86,550.00 |
| | TOTAL | $ 89,259.00 | $ 89,259.00 | $ 86,550.00 | $ 86,550.00 | $ 86,550.00 |
| **ASSOCIATION DUES** | | | | | | |
| **A1920.4** | CONTRACTUAL | $ 1,200.00 | $ 1,200.00 | $ 1,200.00 | $ 1,200.00 | $ 1,200.00 |
| | TOTAL | $ 1,200.00 | $ 1,200.00 | $ 1,200.00 | $ 1,200.00 | $ 1,200.00 |
| **OTHER GENERAL GOVERNMENT SUPPORT** | | | | | | |
| **A1989.1** | PERSONAL SERVICES--Reval Project | $ - | $ - | $ - | $ - | $ - |
| **A1989.4** | CONTRACTUAL--Townwide Revaluation Proj. | $ - | $ - | $ - | $ - | $ - |
| | CONTRACTUAL--Grants Writer | $ - | $ - | $ - | $ - | $ - |
| | CONTRACTUAL--Zoning/EconDev | $ - | $ - | $ - | $ - | $ - |
| | TOTAL | $ - | | $ - | $ - | $ - |

**TOWN OF COEYMANS**
**2013 ADOPTED BUDGET**

| | | 2012 ADOPTED BUDGET | 2012 MODIFIED BUDGET | 2013 TENTATIVE BUDGET | 2013 PRELIMINARY BUDGET | 2013 ADOPTED BUDGET |
|---|---|---|---|---|---|---|
| **CONTINGENCY** | | | | | | |
| **A1990.4** | CONTRACTUAL | $ 45,781.00 | $ 45,781.00 | $ 35,000.00 | $ 35,000.00 | $ 33,490.00 |
| | TOTAL | $ 45,781.00 | $ 45,781.00 | $ 35,000.00 | $ 35,000.00 | $ 33,490.00 |
| **PUBLIC SAFETY ADMINISTRATION** | | | | | | |
| **A3010.4** | CONTRACTUAL | $ 2,000.00 | $ 2,000.00 | $ 2,000.00 | $ 2,000.00 | $ 2,000.00 |
| | TOTAL | $ 2,000.00 | $ 2,000.00 | $ 2,000.00 | $ 2,000.00 | $ 2,000.00 |
| **COMMUNICATIONS** | | | | | | |
| **A3020.1** | PERSONAL SERVICES | $ 198,107.00 | $ 198,107.00 | $ 198,107.00 | $ 200,088.00 | $ 200,088.00 |
| **A3020.2** | EQUIPMENT | | $ - | $ - | $ - | |
| **A3020.4** | CONTRACTUAL | $ 25,000.00 | $ 25,000.00 | $ 19,500.00 | $ 19,500.00 | $ 19,500.00 |
| | TOTAL | $ 223,107.00 | $ 223,107.00 | $ 217,607.00 | $ 219,588.00 | $ 219,588.00 |
| **LAW ENFORCEMENT** | | | | | | |
| **A3120.11** | CHIEF SALARY | $ 86,776.00 | $ 86,776.00 | $ 86,912.00 | $ 86,912.00 | $ 86,912.00 |
| **A3120.1** | PERSONAL SERVICES | $ 593,496.00 | $ 593,496.00 | $ 523,108.00 | $ 566,315.00 | $ 566,315.00 |
| **A3120.2** | EQUIPMENT & CAP | $ 10,000.00 | $ 10,000.00 | $ - | | |
| **A3120.4** | CONTRACTUAL | $ 27,500.00 | $ 27,500.00 | $ 32,000.00 | $ 32,000.00 | $ 32,000.00 |
| **A3197.4** | Police Forfeiture | | | $ 10,000.00 | $ 10,000.00 | $ 10,000.00 |
| | TOTAL | $ 717,772.00 | $ 717,772.00 | $ 652,020.00 | $ 695,227.00 | $ 695,227.00 |
| **BUNY** | | | | | | |
| **A3310.1** | PERSONAL SERVICES | $ 2,500.00 | $ 2,500.00 | $ 2,500.00 | $ 2,500.00 | $ 2,500.00 |
| **A3310.2** | EQUIPMENT | $ 500.00 | $ 500.00 | $ 500.00 | $ 500.00 | $ 500.00 |
| | TOTAL | $ 3,000.00 | $ 3,000.00 | $ 3,000.00 | $ 3,000.00 | $ 3,000.00 |

**TOWN OF COEYMANS**
**2013 ADOPTED BUDGET**

| | | 2012 ADOPTED BUDGET | 2012 MODIFIED BUDGET | 2013 TENTATIVE BUDGET | 2013 PRELIMINARY BUDGET | 2013 ADOPTED BUDGET |
|---|---|---|---|---|---|---|
| **STEP** | | | | | | |
| **A3311.1** | PERSONAL SERVICES | $ 4,500.00 | $ 4,500.00 | $ 4,500.00 | $ 4,500.00 | $ 4,500.00 |
| **A3311.2** | EQUIPMENT | $ 500.00 | $ 500.00 | $ 500.00 | $ 500.00 | $ 500.00 |
| | TOTAL | $ 5,000.00 | $ 5,000.00 | $ 5,000.00 | $ 5,000.00 | $ 5,000.00 |
| **VEST** | | | | | | |
| **A3312.2** | EQUIPMENT | $ 6,000.00 | $ 6,000.00 | $ 6,000.00 | $ 6,000.00 | $ 6,000.00 |
| | TOTAL | $ 6,000.00 | $ 6,000.00 | $ 6,000.00 | $ 6,000.00 | $ 6,000.00 |
| **TRAFFIC SAFETY DETAIL** | | | | | | |
| **A3315.1** | PERSONAL SERVICES | $ 6,500.00 | $ 6,500.00 | $ 6,500.00 | $ 6,500.00 | $ 6,500.00 |
| **A3315.2** | EQUIPMENT | $ 500.00 | $ 500.00 | $ 500.00 | $ 500.00 | $ 500.00 |
| | TOTAL | $ 7,000.00 | $ 7,000.00 | $ 7,000.00 | $ 7,000.00 | $ 7,000.00 |
| **DOG CONTROL** | | | | | | |
| **A3510.1** | PERSONAL SERVICES | $ 3,000.00 | $ 3,000.00 | $ 5,000.00 | $ 5,000.00 | $ 5,000.00 |
| **A3510.4** | CONTRACTUAL | $ 2,800.00 | $ 2,800.00 | $ 2,000.00 | $ 2,000.00 | $ 2,000.00 |
| | TOTAL | $ 5,800.00 | $ 5,800.00 | $ 7,000.00 | $ 7,000.00 | $ 7,000.00 |
| **CIVIL DEFENSE** | | | | | | |
| **A3640.1** | PERSONAL SERVICES | $ 1,500.00 | $ 1,500.00 | $ 1,500.00 | $ 1,500.00 | $ 1,500.00 |
| **A3640.4** | CONTRACTUAL | $ 100.00 | $ 100.00 | $ 100.00 | $ 100.00 | $ 100.00 |
| | TOTAL | $ 1,600.00 | $ 1,600.00 | $ 1,600.00 | $ 1,600.00 | $ 1,600.00 |

**TOWN OF COEYMANS**
**2013 ADOPTED BUDGET**

| | | 2012 ADOPTED BUDGET | 2012 MODIFIED BUDGET | 2013 TENTATIVE BUDGET | 2013 PRELIMINARY BUDGET | 2013 ADOPTED BUDGET |
|---|---|---|---|---|---|---|
| **OTHER HEALTH** | | | | | | |
| **A4540.4** | CONTRACTUAL--Ambulance | $ 81,000.00 | $ 81,000.00 | $ 144,960.00 | $ 144,960.00 | $ 144,960.00 |
| **A4589.4** | CONTRACTUAL--Paramedic | $ 181,700.00 | $ 181,700.00 | $ 182,520.00 | $ 182,520.00 | $ 182,520.00 |
| | TOTAL | $ 262,700.00 | $ 262,700.00 | $ 327,480.00 | $ 327,480.00 | $ 327,480.00 |
| **HIGHWAY ADMINISTRATIVE** | | | | | | |
| **A5010.1** | PERSONAL SERVICES | $ 108,985.00 | $ 108,985.00 | $ 114,705.00 | $ 110,566.00 | $ 111,566.00 |
| **A5010.4** | CONTRACTUAL | $ 1,000.00 | $ 1,000.00 | $ 1,000.00 | $ 1,000.00 | $ 1,000.00 |
| | TOTAL | $ 109,985.00 | $ 109,985.00 | $ 115,705.00 | $ 111,566.00 | $ 112,566.00 |
| **HIGHWAY GARAGE** | | | | | | |
| **A5132.2** | EQUIPMENT | | | | | |
| **A5132.4** | CONTRACTUAL | $ 40,000.00 | $ 40,000.00 | $ 44,200.00 | $ 44,200.00 | $ 43,200.00 |
| | TOTAL | $ 40,000.00 | $ 40,000.00 | $ 44,200.00 | $ 44,200.00 | $ 43,200.00 |
| **PUBLICITY** | | | | | | |
| **A6410.4** | CONTRACTUAL | $ 1,000.00 | $ 1,000.00 | $ 1,500.00 | $ 1,500.00 | $ 1,500.00 |
| | TOTAL | $ 1,000.00 | $ 1,000.00 | $ 1,500.00 | $ 1,500.00 | $ 1,500.00 |
| **VETERANS** | | | | | | |
| **A6510.4** | CONTRACTUAL | $ 2,000.00 | $ 2,000.00 | $ 1,000.00 | $ 1,000.00 | $ 1,000.00 |
| | TOTAL | $ 2,000.00 | $ 2,000.00 | $ 1,000.00 | $ 1,000.00 | $ 1,000.00 |

**TOWN OF COEYMANS**
**2013 ADOPTED BUDGET**

| | | 2012 ADOPTED BUDGET | 2012 MODIFIED BUDGET | 2013 TENTATIVE BUDGET | 2013 PRELIMINARY BUDGET | 2013 ADOPTED BUDGET |
|---|---|---|---|---|---|---|
| **PARKS** | | | | | | |
| **A7110.1** | PERSONAL SERVICES | $ - | $ - | $ 75,173.00 | $ - | $ - |
| **A7110.4** | CONTRACTUAL | $ 6,000.00 | $ 6,000.00 | $ 16,100.00 | $ 7,800.00 | $ 7,800.00 |
| | TOTAL | $ 6,000.00 | $ 6,000.00 | $ 91,273.00 | $ 7,800.00 | $ 7,800.00 |
| **BAND CONCERTS** | | | | | | |
| **A7270.4** | CONTRACTUAL | | $ 3,000.00 | $ 2,400.00 | $ 2,400.00 | $ 2,400.00 |
| | TOTAL | $ - | $ 3,000.00 | $ 2,400.00 | $ 2,400.00 | $ 2,400.00 |
| **YOUTH SERVICE** | | | | | | |
| **A7310.1** | PERSONAL SERVICES | $ 10,000.00 | $ 10,000.00 | $ 9,100.00 | $ 9,100.00 | $ 9,100.00 |
| **A7310.4** | CONTRACTUAL | $ 500.00 | $ 500.00 | $ 400.00 | $ 400.00 | $ 400.00 |
| | TOTAL | $ 10,500.00 | $ 10,500.00 | $ 9,500.00 | $ 9,500.00 | $ 9,500.00 |
| **HISTORIAN** | | | | | | |
| **A7510.1** | PERSONAL SERVICES | $ 650.00 | $ 650.00 | $ 650.00 | $ 650.00 | $ 650.00 |
| **A7520.2** | EQUIPMENT | $ - | $ - | | | |
| **A7510.4** | CONTRACTUAL | $ 250.00 | $ 250.00 | $ 250.00 | $ 250.00 | $ 250.00 |
| | TOTAL | $ 900.00 | $ 900.00 | $ 900.00 | $ 900.00 | $ 900.00 |
| **ADULT SERVICES** | | | | | | |
| **A7620.4** | CONTRACTUAL | $ 7,000.00 | $ 7,000.00 | $ 7,000.00 | $ 7,000.00 | $ 7,000.00 |
| | TOTAL | $ 7,000.00 | $ 7,000.00 | $ 7,000.00 | $ 7,000.00 | $ 7,000.00 |

**TOWN OF COEYMANS**
**2013 ADOPTED BUDGET**

| | | 2012 ADOPTED BUDGET | 2012 MODIFIED BUDGET | 2013 TENTATIVE BUDGET | 2013 PRELIMINARY BUDGET | 2013 ADOPTED BUDGET |
|---|---|---|---|---|---|---|
| **OTHER CULTURE & RECREATION** | | | | | | |
| **A7997.2** | EQUIPMENT | | | | | |
| **A7989.4** | CONTRACTUAL | $ 1,500.00 | $ 1,500.00 | $ 2,000.00 | $ 2,000.00 | $ 2,000.00 |
| | TOTAL | $ 1,500.00 | $ 1,500.00 | $ 2,000.00 | $ 2,000.00 | $ 2,000.00 |
| **LEACHATE FACILITY** | | | | | | |
| **A8090.1** | PERSONAL SERVICES | $ 5,000.00 | $ 5,000.00 | $ 5,000.00 | $ 5,000.00 | $ 5,000.00 |
| **A8090.2** | EQUIPMENT | $ 14,000.00 | $ 14,000.00 | $ 15,000.00 | $ - | |
| **A8090.4** | CONTRACTUAL | $ 7,500.00 | $ 7,500.00 | $ 10,000.00 | $ 10,000.00 | $ 10,000.00 |
| | TOTAL | $ 26,500.00 | $ 26,500.00 | $ 30,000.00 | $ 15,000.00 | $ 15,000.00 |
| **REFUSE AND GARBAGE** | | | | | | |
| **A8160.1** | PERSONAL SERVICES | | | $ - | $ - | $ - |
| **A8160.4** | CONTRACTUAL | $ 500.00 | $ 500.00 | $ 700.00 | $ 700.00 | $ 700.00 |
| | TOTAL | $ 500.00 | $ 500.00 | $ 700.00 | $ 700.00 | $ 700.00 |
| **COMMUNITY BEAUTIFICATION** | | | | | | |
| **A8510.1** | PERSONAL SERVICES | $ 170,997.00 | $ 170,997.00 | | $ 122,491.00 | $ 122,491.00 |
| **A8510.2** | EQUIPMENT & CAP | $ 11,661.00 | $ 11,661.00 | | $ - | |
| **A8510.4** | CONTRACTUAL | $ 15,000.00 | $ 15,000.00 | | $ 15,000.00 | $ 15,000.00 |
| | TOTAL | $ 197,658.00 | $ 197,658.00 | $ - | $ 137,491.00 | $ 137,491.00 |
| **CEMETERIES** | | | | | | |
| **A8810.1** | PERSONAL SERVICES | $ 2,600.00 | $ 2,600.00 | $ 2,600.00 | $ 2,600.00 | $ 2,600.00 |
| **A8810.4** | CONTRACTUAL | | | $ 650.00 | $ 650.00 | $ 650.00 |
| | TOTAL | $ 2,600.00 | $ 2,600.00 | $ 3,250.00 | $ 3,250.00 | $ 3,250.00 |

**TOWN OF COEYMANS**
**2013 ADOPTED BUDGET**

| | | 2012 ADOPTED BUDGET | 2012 MODIFIED BUDGET | 2013 TENTATIVE BUDGET | 2013 PRELIMINARY BUDGET | 2013 ADOPTED BUDGET |
|---|---|---|---|---|---|---|
| **EMPLOYEE BENEFITS** | | | | | | |
| **A9010.8** | RETIREMENT | $ 278,058.00 | $ 278,058.00 | $ 300,403.00 | $ 300,403.00 | $ 300,403.00 |
| **A9030.8** | SOCIAL SECURITY | $ 124,231.00 | $ 124,231.00 | $ 115,500.00 | $ 124,000.00 | $ 124,000.00 |
| **A9040.8** | WORKERS COMP | $ 20,045.00 | $ 20,045.00 | $ 30,000.00 | $ 30,000.00 | $ 30,000.00 |
| **A9045.8** | LIFE INSURANCE | $ 2,620.00 | $ 2,620.00 | $ 2,185.00 | $ 2,359.00 | $ 2,359.00 |
| **A9050.8** | UNEMPLOYMENT INS | $ 4,000.00 | $ 4,000.00 | $ 45,000.00 | $ 4,000.00 | $ 4,000.00 |
| **A9055.8** | DISABILITY | $ 7,000.00 | $ 7,000.00 | $ 5,000.00 | $ 6,000.00 | $ 6,000.00 |
| **A9060.8** | HEALTH INSURANCE | $ 189,261.00 | $ 189,261.00 | $ 152,569.00 | $ 173,130.00 | $ 173,130.00 |
| **A9070.8** | DENTAL INSURANCE | $ 19,230.00 | $ 19,230.00 | $ 7,575.00 | $ 17,407.00 | $ 17,407.00 |
| **A9089.8** | OTHER EMPLOYEE BENEFITS | $ 1,000.00 | $ 1,000.00 | $ 500.00 | $ 900.00 | $ 900.00 |
| | TOTAL | $ 645,445.00 | $ 645,445.00 | $ 658,732.00 | $ 658,199.00 | $ 658,199.00 |
| **DEBT** | | | | | | |
| **A9710.6** | SERIAL BONDS | $ - | $ - | $ - | $ - | $ - |
| **A9710.7** | SERIAL BONDS, INTEREST | $ - | $ - | $ - | $ - | $ - |
| **A9730.6** | B.A.N.S | $ 17,376.00 | $ 17,376.00 | $ 17,585.00 | $ 17,585.00 | $ 17,585.00 |
| **A9730.7** | BANS INTEREST | $ 634.00 | $ 634.00 | $ 425.00 | $ 425.00 | $ 425.00 |
| | TOTAL | $ 18,010.00 | | $ 18,010.00 | $ 18,010.00 | $ 18,010.00 |
| **Total (A) Fund Appropriations** | | **$ 3,099,497.00** | | **$ 3,055,411.00** | **$ 3,101,215.00** | **$ 3,101,215.00** |

**TOWN OF COEYMANS**
**2013 ADOPTED BUDGET**

| | | 2012 ADOPTED BUDGET | 2012 MODIFIED BUDGET | 2013 TENTATIVE BUDGET | 2013 PRELIMINARY BUDGET | 2013 ADOPTED BUDGET |
|---|---|---|---|---|---|---|
| **GENERAL (A) REVENUES** | | | | | | |
| **A0511** | Appropriated Reserves | | | $ - | $ - | $ - |
| **A0909** | Fund Balance | $ 65,680.00 | $ 65,680.00 | $ 115,063.00 | $ 166,063.00 | $ 166,063.00 |
| **A1001** | Money to be Raised by Real Property Taxes | $ 1,812,087.00 | $ 1,812,087.00 | $ 1,815,287.00 | $ 1,850,091.00 | $ 1,850,091.00 |
| **A1081** | Civil Housing P.I.L.O.T. | $ 2,300.00 | $ 2,300.00 | $ 2,325.00 | $ 2,325.00 | $ 2,325.00 |
| **A1090** | Penalties | $ 5,000.00 | $ 5,000.00 | $ 5,900.00 | $ 5,900.00 | $ 5,900.00 |
| **A1170** | Franchise Fees | $ - | $ - | | | |
| **A1255** | Town Clerk Fees | $ 5,650.00 | $ 5,650.00 | $ 4,000.00 | $ 4,000.00 | $ 4,000.00 |
| **A1289** | Supervisor | | | $ 1,200.00 | $ 1,200.00 | $ 1,200.00 |
| **A1520** | Police Fees-Subpoenas | $ 100.00 | $ 100.00 | $ 150.00 | $ 150.00 | $ 150.00 |
| **A1589** | TSD (Albany County) | $ 7,000.00 | $ 7,000.00 | $ 7,000.00 | $ 7,000.00 | $ 7,000.00 |
| **A1689** | Ambulance ALS Reimbusment | $ 25,000.00 | $ 25,000.00 | $ 20,000.00 | $ 20,000.00 | $ 20,000.00 |
| **A2190** | Sale of Cemetery Lots | $ 3,000.00 | $ 3,000.00 | $ 1,200.00 | $ 1,200.00 | $ 1,200.00 |
| **A2192** | Charges for Cemetery Services | $ 3,000.00 | $ 3,000.00 | $ 5,000.00 | $ 5,000.00 | $ 5,000.00 |
| **A2401** | Interest | $ 3,000.00 | $ 3,000.00 | $ 3,000.00 | $ 3,000.00 | $ 3,000.00 |
| **A2440** | Tower Rental Income | | $ 24,000.00 | $ 24,960.00 | $ 24,960.00 | $ 24,960.00 |
| **A2530** | Games of Chance | $ 75.00 | $ 75.00 | $ 60.00 | $ 60.00 | $ 60.00 |
| **A2540** | Bingo | $ 640.00 | $ 640.00 | $ 600.00 | $ 600.00 | $ 600.00 |
| **A2544** | Dog License | $ 3,828.00 | $ 3,828.00 | $ 4,000.00 | $ 4,000.00 | $ 4,000.00 |
| **A2610** | Justice Court Fund | $ 200,000.00 | $ 200,000.00 | $ 200,000.00 | $ 200,000.00 | $ 200,000.00 |
| **A2655** | Minor Sales | $ - | $ - | $ - | $ - | $ - |
| **A2665** | Sale of Equipment | $ 1,650.00 | $ 1,650.00 | $ - | $ - | $ - |
| **A2680** | Insurance Recovery | $ - | | | | |
| **A2690** | Other Compensation of Loss | $ - | | $ - | | |
| **A2626** | Police Forfeiture | $ - | | $ 10,000.00 | $ 10,000.00 | $ 10,000.00 |
| **A2705** | Gifts and Donations | | $ 3,000.00 | $ 3,000.00 | $ 3,000.00 | $ 3,000.00 |
| **A2770** | Employee Health Contribution | | | | | |
| **A2771** | E-Z Docks | $ - | $ - | $ - | $ - | $ - |
| **A2801** | Inter Fund | | | | | |

**TOWN OF COEYMANS**
**2013 ADOPTED BUDGET**

| | | 2012 ADOPTED BUDGET | 2012 MODIFIED BUDGET | 2013 TENTATIVE BUDGET | 2013 PRELIMINARY BUDGET | 2013 ADOPTED BUDGET |
|---|---|---|---|---|---|---|
| | **STATE AID** | | | | | |
| **A3005** | Mortgage Tax | $ 65,000.00 | $ 65,000.00 | $ 80,000.00 | $ 80,000.00 | $ 80,000.00 |
| **A3021** | JCAP Grant | $ - | $ - | | | |
| **A3040** | State Aid-Real Property Tax Admin. | $ 28,000.00 | $ 28,000.00 | | | |
| **A3089** | State Aid -AIM | | | $ 27,793.00 | $ 27,793.00 | $ 27,793.00 |
| **A3389** | Law Enforcement Vests | $ 3,000.00 | $ 3,000.00 | $ 3,000.00 | $ 3,000.00 | $ 3,000.00 |
| **A3390** | BUNY | $ 3,000.00 | $ 3,000.00 | $ 3,000.00 | $ 3,000.00 | $ 3,000.00 |
| **A3391** | STEP | $ 5,000.00 | $ 5,000.00 | $ 5,000.00 | $ 5,000.00 | $ 5,000.00 |
| **A3820** | Youth Program State Aid | $ 1,050.00 | $ 1,050.00 | $ 420.00 | $ 420.00 | $ 420.00 |
| | **FEDERAL AID** | | | | | |
| **A4389** | Law Enforcement Vests | $ 3,000.00 | $ 3,000.00 | $ 3,000.00 | $ 3,000.00 | $ 3,000.00 |
| | **TRANSFER FROM OTHER FUNDS** | | | | | |
| **A5031** | Transfer in from B Fund | $ 853,437.00 | $ 853,437.00 | $ 710,453.00 | $ 670,453.00 | $ 670,453.00 |
| | **INTERFUND TRANSFER** | | | | | |
| | Cemetery Funds | | | | | |
| **TOTAL** | **GENERAL FUND REVENUES** | **$ 3,099,497.00** | **$ 3,126,497.00** | **$ 3,055,411.00** | **$ 3,101,215.00** | **$ 3,101,215.00** |

**TOWN OF COEYMANS**
**2013 ADOPTED BUDGET**

| | | 2012 ADOPTED BUDGET | 2012 MODIFIED BUDGET | 2013 TENTATIVE BUDGET | 2013 PRELIMINARY BUDGET | 2013 ADOPTED BUDGET |
|---|---|---|---|---|---|---|
| **PART TOWN (B) APPROPRIATIONS** | | | | | | |
| **LEGAL SERVICES** | | | | | | |
| **B1420.4** | CONTRACTUAL | $ 15,000.00 | $ 15,000.00 | $ 10,000.00 | $ 10,000.00 | $ 10,000.00 |
| | TOTAL | $ 15,000.00 | $ 15,000.00 | $ 10,000.00 | $ 10,000.00 | $ 10,000.00 |
| **SHARED SERVICES** | | | | | | |
| **B1680.1** | PERSONAL SERVICES | $ 7,000.00 | $ 7,000.00 | $ 9,000.00 | $ 9,000.00 | $ 9,000.00 |
| **B1680.4** | CONTRACTUAL | $ 500.00 | $ 500.00 | $ 500.00 | $ 500.00 | $ 500.00 |
| | TOTAL | $ 7,500.00 | $ 7,500.00 | $ 9,500.00 | $ 9,500.00 | $ 9,500.00 |
| **INSURANCE** | | | | | | |
| **B1910.4** | CONTRACTUAL | $ 1,510.00 | $ 1,510.00 | $ 1,520.00 | $ 1,520.00 | $ 1,520.00 |
| | TOTAL | $ 1,510.00 | $ 1,510.00 | $ 1,520.00 | $ 1,520.00 | $ 1,520.00 |
| **CONTINGENCY** | | | | | | |
| **B1990.4** | CONTRACTUAL | $ 5,000.00 | $ 5,000.00 | $ 5,000.00 | $ 5,000.00 | $ 5,000.00 |
| | TOTAL | $ 5,000.00 | $ 5,000.00 | $ 5,000.00 | $ 5,000.00 | $ 5,000.00 |
| **SAFETY INSPECTIONS** | | | | | | |
| **B3620.1** | PERSONAL SERVICES | $ 96,467.00 | $ 96,467.00 | $ 96,807.00 | $ 96,807.00 | $ 96,807.00 |
| **B3620.2** | EQUIPMENT | $ 1,000.00 | $ 1,000.00 | $ 500.00 | $ 500.00 | $ 500.00 |
| **B3620.4** | CONTRACTUAL | $ 7,500.00 | $ 7,500.00 | $ 7,500.00 | $ 7,500.00 | $ 7,500.00 |
| | TOTAL | $ 104,967.00 | $ 104,967.00 | $ 104,807.00 | $ 104,807.00 | $ 104,807.00 |

**TOWN OF COEYMANS**
**2013 ADOPTED BUDGET**

| | | 2012 ADOPTED BUDGET | 2012 MODIFIED BUDGET | 2013 TENTATIVE BUDGET | 2013 PRELIMINARY BUDGET | 2013 ADOPTED BUDGET |
|---|---|---|---|---|---|---|
| **REGISTRAR OF VITAL STATISTICS** | | | | | | |
| **B4020.4** | CONTRACTUAL | $ 200.00 | $ 200.00 | $ 200.00 | $ 200.00 | $ 200.00 |
| | TOTAL | $ 200.00 | $ 200.00 | $ 200.00 | $ 200.00 | $ 200.00 |
| **STREET LIGHTING** | | | | | | |
| **B5182.4** | CONTRACTUAL | $ 32,000.00 | $ 32,000.00 | $ 32,000.00 | $ 32,000.00 | $ 32,000.00 |
| | TOTAL | $ 32,000.00 | $ 32,000.00 | $ 32,000.00 | $ 32,000.00 | $ 32,000.00 |
| **SIDEWALKS** | | | | | | |
| **B5410.4** | CONTRACTUAL | $ - | $ - | $ - | $ - | $ - |
| | TOTAL | $ - | | $ - | $ - | $ - |
| **PUBLICITY** | | | | | | |
| **B6410.4** | CONTRACTUAL | $ 750.00 | $ 750.00 | $ 750.00 | $ 750.00 | $ 750.00 |
| | | $ 750.00 | $ 750.00 | $ 750.00 | $ 750.00 | $ 750.00 |
| **ZONING BOARD** | | | | | | |
| **B8010.1** | PERSONAL SERVICES | $ 6,000.00 | $ 6,000.00 | $ 5,200.00 | $ 5,200.00 | $ 5,200.00 |
| **B8010.4** | CONTRACTUAL | $ 1,000.00 | $ 1,000.00 | $ 1,000.00 | $ 1,000.00 | $ 1,000.00 |
| | TOTAL | $ 7,000.00 | $ 7,000.00 | $ 6,200.00 | $ 6,200.00 | $ 6,200.00 |

**TOWN OF COEYMANS**
**2013 ADOPTED BUDGET**

| | | 2012 ADOPTED BUDGET | 2012 MODIFIED BUDGET | 2013 TENTATIVE BUDGET | 2013 PRELIMINARY BUDGET | 2013 ADOPTED BUDGET |
|---|---|---|---|---|---|---|
| **PLANNING BOARD** | | | | | | |
| **B8020.1** | PERSONAL SERVICES | $ 15,000.00 | $ 15,000.00 | $ 16,200.00 | $ 16,200.00 | $ 16,200.00 |
| **B8020.2** | EQUIPMENT & CAP | | | | | |
| **B8020.4** | CONTRACTUAL | $ 1,000.00 | $ 1,000.00 | $ 1,000.00 | $ 1,000.00 | $ 1,000.00 |
| | TOTAL | $ 16,000.00 | $ 16,000.00 | $ 17,200.00 | $ 17,200.00 | $ 17,200.00 |
| **TRANSFER TO OTHER FUNDS** | | | | | | |
| **B9901.0** | TRANSFER TO GENERAL (A) | $ 853,437.00 | $ 853,437.00 | $ 710,453.00 | $ 670,453.00 | $ 670,453.00 |
| **B9901.0** | TRANSFER TO BRIDGE RECON (DA) | $ - | $ - | | | |
| **B9901.0** | TRANSFER TO HIGHWAY (DB) | $ 732,424.00 | $ 732,424.00 | $ 915,397.00 | $ 973,692.00 | $ 973,692.00 |
| | | $ 1,585,861.00 | $ 1,585,861.00 | $ 1,625,850.00 | $ 1,644,145.00 | $ 1,644,145.00 |
| **EMPLOYEE BENEFITS** | | | | | | |
| **B9010.8** | RETIREMENT | $ 14,573.00 | $ 14,573.00 | $ 16,810.00 | $ 16,810.00 | $ 16,810.00 |
| **B9030.8** | SOCIAL SECURITY | $ 9,522.00 | $ 9,522.00 | $ 8,575.00 | $ 8,575.00 | $ 8,575.00 |
| **B9040.8** | WORKERS COMP | $ 1,285.00 | $ 1,285.00 | $ 5,500.00 | $ 5,500.00 | $ 5,500.00 |
| **B9045.8** | LIFE INSURANCE | $ 195.00 | $ 195.00 | $ 195.00 | $ 195.00 | $ 195.00 |
| **B9055.8** | DISABILITY INSURANCE | $ 604.00 | $ 604.00 | $ 300.00 | $ 300.00 | $ 300.00 |
| **B9060.8** | HEALTH INSURANCE | $ 14,905.00 | $ 14,905.00 | $ 15,299.00 | $ 15,299.00 | $ 15,299.00 |
| **B9070.8** | DENTAL INSURANCE | $ 1,748.00 | $ 1,748.00 | $ 1,841.00 | $ 1,841.00 | $ 1,841.00 |
| **B9089.8** | OTHER EMPLOYEE BENEFITS | $ 100.00 | $ 100.00 | $ 150.00 | $ 150.00 | $ 150.00 |
| | TOTAL | $ 42,932.00 | $ 42,932.00 | $ 48,670.00 | $ 48,670.00 | $ 48,670.00 |
| **TOTAL (B) PART TOWN APPROPRIATIONS** | | **$ 1,818,720.00** | **$ 1,818,720.00** | **$ 1,861,697.00** | **$ 1,879,992.00** | **$ 1,879,992.00** |

**TOWN OF COEYMANS**
**2013 ADOPTED BUDGET**

| | | 2012 ADOPTED BUDGET | 2012 MODIFIED BUDGET | 2013 TENTATIVE BUDGET | 2013 PRELIMINARY BUDGET | 2013 ADOPTED BUDGET |
|---|---|---|---|---|---|---|
| **PART TOWN (B) REVENUES** | | | | | | |
| **B0909** | Fund Balance | $ 201,374.00 | $ 201,374.00 | $ 201,556.00 | $ 202,497.00 | $ 202,497.00 |
| **B1120** | Sales Tax Revenue | $ 1,585,861.00 | $ 1,585,861.00 | $ 1,625,850.00 | $ 1,644,145.00 | $ 1,644,145.00 |
| **B1170** | Franchise Fees | $ 12,392.00 | $ 12,392.00 | $ 12,850.00 | $ 12,850.00 | $ 12,850.00 |
| **B2110** | Zoning Fees | $ 600.00 | $ 600.00 | $ 600.00 | $ 600.00 | $ 600.00 |
| **B2115** | Planning Fees | $ 1,500.00 | $ 1,500.00 | $ 1,000.00 | $ 1,000.00 | $ 1,000.00 |
| **B2401** | Interest Earned | $ 2,373.00 | $ 2,373.00 | $ 2,100.00 | $ 2,100.00 | $ 2,100.00 |
| **B2555** | Building Fees | $ 7,070.00 | $ 7,070.00 | $ 8,000.00 | $ 8,000.00 | $ 8,000.00 |
| **B2590** | Mobile Home Permits | $ 3,500.00 | $ 3,500.00 | $ 3,500.00 | $ 3,500.00 | $ 3,500.00 |
| **B2591** | Sign Permits | $ - | $ - | | | |
| **B2655** | Minor Sales (Booklets, etc) | $ 300.00 | $ 300.00 | $ 100.00 | $ 100.00 | $ 100.00 |
| **B2770** | Employee Health Contribution | | | | | |
| **B3820** | Shared Services | $ 3,750.00 | $ 3,750.00 | $ 5,200.00 | $ 5,200.00 | $ 5,200.00 |
| **TOTAL PART TOWN (B) REVENUES** | | **$ 1,818,720.00** | **$ 1,818,720.00** | **$ 1,860,756.00** | **$ 1,879,992.00** | **$ 1,879,992.00** |

**TOWN OF COEYMANS**
**2013 ADOPTED BUDGET**

| | | 2012 ADOPTED BUDGET | 2012 MODIFIED BUDGET | 2013 TENTATIVE BUDGET | 2013 PRELIMINARY BUDGET | 2013 ADOPTED BUDGET |
|---|---|---|---|---|---|---|
| **BRIDGE RECONSTRUCTION (DA) APPROPRIATIONS** | | | | | | |
| **DA5120.4** | Old Ravena Road Bridge Reconstruction | | | $ 28,590.00 | $ 28,590.00 | $ 28,590.00 |
| | | $ - | | $ 28,590.00 | $ 28,590.00 | $ 28,590.00 |
| **BRIDGE RECONSTRUCTION (DA) REVENUES** | | | | | | |
| **DA0909** | Fund Balance | $ 237,245.00 | $ 237,245.00 | $ 28,590.00 | $ 28,590.00 | $ 28,590.00 |
| **DA5031** | Transfer in from B Fund | $ - | $ - | $ - | $ - | $ - |
| | | $ 237,245.00 | $ 237,245.00 | $ 28,590.00 | $ 28,590.00 | $ 28,590.00 |

**TOWN OF COEYMANS**
**2013 ADOPTED BUDGET**

| | | 2012 ADOPTED BUDGET | 2012 MODIFIED BUDGET | 2013 TENTATIVE BUDGET | 2013 PRELIMINARY BUDGET | 2013 ADOPTED BUDGET |
|---|---|---|---|---|---|---|
| **HIGHWAY FUND (DB) APPROPRIATIONS** | | | | | | |
| **ENGINEER** | | | | | | |
| **DB1440.4** | CONTRACTUAL | $ 5,000.00 | $ 5,000.00 | $ 2,500.00 | $ 2,500.00 | $ 2,500.00 |
| | TOTAL | $ 5,000.00 | $ 5,000.00 | $ 2,500.00 | $ 2,500.00 | $ 2,500.00 |
| **CENTRAL GARAGE** | | | | | | |
| **DB1640.4** | CONTRACTUAL | | | $ 65,000.00 | $ 65,000.00 | $ 65,000.00 |
| | TOTAL | | | $ 65,000.00 | $ 65,000.00 | $ 65,000.00 |
| **INSURANCE** | | | | | | |
| **DB1910.4** | CONTRACTUAL | $ 26,970.00 | $ 26,970.00 | $ 28,670.00 | $ 28,670.00 | $ 28,670.00 |
| | TOTAL | $ 26,970.00 | $ 26,970.00 | $ 28,670.00 | $ 28,670.00 | $ 28,670.00 |
| **MANDATORY TESTING** | | | | | | |
| **DB4189.4** | CONTRACTUAL | $ 400.00 | $ 400.00 | $ 400.00 | $ 400.00 | $ 400.00 |
| | TOTAL | $ 400.00 | $ 400.00 | $ 400.00 | $ 400.00 | $ 400.00 |

**TOWN OF COEYMANS**
**2013 ADOPTED BUDGET**

| | | 2012 ADOPTED BUDGET | 2012 MODIFIED BUDGET | 2013 TENTATIVE BUDGET | 2013 PRELIMINARY BUDGET | 2013 ADOPTED BUDGET |
|---|---|---|---|---|---|---|
| **GENERAL REPAIRS** | | | | | | |
| **DB5110.1** | PERSONAL SERVICES | $ 169,148.00 | $ 169,148.00 | $ 172,581.00 | $ 172,581.00 | $ 172,581.00 |
| **DB5110.4** | CONTRACTUAL | $ 59,000.00 | $ 78,551.16 | $ 48,000.00 | $ 48,000.00 | $ 48,000.00 |
| | TOTAL | $ 228,148.00 | $ 247,699.16 | $ 220,581.00 | $ 220,581.00 | $ 220,581.00 |
| **SPECIAL IMPROVEMENTS** | | | | | | |
| **DB5112.4** | CONTRACTUAL | $ 190,000.00 | $ 236,775.00 | $ 190,000.00 | $ 190,000.00 | $ 190,000.00 |
| | TOTAL | $ 190,000.00 | $ 236,775.00 | $ 190,000.00 | $ 190,000.00 | $ 190,000.00 |
| **MACHINERY** | | | | | | |
| **DB5130.2** | CAPITAL OUTLAY & EQUIP | | $ 175,473.84 | $ 40,000.00 | $ 40,000.00 | $ 40,000.00 |
| **DB5130.4** | CONTRACTUAL | $ 70,000.00 | $ 70,000.00 | $ 85,000.00 | $ 85,000.00 | $ 85,000.00 |
| | TOTAL | $ 70,000.00 | $ 245,473.84 | $ 125,000.00 | $ 125,000.00 | $ 125,000.00 |

**TOWN OF COEYMANS**
**2013 ADOPTED BUDGET**

| | | 2012 ADOPTED BUDGET | 2012 MODIFIED BUDGET | 2013 TENTATIVE BUDGET | 2013 PRELIMINARY BUDGET | 2013 ADOPTED BUDGET |
|---|---|---|---|---|---|---|
| **SNOW REMOVAL** | | | | | | |
| **DB5142.1** | PERSONAL SERVICES | $ 188,095.00 | $ 188,095.00 | $ 185,453.00 | $ 185,453.00 | $ 185,453.00 |
| **DB5142.4** | CONTRACTUAL | $ 88,000.00 | $ 88,000.00 | $ 45,000.00 | $ 60,000.00 | $ 60,000.00 |
| | TOTAL | $ 276,095.00 | $ 276,095.00 | $ 245,453.00 | $ 245,453.00 | $ 245,453.00 |
| **EMPLOYEE BENEFITS** | | | | | | |
| **DB9010.8** | RETIREMENT | $ 56,459.00 | $ 56,459.00 | 56494 | $ 56,494.00 | $ 56,494.00 |
| **DB9030.8** | SOCIAL SECURITY | $ 27,330.00 | $ 27,330.00 | 23500 | $ 23,500.00 | $ 23,500.00 |
| **DB9040.8** | WORKERS COMP | $ 57,161.00 | $ 57,161.00 | 50000 | $ 50,000.00 | $ 50,000.00 |
| **DB9045.8** | LIFE INSURANCE | $ 758.00 | $ 758.00 | 671 | $ 671.00 | $ 671.00 |
| **DB9050.8** | UNEMPLOYMENT INSURANCE | $ - | $ - | 21000 | $ 21,000.00 | $ 21,000.00 |
| **DB9055.8** | DISABILITY INSURANCE | $ 1,423.00 | $ 1,423.00 | 850 | $ 850.00 | $ 850.00 |
| **DB9060.8** | HEALTH INSURANCE | $ 78,732.00 | $ 78,732.00 | 62887 | $ 62,887.00 | $ 62,887.00 |
| **DB9070.8** | DENTAL INSURANCE | $ 6,992.00 | $ 6,992.00 | $ 3,120.00 | $ 6,415.00 | $ 6,415.00 |
| **DB9089.8** | OTHER EMPLOYEE BENEFITS | $ 1,650.00 | $ 1,650.00 | $ 1,450.00 | $ 1,450.00 | $ 1,450.00 |
| | TOTAL | $ 230,505.00 | $ 230,505.00 | $ 219,972.00 | $ 223,267.00 | $ 223,267.00 |
| **DEBT SERVICE** | | | | | | |
| **DB9730.6** | B.A.N. PRINCIPAL | $ 18,500.00 | $ - | $ 8,993.00 | $ 8,993.00 | $ 8,993.00 |
| **DB9730.7** | B.A.N. INTEREST | $ - | $ - | $ 6,074.00 | $ 6,074.00 | $ 6,074.00 |
| | TOTAL | $ 18,500.00 | $ - | $ 15,067.00 | $ 15,067.00 | $ 15,067.00 |
| **TOTAL HIGHWAY (DB) APPROPRIATIONS** | | **$ 1,045,618.00** | **$ 1,268,918.00** | **$ 1,112,643.00** | **$ 1,115,938.00** | **$ 1,115,938.00** |

**TOWN OF COEYMANS**
**2013 ADOPTED BUDGET**

| | | 2012 ADOPTED BUDGET | 2012 MODIFIED BUDGET | 2013 TENTATIVE BUDGET | 2013 PRELIMINARY BUDGET | 2013 ADOPTED BUDGET |
|---|---|---|---|---|---|---|
| **HIGHWAY (DB) REVENUES** | | | | | | |
| **DB2401** | INTEREST | $ 720.00 | $ 720.00 | $ 600.00 | $ 600.00 | $ 600.00 |
| **DB2705** | GIFTS AND DONATIONS | | $ 3,000.00 | | | |
| **DB2650** | SALES OF SCRAP | $ 200.00 | $ 200.00 | $ 500.00 | $ 500.00 | $ 500.00 |
| **DB2665** | SALES OF EQUIPMENT | $ 5,000.00 | $ 5,000.00 | $ 5,000.00 | $ 5,000.00 | $ 5,000.00 |
| **DB2770** | EMPLOYEE HEALTH CONTRIBUTION | | | | | |
| **DB0909** | FUND BALANCE | $ 220,000.00 | $ 220,000.00 | $ 48,646.00 | $ 48,646.00 | $ 48,646.00 |
| | **STATE AID** | | | | | |
| **DB3501** | CHIPS | $ 87,274.00 | $ 87,274.00 | $ 87,500.00 | $ 87,500.00 | $ 87,500.00 |
| **DB4089** | **FEDERAL AID, OTHER** | | $ 46,775.00 | | | |
| | **TRANSFER FROM OTHER FUNDS** | | | | | |
| **DB5031** | Transfer in from B Fund | $ 732,424.00 | $ 732,424.00 | $ 915,397.00 | $ 973,692.00 | $ 973,692.00 |
| **DB5710** | Revenue for Serial Bonds | | $ 173,525.00 | $ 40,000.00 | | |
| **TOTAL HIGHWAY (DB) ESTIMATED REVENUE** | | **$ 1,045,618.00** | **$ 1,268,918.00** | **$ 1,097,643.00** | **$ 1,115,938.00** | **$ 1,115,938.00** |

**TOWN OF COEYMANS**
**2013 ADOPTED BUDGET**

| | | 2012 ADOPTED BUDGET | 2012 MODIFIED BUDGET | 2013 TENTATIVE BUDGET | 2013 PRELIMINARY BUDGET | 2013 ADOPTED BUDGET |
|---|---|---|---|---|---|---|
| **SEWER (SS) APPROPRIATIONS** | | | | | | |
| **SS1910.4** | INSURANCE CONTRACTUAL | $ 6,550.00 | $ 6,550.00 | | $ - | |
| **SS8110.4** | ADMINISTRATIVE FEES | $ 30,000.00 | $ 30,000.00 | $ 10,000.00 | $ 15,000.00 | $ 15,000.00 |
| **SS8120.1** | COLLECTION SYSTEM PERSONAL SVC | | $ 2,945.00 | $ 3,000.00 | $ 3,000.00 | $ 3,000.00 |
| **SS8120.4** | COLLECTION SYSTEM CONTRACTUAL | | $ 14,087.00 | $ 15,000.00 | $ 15,000.00 | $ 15,000.00 |
| **SS8120.8** | COLLECTION SYSTEM EMPLOYEE BENEFIT | | $ 1,306.00 | $ 1,300.00 | $ 1,300.00 | $ 1,300.00 |
| **SS8120.5** | COLLECTION SYSTEM | $ 18,338.00 | $ - | $ - | $ - | |
| **SS8130.1** | PERSONAL SERVICES | $ 137,640.00 | $ 137,640.00 | $ 153,257.00 | $ 147,857.00 | $ 147,857.00 |
| **SS8130.2** | EQUIPMENT | $ 3,550.00 | $ 3,550.00 | $ 3,550.00 | $ - | |
| **SS8130.4** | CONTRACTUAL (JOINT) | $ 140,000.00 | $ 140,000.00 | $ 146,960.00 | $ 146,960.00 | $ 146,960.00 |
| | TOTAL | $ 329,528.00 | $ 329,528.00 | $ 333,067.00 | $ 329,117.00 | $ 329,117.00 |
| **BENEFITS** | | | | | | |
| **SS9010.8** | RETIREMENT | $ 21,229.00 | $ 21,229.00 | $ 24,757.00 | $ 24,757.00 | $ 24,757.00 |
| **SS9030.8** | SOCIAL SECURITY | $ 10,530.00 | $ 10,530.00 | $ 10,500.00 | $ 10,500.00 | $ 10,500.00 |
| **SS9040.8** | WORKERS COMPENSATION | $ 7,207.00 | $ 7,207.00 | $ 7,000.00 | $ 7,000.00 | $ 7,000.00 |
| **SS9045.8** | LIFE INSURANCE | $ 261.00 | $ 261.00 | $ 261.00 | $ 261.00 | $ 261.00 |
| **SS9055.8** | DISABILITY INSURANCE | $ 556.00 | $ 556.00 | $ 560.00 | $ 560.00 | $ 560.00 |
| **SS9060.8** | HEALTH INSURANCE | $ 35,772.00 | $ 35,772.00 | $ 37,633.00 | $ 37,633.00 | $ 37,633.00 |
| **SS9070.8** | DENTAL INSURANCE | $ 2,622.00 | $ 2,622.00 | $ 1,337.00 | $ 2,750.00 | $ 2,750.00 |
| **SS9089.8** | OTHER EMPLOYEE BENEFITS | $ 200.00 | $ 200.00 | $ 300.00 | $ 300.00 | $ 300.00 |
| | TOTAL | $ 78,377.00 | $ 78,377.00 | $ 82,348.00 | $ 83,761.00 | $ 83,761.00 |

**TOWN OF COEYMANS**
**2013 ADOPTED BUDGET**

| | | 2012 ADOPTED BUDGET | 2012 MODIFIED BUDGET | 2013 TENTATIVE BUDGET | 2013 PRELIMINARY BUDGET | 2013 ADOPTED BUDGET |
|---|---|---|---|---|---|---|
| **DEBT SERVICE** | | | | | | |
| **SS9710.6** | SERIAL BOND PRINCIPAL ( T & V ) H36 | $ 7,000.00 | $ 7,000.00 | $ 5,264.00 | $ 5,264.00 | $ 5,264.00 |
| **SS9710.7** | SERIAL BOND INTEREST ( T & V )H36 | $ 1,400.00 | $ 1,400.00 | $ 5,725.00 | $ 5,725.00 | $ 5,725.00 |
| **SS9720.6** | STATUTORY BOND PRINCIPAL H37 | | | $ 3,509.00 | $ 3,509.00 | $ 3,509.00 |
| **SS9720.7** | STATUTORY BOND INTEREST H37 | | | $ 3,817.00 | $ 3,817.00 | $ 3,817.00 |
| **SS9730.6** | BAN - PRINCIPAL ( T & V )H35 | $ - | $ - | $ 15,000.00 | $ 15,000.00 | $ 15,000.00 |
| **SS9730.7** | BAN - INTEREST ( T & V )H35 | $ 3,750.00 | $ 3,750.00 | $ 4,038.00 | $ 4,038.00 | $ 4,038.00 |
| **SS9730.6** | BAN - PRINCIPAL (TOWN) | $ 10,000.00 | $ 10,000.00 | $ 22,667.00 | $ 22,667.00 | $ 22,667.00 |
| **SS9730.7** | BAN - INTEREST (TOWN) | $ 1,000.00 | $ 1,000.00 | $ 3,230.00 | $ 3,230.00 | $ 3,230.00 |
| **SS9730.6** | BAN T&V PRINCIPAL | | | $ 20,000.00 | $ 20,000.00 | $ 20,000.00 |
| **SS9730.7** | BAN T&V INTEREST | | | $ 2,850.00 | $ 2,850.00 | $ 2,850.00 |
| **SS9795.7** | INTERFUND LOAN INTEREST | $ - | $ - | | | |
| | TOTAL | $ 23,150.00 | $ 23,150.00 | $ 86,100.00 | $ 86,100.00 | $ 86,100.00 |
| **TOTAL SEWER APPROPRIATIONS** | | **$ 431,055.00** | **$ 431,055.00** | **$ 501,515.00** | **$ 498,978.00** | **$ 498,978.00** |

**TOWN OF COEYMANS**
**2013 ADOPTED BUDGET**

| | | 2012 ADOPTED BUDGET | 2012 MODIFIED BUDGET | 2013 TENTATIVE BUDGET | 2013 PRELIMINARY BUDGET | 2013 ADOPTED BUDGET |
|---|---|---|---|---|---|---|
| **SEWER (SS) ESTIMATED REVENUES** | | | | | | |
| **SS2120** | SEWER RENTS | $ 172,025.00 | $ 172,025.00 | $ 196,864.00 | $ 196,864.00 | $ 196,864.00 |
| **SS2122** | SEWER CHARGES | $ - | $ - | | | |
| **SS2128** | INTEREST & PENALTIES-RENTS | $ 1,400.00 | $ 1,400.00 | | | |
| **SS2374** | SEWER SERVICES - OTHER GOV'TS | $ 264,180.00 | $ 264,180.00 | $ 304,651.00 | $ 302,114.00 | $ 302,114.00 |
| **SS2401** | INTEREST EARNED | $ - | | | | |
| **SS2402** | INTEREST SPEC. RESERVE | $ - | | | | |
| **SS2655** | MISC. INCOME | $ - | | | | |
| **SS2680** | INSURANCE RECOVERIES | $ - | | | | |
| **SS2701** | REFUND PRIOR YEARS EXPENSES | $ - | | | | |
| **SS2770** | EMPLOYEE HEALTH CONTRIBUTION | | | | | |
| **SS0909** | FUND BALANCE | $ - | | | | |
| **TOTAL SEWER (SS) ESTIMATED REVENUES** | | **$ 437,605.00** | **$ 437,605.00** | **$ 501,515.00** | **$ 498,978.00** | **$ 498,978.00** |

**TOWN OF COEYMANS**
**2013 ADOPTED BUDGET**

| | 2012 ADOPTED BUDGET | 2012 MODIFIED BUDGET | 2013 TENTATIVE BUDGET | 2013 PRELIMINARY BUDGET | 2013 ADOPTED BUDGET |
|---|---|---|---|---|---|
| **FIRE DISTRICTS (FOR TAX INFORMATION ONLY)** | | | | | |
| COEYMANS HOLLOW FIRE DISTRICT | $ 276,600.00 | $ 276,600.00 | $ 283,515.00 | $ 295,400.00 | $ 274,452.00 |
| COEYMANS FIRE DISTRICT | $ 332,730.00 | $ 332,730.00 | $ 339,060.00 | $ 339,060.00 | $ 339,060.00 |

**TOWN OF COEYMANS**
**2013 ADOPTED BUDGET**

| | 2012 ADOPTED BUDGET | 2012 MODIFIED BUDGET | 2013 TENTATIVE BUDGET | 2013 PRELIMINARY BUDGET | 2013 ADOPTED BUDGET |
|---|---|---|---|---|---|
| **SALARIES FOR ELECTED OFFICIALS** | | | | | |
| COUNCIL MEMBERS (4 @ $12,000) | $ 48,000.00 | $ 48,000.00 | $ 48,000.00 | $ 48,000.00 | $ 48,000.00 |
| JUSTICE (2 @ $17,850) | $ 35,000.00 | $ 35,000.00 | $ 35,000.00 | $ 35,000.00 | $ 35,700.00 |
| SUPERVISOR | $ 30,000.00 | $ 30,000.00 | $ 40,000.00 | $ 30,000.00 | $ 30,000.00 |
| TOWN CLERK | $ 40,500.00 | $ 40,500.00 | $ 42,525.00 | $ 40,500.00 | $ 41,310.00 |
| HIGHWAY SUPERINTENDENT | $ 50,000.00 | $ 50,000.00 | $ 52,500.00 | $ 50,000.00 | $ 51,000.00 |

2013 TAX RATE SUMMARY ( WITH 2012 RATE COMPARISON)

| Taxing Authority | Total Assessed Value | Amount to be raised by taxes ($ actual) | Current Rate (per $1000 of assessed value) | Prior Rate (per $1000 of assessed value) | % change |
|---|---|---|---|---|---|
| **2012** | | | | | |
| Town of Coeymans | 604642.893 | 1,812,087.00 | 2.996954 | 2.961965 | 1.18% |
| Coeymans Hollow Fire District | 235302.333 | 276,600.00 | 1.175509 | 1.151382 | 2.10% |
| Coeymans Fire District | 220978.722 | 332,730.00 | 1.505711 | 1.481705 | 1.62% |
| **2013** | | | | | |
| Town of Coeymans | 605710.721 | 1,850,091.00 | 3.054414 | 2.996954 | 1.92% |
| Coeymans Hollow Fire District | 235117.495 | 274,452.00 | 1.167297 | 1.175509 | -0.70% |
| Coeymans Fire District | 221559.631 | 339,060.00 | 1.530333 | 1.505711 | 1.64% |

Supervisor Flach stated that Attorney for the Town Wukitsch had arrived and suggested that they resume the discussion about the Proposed Local Landfill Law.

**SEQRA Proposed Local Landfill Law**

Supervisor Flach stated that they had been discussing the SEQRA Short Environmental Assessment Form and then asked that the Town Board address their concerns with Attorney for the Town Wukitsch.

Discussion ensued amongst Attorney for the Town Wukitsch and the Town Board.

Councilman Dolan suggested that they consult a law firm that specializes in landfills to see if in their opinion it would hold up because they don't know that the law is better in preventing the City of Albany from moving in.

Attorney for the Town Wukitsch stated that the law is clear, succinct and to the point and he does not see it as being complicated and added that he is not an environmental expert but there are attorney's who are and this is all they do and some specialize in landfills. He went on by saying that it might not be a bad idea to consult one.

Discussion resumed amongst Attorney for the Town Wukitsch and the Town Board as to whether the existing law is currently being violated and whether it would not be a violation under the new law and if recyclable materials are an exception under State Law.

Discussion ensued amongst CEO Conrad, Attorney for the Town Wukitsch and the Town Board relative to broadness of the law and the fact that everyone can interpret it differently.

Attorney for the Town Wukitsch stated that they should get a quote from an attorney who specializes in Environmental Law and landfills and added that there is one at his law firm that he could ask for a quote.

Collectively the Town Board agreed that he should.

Discussion ensued regarding what he would/should ask him.

Supervisor Flach stated that it is fact that no one wants a landfill but at the same time there are others that don't want solid waste to be brought in to be recycled, which is the crux of the matter.

Discussion continued amongst the Town Board and Attorney for the Town Wukitsch.

Supervisor Flach stated that he would offer motion to adjourn the meeting.

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**ADJOURNMENT**

**MOTION**

On motion of Supervisor Flach, seconded by Councilman Boehm, the Town Board Workshop was adjourned.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time – 7:45

***Respectfully Submitted,*** **APPROVED –**

_____
***Diane L. Millious, Town Clerk***

**A Town Board Meeting was held Monday, November 26, 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

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

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**OPENING COMMENT**

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

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**AGENDA**

- Presentations
  - Mark Evans – State Telephone Co
- Public Announcements
  - Town Offices Closed, December 25, 2012, Christmas Day
- Public Comment
- Approval of Minutes
  - Public Hearing, November 8, 2012
  - Town Board Meeting, November 13, 2012
- Supervisor's Report, October 2012
- Department Report Review
  - Police Department, October 2012
  - Town Clerk, October 2012
  - Sewer, September 2012
- Old Business
- New Business
- Resolutions
  - Bond Resolution for Storm Water System Improvements
  - Bond Resolution for Equipment Installation Sewer District
  - Bond Resolution for Sewer District Expenditures
  - Amend October Abstract
  - November Abstract
- Correspondence
  - Bill Brown – Reappointment to ZBA
  - J. O'Connell & Assoc., Grant Consultants
- Town Board Workshops/Meetings
  - Planning Board, December 3, 2012 – 7:00 PM
  - Public Hearing, December 10, 2012 – 6:00 PM
  - Town Board Meeting, December 10, 2012 – 7:00 PM
  - Public Hearing, December 18, 2012 – 6:00 PM
  - Town Board Meeting, December 18, 2012 – 7:00 PM
  - ZBA Meeting, December 19, 2012 – 7:00 PM

**PRESENTATIONS**

**State Telephone Company – Mark Evans**

Supervisor Flach stated that Mr. Mark Evans from State Telephone Company was present to give a presentation.

**Mr. Evans** thanked Supervisor Flach and the Town Board for inviting him and continued by introducing himself as Vice President of State Telephone and then introduced Mr. Joe Warren, President of State Telephone. He continued by saying that State Telephone has served the Coeymans community as well as surrounding communities for a century and they have been a local exchange telephone company during that time. He added that as decades have progressed, State Telephone has continually reinvested in its equipment to make sure that the people of the communities have the services that have been offered by the Bell Atlantics and now Verizon's of the world and they think that they have been successful in continuing to offer those services and provide what people have wanted. He went on by saying that State Telephone has continued to remain a family owned and operated company and they pride themselves on the hallmark of great customer service and when you call the office at any time you get a live person who answers the phone and it is their intention to keep it that way. He continued by saying that the telecommunications industry has changed dramatically and drastically over the past ten years and there is an explosion of services, wireless and wired and they made a decision several years ago to not to be acquired and continue to remain in business as family owned and they provide the services that people demand and request in this area. He added that they have embarked on quite a reinvestment into their company over the past several years and some of the projects are now ready to be launched very shortly, first of which is that they are moving from a traditional copper wire infrastructure to a fiber-optic infrastructure and recently both the Villages of Coxsackie and Ravena were wired with fiber-optics and they were able to provide that to the homes, which is referred to as FTTH. He went on by saying that they have that capability now with the exception of a couple of streets, which are primarily underground facilities and they will be taking care of them very soon and what it will allow is for incredibly high-speed connecting to the internet and speeds that no one has seen yet in this area, which beats their own current system and their competitors systems by 10-20-50 times faster than what they have been offering up to this point. He continued by saying that as a for instance, with Netflix, with traditional cable or DSL it could take anywhere from 5-12 minutes and with fiber-optic they will be able to download in 10 seconds, which is a dramatic difference. He added that they will be rolling that out very shortly and they have been doing some final connections throughout the Village and their fiber-optic system does extend out into the town and they have many remote offices throughout their territory and they are not facilities that you would readily recognize, or see, or know that they are theirs or telecommunication switches, which is the way that they want it because they want them to be discreet and nondescript. He went on by saying that all of their facilities are connected by fiber-optics right now, which is called a SONET ring and if any one of those offices were to be cut off everything could reroute through the SONET system and keep everything up and running, which does not mean that it will always be up and running because there are times that wires can be cut and take things down. He continued by saying that they have a much more redundant system than most communities and facilities have and with that fiber-optic backbone they are then able to build and offer fiber-optics out to the community and right now they can offer it to any business that requests it and will be offering it shortly direct into houses and in testing it in his own home for about 8 months he can say that it works tremendously. He added that his family can have 4-5 computers, multiple tv's and multiple draws on the system such as I-Phones, I-Pads and Play Station games all operating at the same time with no drag down on the system and continued by saying that it is robust and strong, it works and they are getting ready to roll it out. He went on by saying that the other part of it is that they are in the cable television business and a provider registered with the Public Service Commission as such and will be operating under the name of State Telephone and State Telephone Cable Television, which is a completely independent system and they have satellite dishes at their offices in Coxsackie and that signal is transported on and distributed to the fiber-optic system and eventually to televisions in people's houses. He continued by saying that they are just about done with the testing phase and he has had it in his house

and has tested it for the past 10 months and there is nothing like watching a Yankee game in HD. He added by saying that the services are very close to occurring and he is sure that one of the questions will be the possibility of cable television service outside the Village of Ravena and into the town area, which they are very interested in doing but they don't have a specific plan in place today and part of the issue is the build-out requirement, which comes from the Public Service Commission where they would have to serve a certain number of phones within a square mile. He went on by saying that the Town of Coeymans meets that in many areas but they have to serve all of those areas where they meet that requirement so it would be another large investment on their part to do it and initially they will be rolling it out in the Village to get the system operating and then they will make some business decisions as to when they roll out further. He continued by saying that he wanted to make clear the difference between the two and added that fiber-optics can be offered anywhere, which they do have in the town right now and they have many businesses hooked up with it already but the cable television service has to remain in the Village for the moment and then they will make plans for expansion thereafter. He concluded by saying that this is where they are at and they are excited and it is a huge transformation for their company, which they believe will be very successful because people have been asking for these services for quite some time and they are excited that they will be providing them very shortly. He then asked if there were any questions.

Councilman Masti asked when they are looking to get out into the town.

Mr. Evans stated that portions of it they are ready to do right now, especially in the Hamlet and there are other areas where they are still doing construction but part of the Town of Coeymans they will be ready to do in the next month or two.

Councilman Masti asked if there will be an extra cost.

Mr. Evans stated that there is a cost sheet up on their new website www.statetelcabletv.com, and the only part that is populated right now is the part with regard to the fiber-optic where you can see the pricing for what they will be offering.

Councilman Boehm inquired whether they will be starting in the Hamlet and the more densely populated areas as they expand from the Village.

Mr. Evans stated that yes initially they will and reiterated that they have a fair amount of fiber already in place even before they started this part of the project. He added that it is an easy expansion for them where the existing main fiber is and when they have to go in and build completely new, where no fiber exists whatsoever is where it is costly and it becomes a business decision as to if it makes sense to do it.

Councilman Boehm asked if State Telephone is a completely separate entity from Mid-Hudson and Time Warner Cable.

Mr. Evans stated that they are completely separate and there is no connection whatsoever.

Supervisor Flach stated that the Town has a Franchise Agreement with Mid-Hudson Cable and Time Warner and then asked if it will affect State Telephone at all because they had heard through the grapevine that it would affect whether they can be in the area or not.

Mr. Evans stated that it has no affect and the Town's negotiations with any of those entities and it would not affect their current Franchise Agreement in the Village of Ravena and if they expand into the town and applied for a Franchise Agreement with the Town they would anticipate, and the Public Service Commission would look at the existing franchises and they would ask to be under those same conditions/requirements.

Councilman Boehm stated that the current Franchise Agreement that they are looking to renew with Mid-Hudson Cable would not exclude them from expanding out.

Mr. Evans stated that was correct and added that some places there is a sharing of facilities and that becomes an issue but they have a completely independent system.

Supervisor Flach asked if there are any regulations that prevent them from having freedom of franchises in one area.

Mr. Evans stated that to the best of his knowledge there are not and it would be a Public Service Commission question and to the best of their knowledge with them, the more the competition, the better.

Supervisor Flach stated that they would like for them to be able to expand into the Town.

Mr. Evans stated that he appreciates that and competition is good and has kept them on their toes to provide the services that the people demand now and they are going to do that very shortly.

Supervisor Flach stated that State Telephone has been the provider for telephone in our town forever.

Mr. Evans asked if there were any other questions.

Councilman Boehm asked Mr. Evans if there is a number to call in case someone listening has more information and then asked what kind of a timeline he is looking at for cable in the Village.

Mr. Evans stated that within the next several months they will be ready to roll it out, which will be a soft roll because they think there will be quite a demand right away and they will let people know by inserts in phone bills and other types of marketing. He added that people can also go to their two websites www.statetel.com or www.statetelcabletv.com for updates.

Supervisor Flach stated that Councilman Boehm had asked about a phone number for questions.

Mr. Evans stated that the number is 731-6128, which is their main number and the website will provide more and quicker information.

Collectively the Town Board thanked Mr. Evans.

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**PUBLIC ANNOUNCEMENTS**

**Town Offices Closed – December 25, 2012**

Supervisor Flach stated that Town Office will be closed on December 25, 2012 for Christmas Day.

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**PUBLIC COMMENT**

Supervisor Flach invited the public to comment at this time, hearing none he moved to the next item on the agenda.

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**APPROVAL OF MINUTES**

Supervisor Flach stated that there were two sets of minutes for Town Board approval, a Public Hearing on November 8th and a Town Board Meting on November 13th and continued by asking for a motion to approve them.

**MOTION**

On motion of Councilwoman Rogers, seconded by Councilman Dolan, the Town Board Minutes were approved as presented and read.
VOTE – AYES 5 – NAYS 0 – SO MOVED

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**SUPERVISOR'S REPORT**

**October 2012**

| Fund | Balance Fwd. | Receipts | Disbursements | Balance |
|---|---|---|---|---|
| | | | | |
| **General** | $294,904.73 | $36,433.90 | $291,661.65 | $39,676.98 |
| | | | | |
| **Part-Town** | $532,471.70 | $424,264.97 | $13,415.03 | $943,321.64 |
| | | | | |
| **Highway** | $ 92,609.68 | $25,534.71 | $37,304.67 | $ 80,839.72 |
| | | | | |
| **Bridge Const.** | $ 28,794.31 | $ 16.15 | -0- | $ 28,810.46 |
| | | | | |
| **Sewer** | $121,641.65 | $ 42,380.02 | $ 44,586.29 | $119,435.38 |
| | | | | |
| **Special Water** | $ 35,486.24 | $ 15,332.69 | -0- | $ 50,818.93 |
| | | | | |
| **Police Forf.** | $ 12,860.84 | $ .54 | $1,000.00 | $ 11,861.38 |
| | | | | |
| **Trust & Agency** | $ 11,376.24 | $233,449.23 | $200,272.81 | $ 44,552.66 |
| | | | | |
| **H-Fund Capital Proj.** | $ 41,871.68 | $ 1.77 | -0- | $ 41,873.45 |
| | | | | |
| **Section 8 – HUD** | $ 46,156.75 | $ -0- | $ -0- | $ 46,156.75 |
| | | | | |
| | | | **Total Rec. Bal.** | **$1,407,347.35** |
| | | | | |

| **SAVINGS ACCOUNTS** | | **COLLATERAL COVERAGE** | **FDIC** | **COLLATERALIZED** |
|---|---|---|---|---|
| Unemployment | $ 702.71 | Bank of Greene | $250,000.00 | $1,933,010.55 |
| Grove Cemetery | $40,903.79 | National Bank | $250,000.00 | $ -0- |
| Coey. Hollow Cem. | $13,418.18 | | | |
| Sewer-Dedicated | $10,139.93 | | | |
| **Total** | $65,164.61 | | | |

Supervisor Flach asked for a motion to approve the report.

**MOTION**

On motion of Councilwoman Rogers, seconded by Councilman Boehm, the Supervisor Report was approved as presented and read.
VOTE – AYES 5 – NAYS 0 – SO MOVED

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**DEPARTMENT REPORTS**

**Police Department – October 2012**

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

Police Chief Darlington continued by giving the report.

Supervisor Flach offered a motion to approve the report.

**MOTION**

On motion of Supervisor Flach, seconded by Councilman Boehm, the Police Department Report was approved as presented and read.
VOTE – AYES 5 – NAYS 0 – SO MOVED

**Town Clerk – October 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.

**MOTION**

On motion of Councilwoman Rogers, seconded by Councilman Masti, the Town Clerk Report was approved as presented and read.
VOTE – AYES 5 – NAYS 0 – SO MOVED

**Sewer Department – September 2012**

Supervisor Flach asked that Councilman Dolan read 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 Councilman Boehm, seconded by Councilman Masti, the Sewer Monthly Report was approved as presented and read.

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**OLD BUSINESS**

Supervisor Flach stated that there was no Old Business agenda items and continued by asking the Board if anyone had anything to discuss.

Councilman Boehm stated that he had a conversation earlier in the day with Chief Darlington regarding computer services and a Shared Services Agreement with the school for IT services and the possibility of a School Resource Officer and he indicated that because of the length that it would take to negotiate or come to some kind of agreement they should move forward with BAS.

Chief Darlington stated that he had talked to the Business Administrator very briefly and also the IT Department and everyone seems to be on board with the concept of shared services but right now there are more questions than answers and in talking about it they agreed that this is something that is not going to happen in a couple months but rather several months to get it hashed and determined if it will work. He added that he thought in the meantime they should move forward with whatever IT Company the Board is desirous of looking at for at least one year.

Councilman Boehm asked if they will contract with BAS before the end of the year.

Supervisor Flach stated that their current IT Contract is expiring.

Councilman Boehm interjected that it should be on the agenda for the next meeting so they can move forward.

Councilman Masti stated that BAS is currently being used by Town Clerk Millious.

Town Clerk Millious stated that she is using them for her Town Clerk and Property Tax Programs.

Supervisor Flach interjected that they will also be using them for the Sewer Program.

Town Clerk Millious stated that they were waiting to pass the budget and then switch over to BAS for the Sewer Program.

Councilman Masti asked how the Hannacroix Creek Program was progressing.

Supervisor Flach stated that they met with F.X. Browne and they were beginning with the Geomorphologist.

Chief Darlington stated that last week he received an e-mail asking for information on the Albany County Reservoir flow and he put them in contact with Joel Trombley at the Village of Ravena Water Department to get information and contacts. He added that he is still waiting for a new contract agreement with C.T. Male on the survey and he sent an e-mail earlier in the day and indicated that he needs it for Board approval because the previous one had expired.

Supervisor Flach stated that he will follow-up on it. He then asked if there were any other Old Business topics for discussion, hearing none he moved to the next item on the agenda.

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**NEW BUSINESS**

None at this time.

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**RESOLUTIONS**

Supervisor Flach asked Attorney for the Town Wukitsch if he had any comments about the first three resolutions.

Attorney for the Town Wukitsch stated that each resolution has to be introduced by a Town Board Member.

**RES. #117 SERIAL BOND TO FINANCE IMPROVEMENTS TO STORM WATER SYSTEM**

**BOND RESLUTION OF THE TOWN BOARD OF THE TOWN OF COEYMANS, ALBANY COUNTY, NEW YORK (THE "TOWN"), AUTHORIZING THE ISSUANCE OF UP TO $200,000.00 IN SERIAL BONDS OF THE TOWN TO FINANCE IMPROVEMENTS TO THE TOWN'S STORM WATER SYSTEM**

**WHEREAS**, the Town Board of the Town of Coeymans (the "Town Board") is considering the authorization of certain debt to finance improvements to the Town's Storm Water System at a maximum aggregate cost of $200,000.00 (the "Project"); and

**WHEREAS**, the Town Board of the Town, acting as lead agency under the State Environmental Quality Review Act and the regulations of the New York State Department of Environmental Conservation adopted hereunder (collectively, "SEQRA"), previously determined that the project constitutes a "Type II" action within the meaning

of SEQRA, and that it will not have significant impact on the environment, and that no further actions or proceedings are required to be taken under SEQRA; and

**WHEREAS**, the Town Board now wishes to appropriate funds for the Project and to authorize the issuance of the Town's serial bonds or bond anticipation notes to finance said appropriation;

**NOW, THEREFORE, THE TOWN BOARD OF THE TOWN OF COEYMANS, ALBANY COUNTY, NEW YORK (the "Town") HEREBY RESOLVES** ( by the affirmative vote of not less than two thirds of all members of such body), AS FOLLOWS:

Section 1. The Town is hereby authorized to issue up to $200,000.00 principal amount of serial bonds (including, without limitation, statutory installment bonds) pursuant to the provisions of the Local Finance Law, Constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law") to finance the estimated cost of the Project.

Section 2. It is hereby determined that the maximum estimated cost of the aforementioned specific objects or purposes is $200,000.00, said amount is hereby appropriated therefore and the plan for the financing thereof shall consist of the issuance of up to $200,000.00 in serial bonds of the Town authorized to be issued pursuant to Section 1 of this resolution, or bond anticipation notes issued in anticipation of such serial bonds.

Section 3. It is hereby determined that the period of probable usefulness of the aforementioned specific objects or purposes is fifteen (15) years, pursuant to paragraph 27-a of subdivision a. of Section 11.00 of the Law

Section 4. The final maturity of the bonds herein authorized to be issued shall not be in excess of fifteen (15) years measured from the date of issuance of the first serial bond or bonds anticipation note issued pursuant to Section 1 of this resolution.

Section 5. Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any bond anticipation notes issued in anticipation thereof, pursuant to Section 107.00(d)(3)(1) of the Law.

Section 6. The temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the law, for the capital purposes described in Section 1 of this resolution. The Town shall reimburse such expenditures with the proceeds of the bonds or bond anticipation notes authorized by Section 1 of this resolution. This resolution shall constitute a declaration of official intent to reimburse the expenditures authorized by Section 1 hereof with the proceeds of the bonds and bond anticipation notes authorized herein, as required by United States Treasury Regulations Section 1.150-2.

Section 7. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the law and said serial bonds and any bond anticipation notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the real property within the Town without legal or constitutional limitation as to rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal and interest on said serial bonds and bond anticipation notes and provisions shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and bond anticipation notes to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 8. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals of said obligations and of section 21.00, section 50.00, Section 54.90, Sections 56.00 through 60.00 and Sections 62.10 and 63.00 of the Law,

the powers and duties of the Town Board relative to authorizing serial bonds and bond anticipation notes and prescribing terms, form and contents as to the sale and issuance of bonds' herein authorized, including without limitation the determination of whether to issue bonds having substantially level or declining debt service and all matters related thereto, and any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Supervisor of the Town, the chief fiscal officer of the Town (the "Town Supervisor").Further, pursuant to subdivision b. of Section 11.00 of the Law, in the event that bonds to be issued for one or more of the objects or purposes authorized by this resolution are combined for sale, pursuant to subdivision c. of section 57.00 of the Law, with bonds to be issued for one or more objects or purposes authorized by other resolutions of the Town Board, then the power of the Town Board to determine the "weighted average period of probable usefulness" (within the meaning of subdivision a. of Section 11.00 of the Law) for such combined objects or purposes is hereby delegated to the Town Supervisor.

Section 9. The Town Supervisor is hereby further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution and any notes issued in anticipation thereof, as excludable from gross income for Federal income tax purposes pursuant to Section I 03 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution and any notes issued in anticipation thereof, if applicable, as "qualified tax exempt bonds' in accordance with Section 265(b)(3)(B)(i) of the Code.

Section 10. The Town Supervisor is further authorized to enter into a continuing disclosure undertaking with or for the benefit of the initial purchaser of the bonds or notes in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

Section 11. The intent of this resolution is to give the Town Supervisor sufficient authority to execute those applications, agreements and instruments, or to do any similar acts necessary to affect the issuance of the aforesaid serial bonds or bond anticipation notes without resorting to further action of this Town Board.

Section 12. The Town Clerk is hereby authorized and directed to cause a copy of this resolution to be published in full in the official newspaper of the Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Law.

Section 13. The validity of the bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of said bonds may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money; or
(b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or
(c) such obligations are authorized in violation of the provisions of the Constitution.

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

Attorney for the Town Wukitsch stated that they do.

Town Clerk Millious continued with a roll-call vote as follows:

Councilman Masti – AYE, Councilman Dolan – AYE, Councilwoman Rogers – AYE, Councilman Boehm – AYE, Supervisor Flach – AYE – APPROVED

**RES. #118 SERIAL BOND TO FINANCE UPGRADES AND INSTALLATION OF EQUIPMENT**

**BOND RESLUTION OF THE TOWN BOARD OF THE TOWN OF COEYMANS, ALBANY COUNTY, NEW YORK (THE "TOWN"), AUTHORIZING THE ISSUANCE OF UP TO $300,000.00 IN SERIAL BONDS OF THE TOWN TO FINANCE THE COSTS OF UPGRADES AND THE INSTALLATION OF EQUIPMENT TO THE SEWER PLANT FOR USE BY THE TOWN'S SEWER DISTRICT**

**WHEREAS**, the Town Board of the Town of Coeymans (the "Town Board") is considering the authorization of certain debt to finance upgrades and the installation of equipment to the Sewer Plant for use by Town's Sewer District at a maximum aggregate cost of $300,000.00 (the "Project"); and

**WHEREAS**, the Town Board of the Town, acting as lead agency under the State Environmental Quality Review Act and the regulations of the New York State Department of Environmental Conservation adopted hereunder (collectively, "SEQRA"), previously determined that the project constitutes a "Type II" action within the meaning of SEQRA, and that it will not have significant impact on the environment, and that no further actions or proceedings are required to be taken under SEQRA; and

**WHEREAS**, the Town Board now wishes to appropriate funds for the Project and to authorize the issuance of the Town's serial bonds or bond anticipation notes to finance said appropriation;

**NOW, THEREFORE, THE TOWN BOARD OF THE TOWN OF COEYMANS, ALBANY COUNTY, NEW YORK (the "Town") HEREBY RESOLVES** ( by the affirmative vote of not less than two thirds of all members of such body), AS FOLLOWS:

Section 1. The Town is hereby authorized to issue up to $300,000.00 principal amount of serial bonds (including, without limitation, statutory installment bonds) pursuant to the provisions of the Local Finance Law, Constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law") to finance the estimated cost of the Project.

Section 2. It is hereby determined that the maximum estimated cost of the aforementioned specific objects or purposes is $300,000.00, said amount is hereby appropriated therefore and the plan for the financing thereof shall consist of the issuance of up to $300,000.00 in serial bonds of the Town authorized to be issued pursuant to Section 1 of this resolution, or bond anticipation notes issued in anticipation of such serial bonds.

Section 3. It is hereby determined that the period of probable usefulness of the aforementioned specific objects or purposes is fifteen (15) years, pursuant to paragraph 27-a of subdivision a. of Section 11.00 of the Law

Section 4. The final maturity of the bonds herein authorized to be issued shall not be in excess of fifteen (15) years measured from the date of issuance of the first serial bond or bonds anticipation note issued pursuant to Section 1 of this resolution.

Section 5. Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any bond anticipation notes issued in anticipation thereof, pursuant to Section 107.00(d)(3)(1) of the Law.

Section 6. The temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the law, for the capital purposes described in Section 1 of this resolution. The Town shall reimburse such expenditures with the proceeds of the bonds or bond anticipation notes authorized by Section 1 of this resolution. This resolution shall constitute a declaration of official intent to reimburse the expenditures authorized by Section 1 hereof with the proceeds of the

bonds and bond anticipation notes authorized herein, as required by United States Treasury Regulations Section 1.150-2.

Section 7. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the law and said serial bonds and any bond anticipation notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the real property within the Town without legal or constitutional limitation as to rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal and interest on said serial bonds and bond anticipation notes and provisions shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and bond anticipation notes to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 8. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals of said obligations and of section 21.00, section 50.00, Section 54.90, Sections 56.00 through 60.00 and Sections 62.10 and 63.00 of the Law, the powers and duties of the Town Board relative to authorizing serial bonds and bond anticipation notes and prescribing terms, form and contents as to the sale and issuance of bonds' herein authorized, including without limitation the determination of whether to issue bonds having substantially level or declining debt service and all matters related thereto, and any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Supervisor of the Town, the chief fiscal officer of the Town (the "Town Supervisor").Further, pursuant to subdivision b. of Section 11.00 of the Law, in the event that bonds to be issued for one or more of the objects or purposes authorized by this resolution are combined for sale, pursuant to subdivision c. of section 57.00 of the Law, with bonds to be issued for one or more objects or purposes authorized by other resolutions of the Town Board, then the power of the Town Board to determine the "weighted average period of probable usefulness" (within the meaning of subdivision a. of Section 11.00 of the Law) for such combined objects or purposes is hereby delegated to the Town Supervisor.

Section 9. The Town Supervisor is hereby further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution and any notes issued in anticipation thereof, as excludable from gross income for Federal income tax purposes pursuant to Section I 03 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution and any notes issued in anticipation thereof, if applicable, as "qualified tax exempt bonds' in accordance with Section 265(b)(3)(B)(i) of the Code.

Section 10. The Town Supervisor is further authorized to enter into a continuing disclosure undertaking with or for the benefit of the initial purchaser of the bonds or notes in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

Section 11. The intent of this resolution is to give the Town Supervisor sufficient authority to execute those applications, agreements and instruments, or to do any similar acts necessary to affect the issuance of the aforesaid serial bonds or bond anticipation notes without resorting to further action of this Town Board.

Section 12. The Town Clerk is hereby authorized and directed to cause a copy of this resolution to be published in full in the official newspaper of the Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Law.

Section 13. The validity of the bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of said bonds may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money; or
(b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or
(c) such obligations are authorized in violation of the provisions of the Constitution.

Town Clerk Millious continued with a roll-call vote as follows:

Councilman Masti – AYE, Councilman Dolan – AYE, Councilwoman Rogers – AYE, Councilman Boehm – AYE, Supervisor Flach – AYE – APPROVED

**RES. #119 SERIAL BOND TO FINANCE CERTAIN EXPENDITURES OF THE TOWN'S SEWER DISTRICT**

**BOND RESLUTION OF THE TOWN BOARD OF THE TOWN OF COEYMANS, ALBANY COUNTY, NEW YORK (THE "TOWN"), AUTHORIZING THE ISSUANCE OF UP TO $320,000.00 IN SERIAL BONDS OF THE TOWN TO FINANCE CERTAIN EXPENDITURES OF THE TOWN'S SEWER DISTRICT**

**WHEREAS**, the Town Board of the Town of Coeymans (the "Town Board") is considering the authorization of certain debt to finance improvements to the Town's Storm Water System at a maximum aggregate cost of $320,000.00 (the "project"); and

**WHEREAS**, the Town Board of the Town, acting as lead agency under the State Environmental Quality Review Act and the regulations of the New York State Department of Environmental Conservation adopted hereunder (collectively, "SEQRA"), previously determined that the project constitutes a "Type II" action within the meaning of SEQRA, and that it will not have significant impact on the environment, and that no further actions or proceedings are required to be taken under SEQRA; and

**WHEREAS**, the Town Board now wishes to appropriate funds for the Project and to authorize the issuance of the Town's serial bonds or bond anticipation notes to finance said appropriation;

**NOW, THEREFORE, THE TOWN BOARD OF THE TOWN OF COEYMANS, ALBANY COUNTY, NEW YORK (the "Town") HEREBY RESOLVES** ( by the affirmative vote of not less than two thirds of all members of such body), AS FOLLOWS:

Section 1. The Town is hereby authorized to issue up to $320,000.00 principal amount of serial bonds (including, without limitation, statutory installment bonds) pursuant to the provisions of the Local Finance Law, Constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law") to finance the estimated cost of the Project.

Section 2. It is hereby determined that the maximum estimated cost of the aforementioned specific objects or purposes is $320,000.00, said amount is hereby appropriated therefore and the plan for the financing thereof shall consist of the issuance of up to $320,000.00 in serial bonds of the Town authorized to be issued pursuant to Section 1 of this resolution, or bond anticipation notes issued in anticipation of such serial bonds.

Section 3. It is hereby determined that the period of probable usefulness of the aforementioned specific objects or purposes is fifteen (15) years, pursuant to paragraph 27-a of subdivision a. of Section 11.00 of the Law

Section 4. The final maturity of the bonds herein authorized to be issued shall not be in excess of fifteen (15) years measured from the date of issuance of the first serial bond or bonds anticipation note issued pursuant to Section 1 of this resolution.

Section 5. Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any bond anticipation notes issued in anticipation thereof, pursuant to Section 107.00(d)(3)(1) of the Law.

Section 6. The temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the law, for the capital purposes described in Section 1 of this resolution. The Town shall reimburse such expenditures with the proceeds of the bonds or bond anticipation notes authorized by Section 1 of this resolution. This resolution shall constitute a declaration of official intent to reimburse the expenditures authorized by Section 1 hereof with the proceeds of the bonds and bond anticipation notes authorized herein, as required by United States Treasury Regulations Section 1.150-2.

Section 7. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the law and said serial bonds and any bond anticipation notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the real property within the Town without legal or constitutional limitation as to rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal and interest on said serial bonds and bond anticipation notes and provisions shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and bond anticipation notes to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 8. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals of said obligations and of section 21.00, section 50.00, Section 54.90, Sections 56.00 through 60.00 and Sections 62.10 and 63.00 of the Law, the powers and duties of the Town Board relative to authorizing serial bonds and bond anticipation notes and prescribing terms, form and contents as to the sale and issuance of bonds' herein authorized, including without limitation the determination of whether to issue bonds having substantially level or declining debt service and all matters related thereto, and any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Supervisor of the Town, the chief fiscal officer of the Town (the "Town Supervisor").Further, pursuant to subdivision b. of Section 11.00 of the Law, in the event that bonds to be issued for one or more of the objects or purposes authorized by this resolution are combined for sale, pursuant to subdivision c. of section 57.00 of the Law, with bonds to be issued for one or more objects or purposes authorized by other resolutions of the Town Board, then the power of the Town Board to determine the "weighted average period of probable usefulness" (within the meaning of subdivision a. of Section 11.00 of the Law) for such combined objects or purposes is hereby delegated to the Town Supervisor.

Section 9. The Town Supervisor is hereby further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution and any notes issued in anticipation thereof, as excludable from gross income for Federal income tax purposes pursuant to Section I 03 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution and any notes issued in anticipation thereof, if applicable, as "qualified tax exempt bonds' in accordance with Section 265(b)(3)(B)(i) of the Code.

Section 10. The Town Supervisor is further authorized to enter into a continuing disclosure undertaking with or for the benefit of the initial purchaser of the bonds or notes in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

Section 11. The intent of this resolution is to give the Town Supervisor sufficient authority to execute those applications, agreements and instruments, or to do any similar

acts necessary to affect the issuance of the aforesaid serial bonds or bond anticipation notes without resorting to further action of this Town Board.

Section 12. The Town Clerk is hereby authorized and directed to cause a copy of this resolution to be published in full in the official newspaper of the Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Law.

Section 13. The validity of the bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of said bonds may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money; or
(b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or
(c) such obligations are authorized in violation of the provisions of the Constitution.

Town Clerk Millious continued with a roll-call vote as follows:

Councilman Masti – AYE, Councilman Dolan – AYE, Councilwoman Rogers – AYE, Councilman Boehm – AYE, Supervisor Flach – AYE – APPROVED

**RES. #120 AMEND OCTOBER ABSTRACT**
On motion of Supervisor Flach, seconded by Councilman Boehm, 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 amend the following claims of vouchers for the October, 2012 Abstract as indicated in red.

| FUND | VOUCHER # | AMOUNT |
|---|---|---|
| | | |
| **GENERAL (A)** | | |
| General Pre-Pay | 1993-2035 | $168,911.06 |
| General | 2085-2120,2173-2174 | $103,692.05 |
| | | |
| | **General Total** | **$272,603.11** |
| | | |
| **GENERAL CONSOLIDATED** | | |
| General Cons. Pre-Pay | 2036-2039,2171-2172 | $198,809.26 |
| | | |
| | General Cons. Total | **$198,809.26** |
| | | |
| **PART TOWN (B)** | | |
| Part Town Pre-Pay | 2040-2051 | $ 13,079.08 |
| Part Town | | $ -0- |
| | | |
| | **Part Town Total** | **$ 13,079.08** |
| | | |
| **HIGHWAY(DB)** | | |
| Highway Pre-Pay | 2052-2061 | $ 31,984.67 |
| Highway | 2121-2154 | $ 5,435.60 |
| | | |
| | **Highway Total** | **$ 37,420.27** |
| | | |
| **SEWER (SS)** | | |
| Sewer Pre-Pay | 2062-2076 | $ 13,074.77 |
| Sewer | 2155-2170 | $ 31,544.08 |

| | | |
|---|---|---|
| | **Sewer Total** | **$ 44,618.85** |
| | | |
| | **Total for all Funds** | **$566,530.57** |
| | | |
| **TRUST & AGENCY (TA)** | | |
| Trust & Agency Pre-Pay | 2077-2084 | $210,339.79 |
| | | |
| | **Trust & Agcy. Total** | **$210,339.79** |
| | | |

Councilman Boehm asked what the amended amounts were due to.

Town Clerk Millious stated that there was a voucher that was brought to their attention by Sara Morrison, Bookkeeper, that there was an error on a check to Quill and when there is a change in the abstract, there has to be an amendment.

**RES. #121 APPROVE NOVEMBER ABSTRACT**
On motion of Councilman Masti, seconded by Councilman Boehm, 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 October, 2012 Abstract.

| FUND | VOUCHER # | AMOUNT |
|---|---|---|
| | | |
| **GENERAL (A)** | | |
| General Pre-Pay | 2175-2246 | $210,068.59 |
| General | 2305-2337, 2339-2355,2408 | $ 40,939.60 |
| | | |
| | **General Total** | **$251,008.19** |
| | | |
| **POLICE FORFEITURE (A)** | | |
| Police Forfeiture Pre-Pay | 2247-2248 | $ 2,319.00 |
| Police Forfeiture | 2338 | $ 421.23 |
| | **Police Forf. Total** | **$ 2,740.23** |
| | | |
| **PART TOWN (B)** | | |
| Part Town Pre-Pay | 2249-2265 | $698.506.55 |
| Part Town | 2356 | $ 14.12 |
| | | |
| | **Part Town Total** | **$698,520.67** |
| | | |
| **HIGHWAY(DB)** | | |
| Highway Pre-Pay | 2266-2274 | $ 40,132.57 |
| Highway | 2357-2395 | $ 10,178.70 |
| | | |
| | **Highway Total** | **$ 50,311.27** |
| **SEWER (SS)** | | |
| Sewer Pre-Pay | 2275-2298 | $ 19,139.39 |
| Sewer | 2396-2407, 2409-2413 | $ 8,137.04 |
| | | |
| | **Sewer Total** | **$ 27,276.43** |
| | | |
| | **Total for all Funds** | **$1,029,856.79** |
| | | |
| **TRUST & AGENCY (TA)** | | |
| Trust & Agency Pre-Pay | 2299-2304 | $204,089.44 |
| | | |
| | **Trust & Agcy. Total** | **$204,089.44** |
| | | |

**CORRESPONDENCE**

**Bill Brown – Reappointment to ZBA**

Supervisor Flach stated that he was in receipt of a letter from Mr. Bill Brown and continued by reading the following:

To Mr. Flach & Town Board,

As you know, my term of office will expire as of 12/31/12. This is to inform you that I wish to be reappointed for another term if this is your desire.

Thanking you in advance.

Respectfully,
Bill Brown

Supervisor Flach stated that he has been on the Planning Board for quite some time.

**J. O'Connell & Associates – Grants Consultants**

Supervisor Flach stated that he was in receipt of a letter from J. O'Connell & Associates, Grant Consultants, and continued by reading the following:

Dear Mr. Flach:

I recently had the pleasure of speaking with your secretary, Lisa Cirillo, on the phone and thank you for your interest in how J. O'Connell & Associates, Inc., can help the Town of Coeymans obtain funding for their programs. Founded in 1889, J. O'Connell and Associates. Inc. provides comprehensive grants development services to municipalities, school districts, and non-profit organizations throughout New York State. We are dedicated to helping our clients obtain and use grant resources effectively and efficiently to achieve their missions. Our staff includes experienced grant writers, government relations professionals, project developers, program administrators and a researcher who enable us to offer turn-key grants development services of the highest quality.

The Town of Coeymans is eligible for a variety of competitive grants that are available through the Federal and New York State Governments. Our goal will be to establish a long-term working relationship that will enable the Town to receive a continuous flow of funded grants.

The enclosed informational packet expands on the services that we offer, give a partial list of successfully funded projects for towns and villages, showcases profiles of several successfully projects and provides a list of client reference for your review.

Once again, thank you for your interest. I regret that I am unable to accept Councilman Thomas Boehm's kind invitation to attend the Town Board Workshop scheduled for November 20th due to a previous out of town commitment. Thank you for the opportunity to present our firms qualifications. We would certainly welcome the opportunity to further discuss a working relationship between J. O'Connell & Associates, Inc. and the Town of Coeymans, at another mutually agreed upon time.

Please do not hesitate to call me at (716) 759-8580 ext. 211 if you require additional information, or to set another meeting time.

Very truly yours,

Jean K. O'Connell

Supervisor Flach stated that they can look at their schedules and schedule him to come and added if they can give them grant money, it would be awesome.

Councilman Boehm stated that he will reach out to Jean O'Connell again and added that they need to determine what areas they are looking at, such as sewer and parks and to also find out how they get paid and whether or not it is a percentage of the grant or a flat fee for everything they apply for. He reiterated that he will contact Jean to see if they can get her to come down so they can get more detailed information and added that he thinks that it is important and they need to look for some additional funding for certain projects in different areas.

Supervisor Flach stated that knowing how they get paid is very important and then asked if there were any other comments.

Councilman Masti stated that in looking at the information he is impressed by what they did in the Village of Bath, which is a very small place and they got them over two million dollars.

Supervisor Flach moved to the next item on the agenda.

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**TOWN BOARD MEETINGS/WORKSHOPS**

- Planning Board Meeting, December 3, 2012, 7:00pm
- Public Hearing, December 10, 2012, 6:00pm
- Town Board Meeting, December 10, 2012, 7:00pm
- Public Hearing, December 18, 2012 6:00pm
- Town Board Meeting, December 18, 2012, 7:00pm
- ZBA Meeting, December 19, 2012, 7:00pm

Supervisor Flach stated that they have to hold another Public Hearing in December to set the Sewer Rates and continued by asking about December 11, 2012.

Town Clerk Millious stated that it is too late to go in the paper for this week.

Councilman Dolan suggested that they hold two Public Hearings on December 18th, one at 6:00pm and one at 6:30pm.

Collectively the Town Board agreed.

Supervisor Flach stated that there will be two Public Hearings on December 18th, one at 6:00pm for Mid-Hudson Cable Franchise Agreement and one at 6:30pm to set the Sewer Rates.

**********

**ADDITIONAL COMMENTS**

Supervisor Flach asked Town Clerk Millious if she had any comments.

Town Clerk Millious stated that in June they raised the kennel fees and she wanted to make the public aware that if your dog is picked up it is $100.00 for the first three days and $20.00 for each day thereafter as well as $10.00 for a redemption fee and the license fee and if the dog has not had its rabies shot, it has to be escorted to a Vet by the Police Department. She continued by saying that it adds up and can be well over $200.00 by the time you know where the dog is and added that she wanted people to know that it is important to license your dog because if the dog has a tag on the Dog Control Officer can notify the owner immediately and if everything is all set as far as a license and rabies, the dog would not have to go to the kennel. She concluded by saying that there was a recent incident where the owner had to pay over $300.00 to pick up their dog and suggested that a fee schedule be put on the website so people are aware.

Councilman Dolan interjected that it is a lot but the Town's cost is more than that and the Town should not be in the business of subsidizing people who don't take care of their dogs.

Town Clerk Millious stated that something simple can save people a lot of money down the road and this is where she is coming from with that.

Supervisor Flach asked Chief Darlington if he had any comments.

Chief Darlington stated that he wanted to request to be on the next Workshop Agenda but there isn't one and added that he is looking for authorization to canvas for a new mechanic if the potential resignation does happen. He continued by saying that he was also contacted by the Dog Control Officer earlier in the day and he advised that his availability will probably lessen due to changes in his full-time job and as discussed during budget discussions, relative to Police Department's overtime and the intent to reduce it and the potential of hiring some more time part-time personnel to offset the cost of covering shifts when people are on vacation or call in sick.

Councilman Dolan inquired as to if he is using part-time as opposed to paying someone overtime.

Chief Darlington stated that was correct and added that during the past weekend they had three six call-ins and they ended up having to mandate Police Officers to work, which generated overtime because some of them were full-time as well as some part-time getting overtime because they were being mandated.

Councilman Masti inquired as to how that would work if they tried to mandate an Officer who has another job on another force.

Chief Darlington stated that they try to work around that the best they can and if they can't the overtime goes to a Lieutenant or Sergeant and they end up paying more overtime. He added that this past weekend they mandated one of the full-time Officers who had a plane ticket to fly out at 5:00am and he had to convince someone to take his shift so he didn't lose his flight. He went on by saying that he didn't know if this was something that he should discuss with a liaison to potentially discuss at a future meeting.

Supervisor Flach asked what kind of a timeframe he was looking at and if it needs to be right away.

Chief Darlington stated that obviously the sooner the better and with the Holiday Season, it is the biggest time that people take off. He added that as far as the Dog Control Officer, he is looking for someone who would be primarily available during days and for on-call at night when the other one is not available.

Councilman Boehm asked if they have to be certified.

Chief Darlington stated that they do not and there are not any requirements.

Supervisor Flach stated that maybe a retired person might be interested.

Chief Darlington agreed and stated that he will discuss it with Councilmen Boehm and Dolan. He continued by saying that he submitted a voucher for eye glass reimbursement and he was informed that it was denied from the Human Resource Office in reference to the Eye Plan that was offered from the Town and he is now requesting that it officially be put in writing as to why it was denied.

Supervisor Flach stated that he spoke with someone earlier in the day about it and he will be receiving a letter. He then asked Highway Superintendent Deering if he had any comments.

Highway Superintendent Deering stated that he didn't.

Councilman Boehm inquired about a notification that was to be put in the News Herald reminding people of the Snow Emergency Policy.

Supervisor Flach stated that they had discussed it at the last Workshop.

Town Clerk Millious stated that she had discussed it with Confidential Secretary Cirillo because Mary Lewandowski had always put it in and added that she will make sure that it gets in.

Supervisor Flach asked Councilman Dolan if he had any comments.

Councilman Dolan stated that he wanted to mention the tree lighting and parade, which will be December 7th starting at 6:30pm at Coeymans Landing.

Supervisor Flach stated that they should be getting the tree next week and Parks and Beautification Supervisor Perry had said that they should do it two days before so it is not destroyed or vandalized. He continued by saying that earlier in the day he spoke with Councilman Dolan about having the Neighborhood Association decorate the tree.

Councilman Boehm asked if there are refreshments.

Councilman Dolan stated that there will be and Riverview Baptist Church will be singing Christmas Carols.

Councilman Boehm stated that it kicks off at the gazebo for the tree lighting and then they parade up to the Village tree for their tree lighting.

Supervisor Flach asked Councilwoman Rogers if she had any comments.

Councilwoman Rogers stated that she had nothing.

Supervisor Flach asked Councilman Boehm if he had any comments.

Councilman Boehm stated that he didn't.

Supervisor Flach asked Councilman Masti if he had any comments.

Councilman Masti stated that he wanted to compliment the three Council Members on their reading of the three Bond Resolutions.

Supervisor Flach stated that he had just one thing and added that they sent the water payment to the Village of Ravena, which has been an ongoing thing and they are trying to resolve it. He added that in the contract with the Village it says that the Village shall prepare and mail the bills and they have been going back and forth about the postage and now the Village has sent back the entire check and he wanted the Board to know about it. He concluded by saying that the Mayor is going to talk to his Board about it and the amount of the returned check was $83,000.00.

Town Clerk Millious interjected that she provides the envelopes with her labels, which they come and get but the Town has never paid postage.

Supervisor Flach reiterated that the contract states that the Village shall prepare and mail and the Town will provide the envelopes and reiterated that he wanted to make sure that the Board is aware of what is happening. He then asked for a motion to adjourn.

**********

**ADJOURNMENT**

Supervisor Flach asked for a motion to adjourn the meeting.

**MOTION**

On motion of Councilman Masti, seconded by Councilman Boehm, the Town Board Meeting was adjourned.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time – 8:28pm

***Respectfully Submitted*,** **APPROVED –**

_____
***Diane L. Millious, Town Clerk***

**A Public Hearing was held Monday, December 10, 2012 6:00pm 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
Larry Conrad, Building Inspector / Code Enforcement Officer

**********

Supervisor Flach opened the Public Hearing and led the Pledge of Allegiance.

**********

**NOTICE OF PUBLIC HEARING**

The following Notice of Public Hearing was published in the Town's official newspaper the News Herald.

**NOTICE**
**OF**
**PUBLIC HEARING**

**NOTICE IS HEREBY GIVEN** that pursuant to Section 452 of the General Municipal Law, the Town Board of the Town of Coeymans will hold a Public Hearing on Monday, December 10, 2012 at 6:00pm at Town Hall, 18 Russell Avenue, Ravena, NY 12143 for the purpose of receiving comments from the public on Proposed Local Law #5-2012.

**A LOCAL LAW TO APPOINT ALTERNATE ZONING BOARD OF APPEALS MEMBERS.**

Copies of the Proposed Law are available for review by the public at Town of Coeymans, Town Clerk's Office, 18 Russell Avenue, Ravena, NY 12143, (518) 756-2100.

The following is Proposed Local Law #5-2012 in its entirety.

**********

**PROPOSED LOCAL LAW #5-2012**
**A LOCAL LAW PROVIDING FOR APPOINTMENT OF ALTERNATIVE MEMBERS OF THE ZONING BOARD**

**Section 1. LEGISLATIVE INTENT**

This Local Law shall apply to the appointment, terms, functions and powers of alternate members of the Zoning Board of Appeals in the Town of Coeymans.

**Section 2. DECLARATION OF POLICY**

It is sometimes difficult to maintain a quorum on the Zoning Board of Appeals because members are ill or on extended vacation or find thy have a conflict of interest situation on a specific matter before such a Board. In such instances, official business cannot be conducted which may delay or impede adherence to required time lines. The use of alternate members in such instances is hereby authorized pursuant to the provisions of this Local Law.

**Section 3. DEFINITIONS**

**"**Zoning Board of Appeals" means the Zoning Board of Appeals of the Town of Coeymans as established by the Town Board, pursuant to the provisions of Section 267 of the Town Law.

"Member" means an individual appointed by the Town Board to serve on the Town Zoning Board of Appeals pursuant to the provision of the Local Law or Ordinance, which first must be established.

"Alternate Member" means an individual appointed by the Town Board when a regular member is unable to participate on matters before the respective Board as provided herein.

**Section 4. AUTHORIZATION**

A. The Town Board of the Town of Coeymans hereby enacts this Local Law to provide a process for appointing "alternate" members of the Zoning Board of Appeals. These individuals would serve when members are absent or unable to participate on an application or matter before the Board.

B. Alternate members of the Zoning Board of Appeals shall be appointed by the Town Board or other duly authorized appointing authority, for a term of three (3) years with the terms to expire on December 31st of the third year after the date of their appointment.

C. The Chairperson of the Zoning Board of Appeals may designate an alternate to substitute for a member when such member is unable to participate on an application or matter before the Board. When so designated, the alternate member shall possess all the powers and responsibilities of such member of the Board. Such designation shall be entered into the minutes of the initial Zoning Board of Appeals Meeting, at which the substitution is made.

D. All provisions of state law relating to the Zoning Board of Appeals member, eligibility, vacancy in office, removal, compatibility and service on other Boards, as well as any provisions of a Local Law / Local Ordinance relating to training, continuing education, compensation and attendance, shall also apply to alternate members.

**Section 5. SUPPRESSION OF TOWN LAW**

This Local Law is hereby adopted pursuant to the provisions of Section 10 of the NYS Municipal Home Rule Law and Section 10 of the NYS Statute of Local Governments. It is the intent of the Town Board pursuant to Section 10 of the NYS Municipal Home Rule Law, to supersede the provision of:

(1) Section 267 of Town Law relating to the appointment of members to the Town Zoning Board of Appeals.

**Section 6. MISCELLANEOUS**

A. This Local Law shall be deemed to supersede and repeal any other Local Law to the extent therein inconsistent herewith.

B. If any part of the Local Law shall be judicially declared to be invalid, void, unconstitutional or unenforceable, all unaffected provisions hereof shall survive such declaration and the Local Law shall remain in full force and effect as if the invalidated portion had not been enacted.

C. Nothing herein shall be deemed to be a waiver or restriction upon any rights and powers available to the Town of Coeymans to further regulate the subject matter of this Local Law.

**Section 7. EFFECTIVE DATE**

This Local Law shall become effective upon filing with the Secretary of Sate of the State of New York, as required by the Municipal Home Rule Law.

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**SUPERVISOR'S OPENING COMMENT**

Supervisor Flach stated that the purpose of the Public Hearing was to hear comments from the public on Proposed Local Law #5-2012 to appoint alternate members of the Zoning Board of Appeals.

**********

**PUBLIC COMMENT**

Supervisor Flach stated that there was no one present for Public Comment and then asked if there were any other comments from those present.

Building Inspector/CEO Conrad stated that he would urge the Town Board to consider the alternate members of the Zoning Board very strongly due to the fact that it is a 5 member Board and frequently they have absences of two or more members and that Recording Secretary Ziegler, who does their minutes, is up to speed on all the issues brought before both the Planning and Zoning Boards and would be a good candidate. He also addressed and expressed his concerns about the lack of mandatory training of some of the members of the Zoning Board of Appeals and the possibility of some vacancies coming up.

Discussion ensued amongst Building Inspector/CEO Conrad relative to the need for an alternate, the lack of mandatory training and possible candidates for vacancies.

**********

**ADJOURNMENT**

Supervisor Flach asked for a motion to adjourn the Public Hearing.

**MOTION**

On motion of Councilman Dolan, seconded by Councilman Masti, the Public Hearing was adjourned.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time – 6:25pm

***Respectfully Submitted*,** **APPROVED –**

_____
***Diane L. Millious, Town Clerk***

**A Town Board Meeting was held Monday, December 10, 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

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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.

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**AGENDA**

- Public Announcements
  - Town Offices Closed, Christmas Day 12-25-12
- Presentation
  - Southworth Milton Cat
  - Award to Clematis Club
- Public Comment
- Approval of Minutes
  - Town Board Workshop, November 20, 2012
  - Town Board Meeting, November 26, 2012
- Old Business
- New Business
- Resolutions
  - Reappoint Member of Board of Assessment Review
  - Adopt Local Law for Alternate Members of Zoning Board of Appeals
  - Appoint Alternate Member of Planning Board
  - Authorize Supervisor to Sign BAS Contract
  - Increase Part-Time Mechanic Pay Rate
- Correspondence
  - Letter from Former Park Committee
- Town Board Workshops/Meetings
  - Public Hearing, December 18, 2012, 6:00pm
  - Town Board Meeting, December 18, 2012, 7:00pm
  - Public Hearing, December 18, 2012, 6:30pm
  - ZBA Meeting, December 19, 2012, 7:00pm

**********

**PUBLIC ANNOUNCEMENT**

**Passing of Town Employee – Linda Biance**

Supervisor Flach stated that as many are aware, Highway Clerk Biance passed away on Friday and continued by reading her obituary. He added that his condolences go out to Ralph and his family and anyone wishing to do so can donate to Hospice in lieu of flowers. He then asked if anyone wanted to comment.

Councilman Dolan stated that he wanted to pass his condolences to Linda's family, particularly Ralph and he has know Linda for sometime and most recently got to work with her on some of the FEMA reimbursement. He added that in addition to being a really great person she really knew her stuff when it came to FEMA reimbursement, which can be very confusing and bewildering but she kept it on track and handled it with her usual good humor.

Town Clerk Millious stated that she has been taking up a collection for a donation to Hospice in memory of Linda and added that she herself has been with the Town for 21 years and Linda was a very jolly person, good to work with and a lot of fun, she will miss her and her thoughts are with the Biance and Shufelt families.

Chief Darlington stated that he wanted to extend his condolences to the family and added that he had worked closely with her on the FEMA Projects and she will be greatly missed.

**Town Offices Closed 12-25-12**

Supervisor Flach stated that the Town offices will be closed Christmas Day on Tuesday, December 25, 2012. He continued by saying that the tree lighting and parade were cancelled last Friday due to the weather and has been rescheduled to December 14th at 6:00pm and the Historic Coeymans Landing Neighborhood Association will be serving refreshments and hot cocoa. He added that there will be caroling at the Village Gazebo on December 16th at 4:00pm and people from the Village and Town are invited to spread some Holiday cheer.

Councilman Dolan interjected that it is at the intersection of Pulver and Main Streets next to the post office.

**********

**PRESENTATION**

**Awards to the Clematis Club**

Supervisor Flach stated that he had a citation to present to the Clematis Garden Club by the Federated Garden Clubs of New York State, Inc. and continued by reading the following:

The National Garden Clubs Inc. presented a Certificate of Appreciation on the occasion of the Blue Star Memorial Marker for honoring our Veterans who bravely offered their lives for the preservation of our nation's freedom. The Clematis Garden Club acknowledges the support given by the Town Board, the Highway and Beautification Departments and the private donations made in honor of loved ones who made the project possible. As the monument stays to the glory of God and those who served our country the Blue Star Memorial marks a tribute to the Armed Forces of America.

Supervisor Flach stated that the citation was given to the Clematis Garden Club who takes care of the flowers at the memorial and he thanks them for that.

**Southworth Milton Cat**

Supervisor Flach asked Highway Superintendent Deering if Mr. DiAcetis from Southworth Milton Cat was going to join them for a presentation.

Highway Superintendent Deering stated that he was supposed to be there.

Supervisor Flach stated that if he comes they will continue on with his presentation and then moved to the next item on the agenda.

**PUBLIC COMMENT**

Supervisor Flach invited the public to comment at this time.

Mr. Jerry Hall stated that he lives at 10 Greening Lane and was present to check up on the status of the Hannacroix Creek Project since they are approaching the five-year anniversary of when it was deemed an immediate threat to personnel and property. He then asked for an update that he would convey to his neighbors who are also very concerned.

Supervisor Flach asked that either Chief Darlington or Councilman Dolan give an update.

Chief Darlington stated that at the last meeting he had mentioned that he was waiting for a contract from C.T. Male and when he e-mailed them he was advised Supervisor Flach and Attorney for the Town Wukitsch had signed it and sent it back so that part of it is complete. He continued by saying that on December 19th he will be meeting with F.X. Browne for a pre-permitting meeting and after that they will be meeting with Fishery Biologists from DEC, Army Corp of Engineers and Mr. Marcuccio from DEC at the site to discuss the permits and the work that is proposed to be done and from there they will start applying for permits and moving forward.

Supervisor Flach stated that he will know the date of the meeting after December 19th.

Chief Darlington stated that it will all be on December 19th and they will be meeting with F.X. Browne an hour before and then they will be going to the site to meet with the others.

Mr. Hall stated that recently he spoke with Mr. Robbie VanEtten who had an issue with the creek encroaching his property and he got in touch with Water and Soil from the Albany County Department, who he told them about months and months ago, and he was able to get a permit, have machinery in the creek and clean up all his problems in less than two months. He added that he knows that it is a different scale of work but he seemed to get things done straight forward using the Department of Water and Soil.

Supervisor Flach stated that he spoke with Joe Slezak with Water and Soil early on and he did not indicate to him that the Town could go that route and he is not sure why Mr. VanEtten could go and just get a permit, which surprises him. He continued by saying that since he took office they have steadily been checking on this and these are the responses that they have been getting, which he does not understand and maybe he should put another call in to Mr. Slezak to see how he was able to get it so quickly.

Mr. Hall stated that he found it very interesting when Mr. VanEtten said that it was all taken care of and maybe the case was that he was supplying the rock, rip rap and excavator and the difference is that he owns the property that was being encroached upon.

Supervisor Flach stated that maybe it is because they are a municipality.

Councilman Dolan stated that he believes that some of it has to do with the fact that they are a municipality and the other issue he believes is the fact that FEMA adds an extra layer of bureaucracy.

Mr. Hall stated that they seem to have quite a bit of that.

Councilman Dolan stated that he would add that the people at F.X. Browne seems to be very skilled in dealing with the bureaucracy and have assured them that they can negotiate or navigate the bureaucracy and have assured that they can get it done within the timeframe, which would be a year from now.

Mr. Hall stated that as they know, they dodged the bullet with the last storm and one other benefit of that is that the reservoir was down about 4 feet and added that he thinks that every year they should be talking with the City of Albany, as the season comes

closer, about keeping the level down a little bit. He continued by saying that he has talked with some people up there and they don't see an issue as long as they release it slow enough that it does not cause any harm and would not have any issues with keeping it down, which would give them a little bit of a buffer.

Supervisor Flach stated that he would call Mr. Slezak to follow-up on the VanEtten matter and see if there is something that they missed.

Mr. Hall stated that he does not know the extent of Mr. VanEtten's problem and he had come to him and asked of their status with the Hannacroix Creek Project and added that he has to assume that it was on a much smaller scale. He continued by saying that he found it interesting that he could do it start to finish and be done with it in two months.

Supervisor Flach thanked Mr. Hall for the information and then asked if there were any other comments, hearing none he moved to the next item on the agenda.

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**APPROVAL OF MINUTES**

Supervisor Flach stated that there were two sets of minutes for Town Board approval, a Town Board Workshop on November 20, 2102 and a Town Board Meeting on November 26, 2012 and then asked for a motion to approve them.

**MOTION**

On motion of Councilwoman Rogers, seconded by Councilman Masti, the Town Board Minutes were approved as presented and read.
VOTE – AYES 5 – NAYS 0 – SO MOVED

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**OLD BUSINESS**

Supervisor Flach stated that there were no Old Business topics to discuss.

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**NEW BUSINESS**

Supervisor Flach stated that there were no New Business topics on the agenda and continued by saying that he received an e-mail from Michael O'Neil from the Environmental Facilities Corporation who is an Engineer assigned to Albany County. He continued by saying that there is a Clean Water State Revolving Fund that gives loans and grants to municipalities that qualify and they did it this year and it has to be renewed by February 1st. He then asked for a motion authorizing C.T. Male to update the current application for the Town.

**MOTION**

On motion of Councilman Masti, seconded by Supervisor Flach, authorizing C.T. Male to update the current application for the Town.
VOTE – AYES 5 – NAYS 0 – SO MOVED

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**RESOLUTIONS**

**RES. #122-12 RE-APPOINT BOARD OF ASSESSMENT REVIEW MEMBER**
On motion of Councilman Masti, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

**WHEREAS**, the term of Joan Radley on the Board of Assessment Review expired on September 30, 2012, and

**WHEREAS**, the Town Board has determined her service to be of value to the Town, and

**WHEREAS**, Ms. Radley has expressed an interest in retaining a seat on the Board of Assessment Review, and

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Coeymans does hereby reappoint Joan Radley to a five-year term on the Town of Coeymans Board of Assessment Review.

Councilman Boehm stated that he wanted to thank Joan who has done this for a number of years and it is a lot of hours and a lot of work and he wanted to thank her for the work that she has done in the past and her experience is valuable to the Board.

**RES. #123-12 ADOPT LOCAL LAW APPOINTING ALTERNATE MEMBERS OF ZONING BOARD OF APPEALS**
On motion of Councilman Boehm, seconded by Supervisor Flach, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

**WHEREAS**, the Proposed Local Law Appointing Alternate Members of the Zoning Board of Appeals of 2012 has been introduced by the Town Board, and

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

**WHEREAS**, said Public Hearing was duly held on December 10, 2012 at 6:00pm at Tow 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 "Appointing Alternate Members of the Zoning Board of Appeals" of 2012,

**BE IT FURTHER RESOLVED**, that the Town Clerk is directed to enter said Local Law in the minutes of this meeting 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 the State of New York.

**LOCAL LAW #3-2012**
**A LOCAL LAW PROVIDING FOR APPOINTMENT OF ALTERNATIVE MEMBERS OF THE ZONING BOARD**

**Section 1. LEGISLATIVE INTENT**

This Local Law shall apply to the appointment, terms, functions and powers of alternate members of the Zoning Board of Appeals in the Town of Coeymans.

**Section 2. DECLARATION OF POLICY**

It is sometimes difficult to maintain a quorum on the Zoning Board of Appeals because members are ill or on extended vacation or find thy have a conflict of interest situation on a specific matter before such a Board. In such instances, official business cannot be conducted which may delay or impede adherence to required time lines. The use of alternate members in such instances is hereby authorized pursuant to the provisions of this Local Law.

**Section 3. DEFINITIONS**

**"**Zoning Board of Appeals" means the Zoning Board of Appeals of the Town of Coeymans as established by the Town Board, pursuant to the provisions of Section 267 of the Town Law.

"Member" means an individual appointed by the Town Board to serve on the Town Zoning Board of Appeals pursuant to the provision of the Local Law or Ordinance, which first must be established.

"Alternate Member" means an individual appointed by the Town Board when a regular member is unable to participate on matters before the respective Board as provided herein.

**Section 4. AUTHORIZATION**

A. The Town Board of the Town of Coeymans hereby enacts this Local Law to provide a process for appointing "alternate" members of the Zoning Board of Appeals. These individuals would serve when members are absent or unable to participate on an application or matter before the Board.

B. Alternate members of the Zoning Board of Appeals shall be appointed by the Town Board or other duly authorized appointing authority, for a term of three (3) years with the terms to expire on December 31st of the third year after the date of their appointment.

C. The Chairperson of the Zoning Board of Appeals may designate an alternate to substitute for a member when such member is unable to participate on an application or matter before the Board. When so designated, the alternate member shall possess all the powers and responsibilities of such member of the Board. Such designation shall be entered into the minutes of the initial Zoning Board of Appeals Meeting, at which the substitution is made.

D. All provisions of state law relating to the Zoning Board of Appeals member, eligibility, vacancy in office, removal, compatibility and service on other Boards, as well as any provisions of a Local Law / Local Ordinance relating to training, continuing education, compensation and attendance, shall also apply to alternate members.

**Section 5. SUPPRESSION OF TOWN LAW**

This Local Law is hereby adopted pursuant to the provisions of Section 10 of the NYS Municipal Home Rule Law and Section 10 of the NYS Statute of Local Governments. It is the intent of the Town Board pursuant to Section 10 of the NYS Municipal Home Rule Law, to supersede the provision of:

(1) Section 267 of Town Law relating to the appointment of members to the Town Zoning Board of Appeals.

**Section 6. MISCELLANEOUS**

A. This Local Law shall be deemed to supersede and repeal any other Local Law to the extent therein inconsistent herewith.

B. If any part of the Local Law shall be judicially declared to be invalid, void, unconstitutional or unenforceable, all unaffected provisions hereof shall survive such declaration and the Local Law shall remain in full force and effect as if the invalidated portion had not been enacted.

C. Nothing herein shall be deemed to be a waiver or restriction upon any rights and powers available to the Town of Coeymans to further regulate the subject matter of this Local Law.

**Section 7. EFFECTIVE DATE**

This Local Law shall become effective upon filing with the Secretary of Sate of the State of New York, as required by the Municipal Home Rule Law.

**RES. #124-12 APPOINT ALTERNATE MEMBER OF PLANNING BOARD**
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 Linda Ziegler is hereby appointed alternate member of the Town of Coeymans Planning Board, and

**BE IT FURTHER RESOLVED**, that the appointment of the alternate member will be for a period of one year, expiring December 10, 2013.

Supervisor Flach stated that they are adding a resolution to appoint Linda Ziegler the alternate member of the Zoning Board of Appeals Board.

**RES. #125-12 APPOINT ALTERNATE MEMBER OF ZONING BOARD OF APPEALS**
On motion of Councilwoman Rogers, seconded by Councilman Dolan, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

**BE IT RESOLVED**, that Linda Ziegler is hereby appointed alternate member of the Town of Coeymans Zoning Board of Appeals, and

**BE IT FURTHER RESOLVED**, that the appointment of the alternate member will be for a period of one year, expiring December 10, 2013.

**RES. #126-12 AUTHORIZE THE SUPERVISOR TO EXECUTE CONTRACT WITH BAS**
On motion of Councilman Dolan, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

**WHEREAS**, Business Automation Services, Inc. (BAS) offers a wide range of computer services, and

**WHEREAS**, the Town Board of the Town of Coeymans wishes to contract with BAS for its services,

**NOW, THEREFORE BE IT RESOLVED**, that the Town Board authorizes the Supervisor to execute a contract with BAS for computer services effective January 1, 2013.

Councilman Boehm inquired as to the price.

Supervisor Flach stated that they are adding $4,600.00 for the Utility Billing Software and $15,700.00 for the yearly management cost for IT services to the resolution.

Councilman Boehm asked if the resolution was going to be amended

Supervisor Flach stated that it was.

Councilman Boehm asked Councilman Dolan if he accepted the amendment.

Councilman Dolan stated that he did.

**RES. #127-12 INCREASE RATE OF PAY FOR POLICE MECHANIC**
On motion of Councilman Masti, seconded by Councilman Dolan, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

**WHEREAS**, Resolution #114-12, approved on October 22, 2012, the position of Part-Time Diesel/Heavy Equipment Mechanic; and

**WHEREAS**, the Town Board of the Town of Coeymans wishes to correct the rate of pay pertaining to this position,

**NOW, THEREFORE BE IT RESOLVED**, that the Town wishes to increase the rate of pay for Terrence Maddage to $25.00 per hour effective October 22, 2012.

Councilman Masti and Councilwoman Rogers questioned the rate increase.

Councilman Boehm stated that they hired Mr. Weidman at $25.00 per hour and Civil Service doesn't recognize the title of Diesel/Heavy Equipment Mechanic.

Supervisor Flach stated that the title is Automotive Mechanic under Civil Service and added that Mr. Maddage works on the police cars and was hired to work on cars but he thinks that there is a bit of a difference. He continued by saying that in all fairness Mr. Maddage brings his own tools and other equipment and is a mobile mechanic and that is justification for the increase.

Chief Darlington stated that Mr. Maddage was hired to work on all Town vehicles, excluding the Highway because they had a mechanic and added that he works on Parks and Sewer vehicles as well.

Councilman Boehm interjected that he also has extensive diesel experience in his other job.

Councilman Boehm suggested that they amend the resolution because it is his understanding that a Diesel/Heavy Equipment Mechanic does not exist and he believes that the title is Automotive Mechanic.

Supervisor Flach state that the original resolution hired him as an on-call as needed mechanic and it should be kept the same and then asked if everyone was alright with that.

Councilman Dolan stated that it is as long as it is correct and then asked if he is on call as needed.

Chief Darlington stated that anytime work is needed he is called and added that he is not scheduled to work.

Supervisor Flach stated that during this year Mr. Maddage only worked a total of 100 hours, which is less than 2 ½ weeks and it is not a lot of money.

Councilman Boehm asked Councilman Masti if he was alright in amending the resolution to eliminate part-time Diesel/Heavy Equipment Operator and substituting it for an on call Auto Mechanic as needed.

Councilman Masti stated that he was.

Chief Darlington stated that even at this rate, when they have to go to a garage it is $90.00 - $100.00 an hour for a mechanic and it saves them dramatically.

Councilman Boehm stated that they have been fumbling over this for a couple of months and he thinks that they finally corrected it.

Councilman Masti stated that the following month after the part-time Highway Mechanic was hired Mr. Maddage turned in his resignation and added that he is curious as to how it evolved.

Councilman Boehm stated that it was probably because they were paying him less for the same job.

Councilman Masti asked if he will be staying now that he got a raise.

Councilman Boehm stated that they brought equity to the position, which makes sense.

Chief Darlington interjected that they should not be discussing a personnel issue in public.

**********

**CORRESPONDENCE**

**Letter from Former Park Committee**

Supervisor Flach stated that he was in receipt of a correspondence from the former Town of Coeymans Park Committee and continued by reading the following:

To: Supervisor Flach

From: The Former Park Committee

Re: Coeymans Landing Park

The former Town of Coeymans Park Committee comprised of TenEyck Powell, Angelo Rosato, Ruth Tompkins, Nancy Bruno and Cynthia Kunz wish to thank you for replacing the damaged bench located at the top of the park that had been given by Nicky and Vera Frangella in memory of the Frangella family. You followed through on a promise made year ago when so many residents, former residents and friends gave to the town in a shared desire to share desire to return to the banks of the Hudson River where the Town's roots began by Barent Pieter Coeymans. We appreciate your time, effort and dedication to the Town and commitments made several years ago.

Supervisor Flach stated that he wanted to thank the Town Board for authorizing him to work on the bench project and added that the exact same bench was at the Civill Pocket Park and they moved it to replace the damaged bench and now they have two matching benches at the Coeymans Landing Park.

**********

**TOWN BOARD WORKRSHOPS/MEETINGS**

- Public Hearing, December 18, 2012, 6:00pm
- Public Hearing, December 18, 2012, 6:30pm
- Town Board Meeting, December 18, 2012, 7:00pm
- ZBA Meeting, December 19, 2012, 7:00pm

Councilwoman Rogers stated that she wanted to add that on December 14th at 6:00pm there will be the Town's Christmas Tree Lighting at Coeymans Landing Gazebo.

**********

**ADDITIONAL COMMENTS**

Supervisor Flach asked if there were any other comments.

Councilman Boehm stated that he wanted to recognize the Clematis Garden Club for their great Garden Tour earlier in the year in the Town of Coeymans and added that they do a great job preserving and planting the Veteran's Memorial Garden at the Highway Garage and the award that they received was well deserved because they do a great job within the Town. He continued by saying that he along with Councilman Dolan joined the Village festivities at the lighting of their tree but the weather kept them from doing the Town's tree with caroling and refreshments.

Councilman Masti stated that at the last meeting they brought up the position of a Grant Writer and then asked if they had heard anything back.

Councilman Boehm stated that she hadn't got back with him.

Councilman Masti asked if there are any others that they can talk to.

Supervisor Flach stated that he could certainly check into it.

Supervisor Flach stated that Highway Superintendent Deering and his Highway crew have been doing some sewer work from Blaisdell to Colvin and also at the end of Colvin Avenue, which is coming along very good. He added that he was sorry that he missed the festivities at the Village tree lighting because of his son's piano recital.

Supervisor Flach asked for a motion to adjourn the meeting.

**********

**ADJOURNMENT**

**MOTION**

On motion of Councilman Boehm, seconded by Councilman Masti, the Town Board
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time – 7:30pm

***Respectfully Submitted,*** **APPROVED –**

_____
***Diane L. Millious, Town Clerk***

**A Public Hearing was held December 18, 2012 at 6:00pm at Town Hall, 18 Russell Avenue, Ravena, New York**

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

**ABSENT:** Thomas E. Dolan, Councilman

**ALSO PRESENT:** Diane L. Millious, Town Clerk

**********

Supervisor Flach opened the Public Hearing and asked for a moment of silence for those affected by the tragedy in Newtown, CT and then led the Pledge of Allegiance.

**********

**OPENING COMMENT**

Supervisor Flach stated that the record should reflect the presence of four Town Board members with Councilman Dolan being absent. He continued by saying that the purpose of the Public Hearing was for the Town Board to receive comments from the public relative to the Mid-Hudson Franchise Agreement and that Mr. Reynolds and Mr. Finger from Mid-Hudson Cable were present to speak and then asked Town Clerk Millious to read the Notice of Public Hearing.

**********

Town Clerk Millious continued by reading the following notice that was posted in Town Hall and published in the Ravena News Herald.

**PUBLIC NOTICE**

Please take notice that the Town of Coeymans will hold a Public Hearing on Tuesday, December 18, 2012 at 6:00pm at the Town Hall located at 18 Russell Avenue, Ravena, NY 12143 regarding granting a Cable Television Franchise Agreement by and between Mid-Hudson Cablevision, Inc. and the Town of Coeymans (including Village of Ravena.

A copy of the Franchise Agreement is available for public inspection during normal business hours at the Clerk's office, located at 18 Russell Avenue, Ravena, New York 12143.

At such Public Hearing all persons will be given the opportunity to be heard, written or oral statements will be taken at that time. Time limitations may be imposed for each oral statement if necessary. Individuals wishing to file comments regarding the application may do so with the New York State Public Service Commission within 10 days of the date of publication, at Three Empire State Plaza, Albany, New York, 12223. Copies of comments should be sent to the Town of Coeymans, Village of Ravena and Mid-Hudson Cablevision, Attn: Mrs. Joanne Miller, PO Box 399, Catskill, New York, 12414

**By Order of the Town Board**
**of the Town of Coeymans**
**Diane L. Millious**
**Town Clerk**

**DISCUSSION WITH MID-HUDSON CABLE REPRESENTATIVES**

Mr. Reynolds filled the Town Board in on some history of Mid-Hudson Cable as well as the infrastructure changes due to technology, their goals going forward, the services they provide and their request for the Board to consider their application for renewal of the Franchise Agreement.

Discussion ensued amongst the Town Board, Mr. Reynolds and Mr. Finger.

**********

**PUBLIC COMMENT**

Supervisor Flach invited the public to comment at this time.

Ms. Donna Pasquini stated that she has had cable since Mid-Hudson came into town and she has basic cable and her bill is $69.11 per month.

Councilman Boehm inquired as to how many channels she has.

Ms. Pasquini stated that it is just the basic and she gets the local channels and does not get any of the premium channels.

Mr. Reynolds interjected that it is about 70 channels.

Ms. Pasquini stated that half of the channels you don't even use and they are not worth watching. She continued by saying that her question is that on the bill there is always a franchise fee that she pays and then asked if it is the franchise fee that Mid-Hudson pays the Town.

Councilman Boehm stated that it is and it is the 3% of the gross revenue.

Ms. Pasquini stated that the users are actually paying the franchise fee and Mid-Hudson Cable isn't.

Mr. Reynolds stated that it is a pass-through, a tax.

Ms. Pasquini stated that in addition to that there is a re-transmission fee and then asked what that is.

Mr. Reynolds stated that it is the local network affiliates, CBS, ABC, NBC, and it is what they charge for their signal and that is pass-through too.

Ms. Pasquini stated that there is a utility fee too and continued by saying that she would ask that the Board not act on this now because of the situation of not that many residents being able to make it to the Public Hearing because of the School and Village Board meetings and the holiday. She added that she understands that they have been without a contract with Mid-Hudson for a year and she does not think that it would hurt to give it some thought and check into it. She continued by saying that north Coeymans has Time Warner and they have been talking about expanding and State Telephone ran their fiber optic lines a few years ago and are looking to come in. She went on by saying that tying the hands of the residents from the options of being able to switch for 15 years is too long and there is too much modern technology coming out to be bound for 15 years. She added that they deserve a choice just like anyone else and when you are buying a car, you are not bound to a dealership and you can go to someone else, you can go to any supermarket you want and a 15 year contract in her opinion is a little bit too much. She added that she has heard that Mid-Hudson Cable owns property that they don't pay taxes on because of the Franchise Fees that they pay.

Collectively the Town Board stated that they don't believe so but will check on it.

Councilman Boehm inquired as to what property it would be.

Ms. Pasquini stated that she understood that it was property where they had things stored.

Mr. Reynolds interjected that they pay taxes on all of the facilities that they have in the right-of-ways.

Ms. Pasquini stated that someone was saying that they don't pay taxes because they give the Town the franchise fee and she was wondering why because the residents are paying the franchise fees within their bills.

Town Clerk Millious stated that she can explain how it goes and continued by saying that the cable company pays the Town the franchise fee and if it is over and above what the Town portion is on the tax bill, they reimburse that at the beginning of the year.

Councilman Boehm inquired as to what portion of the 3% the County gets.

Town Clerk Millious stated that the County gets what they charge and it is the Town that gets washed.

Ms. Pasquini interjected that her point is that the franchise fee is coming from the cable users who pay it in their bill and basic cable is $69.00 a month.

Supervisor Flach stated that if Time Warner came to her house, which they can as well as State Telephone, that franchise fee is paid through her bill because she is using their service and if you are using Time Warner Cable, you will be paying the franchise fee to them. He added that you are going to end up paying a franchise fee to whomever you use and you are going to pay it to someone, whether it is State Telephone or Time Warner.

Councilman Boehm interjected that she can also get the package where you get 20 channels for $20.00.

Ms. Pasquini stated that her daughter tried to go down to very basic cable and it is costing her $30.00 a month, which are only the local channels.

Mr. Reynolds stated that there is a package that is less than that.

Ms. Pasquini stated that she didn't find that and she called and she even told them that she needed the cheapest package that they have and added that all of the extra fees like the franchise fee, brought it up to $30.00.

Supervisor Flach reiterated that it is important for people to know that you are going to be paying a franchise fee regardless of who you use.

Ms. Pasquini stated that it is important that people know that they are not going to bind a 15 year contract.

Councilwoman Rogers interjected that it is not binding.

Supervisor Flach stated that it is not binding and if Time Warner came to the Board and said they wanted to come through the Village of Ravena and out through the Hollow, they would be welcomed, Mid-Hudson has nothing to say, according to the contract about them coming in and doing that and the user could choose who they want. He added that unfortunately for the users they don't have that option right now and it does not bind them. He added that it has to be worth their while to make an investment in this town and they need some assurance that the Town is going to keep them around for a while, and whether Time Warner comes in or not, they still have some assurance that there will be some users that are going to use their services.

Mr. Reynolds stated that this is true and there is no down-side to it even though they say they are locking in, but if they were saying no one else could come in for 15 years that would be a problem, but they are not and the contract does not say that.

Ms. Pasquini stated that it is a misconception out there that once they sign the contract they are bound to Mid-Hudson for 15 years and no one else could come in.

Supervisor Flach stated that this was their biggest worry that they expressed to Mid-Hudson.

Mr. Finger stated that if Time Warner did come in, they would be asking for 15 years as well.

Ms. Pasquini stated that on Channel 11, the public access channel, during the holidays all they get is Catskill schools and there is nothing from Ravena schools.

Mr. Reynolds stated that they do whatever is provided to them and they do several different municipalities with programming and they have had conversations with the school and any programming that they get, they are happy to air.

Ms. Pasquini reiterated that during this time of the year when the chorus' are doing their Christmas Concerts it is always Catskill and she was wondering where Ravena was with their chorus.

Councilman Masti interjected that they would have to send it to them to air.

Ms. Pasquini stated that any political shows are Greene County and she was concerned with locking into a 15 year contract when the Town is low on the totem pole.

Mr. Reynolds stated that he believes that the Town Meetings are recorded and can be sent down for them to re-play.

Town Clerk Millious stated that when it can't be aired live, like the current meeting, she sends it to Mid-Hudson Cable, which won't be live but they will air it.

Supervisor Flach stated that they share with the Village and this evening was their night.

Ms. Pasquini stated that they share with the school as well.

Mr. Reynolds stated that any programming that they get, they put on air.

Councilman Masti asked how the public knows when something is going to be aired.

Mr. Reynolds stated that there is a schedule published for Channel 11.

Councilman Boehm stated that the School Board's meetings are taped but the Town and Village are live and then asked how it is determined.

Mr. Finger stated that it goes back many years ago when they had microwave and there was a switch at the microwave site where you could dial a phone number and it would be turned on locally and they had them scattered. He added that when they moved to fiber-optic they moved the switching facility to Catskill because it is where all the switching happens and continued by saying that it is still in place and was established by the Town Board in the 70's.

Councilman Boehm inquired as to if they can do the School Board Meetings live.

Mr. Finger stated that they don't have a switch there like they do in Town Hall and St. Patrick's.

Ms. Pasquini stated that these were her concerns and the fact that she wanted to suggest that they should hold off because of the many things that are going on and people not being to attend the Public Hearing.

Supervisor Flach thanked Ms. Pasquini and then asked if anyone else wished to comment.

Councilman Boehm suggested that they keep the Public Hearing open for comments until the first meeting in January.

Councilman Masti stated that this would give them time for talking with the Village Mayor.

Mr. Reynolds stated that he would talk with him as well.

Supervisor Flach thanked Mr. Reynolds and asked if there were any other comments, hearing none he asked for a motion to adjourn the Public Hearing.

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**ADJOURNMENT**

**MOTION**

On motion of Councilman Boehm, seconded by Councilman Masti, the Public Hearing was adjourned.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Dolan) – SO MOVED

**Respectfully Submitted,** **APPROVED –**

_____
***Diane L. Millious, Town Clerk***

**A Public Hearing was held December 18, 2012 at 6:30pm at Town Hall, 18 Russell Avenue, Ravena, New York**

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

**ABSENT:** Thomas E. Dolan, Councilman

**ALSO PRESENT:** Diane L. Millious, Town Clerk
Attorney for the Town Wukitsch
Building Inspector / CEO Conrad

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Supervisor Flach opened the Public Hearing and led the Pledge of Allegiance.

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**OPENING COMMENT**

Supervisor Flach stated that the purpose of the Public Hearing was to receive comments from the public on the proposed sewer rates and then asked that Town Clerk Millious read the Notice of Public Hearing.

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Town Clerk Millious continued by reading the following notice that was posted in Town Hall and published in the Ravena News Herald.

**PUBLIC NOTICE**

In compliance with Public Officer's Law, this will inform you that the Town Board of the Town of Coeymans has scheduled a Public Hearing for the purpose of hearing comments on the proposed sewer rates. The Public Hearing will be held at 6:30pm on December 18, 2012 at Coeymans Town Hall, 18 Russell Avenue, Ravena, New York.

**By Order of the Town Board**
**of the Town of Coeymans**
**Diane L. Millious**
**Town Clerk**

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**SUMMARY OF SEWER RATES**

Supervisor Flach stated that the proposed sewer rates are $250.00 per unit for a 6 month period, which totals $500.00 a year and in 2007 & 2008 the rate was $255.00 or $510.00 a year but in 2009 they were brought down to $200.00 a year. He added that it blows him away that they reduced it knowing how many issues there are with the sewer that continually need to be fixed. He continued by saying that it was raised to $389.00 for the second six-month period of 2010 and the end of 2010 into 2011 it was raised to $187.50, making it $375.00 a year and for 2013 it is a $125.00 a year increase from the past two years when there have been no increases. He went on by saying that there are walk-ways, lighting and other things that have to be fixed because they are under DEC Consent Orders and they have a project from Blaisdell to Colvin where there are three different pipe sizes as well as storm water going into the sewer and they have to put a couple of grit removal systems at the plant and there are a couple of clarifiers that have to be done. He added that they just finished a meter project and began reading them in March and they were installed so they can determine how much the Town and Village each pay in the shared cost and that they are currently using a 70/30 split but the way the meters are

reading it looks like it will be 60% Village and 30% Town and the rates of $500.00 a year are based on 65/35 because for the first three months of this year they are 70/30 and they hope that it balances out and the only thing left for him to say is that New Baltimore pays approximately $600.00 and Bethlehem pays between $700.00 & $800.00. He concluded by saying that this is the last thing that they wanted to do but they have two Consent Orders from DEC and if they don't fix the problems they will be fined $12,000.00 for one and $4,000.00 for the other and they just borrowed $320,000.00 to fix the problems and reiterated that if they are not done, they will continue to cost them money.

He then invited the public to comment.

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**PUBLIC COMMENT**

**Ms. Donna Pasquini** stated that in talking about the 2007 rates, it was raised then because the Village was not paying their sewer rents and they had no money coming in from them for a couple of years and the Town's rates were raised for certain things that needed to be done to keep the plant running. She added that when Mr. Hotaling was Supervisor he was gung-ho about taking the Village to court and settling it and making them pay their money and some members of the Town Board didn't want to do that so the Village was let off from paying $300,000.00 + that they owed and because they were let off the hook, now they feel as though the residents of the Town should pay it. She continued by saying that the infrastructure is not anything new and for as long as she can remember there have been problems in this town and Mr. Hotaling was on the right track in taking the Village to court to get their money but instead they laid it on the sewer users in the Hamlet and a few up in the town. She went on by saying that those on the Board didn't react the way that they should have in looking out for the residents then and didn't make it fair and equal the way it should have been, and they should have been working on the sewer lines all of these years a little at a time because when Mr. Russo ran the plant, it was a wealthy plant and they were only paying $86.00 every six months for sewer. She added that the Board decided that they were not going to fix this and that and now they want to slam the residents with the money and in talking about the meters with the Village, they already let the Village off in not collecting the $320,000.00 that they owed and again they want to slam it on the residents. She concluded by asking them how much they think the people of this Town can take and reiterated that it is not a new problem, some people on the Town Board now were on the Town Board then and now they want to slam the residents again.

**Ms. Mary Pape** inquired as to the amount that the individual residents will have to pay for their sewer.

Mr. Conrad stated that it is $250.00 for six months and $500.00 for the year,

Ms. Pape inquired about the rate for vacant lots that don't have any sewer and whether or not it went up.

Mr. Conrad stated that the charge for vacant lots stayed the same.

Ms. Pasquini asked if the businesses are paying the same as the homeowners.

Mr. Conrad stated that they are the same rates.

Ms. Pape stated that she is one person using sewer in a single family house and not a business and it makes no sense to her and is so wrong but year after year they have to go through this. She continued by saying that when Floyd Russo was at the Sewer Plant it was a fine place that he was proud of and he would give tours and opened the doors to hold meetings in their conference room. She added that they use to go down there for picnics and it was a really fine place, which is strange to say about a sewage plant, and it is one of the most beautiful places in town and Mr. Russo respected that. She concluded by saying that she is not seeing respect or anything close to fairness.

Supervisor Flach stated that there was a contract that was signed prior to him taking office and it said the Town would pay 30% and the Village would pay 70% until the new meters were put in, which since has been done and there is one at 9W, one at the point by Pieter B. Elementary and one at the plaza and the contract says that whatever the meters say, at the end of a year it is what the Village and Town will split, which looks like it will be 60/40 instead of 70/30.

Ms. Pape asked that he repeat where the meters are.

Supervisor Flach stated that there is one right next to Village Pizza, one at the Plaza by the First Niagara sign and one at the point across from the Fire House on the Pieter B. side. He added that the meters are read and they deduct how much flow is coming from the Village down into the plant and that tells them what percentage they are using in the Hamlet and it is looking like it is going to be 60/40. He added that the Village at 65/35 would be paying $280,000.000 a year and the Town would be paying $218,000.00 a year.

Ms. Pasquini interjected that the Town has 430 users and the Village has many more.

Supervisor Flach stated that she was right, they do have more users and he has said from the first day that he does not know how it can be that they have 1,500 users and the Town has just over 400 but he has to go by the contract that was signed stating that they would have to go with what the meters say. He added that he thinks that there are some I&I (inflow and infiltration) issues that they are working on at Colvin and Blaisdell and they are issues that have been ongoing.

Ms. Pasquini stated that they have been issues for over 20 years and nothing has ever been done.

Supervisor Flach stated that they are working on them now and they are trying to get things done. He added that the Town charges the Village $280,000.00 and what they charge their residents is up to them and has nothing to do with the Town and the Town has to charge $218,000.00 to however many are users in the Hamlet and it is just what it is with the meters. He reiterated that a contract was signed and what was agreed to, and it would be based on the meter readings.

Ms. Pape interjected that the Town is 1/3 of the Village in users but they are paying almost the same.

Supervisor Flach stated that in order to make sure that they are not in the red; it really should be more than $500.00 a year.

Ms. Pape state that another thing that she faults the Town Board for, but not him because he was not on the Board at that time, is that there was grant money available for the infrastructure and she is not sure that the Board was even aware of it because one of the residents in the Hamlet brought it up and she saw a whole lot of blank faces. She then asked why they don't look into grant money, which would help.

Supervisor Flach stated that there is something that he talked about at the last meeting, which is a State Revolving Fund providing grants to municipalities who qualify and in order to qualify they have to pay out a certain amount. He added that they are looking into the Revolving Fund now that the Town's debt has gone up to do repairs that are necessary and they are hopeful. He reiterated that he assures her that they are looking into that particular part of it.

Ms. Pape stated that by the agenda for the Town Board Meeting following the Public Hearing, that they have already decided to establish the sewer rates by a resolution and added that she feels stupid standing there giving her opinion about something that has already been decided. She added that there are other places to look for grants and many, many State grants.

Supervisor Flach stated that he does not know where all of the information is and if someone could come and share that with him it would be great and he is willing to look if someone would point him in the right direction.

Ms. Pape stated that her final thing, which she knows is legal because years ago the law changed it to make it legal, is that she feels as though vacant land with no hook-ups should be charged anything, there are no pipes running there and there are actually no pipes on her property but yet she gets to pay the extra money, which is not right, but it is legal.

Ms. Pasquini stated that grants were brought up to the Board and there was a meeting at the Bowling Alley about the Town's infrastructure and then asked why it is that residents have to bring it up because the Board has a Sewer Plant liaison and they have a Sewer Plant Administrator that they are paying and reiterated that it should not be up to the residents to bring it up and they need to do their jobs.

Supervisor Flach asked if there were any other comments.

Mr. Larry Conrad stated that he is a resident of the Sewer District as well and is familiar with the workings of the Sewer Plant Operation and wanted to speak to a couple of comments that were made. He continued by saying that going back to when Floyd Russo operated the plant, the rates have been changed numerous times and in the early 60's when the plant came about rates were designed on front footage where you paid for as much footage of pipe you had in front of your house and it didn't matter whether you had one or no bathroom and the residents felt as though the rates were unfair. He added that the rates have been adjusted over the years to try and make sure that the rates are fair for the people in the community and as far as the Town being compared to the Village, the past few administrations have somewhat ignored the Town only debt, which goes back to George McHugh's administration when they lowered the rates for the Sewer District because they thought they had a surplus. He went on by saying that they did have a surplus and they were being designed to take care of the infrastructure at some point from previous administrations that understood that they needed to put money away but the money got reduced in the amount of rates to the customers so therefore they had no money to work with. He continued by saying that as far as grants, they have received grants and have applied for grants on a regular basis and don't always qualify because they don't pay enough in rates, which is basically what they tell the Town and the Town has a current score with EFC of 58 and in order to qualify for a grant they have to be up around 90 and they are told that it is because the residents don't pay enough money on the sewer rates. He added that he understands that people don't understand all of these issues but they have had a UV Grant, an Upgrade to the Clarifiers Grant and they have conducted a lot of business through EFC (Environmental Facilities Corporation) and they continue on their list and they are aware of what grants come out and whenever they qualify they take advantage. He went on by saying that the problem goes back to the McHugh administration with all of the debt money and then coming into the Scalzo administration it was down to a point that the money coming from the Village was paying for salaries for the people who ran the plant and not paying any of the debt loan and accordingly the Town has right now $67,523.00, Town-Only debt but the Village has paid theirs 100% as they have gone along and one of the reasons why the Village can drop their rates to their customers is that they don't have a debt load like the Town does.

Attorney for the Town Wukitsch inquired as to if a portion of the individual charge is the debt.

Mr. Conrad stated that was true and there are Town-Only things that the Town pays for, such as the collection system from the Hamlet down to the Sewer Plant and every time something goes wrong with the infrastructure down in the Hamlet, such as a large part of the I&I, all of that is Town-Only. He added that the other users on both ends of Rte. 9W, north and south are out of the Village and have I&I and if something goes wrong up there they have to pay for it as Town-Only and they just recently beside the meters, replaced approximately 40 feet of pipe going across Rte. 9W that had collapsed and it cost the taxpayers $36,000.00. He continued by saying that everything they do costs money, the system is 40+ years old and they tried to go with a unit derived basis with the Village but

they held out and persisted for the meters and originally the first part of the plant was designed on meters and was suppose to be read on a manual basis and it was fine operating the way it was, things weren't that expensive and they just let things go and the meters basically went away and now all they are really doing is replacing them. He added that they are being read currently and they are about a year and a half behind the schedule because they were suppose to already be on a percentage basis with the meters according to the contract and the Village has let them off and let them continue to pay 30% for the past year when they actually were suppose to be on meters for this year but because they could not get the meters in on time and they were not actually functioning until April of this year, the Village has agreed to wait until next March to make that determination and they will be staying at the 70/30 for operation and maintenance and 65/35 for Capital Improvements. He went on by saying that the Village has done a few things to make their flows better recently and have forced Oakbrook Manor, who was a major contributor of I&I into their system, to fix it, which they are still not done with, and they have reduced the flows into their system by approximately 150,000 gallons a day, which is a tremendous benefit to the Village who didn't have to do anything other than reaping the benefit. He continued by saying that this is why the flow meters are starting to go the other way and the Town on the other hand has some water leaks down in the Hamlet, some of which they know about and have tried to get shut off like the one on Westerlo Street at the Jeremy Richardson property that has been vacant for a year and they estimated that 600,000 gallons of water has come into the system because of that leak and hopefully they will be getting it taken care of because they have been fighting with the banks to try and get into the house to shut the water off and they had to dig another one up at 78 Main Street last week that had water running into the sewer system. He added that it is constant and everywhere they look they have some other fix to try and do and they are all costly, there is nothing cheap and when it hits the Hamlet alone, the 300 parcels pay the debt load and the last couple of years they have done nothing with it and have not paid back even a penny of the debt back. He went on by saying that when Ron Hotaling was Supervisor the reason for the change in the rates were that he went on a benefit derived basis and was taking on the Village saying that they were going to pay 75% of it and the Town was going to pay 25% but he lost the argument and when he tried to relevy it on to their taxes he lost that gamble as well and this is the reason the rates really went on because the proposed plan to relevy and get the money from the Village one way or the other didn't work and the last two administrations didn't want to raise the rates so they stayed at $105.00, which were artificially reduced. He continued by saying that he is not trying to be disrespectful to anyone but when you have debt like they have because Supervisor Hotaling paid off the bonds that were Town only back in 2008 and 2009 with taxpayer funds from other accounts, which need to be paid back and it is another reason why the $67,000.00 is here because they had to go out and float another Bond to pay back $320,000.00 to other funds and it is the Sewer District's responsibility and added that with all that said, if people really understood the whole reason for it, maybe they should have gotten another Board sooner and been a little more involved in the process and he would congratulate this Board for doing something with it. He concluded by saying that he pays the same rates as everyone else and he doesn't like it either but the fact of the matter is that you have to pay your fair share and it is still fairly cheap considering you have sewer provided to you.

Councilman Masti inquired as to why exactly the Village pays a lower rate for the same services as the Town.

Mr. Conrad stated that they have no debt load.

Councilman Masti asked if the difference is because the Town is still paying off the $67,000.00 and the $300,000.00 that they are just taking out.

Mr. Conrad stated that based on the current budget they are looking at just under $500,000.00.

Councilman Masti asked if that is debt.

Mr. Conrad stated that it is the overall budget to operate the plant for one year, which includes insurances, salaries, chemicals, gas & electric, etc., which everyone knows is

getting more expensive and just on that basis alone if they go to 35/65, the Village will pay $280,445.75 and the Town for that portion of the budget will pay $151,009.00 but on top of that the Town has the debt load that is Town only, which is another $67,500.00 added to that and with so few users it is a cumulative process that adds up quickly.

Supervisor Flach asked if there were any other comments.

Attorney for the Town Wukitsch stated that he has some background in the area of sewer and water and he wanted to speak to two things for the Board's information. He added that in terms of grants, there are grants available through the State of New York for water and sewer improvements, construction and renovations, but grants have been cut back over the past 3-4 years with the fiscal constraints that the State is facing. He continued by saying that the remaining grants that are available are very competitive and they have far more applicants than money available and it only a small percentage of the grant application that is funded by the State. He went on by saying that Mr. Conrad eluded to the fact that they have a Sewer Plant from the 60's, the parts wear out and the infrastructure of the plant wears out and it needs to be updated, which is very expensive to do and if you don't do it you are not in compliance and you are not going to have an effective plant. He concluded by saying that a lot of it is aging of the infrastructure of the plant and the need to expend funds to make it operational and it is happening all over and not just in this town because many of plants locally were built around the same time and they are aging out.

Supervisor Flach asked if there were any other comments, hearing none he asked for a motion to adjourn the Public Hearing.

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**ADJOURNMENT**

**MOTION**

On motion of Councilman Masti, seconded by Councilwoman Rogers, the Public Hearing was adjourned.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Dolan) – SO MOVED

Time – 7:10pm

***Respectfully Submitted*,** **APPROVED -**

_____
***Diane L. Millious, Town Clerk***

**A Town Board Meeting was held Tuesday, December 18, 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
Peter E. Masti, Councilman

**ABSENT:** Thomas E. Dolan, Councilman

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

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

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**OPENING COMMENT**

Supervisor Flach stated that the record should reflect the presence of four Town Board members with Councilman Dolan being absent.

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**AGENDA**

- Public Announcement
  - Town Offices Closed December 25, 2012, Christmas Day
- Public Comment
- Approval of Minutes
  - Public Hearing, December 10, 2012
  - Town Board Meeting, December 10, 2012
- Supervisor's Report
- Department Reports
  - Building Department, November 2012
  - Town Clerk, November 2012
  - Sewer Department, October & November
- Old Business
- New Business
- Resolutions
  - Authorize Payment for Clarifier Seminar
  - Establish 2013 Sewer Rates
  - Rescind Resolution #66-12
  - Establish Sewer Rate 12-12-11
- Town Board Workshops / Meetings
  - ZBA Meeting, December 19, 2012 - Cancelled
  - Town Board Organizational Meeting, January 2, 2012

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**NOTICE OF MEETING CHANGE**

Supervisor Flach asked that Town Clerk Millious read the Notice of Meeting Change.

Town Clerk Millious continued by reading the following notice that was posted in Town Hall and published in the News Herald.

**NOTICE**
**OF**
**TOWN BOARD**
**MEETING CHANGE**

**NOTICE IS HEREBY GIVEN** that the Town of Coeymans Town Board regularly scheduled meeting on December 24, 2012 has been changed to December 18, 2012 at 7:00pm, Town Hall, 18 Russell Avenue, Ravena, NY.

**By Order of the Town Board**
**of the Town of Coeymans**
**Diane L. Millious**
**Town Clerk**

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**PUBLIC ANNOUNCEMENT**

**Town Offices Closed – Christmas Day & New Year's Day**

Supervisor Flach stated that Town Offices will be closed on Christmas Day, Tuesday, December 25, 2012 and New Year's Day, January 1, 2013.

**Organizational Meeting – Wednesday, January 2, 2013**

Supervisor Flach stated that they normally have the Organizational Meeting on the 1st, which would be on Monday and continued by saying that it will be on Tuesday evening January 2, 2012 at 7:00pm.

Councilman Boehm stated that it would be for the sole purpose of doing the resolutions done each year at the Organizational Meeting.

Supervisor Flach stated that the first regularly scheduled Town Board Meeting is January 14, 2012 at 7:00pm.

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**PUBLIC COMMENT**

Supervisor Flach invited the public to comment at this time, hearing none he moved to the next item on the agenda.

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**APPROVAL OF MINUTES**

Supervisor Flach stated that there were two sets of minutes for Town Board approval, a Public Hearing on December 10, 2012 and a Town Board Meeting on December 10, 2012 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 4 – NAYS 0 – ABSENT 1 (Dolan) – SO MOVED

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**SUPERVISOR'S REPORT**

**November 2012**

| FUND | BAL. FWD. | RECEIPTS | DISBURSE. | BALANCE |
|---|---|---|---|---|
| | | | | |
| **General** | $ 39,676.98 | $590,589.04 | $248,881.53 | $381,384.49 |
| | | | | |
| **Part-Town** | $943,321.64 | $ 1,133.38 | $698,409.71 | $246,045.31 |
| | | | | |
| **Highway** | $ 80,839.72 | $132,449.72 | $ 51,610.88 | $161,678.56 |
| | | | | |
| **Bridge Const.** | $ 28,810.46 | $ 25.72 | -0- | $ 28,836.18 |
| | | | | |
| **Sewer** | $119,435.38 | $ 2,298.38 | $ 27,393.03 | $ 94,340.73 |
| | | | | |
| **Special Water** | $ 50,818.93 | $ 1.39 | $ 46,218.57 | $ 4,601.75 |
| | | | | |
| **Police Forf.** | $ 11,861.38 | $ .48 | $ 1,319.00 | $ 10,542.86 |
| | | | | |
| **Trust & Agcy.** | $ 44,719.03 | $251,404.34 | $284,238.39 | $ 11,884.98 |
| | | | | |
| **H-Fund Capital Proj.** | $ 41,873.45 | $ 1.72 | -0- | $ 41,875.17 |
| | | | | |
| **Section 8 HUD 77-Units** | $ 33,065.03 | $ 46,560.86 | $ 45,714.57 | $ 33,911.32 |
| | | | | |
| | | **Tot. Rec. Bal.** | | **$1,015,101.35** |
| | | | | |

| **SAVINGS ACCOUNTS** | | **COLLATERAL COVERAGE** | **FDIC** | **COLLATERALIZED** |
|---|---|---|---|---|
| Unemployment | $ 702.74 | Bank of Greene | $250,000.00 | $1,935,453.85 |
| Grove Cemetery | $40,905.47 | National Bank | $250,000.00 | -0- |
| Coey. Hollow Cem. | $13,418.73 | | | |
| Sewer-Dedicated | $ 10,140.31 | | | |
| **Total** | $65,167.25 | | | |

Supervisor Flach asked for a motion to approve the report.

**MOTION**

On motion of Councilman Boehm seconded by Councilman Masti to approve the report as presented and read.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Dolan) – SO MOVED

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**DEPARTMENT REPORTS**

**Building Department – November 2012**

Supervisor Flach asked that Councilwoman Rogers read 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 Boehm, seconded by Councilwoman Rogers, the report was approved as presented and read.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Dolan) – SO MOVED

**Town Clerk – November 2012**

Supervisor Flach asked that Town Clerk Millious give the Town Clerk Report for November 2012.

Town Clerk Millious continued by giving the report and added that she is currently working with the County to get the Property Tax Bills out and she is hoping to have them out by January 1, 2013, which allows payment until the end of January without penalty and a Notice will be put in the News Herald with the tax rate.

Supervisor Flach offered a motion to approve the report.

**MOTION**

On motion of Supervisor Flach, seconded by Councilman Boehm, the report was approved as presented and read.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Dolan) – SO MOVED

**Sewer Department – October & November 2012**

Supervisor Flach read the Sewer Department Report for October 2012.

Councilman Boehm read the Sewer Department Report for November 2012.

Supervisor Flach asked for a motion to approve the reports.

**MOTION**

On motion of Councilman Masti, seconded by Councilwoman Rogers, the Sewer Department Reports for October and November 2012 were approved as presented and read.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Dolan) – SO MOVED

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**OLD BUSINESS**

Supervisor Flach stated that there were not any Old Business topics on the agenda and continued by asking the Town Board if anyone had any Old Business.

Councilman Masti inquired as to if anything has happened in their search to find a Grant Writer.

Supervisor Flach stated that they did get an e-mail from the one company saying that they are still available.

Supervisor Flach asked Attorney for the Town Wukitsch if there is any information that he can provide on the Environmental Local Law.

Attorney for the Town Wukitsch stated that there is an Attorney in his firm, John Privitera, that has worked on these kinds of cases and he started looking at the prior law, which is the law on the books now and the proposed law and the SEQRA process that has been completed to date. He continued by saying that he advised that the Board has not authorized any legal fees at this point in time and then asked if they are looking to get an estimate from him in terms of what it would cost for him to do it.

Supervisor Flach stated that they need to know the legal ramifications.

Attorney for the Town Wukitsch stated that as he had said earlier on the phone, these types of statues involving the movement of solid waste not only involve Local Law issues but also State, Federal Laws & Commerce Clause. He continued by saying that it is not a simple set of legal rules to look at and if you don't do it right and pass a law you run the

risk of having the law challenged and possibly overturned and these are the types of things that they have to be certain of.

Supervisor Flach asked if it would be possible to get an estimate from him.

Attorney for the Town Wukitsch stated that he will ask him and get back to the Board.

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**NEW BUSINESS**

Supervisor Flach stated that there were no New Business topics.

Attorney for the Town Wukitsch asked if they wanted to discuss the new IT service provider and continued by saying that he had spoken with the Supervisor a little bit about the issue. He added that the Board made a decision to change vendors and there is a certain amount of transition that needs to go on with ITS, the current provider and there are three issues that the Board needs to look at, which are: the server that ITS apparently owns was on loan to the Town and they have indicated that they want the server back, the second issue is that ITS has put in a claim for lease services related to the server even though it is apparent that there is no written lease entered into with ITS and the other issue is that they claim there are other invoices due. He concluded by saying that he has been in communication with ITS trying to resolve the issues.

Supervisor Flach stated that they talked about getting a new server from BAS and returning their server.

Attorney for the Town Wukitsch asked if he could let them know that.

Councilwoman Rogers stated that a new one would be upgraded and the current one is old, used or borrowed.

Supervisor Flach stated that ITS put in a refurbished one and continued by asking Town Clerk Millious if she knows about the other invoices.

Town Clerk Millious stated that she copied everything since 2010.

Supervisor Flach stated that he was not referring to the lease ones and added that there are other ones that he is referring to.

Town Clerk Millious asked if he was referring to ones that he never billed for.

Councilwoman Rogers interjected that they are the ones that he said are missing.

Town Clerk Millious stated that he e-mailed some but they had never received them and he said that he never got a chance to send them out.

Supervisor Flach stated that those pertained to the rental and he is talking about regular billing for the months of October, November & December.

Town Clerk Millious stated that there are some that came in.

Supervisor Flach stated that they will be taking care of whatever vouchers come in and as far as a lease goes, those vouchers never came in and were dated March through December and all of the sudden in one e-mail they got four vouchers.

Councilman Boehm asked what the total of the lease vouchers are.

Attorney for the Town Wukitsch stated that it is $2,100.00.

Councilman Boehm inquired as to if in the minutes there was an agreement for leasing.

Town Clerk Millious stated that she was not aware that there was a rental server on the property and it was never brought to anyone's attention and she was very surprised by it. She added that the Town had spent $70,000.00 since the end of 2010.

Code Enforcement Officer Conrad asked what happened to the server that they had.

Councilwoman Rogers stated that it was a good question.

Attorney for the Town Wukitsch stated that he would suggest that the Board authorize him to have discussion with ITS whereby the server that was loaned to the Town will be returned, there won't be any lease payments made and the Town will review and audit any other invoices that have been submitted other than the lease charges.

Councilman Boehm stated that in getting back to Mr. Conrad's question, he wanted to know where the Town's server went.

Code Enforcement Officer Conrad stated that there were actually two servers.

Town Clerk Millious interjected that one voucher showed that the Town did purchase a server for the Police Department out of the Police Forfeiture Fund.

Supervisor Flach stated that at this point ITS is saying that the current server is worth $4,500.00 but they want to know how much the two missing ones are worth.

Code Enforcement Officer stated that one was brand new and they had just purchased it.

Supervisor Flach stated that he will discuss it with Town Clerk Millious and Chief Darlington and they will try to figure out what is where and in turn he will get back to Attorney for the Town Wukitsch with the information so he can discuss it with ITS.

Town Clerk Millious stated that there was a power back-up that is not here either.

Councilwoman Rogers stated that they took a brand new server and gave them a used one.

Supervisor Flach stated that he will get on that this week.

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**RESOLUTIONS**

Supervisor Flach stated that Mr. Geraldson, WWTP Operator attended a seminar on December 7, 2012, which is required training and he didn't ask for mileage or anything other than the cost of the seminar itself.

Councilman Boehm stated that if he drove his personal vehicle for required training he should be reimbursed for mileage as well.

**RES. #128-12 AUTHORIZE PAYMENT FOR SEMINAR REGISTRATION**
On motion of Councilman Masti, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Dolan) – SO MOVED

**WHEREAS**, Siewert Equipment one day seminar pertaining to clarifiers was held at Siewert Equipment, Troy, New York on December 7, 2012, and

**WHEREAS**, Keith Geraldson, Sewer Treatment Plant Operator of the Town of Coeymans had requested to attend this educational seminar, and

**WHEREAS**, a registration fee was required to attend such a seminar,

**NOW, THEREFORE, BE IT RESOLVED**, that Keith Geraldson did attend the one day seminar on December 7, 2012, and

**BE IT FURTHER RESOLVED**, that the Town Board of the Town of Coeymans authorizes payment for the registration for this one day seminar.

Councilman Boehm interjected that if he used his personal vehicle he should get mileage reimbursement.

Supervisor Flach stated that the resolution will be amended to include mileage for use of his personal vehicle.

**RES. #129-12 AUTHORIZE TOWN CLERK TO COLLECT SEWER RENTS AS ESTABLISHED**
On motion of Councilman Boehm, seconded by Councilman Masti, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Dolan) – SO MOVED

**WHEREAS**, the Town of Coeymans is required to establish Sewer Rates for 2013, and

**WHEREAS**, a Public Hearing was duly advertised in the official newspaper of the Town and held on December 18, 2012 at 6:00pm at Town Hall and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to the proposed 2013 Sewer Rates, and

**WHEREAS**, the Town Board considers the number of uses per parcel to calculate the parcel billing for operation and maintenance and capital improvements, and each is hereby charged.

$250.00/Unit/6 Month Billing = 1 Unit
1 Unit = 0-40,000 gallons/ 6 Months
Minimum $250.00/Unit/Billing

Examples are: 1 Apartment = 1 Unit
2 Apartments = 2 Units
3 Apartments = 3 Units

Commercial = 1 Units Plus Water Usage/Use
Out of District Users @ the Above Rates
Vacant Parcels @ Flat Rate of $100/Year
Village of Ravena @ $23,370.00/Month

**WHEREAS**, the Town Board has established a late payment penalty of ten (10) percent to be imposed on all balances thirty (30) days from the due date of billing,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Coeymans does hereby authorize the Town Clerk to collect for the first and second billing cycles of 2013, pursuant to the above established rates.

Councilman Masti inquired as to when they make contracts with the Village.

Building Inspector/CEO stated that it is a ten-year contract and can be renewed from time to time on agreement of both Boards and it is every two years that they are suppose to read the meters and set the rates for a two-year period. He continued by saying that right now it is not known because there are a couple of variables such as the I&I issues that are a result of water main breaks and leaks in the system, which could be a possible negotiation item with respect to the on-going rate. He added that they estimated the one leak, which they hope to get stopped tomorrow because they got entry into the building, at over 600,000 gallons a year and they don't know how more of this type thing that there are. He went on by saying that there are a lot of variables out there and when they started the program in April it was 75/25, which they were happy to see but it was fairly dry weather and when they got to the rainy season, the rates continuously went in the other

direction and show that the Town has to pay for more I&I in the system than the Village does. He concluded by saying that the contract can be redone upon either parties request and everyone has to be in agreement to negotiate the contract and the Village has asked the Town to do a Joint Meeting.

Councilman Boehm asked if the water coming from the Village for that one property is significant.

Building Inspector/CEO Conrad stated that there were two of them and they shut off the water at 78 Main and the other one they have known about for quite some time but they have been unable to get access to the property to shut it off. He added that the water shut off is missing from the property apparently because the previous owner poured concrete stairs over it and they could not get at it from the outside unless the Village dug up the street so they could get to the main to shut it off, which was another issue because the Village wants to be paid for it and they want to make sure that it is going to be relevied.

Councilman Boehm stated that they would be saving their own water, which is being wasted out of their system.

Supervisor Flach stated that they think there might be another one.

Building Inspector/CEO Conrad stated that they suspect that there could be a storm water leak into the system but until they do the repair, they won't know for sure and it is only 400 feet with approximately 8 home owners that are hooked up to connections.

Councilman Boehm inquired as to how the cost of the repair is split.

Building Inspector/CEO Conrad stated that the cost of that repair is Town only because it is in the Town's system and they are responsible for the lines within their system and it is in the Consent Order to talk about an equalization line but the biggest problem with that Consent Order that has been currently revised, they are now asking them to do another study to determine where the leaks are, which is nearly impossible and repair them by 2014 including the equalization line. He added that the equalization line should be something that they negotiate in the contract as being shared because they deal with the Village who held back $8.600.00 out of the 2011 charges which they consider as flow-through charges and are not in the contract and are still pending.

Councilman Boehm asked if they should recommend a renegotiation of the current contract at a Joint Meeting.

Building Inspector/CEO Conrad stated that there are items that need discussing.

Supervisor Flach stated that part of the rates are BANS to make the mandated repairs and he felt that it was important to note that.

Councilman Masti inquired as to what Oakbrook did to reduce the flow.

Building Inspector/CEO Conrad stated that they disconnected the gutter drains and there were a lot of areas where the run-off was running directly into the sewer and when there were heavy rains they used to flood the manhole so bad on Jefferson Avenue that it would blow the cover 12 inches into the air.

Councilman Masti stated that all of the rain water was going into the sewer rather than the storm drain.

Building Inspector/CEO Conrad stated that was correct.

Councilman Masti stated that if they repair it, it might reduce the flow.

Building Inspector/CEO Conrad stated that the basic problem with the Sewer Plant today is that the system with a 15 inch pipe coming into the plant can only handle 1 millions gallons a day of flow and when they have heavy rain in a short period of time, 1 million

gallons starts to surcharge and ultimately blows the manholes on the lower end of the system and that is when they start to get the issues with overflow. He continued by saying that the other thing is that they put in the new clarifier and asked DEC to re-rate the plant from the current 820,000 gallons to a new limit, some of the overflows would not be violations any longer, which has been going on for three years and have not done it yet. He went on by saying that all of these are items that they really need to work on with DEC and the Village and they need some kind of a recourse when the Village does not fix their water lines immediately because the Town is taking the hit and there is not anything that they can do about it. He concluded by saying that that the meters are doing their job and the flow is there and from Pieter B. Coeymans to the plant is 90% of the flow and it is pretty bad that the Town has more flow that the Village with only 447 total units and the Village has over 1,600 units.

Councilman Masti interjected that they have over four times what the Town has.

Building Inspector/CEO Conrad stated that during normal dry periods it settles down to 75/25, which is more consistent but during the rain and I&I is when the Town gets pounded. He added that like Attorney for the Town Wukitsch has said earlier, the Town is not alone and a couple of weeks ago in the paper it said that communities north of Coeymans, the overflows rates are in the 100's per unit and that the Town has very minimal overflows since they put in the new clarifier.

Supervisor Flach stated that he wanted to explain the next resolution and continued by saying that in May they set the sewer rate at $22,015.00 and it is the rate that they used all year and they established a credit for costs at the Leachate Plant of $6,600.00 based on 220 hours and a Town only credit of $3,000.00, which should have been $3,330.00 and now they have to rescind the resolution and redo it.

**RES. #130-12 RESCIND RESOLUTION #66-12**
On motion of Supervisor Flach, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Dolan) – SO MOVED

**RESOLVED**, that Resolution #66-12 from the Town Board Meeting of May 14, 2012 is rescinded.

**RES. #131-12 ESTABLISH A CREDIT FOR COSTS INVOLVED FOR OPERATIONS OF LEACHATE PLANT**
On motion of Supervisor Flach, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Dolan) – SO MOVED

**WHEREAS**, the Town Board previously established the sewer rates at a meeting on December 12, 2011, and

**WHEREAS**, this rate was not established at that time,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Coeymans establishes a credit for costs involved for operations of the Leachate Plant at $6,600.00 based on an estimate of 220 hours spent at the facility by Sewer Department employees and a Town only credit of $3,300.00 based on 111 hours for operation of pump stations and collection system.

**RES. #132-12 MODIFY 2012 ADOPTED BUDGET**
On motion of Councilwoman Rogers, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Dolan) – SO MOVED

**WHEREAS**, several line items were omitted from the 2012 Adopted Budget, and

**WHEREAS**, several expenditures occurred to line items that were not included in the 2012 Adopted Budget,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Coeymans does hereby modify the 2012 Adopted Budget to include the following line items:

| | |
|---|---|
| A1950.4 | Taxes & Assessment – Contractual |
| A5020.4 | Engineer – Contractual |
| | |
| DB1420.4 | Law – Contractual |
| DB1930.4 | Judgment & Claims – Contractual |
| | |
| SS1930.4 | Judgment & Claims – Contractual |
| SS9050.8 | Employee Benefits – Unemployment Insurance |

Councilman Boehm inquired as to if there were dollar amounts for each fund.

Supervisor Flach stated that they are just lines that were put in and broken down further so they have a better understanding of what is being paid out and they only added a point to each line.

**RES. #133-12 TRANSFER OF FUNDS**
On motion of Councilman Masti, seconded by Councilwoman Rogers, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Dolan) – SO MOVED

**WHEREAS**, the following accounts have been exhausted because of unforeseen expenses,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Coeymans does hereby authorize Supervisor Stephen D. Flach to transfer the following amounts to the respective accounts.

**GENERAL FUND (A)**

| Amount | From Account | To Account |
|---|---|---|
| $ 4,759.38 | A1990.4 – Contingency | A1010.4 – Town Council |
| $ 127.53 | A1990.4 – Contingency | A1220.4 – Supervisor Contractual |
| $ 4,538.05 | A1430.1 – Human Resource Personal Service | A1310.1 – Finance Personal Service |
| $ 1,000.00 | A1355.2 – Assessor Equip. | A1355.4 – Assessor Contractual |
| $ 1,062.56 | A1650.4 – Central Comm. Contractual | A1355.4 – Assessor Contractual |
| $ 55.99 | A1430.1 – Human Resource Personal Service | A1430.2 – Human Resource Equip. |
| $ 2,991.53 | A1650.4 – Central Comm. Contractual | A1640.4 – Central Garage Contractual |
| $ 880.00 | A1650.4 – Central Comm. Contractual | A1650.2 – Central Communication Equipment |
| $ 66.31 | A1990.4 – Contingency | A1950.4 – Taxes & Assessment |
| $28,980.00 | A1990.4 – Contingency | A3120.2 – Law Enforcement Equipment |
| $ 3,120.45 | A9060.8 – Employee Ben. Health Insurance | A3510.1 – Dog Control Personal Service |

| | | |
|---|---|---|
| $ 400.00 | A1990.4 – Contingency | A5020.4 – Engineer |
| $ 617.12 | A9060.8 – Employee Ben. Health Insurance | A6410.4 – Publicity |
| $2,316.41 | A9060.8 Employee Ben. Health Insurance | A7110.4 Parks Contractual |
| $ 535.01 | A8090.2 – Leachate Equip. | A8090.4 – Leachate Contractual |
| $ 64.03 | A8090.2 – Leachate Equip. | A8160.4 – Refuse & Garbage Contractual |
| $ 383.24 | A9060.8 – Employee Ben. Health Insurance | A8510.2 – Community Beautification Equipment |
| $ 5,031.80 | A9060.8 – Employee Ben. Health Insurance | A8510.4 – Community Beautification Contractual |
| $ 587.38 | A8810.1 – Cemetery Personal Service | A8810.4 – Cemetery Contractual |
| $ 5,720.44 | A9060.8 – Employee Ben. Health Insurance | A9040.8 – Employee Benefits Workers Compensation |
| $ 3,859.86 | A9060.8 – Employee Ben. Health Insurance | A9050.8 – Employee Benefits Unemployment |

**PART TOWN FUND (B)**

| | | |
|---|---|---|
| $ 562.07 | B3620.4 – Safety Insp. Contractual | B5182.4 – Street Lighting Contractual |
| $ 728.40 | B8010.1 – Zoning Board Personal Service | B8010.4 – Zoning Board Contractual |
| $ 23.46 | B8010.1 – Zoning Board Personal Service | B1910.4 – Insurance |
| $ 1,179.60 | B8010.1 – Zoning Board Personal Service | B9040.8 – Employee Benefits Workers Compensation |
| $ 2,880.00 | B9060.8 – Employee Ben. Health Insurance | B9040.8 – Employee Benefits Workers Compensation |

**HIGHWAY FUND (DB)**

| | | |
|---|---|---|
| $ 975.00 | DB1440.4 – Engineer | DB1420.4 – Law |
| $ 661.84 | DB1440.4 – Engineer | DB1910.4 – Insurance |
| $ 1,050.00 | DB5142.1 – Snow Removal Personal Service | DB1930.4 – Judgment & Claims |
| $ 786.25 | DB1440.4 – Engineer | DB5110.4 – General Repairs Contractual |
| $ 16.13 | DB1440.4 – Engineer | DB5130.4 – Machinery Contractual |
| $ 41.76 | DB1440.4 – Engineer | DB6410.4 – Publicity |

**SEWER FUND (SS)**

| | | |
|---|---|---|
| $ 150.77 | SS8130.4 – Sewer Contractual | SS1910.4 - Insurance |
| $ 50.00 | SS8130.4 – Sewer Contractual | SS1930.4 – Judgment & Claims |
| $10,530.00 | SS8130.1 – Sewer Personal Service | SS9050.8 – Unemployment Ins. |

Councilman Boehm asked what timeframe the transfers are for.

Attorney for the Town Wukitsch stated that they are inner-account transfers and at the end of the year they do it to make sure that everything balances out in the budget and it is because some accounts you spend a little more than you originally thought.

**RES. #134-12 APPROVE DECEMBER ABSTRACT**
On motion of Councilman Boehm, seconded by Supervisor Flach, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Dolan) – SO MOVED

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

| FUND | VOUCHER # | AMOUNT |
|---|---|---|
| | | |
| **GENERAL (A)** | | |
| General Pre-Pay | 2414-2465 | $200,701.56 |
| General | 2507-2546,2572 | $ 18,306.50 |
| | | |
| | **General Total** | **$219,008.06** |
| | | |
| **POLICE FORFEITURE (A)** | | |
| Police Forfeiture | 2547 | $ 97.57 |
| | | |
| | **Police Forf. Total** | **$ 97.57** |
| | | |
| **PART TOWN (B)** | | |
| Part Town Pre-Pay | 2466-2476 | $ 12,596.05 |
| Part Town | 2548-2550 | $ 37.04 |
| | | |
| | **Part Town Total** | **$ 12,633.09** |
| | | |
| **HIGHWAY(DB)** | | |
| Highway Pre-Pay | 2477-2486 | $ 40,045.73 |
| Highway | 2551-2571,2573-2590 | $ 11,675.62 |
| | | |
| | **Highway Total** | **$ 51,721.35** |
| | | |
| **SEWER (SS)** | | |
| Sewer Pre-Pay | 2487-2498 | $ 33,753.27 |
| Sewer | 2591-2605 | $ 10,920.23 |
| | | |
| | **Sewer Total** | **$ 44,673.50** |
| | | |
| **SPECIAL WATER (SW)** | 2506 | $ 46,218.57 |
| | | |
| | **Special Water Total** | **$ 46,218.57** |
| | | |

| | | |
|---|---|---|
| **CAPITAL PROJ. H-38** | | |
| Capital Projects H-38 | 2606-2607 | $ 4,365.20 |
| | **Capital Proj. Total** | **$ 4,365.20** |
| | | |
| | **Total for All Funds** | **$378,717.34** |
| **TRUST & AGENCY (TA)** | | |
| Trust & Agency Pre-Pay | 2499-2505 | $323,691.73 |
| | | |
| | **Trust & Agcy. Total** | **$323,691.73** |
| | | |

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**TOWN BOARD WORKSHOPS / MEETINGS**

- ZBA Meeting, December 19, 2012, 7:00pm – Cancelled
- Town Board Organizational Meeting, January 2, 2012, 7:00pm

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**ADDITONAL COMMENTS**

Supervisor Flach asked if there were any additional comments.

Town Clerk Millious stated that her thoughts and prayers go out to the families in Newtown Connecticut and then wished everyone a Happy Holiday.

Supervisor Flach asked if there were any other comments.

Highway Superintendent Deering asked permission from the Board to solicit bids for a new truck.

**MOTION**

On motion of Councilman Boehm, seconded by Councilwoman Rogers, authorizing Highway Superintendent Deering to solicit bids for the purchase of a 2013 pick-up truck. VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Dolan) – SO MOVED

Supervisor Flach asked if there were any other comments.

Councilwoman Rogers stated that her heart goes out to those affected by the school shooting in Newtown and then wished everyone a Happy Holiday.

Supervisor Flach asked if anyone else wished to comment.

Councilman Boehm stated that the event in Newtown was just horrible and he along with Supervisor Flach attended a Special Board Meeting earlier, which was good because there are a lot of scared people out there.

Supervisor Flach asked if anyone else wished to comment.

Councilman Masti stated that he wanted to thank Reverend Antonio Booth for reminding everyone what Christmas is all about and to those that attended the tree lighting and then wished everyone a Merry Christmas and Happy New Year.

Supervisor Flach stated that he also wanted to thank everyone who came out for the tree lighting and it was very nice with the Neighborhood Association providing refreshments and Riverview Baptist signing carols as well as thanks to Seven Zocks Nursery for donating the Christmas tree. He added that he along with Chief Darlington will be meeting with F.X. Browne and DEC to walk the Hannacroix Creek Project as well as on December 20th at 7:00pm there will be a Candlelight Vigil at the memorial across from the Ravena Firehouse for those in Connecticut. He continued by saying that earlier at the

Special School Board Meeting one of the things that they talked about was a School Resource Officer and Chief Darlington has been talking to the School Superintendent about shared services and looking at that and he will keep everyone posted on that. He concluded by saying that they don't need another expense but people need to feel safe and there are some grants available at the State and Federal levels and then wished everyone a Merry Christmas and Happy New Year.

Councilman Boehm interjected that they do need Police Officers in the schools because they live in a different world now and they need to start something in this area and added that they should send a letter to Seven Zocks thanking them for the tree.

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

**********

**ADJOURNMENT**

Supervisor Flach asked for a motion to adjourn the meeting.

**MOTION**

On motion of Councilman Boehm, seconded by Councilwoman Rogers, the Town Board Meeting was adjourned.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Dolan) – SO MOVED

Time – 8:03pm

***Respectfully Submitted*,** **APPROVED –**

_____
***Diane L. Millious, Town Clerk***