

A Town Board Meeting was held Monday, May 24, 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
David Wukitsch, Attorney for the Town
Albert Deering, Highway Superintendent
Greg Darlington, Chief of Police

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

OPENING COMMENT

Supervisor Traver stated that the record should reflect the presence of Town Clerk Millious, Attorney for the Town Wukitsch, Chief of Police Darlington and Highway Superintendent Deering and continued by giving an overview of the agenda.

AGENDA

- Public Announcement
 - Town Offices Closed, Memorial Day Observed
 - Memorial Day Parade, Ceremony at Monument Park, Ravena
 - Memorial Day Service, Veterans Memorial – Highway Dept., Coeymans Hollow
- Public Comment
- Approval of Minutes
 - Public Hearing, April 26, 2010
 - Town Board Meeting – April 26, 2010
- Supervisor's Report – April 2010
- Department Reports
 - Building Department, April 2010
 - Sewer Department, April 2010
 - Town Clerk, April 2010
- Old Business
 - Wastewater Treatment Plant Asbestos Abatement
 - Maria Bowers Property Issue
- New Business
 - Evening on the Green Band Schedule
 - Emergency Equipment Repair Request for Beautification Dept.
 - Mowing Property Westerlo & Fifth Streets
 - Request by Alcove Preservation Association re Valley Mill Paper Park
 - Request by Chief of Police to Attend Annual Training Conference for Law Enforcement Executives
 - Request for Coeymans Landing Gazebo as Drop off Location
 - Authorization to Sign MVP Health Care 2010 Contract
 - Resignation of Police Sergeant & Revert to Patrolman
 - Narcotics Lock Box for EMT's
- Resolutions
 - Appoint Seasonal Recreation Leader

- Appoint Internal Control Officer
- Adoption of Workplace Violence Prevention Program
- Budget Amendment, Historical Society
- Budget Amendment, Veteran's Memorial
- Budget Amendment, Justice Court Grant
- Approve May 2010 Abstract
- Correspondence
 - Public Service Commission
 - State Board of Real Property Services
 - City of Albany Common Council
- Town Board Workshops / Meetings
 - Public Hearing, June 14, 2010, 6:30pm
 - Town Board Workshop, June 15, 2010, 6pm
 - Town Board Meeting, June 21, 2010, 7pm

PUBLIC ANNOUNCEMENTS

Town Offices Closed Memorial Day

Supervisor Traver stated that he wanted to remind everyone that the Town Offices will be closed Monday, May 31st in observance of Memorial Day.

Memorial Day Parade

Supervisor Traver stated that there will be a Memorial Day Parade on Memorial Day and participants will line up at P.B. Coeymans School at 10am and march up Main Street to Monument Park in Ravenna where there will a Memorial Ceremony at 11:00am.

Memorial Day Service – Veteran's Memorial

Supervisor Traver stated that he Public is also invited to attend a Memorial Day Service at the recently refurbished Veterans Memorial at the Town Highway Garage, Route 143 Coeymans Hollow at 1:00pm on Memorial Day.

Councilman Boehm stated that he wanted to mention that this is the one that they just refurbished and added that there was a lot of help and collaboration from different departments and reiterated that the public is invited to attend a ceremony on Memorial Day at 1:00pm in Coeymans Hollow.

PUBLIC COMMENT

Supervisor Traver invited the public to comment at this time.

Mr. Ivan Millett stated that he attended a meeting a couple of weeks ago and asked about getting live television of the meetings back and continued by asking for an update on Rte. 143 and where they are at this point.

Councilman Boehm stated that he can update him on Rte. 143 and continued by saying that he spoke with Tim Gordon's office approximately 3 day ago and was advised that he is trying to arrange a meeting with himself and any of the other Board Members and Mary Ivy, the Regional Director to discuss the situation. He continued by saying that they have been patching some of the holes and added that there were some people by Osterhout's looking at a particular spot on the bank that has eroded by the phone pole on the right hand side near the crest of the hill where there is a lot of erosion and they are paying particular attention to that.

Supervisor Traver stated that with regard to live television, he spoke to the Mayor last week and it is suppose to be back on Channel 11 but they are currently having difficulty.

He continued by saying that they have to put it back on Channel 11 due to the contract that was signed between the Town, Village and Mid-Hudson Cable. He added that they are waiting for Mid-Hudson to do their final touch-ups on it to get it back on.

Mr. Millett asked if he was correct in thinking that Mid-Hudson is supposed to put it on live.

Supervisor Traver stated that he is.

Mr. Millett stated that several years ago it was that way and then thanked the Board.

Supervisor Traver asked if anyone else wished to address the Board, hearing none he moved to the next item on the agenda.

APPROVAL OF MINUTES

Supervisor Traver stated that there were two sets of minutes for Town Board approval, a previously tabled Public Hearing and a Town Board Meeting on April 26th. He continued by asking for a motion to approve them.

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers approving the Public Hearing and Town Board Meeting on April 26th.
VOTE – AYES 5 – NAYS 0 – SO MOVED

SUPERVISOR’S REPORT

Supervisor Traver read the Supervisor’s Report.

April 2010

FUND	BAL. FWD.	RECEIPTS	DISBURSE.	BALANCE
General	\$1,061,322.04	\$ 72,347.80	\$281,003.08	\$ 852,666.76
Part-Town	\$ 180,039.72	\$ 298,518.71	\$ 19,957.64	\$ 458,600.79
Highway	\$ 225,526.68	\$ 1,230.15	\$ 99,723.91	\$ 127,032.92
Bridge Const.	\$ 273,684.22	\$ 141.65	-0-	\$ 273,825.87
Sewer	\$ 122,441.02	\$ 827.39	\$ 29,004.11	\$ 94,264.30
Special Water	\$ 60,795.25	\$ 35,887.93	-0-	\$ 96683.18
Police Forf.	\$ 2,559.21	\$.78	\$ 580.00	\$ 2,559.21
Trust & Agcy.	\$ 112,048.93	\$ 238,407.76	\$334,335.22	\$ 16,121.47
H-Fund Cap. Proj.	\$ 46,040.33	\$ 11.34	-0-	\$ 46,051.67
Sect. 8 Hud Units 83	\$ 147,538.18	-0-	-0-	\$ 147,538.18
			Total Rec. Bal.	\$2,115,345.13

SAVINGS ACCOUNTS	COLLATERAL COVERAGE	FDIC COVERAGE	COLLATERALIZED
Unemployment \$ 4,059.73	Bank of Greene	\$250,000.00	\$2,469,653.70
Grove Cemetery \$40,718.88	National Bank	\$250,000.00	\$ 437,360.25
Sewer-Dedicated \$ <u>6,298.16</u>			
Total \$51,076.77			

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 approved as read.

VOTE – AYES 5 – NAYS 0 – SO MOVED

Councilman Touchette inquired as to if the Town is authorized for 84 units for Section 8 and whether or not they are all occupied.

Supervisor Traver stated that they are occupied.

Councilman Touchette continued by asking if there were any receipts or disbursements in that account for the month.

Supervisor Traver stated that there were not.

DEPARTMENT REPORTS

Building Department – April 2010

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

Councilwoman Rogers continued by giving the report.

Supervisor Traver asked for a motion to approve the report.

MOTION

On motion of Councilman Youmans, seconded by Councilman Touchette, the Building Department Report was approved as read.

VOTE – AYES 5 – NAYS 0 – SO MOVED

Sewer Department – April 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 Boehm, the Sewer Department Report was approved as read.

VOTE – AYES 5 – NAYS 0 – SO MOVED

Town Clerk – April 2010

Supervisor Traver asked that Town Clerk Millious give the Town Clerk's Monthly 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 Touchette, the Town Clerk Report was approved as read.

VOTE – AYES 5 – NAYS 0 – SO MOVED

OLD BUSINESS

Wastewater Treatment Plant Asbestos Abatement

Supervisor Traver stated that he was in receipt of an e-mail from Mike Sawyer, with C.T. Male and continued by reading the following:

“I have the quantities of asbestos containing materials for the boiler room area that I can send out to a few contractors to request prices. I can field any questions regarding the abatement that they may have, this would make it easier for you. We could also perform any and all the required air monitoring during the abatement. Let me know if you would like me to get the bids or if you prefer to do it yourself.”

Supervisor Traver stated that Mr. Sawyer is sending him a list, which he will pass on to the Board as soon as he gets it and continued by saying that they will have to move to do it before winter.

Councilman Youmans stated that in the e-mail he stated that he could get the bids and continued by asking the Board if it makes sense for him to get the bid done.

Councilman Touchette stated that in order to scope the job he does not know if they have the in-house expertise to do this and added that in the past they have asked an Engineering Firm to give them a proposal to do it.

Attorney for the Town Wukitsch inquired as to whether it would be \$10,000.00 or more.

Supervisor Traver stated that it is under \$10,000.00.

Councilman Boehm asked Supervisor Traver how he knew that.

Supervisor Traver stated that they had an estimated price of \$7,200.00 and \$1,800.00 for air monitoring.

Councilman Touchette inquired as to how much work it is and whether it would make sense to do it on an hourly basis and continued by asking if he is doing it for free.

Supervisor Traver stated that he's not.

Attorney for the Town Wukitsch stated that if it is \$10,000.00 or more, under Municipal Law it must be put out to bid.

Councilman Youmans interjected that there is a lot to asbestos and stated that they could get a description of the job from him.

Councilman Touchette stated that if he will give them a list of bidders then they can bid it out themselves and added that he thinks they want some technical experience in providing them with a scope of the project.

Councilman Youmans interjected that it is something that they had to move on yesterday.

Supervisor Traver reiterated that he will get a list and pass it on to the Board.

Maria Bowers Property Issue

Attorney for the Town Wukitsch stated that the Board should have a copy of the most recent communication from Ms. Bowers and added that as they recall, she was previously represented by Attorney Blanchfield, whom he has not heard anything from. He continued by saying that the first item of business is to confirm that she is no longer represented by an attorney, which is the procedural side and technical points. He added that what the Board really has to look at is how to approach the situation that has been many years in the making and then asked the Board for guidance in terms of how they want to proceed on this.

Councilman Boehm stated that it makes sense if she is not represented by an attorney for a few Board Members and Attorney for the Town Wukitsch to sit down with her and added that from his own experience she is very hard to get a hold of and continued by saying that he and Councilwoman Rogers met with her at her house last fall. He went on by saying that they have made every effort to meet with her and this is part of the problem and added that it is a complicated issue.

Attorney for the Town Wukitsch stated that it is complicated and added that there are a number of issues that are in play and there are 2-3 different options. He continued by saying that he does not see how short of a face to face meeting, they are going to get very far and added that he thinks two Board members and an attorney is a little bit of overkill, particularly if she is not represented by an attorney. He concluded by saying that his suggestion would be that 1 or 2 Board members try to communicate with her maybe through Highway Superintendent Deering.

Councilman Boehm stated that they could meet at the Highway Garage.

Councilman Touchette interjected that part of the problem is that it has all been verbal agreements over the years and then asked if it would make sense to put their proposal in writing if they decide what they want to propose.

Councilman Boehm stated that she indicated that she is not interested in selling the land and added that she wants to go back to the swap for materials for use of the land.

Attorney for the Town Wukitsch stated that he would not recommend any swap for exchange of services on an on-going basis.

Councilman Boehm stated that the other thing is whether it has been determined that the land is actually hers and added that she mentions a survey done years ago when Kelt Vosburgh was in office. He inquired as to whether it was ever confirmed that the land is hers.

Councilwoman Rogers stated that she has the survey map that she has not had a chance to look at and added that she will share it with him.

Councilman Boehm asked that Attorney for the Town Wukitsch draft a letter stating that he, Councilwoman Rogers and Highway Superintendent will meet with her at her convenience at the Highway Garage or Town Hall to discuss the various options available.

Attorney for the Town Wukitsch interjected that he thinks it is a good idea.

Highway Superintendent Deering stated that he has the same map indicating that the property is hers.

Councilman Boehm stated that he is not questioning whether it is or isn't but rather if it had been verified.

Attorney for the Town Wukitsch stated that it sounds good.

Highway Superintendent Deering asked if they were setting up a meeting.

Attorney for the Town Wukitsch stated that they were.

Highway Superintendent Deering asked Attorney for the Town Wukitsch if he would be involved.

Councilwoman Rogers stated that it would be him, Councilman Boehm, herself and Ms. Bowers.

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

NEW BUSINESS

Evenings on the Green Band Schedule

Supervisor Traver asked that Councilman Youmans read the Band Schedule for the Evenings on the Green.

Councilman Youmans continued by reading the following:

07-01-10	Folding Sky
07-08-10	Music Magic
07-15-10	Peaceful Country Band
07-22-10	The Reverberators
07-29-10	Fluid Motion
08-05-10	Lucia & Levi
08-12-10	Lost Wages
08-19-10	Dusk til Dawn
08-26-10	The Preachers

Councilman Youmans continued by saying that he encourages everyone to attend and added that it is Thursday nights from 6:30 – 8:30, the same night as the Farmer's Market. He added that you can get some vegetables, good music and hopefully the Fire Company will be down there again this year selling hotdogs.

Councilman Boehm asked whether or not it would make sense to have this posted around town on some kind of posters.

Councilman Youmans stated that he believes that Mary puts it in the News Herald.

Councilman Touchette stated that he wanted to thank Councilman Youmans for setting it all up and added that he knows it is tough to coordinate with all the different bands.

Councilman Youmans thanked him and added that the hard part is that they only budget \$300.00 per performance, which is a small amount of money and added that some of the bands get more than \$1,000.00 to play but will come for \$300.00 because they like the Town.

Emergency Equipment Repair Request for Beautification Department

Supervisor Traver stated that he received a request from Parks & Maintenance Supervisor Perry some time ago for emergency repair of equipment and continued by reading the following:

- 2005 Zero Turn Mower purchased in 2005 with 859 hours broke down today – swallowed exhaust valve, bent two rods, needs new head, possibly rod.
- Per Osterhout – to repair it needs head, rocker arm assembly with spring, exhaust valve, push rods, new head gasket & head for left side of engine with labor and parts \$650.00.
- Per Nelson Perry – Beautification needs this mower as the riding tractors are insufficient to do the work needed at the park.

Supervisor Traver asked for a motion authorizing Nelson Perry to have the mower fixed.

MOTION

On motion of Councilman Youmans, seconded by Councilman Touchette, authorizing Nelson to get the mower fixed as soon as possible due to their busy mowing season.

VOTE – AYES 5 – NAYS 0 – SO MOVED

Mowing Property on Westerlo & Fifth Streets

Supervisor Traver stated that it has been brought to their attention that there is a piece of property that is in dispute because it is private property and added that it has been mowed by the Town for several years. He continued by saying that he sent a memo to Nelson asking him to stop the mowing until there was a Board resolution and then asked how the Board feels about it.

Councilman Boehm stated that he thought there was a memo to continue mowing.

Supervisor Traver stated that there were two memos and added that he advised him to stop mowing and in turn he got an e-mail from Councilman Youmans stating that the Board felt that they should continue mowing and another memo was issued to Nelson to mow the private piece of property.

Councilman Boehm stated that the property is in an existing right-of-way within 30 feet of the center line.

Councilman Touchette inquired as to how they know it is private property.

Councilwoman Rogers interjected that they have been mowing it for 20-25 years and now all of the sudden it is private property.

Supervisor Traver stated that he spoke with the homeowner and he stated that he owns the property all the way down to Westerlo Street and continued by saying that if they go by the 30 feet mark they will have to mow everyone's property in the Town because it is a right-of-way.

Councilman Youmans stated that Highway Superintendent Deering actually does come around with a tractor and does the sides of the road from time to time and added that it is something that they do all over town. He continued by saying that his opinion is that they have not yet established it as private property and there is a sidewalk and fire hydrant there. He concluded by saying that if someone came with a survey map and said that it is their property and asked to stop mowing it would be a little different than someone determining that it is private property with no basis for doing so.

Councilman Touchette suggested that they ask Attorney for the Town Wukitsch how they would determine whether or not it is private property and if they would have to survey it and added that they have been mowing it for decades.

Councilwoman Rogers reiterated that this is what she said about it all of the sudden being private property.

Attorney for the Town Wukitsch stated that he does not know anything about where the property is or what it looks like and added that it sounds to him that it could be the right-of-way that has been mowed in the past, which is generally considered the landowners property even though the Town has a right-of-way across a portion of it and continued by saying that he would have to go down and look at it and actually see it.

Councilman Boehm stated that given the fact that it is within the 30 foot right-of-way and they have been mowing it for several years, rather than paying tax payer money to do a survey he would say that they should continue doing what they have been doing.

Councilman Youmans stated that this is his belief as well and added that it is a piece of property on the main thoroughfare to the river and he suspects that the reason that the Town started to maintain the property is because no one else would and it would detract from the area going down the hill.

Councilman Boehm inquired as to the square footage of the property.

Councilman Youmans stated that they have spent more time talking about it than it would take him to weed-eat it and added that they don't actually take a tractor to mow it, they use a weed-eater, which literally takes 5-10 minutes to do. He concluded by saying that it is a lot about nothing and it's not as if they are mowing someone's field and added that it is a little piece of property on the side of the road.

Councilwoman Rogers interjected that they should continue mowing it until they prove otherwise.

Attorney for the Town Wukitsch stated that they are not suppose to mow private property because it would be a gift of public services and reiterated that he would have to take a look at it.

Councilman Boehm stated that if Attorney for the Town Wukitsch can find something that indicates that they are violating the law by mowing within the 30 foot right-of-way he should let them know.

Attorney for the Town Wukitsch stated that he would.

Councilman Youmans stated that he does not believe that they are violating the law by mowing within the 30 foot right-of-way.

Attorney for the Town Wukitsch stated that if they are using public funds or services, even if it is for a short period of time for private purpose, it is a gift of public services, which is not permissible.

Councilman Youmans stated that he understands that but for years the Town has been mowing both sides of the road with a flail mower that gets all the growth that grows up high alongside the road, which goes 4 feet off the road. He added that if you didn't do that it would over grow on the road and continued by saying that he suspects that they do it because it is within a right-of-way and they have to maintain the road and the right-of-way.

Councilman Boehm stated that some people will privately like himself, mow right up to the shoulder of the road so the Town won't have to mow it.

Attorney for the Town Wukitsch stated that there are all sorts of situations and added that if a homeowners tree is obstructing public right-of-way the Town has the right to trim the

branches back so motorists can safely proceed down the road. He continued by saying that it does not mean that they are providing a free trimming service and it depends on what they are dealing with and the facts of each specific case, which is what he needs to know.

Supervisor Traver stated that he would like for Town Clerk Millious to take a roll-call vote because he feels very strongly that it is mowing private property.

Councilman Boehm interjected that there needs to be a motion in order to take a vote.

Councilman Youmans asked that they be clear on how they would go about establishing whether or not it is indeed private property and continued by saying that just because someone said that it is; now it is. He continued by saying that for decades they have been maintaining this little piece of property and then asked Attorney for the Town Wukitsch if Adverse Possession or Eminent Domain play a role.

Attorney for the Town Wukitsch stated that he didn't think so because in order to have adverse possession you would have to be doing it under a Claim of Right, which is open, notorious, and continuous and the Town would actually be trying to exert ownership control over the property. He added that he does not know if they have all of those elements here so he does not know if they have Adverse Possession and continued by saying that generally he does not think that it would become Town property. He concluded by saying that they are saying that it is something that is done all the time in terms of a combination and they are saying that it is a tiny little piece of property that takes 5 minutes.

Councilman Youmans interjected that they have spent more time on it than it deserves at this point.

Supervisor Traver asked if there was a motion to continue mowing the property.

Councilman Youmans stated that he didn't think that they needed a motion to continue doing what they have done.

Councilwoman Rogers stated that they will continue mowing until they prove otherwise and added that they should keep it looking nice down there.

Councilman Boehm interjected that he agrees with Councilman Youmans and Councilwoman Rogers.

Supervisor Traver stated that for the record he disagrees and he does not think that they should be mowing the property on Westerlo Street.

Request by Alcove Preservation Association re: Valley Mill Paper Park

Supervisor Traver continued by reading the following e-mail:

The Alcove Preservation Association (APA) requests assistance from the Town of Coeymans to remove a pile of debris, consisting of twigs and small tree limbs, from the Valley Paper Mill Park. The quantity to be removed is less than one small dump-truck load.

Supervisor Traver stated that they have helped them in the past and continued by asking for a motion authorizing the Town's help.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Touchette, authorizing the Town Highway Department to remove debris from Valley Paper Mill Park.

VOTE – AYES 5 – NAYS 0 – SO MOVED

Councilman Boehm suggested that Mr. Sweeny contact Highway Superintendent Deering directly to make the arrangements to do so.

Councilman Touchette stated that he understands that the APA is intending to donate the park to the Town at some point in the future and added that there is a public benefit from doing the work.

Request by Chief of Police to Attend Annual Training Conference for Law Enforcement Executives

Supervisor Traver stated that he was in receipt of a request from Chief Darlington to attend an annual training conference for Law Enforcement Executives from July 18th through July 21st in Fairport, NY for a total cost of \$678.00.

Councilman Touchette inquired as to if it is the New York State Association of Chiefs of Police.

Chief Darlington stated that it was.

Councilman Touchette asked if it was the same organization that threatened to sue the Town if they didn't give him his raise.

Chief Darlington stated that they did not threaten but said that there would be litigation and continued by saying that he did not hire them and they are not representing him and went on by saying that they are an Association such as the Town Clerk's Association.

Councilwoman Rogers stated that he goes to this every year.

Chief Darlington stated that he didn't go last year due to the budget problems and added that prior to that he did attend annually as did every Chief prior to him.

Councilman Youmans stated that the memo states that it is imperative for him to attend to stay on current requirements and then asked if he is required to attain a certain level of education.

Chief Darlington stated that this will provide Executive Training and added that most training that is done throughout the State is basic Law Enforcement Training. He continued by saying that there is no official requirement but if they want to stay current with the Executive requirements, his answer would be yes.

Councilman Youmans asked if he is saying that it is important for him to go.

Chief Darlington stated that it is without a doubt.

Councilman Youmans continued by offering a motion.

MOTION

On motion of Councilman Youmans, seconded by Councilwoman Rogers, authorizing Chief Darlington to attend the Executive Training from July 18-21, not to exceed \$678.00.

VOTE – AYES 4 – NAYS 1 – SO MOVED

Request for Coeymans Landing Gazebo as Drop off Location

Supervisor Traver stated that Councilman Youmans, Touchette and himself went to a Prayer Breakfast a couple weeks ago and added that one of the churches is doing a Brown Bag Lunch Program for underprivileged children and continued by saying that they are considering using Coeymans Landing Gazebo for a drop-off location. He added that the Program would be July and August from 12:00-12:20 five days a week and then asked the Board if anyone had any problem with them doing this.

Councilman Youmans stated that he absolutely did not and continued by saying that he wanted to add a little more background on it. He added that both Reverend Sherri and Reverend Jim Datri believe that based on the children that receive free and reduced lunch in school, there is a need for those children to have in the summertime the availability of nutritious foods and they have worked out some donations of food and they are going to put together brown bag lunches to anyone that needs them. He continued by saying that they are going to have several locations within Town where they will go to distribute them and reiterated that he does not see a problem with it and it is a wonderful program that they initiated.

Councilman Touchette stated that there is also a need for volunteers to help provide transportation and to put the lunches together and anyone interested in volunteering should contact Jim or Sherri Datri.

Councilman Boehm asked if they should lend more support by putting it on the Town's website.

Councilman Youmans stated that it is worth thinking about.

Supervisor Traver stated that he would give Jim a call and ask if he wants it on the website.

Town Clerk Millious stated that people reserve the gazebo for \$25.00 through her and added she wants to make sure that there is no conflict.

Councilman Youmans stated that they don't even need the Gazebo and added that they just need a public place like a parking lot where they can distribute the lunches.

Supervisor Traver stated that they could use a picnic table by the gazebo if there was something going on.

Town Clerk Millious stated that there are not a lot of reservations for the gazebo and added that she just wants to make sure.

Chief Darlington stated that if he is provided with the information he will put it on the NIXLE Program as well.

Councilman Youmans stated that it was a good idea.

Authorization to Sign MVP Health Care 2010 Contract

Supervisor Traver stated that Confidential Secretary Lewandowski checked into the MVP Health Care 2010 Contract and reported that there were no changes. He continued by asking for a motion authorizing him to sign the contract between the Town and MVP.

Councilman Youmans inquired whether the rate had changed.

Supervisor Traver stated that the rate did not change.

Councilwoman Rogers interjected that she thought the contracts were due at the end of August.

Supervisor Traver stated that he received it May 12th.

Attorney for the Town Wukitsch stated that it is for the current year and it is not a renewal.

Councilwoman Rogers interjected that this is what she thought and reiterated that it is due in August.

Attorney for the Town Wukitsch stated that it is for January 1, 2010 and the rates were negotiated last year and for some reason the contract was not signed.

Supervisor Traver stated that the paper does say January 1, 2010 through December 31, 2010.

Attorney for the Town Wukitsch reiterated that it is the contract that is in effect now and it is now more for record keeping.

Councilman Youmans stated that he would offer a motion.

MOTION

On motion of Councilman Youmans, seconded by Councilman Boehm, authorizing Supervisor Traver to sign the contract.

VOTE – AYES 5 – NAYS 0 – SO MOVED

Resignation of Police Sergeant & Revert to Patrolman

Supervisor Traver stated that he was in receipt of a copy of a letter from Sergeant Westfall addressed to Chief Darlington and continued by reading the following:

Chief Darlington,

I Nicholas Westfall am resigning from the position of Sergeant with the Town of Coeymans Police Department and returning to the position of Patrolman effective May 24, 2010.

Sincerely,

Nicholas Westfall

Supervisor Traver asked Chief Darlington if he had anything to add.

Chief Darlington stated that he didn't.

Supervisor Traver asked the Town Board if they had anything to add, hearing none he moved to the next item on the agenda.

Narcotics Lock Box for EMT's

Supervisor Traver stated that they were going to table discussion on the narcotic's lock box for the EMT's.

Councilman Touchette stated that he had something else to add to the agenda and continued by saying that he hesitates to say it but on Face Book he had gotten an invitation to attend a festival called GarageStock 2010 on Saturday, June 26th from 2:30-9:00pm, which will be held at Joralemon Park. He continued by saying that there are going to be 5 bands there and added that he does not know if whomever is organizing the event should have some kind of permit to do this.

Councilwoman Rogers inquired as to where he got the information.

Councilman Touchette stated that he received an invitation from one of his friends on Face Book and added that it is an open invitation to everyone and he does not know what the policy would be.

Councilwoman Rogers inquired as to who the bands are.

Councilman Touchette read the list of bands.

Councilman Youmans inquired as to if Town Clerk Millious had anyone renting the park for this event.

Town Clerk Millious stated that anyone can use the park and added that to reserve the pavilion or the ball field they would go through her.

Chief Darlington stated that this was a prior discussion and they came up with a reservation of the pavilion and when you reserve it you have to have an insurance rider for liability. He continued by saying that if you don't reserve it, you can do whatever you want and added that he believes that it is something that he thinks should be addressed in the very near future if there are going to be live bands and large numbers of people attending.

Town Clerk Millious stated that it could be a problem is someone reserved the pavilion for example a birthday and then bands would start showing up, which in turn would require the police to go out and ask them to leave.

Chief Darlington stated that for clarification they would not tell them to leave but rather vacate the pavilion because they would be entitled to use the rest of the park.

Councilman Boehm asked if the pavilion includes electricity.

Councilman Youmans stated that it may be prudent to have Chief Darlington make note of that day and pay special attention that day.

Supervisor Traver asked if there were any other New Business items for discussion.

Councilman Boehm stated that he wanted to mention the Food for Thought Program and added that it will be held at P.B. Coeymans Elementary July 12th through August 13th. He continued by saying that it will be placed on the website and applications must be in by June 21st and can be picked up at the Supervisor's Office. He went on by saying that anyone interested in employment, there may be some openings and applications can be picked up at the Supervisor's Office and must be in by June 4th.

RESOLUTIONS

RES. #051-10 APPOINT SEASONAL RECREATION LEADER

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

WHEREAS, the Town of Coeymans and Village of Ravena established a Summer Recreation Program based at Mosher Park, and

WHEREAS, both the Town Board and the Village Board has agreed to equally fund this program, and

WHEREAS, seasonal part-time staff is needed to organize and operate the program to run from July 6th – August 13th, 2010, and

WHEREAS, Eric Stott successfully executed the duties of part-time seasonal Recreation Leader last year,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans hereby appoints Eric Stott as part-time seasonal Recreation Leader at the hourly rate of \$11.00, effective immediately.

Councilman Boehm stated that Eric did the Program last year and did a great job and added that there are a lot of fun activities. He went on by saying that they hire him early so he can work with the Recreation Aides to see who is coming back and to make sure that they are on board and continued by saying that they are trying to get a First Aid Course together for the Aides. He concluded by saying that he promotes the Program in the school and there are duties before the start of the Program that he is involved in and the rate of \$11.00 per hour is the same as last year.

RES. #052-10 APPOINT INTERNAL CONTROL OFFICER

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

WHEREAS, the Town Board authorized the hiring of Darryl Purinton as Internal Control Officer on January 22, 2007, on an “as needed” basis, and

WHEREAS, he has served provisionally in this title since that time, and

WHEREAS, Albany County Department of Civil Service require that he take the examination for this position, and

WHEREAS, Mr. Purinton has taken and passed the Civil Service Examination for Internal Control Officer.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans, hereby appoints Darryl Purinton to the Albany County Civil Service Title of Internal Control Officer. This appointment from Albany County Civil Service list/exam number 201068768 is effective immediately and subject to a probationary period of 8 to 26 weeks.

RES. #53-10 ADOPT WORKPLACE VIOLENCE PREVENTION PROGRAM

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

WHEREAS, New York State Labor Law Section 27-B requires public sector employers to develop and implement programs intended to prevent workplace violence, and

WHEREAS, the New York State Legislature mandated that municipalities develop a Workplace Violence Prevention Policy, and

WHEREAS, the Town Board contracted with Public Sector HR Consultants LLC to perform a Workplace Violence Risk Evaluation and develop a Workplace Violence Prevention Program,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby adopt the attached Workplace Violence Prevention Program which has been developed for the Town of Coeymans.

Councilman Boehm asked that they put a copy of the document in the Town Clerk’s Office.

RES. #54-10 APPROVE BUDGET AMENDMENT – HISTORICAL SOCIETY

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

WHEREAS, the Town purchased a 1785 Town of Coeymans Map and donated this artifact to the Ravena-Coeymans Historical Society, and

WHEREAS, the Historical Society requested \$384.00 for additional funding towards the restoration of the map which was approved at the March 22, 2010, Town Board Meeting, and

WHEREAS, the Town has not provided a code for this expenditure in the 2010 Budget,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby establish line item A7520.2, Historical Property/Equipment & Capital Outlay, in the 2010 Budget and amends the 2010 Budget as follows:

Increase Expenditure	A7520.2	\$384.00
Increase Appropriate Fund Balance	A910	\$384.00

RES. #55-10 APPROVE BUDGET AMENDMENT – VETERAN’S MEMORIAL

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

WHEREAS, the Town Board authorized the refurbishing of the Veteran’s Memorial located at the Highway Department in Coeymans Hollow, and

WHEREAS, the Clematis Garden Club has volunteered to donate the plantings and requested additional funds in the amount of \$200.00 for some shrubs, and

WHEREAS, the Town Board authorized provision of such funds at the March 22, 2010 Budget,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans, does hereby establish line item a7997.2 Culture and Recreation/Equipment & Capital Outlay in the 2010 Budget and amends the 2010 Budget as follows:

Increase Expenditure	A7997.2	\$200.00
Increase Appropriated Fund Balance	A910	\$200.00

Councilman Boehm stated that there is only one voucher for \$89.00 and he does not think that they will even need \$200.00 and added that there have been several donations of flowers

RES. #56-10 APPROVE BUDGET AMENDMENT – JUSTICE COURT GRANT

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

WHEREAS, the Town of Coeymans Justice Court has received grant funding from the Justice Court Assistance Program (JCAP) to improve court facilities, and

WHEREAS, the 2010 Budget did not include this grant funding, and

WHEREAS, the Town of Coeymans is required to create a budget for the source and use of funds for the Justice Court grant,

NOW, THEREFORE, BE IT RESOLVED, that the 2010 Budget be amended as follows:

Revenue	A3021	\$23,725.58
Expenditure Code	A110.2	\$17,297.73
	A110.4	\$ 6,427.85

RES. #057-10 APPROVE MAY 2010 ABSTRACT

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

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

FUND	VOUCHER #	AMOUNT
GENERAL (A)		
General Pre-Pay	791-844	\$ 213, 238.53
General	882-937	\$ 46, 539.62
	General Total	\$ 259, 778.15
PART-TOWN (B)		
Part-Town Pre-Pay	845-853	\$ 12, 611.03
Part-Town	938-939	\$ 1, 518.68

	Part Town Total	\$ 14,129.71
HIGHWAY (D)		
Highway Pre-Pay	854-859	\$ 33,778.52
Highway	940-971	\$ 9,542.14
	Highway Total	\$ 43,320.66
SEWER (SS)		
Sewer Pre-Pay	860-875	\$ 14,905.79
Sewer	972-992	\$ 8,195.14
	Sewer Total	\$ 23,100.93
SPECIAL WATER (SW)		
Special Water	876	\$ 82,779.80
	Special Water Total	\$ 82,779.80
CAPITAL PROJ. (H)		
Capital Projects	993-994	\$ 2,240.00
	Capital Proj. Total	\$ 2,240.00
	Total for all Funds	\$ 425,349.25
TRUST & AGENCY (TA)		
Trust & Agency Pre-Pay	877-881	\$ 225,693.26
	Trust & Agcy. Total	\$ 225,693.26

CORRESPONDENCE

Public Service Commission

Supervisor Traver stated that Champlain Hudson Power Express, Inc. will be doing a power line down through the Hudson Valley under the Hudson River and added that there are corrections to their original application listing a couple of areas for environmental compatibility and public need. He continued by saying that there is a Procedural Conference in this proceeding during the week of May 24th to May 28th and the supplemental filing for it is July 1, 2010. He concluded by saying that it will be posted on the bulletin board so the public can review it.

Councilman Touchette asked if it has any effect on the Town.

Supervisor Traver stated that it is going to be underneath the Hudson River.

State Board of Real Property Services

Supervisor Traver stated that he was in receipt of a Notice of Tentative State Equalization Rate for the 2010 Assessment Roll from State of New York State Board of Real Property Services and the hearing date is June 8, 2010 at 10:00am at the Office of Real Property Services, 16 Sheridan Avenue, Albany, NY. He continued by saying that it shows the Town of Coeymans 2009 Equalization Rate at 99.25, which is a tentative minus of .75%.

City of Albany Common Council

Dear Sir or Madam:

Supervisor Traver stated that he was in receipt of a letter from City of Albany Common Council regarding the Capital Region Solid Waste Management Partnership Draft Solid Waste Management Plan City of Albany. He continued by reading the following:

Dear Sir or Madam,

The Capital Region Solid Waste Management Partnership Planning Unit has prepared a Draft Solid Waste Management Plan (“SWMP”) for the Planning Unit. The City of Albany has prepared a Full Environmental Assessment Form (“EAF”), with Part 1 completed, to assist in evaluating the environmental impacts from the draft SWMP.

The City of Albany Common Council has tentatively determined that the proposed project is an Unlisted Action under the State Environmental Quality Review Act (“SEQR”), that it would like to act as Lead Agency for purposes of review of the project, and desires to coordinate review of the project. Your agency has been identified as a potential involved or interested agency for the project. Accordingly, I am enclosing a copy of the EAF for your review.

As noted above, the City of Albany Common Council would like to act as Lead Agency under SEQR for this project, and coordinate the review with all involved agencies and interested agencies. Pursuant to the provisions of 6 NYCRR Section 617.6(b) involved agencies have 30 days in which to agree to a lead agency. The Common Council would ask that your agency consent to it acting as Lead Agency for the project as soon as possible. This may be accomplished by signing a copy of this letter where indicated, and returning it to the undersigned. In addition, please provide us with any comments you may have on the EAF at your earliest convenience.

Thank you in advance for your cooperation in this matter.

Very truly yours,

John Marsolais
City Clerk

Councilman Boehm stated that they should have Attorney Haffner look at it and added that it might be an opportunity for the law firm that has been handling the correspondence related to the landfill issue.

Councilwoman Rogers and Councilman Youmans collectively stated that it sounds like a good idea and makes sense.

Supervisor Traver asked the Board if they wanted him to forward it to Attorney Haffner.

Councilman Boehm stated that he would like for him to forward it to Attorney Haffner for any comment.

Attorney for the Town Wukitsch stated that they want to forward it with the question as to whether there is any reason why the Town of Coeymans should not consent to the City of Albany act as Lead Agency because it is a Lead Agency Letter and they are seeking to act as Lead Agency for the project. He continued by saying that they should get Attorney Haffner’s input on that specific issue and whether there is any reason to object.

Councilman Boehm stated that they should do this given their opposition to the landfill and if there is reason to object. He continued by asking that Supervisor Traver copy the letter to Attorney Haffner.

Highway Superintendent Deering stated that he didn’t know if it was Old Business or New Business and continued by inquiring as to if the Town Board had gotten a copy of what was sent by Simplex.

Collectively the Board stated that they had.

Supervisor Traver stated that it will be on the Workshop for next month.

Councilman Boehm inquired as to if Highway Superintendent Deering had ordered the orange garbage bags.

Highway Superintendent Deering stated that he hadn't.

Councilman Boehm stated that they want to try and coordinate with the Neighborhood Association for a clean-up of the Hamlet and added that they can extend it out to the Hollow and issue bags to anyone interested and Highway Superintendent Deering could coordinate it with Councilman Touchette.

PUBLIC COMMENT / ADDITIONAL COMMENTS

Supervisor Traver stated that he added Public Comment at the end of the Meeting because he had been asked by members of the public if he would. He continued by inviting the public to comment at this time.

Mr. Lake stated that he lives on Colvin Avenue where the drainage work was being done and continued by asking if they are going on the other side of the road or if they are stopping where they did the work He continued by saying that the yard is washing away from underneath and the drainage for the house is in that corner and it is collapsing his pipe and washing the land away from the house.

Councilman Touchette inquired as to if he lives adjacent to the Pasquini's.

Mr. Lake stated that he lives at 5 Colvin Avenue, the yellow house on the left hand side.

Councilman Touchette inquired as to if it goes down into the Pasquini yard.

Mr. Lake stated that it is part of his yard into theirs and continued by saying that it is collapsing the whole yard, which is drainage for his house and the pipe is sinking. He went on by asking if anything is going to be done and added that he had asked a few people who were doing the work and no one seemed to know and all they said was that they were running the line to the end of the road.

Supervisor Traver asked Highway Superintendent Deering if the drain line project was complete.

Highway Superintendent Deering stated that there was one little piece to block off where they put the box.

Councilman Touchette stated that what they have done is they have diverted the water that goes in the Pasquini yard.

Mr. Lake said that the water was running under the road into his yard and then her yard, which washed it away and it keeps deteriorating because there is a hole underground and it keeps sinking. He continued by asking if anyone is going to dig it up and fill it in or run a pipe and added that he had a drainage problem two years ago and it backed up and someone ran a snake through there and it stopped at a certain point and he could not go any further than 75 feet of the 100 feet line. He continued by asking if he is going to be a problem and whether he would continue to have a back-up that ends up in his basement.

Councilwoman Rogers asked Supervisor Traver what their next move would be.

Supervisor Traver stated that he believes that C.T. Male was looking into this and they did correct one part of the action and continued by saying that they have to see what the next step will be to correct any other actions down there. He added that they will have to take a look at the report to see what their next step will be.

Mr. Lake stated that it appears that there is something in the works.

Supervisor Traver stated that he has not seen the full report and added that they did corrective action to divert the water.

Councilman Touchette interjected that it was for the storm water and added that Mr. Lake is saying that he has a problem with the sanitary sewer as well.

Mr. Lake stated that the storm water was running down beneath the road and his line runs to the corner of the house down into the corner of the yard, which is the worst part of it. He continued by saying that in coming down Colvin Avenue you can see from the street that it has been washed away and it is coming down at an angle and washing out everything down underneath the ground so the more it washes out the more it sinks.

Supervisor Traver stated that he would take a look at what the report says and they will get back to him to advise what their next steps are.

Mr. Lake asked if it would be any time soon.

Supervisor Traver stated that they have to finish what they are doing now and he will take a look at the report and either he or another member of the Board will get back to him. He continued by asking if there were any other comments.

Ms. Donna Pasquini stated that her property adjoins Mr. Lake's property and added that she thinks what they misunderstood is that the sanitary sewer that he is talking about comes out of his house, runs down to the corner of the property and because it is sinking it is pulling his sanitary sewer line apart. She continued by saying that he has a problem with his sanitary sewer because of the storm sewer sinking, which is a serious problem because it is sanitary sewer. She added that concerning the property on Westerlo and 5th Street, she has lived across from there for 33 years and for 33 years the Town has mowed that property as well as the Town having a public sidewalk starting from 5th Street and running all the way down Westerlo Street to the top of that property. She continued by saying that it has always been taken care of and she does not know why it is a problem now and a few years ago the Town Board adopted a State Home Maintenance Law and in that law it says how high you can let your grass grow. She concluded by saying that if they say it is not their responsibility and they let the grass grow, the Town will be breaking the law themselves and added that she read the Home Maintenance Law that New York State made the Town adopt and she feels that after 33 years that she has seen the Town mow the property, maintain the sidewalk and shovel the snow they should not stop now.

Councilman Boehm stated that he believes that they are not going to stop and added that there was some opposition but they are going to continue as they have.

Ms. Mary Driscoll stated that she was glad that Councilman Youmans was present and she is sorry that he was not at the last meeting and added that she is thinking about getting Face Book to. She continued by asking if the bathroom in the building is the only bathroom that the women use and added that it's a good thing that she does not work here because she would have the Department of Health down here. She went on by saying that the sinks are filthy and it didn't come within the last couple of months and she does not see how they expect employees to work under those conditions like that and she can see why the Sewer Plant is a mess. She concluded by saying that she understands that there are people going around taking samples from private homes and continued by asking if they have to have a permit to do this or are they just allowed to do this.

Councilwoman Rogers inquired as to what kind of samples she was talking about.

Ms. Driscoll stated that they are dirt and dust samples and asked if they have to have a permit to do this or if they are allowed if there is a study going on.

Councilman Boehm asked Chief Darlington if he was aware of a study.

Chief Darlington stated that he hadn't.

Ms. Driscoll stated that they are going on private property and she does not believe that people in the town should be harassed like that.

Councilman Boehm inquired as to who is being harassed and whether or not she has a specific name.

Ms. Driscoll stated that she would not tell him if she did and reiterated that she does not believe that it is right and the Town should do something and if they are suppose to have permits, they should have permits to go on private property.

Councilman Boehm inquired as to how she would suggest that they would do something if they don't know the names of the people and there have been no reports.

Ms. Driscoll stated that they can watch for them and added that she just wants to know if they need permits and added that notes on paper are not nice when someone is talking.

Mr. Dan Boomer stated that he lives at 212 Biechman Road and continued by saying that those that read the News Herald are aware that the Department of Health and Harvard Research are taking samples around town for a study on Lafarge. He continued by saying that there is a big fallout with the Village establishment over not being notified in time and added that these are the people that are taking samples of the land around, which he thinks is crazy because he does not believe that you could get a good sample with the area having 300 years of industrial history. He went on by saying that they are trying to shut the Lafarge plant and everyone should be aware of that. He continued by saying that he wanted to address the Rte. 143 debacle and added that he does not know how anyone could travel 45 mph but no one should be held responsible because the speed limit signs are completely grown over with trees as well as curve warning signs. He added that as they all know there is going to be a tragedy on the road from the lack of action and it should be on the record that the signs are obstructed as well as the dead trees that are all along the road waiting to fall down. He continued by saying that it is a little game for those that play dodge the pot holes as they try to get to town and they try to guess what tree will fall down next and added that it is quite obvious that the problem with DOT and the town's highway is that they just don't care about us and they don't see us as being important and the woman said it publicly last year. He went on by saying that it is obviously a mismanagement problem and they can't even clean the edges of the road and spent well over a week with a patching operation with a crew of six men and then they head to Albany or some far off place for a load of blacktop. He added that he hates to pick on working people that are just doing what they are told but this all a farce and a waste of resources and he is looking to the Town leaders to please try and get somewhere with this because he thinks that the root of the problem is mismanagement because Rte. 81 in the Greenville area was paved last year in less than a week from Greenville to Oak Hill, which would be more than the distance from Nolan Road to Coeymans Hollow Firehouse. He concluded by saying that if it hadn't been down so far there still might be a base where they could just put a thin coat down, which would be more cost effective than the patch game.

Supervisor Traver asked if there were any other comments.

Highway Superintendent Deering stated that where they have been working on Colvin Avenue the people have been very good in putting up with things that are out of whack and added that he wanted to thank them.

Councilman Youmans stated that he had been there a couple of time and added that some of the people have been very inconvenienced by it by having to park their cars and walk in and they all seemed very understanding.

Supervisor Traver asked if there were any other comments.

Chief Darlington stated that he sent an e-mail regarding J&S Towers and added that he does not know what the Board's pleasure is as far as moving forward or where they stand with it.

Councilman Boehm stated that he has a meeting tomorrow with the school regarding shared services and then asked Chief Darlington if he would be going as well.

Chief Darlington stated that he would not be able to attend.

Councilman Boehm asked that he give him the information on the tower to talk to the school about it because he believes it is the Technology Director that is holding the meeting. He added that the whole idea behind it is everything small uniforms up to communication towers for bus drivers, which he feels is a positive step. He stated that if Chief Darlington will update him, he will bring it forward and see if he can get some interest on it.

Chief Darlington stated that he had spoken to the Technology Director and added that depending on the height of the tower they are definitely interested. He continued by saying that he attached to the e-mail an Agreement that J&S requires a municipality to sign in order to move forward with it.

Councilman Boehm inquired as to if this is something that a lot of towns are doing and continued by asking if there is another company besides J&S and added that they are obviously a private entity. He went on by asking if he feels as though they are getting the best value by entering into a contract with them or if they should shop around.

Attorney for the Town Wukitsch stated that he is not familiar with others that perform the service and added that he looked at the Management Agreement and basically if he is understanding it correctly the Town appoints J&S as it's exclusive agent but does not pay J&S a fee and allows J&S to collect a fee from any carriers that use the tower.

Chief Darlington stated that was correct and added that he believes the way it was stated is that it is 50% of the rental fees.

Councilman Boehm stated that if there is an Agreement with the school for \$1,000.00, J&S would get \$500.00 of it.

Chief Darlington stated that was correct.

Attorney for the Town Wukitsch stated that he does not have any problem with the Agreement.

Chief Darlington asked if it could be placed on the next Workshop's agenda and added that possibly they could invite J&S to come.

Councilman Boehm asked Chief Darlington if he has a contact with J&S.

Chief Darlington stated that he does.

Councilman Youmans stated that he only problem is that their next Workshop is not until September.

Councilwoman Rogers stated that there is one in June.

Supervisor Traver stated that there is one Workshop and one Meeting per month.

Highway Superintendent Deering stated that he contacted Ron Wolfe at Callanan's about paving the street where they are working and continued by asking if it is going to be funded by the Highway or come out of another fund.

Supervisor Traver stated that it should come out of that project's fund because the reason the road was torn up is due to the project.

Highway Superintendent Deering stated that he will be handing in his Road List at the next Workshop and added that he needs to know if he should figure that price, which would take more away from the Highway Department.

Councilman Touchette asked Chief Darlington if the scheduling software was installed.

Chief Darlington stated that it was.

Councilman Touchette asked how it was working.

Chief Darlington stated that there were a couple of glitches and added that Sergeant Contento is working with the company and added that the problem is that with the hours that he works and there has been a conflict with them getting together. He continued by saying that it is in the process and they should be up and running by mid June.

Councilman Touchette inquired as to if it is a network version and if it is on the server.

Chief Darlington stated that it is as well as being accessed via the internet.

Councilman Touchette continued by asking how the plate readers are working.

Chief Darlington stated that they currently own one and added that this past weekend there were three arrests as a result of suspended plates. He continued by saying that it is a productive piece of equipment and it is his understanding that Albany County Sheriff's are trying to obtain a grant where every agency will receive one additional unit.

Supervisor Traver asked if there were any other comments.

Councilman Boehm stated that regarding Mr. Boomer's comments on Rte. 143, there is no shortage of good ideas and added that if anyone in the public has a different attack and wants to help with the situation, they should let him know. He added that it has been very frustrating for himself and the Board and he is being told that there is a lack of money and even more disappointing is that they were told a few months ago that nothing is going to be done for 6 years. He continued by saying that his only recommendation is to call the Commissioner of DOT or Mary Ivey and identify yourself as someone who travels the road and added that he agrees that it is a matter of time before someone is either killed or seriously injured on that piece of road. He concluded by saying that unfortunately the Town Board's hands are tied and he wishes that Highway Superintendent Deering could put a coat down or do something to fix that piece of road and reiterated that it is a frustrating situation.

Highway Superintendent Deering stated that a contractor stopped and offered to haul the black top if the Town had a paver.

Councilman Boehm stated that the patching that they are doing is tiny little holes and added that they missed some and it will probably last only a couple of months.

Supervisor Traver asked if there were any other comments.

Councilman Touchette stated that the Town has a new employee, Theresa Shear, who he met earlier and added that he wanted to welcome her on board and he is looking forward to working with her. He continued by saying that the Farmer's Market opens on June 3rd and went on by saying that it will be in the same place and go through October. He added that as Councilman Boehm had mentioned, there is a clean-up scheduled by the Historic Coeymans Landing Neighborhood Association for June 5^h and if anyone would like to help they would appreciate it.

Chief Darlington inquired as to if the Farmer's Market would still be held in the corner of the parking lot at the landing.

Councilman Touchette stated that it will be.

Chief Darlington stated that they are starting to get a lot of boat traffic and added that the other day there were 35 trucks and trailers and continued by saying that they need to get it marked out ahead of time.

Supervisor Traver stated that they talked about it at the last Workshop and they are coning off that section. He continued by saying that he wanted to wish Councilman Touchette a Happy Birthday.

TOWN BOARD WORKSHOPS / MEETINGS

- Public Hearing, June 14, 2010, 6:30pm
- Town Board Workshop, June 15, 2010, 6:00pm
- Town Board Meeting, June 21, 2010, 7:00pm

ADJOURNMENT TO EXECUTIVE SESSION

Supervisor Traver asked for a motion to adjourn to Executive Session regarding a legal matter and added that they will be returning for the purpose of adjourning the meeting.

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, the Town Board meeting was adjourned to Executive Session.

VOTE – AYES 5 – NAYS 0 – SO MOVED

Time 8:25

EXECUTIVE SESSION

Executive Session convened in the Supervisor’s Office, there was a full Town Board in addition to Attorney for the Town Wukitsch to discuss litigation with the Bank of Greene County and the Notice of Claim on the Pasquini property. No decisions were made or action taken.

RECONVENE MEETING & FORMALLY ADJOURN

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

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Youmans, the Town Board Meeting was adjourned.

VOTE – AYES 5 – NAYS 0 – SO MOVED

Time 8:45

Respectfully Submitted,

APPROVED:

Diane L. Millious, Town Clerk