

**A Public Hearing was held Monday, December 13, 2010, at 6:30PM 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

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

OPENING COMMENT

Supervisor Youmans stated that the purpose of the Public Hearing was to hear comments on the proposed Sewer Rates for 2011 and continued by asking that Town Clerk Millious read the Notice of Public Hearing.

Town Clerk Millious continued by reading the following:

**NOTICE
TOWN OF COEYMANS
TOWN BOARD
PUBLIC HEARING**

In compliance with Public Officer's Law, this will inform you that the Town Board of the Town of Coeymans has scheduled a Public Hearing for the purpose of hearing comments on the proposed Sewer Rates. The Public Hearing will be held at 6:30pm on December 13, 2010 at Coeymans Town Hall, 18 Russell Avenue, Ravena, New York.

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

PUBLIC COMMENT

Supervisor Youmans stated that on the table in the back of the room there is a budget for the Sewer Department for 2011 and added that the proposed rate is \$375.00 per unit and \$100.00 for a vacant lot, which there are 29. He continued by saying that for anyone wishing to comment on the rates, there was also a sign-in sheet on the table as well and anyone wishing to comment should sign their name and come to microphone and the Town Board would be glad to hear their comments. He then invited the public to comment at this time.

Mr. Daryl Moore stated that he lives at 74 Westerlo Street in Coeymans and added that he was looking over the appropriations for funding and he understands that it is now going to be \$375.00 a year and the previous bill was significantly higher and they paid \$389.00 for ½ a year.

Supervisor Youmans stated that he paid a total of almost \$500.00 in 2010 and the problem that they had was when the first billing went out it was only \$105.00 so they had to make it up in the second half, which was \$380.00 for the second half billing. He continued by saying that this will be two equal payments of \$187.50.

Mr. Moore stated that if he recalls correctly they were making \$105,000 payments all along right up until the negotiations failed with the Village of Ravenna and they had a hard time negotiating sewer rates and it is why it was grossly adjusted higher.

Supervisor Youmans stated that there was only year that he paid \$105,000 in two equal payments and added that it was consistently over \$400,000 for the last 7-8 years.

Mr. Moore inquired as to how they came up with the \$375,000, which is \$187,500 twice a year.

Supervisor Youmans stated that he had the numbers in his hand.

Mr. Moore stated that he does not understand the numbers and he is not an accountant. He continued by saying that he sees administrative fees for \$43,558.00 at the top and continued by asking if it is for administrating the Sewer Plant, Water Plant or just to send the bills out.

Supervisor Youmans stated that it is money to restore a negative fund balance that has accumulated over the years for the Sewer Plant, which in other words is money that had been borrowed. He continued by saying that what happened is over the course of many years there was money borrowed for different projects and some time ago it was decided by the Town Board that instead of paying debt service and paying the interest on those bonds, the cash position that the Town was in at the time was sufficient that they paid those bonds off and turned them into what they refer to as in-house loans, which was borrowing from different funds within the Town budget. He added that it reached some pretty high numbers at different times because of the lack of a contract with the Village and they continued to borrow to support the Sewer Plant. He went on by saying that where it stands today is that there is roughly \$386,000.00 outstanding in loans and when he took the position of Supervisor it was \$700,000.00 and because of the settlement with the Village and collecting the money that they owed the Town they have paid most of it off and in fact before the first of the year they intend to pay another \$200,000.00 of it off, which will leave them a balance of roughly \$180,000.00 that still is owed by the Sewer District. He concluded by saying that the \$43,558.00 for administrative fees represents a chunk of that money that they anticipate paying off within the next 4-5 years.

Mr. Moore continued by inquiring as to what the \$132,000.00 for personal services represents.

Supervisor Youmans stated that it is the salaries of the three people that work there.

Mr. Moore inquired as to if the loans he mentioned were for capital improvements to the plant and if salaries were included.

Supervisor Youmans stated that at one point it was money borrowed for capital improvements and added that he thinks that it is some of what the outstanding were that the Board paid off using in-house loans. He continued by saying that it is somewhat difficult for him to get his arms around the whole scope of it because it dates back so many years. He continued by saying that they want to try to keep the rate at an affordable level and in looking to the future they also have some upgrades that are coming as they speak and they are trying to forecast it and keep the rate so it is fairly level in the upcoming years without having it yo-yo on them.

Mr. Moore stated that the sewer rents are \$171,650.00 and continued by asking if this is what is paid by the Village of Ravenna.

Supervisor Moore stated that it isn't and added that as each user pays their sewer bill, which is 441 and multiply it by \$375.00 plus the \$2,900.00 for the 29 vacant lots, he will come up with \$171,650.00. He continued by saying that he didn't have any further comment and added that he appreciates the Board's time.

Supervisor Youmans thanked Mr. Moore and continued by asking if anyone else wished to speak.

Ms. Donna Pasquini stated that she lives on Westerlo Street in the Hamlet of Coeymans and continued by asking if the \$171,650.00 in sewer rents is strictly for those in the Hamlet.

Supervisor Youmans stated that it is.

Ms. Pasquini stated that there is a contractual joint line in the amount of \$140,000.00 and continued by asking if that is for the Village.

Supervisor Youmans stated that it is.

Ms. Pasquini stated that it is an appropriation and not a revenue.

Supervisor Youmans stated that it is.

Ms. Pasquini asked that he explain what that is with the Town and the Village.

Supervisor Youmans stated that it is split with the Village and it's operation and maintenance of the sewer plant and added that a couple of different things come into play there, which is personal services or the salaries that they pay people to work there and contractual joint is other repairs that they make throughout the years and things such as lab testing, and chemicals. He continued by saying that it is basically everything other than personal services that gets spent over the course of the year at the sewer plant and it reiterated that it is not personal services or capital improvements.

Ms. Pasquini stated that she was present for a meeting where they BAN'd \$425,000.00 for the sewer plant.

Supervisor Youmans stated that they passed a bond resolution.

Ms. Pasquini stated that within the resolution it says that the money is to be paid back by money collected by the sewer district and continued by asking if it is the Hamlet of Coeymans.

Supervisor Youmans stated that it is money that is to be paid back jointly between the Village and the Hamlet and it will be part of her regular sewer rent.

Ms. Pasquini stated she didn't understand because it said by the Sewer District, which she thought meant strictly by the Hamlet.

Supervisor Youmans stated that it reads that way because the Sewer District is technically who is borrowing the money because the Sewer District is receiving the benefit of it and added that everyone does not have municipal sewer at their house, therefore the charges don't go into a General Town Fund but rather to those that are benefiting from it. He reiterated that the Sewer District is who borrowed the money and is who will be paying it back.

Ms. Pasquini stated that she received copies of the smoke testing of the sewer lines and manholes where they are leaking into the storm sewer, which is sanitary sewer leaking into the storm sewer and continued by asking where the money is coming from to fix it. She added that there are several places on Civill, Blaisdell, Einie, Westerlo and Second Street.

Supervisor Youmans stated that he is not fully aware of the smoke testing and therefore he cannot comment on it because he does not have the data in front of him.

Ms. Pasquini continued by showing Supervisor Youmans a copy of the results of the smoke testing and continued by saying that she is sure that they saw the letter sent out by then Supervisor Traver when they were going to perform the test in August 2010. She reiterated that she is just wondering when it comes time to fix the sanitary sewer that is leaking into the storm sewer, where the money is going to come from.

Supervisor Youmans stated that it was a good question and added that he has not thought that far ahead. He continued by saying that they are certainly not new problems and he knows from what he has seen and heard of the smoke testing is that there a whole bunch of problems and a lot of them involve people's laterals where the sewer line meets the house and there are a lot of problems with homes that are not actually connected to the sanitary sewer system.

Ms. Pasquini stated that there are a lot on Westerlo Street that she knows of.

Supervisor Youmans reiterated that they know there are issues and added that unfortunately most of them are the homeowner's responsibility.

Ms. Pasquini inquired how they can charge the homeowner when they buy their property and are told that municipal water and sewer is included and after someone like herself who has lived at the residence for 33 years and has paid sewer rent and repairs to the sewer plant and then runs into a problem. She continued by asking where the Town's responsibility is in seeing that the homes are hooked into it when they pay Callahan's to put the lines in and DEC made it mandatory that the homeowner hooks into it and the Town didn't take the responsibility to make sure that the homes were hooked into it, which means now there are a lot of homeowners who were not around for it and they are going to make the homeowner pay for it after they have been paying sewer all these years.

Supervisor Youmans stated that it is an unfortunate situation but if your sewer lateral breaks, it is certainly the homeowners responsibility and always has been and it is nothing new and he's not saying that the vast majority of the problems are homes that are not hooked up but rather problems where a lot of things are broken and unfortunately a lot of the problems happen to be in people's yards. He concluded by saying that there is not an easy answer to it.

Ms. Pasquini stated that she saw some of the smoke testing being done and on Mr. Allen's property behind her where they started rerouting the storm sewer and brought it down to Colvin Avenue and ran it down but didn't do anything behind her house and when they did the sanitary sewer up above his yard was filled with smoke. She continued by saying that Mr. Allen had said that his main sewer line runs out the front to Westerlo Street and added that there is a regular sanitary sewer coming down and two feet from it is a storm sewer.

Supervisor Youmans stated that he can't speak to that because he does not know.

Ms. Pasquini thanked Supervisor Youmans.

Supervisor Youmans thanked Ms. Pasquini and continued by asking if anyone else wished to comment.

Mr. Darius Heydari stated that he is the owner of 2534 U.S. Rte. 9W and sole proprietor of A-1 Auto and added that he inherited the property from his father Nemat Heydari who passed on. He continued by saying that he is renting some apartments and bringing business to Ravenna and the auto business has been there for approximately 20 years and he noticed that there was an increase in the sewer rate from \$735.00 to \$2,735.00. He went on by inquiring as to why it was that much of an increase and whether or not it is based on the number of units.

Supervisor Youmans asked how many units he has.

Mr. Heydari stated that he has seven units.

Supervisor Youmans stated that this year he will be paying \$375.00 times 7, which is \$2,625.00.

Mr. Heydari inquired as to if that will be the charge for January.

Supervisor Youmans stated that it will be that amount divided by two equal payments.

Mr. Heydari stated that it might be a little less than the \$2,700.00.

Supervisor Youmans stated that he discussed it earlier and he missed it and added that last year they ultimately had to set the rate at \$490.00 total per unit for the year and the first half billing went out and it was only \$105.00 for the first half, which left \$380.00 per unit that they had to make up.

Mr. Heydari stated that his bill for last year was \$2,700.00 and this year the total is \$2,600.00.

Supervisor Youmans stated that it is \$2,625.00 divided by 2.

Mr. Heydari stated that it will be \$1,312.50, which is a little bit better and he might be able to sleep a little better. He continued by saying that he had to borrow from credit cards to satisfy the sewer bill because if he didn't it would have been put on his Property Tax Bill at the end of the year with additional late fees. He added that they are doing their jobs, which is good but it was a little hard for him to pay the bill.

Supervisor Youmans stated that collecting \$380.00 per unit for the second billing was something that they wrestled with but they had no other option at that point. He added that going in to 2011 they took a hard look at it and have been over the numbers so many times and it is \$375.00 per unit in two equal payments, which goes out in January and June. He continued by saying that they apologize for the hardship that it created for him.

Mr. Heydari stated that the Board is doing their job good and there are always going to be problems with the sewer. He continued by saying that there is not that much sewer that goes through that building and he is not metered, which he talked to John Cashin about and it is based on the number of units.

Supervisor Youmans stated that it is a good point and added that it is not a perfect system but it is the system that they have inherited that was set forth by people long before any of them sat there.

Mr. Heydari continued by asking if any of them knew who the Sewer Czar is.

Supervisor Youmans stated that there isn't one.

Mr. Heydari stated that John told him that Larry takes care of the sewer.

Supervisor Youmans stated that Larry helps the Board with issues relating to the sewer because of his knowledge of the billing system and infrastructure and added that he works at the Board's direction.

Mr. Heydari stated that he is a good Building Inspector and checks everything and does what he is suppose to do, which is good and added that he is willing to work with him as much as possible.

Supervisor Youmans thanked Mr. Heydari and continued by asking if there were any other comments, hearing none he asked for a motion to adjourn the Public Hearing.

ADJOURNMENT

MOTION

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

VOTE – AYES 5 – NAYS 0 – SO MOVED

MINUTES BOOKTOWN OF COEYMANS
December 13, 2010 – PUBLIC HEARING – 6:30PM**

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Time – 6:48pm

Respectfully Submitted,

APPROVED:

Diane L. Millious, Town Clerk