

**A Town Board Meeting was held Monday, March 22, 2010, at 7:00pm at Town Hall, 18 Russell Avenue, Ravena, New York**

**PRESENT:** Henry C. Traver, Supervisor  
Dawn Rogers, Councilwoman  
Thomas A. Boehm, Councilman  
James C. Youmans, Councilman  
Richard N. Touchette, Councilman

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

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

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### **OPENING COMMENT**

Supervisor Traver stated that there was a full Town Board in addition to Town Clerk Millious, Attorney for the Town Wukitsch, Highway Superintendent Deering and Chief of Police Darlington.

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### **AGENDA**

- Public Comment
- Approval of Minutes
  - Bid Opening, January 21, 2010
  - Town Board Meeting, February 22, 2010
  - Public Hearing, March 8, 2010
- Supervisor's Report – February 2010
- Department Reports – February 2010
  - Building Department
  - Sewer Department
  - Town Clerk
- Old Business
  - Biechman Road Culvert
  - Request by Ravena Coeymans Historical Society for Funds to Preserve Map
  - Maria Bowers Property Issue
- New Business
  - Intermunicipal Agreement re: Highway Services
  - Shrub Purchase for Memorial Restoration at Highway Department
  - Senior Projects of Ravena Contract for Services
  - Town Clerk Request to Attend Town Clerk's Annual Conference
- Resolutions
  - Appoint Seasonal Laborer
  - Establish Work Day for Employee for Reporting to NYS Retirement System
  - Budget Amendment, Highway Fund
  - Budget Amendment, .2 Balances to Zero
  - Approval of March Abstract
- Correspondence
  - NYS Department of Transportation
  - NYS Department of Public Service
- Town Board Workshops/Meetings
  - Public Hearing, April 12, 2010, 6:30pm
  - Town Board Meeting, April 12, 2010, 7:00pm
  - Town Board Workshop, April 20, 2010, 6:00pm

- Town Board Meeting, April 26, 2010

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**PUBLIC COMMENT**

Supervisor Traver invited the public to comment at this time.

Ms. Ginny Pearson stated that she lives at 2144 Rte. 9W Ravena and continued by asking why they can't get direct television of the Town Board Meetings instead of waiting until Friday and then not be able to understand them. She continued by saying that she understands if you have the higher end subscription to Mid-Hudson Cable you can get them live and went on by saying that she wonders why because the residents pay good dollars to them and contracted with them for live coverage. She then asked if someone could give her the answer to that.

Councilman Youmans stated that the FCC made a change and took everything off analog and made it digital.

Ms. Pearson stated that her television is digital.

Councilman Youmans stated that if you want the meeting live on your television you can only get it through a digital signal, which you need a digital television and pay for their digital service.

Ms. Pearson inquired as to if he meant high definition television.

Councilman Youmans stated he didn't and added that you need their digital package and continued by saying that high definition is another one that they have which is another charge all together. He added that it was frustrating to him as well because he knows that there are a lot of people that like to watch at home and continued by saying that it was many phone calls and work that he did to get it so it's broadcasted on Friday nights. He went on by saying that he just had a conversation with Mr. Horton, the man who does the televising, and he believes that there is a channel in the 900's or 75 that you can get it on however he cannot get it at his house on a brand new digital television. He concluded by saying that he understands her frustration but their hands are pretty much tied on it and it might be a question to call Mid-Hudson Cable with and ask them.

Ms. Pearson continued by saying that after not being able to see it and understand it, she has been coming to the meetings.

Councilman Youmans stated that you hardly could see it and hear it because there was a problem on Mid-Hudson's end on that and added that just prior to the meeting Mr. Horton told him that it was fixed and the picture and sound are clear.

Ms. Pearson stated that she has been attending some meetings and added that she is a little disturbed by the conflicting on the Town Board and added that it seems like everyone is out chewing the other person and added that she is not pointing any fingers. She went on by saying that every one of them was elected one time or another and had to learn their ropes and she believes that everyone should be given a chance to learn without being coerced into being afraid. She concluded by saying that they need to watch their manners a little bit on the Town Board and added that it is a citizen's opinion.

Supervisor Traver asked if there were any other comments.

Ms. Pasquini stated that with the Mid-Hudson Cable that she has she does not get the digital box or the upper channels but did notice on her cable bill that she is paying for a franchise fee, which in turn they are paying to the Town, so actually she and everyone else are paying it. She continued by saying that they are getting the property that they have in the Town free and then asked where the benefit is for the residents to have cable.

Town Clerk Millious stated that they pay the Town a franchise fee and the Town waives the town portion of their property tax bill.

Ms. Pasquini interjected that that the franchise fee that they pay the Town is collected from the cable customers.

Town Clerk Millious stated that it is in the Franchise Fee that they are suppose to do that and added that they actually pay more and above what they should pay and in turn she waives the town portion and reiterated that they are paying more than their share. She continued by saying that she can show it to her if she wants to stop in her office.

Ms. Pasquini asked if it is legal for them to charge their customers a franchise fee.

Town Clerk Millious stated that they pay the Town the franchise fee.

Ms. Pasquini stated that Mid-Hudson charges their customers the franchise fee.

Town Clerk Millious agreed that they charge every cable user.

Ms. Pasquini stated that the franchise fee just went up again and added that maybe someone in negotiations with Mid-Hudson, Mr. Reynolds, need to tell him that people in the Town of Coeymans are sick of it and they will go to Direct TV if they have to. She concluded by saying that she would like for someone to check into why the customers are paying that franchise fee that they are paying the Town.

Supervisor Traver asked if there were any other comments.

Mr. Joe Vitollo stated that he lives at 42 Main Street in Coeymans and added that he wanted to restate what Ginny had said and added that at the last meeting he was quite disturbed by the sense of tension on the Town Board and added that he felt like if that tension exists while they are all sitting there, he wonders what it is like not on camera. He continued by saying that he wonders if there is a willingness to have that kind of poor manners and went on by saying that he agrees with Ginny that people need to be given a chance. He added that he was also concerned with a comment that Councilman Youmans made regarding Ms. Pasquini's yard and continued by saying that if it were his backyard he would have someone jumping on it immediately. He went on by saying that Ms. Pasquini had stated that it had been a problem since the last Supervisor so it has been around for a while and has not been dealt with. He continued by saying that if it was his backyard he would be screaming that there is an issue that needs to be dealt with and then asked Ms. Pasquini if anyone had been down to look at her property.

Ms. Pasquini stated that Supervisor Traver and Councilman Touchette had been down.

Mr. Vitollo continued by saying that when Councilman Youmans made his statement, it was almost condescending, which is a manners issue and added that it is important for people to know that the Board members are just as concerned about them as they are about their own property. He concluded by saying that he feels as though there should be that kind of respect and added that it is a general statement and observation.

Councilman Youmans stated that he understands his point and added that right in front of him in his binder are engineer plans to fix the problem and earlier in the week he walked the area with Code Enforcement Officer Conrad, who is an expert on their storm sewer system as well as Highway Superintendent Deering who measured for the pipe and Attorney for the Town Wukitsch who is in the process of securing an easement so they can do the work that they need to do, which was done in a week's time and the pipe has been ordered.

Mr. Vitollo stated that it is excellent and added that he is just surprised that it took so long in listening to Ms. Pasquini and her concern and reiterated that he is glad that they finally jumped on it.

Supervisor Traver asked if there were any other comments.

Mr. Tim Carney stated that he lives at 277 Delaware Avenue in Albany and added that he is making a tour and going around to different Town and Village meetings throughout Albany County in trying to develop some ideas of what different areas are in need of because he is thinking about running for Senate for Albany County. He added that he is finding out what their needs are in each of the communities and continued by saying that he was going to sit back and listen and continued by saying that it is good to see how local government works and to see it in action as someone having a complaint and someone jumping on to it and taking care of it. He concluded by saying that he believes that this is what good government is all about and he wanted to commend them for doing it.

Councilwoman Rogers asked what he was running for.

Mr. Carney stated that he is running for Senate for the 46<sup>th</sup> District in Albany County.

Councilwoman Rogers stated that their biggest problem and concern is Rte. 143, which is a dangerous road with trees falling and the sides caving in.

Mr. Carney inquired as to if anyone is addressing it with any State funding.

Councilwoman Rogers stated that the Town Board has addressed it and the Supervisor received a letter earlier in the day from the State stating that there is no money and they can't help us.

Mr. Carney stated that this is one of the issues that everyone is going to cry about in regard to the State Budget and funds and added that they have to come up with some different ways of being able to work with what they have and unfortunately they are spending on the wrong things and did it again with the money that was allocated for road structure, bridges and highways and continued by saying that they raided that money for other projects, which should be refunded.

Councilwoman Rogers interjected that he should take a ride on Rte. 143 and added that he should not take a fancy car.

Mr. Carney stated that he would.

A member of the audience inquired as to whether he is a Republican or Democrat.

Mr. Carney stated that he was a Democrat.

Supervisor Traver 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 Traver stated that there were three sets of minutes for Town Board approval, a Bid Opening, January 21<sup>st</sup>, Town Board Meeting February 22<sup>nd</sup>, and a Public Hearing on March 8<sup>th</sup>.

Councilman Youmans stated that upon his review of the minutes they need to be revised and added that Supervisor Traver was referred to as Supervisor Hotaling a few times and then suggested that they table them until they are corrected.

### **MOTION**

On motion of Councilwoman Rogers, seconded by Councilman Youmans, the Town Board Minutes were tabled.

VOTE – AYES 5 – NAYS 0 – SO MOVED

**SUPERVISOR’S REPORT**

FUND	BAL. FWD.	ADJUST.	RECEIPTS	DISBURSE.	BALANCE
<b>General</b>	\$1,141,379.08		\$1,152,211.62	\$ 986,240.20	\$1,307,350.50
<b>Part-Town</b>	\$ 410,080.31		\$ 3,791.00	\$ 10,128.14	\$ 403,743.17
<b>Highway</b>	\$ 171,147.48		\$ 887.89	\$ 54,802.45	\$ 117,232.92
<b>Bridge Const.</b>	\$ 311,186.58		\$ 130.29	\$ 37,755.37	\$ 273,561.50
<b>Sewer</b>	\$ 131,875.49		\$ 40,471.49	\$ 21,344.73	\$ 151,002.25
<b>Spec. Water</b>	\$ 2,134.28		\$ 40,247.02	-0-	\$ 42,381.30
<b>Police For.</b>	\$ 3,421.37		\$ 16.91	\$ 300.00	\$ 3,138.28
<b>Trust &amp; Agcy.</b>	\$ ( 8,756.77)	\$18,649.12	\$ 195,149.88	\$ 190,701.42	\$ 14,340.81
<b>Cap. Proj.</b>	\$ 19,219.30		\$ 26,809.32	-0-	\$ 46,028.62
<b>Section 8</b>	\$ 145,442.22		\$ 39,570.42	\$ 35,570.42	\$ 149,168.64
				<b>Total</b>	<b>\$2,507,947.99</b>

SAVINGS ACCOUNTS		COLLATERAL COVERAGE	FDIC COVERAGE	COLLATER.
Unemployment	\$ 4,057.36	Bank of Greene	\$250,000.00	\$2,609,305.97
Grove Cemetery	\$40,695.11	National Bank	\$250,000.00	\$ 471,079.57
Sewer Dedicated	\$ 6,294.48			
<b>Total</b>	<b>\$51,046.95</b>			

Supervisor Traver asked for a motion to approve the report.

**MOTION**

On motion of Councilwoman Rogers, seconded by Councilman Touchette, the Supervisor’s Report was accepted as read.  
 VOTE – AYES 5 – NAYS 0 – SO MOVED

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**DEPARTMENT REPORTS**

**Building Department – February 2010**

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

Councilwoman Rogers continued by giving the report.

Supervisor Traver asked for a motion to approve the report.

**MOTION**

On motion of Councilman Boehm, seconded by Councilman Youmans, the report was accepted as presented.  
 VOTE – AYES 5 – NAYS 0 – SO MOVED

**Sewer Department – February 2010**

Supervisor Traver asked that Councilman Youmans give the Sewer Department Monthly Report.

Councilman Youmans continued by giving the report.

Supervisor Traver asked for a motion to approve the report.

**MOTION**

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

VOTE – AYES 5 – NAYS 0 – SO MOVED

**Town Clerk – February 2010**

Supervisor Traver asked that Town Clerk Millious give her report.

Town Clerk Millious continued by giving the report.

Supervisor Traver asked for a motion to approve the report.

**MOTION**

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

VOTE – AYES 5 – NAYS 0 – SO MOVED

**Police Department – January 2010**

Supervisor Traver asked that Chief Darlington give the Police Department Monthly Report.

Chief Darlington continued by giving the report.

Supervisor Traver asked for a motion Councilman Youmans, seconded by Councilman Boehm, the report was accepted as presented.

VOTE – AYES 5 – NAYS 0 – SO MOVED

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**OLD BUSINESS**

**Biechman Road Culvert**

Supervisor Traver stated that the Biechman Road culvert was discussed at the Workshop that he did not attend.

Councilwoman Rogers stated that the total was \$4,000.00.

Councilman Boehm inquired as to if it included the surveyor as well as the engineer's cost.

Collectively Councilwoman Rogers and Highway Superintendent Deering stated that it did.

Councilwoman Rogers asked that Highway Superintendent Deering explain the project.

Highway Superintendent Deering stated that it is Federal and State Wetland and added that in his opinion it is better to have it surveyed and have an engineer do it because what he sent to DEC they didn't accept.

Councilwoman Rogers reiterated that it is State and Federal Wetland.

Councilman Touchette questioned whether they have been delineated and declared Wetland and on a map.

Highway Superintendent Deering stated that they were.

Councilman Touchette inquired as to doing it and whether Marcuccio will approve the project.

Highway Superintendent Deering stated that he hopes so.

Councilman Touchette stated that he had indicated that this is what he wants.

Highway Superintendent Deering stated that he did and added that he wanted professional help and continued by saying that he has done this work before but this is what they want, which is fine.

Councilman Boehm inquired whether the ultimate goal is to increase the drainage to alleviate the water from the Bogardus farm.

Highway Superintendent Deering stated that was true but also to stop the flooding on Biechman Road.

Supervisor Traver asked for a motion to approve the engineering and surveying costs.

#### **MOTION**

On motion of Councilman Boehm, seconded by Councilwoman Rogers, approving the engineering and surveying costs for the Biechman Road project not to exceed \$4,000.00.  
VOTE – AYES 5 – NAYS 0 – SO MOVED

#### **Request by Ravena-Coeymans Historical Society for Funds for Map Restoration**

Councilman Boehm stated that Ralph Bianco came to the last Workshop and asked for half of the cost for the map restoration and added that he believes that he is getting money from the Village as well.

Mr. Bianco interjected that they are willing to pay half and he was asking that the Town pay the other half.

Councilman Boehm stated that the Town Board purchased the map and then asked that Mr. Bianco explain it.

Mr. Bianco stated that in October of last year Supervisor Hotaling invited him to see the map and in turn asked him if the Historical Society would like to have it and he said that they would. He continued by saying that the map was in terrible condition as it was and the stipulation was that if they accepted it, they in turn would have to take it to a conservator and have it restored. He added that they had it in the conservators hands when they applied for a grant and went on by saying that they were denied the grant because it was in the conservator's hands and consequently they could not get the money to do it. He continued by saying that there were a couple of figures on doing it and it wound up at \$768.00, with \$100.00 being for the frame and added that it really came out great and now shows Coeymans Hollow and the Blaisdell writings.

Councilman Boehm inquired as to what part of the Town the map is.

Mr. Biance stated that he believes that it is part of the patroon where they used to block it off in sections and added that he believes that it goes to New Baltimore to the Coxsackie line and from Coeymans toward the R-C-S District and continued by saying that the center of the map is where the Town of Coeymans area is. He went on by saying that it is going to be on display at their museum and it has been conserved to be UV protected and hermetically sealed before the frame was put on.

Councilman Boehm thanked Mr. Biance and continued by saying that there is a lot of historical significance behind the map and added that the Historical Society has taken the step necessary to preserve an important piece of history. He continued by saying that based on this and with it being discussed at a Workshop he would offer a motion.

#### **MOTION**

On motion of Councilman Boehm, seconded by Councilwoman Rogers, authorizing \$384.00 to offset the cost of preservation of the map.

VOTE – AYES 5 – NAYS 0 – SO MOVED

Mr. Biance stated that he wanted to thank past Supervisor Hotaling and the Town Board for their cooperation on a valuable piece of history.

#### **Maria Bowers Property Issue**

Attorney for the Town Wukitsch stated that he asked that this topic be placed on the agenda and continued by saying that there is an arrangement understanding between Ms. Bowers and the Town relative to the use of a portion of her property for storage of Town owned property.

Highway Superintendent Deering stated that there is stone and shale stored there.

Attorney for the Town Wukitsch stated that he has been contacted by her attorney, Mark Blanchfield, who has requested that the Town formalize land use issues that exist between Ms. Bowers and the Town of Coeymans, which he believes to be some kind of written agreement or understanding. He added that he is brining it before the Board at the request of Ms. Bower's attorney and continued by saying that he is not clear in his own mind what the agreement is.

Highway Superintendent Deering stated that it was a verbal agreement with Highway Superintendent Vosburgh and added from then on it has been a verbal agreement.

Councilman Touchette inquired as to what the agreement was.

Highway Superintendent Deering stated that it if she needed something done to her road like a little stone or pipe and added that she never asked for much.

Councilman Boehm stated that her access is through the Highway Department parking lot across the Hannacroix Creek and then winds approximately ¼ mile back.

Highway Superintendent Deering agreed and reiterated that it was something that was established with Highway Superintendent Vosburgh.

Councilwoman Rogers stated that she believes that they should work on this because ½ the Town's stockpile is on her property and continued by saying that they discussed with her the option of opening up the road so she could come out on Greenbush in trade for the property in addition to Highway Superintendent working on the size of the pipe.

Highway Superintendent Deering stated that he had it all together and added that he can update it and they can discuss it at a Workshop.

Councilwoman Rogers reiterated that they need to get this behind them.



Councilman Boehm inquired as to if this would be in addition to the verbal agreement and continued by asking if there is something in writing or if it is proposed.

Highway Superintendent Deering stated that this is for a road that they talked about putting through her property for a driveway in exchange for her property.

Attorney for the Town Wukitsch stated that rather than having these exchanges, it makes more sense to consider other options such as if possible, remove any stone or shale that is on her property or if it's not feasible, consider purchasing the property.

Councilwoman Rogers interjected that there is not an exit from her property without coming through the highway property.

Councilman Youmans stated that there is no exit for her.

Councilman Boehm inquired about any other exit besides crossing the creek.

Councilwoman Rogers interjected that there is no other exit.

Attorney for the Town Wukitsch questioned why it is the Town's problem.

Councilwoman Rogers stated that it is her property.

Chief Darlington interjected that he does not believe the DEC would permit her to cross that creek.

Councilman Youmans stated that in order to cross the creek she has to cross town property.

Councilman Boehm inquired as to if there is an easement or deed.

Highway Superintendent Deering stated that it is just a verbal agreement.

Chief Darlington stated that he wanted to clarify whether or not the Town Board is acknowledging a verbal agreement from Highway Superintendent Deering's previous boss and added that this was a discussion at several meetings under Supervisor Hotaling as to the agreement for work being done and the use of the property. He continued by saying that it was his understanding that at that time no Board members were acknowledging the verbal agreement and in turn they were trying to push for the building of a road to stop her from going through Town property.

Councilwoman Rogers interjected that another problem is that the well is on her property.

Councilman Touchette inquired as to if she has any access by right because this has been going on for so many years.

Attorney for the Town Wukitsch stated that he would have to look into it.

Councilman Boehm stated that he thinks that they should sit down with her lawyer to see what the different options are and hopefully they can keep it as simple as possible and they can also see what Ms. Bowers wants.

Attorney for the Town Wukitsch stated that he can suggest that to her lawyer.

Highway Superintendent interjected that he wanted to correct the amount for the Biechman Road project and continued by saying that the amount is \$4250.00 and not \$4,000.00.

Councilman Boehm interjected that they will amend the resolution.

Supervisor Traver asked for a vote to amend the resolution.

VOTE – AYES 5 – NAYS 0 – SO MOVED

Councilman Boehm stated that he had one more thing to mention under Old Business and added that Rte. 143 is on the agenda under Correspondence but he thinks that it should be brought up under Old Business because he thinks that they should respond.

Supervisor Traver asked that Councilman Boehm read the letter.

Councilman Boehm continued by reading the following:

Dear Mr. Wukitsch:

I am writing in response to your February 23, 2010 letter (written in your capacity as the Attorney for the Town of Coeymans) concerning the condition of Route 143 between Tompkins Road and the Ravena Grange.

In your letter, you called for immediate remedial action by the Department. We do not dispute that this section of highway, like many in our eight county regions, need remedial work; however, we are experiencing the worst budget crisis in over 30 years. Many tough choices are being made almost on a daily basis. We have been forced to direct what monies we have to the direst needs, primarily bridge work and culvert replacements. This budget situation could continue for a year or more and will continue to severely limit our ability to do the repairs you (and we) believe are needed. We do not have the funds to reconstruct or even resurface Route 143 at this time.

In the interim, we have initiated a study for our Traffic Safety and Mobility Office to determine if the current condition of Route 143, has in fact, led to as you state “an immediate, serious risk of death or injury to users” of the highway. Upon completion of the study, we will inform you of the findings. We have also taken the step of installing “Rough Road” signs on Route 143 to warn motorists of the pavement deterioration and to reduce speeds accordingly. We will take steps to determine the exact location of the elm tree mentioned. As to the guide rail and delineators (reflective poles), their condition is the result of the continuing movement of the steep slope along the Hannacroix Creek.

Our maintenance forces will continue to try to address the symptoms of this slope movement as they have in the past but the solution requires a costly reconstruction project. Our Albany County Resident Engineer will be contacting the Town Highway Superintendent to discuss these matters.

Sincerely,

Mary Ivey, Regional Director

Councilman Boehm asked Highway Superintendent Deering if he had heard anything from them.

Highway Superintendent Deering stated that he hadn't and continued by saying that he wrote a letter to the Governor as well.

Councilman Boehm asked that he provide a copy to the Supervisor's Office.

Highway Superintendent Deering stated that he had.

Supervisor Traver stated that the Board will be getting a copy in their mail box.

Highway Superintendent Deering interjected that there was a hole by Rodney's that was really bad.

Councilwoman Rogers inquired as to if someone filled it in.

Highway Superintendent Deering stated that he did Friday night and took some of the bump out of it.

Councilman Boehm stated that he believes that they need to respond to the letter and added that it is unacceptable to have nothing done and continued by saying that as bad as that road is now, it is only going to get worse, particularly the section between Tompkins Road and Ravena Grange. He went on by saying that part of the letter that he would like to respond to is to address the Traffic Safety Mobility Office and find out what the timeline is and what they are going to do. He concluded by saying that with the Board's permission he will work with Attorney for the Town Wukitsch and draft a response to the letter and hopefully shakes something loose.

Councilman Touchette stated that the original letter from Attorney for the Town Wukitsch went to DOT, Tim Gordon and a number of other people and continued by saying that there was a response from Mary Ivey and Tim Gordon but no one else and added that he is disappointed that our own County Legislator did not respond to the letter.

Councilman Boehm stated that he also didn't provide a letter of support.

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

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## **NEW BUSINESS**

### **Intermunicipal Agreement re: Highway Services**

Councilman Touchette inquired as to whether they had any background on an Intermunicipal Agreement between the Towns of Coeymans and New Baltimore.

Councilwoman Rogers stated that they have a copy of the Agreement.

Councilman Touchette stated that there was a copy of it and reiterated that there was not any background on it.

Supervisor Traver stated that it is an Agreement between the Town of New Baltimore and Town of Coeymans Highway Departments that they have been working on and added that Attorney for the Town Wukitsch took a look at it and feels as though each Supervisor should sign it as well as the Highway Superintendents should sign it. He continued by saying that it would be close working relations between the two towns sharing services and trucks.

Councilman Touchette inquired as to what he meant about sharing the trucks.

Highway Superintendent Deering interjected that they have been doing that for years.

Supervisor Traver stated that it would be when they are blacktopping and need assistance.

Attorney for the Town Wukitsch stated that apparently it has been going on for years and added that there was a thought on the part of both the Supervisors that it should be documented and added that anytime there is an Intermunicipal Cooperation like that it is recommended that it be documented and that is what this is. He then asked that Highway Superintendent Deering fill them in on the extent that the sharing occurs and to give an example.

Highway Superintendent Deering stated that if they need trucks he sends them down and vice versa.

Attorney for the Town Wukitsch stated that it is to benefit of all residents of the Town that these type of sharing arrangement be encouraged.

Councilman Touchette questioned whether it was formalizing something that is already going on.

Attorney for the Town Wukitsch stated it was.

**MOTION**

On motion of Councilman Touchette, seconded by Councilman Youmans, authorizing the Supervisor and Highway Superintendent to execute the Agreement.

VOTE – AYES 5 – NAYS 0 – SO MOVED

**Shrub Purchase for Memorial Renovation at Highway Department**

Supervisor Traver stated that this topic was discussed at the Workshop.

Councilman Boehm asked that Ms. Joan Radley go to the microphone to explain the request.

Ms. Radley stated that she lives in Coeymans Hollow and is a member of the Clematis Garden Club and continued by saying that the plan is to put a patio out at the Veteran's Memorial at the Highway Garage, which will be 16X16 feet. She added that they are looking for \$200.00 to buy shrubs and plants to beautify the project and went on by saying that she has a sketch of what they plan to do and continued by going over the plan with the Town Board. She went on by saying that they have received donations of flowers and also will solicit certain varieties of flowers in the News Herald as well as Councilman Touchette donating a garden bench. She continued by saying that the Highway and Parks Departments will be helping and will lay the patio pavers as well as donating the fill and mulch and added that the Clematis Garden Club is doing this as a Community Development and Beautification Project and will be taking pictures as they go along, which they will pass to the Town Board.

Councilman Boehm inquired as to whether there will be a ceremony on Memorial Day.

Ms. Radley stated that they plan to have it either all or partially completed by Memorial Day and added that Coeymans Hollow Fire Company will help with the Dedication Ceremony. She concluded by saying that as with any garden it is always going to be a work in progress and added that their plan is to try and make it much prettier.

Councilman Boehm stated that he wanted to thank her for improving the Memorial and added that it is a great monument and the pavers, perennials and annuals will really set it off and continued by offering a motion.

**MOTION**

On motion of Councilman Boehm, seconded by Councilman Youmans, authorizing \$200.00 for the purchase of shrubs to be planted at the Veteran's Memorial at the Town Highway Garage.

VOTE – AYES 5 – NAYS 0 – SO MOVED

Councilman Youmans inquired as to whether or not it is on Town property.

Ms. Radley stated that it is.

Councilman Youmans stated that there is someone on staff with a landscaping business and continued by saying that maybe he could get the shrubs at a lower price than them buying it retail.

Ms. Radley stated that Keith is going to help them lay the pavers and added that they are entitled to a 10% discount at Story's Nursery as members of the Garden Club. She continued by saying that they are conducting a Garden Tour on June 16<sup>th</sup> in the Greenville area and added that part of the proceeds will go toward this because it is part of a Community Beautification Project.

Councilman Boehm interjected that \$200.00 will only buy a part of the shrubs and added that it's not enough for the whole project.

Ms. Radley stated that they didn't want to buy little shrubs and added that they want to buy something that looks as though it is established.

Collectively the Town Board thanked Ms. Radley.

**Senior Projects of Ravena Contract for Services**

Supervisor Traver asked for a motion to accept the Senior Projects of Ravena Contract for Services.

**MOTION**

On motion of Councilman Youmans, seconded by Councilwoman Rogers, authorizing Supervisor Traver to execute the Contract with Senior Projects of Ravena in the amount of \$7,000.00.

VOTE – AYES 5 – NAYS 0 – SO MOVED

**Town Clerk Request to Attend Town Clerk's Conference**

Supervisor Traver stated that he was in receipt of a memo from Town Clerk Millious requesting approval to attend the New York State Town Clerk's Annual Conference and continued by asking that Town Clerk Millious explain her request.

Town Clerk Millious stated that she is requesting to attend the NYS Town Clerk's Annual Conference in Saratoga and continued by saying that it is in her budget. She added that it is April 25<sup>th</sup> – April 28<sup>th</sup> and there are many different Workshops that are important as well as her being President of Albany County Town Clerk's Association. She went on by saying that this is her one Annual Conference and she likes to keep updated on changes and continued by saying that there is going to be a big change in 2011 to Agriculture and Markets and the licensing and renewals of dogs will be done by the municipalities. She continued by saying that there are Workshops on Freedom of Information, Records Management, Birth and Death and other things that she deals with and there are changes that she has to keep up on. She concluded by saying that she believes that it is important that she attend and added that the amount requested may be less because some of the Town Clerks are car pooling.

Councilwoman Rogers interjected that it is the one that she goes to every year.

Town Clerk Millious stated that she is not staying this year and will be traveling back and forth and added that she only put in for lunch each day.

**MOTION**

On motion of Councilman Youmans, seconded by Councilman Boehm, authorizing Town Clerk Millious to attend the Annual Conference not to exceed \$455.00.

VOTE – AYES 5 – NAYS 0 – SO MOVED

Town Clerk Millious thanked the Town Board.

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**RESOLUTIONS**

**RES. #39-10 APPOINT SEASONAL LABORER**

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

**WHEREAS**, Richard D. Hotaling previously requested a leave of absence from his position as Laborer in the Community Beautification Department, and

**WHEREAS**, Mr. Hotaling has restriction on his earnings before they negatively impact his pension, and

**WHEREAS**, the Beautification Department is desirous of hiring a laborer to assist in maintaining the parks, cemeteries and municipal building of the town, and

**WHEREAS**, the budget was approved for a reduced funding for the position of laborer in Community Beautification, allowing a seasonal appointment from April 1st to September 30th.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Coeymans does hereby appoint Richard D. Hotaling as laborer, effective April 5<sup>th</sup> through September 30, 2010 at the hourly rate of \$14.50.

Councilman Boehm stated that it works out well because as the spring season approaches the mowing starts in the cemeteries and parks.

**RES. #40-10 ESTABLISH WORK DAY FOR EMPLOYEES REPORTING TO NYS RETIREMENT SYSTEM**

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

**WHEREAS**, the New York State Employees Retirement System requires verification that a standard work day has been established for the CSEA class of employees under Town of Coeymans employment and

**WHEREAS**, the CSEA Contractual Agreement does not precisely demonstrate the workday,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Coeymans hereby establishes the standard work day in a five day work week for employees as 8 hours (40 hour work week) and 7 hours (35 hour work week) for administrative personnel for the purpose of determining days worked reportable to the New York State and Local Employees Retirement System.

Councilman Touchette asked Supervisor Traver if the pension matter was taken care of.

Supervisor Traver stated that there will be a resolution at the next meeting and Confidential Secretary Lewandowski is working on it.

Councilman Touchette stated that he thought it was due by March 18<sup>th</sup>.

Councilwoman Rogers stated that it says 150 days.

Councilman Touchette stated that the letter that they originally received had several questions about Town Board Members as well as the Internal Control Officer and continued by asking if Supervisor Traver if he responded to it.

Supervisor Traver stated that he would look into it.

**RES. #41-10 BUDGET AMENDMENT .2 BALANCES TO ZERO**

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

**WHEREAS**, the Town Board passed a motion on February 22, 2010, authorizing the .2 accounts to be zero balances and to move the money somewhere else, and

**WHEREAS**, the Town Supervisor was directed by the Town Board to prepare any necessary budget amendments for this motion,

**NOW, THEREFORE, BE IT RESOLVED**, the following budget amendments are authorized:

**General Fund – Town-Wide (A)**

A1220.2	Supervisor	\$ 1,100.00
A1310.2	Finance	\$ 1,500.00
A1355.2	Assessor	\$ 1,000.00
A1410.2	Town Clerk	\$ 700.00
A1430.2	Human Resources	\$ 1,500.00
A1620.2	Town Hall	\$ 5,000.00
A3020.2	Communications	\$ 2,000.00
A3120.2	Law Enforcement	\$44,000.00
A5132.2	Highway Garage	\$10,000.00
A8510.2	Community Beautification	\$ 1,269.00
A5031	Interfund Transfers	\$68,069.00

**General Fund – Part-Town (B)**

Decrease	B3620.2	Safety Inspections	\$ 1,000.00
Decrease	B8020.2	Planning Board	\$ 1,000.00
Decrease	B9901	Transfer to General (A)	\$ 68,069.00
Decrease	B1120	Non-Property Tax Distribution By County	\$ 70,069.00

**Sewer Fund (SS)**

Decrease	SS8130.2	Equipment	\$190,000.00
Decrease	SS2122	Sewer Rents	\$ 28,310.00
Decrease	SS2374	Sewer Services	\$161,690.00

Councilman Boehm stated that they are all the .2 equipment accounts that were frozen and continued by asking what accounts for the funds will be set up.

Supervisor Traver stated that he and Internal Control Officer Purinton will be setting down to discuss whether to put the money or CD's or a Money Market Checking Account.

Councilman Boehm stated that the \$190,000.00 in the Sewer was put aside for a truck and added that another thing that they need to look into is doing an RFP for the hauling of sludge in addition to finding out what they paid last year for the sludge hauling.

**RES. #42-10 BUDGET AMENDMENT**

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

**WHEREAS**, the Town Board passed a resolution on March 16, 2010 authorizing the expenditure of \$16,000.00 for the purchase of materials for the repair of a storm sewer in the vicinity of Colvin Avenue and Westerlo Street, and

**WHEREAS**, the Town Supervisor was directed by the Town Board to prepare any necessary budget amendments for this repair,

**NOW, THEREFORE, BE IT RESOLVED**, the following budget amendments to the Highway Fund – Part-Town (DB) and General Fund – Part-Town (B) respectively:

Increase	DB5140.4	Miscellaneous – Colvin Ave. Storm Sewer Repair	\$16,000.00
Increase	DB5031	Interfund Transfers	\$16,000.00
Increase	B9901	Transfer to Other Funds	\$16,000.00
Increase	B1120	Non-Property Tax Distribution by County	\$16,000.00

**RES. #43-10 APPROVE MARCH ABSTRACT**

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

**BE IT RESOLVED**, that the Town Board, of the Town of Coeymans, does hereby approve and allow the following claims of vouchers for the March, 2010 Abstract.

<b>FUND</b>	<b>VOUCHER #</b>	<b>AMOUNT</b>
<b>GENERAL (A)</b>		
General Pre-Pay	482-529,685-686	\$192,300.47
General	572-616,687	\$ 45,781.17
	<b>General Total</b>	<b>\$238,081.64</b>
<b>PART-TOWN (B)</b>		
Part-Town Pre-Pay	530-541	\$ 16,249.69
Part-Town	617-622	\$ 5,506.50
	<b>Part Town Total</b>	<b>\$ 21,756.19</b>
<b>HIGHWAY (D)</b>		
Highway Pre-Pay	542-549	\$ 46,707.32
Highway	623-670	\$ 33,797.24
	<b>Highway Total</b>	<b>\$ 80,504.56</b>
<b>SEWER (SS)</b>		
Sewer Pre-Pay	550-565	\$ 14,772.60
Sewer	671-684	\$ 8,708.46
	<b>Sewer Total</b>	<b>\$ 23,481.06</b>
	<b>Total for all Funds</b>	<b>\$363,823.45</b>
<b>TRUST &amp; AGENCY (TA)</b>		
Trust & Agency Pre-Pay	566-571	\$251,648.92
	<b>Trust &amp; Agcy. Total</b>	<b>\$251,648.92</b>

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**CORRESPONDENCE**

**New York State Department of Public Service**

Supervisor Traver stated that he was in receipt of a letter from New York State Department of Public Service and continued by reading the following:

Dear Community Leader:

On January 29, 2010, Niagara Mohawk Power Corporation d/b/a National Grid, requested a \$390 million annual increase in electric delivery rates. The company states that the rate increase is needed to help it cope with higher operating and maintenance costs, lower sales, and new capital investment. These rates were last updated in 2002. The new rates may become effective on or after January 2011.

The primary mission of the New York State Department of Public Service (DPS) is to ensure that utilities provide safe and reliable service at just and reasonable rates. Under New York State Law, the Public Service Commission must consider a utility’s proposal and may adopt or reject in whole or in part, or adopt changes not proposed by the company. In the near future, the public will be given an opportunity to comment on National Grid’s rate increase proposal. Prior to that time, staff of DPS’ Office of



Consumer Policy is seeking your assistance in identifying customer service issues that should be considered as part of the DPS review of the company's proposal.

As a leader or service provider in your community, you are in a position to assist us in ensuring that consumers have a voice in the Public Service Commission's rate setting process. We have enclosed a brief questionnaire focusing on several areas of customer service related to National Grid that we invite you to complete. The responses will be compiled and shared with the DPS team analyzing National Grid's proposal.

In addition, we are interested in meeting with you to learn more about your experience with the customer service provided by National Grid, as well as the experience of your clients. Please indicate on the attached survey if you would be willing to co-sponsor and/or attend a public participation forum with DPS staff. The forum would provide you and your clients an opportunity to obtain information about National Grid's proposal and to share your thoughts with DPS staff on customer service issues that may be explored through the rate proceeding, such as credit and collection, billing, and general customer service issues.

Thank you in advance for taking the time to share your thoughts with us by completing the attached survey by March 31, 2010. You may return the completed survey to Susan Katz, Department of Public Service, Office of Consumer Plaza, Albany, NY, 12223-1350, or you may complete it online by visiting [www.AskPSC.com](http://www.AskPSC.com) and by clicking on Community Leaders Survey. We also look forward to your expression of interest in participating in a future public participation forum. If you have any questions, please contact Susan Katz of the DPS Office of Consumer Policy at (518) 473-0277.

Sincerely,

Douglas Elfner  
Director  
Office of Consumer Policy

Supervisor Traver continued by asking the Town Board how they felt about him completing the survey.

Collectively they agreed that he should.

Supervisor Traver asked for a motion authorizing him to fill out the survey.

**MOTION**

On motion of Councilman Boehm, seconded by Councilman Touchette, authorizing Supervisor Traver to complete the survey.

VOTE – AYES 5 – NAYS 0 – SO MOVED

Councilman Boehm stated that he encourages any members of the public that have any input to get it to the Supervisor by the date that it is due.

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**WORKSHOPS / MEETINGS**

- Public Hearing, April 12, 2010, 6:30pm
- Town Board Meeting, April 12, 2010, 7:00pm
- Town Board Workshop, April 20, 2010, 6:00 pm
- Town Board Meeting, April 26, 2010, 7:00pm

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**ADDITIONAL COMMENTS**

Supervisor Traver asked if there were any additional comments.

Highway Superintendent Deering stated that he did not see on the agenda his request that he sent to attend Highway School.

Supervisor Traver stated that he didn't get it and continued by asking when it is.

Highway Superintendent Deering stated that it is in June.

Supervisor Traver asked if there were any additional comments.

Councilman Boehm stated that he wanted to thank Ralph and Joan for their contributions to our community and added that it may look like they are just looking for money but there is a lot more work and hours behind it than the monetary funds that the Town has given them. He continued by thanking Ralph for his work with the Historical Society and Joan for her work with the Garden Club on the Veteran's Memorial in Coeymans Hollow.

Councilman Youmans thanked her for honoring our Veterans.

Supervisor Traver asked if there were any additional comments.

Councilman Touchette stated that he wanted to again point out that Census Day will be in about a week and a half and reiterated how important it is for everyone in Town to be counted because a good portion of revenue derived comes from the census data. He concluded by asking for everyone's cooperation.

Supervisor Traver asked if there were any additional comments.

Town Clerk Millious stated that she will be collecting Property Taxes until March 31<sup>st</sup> and added that anyone wishing to pay after that date would need to contact Albany County at (518) 447-7070 and they are at 112 State Street, Room 800 and continued by saying that she sent out reminder notices.

Supervisor Traver asked if there were any additional comments.

Attorney for the Town Wukitsch stated that there is an Executive Session listed on the agenda and added that there really is nothing to report in terms of the pending litigation at this point in time.

Supervisor Traver asked if there were any additional comments.

Chief Darlington stated that earlier in the meeting they signed a Contract for the Senior Center and continued by asking if it is for the use of their facility for a shelter.

Councilman Youmans stated that it is.

Chief Darlington stated that he heard \$7,000.00 mentioned and added that it is the most inexpensive contract that they have and continued by saying that they use them quite a bit in severe weather as well as when Oak Brook Manor had a fire they fed people. He went on by saying that it is a well worth contract that they sign every year and it is an asset to Emergency Management.

Councilman Youmans stated that they provide emergency shelter, meals, training room facilities and income tax services, recreation, congregate dining, meals on wheels, social activities and transportation for seniors and added that it absolutely is a good program.

Chief Darlington stated that the Assessor asked that he bring up an issue with a voucher concerning one of their employee's purchase of oil for the Durango and they were told to go through the mechanic.

Chief Darlington stated that he advised Assessor VanValkenburg that NAPA should have a line that says Assessor's Office.

Councilman Boehm inquired as to who uses the Durango other than the Assessor's Office.

Chief Darlington stated that they very seldom use it and added that it has been a question for the longest time and it has been coming out of his budget and continued by saying that with the budget restrictions he refuses to sign any voucher with that on it.

Councilman Boehm suggested that they discuss it at a Workshop because it is shared by three Departments and added that it is the surplus Durango.  
Supervisor Traver asked if there were any additional comments.

Highway Superintendent Deering stated that he wanted to thank Joan Radley along with his Clerk Linda Bianca for working in the Memorial Garden and added that after Linda got out of work she worked in the garden, which was all volunteer time. He continued by saying that he wanted to say to the Town Board that the meeting tonight was very professional.

Supervisor Traver asked if there were any other comments.

Councilman Youmans stated that he wanted to thank Highway Superintendent Deering for his quick response on Colvin Avenue with measuring and ordering the pipe and acting on it as quickly as he did.

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

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**ADJOURNMENT**

Supervisor Traver 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

*Respectfully Submitted,*

**APPROVED:**

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*Diane L. Millious, Town Clerk*