

**A Town Board Meeting was held Monday, May 10, 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  
Richard N. Touchette, Councilman

**ABSENT:** James C. Youmans

**ALSO PRESENT:** Diane L. Millious, Town Clerk  
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 the record should reflect the absence of Councilman Youmans due to another commitment as well as the presence of Town Clerk Millious and Chief of Police Darlington.

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### **AGENDA**

- Public Comment
- Approval of Minutes
  - Public Hearing, April 12, 2010
  - Town Board Meeting, April 12, 2010
  - Town Board Workshop, April 20, 2010
  - Public Hearing, April 26, 2010
  - Town Board Meeting, April 26, 2010
- Old Business
  - Route 143, Assemblyman Gordon's Site Visit
- New Business
  - Summer Recreation Program
  - Request for Payroll Clerk to Attend Training
  - Asbestos Abatement at WWTP Boiler
  - Access to WWTP Property
  - Stanton Use of Town Property
  - Communications Tower Site
- Resolutions
  - Civil Senior Housing Assoc. PILOT Agreement
  - Budget Amendment (Docks)
  - Budget Amendment (In-Car Camera)
- Correspondence
  - NYS Department of Environmental Conservation
- Town Board Workshops / Meetings
  - Town Board Workshop, May 18, 2010, 6PM
  - Town Board Meeting, May 24, 2010, 7PM
  - Public Hearing, June 14, 2010, 6:30PM
- Executive Session
  - Discussion of Personnel Issue

**PUBLIC COMMENT**

Supervisor Traver invited the public at this time.

**Mr. John Lennon** stated that he is an Operator at the Sewer Waste Treatment Plant and added that he is there to respond to the News Herald about the conditions at the Plant. He continued by saying that most of the Town Board has refused numerous invitations to look at the plant for themselves with no one coming down since the Union sent in their safety request, he is there to explain some of the conditions down there. He went on by saying that the roof has been leaking for 10-15 years and has been requested to be repaired numerous times but never has and every room leaks with one leak being six feet away from a 440 volt sensor control unit, which is only four feet from the lab where he sits to do lab work. He added that the furnace is now down and has to be replaced this year because if it's not they will have frozen pipes, the grid chambers and walkways are dangerous and he is in the process right now of redoing handrails that were not included when they did the last upgrade and not included in the engineers drawing and he is doing it himself to save money. He continued by saying that the grid screws, which gets rid of some of the solids in the bottom, the north one is not working and there is almost an inch gap that makes it impossible to work properly. He went on by saying that two of the clarifiers have been down since the new one has been online and were suppose to be repaired but has not been done yet as well as one of the chambers that thickens the solids that are sent to Albany County has an arm that is broken for the past two years and they have been trying to get the Highway Department to come down and lift the top off so they can try to repair it, which has not been done. He continued by saying that their computer is 11 years old and they use Windows 98 on a 2000 Gateway and they cannot open some of their DEC mailings because the software is too old for the new Microsoft Word and added that he sent in a request for an upgrade as well as using a dial-up connection and they were looking at getting either Mid-Hudson or DSL, with DSL being the cheapest way to go because Mid-Hudson wants \$2,500.00 and they can get DSL for \$35.00 a month. He went on by saying that another thing is their lawn mowers, which they might think is a wish list but they have been told that they have to take care of their own land and the lawn mowers are down  $\frac{3}{4}$  of the time and last year Keith Geraldson borrowed Beautifications mower almost every weekend and continued by saying that the mower is down now and the lawn has not been mowed. He added that their dump truck is a 1991, which is 11 years old, and the body has been replaced once and the plow does not work right as well as their Chevy pick-up being 1995 with the frame rusting and they had to have a piece welded on so it could pass inspection this year. He continued by saying that he came to speak because it said in the paper that it is a Wish List and went on by saying that to them it might be but to him it's not because these are things they need to operate and the Waste Water Treatment Plant is the last to get any kind of money and their budget was cut during election and they need money to operate. He added by saying that they need money to operate and they can't cut a budget that they don't have and added that their budget is \$400,000.00 a year and they don't spend nearly that much and they are lucky if they spend \$100,000.00 - \$200,000.00. He went on by saying that there are other things that he would like to be able to do down there like taking water that goes to the river to clean the tanks and not use clean drinking water because he goes through 300,000 gallons of water a year to clean the tanks and he can't do it because there is no money to buy what he needs. He continued by saying that he has sent some of this to the Town Board but has not heard from any of them and added that he would invite every member of the Board and anyone from the public to come down and look to see if what he is saying is true or not and added that Councilman Youmans and Supervisor Traver had been down but no one else on the Board has any idea what is going on down there and they need help now. He concluded by saying that it has come to the time that they need to get the job done because some parts of it are unsafe for them and some part is things that they need and added that he believes that he speaks for other members and added that he likes his job down there but it is hard to do when you don't have the equipment to work with.

Councilman Boehm inquired as to whether he had shared this with Larry Breedlove.

Mr. Lennon stated that he did and when he wrote it up he discussed it with him and added that he is there as an Operator and not the Chief Operator or the one in charge of the plant.

Councilman Boehm inquired as to when he shared the information and what Mr. Breedlove's reaction was.

Mr. Lennon stated that he agreed with it and added that this is not something new. He continued by saying that he came to the meeting because it stated in the paper that it was a Wish List and added that it is not and they are the last Department to get anything. He went on by saying that the snow blower that they are using was found along the road and was free, which they use because they don't have anything down there. He added that the budget was cut during the last two elections and it can't be cut and continued by saying that if anything it should be increased, which some may not agree with. He concluded by saying that some of it is an environmental issue for the health of safety to people in this area and below us and reiterated that something needs to be done.

Councilman Touchette asked what their current budget is.

Mr. Lennon stated that he honestly didn't know and added that he believes it is suppose to be \$400,000.00, which includes the Village.

Councilman Touchette inquired as to how much he would recommend that they increase it by.

Mr. Lennon stated that he would like to be able to use the \$400,000.00 and added that anytime he sends anything in, he has not gotten any kind of an ok to get any kind of work done that needs to be done. He continued by saying that the Union came down and did a safety inspection as well as the Town's Insurance Company and added that the Union missed a lot of things, which the Insurance Company pointed out. He added that it is the same thing with them trying to go to school and one of his requirements to keep his license is that he needs to have so many credit hours in a five-year period and he tries to take the classes that he thinks is beneficial for him and the Town.

Councilman Touchette inquired as to whether he had ever been denied.

Mr. Lennon stated that he had and added that he was denied going to Ghent, which was a week-long training and the cost was \$500.000 - \$600.00, which included room and board and meals and it would have given him 24 credit hours and continued by saying that it would have benefited the Town. He added that there is a request in now for him to go to Ghent for a Confined Space Class, which he needs in order to do his job and he cannot go into the wells and pump stations without it because it is against OSHA regulations and you have to be certified, which is what this class is. He continued by saying that he has not heard back from the Board and his request was sent in March.

Councilman Touchette inquired as to if this is the one that is on the agenda.

Supervisor Traver stated that it is.

Mr. Lennon stated that this is stuff that they need and added that the plant is out of the way and no one sees it or hears about it and added that it is time that people start hearing about it because it needs to be addressed as well as the I&I problems, which he found in 1964 was smoke tested and he would like to see if those have been done and added that right now he would guess that they are looking at 1 millions dollars in repairs that need to be done inside and outside the plant. He continued by saying that this has to be addressed and some of it DEC will ask for as well and went on by saying that he is just an Operator down there but he sees things that need to be done and when he started he was asked to help get some of the repairs done but some of it is beyond his repair because he does not have the equipment to pull out a 10 foot long grid screw to get it replaced and they don't have the equipment to do a lot of the stuff that they should be doing. He concluded by asking the Town Board if they had any other questions, which he would be willing to answer and reiterated that he invited every Board Member to come and look for

themselves to see how bad it is and added that if it was there place of work they probably would not work under the conditions at times without saying something because it is that bad.

Supervisor Traver asked if there were any other comments.

**Ms. Mary Driscoll** introduced herself and continued by reading the following:

I have been a resident of the Town of Coeymans for over 40 years. My first remarks will be to Supervisor Traver, I was in a situation once, just like you are now, I was a lowly toll collector who thought that I had the qualifications to better myself by rising up the ranks. When I made Supervisor I was the first Woman who did so in my division. I experienced what you have met with as Town Supervisor, my suggestions were met with scorn and humiliation. Those co-workers who were more experienced did everything that they could to discourage me. I persevered and eventually became the Supervisor of those bullies so I say to you, hang in there, you have a lot of good ideas and definitely a lot of support and there is a light at the end of the tunnel. My next remarks are for the four Council Members of the Town Board and I am sorry that Councilman Youmans is not here. When I saw the rerun of the first Town Board Meeting of this year I could not believe my eyes. The blatant arrogance and disrespect that you showed the newly elected Town Supervisor was appalling and it seems as though you have not understood what various residents have told you at the Town Meetings as you continue your assault on our Supervisor. Every time you go whining to the newspapers, especially the Times Union, you are putting another nail in the coffin of the Town of Coeymans. Every time you bring the TV stations into the meetings to reinforce your disrespect of our Supervisor, you manage to devalue the reputation of the Town, which in turn discourages people from moving here. I can imagine what it is like for anybody who works out of Town to have their coworkers talking about our problems. Your blatant arrogance and actions so far also must insult every teacher who has tried to instill in their students not to be bullies, in fact I understand that there is a law being presented to have every school teach about bullying in the school yard. Your actions have shown how power can feed arrogance and personal gain; you were elected to serve the Town and not the Democratic Party. We have an industry in this town that is constantly being assaulted in the newspapers but I don't hear one thing being done by the Board to explain what Lafarge means to this town in terms of tax revenue, much less being a good neighbor by contributing to various events and organizations in this town, much less the amount of money spent by them in this town, not even considering the people who live in this town that work for Lafarge. When DEC tried to close the plant years ago the Town rallied around them and we managed to keep the plant open. Why aren't you doing the same? We can't all be white collar personnel, we can't all be State workers, and some of us have to get our hands dirty. How can we entice new business to come into our town if we don't take care of what we have now and I think that was a beautiful example? I could discuss a few other items but I will save them for the future, in the meantime I hope you will stop this political bickering, support our Supervisor and start taking care of the Town's business. When I started to vote at age 13 my father encouraged me to join the Democrat Party, I have been a Democrat for over 60 years, this is the first time that I have been ashamed to say that I am a Democrat in the Town of Coeymans.

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 five sets of minutes for Town Board approval a Public Hearing on April 12<sup>th</sup>, a Town Board Meeting on April 12<sup>th</sup>, a Town Board Workshop on April 20<sup>th</sup>, a Public Hearing on April 26<sup>th</sup> and a Town Board Meeting on April 26<sup>th</sup> and continued by asking for a motion to approve them.

**MOTION**

On motion of Councilwoman Rogers, seconded by Councilman Touchette to approve all minutes except the Public Hearing and Town Board Meeting on April 26<sup>th</sup>, which will be tabled.

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

Councilman Touchette asked Town Clerk Millious if she had the minutes from the Special Joint Meeting that was held at the Village of Ravena.

Town Clerk Millious stated that she did not have them.

Councilman Touchette inquired as to if she expects to get them.

Town Clerk Millious stated that she has called a few times and added that they did have some problems with their computer and different things and continued by saying that she will call again tomorrow.

Supervisor Traver stated that he spoke with Chris to find out the minutes were and he was advised that they were in the middle of their budget.

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**OLD BUSINESS**

**Route 143 – Assemblyman Gordon’s Site Visit**

Councilman Boehm stated that last Monday he along with Councilwoman Rogers, Assemblyman Gordon and his assistant, and a photographer who took several pictures from down in the gully of the guiderails that are coming out, elm trees that are broken along the side of the road and the condition of the road. He added that oddly enough they were actually patching the road while they were there down by the Grange in a meager attempt to fix the road. He continued by saying that the next step is to hold a Public Meeting with Mary Ivy and possibly the DOT Director to try and share more concerns because the road continues to deteriorate. He concluded by saying that Assemblyman Gordon asked for a week to get his information together and in turn he will contact him this week to follow-up further, which is a somewhat positive step.

Supervisor Traver stated that he wanted to thank Councilman Boehm and Councilwoman Rogers for meeting with Assemblyman Gordon and added that he did receive a couple of phone calls from people who saw them out there and they were glad to see that something was being done. He continued by asking that in the future they let his office know what they are doing because he didn’t have any knowledge about the meeting.

Councilman Boehm interjected that they didn’t want to have three Board people there.

Supervisor Traver stated that he understood but he would like to be able to let people know what is going on at the facility.

Councilman Boehm stated that this is what he is doing this evening.

Supervisor Traver stated that the Supervisor’s Office needs to know about it so he can pass along the information.

Councilman Touchette stated that they have had support from Assemblyman Gordon’s Office as well as Congressman Tonko’s Office and continued by saying that they sent the letter to a slew of Elected Officials and then asked if they had heard anything back from anyone else.

Supervisor Traver stated that they had not and added that he sent a copy of all of the information that they had to Peter Clouse.

Councilman Touchette asked if he had received anything back.

Supervisor Traver stated that he had not.

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## **NEW BUSINESS**

### **Summer Recreation Program**

Councilman Boehm stated that he met last week with Trustees Case and Persico and added that the dates for the Recreation Program will be July 5<sup>th</sup> – August 13<sup>th</sup>, a six-week program held at Mosher Park, which he would like to put on the website. He continued by saying that Trustee Persico is in the process of getting a bus, which gives an opportunity for those living in the Hollow with stops at the firehouse, Alcove Store and Webb's old store. He went on by saying that the sooner they get the information on the web site, they can get a commitment from some individuals and brings more kids down from the Hollow and added that last year was their best year with the highest participation. He concluded by saying that Eric Stott will be returning as the Recreation Coordinator and he will be introducing a resolution at the next meeting to hire him early so he can bring the staff back on and secure the equipment and they will go from there.

### **Payroll Clerk I Request to Attend Training**

Supervisor Traver stated that Ms. Ziegler sent a memo to attend training and continued by reading the following:

To: Henry Traver  
From: Linda Ziegler, Clerk I – Payroll Unit  
Date: April 30, 2010  
Subject: Training

This memo is to request approval for me to attend the General Preview Training provided by Paychex on May 20, 2010, at their offices in Albany. I feel my attendance would be beneficial to both the Town and myself especially since I have not had an opportunity to receive comprehensive/formal training from Paychex.

A copy of the training announcement is attached. The cost is \$45.00, which will be billed directly to future payroll invoice.

Thanks for your consideration.

Supervisor Traver asked for a motion to authorize the training.

## **MOTION**

On motion of Councilman Touchette, seconded by Councilwoman Rogers, authorizing Clerk Ziegler to attend the training at a cost of \$45.00, plus mileage.  
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Youmans) – SO MOVED

### **Request for WWTP Operator to Attend Training**

Supervisor Traver stated that he did not have the paperwork with him but there is a request on the agenda for Operator Lennon to attend training in Ghent, NY for Confined Space Training, which is a one day, all day seminar.

Operator Lennon stated that he sent the paperwork for an April Town Board Meeting and added that he submitted it to try and get the paperwork done early.

Supervisor Traver asked for a motion to authorize the training.

Councilman Boehm inquired as to if he would be taking a Town vehicle.

Operator Lennon stated that he would not be and added that he will either be taking his own private vehicle or would be riding with Joel Trombley from the Village and added that he is not worried about the gas mileage because it is not that far.

**MOTION**

On motion of Councilman Boehm, seconded by Councilwoman Rogers, authorizing Operator Lennon to attend training in Ghent, NY in the amount of \$75.00.

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

**Asbestos Abatement at Waste Water Treatment Plant**

Supervisor Traver stated that he was in receipt of an e-mail from Ed Vopelak with C.T. Male regarding the asbestos abatement in the boiler room. He continued by reading the following chart:

Location/Material	Unit	Quantity	Unit Price	Cost	Total Cost
<b>Interior</b>					
Boiler Room					
Pipe Fitting Insulation (3&4")	Linear Feet	98	\$ 25.00	\$2,450.00	\$2,450.00
Boiler Room Gaskets	Square Feet	8	\$275.00	\$2,200.00	\$2,200.00
Boiler Breeching	Square Feet	15	\$ 30.00	\$ 450.00	\$ 450.00
				<b>Total</b>	<b>\$5,100.00</b>

<b>ASSOCIATED ASBESTOS ABATEMENT COSTS (Estimated)</b>		
Project/Air Monitoring		\$2,500.00
<b>ESTIMATED ASSOCIATED COSTS</b>	<b>Total</b>	<b>\$2,500.00</b>

**ESTIMATED PROJECT TOTAL \$7,600.00**

Supervisor Traver stated that Mr. Vopelak from C.T. Male will be getting back to him this week and will advise them of some vendors that can do the job and in turn he will pass it along to the Board. He continued by saying that the asbestos has to be removed before they can get a new boiler because you can't work in the boiler room with the asbestos there.

Councilman Touchette inquired as to if any action is required right now.

Supervisor Traver stated that no action is required at this time.

**Access to WWTP Property**

Supervisor Traver stated that he received an e-mail from Attorney for the Town Wukitsch who indicated that he believes that because the property is posted there should be no access to the area for the protection of the property. He continued by asking how the Board felt about it.

Councilman Touchette stated that he agrees and added that he thinks the Supervisor should send a memo to the Sewer Department to insure that the gate is locked so that people cannot get in.

Councilman Boehm asked that Operator Lennon comment.

Operator Lennon stated that the practice has been that they do lock the gate and the practice has been that people have been allowed to fish there, which has been going on for the four years that he has been with the Town and added that they have never had a problem and people fishing walk in but cannot drive in. He continued by saying that if they do lock, they are not the only ones that need to know that it needs to stay locked and

went on by saying that the Police and the mechanic need to lock it because he has found it unlocked numerous times in the morning and he knows that he locked it the night before. He continued by saying that anyone that has access needs to be told that it has to be locked.

Councilman Boehm inquired as to whether they are taking the lock off.

Operator Lennon stated that it is unlocked, the chain is up and the gate is wide open.

Councilman Boehm inquired as to if it has been a policy that they allow people in there to fish.

Operator Lennon stated that they have.

Councilman Boehm stated that he previously brought up safety concerns and continued by asking if he thought it was a good idea.

Operator Lennon stated that they have never bothered anything up there.

Councilman Touchette stated that the fact of the matter is that they have a statement from their Attorney that there should be no access and added that he would suggest that they change the lock and who ever gets keys, gets the same memo stating that the gate is to be locked.

Chief Darlington interjected that the issue is that during the winter the gates are left open for plowing purposes and added that there are not any ‘No Trespassing’ signs at the entrance off of Rte. 144 as well as those gates. He continued by saying that this is the primary thing that is needed to prevent people from going in there, with the gate being an added security. He went on by saying that the issue has arisen as a result of ENCON doing some checks on fishing and observed the “No Trespassing” signs and assumed as a result of the signs that they would be authorized to issue tickets, which is in fact what they did. He added that he was since advised that there was this practice and in turn he sent an e-mail requesting that it be clarified as the liability falls on the Town and as they have seen by people falling at Town Hall they end up with thousands of dollars in law suits.

Operator Lennon stated that he gave his nephew permission because it has been an ongoing practice and added that he didn’t know anything about the liability issue and continued by saying that unfortunately he got a ticket for trespassing. He went on by saying that he feels bad because he is the one that gave him permission to go down there because it has been an ongoing practice. He concluded by saying that no one knew about the change.

Councilman Touchette interjected that it is posted.

Mr. Lennon stated that they also have hunters that go in there in the winter for ducks and deer and added that when someone asks permission they are allowed to walk in and they leave their car on the outside of the gate.

Chief Darlington stated that he believes that it was approximately two years ago that they had a problem at Joralemon Park and it was clearly stated that there is not to be any hunting or fishing on any of the Town property.

Councilman Boehm inquired as to if there is any signage outside the perimeter.

Chief Darlington stated that at the main entrance it says that it is a private roadway and no trespassing and added that he does not know if the actual property lines are signed.

Councilman Boehm inquired as to how much property there is outside the fenced area of the Sewer Plant.

Councilman Touchette stated that there is quite a bit.



Councilman Boehm inquired about there not being any signage.

Chief Darlington stated that it is just on the main road.

Operator Lennon stated that there is a sign on the gate that says that you need authorization to enter.

Keith Geraldson stated from the audience that it is not owned by the Town and they only have access in on the road and added that the Town does not own the property on either side of the road and that it is a right-of-way.

Supervisor Traver stated that at this time the Board's action is that there is no trespassing on sewer property for fishing or hunting and the gates are to be secured.

Councilman Boehm interjected that there should not be access for any purpose.

Town Clerk Millious inquired about the Fishing Derby.

Chief Darlington stated that the Town Board can authorize the Fishing Derby.

### **Stanton Use of Town Property**

Supervisor Traver stated that Mr. Neil Stanton called him last week asking if he could use the Town's property near Joralemon Park in the Greening Lane area. He added that he contacted Attorney for the Town Wukitsch who asked that there not be any Board action right now. He continued by saying that there is no use of the Town property right now but there could be a Lease Agreement with Mr. Stanton.

Mr. Stanton stated that they had a problem last year about going across the creek and added that the Town was given papers stating that they could cross the creek and it was all settled and they were given permission. He continued by saying that an individual came down from the housing development and spoke with Supervisor Hotaling and this is how it has come about again.

Councilwoman Rogers asked Mr. Stanton how long he has been using the property.

Mr. Stanton stated that they have been using the property for 20 years and added that his father talked to who ever was the Supervisor back then. He continued by saying that people had qualms about their cellars filling up and added that they told them what the soil is and we had this all settled last year and you had a certain guy come down so here we are.

Councilman Boehm inquired as to the size of the lot.

Mr. Stanton stated that it is about 12 acres.

Councilman Boehm inquired as to what is planted there now.

Mr. Stanton stated that it was corn last year and added that it is corn for two years and hay for four years.

Councilman Boehm stated that he does not have a problem with it because they do not have access from the other side of Joralemon Park and added that they might want to in the future use it and in his opinion by farming it he is keeping the land clear and clean. He continued by saying that since they are not going forward with the remediation of the creek right now he would be in favor of allowing him to use the land until the creek project starts. He concluded by saying that with the remediation of the Hannacroix Creek they are going to actually get in there and added that he might not be able to cross the creek at that point because they are going to redo the whole creek bed.

Supervisor Traver interjected that it would be at least while they are doing the work and added that they would have to check with FEMA and SEMO.

Mr. Stanton stated that there is a road across the creek now.

Councilman Boehm stated that in the future and with going forward with this project a couple years out he might not be able to cross because they are doing the whole creek bed. He continued by saying that it might be an opportunity to look at another way to access it from the other side of the ball field.

Mr. Stanton interjected that there are other creeks on the other side and added that you would have to go through creeks to get in from the park.

Councilman Boehm stated that you wouldn't have to cross the Hannacroix Creek if you went straight back from the pavilion where there is a feeder stream.

Mr. Stanton stated that there is a lot of rock and other things in there.

Councilman Boehm stated that given the current situation and in order to keep the land clear for future development, he would be in favor of entering into a one year Lease Agreement so the Stanton's can farm the land and added that they can reevaluate it when they go forward with the creek project.

Supervisor Traver stated that he will contact Attorney for the Town Wukitsch to see what the process is in signing off on a Lease Agreement.

Mr. Stanton stated that it is time to plant now.

Supervisor Traver stated that he will have an answer for him this week.

Councilman Touchette inquired as to if the crop is corn for this year.

Mr. Stanton stated that it is.

Supervisor Traver reiterated that he would have an answer for him this week.

### **Communications Tower Site**

Supervisor Traver stated that he had received an e-mail from Chief Darlington regarding AT&T's suggestion that the Town's tower be placed on the Seufert property. He continued by saying that in his opinion he would rather have AT&T use the Town's existing facility.

Chief Darlington stated that AT&T contacted him and indicated that they reviewed the Town's site as well as other possible sites and continued by saying that they asked that the Town enter into a Lease Agreement with that property owner. He continued by saying that as he stated in the e-mail there are already some property issues with the mining being done and added that in the public's interest it would be easier to remain with the Town's current site. He concluded by saying that AT&T basically said that whatever position the Board chose, they would accept and if they stay at Gedney Hill they will go with the site.

Councilman Touchette inquired as to if they would be leasing space on the Town's tower. Chief Darlington stated that they would and J&S would build the tower at no cost to the Town of Coeymans.

Councilman Touchette inquired as to what kind of revenue it will generate.

Chief Darlington stated that the ball park with AT&T, because they split the cost with J&S, which is the way it works, the average is \$2,000.00 a month in income.

Councilman Touchette inquired as to if the Town then owns the tower.

Chief Darlington stated that the Town owns the tower and the rights to it and J&S manages it, rents it out and tries to get more customers on it and they make their money

by getting 50% of the rental fees. He continued by saying that the Town goes on it where ever they want and control it and they also are getting a taller tower than they originally were trying to build, which will create better radio systems for the Fire Departments.

Councilman Touchette stated that he would be in favor of going with the original site.

Collectively the Town Board agreed.

Councilman Touchette inquired as to what they need to do to move forward.

Chief Darlington stated that basically he needs to respond to AT&T now that he knows how the Board feels and added that once he responds to them as to which site. They are going to move forward. He continued by saying that J&S will probably come to a Workshop and go over the Agreement that the Town needs to sign, which he will e-mail to Attorney for the Town Wukitsch so he can review it. He concluded by saying that he knows they are eagerly wanting to move forward and AT&T was hoping to be up and running by June or July.

Councilman Touchette inquired as to if there is any financial risk to the Town.

Chief Darlington stated that there isn't any that he is aware of and added that this is one of the newest up and coming projects and J&S appears on the back cover of Association of Towns publication. He added that they are municipally owned towers and at any time if the Town decides that they no longer want the tower up there, J&S will tear it down at no cost to the Town.

Councilman Boehm inquired as to if they did the tower that is over here.

Chief Darlington stated that they didn't and continued to say that they are trying to work with municipalities because the land ownership usually stays constant and they have a minimum of a 25 year lease on the site that they currently have with three additional renewals on it.

Councilman Touchette stated that it sounds like a good deal to him.

Councilwoman Rogers agreed.

Chief Darlington stated that he will e-mail them and tell them they are sticking with the Gedney Hill site.

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**RESOLUTIONS**

**RES. # 047-10 APPROVE SETTLEMENT WITH CIVILL SENIOR HOUSING**

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

**WHEREAS**, Civill Senior Housing Associates, LP (“Civill”) executed a Payment in Lieu of Taxes Agreement (“PILOT”) with the Town of Coeymans (the “Town”) and Civill Housing Development Fund Company Inc. on January 22, 1996; and

**WHEREAS**, Civill failed to make certain payments due to the Town under the PILOT with interest and penalties; and

**WHEREAS**, Civill disputes the amount due the Town under the PILOT; and

**WHEREAS**, Civill and the Town intend to settle and resolve the dispute in accordance with an Agreement to Pay Monies Due Under PILOT Agreement, a copy of which is attached hereto,

**NOW, THEREFORE, BE IT RESOLVED**, as follows:

1. The Town Board hereby approves the settlement set forth in the attached Agreement to Pay Monies Due under the PILOT Agreement.
2. The Town Board hereby authorizes the Supervisor to execute the Agreement to Pay Monies Due under the PILOT Agreement in the name of and on behalf of the Town of Coeymans.

Councilman Boehm stated that he, Councilman Touchette and Attorney for the Town Wukitsch met with Mr. Duncan Barrett and the original amount that they owed was \$64,000.00 and they agreed on \$50,000.00. He continued by saying that Attorney Wukitsch had sent an e-mail stating that Mr. Barrett was going to drop off a check if the Town accepts by resolution the Agreement. He went on by saying that the breakdown of the \$50,000.00 would be \$38,000.00 for the R-C-S School District and the Town and County would each get \$6,000.00 and added that in going forward he talked to Assessor VanValkenburg who advised that they have to set something up so they don't get in arrears because this covers up to January 1, 2010. He concluded by saying that he would recommend that they accept the settlement for \$50,000.00 and move forward.

**RES. #048-10 AMEND BUDGET FOR DOCKS**

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

**WHEREAS**, the Town of Coeymans Beautification Department will receive two grants from NYS Department of Environmental Conservation and Hudson River Valley Greenway; and

**WHEREAS**, the money is to be used to purchase modular docks for Coeymans Landing; and

**WHEREAS**, the 2010 Budget did not include receiving these grants; 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 amend the 2010 Budget as follows:

**EZ Docks**

Increase Revenue	A3897	\$11,750.00
Increase Revenue	A2771	\$11,750.00
Increase Expenditure Code	A7110.4 Contractual	\$23,500.00

Councilman Boehm inquired as to when the Town will be getting back the money.

Supervisor Traver stated that he believes that Nelson will either this week or next week have the paperwork done to submit to Hudson River Valley Greenway and added that they do not give a timeframe as to when the Town will be getting the money.

Councilman Touchette inquired as to whether half the money is from Hudson River Valley Greenway and half from the State.

Supervisor Traver stated that was correct.

Councilman Touchette stated that they will probably get the money from the Greenway sooner than they will from the State.

Councilman Boehm inquired as to whether the last section of dock went in.

Supervisor Traver stated that Nelson was returning some of the pieces that they didn't need in an even trade for one more section to extend the dock out further, which will be no cost to the Town.

**RES. #049-10 AMEND BUDGET FOR POLICE IN-CAR CAMERAS**

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

**WHEREAS**, the Town of Coeymans Police Department will receive the grant money for JAG/BYRNE from the County of Albany, Office of Sheriff's Department, and

**WHEREAS**, the money is to be used to purchase an in-car camera; and

**WHEREAS**, the 2010 Budget did not include receiving this grant money; and

**WHEREAS**, the Town of Coeymans is required to create a budget for the source and use of this fund;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Coeymans does hereby amend the 2010 Budget as follows:

**JAG/BYRNE**

Increase Revenue Code	A4390	\$11,067.00
Increase Expenditure Code	A3312.2 Equipment	\$11,067.00

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**CORRESPONDENCE**

**NYS Department of Environmental Conservation**

Supervisor Traver stated that he was in receipt of a letter from NYS DEC regarding a visual inspection of the Alcove Dam and continued by reading the following excerpt:

“I am writing to you because it is my understanding that you represent the owner of this structure. In general both dams appear to be well maintained. It is recommended that the City's program of controlling vegetative growth and animals burrows be continued. Copies of my Visual Observations are enclosed for your information.

These dams are currently considered to be “Large, Class C – High Hazard” dams. This means that a failure of the dam may result in widespread or serious damage to home(s); damage to main highways, industrial or commercial buildings, railroads, and/or important utilities; including water supply, sewage treatment, fuel, power, cable or telephone infrastructure; or substantial environmental damage; such that the loss of human life or widespread substantial economic loss is likely.

The revised Dam Safety Regulations became effective on August 19, 2009. The owners of Large, Class C – High Hazard dams are required to:

1. Develop and implement an Inspection and Maintenance Plan for each structure within 12 months.
2. Develop and submit to the Department an Emergency Action Plan for each structure no later than August 19, 2010, and review and update annually thereafter.
3. Submit to the Department an Annual Certification of Ownership, that the I&M Plans are current and being implemented and that the EAP's are current, for each structure by January 31<sup>st</sup> of each year.
4. Conduct a Safety Inspection by a Professional Engineer on a regular schedule as defined in the Inspection and Maintenance Plan.
5. Conduct a full engineering assessment every 10 years.

The full text of the revised 6 NYCRR Part 608 and part 673 can be downloaded from:  
<http://www.dec.ny.gov/regulations/regulations.html>.”

Supervisor Traver continued by saying that it also gives some information about the Basic Creek Dam, which is not in our jurisdiction but it could affect the Town.

Councilman Boehm stated that is one of the scenarios of a major hazard or catastrophe if the dam actually failed and added that it would take out most of the Hollow and come all the way down. He continued by saying that he thinks it important that they notify Robert Cross and also have Emergency Management Coordinator Bruno and Chief Darlington copied on this and request to be notified about any violations that are being corrected by the City of Albany. He went on by saying that it stated that it is in good shape now but there is a major engineering report due in August 2012. He concluded by saying that they need to be kept abreast of all of the activities out there.

Chief Darlington stated that he agreed and added that he would like a copy of their reports submitted to Emergency Management Coordinator.

Councilman Boehm stated that the letter was copied to the Director of SEMO as well as the Director of Albany County Emergency Management and added that it also should include local Emergency Management.

Chief Darlington stated that he received a copy from Confidential Secretary Lewandowski and added that he believes that Bill Bruno also received a copy. He added that in the development of the Dam Plan he along with Bill Bruno attended many meetings with the City of Albany and discussed many of their notifications and the way that they wanted to do it and they came up with many ways of notification if the dam were to fail.

Councilman Boehm asked that Supervisor Traver draft a letter to Robert Cross asking that the Chief of Police and Emergency Management Coordinator Bruno be copied on all correspondence as well as being notified of any violations by the City of Albany as they occur.

Councilman Touchette interjected that the letter should be addressed to Scott Braymer at DEC.

Councilman Boehm agreed.

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#### **TOWN BOARD WORKSHOPS / MEETINGS**

- Town Board Workshop, May 18, 2010, 6pm
- Town Board Meeting, May 24, 2010, 7pm
- Public Hearing, June 14, 2010, 6:30pm

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#### **ADDITIONAL COMMENTS**

Supervisor Traver asked if there were any additional comments.

Councilman Touchette stated that last Saturday the R-C-S Council of Churches held a Prayer Breakfast for Elected Officials and some of the Board attended as well as Justice Warner and some School Board Members. He added that it was a nice affair and it was good to get together with various other Elected Officials and representatives from the churches to talk about some of the common problems that they have and what they can do. He went on by saying that what came out of it was that each level of government can't do every thing for every one but what they can do is to create and foster an environment that helps create a caring and close knit community. He continued by saying that he also would like to clarify a misconception, if anyone has one, about the role that

the Town Board has had with Lafarge and added that they have been very supportive of Lafarge since the announcement of their modernization of the plant by passing resolutions, written letters to various agencies as well as personally meeting with Mr. Regan and helped as they wrote their application. He added by saying that everyone of them knows how important Lafarge is to the Town and they have done everything that they know how and everything in their power to further their efforts to modernize the plant and create a plant that serves the Town and has state of the art equipment to preserve the health of their citizens. He concluded by saying that at the next Workshop Meeting he thinks they should invite Larry Breedlove, Chief WWTP Operator to discuss some of the issues that are apparently of a concern to some people.

Supervisor Traver asked if there were any further comments.

Councilman Boehm stated that he wanted to echo what Councilman Touchette had said and added that they have been nothing but supportive of Lafarge Cement by doing resolutions and offering presentation opportunities. He continued by saying that he had a conversation with Mr. Regan earlier in the day about Harvard Public School of Medicine and the Department of Health are doing a study in the Village, which they had not really been made aware of and added that Mr. Regan will be keeping in touch with him about things that are going on. He concluded by saying that he thinks it is completely false that they have been anything but supportive of Lafarge and went on by saying that they realize that they employ 180 people, some of whom are present and he takes offense to the comment.

Supervisor Traver asked if there were any further comments.

Chief Darlington stated that he received a memo from the Supervisor's Office in reference to vandalism at a Town Park and added that if anyone has any information regarding it they should come forward. He continued by saying that the Town spends quite a bit of tax dollars for what he considers to be a beautiful park and there was quite a bit of damage done and people need to be held accountable for it. He added that he thinks that it needs to be emphasized by the Board to the Departments that when town property is vandalized the Police Department needs to be notified.

Councilman Boehm inquired as to if Nelson had filled out a Police Report on the damage.

Chief Darlington stated that this is the only notification that he has.

Councilman Boehm asked that he call Nelson and ask that he please do so. Then you can investigate the people responsible for the vandalism.

Chief Darlington stated that he knows many times that vandalism, even though reported, does not necessarily get solved but sometimes it does and sometimes they have information and sometimes they have people who have information and unfortunately if they are not aware of it they can not investigate it. He continued by saying that he sent out an e-mail to the Board approximately two weeks ago in regards to a shared service project with the R-C-S School District.

Councilman Boehm interjected that he will be following up with him on that.

Chief Darlington stated that he thinks that it is definitely something that they should work at and see if there is a way that they can share some of their services to save tax dollars and added that he had asked that Councilman Boehm sit with him because he has discussed it many times in the past. He continued by saying that the school is ready to move forward and they already approached the Village, who is interested in it also and he does not want to miss out on another opportunity. He went on by saying that the last thing that he has is that at the end of 2009 they started a Workplace Violence Program and added that he does not know if it fell off the radar or what the status of it is and whether or not they are going to move forward with it.

Supervisor Traver asked the Town Board if they are working on it.

Councilman Touchette stated that he had a conversation with Nanette Hatch and they talked about the Draft Policy and she was going to make a few revisions, which he thought she was going to forward to the Supervisor's Office for approval.

Supervisor Traver stated that he didn't receive anything.

Councilman Touchette stated that he would call her back and see where it stands.

Chief Darlington stated that the in-car cameras are in the vehicles and in service and working well.

Supervisor Traver asked if there were any additional comments.

Councilman Boehm stated that he had a question for Highway Superintendent Deering and continued by asking if there is a fire alarm system just sitting out there that was to be installed by Simplex Grinnell because he is under the impression that it is just sitting out there and was never installed.

Highway Superintendent Deering stated that the Board never moved on it.

Councilman Boehm inquired about purchasing the system but never having it installed.

Highway Superintendent Deering stated that they purchased it but it just sits there.

Councilman Boehm stated that they need to install it and continued by asking how much it would be to install it.

Highway Superintendent Deering stated that it would be \$5000.00 or better.

Councilman Boehm asked where it is sitting out there.

Highway Superintendent Deering stated the Town had gotten written up for it.

Councilman Touchette stated that he thought that Scott came to a meeting and they talked about it and they moved forward.

Councilman Boehm interjected that they need to.

Councilwoman Rogers stated that they should put in on the agenda for the Workshop and take care of it.

Councilman Touchette inquired as to when they bought it.

Highway Superintendent Deering stated that it was last year or the year before and added that it has been a while that they have had it.

Supervisor Traver stated that he wanted to announce that the Five Chief's Organization is having a Community Day this Saturday at Hannaford Plaza and all of the Fire Companies, Rescue Squad and Police Department will be there and the Coeymans Police and Greene County Sheriffs will be doing a child safety seat check. He added that the Coeymans Fire Department will have a display model of a house burning; Ravena Fire Company will have their ladder truck there as well as the Dive Team being there. He continued by saying that it is an event to get everyone together to see what is going on with our volunteers, emergency services, Police Department and rescue squad, who he believes will be doing a Blood Pressure Clinic. He added that they had previously discussed that NYMIR, the Town's Insurance Carrier was down last Thursday and he personally walked around with them throughout the Town and there are a few violations at the Sewer Plant and Highway Department. He went on by saying that with regard to the railing at the landing he was told that it needs to be finished and they talked about going along the north-side towards Yanni's and going across the sidewalk and added that as long as they go to the property line they will be fine. He added that he is going to speak with Carl Allen, the owner of the property, to see if they want to add on at their



own cost to protect people down there and along the south side they need to go along the concrete all the way, which is about 45 feet.

Councilman Boehm inquired whether or not the fence on the side toward Yanni's went to the property line.

Supervisor Traver stated that it is real close and added that they need one more end piece, which Nelson submitted at the last meeting, and continued by saying that to finish they need one more corner post and a short piece, which he has, but they need some more railing to put at the south end.

Councilman Boehm inquired as to how much it would cost.

Supervisor Traver stated that he believes it was \$3,200.00.

Supervisor Traver asked if there were any additional comments.

Highway Superintendent Deering stated that the house that Coeymans Fire Company and other fire companies drilled at was a good experience and added that he is glad that they did it.

Councilman Boehm asked Highway Superintendent Deering if he had any luck with the orange trash bags that they talked about.

Highway Superintendent Deering stated that he forgot all about the bags.

Councilman Boehm stated that he should look into it because he thinks it would be a good idea and added that New Baltimore does a trash pick-up of their Town roads and people go to the Town Clerk and pick out a road, take a bag and go out and pick up trash and in turn the Town Highway picks up the bags.

Supervisor Traver stated that he had two things that he wanted to address and added that he wanted to thank the Town Highway Department for doing the work at the park area by the Highway Department.

Councilman Boehm interjected that it is the Veteran's Memorial.

Supervisor Traver stated that they did a very nice job.

Councilman Boehm stated that it was not just the Highway Department and added that Nelson's crew also helped.

Supervisor Traver stated that he didn't believe that Nelson's crew made it out.

Highway Superintendent Deering interjected that they didn't do much.

Councilman Boehm stated that they did at some point.

Supervisor Traver stated that he would check into it but he does not believe that they made it out there at all because they got backed with the mowing already.

Councilman Boehm inquired as to who did the pavers.

Supervisor Traver stated it was the Highway crew.

Highway Superintendent Deering stated that it was the Garden Club and the Highway Department who did the work.

Supervisor Traver stated the Garden Club did the plantings.

Sewer Plant Operator Trainee Geraldson stated he did the drawings for them.

Councilman Boehm stated that it was a real collaboration and its looks very nice and it is something to be very proud of and hopes that on Memorial Day they will have a nice ceremony there.

Supervisor Traver stated at the last Town Board Meeting he talked about proposed initiatives that he would like to do and added that he left copies on the table. He continued by reading the following:

**SUPERVISOR’S PROPOSED INITIATIVES**

Highway Department

Equipment Program  
Salt Facility  
Road Program

Beautification Department

Bathrooms at Parks  
Equipment Program

Ravena Rescue Squad

Taxing District  
Reinstitute 24 Hour Medic Program

Police Department

2 Patrols per Shift 24 Hours a Day, 7 Days a Week  
Equipment Program – Buy or Lease Vehicles

Economic Development

Committee for Acquiring New Businesses  
Assist Businesses that are Established

Sewer Department

Upgrades to Plant  
Equipment Program

Town-Wide

Transfer Station  
Leaf, Grass & Brush Pickup  
Energy Conservation (Town Buildings)  
Programs for Youth (Skateboard Park, PAL, Etc.)

Supervisor Traver stated he also attended the Prayer Breakfast for Elected Officials and added that he believes all of the churches and organizations that were there are in favor of the PAL Program, which Chief Darlington and the Police Department are working on. He continued by saying that in regard to energy conservation at the Town buildings there will be energy efficient reports done on each building as well as speaking to a gentleman that lives in town about programs with computers for the pumps at the Sewer Plant and Water Plant so there is not such a big surge and the pumps come on very gradual, which would save some money on energy. He added that he also discussed with him about possibly doing something with methane gas, depending on how much is at the old landfill, and if enough you are able to absorb the methane gas and use it in other places for energy. He concluded by saying that these are some of the things that he proposes and continued by saying that he would like to start hearing from the public and Town Board in regard to his proposed initiatives and get opinions as to what is going on.

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**ADJOURNMENT TO EXECUTIVE SESSION**

Supervisor Traver asked for a motion to adjourn to Executive Session for a personnel issue and added that they will not be returning for any other business but would be returning to close the meeting.

**MOTION**

On motion of Councilwoman Rogers, seconded by Councilman Boehm, the Town Board Meeting was adjourned to Executive Session to discuss a personnel issue  
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Youmans) – SO MOVED

Time: 8:13 pm

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**EXECUTIVE SESSION**

Executive Session was convened in the Supervisor's Office at 8:34pm with all members of the Board present. There was no action taken and it was adjourned at 8:42pm.

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**RECONVENE MEETING AND ADJOURN**

Supervisor Traver called the meeting back to order and asked for a motion to adjourn.

**MOTION**

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

Time 8:45pm

*Respectfully Submitted,*

**APPROVED:**

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*Diane L. Millious, Town Clerk*