

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

PRESENT: James C. Youmans, Supervisor
Dawn Rogers, Councilwoman
Thomas A. Boehm, Councilman
Richard N. Touchette, Councilman
Thomas E. Dolan, Councilman

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

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

OPENING COMMENT

Supervisor Youmans stated that the record should reflect a full Town Board in addition to Town Clerk Millious, Attorney for the Town Wukitsch, Highway Superintendent Deering and Chief of Police Darlington.

AGENDA

- Public Announcement
 - Town Offices Closed, Thanksgiving Holiday
 - Snow Emergency Procedures
- Public Comment
- Approval of Minutes
 - Public Hearing – November 4, 2010
 - Town Board Workshop – November 16, 2010
 - Town Board Meeting – November 8, 2010
- Supervisor's Report – October 2010
- Department Reports
 - Building Department – October 2010
 - Police Department – October 2010
 - Sewer Department – October 2010
 - Town Clerk Monthly – October
- Old Business
 - Authorization to Sign Maintenance Agreement with JNS Towers
- New Business
 - Request by Police Chief to Attend Grant Writing Training
 - Request by Highway Superintendent for One Person Plowing Training and Recertification for Highway Equipment Operators
- Resolutions
 - Reappointment to Board of Assessment Review
 - Authorization for Issuance of Serial Bonds
 - Adoption of Local Law #3 of 2010 Establishing Local Dog Licensing Law
 - Transfer of Funds
 - Approval of Abstract – November 2010
- Correspondence
- Town Board Workshops/Meetings
 - Town Board Meeting – December 13, 2010, 7:00 PM
 - Town Board Workshop – December 21, 2010, 6:00 PM
 - Town Board Meeting – December 27, 2010, 7:00 PM

PUBLIC ANNOUNCEMENTS

Town Office Closed – Thanksgiving Holiday

Supervisor Youmans stated that the Town offices will be closed for the Thanksgiving holiday, Thursday, November 25, 2010 and Friday, November 26, 2010, and added that the Police Department serves as a 24 hour, 7 day operation and will be available.

Snow Emergency Procedures

Supervisor Youmans stated that he would like to remind everyone in town of the Snow Emergency Procedures, which go into effect when snowfalls accumulate in excess of 3 inches of snow and added that there will be no vehicle parking, stopping, or standing on any Town of Coeymans street or highway and continued by saying that any violators will have their vehicles towed.

PUBLIC COMMENT

Ms. Donna Pasquini stated that she had previously asked Supervisor Youmans where they stood with this year's budget, and he had told her to look in the budget and she will see it and continued by saying that she is not a CPA, and she does not see it and she still does not know where they stand with the budget.

Supervisor Youmans replied that they still have over a month left in 2010, and he really won't have a firm handle on where everything stands until they close the year out because all funds for the year have not been expended yet. He continued by saying that currently, it looks like they are not in terrible shape and he does not what more of an explanation he can give other than that.

Ms. Pasquini stated that she was just wondering where they were going when they go into the next budget and whether or not they are on track or going in with a deficit or surplus and this is why she was asking.

Mr. Henry Traver stated that he wanted to congratulate Supervisor Youmans and Councilman Touchette for finally making a meeting together and added that he wanted to address the position of Deputy Supervisor and it was his belief with the history of the Town of Coeymans that it has never been a paid position and he cant believe that they pocketed \$8,000.00 for Councilman Touchette who is not really around to do the job. He continued by saying that with regard to Confidential Secretary Theresa Shear and Bookkeeper Chris Ricci's positions, he understands that it is an appointment but to call someone up and say that they are done without even a letter is disrespectful as well as telling Confidential Secretary not to worry about it and that there were no surprises for her but then she comes to the Monday night meeting and is told that she is done on Friday. He reiterated that he knows that it is an appointed position but not even a two-week notice is very unfair. He added that Supervisor Youmans told him two meetings ago that insurances went up by \$30,000, and Councilman Touchette told Mr. Allen last week that insurances went up and continued by saying that he will be FOILING the information because he believes the Town Board is hiding money in the insurance area and the public should know where the money is going and that area of the budget should not be played with at all.

Supervisor Youmans stated that he wanted to take a minute to respond and added that for Mr. Traver to come and criticize the situation in the Supervisor's Office with people no longer being employed, he would like to point out to Mr. Traver that it is his creation and if he had not pled guilty to a felony those people would still have their jobs and continued by asking that he please not come and blame it on him. He went on by saying that he can certainly question appointments but he should not blame the situation on him because he did not create that situation. He added that as far as insurance goes, the budget is disseminated publicly and there was a Public Hearing and he welcomes any criticism that

he has of the budget. He concluded by asking if anyone else wished to make a public comment, hearing none he moved to the next item on the agenda.

APPROVAL OF MINUTES

Supervisor Youmans stated that there were three sets of meetings for Town Board approval, a Public Hearing on November 4th, a Town Board Meeting on November 8th, and a Town Board Workshop on November 16th and continued by asking for a motion to approve them.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Boehm the minutes were approved as read.

VOTE – AYES 5– NAYS 0 – ABSTAIN 0

SUPERVISOR’S REPORT

| FUND | BAL. FWD. | RECEIPTS | DISBURSE. | BALANCE |
|-------------------------------------|---------------------|---------------------|------------------------|-----------------------|
| General | \$111,358.71 | \$661,337.14 | \$188,298.37 | \$584,397.48 |
| Part-Town | \$132,012.54 | \$761,910.87 | \$680,852.71 | \$213,070.70 |
| Highway | \$115,562.18 | \$ 28,652.86 | \$52,058.07 | \$ 92,156.97 |
| Bridge Const. | \$274,346.00 | \$ 40,095.14 | -0- | \$314,441.14 |
| Sewer | \$347,650.79 | \$248,590.92 | \$340,950.89 | \$255,290.82 |
| Spec. Water | \$ 31,263.09 | \$ 44,528.77 | -0- | \$ 75,791.86 |
| Police Forfeitures | \$ 5,070.00 | \$ 1.50 | -0- | \$ 5,071.50 |
| Trust & Agcy. | \$121,663.22 | \$235,952.63 | \$388,308.99 | \$ 19,306.86 |
| H-Fund Cap. Proj. | \$ 35,958.62 | \$ 9.15 | -0- | \$ 35,967.77 |
| Section 8 HUD Units - 76 | \$133,159.34 | \$ 39,722.09 | \$ 43,776.38 | \$129,105.05 |
| | | | Total Rec. Bal. | \$1,724,600.15 |

| SAVINGS ACCOUNTS | COLLATERAL | FDIC COV. | COLLATERALIZED |
|--------------------------|--------------------|------------------|-----------------------|
| Unemployment \$ 4,066.90 | Bank of Greene Co. | \$250,000.00 | \$1,865,872.17 |
| Grove Cem. \$40,778.56 | National Bank | \$250,000.00 | \$ 167,603.37 |
| Sewer Ded. \$ 6,309.26 | | | |
| Total | | | \$51,154.72 |

Supervisor Youmans asked for a motion to approve the report.

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, the Supervisor’s Report was accepted as presented.

VOTE – AYES 5 – NAYS 0 – SO MOVED

Attorney for the Town Wukitsch stated that the Town of Coeymans recently acquired the Coeymans Hollow Cemetery and continued by saying that there is a balance in those accounts but it is not reflected in the Supervisor's Report and then asked why it is not in the report because the Town owns the property.

Supervisor Youmans stated that it was a good question.

Attorney for the Town Wukitsch stated that then Supervisor Hotaling told him that there was \$30,000.00 - \$40,000.00 in the accounts and they are now Town accounts.

Councilman Boehm interjected that they cannot spend them down and they have to leave a minimum.

Attorney for the Town Wukitsch stated that they should still be reflected on the report.

Councilman Touchette stated that they should be turned over to the Town.

Town Clerk Millious interjected that the money was turned over to the Town.

Attorney for the Town Wukitsch stated that for bookkeeping, it should be reflected on the report.

Supervisor Youmans thanked Attorney for the Town Wukitsch and added that they will look into it.

DEPARTMENT REPORTS

Building Department – October 2010

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

Councilwoman Rogers continued by giving the report.

Supervisor Youmans asked for a motion to approve the report.

MOTION

On motion of Councilman Boehm, seconded by Councilman Touchette, the Building Department Report was accepted as presented.

VOTE – AYES 5 – NAYS 0 – SO MOVED

Police Department – October 2010

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

Chief Darlington continued by giving the report.

Supervisor Youmans asked for a motion to approve the report.

MOTION

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

VOTE – AYES 5 – NAYS 0 – SO MOVED

Sewer Department – October 2010

Supervisor Youmans asked that Councilman Touchette give the Sewer Department Report.

Councilman Touchette continued by giving the Sewer Department Report.

Supervisor Youmans asked for a motion to approve the report.

MOTION

On motion of Councilwoman Boehm, seconded by Councilman Dolan, the Sewer Department Report was accepted as presented.

VOTE – AYES 5 – NAYS 0 – SO MOVED

Town Clerk – October 2010

Supervisor Youmans asked that Town Clerk Millious give the Town Clerk's Report.

Town Clerk Millious continued by giving the report.

Supervisor Youmans asked for a motion to approve the report.

MOTION

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

VOTE – AYES 5 – NAYS 0 – SO MOVED

OLD BUSINESS

Authorize Supervisor to Sign Maintenance Agreement with JNS Tower

Supervisor Youmans stated that he has in his possession the Master Management Agreement for the communication tower with JNS Tower, which he sent to the Board last week and continued by saying that he is looking for authorization for him to sign the contract.

Councilman Touchette stated that they discussed it at the Workshop last Tuesday when Chief Darlington gave them a report and added that he believes that they are all satisfied that it is a win-win and a good thing for the Town. He continued by saying that he would like to move that the Town Board authorizes and directs Supervisor Youmans to sign the agreement.

MOTION

On motion of Councilman Touchette, seconded by Councilman Boehm, authorizing Supervisor Youmans to execute the Agreement with JNS Towers.

VOTE – AYES 5 – NAYS 0 – SO MOVED

Councilman Boehm stated that he wanted to piggyback on what Councilman Touchette said and added that Chief Darlington did a great job with this and as he has said at the Workshop this saved the Town roughly \$200,000.00 when they were originally looking to do it and now that they are doing a Shared Services Agreement with P&M Brick and J&S Towers and the Town will be receiving revenue from it. He went on by saying that he wanted to thank Chief Darlington for being tenacious and it is a big win for the Town.

Supervisor Youmans stated that he wanted to echo that and added that he knows that Chief Darlington put a lot of time and effort on this and took something that was going to

be a big expenditure and turned it into a revenue producing opportunity and continued by thanking him for his work on it and then asked if there was any further discussion.

Councilwoman Rogers and Councilman Dolan collectively agreed it was a great job.

Supervisor Youmans stated that he will finalize it and get it out in the mail. He then asked if there were any other Old Business topics, hearing none he moved to the next item on the agenda.

NEW BUSINESS

Police Chief's Request to Attend Training

Supervisor Youmans stated that the Chief was requesting to attend Grant Writing Training in New Jersey on December 15th and continued by say that his memory was that there is no cost associated with it and then asked that Chief Darlington discuss his request.

Chief Darlington stated that some time ago he was authorized to join MAGLOCLEN and as part of it the Police Department receives several opportunities for free training and this is one that is within travel distance, which he can do in one day and the only expense would be for the vehicle that they will travel in.

Councilman Boehm inquired as to if there are two other officers going.

Chief Darlington stated that currently he has asked two other officers, Officer Rivituso, who has assisted in writing grants in the past and Officer Alberts, who is interested and has been doing some research on grants to help out.

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, authorizing Chief Darlington, Officer Alberts and Officer Rivituso to attend Grant Writing Training in Edison, NJ on December 15, 2010

VOTE – AYES 5 – NAYS 0 – SO MOVED

Request for Highway to Attend One Person Plow Training and Recertification

Supervisor Youmans stated that there is a request from Highway Superintendent Deering for One Man Plow Training and Recertification for Highway Equipment Operators and added that when he was fairly new on the Board, they went from having two men in a plow truck at all times, one to operate the wing and one to drive the truck, to having one man actually operating the wing and drive the truck, which requires certification and then recertification every two years.

Highway Superintendent Deering stated that was true and added that there is one man that needs both.

Supervisor Youmans inquired as to if it is the one new employee.

Highway Superintendent Deering stated that it is and he will have to do both.

Supervisor Youmans stated that the one man plow ends up being a significant savings because obviously you only need one man in the truck and continued by saying that he has watched George LaMountain go past his house running the plow and the wing at the same time and he so busy in the truck he can't take his hands off anything to wave. He added that it is quite a feat to run that piece of equipment and the wing and there was a reason historically why there were two guys in that truck. He concluded by saying that it is imperative that they have proper training and certification and then asked Highway Superintendent Deering if he had the total cost broken down.

Highway Superintendent Deering stated that it is \$1,040.00 and \$200.00 to \$500.00 for the instructor to travel and added that he does not live as far away as the other instructor and it might be a little less.

Supervisor Youmans interjected that he is looking to get all of his men certified and recertified for a cost of no more than \$1,600.00.

Highway Superintendent Deering stated that it probably is, give or take. He added that the \$1,040.00 they have to pay anyway and the other charge can vary because he lives closer than the other instructor did.

Supervisor Youmans asked if there were any other questions for Highway Superintendent Deering, hearing none he continued by offering a motion.

MOTION

On motion of Supervisor Youmans, seconded by Councilman Boehm authorizing the one man plow training not to exceed a cost of \$1,700.00.

VOTE – AYES 5 – NAYS 0 – SO MOVED

RESOLUTIONS

RES. #99-10 RE-APPOINT BOARD OF ASSESSMENT REVIEW MEMBER

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

WHEREAS, the term of Angelo Rosato on the Board of Assessment Review expired on September 30, 2010, and

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

WHEREAS, Mr. Rosato has been contacted and has expressed an interest in retaining a seat on the Board of Assessment Review,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby re-appoint Angelo Rosato to a five-year term on the Town of Coeymans Board of Assessment Review to expire September 30, 2010.

Councilman Boehm stated that he wanted to thank Mr. Rosato for his service and continued service to the Town.

RES. #100-10 AUTHORIZE THE ISSUANCE OF SERIAL BONDS TO PAY THE COST OF WASTE WATER TREATMENT PLANT IMPROVEMENTS AND THE ISSUANCE OF BOND ANTICIPATION NOTES

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

WHEREAS, the Town of Coeymans (the “Town”) has previously established the Coeymans Hamlet Sewer District (the “District”) in accordance with New York Town Law; and

WHEREAS, the District operates a Waste Water Treatment Plant; and

WHEREAS, the Waste Water Treatment Plant requires immediate improvement and reconstruction of an emergency nature, including a new roof, boiler and emergency generator;

NOW THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Coeymans, Albany County, New York, as follows:

Section 1. The specific object or purpose for which the obligations authorized by this Resolution are to be issued is the acquisition, construction, and installation of the following emergency improvements to and reconstruction of the Coeymans Hamlet Sewer District Waste Water Treatment Plant: (a) new roof, including removal of existing roof and roof insulation, roof asbestos abatement and installation of new roof insulation and roofing, roof leaders and storm water piping; (b) new heating system boiler, including the removal of existing boiler and asbestos abatement and new gas service piping; and (c) new emergency generator, rework of electric service and demolition and removal of old generator, and further related site work and preliminary and incidental costs (the “project”), and such specific object or purpose is hereby authorized at a maximum cost of four hundred twenty-five thousand dollars (\$425,000.00). The Town Board is required to maintain the sewer system, including the Waste Water Treatment Plant, under Town Law Section 202-a; accordingly, such improvements must be made immediately as emergency repairs.

Section 2. The plan for the financing of such maximum estimated cost is issuance of up to four hundred twenty-five thousand dollars (\$425,000.00) in serial bonds or bond anticipation notes of the Town on behalf of the District, hereby authorized to be issued pursuant to the Local Finance Law.

The proceeds of the bonds or bond anticipation notes may be used to reimburse expenditures paid by the Town from other funds or otherwise. The Town may submit applications for additional grants and/or low interest loans from the New York State Environmental Facilities Corporation (EFC) and/or other funding source(s) and, to the extent that any such moneys are received, may apply such funds to the payment of principal and interest on the bonds or bond anticipation notes. Pursuant to Local Finance Law Section 107 (d) (9), no down payment from current funds is required.

Section 3. It is hereby determined that the weighted average period of probable usefulness of the specific object or purpose is thirty-four and six-tenths (34.6) years, pursuant to Section 11 (a)(4) of the Local Finance Law. It is further determined that the maximum maturity of the serial bonds herein authorized will exceed five (5) years.

Section 4. The faith and credit of the Town of Coeymans, Albany County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as they become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest of such obligations becoming due and payable in such years. There shall annually be levied on all the taxable real property of the District a fee sufficient to pay the principal of and interest on such obligations as they become due and payable.

Section 5. For the purpose of paying the cost of the Project, including related preliminary and incidental costs, there are hereby authorized to be issued serial bonds of the Town up to a maximum amount of \$425,000.00, the maximum maturity of which shall not exceed the 34.6 year weighted average period of probable usefulness set forth above, and which shall mature on or before the date of the expiration of the period of probable usefulness as measured from the date of the bonds or from the date of the first bond anticipation note issued in anticipation of the sale of such bonds, whichever date is earlier. The bonds may be issued in the form of a statutory installment bond.

Section 6. There are hereby authorized to be issued bond anticipation notes for the specific object or purpose in an amount up to but not exceeding the \$425,000.00 maximum amount of serial bonds authorized to be issued, in anticipation of the issuance and sale of the serial bonds authorized, including renewals of such bond anticipation notes.

Section 7. Any bond anticipation notes shall be payable from the proceeds derived from the sale of the bonds or otherwise redeemed in the manner provided by Section 23.00 of the Local Finance Law. The faith and credit of the Town are hereby irrevocably pledged for the payment of the bond anticipation notes and the interest on them.

Section 8. There are no bond anticipation notes outstanding which have been previously issued in anticipation of the sale of these bonds. Neither are the bond anticipation notes hereby authorized renewal notes. These bond anticipation notes will be issued in anticipation of bonds for an assessable improvement. These notes shall mature at such time as the Town may determine and may be renewed from time to time, provided that in no event shall such notes or renewals extend more than one (1) year beyond the original date of issue except as permitted in the Local Finance Law.

Section 9. Subject to the terms and conditions of this Resolution and of the Local Finance Law, and pursuant to the provisions of Sections 30.00, 50.00, and 56.00 to 60.00, inclusive, of the Local Finance Law, the power to authorize bond anticipation notes in anticipation of the issuance of the serial bonds authorized by this resolution and the renewal of these notes, and the power to prescribe their terms, form and contents of the serial bonds and bond anticipation notes and the power to sell and deliver the serial bonds and bond anticipation notes issued in anticipation of the issuance of the bonds is hereby delegated to the Town Supervisor, the Chief Fiscal Officer of the Town. The Town Supervisor is hereby authorized to sign any serial bonds and bond anticipation notes issued in anticipation of the issuance of the serial bonds and bond anticipation notes issued pursuant to this resolution by manual signature, and the Town Clerk is hereby authorized to affix or impress or imprint a facsimile of the seal of the Town to any of the serial bonds or bond anticipation notes and to attest such seal by manual signature. The Town Supervisor, as Chief Fiscal Officer of the Town, is authorized to execute and deliver any documents and to take such other action as may be necessary and proper to carry out the intent of the provisions in this resolution.

Section 10. The exact date of issuance of the bonds and/or notes and the exact date upon which they shall become due and payable shall be fixed and determined by the Chief Fiscal Officer, provided, however, that the maturity of the notes or renewals shall not exceed one (1) year from the date of issue except as permitted by the Local Finance Law.

Section 11. The Chief Fiscal Officer shall prepare the bonds and/or notes and sell them in accordance with the provisions of the Local Finance Law including, but not limited to, the provisions of Section 169.00, if applicable, and at such sale shall determine the interest rate to be borne by such bonds and/or notes. The Town Board authorizes the Chief Fiscal Officer to establish substantially level annual debt service for the repayment of such bonds as he believes it is in the best interests of the Town.

Section 12. If issued, the notes shall be in registered form, and shall bear interest at the determined rate.

Section 13. The Chief Fiscal Officer shall deliver the bonds and/or notes to the purchaser only against a certified check or other immediately available funds. The proceeds of the sale of the bonds and/or notes shall be deposited and/or invested as required by Section 165.00 of the Local Finance Law, and the power to invest the proceeds of sale is hereby delegated to the Chief Fiscal Officer and the power to invest in any instruments described in Section 165.00 is expressly granted.

Section 14. To the extent that is permitted to do so under the Internal Revenue Code of 1986, as amended (the "Code"), the Town hereby designates the bonds and/or notes as "qualified tax-exempt obligations" under Section 265 (b) (3) of the Code. The Town hereby covenants that it will (i) take all actions on its part necessary to cause interests on the bonds and/or notes to be excluded from gross income for purposes of Federal Income taxes and (ii) refrain from taking any action which would cause interest on the bonds and/or notes to be included in gross income for purposes of Federal Income Taxes.

Section 15. Miller, Mannix, Schachner & Haffner, LLC, Glens Falls, New York, is hereby designated bond counsel.

Section 16. The validity of these serial bonds and bond anticipation notes may be contested only if:

- (1) These obligations are authorized for an object or purpose for which the Town is not authorized to spend money; or
- (2) The provisions of law which should be complied with a the date of Publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or
- (3) Such obligations are authorized in violation of the provisions of the State Constitution.

Section 17. The full text of this Resolution or a summary thereof shall be published in the Ravena News Herald, which has been designated as the official newspaper of the Town, together with a Notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 18. The question of the adoption of this Resolution was duly put to a vote on roll call which resulted as follows:

| | | |
|------------------------|----------------------|-----|
| Roll Call Vote: | Supervisor Youmans | Aye |
| | Councilwoman Rogers | Aye |
| | Councilman Boehm | Aye |
| | Councilman Touchette | Aye |
| | Councilman Dolan | Aye |

VOTE – AYES 5 – NAYS 0 – SO MOVED

The Resolution was declared duly adopted by a vote of not less than two-thirds (2/3) of the full membership of the Town Board.

Supervisor Youmans stated that the next step in the process is that a Notice will be published in the paper and then there is a (20) twenty day waiting period before they can actually go ahead and issue the bond, which will go in next week's paper because it is too late for this week.

RES. #101-10 ENACT LOCAL LAW #3-2010

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

WHEREAS, each town is required to pass a Local Law by which the Town assumes the dog licensing function (DLF) formerly exercised by the State of New York, and

WHEREAS, the Town Board introduced Proposed Local Law #4, establishing a DLF for the Town, and

WHEREAS, the Town Board held a Public Hearing on November 22, 2010, at 6:30pm at which all interested parties were given an opportunity to be heard,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans hereby enacts Local Law #3 of 2010 in the form which is attached hereto.

LOCAL LAW #3 OF 2010

**A LOCAL LAW AMENDING THE CODE OF THE TOWN OF COEYMANS
CHAPTER 60 (ANIMALS) TO ESTABLISH A LOCAL DOG LICENSING LAW**

Be it enacted by the Town Board of the Town of Coeymans, County of Albany, as follows:

Section 1. Purpose

The Town of Coeymans hereby enacts a dog licensing law due to the elimination of the State of New York's dog licensing function.

Section 2. Dog Licensing Law

Chapter 60 of the Coeymans Town Code is hereby amended to add a new Article III as follows:

Article III

Licensing of Dogs

§ 60-16 All Dogs Must Be Licensed

All dogs in the Town of Coeymans must be licensed with the Town Clerk by the age of 4 months and are required to present a current Certificate of Rabies Vaccination at the time of licensing or the renewal of an existing license.

§ 60-17 Expiration

All dog licenses will be valid for a period of one year and will expire at the end of the month one year from the date of issue.

§ 60-18 Late Fees

A late fee of \$5.00 will be assessed if not renewed within 30 days of expiration.

§ 60-19 Fees

Fees for Licensing of Dogs: The fee for a spayed or neutered dog will be \$7.00, (which included the assessment of a \$1.00 surcharge for the purpose of carrying out animal population control) and the fee for an unspayed or unneutered dog will be \$15.00, (which included the assessment of a \$3.00 surcharge for the purpose of carrying out animal population control) with such fees being reviewed by the Town Board periodically and may be changed by a resolution of the Town Board, if deemed necessary.

§ 60-20 Rabies Certification

The application for a license or renewal shall be accompanied by a statement certified by a licensed veterinarian showing that the dog has received the rabies vaccine; or, in lieu thereof, a statement certified by a licensed veterinarian that because of the dog's age or other reason, the life of the dog would be endangered by the administration of the vaccine.

§ 60-21 Enumeration Fee

When the Town Board determines the need for a dog enumeration or inventory, a fee of \$5.00 will be assessed to all dogs found unlicensed or renewed at the time the enumeration is conducted.

§ 60-22 Purebred License

The Town of Coeymans will not be issuing Purebred or Kennel Licenses. All dogs will be licensed individually as per fee system stated above.

§ 60-23 Service Dogs

The Town of Coeymans will not require a license fee for any guide dog, service dog, hearing dog or detection dog.

§ 60-24 Shelters

The Town of Coeymans does not allow the licensing of dogs by a shelter. The shelter must send the adoptive dog owners to the Town Clerk of the Town or City in which the dog will be harbored for licensing or to the Town Clerk of the Town of Coeymans, for the purchase of the license for adoption purposes.

§ 60-25 Purchasing Dog Licenses

All dog licenses may be purchased by visiting the Town offices or by regular mail. If licensing or renewing a license by mail, the appropriate fee must accompany the forms. There will be no refund of fees.

§ 60-26 Funding

All fees will be used in funding the administration of the Dog Control Law for the Town of Coeymans.

§ 60-27 Fees for Seizure of Dogs

The fee for seizure and impoundment of dogs in violation of this law or the Laws of the New York State Department of Agriculture and Markets Law are as follows: First Offense: The same impoundment and euthanasia fees per animal that are charged to the town for such service plus \$35, Second and all future offenses: \$60.00 plus the impoundment and euthanasia fees per animal.

§ 60-28 Replacement Fee

A fee of \$2.00 will be imposed for any tag replacement.

Section 3. No Other Changes to Chapter 60

All other provisions of Chapter 60 not expressly amended herein shall remain the same.

Section 4. Effective Date

This Local Law shall be effective January 1, 2011 after filing with the Secretary of State.

Councilwoman Rogers stated that there is copy of it in the Town Clerk's Office and added that it was read in its entirety at the Public Hearing.

Councilman Touchette inquired as to if it would be Local Law #4.

Supervisor Youmans stated that it was Proposed Local Law #4 but it will now be the third one adopted.

Councilman Boehm inquired as to what the DLF stands for.

Attorney for the Town Wukitsch stated that it is the Dog Licensing Function.

Town Clerk Millious interjected that she had to do a roll call vote for this resolution.

| | | |
|------------------------|----------------------|-----|
| Roll Call Vote: | Supervisor Youmans | Aye |
| | Councilwoman Rogers | Aye |
| | Councilman Boehm | Aye |
| | Councilman Touchette | Aye |
| | Councilman Dolan | Aye |

VOTE – AYES 5 – NAYS 0 – SO MOVED

RES. #102-10 AUTHORIZE TRANSFER OF FUNDS

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

WHEREAS, the following accounts have been exhausted because of unforeseen expenditures,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby authorize Supervisor James C. Youmans to transfer the following amounts to the respective funds:

PART TOWN (B)

| AMOUNT | FROM ACCOUNT | TO ACCOUNT |
|---------------|---|--|
| \$17.88 | B3620.4 Safety Inspections (Contractual) | B9040.8 Employee Benefits (Worker’s Compensation) |

HIGHWAY (DB)

| AMOUNT | FROM ACCOUNT | TO ACCOUNT |
|---------------|---------------------------------------|---|
| \$3,389.02 | DB9089.8 Employee Benefits (Other) | DB5110.1 General Repairs (Personal Services) |
| \$ 783.76 | DB9089.8 Employee Benefits (Other) | DB9040.8 Employee Benefits Worker’s Compensation |

SEWER (SS)

| AMOUNT | FROM ACCOUNT | TO ACCOUNT |
|---------------|------------------------------|---|
| \$ 98.04 | SS1220.4 Administration Fees | SS9040.8 Employee Benefits (Worker’s Compensation) |

RES. 103-10 APPROVE NOVEMBER ABSTRACT

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

| FUND | VOUCHER # | AMOUNT |
|----------------------|--------------------------|---------------------|
| GENERAL (A) | | |
| General Pre-Pay | 2055-2140,2329-2330 | \$263,375.24 |
| General | 2226-2275,2331,2332,2335 | \$ 27,274.66 |
| | General Total | \$290,649.90 |
| PART-TOWN (B) | | |
| Part-Town Pre-Pay | 2141-2160 | \$687,160.70 |
| Part-Town | 2276 | \$ 20.00 |
| | Part Town Total | \$687,180.70 |
| HIGHWAY (D) | | |
| Highway Pre-Pay | 2161-2171 | \$ 40,314.99 |
| Highway | 2277-2309 | \$ 6,524.84 |
| | Highway Total | \$ 46,839.83 |
| SEWER (SS) | | |
| Sewer Pre-Pay | 2172-2198,2334 | \$334,675.44 |

| | | |
|--------------------------------|--------------------------------|-----------------------|
| Sewer | 2310-2326 | \$ 13,296.79 |
| | | |
| | Sewer Total | \$347,972.23 |
| | | |
| SPECIAL WATER (SW) | | |
| Special Water Pre-Pay | 2199 | \$ 83,236.94 |
| | | |
| | Special Water Total | \$ 83,236.94 |
| | | |
| CAPITAL PROJECT H-35 | | |
| Capital Project | 2327-2328 | \$ 28,798.30 |
| | | |
| | Capital Project Total | \$ 28,798.30 |
| | | |
| | Total for all Funds | \$1,484,677.90 |
| | | |
| TRUST & AGENCY (TA) | | |
| Trust & Agency Pre-Pay | 2220-2225 | \$217,277.11 |
| | | |
| | Trust & Agcy. Total | \$217,277.11 |

TOWN BOARD WORKSHOPS/MEETING

- Town Board Meeting, December 13, 2010, 7:00pm
- Town Board Workshop, December 21, 2010, 6:00
- Town Board Meeting, December 27, 2010, 7:00pm

ADDITIONAL COMMENTS

Supervisor Youmans asked if there were any additional comments.

Councilman Boehm stated that they had discussed the NIXLE notification at the Workshop and then asked that Chief Darlington brief everyone watching on how to sign up for it.

Chief of Police Darlington stated that he has a poster that he can post at Town Hall on how to do it and added that the web address is www.nixle.com and there is an area to sign in and once you are in it requires a user name and password. He continued by saying that once you register, it requires an e-mail address and cell phone number, which is optional if you want text messages to your phone and if not it just goes to your e-mail. He added that once you are in the site there is a settings area where you click on the agencies that you want to receive messages from and any agencies in the area that are registered will come up and you can receive messages. He concluded by saying that this is one of the sources that they will be using to notify of a snow emergency as well as other emergencies in effect in the Town.

Supervisor Youmans stated that for anyone watching, he signed up for it approximately a year ago and it was nice when he got the notification of the train derailment and high wind alerts and potential serious weather alerts. He added that it is a nice, free service that is offered.

Supervisor Youmans asked if there were any other comments.

Councilman Dolan stated that he wanted to mention the two ceremonies that he attended on behalf of the Town and added that one was the Veterans’ Day Ceremony in the Village and Commander Snyder was there from the VFW along with former Supervisor George McHugh who was the featured speaker and he gave a great overview of the

military from WW I to present and continued by saying that it was good to see a local boy make good, which is the story of Mr. McHugh's case. He added that the other event that he attended was the grand re-opening of the library in Ravena and they had done a good job of temporarily locating the library to Mayone's Plaza and the Village crew did a good job getting the library back in great shape and it looks better than it did before and is laid out nicer than it was. He concluded by saying that he got a grand tour of the building from the Mayor and he saw the improvements that they did for the School Board, which is moving in there.

Supervisor Youmans asked if there were any other comments.

Town Clerk Millious stated that usually in December there is a Public Hearing to set the Sewer Rates for January and added that she didn't know if it was something that they wanted to do because the next meeting is December 13th. She continued by saying that it is usually at 6:30 before a Town Board Meeting.

Supervisor Youmans thanked Town Clerk Millious for reminding him of that and added that he would say and she could post that meeting for 6:30 on December 13th before the Town Board Meeting.

Supervisor Youmans asked if there were any other comments.

Chief Darlington stated that he had a couple of things and added that he wanted to let the Board know that he received an e-mail from Karen at P&M stating that the Lease Agreement has been fully executed and they should be receiving it in the mail and once it comes it has to be attached to the Master Management Agreement as an addendum. He continued by saying that they had asked for additional funding for the Hannacroix Creek Project for engineering fees and the survey and he has received a letter stating that they approved the funding, however they are now waiting because their time period has expired and they have to extend the Agreement time. He concluded by saying that they have the money but are now on hold to see if they are going to let them have a time extension and added that originally they had said that they could have three months but he advised that it would take longer than that to even get the surveys done and to get the construction done in three months is impossible.

Supervisor Youmans interjected that it is especially true considering it is November.

Chief Darlington stated that the new car that was ordered should be delivered within the second week of December and in turn the lights and other equipment will have to be put on it and probably by late December it will be on the road. He continued by saying that some time ago he was approached about a panic alarm system in Town Hall and added that he was approached by several employees that work at night as well as the Assessor who works on weekends and is alone and also there have been some other incidences in Town Hall. He concluded by saying that he has some estimates that he would like to discuss with the Board about future installment.

Supervisor Youmans stated that he would put it on the Workshop Agenda.

Councilman Boehm inquired as to if there currently is a dog up for adoption.

Chief Darlington stated that the last he knew there was and it is a white, female Pitt Bull that seems very friendly and it was found in Oakbrook.

Councilman Boehm inquired as to how someone would contact him if they were interested in adopting.

Chief Darlington stated that they could contact the Police Department or Town Clerk's Office and in turn they would be advised of the procedure for doing that. He concluded by saying that he wanted to wish everyone a safe Thanksgiving.

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

ADJOURNMENT

MOTION

On motion of Councilman Boehm, seconded by Councilman Touchette, the Town Board Meeting was adjourned.

VOTE – AYES 5 – NAYS 0 – SO MOVED

Time – 7:53pm

Respectfully Submitted,

APPROVED:

Diane L. Millious, Town Clerk