

A Public Hearing was held Thursday, August 19, 2010, at 6:30pm 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
Theresa Shear, Confidential Secretary to the Supervisor

Supervisor Traver opened the Public Hearing and led the Pledge of Allegiance.

OPENING COMMENT

Supervisor Traver stated that the purpose of the Public Hearing is to receive comments from the public on the proposed Sewer Rates. He then asked that Town Clerk Millious read the Notice of Public Hearing.

Town Clerk Millious continued by reading the following:

NOTICE OF PUBLIC HEARING

In compliance with Public Officer’s Law, this will inform you that the Town Board of the Town of Coeymans will hold a Public Hearing for the purpose of hearing comments on the proposed Sewer Rates. The Public Hearing will be held at 6:30pm on Thursday, August 19, 2010 at Town Hall, 18 Russell Avenue, Ravena, New York.

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

ADDITIONAL OPENING COMMENT

Supervisor Traver read the following:

Proposed amendment to the 2010 Hamlet Sewer District Rates as required by General Municipal Law, Section 452:

This Hearing is the result of a new Agreement signed with the Village of Ravena and the Town Board on behalf of the Coeymans Hamlet Sewer District. The new Agreement stipulates the operation and maintenance will be 70% paid by the Village and 30% paid by the District. In addition, all capital improvements of the plant will be paid 65% by the Village of Ravena and 35% by the District. The proposed budget for the 2010 year is estimated to be at \$300,000.00 for operation and maintenance and the necessary capital improvements are also estimated to be \$300,000.00 over twenty (20) years. Therefore the rates proposed to cover these costs are:

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|----|------------------------------|------------------------------------|
| 1. | Residential/Commercial User | \$494.43/year/unit of use |
| 2. | Industrial User | \$494.43/year/unit of use |
| 3. | Vacant Parcel | \$100.00/year |
| 4. | Martins Hill Grey Water User | \$494.43/year/unit of use |
| 5. | Out-of-District User | \$494.43/year/unit of use; and |
| 6. | Village of Ravena | \$221,700.00/year (billed monthly) |

Supervisor Traver asked the Town Board if they had any comments.

Councilman Youmans stated that he wanted to take a minute to bring everyone up to speed on where they are today in regard to sewer rates and continued by saying that he wanted to point out that the Sewer Plant was completed in 1969 at which time an Agreement was entered into between the Village of Ravenna and the Town of Coeymans for the purpose of processing their sewage jointly. He added that the Agreement spanned 30 years and expired in 1999 and then in 1999 a new Agreement was entered into with the Village of Ravenna, which called for the Village to pay 65% of the costs and the Town to pay 35% of operations and maintenance and at that time the Village was obligated to pay 50% of capital improvements with the Town also paying 50%. He continued by saying that the Agreement expired in June 2008 and they actually had no contract until recently and since then as Supervisor Traver had just stated, a new Agreement has been reached in which the Village will pay 70% and the Town will pay 30% of operation and maintenance and instead of 50% each, the Village will pay 65% and the Town will pay 35% of capital improvements. He added that in the original 1969 Agreement it was called for meters to be installed and there are two areas in the 9W corridor where Town sewage enters the Village's collection system and then it is discharged down by the new firehouse back into the Coeymans collection system so there is Town sewage also flowing through the Village collection system to get to the Sewer Plant. He went on by saying that the meters that were called for in 1969 were to be placed in both places where the Town sewage enters the Village collection system and again where it comes back into the Town's system but for one reason or another it was never done, which to him looks like the only fair way to do it. He continued by saying that the second Agreement that was written in 1999 also called for the very same meters, which made a lot of sense and again for one reason or another it never occurred and the Village continued paying based on the percentages that were negotiated. He added that the new contract calls for those meters to be installed because in reality that is the only fair way for the rates to be determined and it has also been said that the only right way to do it is very simple math, which would be to take the number of users and divide it that way and use those percentages, which on the surface makes a lot of sense. He went on by saying that there is a theory that everyone goes to the bathroom and flushes the toilet about the same amount and if they were only processing sewage at the Sewer Plant it would be a fine theory and he would be all for it but the problem that they get into is if they get heavy rain events and storm events they go over the permitted limits, which means it is inundated by flow. He continued by saying that people don't flush their toilets more when it rains but rather it is because they have problems with inflow and infiltration, which is water that enters the system through a variety of sources such as people having sump pumps hooked up to the sewer system, people have floor drains that run into the sewer system and there are cracks and leaks throughout the entire system that allows more water to enter the. He reiterated that if all they were talking about was processing the sewage, that user number would make a lot of sense but it doesn't because what's to say that the Village does not have a bigger amount of inflow and infiltration than the Town as well as what's to say that the Town does not have a bigger percent, which comes down to infrastructure repairs needing to be performed on both systems. He continued by saying that his take would be that if they were going to say that they have 80% of the users and charge them 80% with the Town paying 20% they could later find out that they are actually contributing 90%, which would short change the Town and by the same token if they are only contributing 60% then they should pay 60%. He went on by saying that the Village and the Village Government has been vilified terribly in this matter and it was stated in the paper a few weeks ago that the people in the Hamlet were paying their bills but the Village residents didn't and he wants to make it clear to everyone that at the start of the negotiations when the old contract ran out the Village Government offered to continue paying the Town at the old rate that they were paying and for one reason or another the Board at that time decided that they didn't want to do that, which was their fault as well. He continued by saying that at this point the Village has paid all amounts due through December 31, 2009 and are now waiting for the Town to tell them what amount they owe to get them through the end of July 2010 and it was said that in the absence of a contract the Town could have charged whatever they wanted to for sewer and take them to court and won, which is one way to look at it but from his personal life experience a lot of times you think you have a winner of a court case on hand but when you get in front of a judge you find out that it's simply not the case and it would be a gamble in his eyes. He added that another

consideration that they as a Board had to make was that the Village has spent a considerable amount of money for a feasibility study to build their own Sewer Plant and pull out of the Town's and not be involved with the Town and to him that would have created a very dire circumstance for the Hamlet sewer users because without their sewage coming in, there would be a much bigger piece of the pie that a small amount of people would have to contribute, which they felt was a threat that would have cost the Hamlet user way more than they are currently paying or would ever pay, and it was a gamble that they were not willing to take. He went on by saying that with the signing of the contract, it negates any reason for them to go ahead and build their own sewer plant and he has heard it said that the Village and the Town needs to cooperate more and he believes that they stepped up and 2012 will be the first year that data from the meters will be used for billing purposes and in the interim they went from 65% to 70% and from 50% to 65%, which did lift some of the burden from the Hamlet users. He concluded by saying that this is where they are at and he does not want to put forth any expectations of what the meters are going to say but he is hoping that when they go in, the readings come back in the Town's favor and if not it will mean that they have more inflow and infiltration problems than they thought they had, which will have to be repaired and then reiterated that this is what got them to where they are.

Supervisor Traver stated that Councilman Youmans had done an excessive amount of work on it and he wanted to thank him for everything that he has done so far.

Councilman Touchette stated that he also wanted to recognize Councilman Youmans for what he has done and added that it was a very difficult negotiation to get to and he thinks that people may not like it but it is the best deal they could get. He added that another thing that he thinks they need to point out is that almost 26% of the sewer bill is money that is owed to other funds from previous years and is a result of money that wasn't budgeted properly. He continued by saying that he cannot explain where all the money went but in looking at the balance sheet there is anywhere from \$600,000.00 to \$900,000.00 that is owed to the Sewer Fund, which unfortunately has to be paid back and reiterated that it is 26% of what they are paying, and the debt goes back for years.

Supervisor Traver stated that the debt goes back at least 8 years.

PUBLIC COMMENT

Supervisor Traver stated that he would be opening the Hearing up for public comment and continued by saying that anyone wishing to address the Board should sign in.

Mr. John Allen continued by reading the following:

Good evening ladies and gentlemen of the Town Board.

On behalf of the Coeymans Hamlet Sewer District users, let me begin by calling your attention to Town Law 134-4 which states: "Amount of rent to be determined annually, "The Town Board shall annually fix and determine by resolution the amount of the sewer rental rent to be charged for each classification of property within the Coeymans Hamlet Sewer District." I am providing a copy of that section for each of you along with the Town Attorney, since obviously the Supervisor did not do his job to inform you that you can only set Sewer rents once per year. Since you as a Board passed resolution #120-09 on December 28, 2009 setting the rates for the year 2010, the earliest you can set new rates begins January 2011. As I am sure your attorney would advise you, the Town Board should understand that the Town cannot make a law of this type retroactive, therefore the sewer rates stand as they were passed in December 2009 until January 2011. Let us point out that you also passed the budget, which included the amounts owed by the Village and had no shortage in funding for the Sewer District. Therefore, this Public Hearing as called by the Town Supervisor for setting new rates is unlawful unless it is your intent to set the rates for 2011 since annual is defined by Webster's as "once per year".

Councilman Youmans, since you negotiated such a “good contract” for the Sewer District users, we would like you to explain publicly why you agreed to not collect all of the debt owed to the Town from the Village in the amount of \$664,849.00 through 2009. Instead you agreed the Village would pay \$355,984.89 giving away \$308,846.11 of Coeymans Sewer District revenue not including late fees. Based on the current fees enacted in December 2009, the Village currently owes an additional \$523,215.00 for 2010 making the total balance due \$1,188,064.00. This amount of money will more than cover the amounts borrowed from the various Coeymans fund accounts which we understand are due to be repaid with interest, letting the current approved sewer rates meet the debt owed. Because you have agreed to give away almost 50% of the revenue due to the Sewer District, one must assume you are not acting in the best interest of the taxpayers nor fulfilling your fiduciary responsibilities to protect the interest of the Sewer District. Further, New York State Transportation Law 121 state that “sewage-works corporations must supply sewage facilities to a city, town, village or other municipal area or district wherein such corporation operates and the inhabitants therein at FAIR, REASONABLE and ADEQUATE RATES”. It is clear since creating this Agreement with the Village, that the rates you have agreed to are not adequate since they have created a deficit which you are now attempting to put on the backs on the Hamlet sewer users. This failure to fulfill those fiduciary responsibilities must therefore be viewed as willful negligence which removes any Public Officer’s Law protection for you individually.

At the last Public Hearing, Councilman Youmans stated that the Sewer Contract with the Village was signed. Several of us warned Councilman Youmans privately that the Village Contract may not be legal, which he brushed off by saying he was not going to look for trouble, further compounding the lack of protection of the Sewer District users, and furthering the issue of willful negligence. Since that time we have obtained a copy of the executed contract and note that the contract is in fact not a legal contract with the Village, Under New York State Code Section of “Village Powers, Duties and Compensation of Officers section 4-400 (1) (I) it states “It shall be the responsibility of the Mayor to execute all contracts in the name of the village”. The only option for executing a contract with the Village other than the Mayor is authorized by Section 4-400 (1) (h) which states “It shall be the responsibility of the Mayor to appoint one of the Trustees as Deputy Mayor at the Annual Meeting, who, during the absence or inability of the mayor, is vested with all the powers and may perform all the duties of the Mayor.” Let me now provide each of you with a copy of those sections of State Law. The Village has no legal ability to change State law authorizing anyone else to sign on their behalf in spite of any assurances by Trustee Bailey. Since the Mayor has not only come out publicly in the papers saying he was at the meeting and simply refused to sign the contract, it is clear that the Mayor was not absent or unable to sign as prescribed by law, for the Deputy Mayor to be able to sign. When it is reported that the Mayor goes on to say that there is nothing he can do about the contract, to any reasonable person this begins to appear as an intentional act by the Mayor and Trustee Bailey to defraud the Town into believing it has a legitimate contract. One could arrive at this conclusion knowing that neither the Mayor nor Trustee Bailey is new to office and further that the Mayor has previously appointed Trustee Bailey as Deputy Mayor.

Since this action clearly shows the lack of good faith on the part of the Village Mayor and Trustees, we demand that the Town immediately commence legal action against the Village to collect ALL of the amounts due and seek attorney’s fees with interest as damages. We want to remind Supervisor Traver that without a new vote by this Board to authorize another signing of the contract, the Supervisor cannot conspire with the Mayor nor Trustee Bailey to correct this wrong. Further, had the Supervisor sought as was demanded by the public a formal opinion about conflict of interest, he would have noted the Attorney General’s Opinion #97-5 which provides guidance to a city but likewise applies to towns. The opinion states “A member of a city council must avoid circumstances which compromise his or her ability to make decisions solely in the public interest of his or her employer are affected by matters before the council, recusal is the appropriate course of action.”

We intend to seek all legal remedies if the Supervisor attempts to conspire with the Village or the Board fails to carry out its fiduciary responsibilities protecting the citizens of the Sewer District. The Town Board set a sewer rate in December 2009, we now

demand that you carry out your legal responsibilities and implement the rates and budget which includes the Village debt that you passed. We ask that you now do the right thing and protect the citizens from what a reasonable person might view as willful fraud and at the very least a total lack of good faith on the part of the Village. Understand that continuing in the process of attempting to set a second rate for 2010 will result in our seeking a legal injunction against the Board; therefore we recommend that this meeting be immediately closed. Failure to protect the interests of the Hamlet sewer users will result in legal action against the Board and its members individually, especially in cases where the member appears to have been willfully negligent in carrying out their fiduciary responsibilities.

Supervisor Traver asked if anyone else wished to comment.

Mr. Laszlo Polyak stated that the meters would measure inflow in and inflow out and continued by asking what remedies they would have if the meters were not put in and if the Town could go after the Village for not putting them in on their end and whether individuals could go after both municipalities for not putting them in. He continued by saying that he understands the concept behind that in order to get a fair, reasonable, equitable rate you are going to need meters to determine where the inflow is coming. He added that the Village just put sidewalks down Central Avenue and placed drain areas for sump pumps so it wouldn't cascade on the sidewalks and cause a different type of mayhem and most of the people don't have the old drains and his building 100 years ago had a drain that went right into the old clay 10 foot sewer line, which was blocked off in the 1940's. He went on by saying maybe they need to put more meters, both water and sewer meters in zone by zone and then they will know if there is a break and they can take care of it on the sewer end and the same thing for water. He continued by saying that water shows itself more because of the pressure and when there is a water main break it is fixed within 24 hours but like it has been said for sewer, it takes an act of God with torrential rain to fix it. He added that he still is of the opinion that maybe amnesty is the word to use for both the Village and the Town in a sense that maybe the Town needs to say to the Village in negotiations that they will take over the entire sewer system with the same thing for water where the Village can take over all the water lines in the Hamlet and this way you create the two main bodies and when an issue comes up it can be done on a simple municipal basis. He continued by saying that he would like to see things equal in the sense that they all pay on an annual basis and continued by saying that in the Village they are supposed to be metered, which could be part of the formula because in individual houses you would have a gauge and be able to see how much is being used and you would see that a 90 year old woman who lives alone and doesn't do much laundry didn't use that much water and you could see how much was used whether in the Hamlet or the Village and on the other hand there could be someone with a built in pool with 10 kids with a washing machine going non-stop and the 3 bathrooms that are constantly being used. He went on by asking where the fairness is there and he thinks it is why a lot of people conclude that it isn't fair and this is what needs to be in the negotiations, which should be out more in the open and this way they would get to see what it is going to cost them. He added that it is an essential part of every community and in looking at Clifton Park, in less than ten years they went from sand dunes to a mega town, which is done by getting an infrastructure up and running first and piece by piece and he would welcome the Village putting in a Sewer Plant and that way 3,000 – 4,000 more people could move in, which would mean more people in the fire departments, boy scouts, girls scouts, etc, and it would be something to be proud of. He concluded by saying that they need to be on the same page and get everyone, everywhere in both municipalities to say that it is not something to make money off from but rather an essential part of life, like every other community in the country.

Supervisor Traver asked if anyone else wished to address the Board.

Mr. John Vadney stated that he bought a house in Coeymans, which he thought was a good idea but in driving through Coeymans he sees so many buildings being closed up, small stores out of business, unemployment and seniors are struggling to survive just to buy medicine and food as well as veterans. He continued by saying that in coming to Coeymans as an investor he finds that paying \$1,700.00 a year for water and sewer is outrageous and he does not mind paying his fair share, which he is looking for from the

Board. He went on by saying that he understands the hardships and time that they have put into it but if he is going to go out there to other people that he knows is going to want to come to Coeymans and vest because he has to be sure that they know the laws, they are doing the right thing and that it is fair. He concluded by saying that he wants from the Board a fair decision for everyone and a long time ago they were going to put a road through their house and they were quite upset and his father told his six kids not to be upset because it was good for everyone and they have to accept it.

Supervisor Traver asked if anyone else wished to comment.

Ms. Mary Pape stated that she lives in the Hamlet of Coeymans and continued by thanking Councilman Youmans for the work that he did and for giving them information earlier in the meeting, which cleared up a lot of things for her by the information that she heard. She added that she does have a question about fairness and she does not see how a house with 1-2 people in it who work all day would have the same sewage rates as the marina or restaurant and possibly the Town of Coeymans Port is on the sewer system.

Councilman Youmans stated that they are not.

Ms. Pape inquired as to where their waste water goes.

Councilman Youmans stated that it is septic and added that they had come to the Town and asked for support in applying for a grant, which would get sewer up there and in his opinion it would be a wonderful thing for the Hamlet.

Ms. Pape stated that she agrees with that.

Councilman Youmans stated that to get the cost down, there needs to be more users.

Ms. Pape stated that would be true especially if they were not paying the same as the residential user and paying their fair share, which is all they are asking for. She added that the point that she wanted to direct is that she is still having a problem with it not being fair because she does not see that it is fair that some of them are paying so much more than other people and may be using less because they are at the bottom of the hill instead of the top of the hill.

Supervisor Traver asked if there were any other public comments.

Mr. Larry Ruff stated that he lives in the Hamlet of Coeymans and added that he is coming into this late and Mary Pape brought it to his attention and in turn he did a little research. He continued by saying that the 1999 Agreement shows the split on operation cost being 85.9% for the Village and 14.1% for the Hamlet.

Councilman Youmans interjected that it was amended.

Mr. Ruff inquired why it went from one number to the new number.

Councilman Youmans stated that he was not paying much attention back then and he cannot answer that for him.

Mr. Ruff stated that the thing that keeps coming up is that the way that the rates are being set is not really fair and in looking at the proposed rates, basically residential and commercial users pay the same rate, which makes no sense. He added that industrial users also pay the same rate and Tracey Welding probably uses nothing but other users may be using more. He continued by saying that he does not know how the Village sets their rates but his concern is the laundromat, car wash and restaurants in town and how they are paying and whether they are paying a fixed rate.

Councilman Youmans stated that within the Town they have no industrial users and there are very few commercial users with most of them being in the Village and they have no control over how the Village sets their rates. He added that he does want to be clear about what Mary had said about someone living at the top of the hill paying a lot less and that

you can be sure that based on this the Village has stated that they are going to have to raise their rates as well.

Mr. Ruff stated that he has talked to some people in the City of Albany and the sewer rate is based on the water used and he knows that they have water meters in the Hamlet and he assumes that they have water meters in the Village, which would be a good way to try and get an equitable rate rather than setting a rate in stone that basically says that each user whether they are commercial, industrial, residential, 1 unit or 6 apartments in the house are paying the same rate. He continued by saying that there are only two in his house and they work all day but there are houses in the Hamlet that have multiple families and users and it appears to him that the Agreement has to be started over and he would hope if that's the case they would take some time and look at the rates and try to set the rates fairly. He went on by saying that it might take some time to collect water meter readings but at least it would give them an idea what kind of usage is going on between the Village and the Hamlet. He added that he knows that they have the storm inflow problem because the Town helped them with a storm issue problem on his property. He continued by saying that at least they would get an idea of what the rates should be and what the percentage should be and the 70% - 30% and it seems to him that it just got pulled out of the air because there are no meters on the sewer line and no one is reading the water meters so there is no way to really check it and they should back up a little and do something to come up with fair rates for all the users in both the Village and Hamlet. He went on by saying that another question that he has and he has not heard answered yet is why the Village was not charged interest on the money they owed the Town for years and the Town had to borrow money to cover for the money that they did not get from the Village, which they had to pay interest on and then asked again why the Village didn't have to pay the Town interest on the money that they were owed.

Councilman Youmans stated that he would have to say that to his knowledge there is no provision in law for them to do so.

Mr. Ruff stated that he's not sure that it makes sense and he is not a lawyer so he can't answer that.

Councilman Youmans stated that clearly he is not either.

Mr. Ruff stated that the previous Agreement was a 30-year Agreement in ten year intervals and then asked why the new one is for 30 years and continued by asking if there was some municipal thing that it has to be a 30-year Agreement.

Councilman Youmans stated that you are limited statutorily to 40 years, which is as long as they can make it.

Mr. Ruff inquired as to how short they can make it.

Councilman Youmans stated that in his opinion and they have discussed it all together many times, to him the longer the better and shorter is not necessarily better. He continued by saying that it was originally talked about that it was going to be a 2-year Agreement, which did not make much sense to him because then they would have to go through it again in two years.

Mr. Ruff stated that he agrees and most business type agreements that he has entered into have been 10-years and at the end of ten years there is a total re-negotiation but 30 years does not make a lot of sense to him. He continued by saying that he agrees that there would be more residents if the Village put in a Sewer Plant but his guess would be that for them to get approval from ENCON to put another plant in would be a pretty tough thing at this time.

Councilman Youmans stated that he would think so too but he has been told that they already have such approval.

Mr. Ruff stated that the Hamlet could join them because theirs is overloaded as they all know when they get rain.

Councilman Youmans stated that the only problem with that theory is that it goes downhill.

Councilman Touchette interjected that they would find themselves in the same situation as the Town is in with water.

Mr. Ruff stated that according to what he's read, the Hamlet is paying more for water in the Hamlet because it is to cover the maintenance cost the Village has for the Hamlet. He added that he does not understand why the Village is so upset about paying the maintenance cost for the Sewer Plant when the Town takes care of a lot of the Sewer Plant issues. He went on by saying that they take care of the water and the Town could take care of the sewer.

Councilman Youmans stated that it has not been his experience that they have a problem with paying for the maintenance to the Sewer Plant.

Mr. Ruff continued by asking why Mayor Bruno didn't want to sign the Agreement and why they want to open their own Sewer Plant. He added that it is big money and a lot of inconvenience to go through all that and he does not understand.

Councilman Youmans stated that he cannot speak for anybody else.

Mr. Ruff thanked the Town Board.

Supervisor Traver asked if there were any other comments.

Mr. Dolan stated that it his understanding that in 1999 both Boards looked into an individual household meter reading system and there were several problems and many houses did not have meters and those with meters were not in good working order. He added that there also is not a system to read the meters and even if those problems were solved it was thought that the major problem would still be the infiltration into the system, which would not be covered by individual meter readings and they would know out of the total how much of it is infiltration but they would not know where it is coming from. He went on by saying that it is his recollection that in 1999 both of the Boards decided not to go to an individual meter reading system, which is what a lot of other communities do and it is more fair and equitable system. He continued by saying that at one time there were six people in his house he could have been penalized and now he feels like he is being penalized with less people. He added that his understanding from Trustee Bailey is that the Village does charge a separate rate for businesses and they actually have meters that are read.

Supervisor Traver interjected that it is just for water.

Mr. Dolan stated that it was exactly what he was talking about and this is how other places figure it out because there are no meters for sewer and they base it on the water amount. He added that the course that both Boards ended up taking was probably the best of a couple of worst case options that were available and on one hand there were people that thought the Village should be taken to court and have it worked out there as to what percentage they should be paying and make them pay what hadn't been paid. He continued by saying that on the other hand there were people on the Village Board, including the Mayor, who at least appeared to be willing to go ahead and have the Village construct its own Sewer Plant and the Mayor was convinced that they had everything that they needed to do it. He went on saying that if that were the case they would be looking at probably somewhere around double what the sewer rates are now.

Supervisor Traver asked if there were any other comments.

Mr. Ruff stated that with the infiltration, one thing that they are aware of in New England, upstate and the North Atlantic is that there is a major problem with that and in older cities like Albany there is a major problem. He added that they still base their sewer rate on water usage even though they are getting a lot of infiltration into the system from everywhere and he still thinks that it is a good first good step in trying to fairly apportion

the amount of money that each user should be paying. He continued by saying that on the budget list, it shows the Village share to be \$221,700.00 and the Town share to be \$96,300.00 and a Town share showing the shared portion and then \$121,250.00 of other amounts, which he believes that he heard earlier that \$56,250.00 was a debt service but then there is also administration, maintenance and pump station and he lost as to why they are not in operations and maintenance.

Councilman Touchette stated that they relate to only the infrastructure that is located within the Sewer District.

Supervisor Traver interjected that it is not operations and maintenance at the Sewer Plant.

Councilman Touchette stated that in addition to the \$221,700.00 that the Village is going to owe, they still have to maintain the infrastructure in the Village.

Mr. Ruff stated that the Town is listed to get \$1,000,000.00, which he is sure won't happen, for sewer system additions for 2011 and continued by asking the Town Board if they know where they stand.

Councilman Touchette inquired as to if he is talking about the EPA Grant.

Councilman Youmans stated that they applied for a grant and then they were scored based on different factors, which they use to determine actual need and he was told by the Town's engineering firm that they scored very low and not to expect it, which is extremely unfortunate for them and as bad as they think they have it, there are municipalities that have it much worse. He continued by saying that he too thinks that the ultimate best way to go about it would be to install water meters, which is water in, water out and where they run into an issue with that is it is two governmental entities that would have to come up with that plan. He went on by saying that Albany has a problem with I&I as well and they can take their budget and factor in that they have I&I but as a Hamlet taxpayer Mr. Ruff should not be responsible for the I&I that may exist in the Village and the Village is not responsible for the I&I that they have in the Hamlet, which is what monies it.

Mr. Ruff stated that as another gentleman had suggested, maybe it's time to look at combining in terms of a Sewer District and have the Village and Town be one entity so they take care of everything and not have to go through these negotiations with the Village of Ravena. He added that he does not know if it would apply but there is State money available for when municipalities are trying to combine services and resources and maybe they can get some money from the State to look at combining. He continued by saying that he thinks they should also combine the Fire Departments because to have Ravena and Coeymans ¼ mile down the road from each other never made any sense and he pays \$352.00 for the Coeymans Fire District but he does not know what they pay for the Ravena Fire District.

Councilman Youmans stated that Ravena is not a Fire District and they are a Fire Department completely under the control of the Village government and agreed that less than ½ a mile apart does not make sense.

Mr. Ruff stated that they pay for it whether you look at it one way or the other and they pay for both of them.

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

ADJOURNMENT

On motion of Councilwoman Rogers, seconded by Councilman Youmans, the Public Hearing was adjourned.

VOTE – AYES 5 – NAYS 0 – SO MOVED

Time – 7:23pm

Respectfully Submitted,

APPROVED:

Diane L. Millious, Town Clerk