A Town Board Organizational Meeting was held Sunday, January 03, 2010, at 10:00am 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

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

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OPENING COMMENT

Supervisor Traver acknowledged the presence of Councilman Youmans, Councilwoman Rogers, Councilman Boehm and Councilman Touchette and continued by saying that there are two New Business items on the agenda as well as the reading of the 2010 Organizational Resolutions.

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NOTICE
TOWN OF COEYMANS
TOWN BOARD
2010 ORGANIZATIONAL MEETING

NOTICE IS HEREBY GIVEN that the Organizational Meeting of the Town Board of the Town of Coeymans has been scheduled for Sunday, January 03, 2009, at 10:00am.

The Meeting will be held at Town Hall, 18 Russell Avenue, Ravena, N.Y.

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

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NEW BUSINESS

Supervisor Traver stated that he was in receipt of a letter from Mr. David Wukitsch, regarding retainer fees for legal services for the year and then asked the Town Board if they had reviewed it.

Collectively the Town Board stated that they had.

Supervisor Traver asked for a motion to authorize his signature for the Agreement with Mr. Wukitsch.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Touchette, authorizing Supervisor Traver to sign the Agreement with Mr. Wukitsch.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Councilman Boehm stated that Mr. Wukitsch is an asset to the Town and added that he is looking forward to working with him in the upcoming year.

Association of Town's Annual Meeting

Supervisor Traver stated that he was in receipt of a memo from Building Inspector Conrad regarding the Association of Town's Annual Meeting and added that he feels at this time they should table it until the first meeting in January to discuss his request to attend as well as going himself.

Councilman Touchette interjected that they should discuss the issue because it was his understanding that there is no money budgeted for personnel to go to the Association of Town's Meeting.

Supervisor Traver stated that Building Inspector Conrad has a budget for training.

Councilwoman Rogers stated that he has to have a certain number of credits each year.

Supervisor Traver interjected that this would count toward his credits.

Councilman Touchette inquired as to how many credits he needs and added that his feeling is that there are plenty of local opportunities to get the credits.

Councilman Youmans stated that he had a discussion with Mr. Conrad about it and added that the numbers escape him but he believes that he said that he needs 24 credits a year and at that particular meeting he can get 16 all in one shot. He continued by saying that he went on to tell him that he had enough money to cover it within his budget for his department. He concluded by saying that he is ok with it and does not personally have a problem with it.

Councilman Boehm inquired as to the cost and added that it says $100.00 registration fee, provisions for 3 nights accommodations, which is approximately $200.00+ a night and per diem for meals for $75.00 a day and continued by saying that he would like to get a handle on the cost outside of the $100.00 registration fee.

Councilman Youmans stated that they could table it until the next meeting.

Councilman Boehm inquired as to if there are any dates that are upcoming where they could save money by registering that they will miss if they table it.

Councilman Touchette interjected that they would save $30.00 if they do it by January 22nd.

Councilman Youmans stated that the next meeting is January 11th.

Councilman Boehm suggested that they get a breakdown of the cost a little more and table it until the next meeting.

Supervisor Traver stated that with him going personally, he might be able to save the Town some money on the hotel accommodation.

Councilman Touchette interjected that there is nothing budgeted for Elected Officials to go.

Supervisor Traver stated that he would go and pay out of his own pocket and added that they would table it until January 11th.

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RESOLUTIONS

RES. #001-10 ESTABLISH TOWN BOARD MEETING DATES
On motion of Councilman Touchette, seconded by Councilman Youmans, the following resolution was APPROVED – VOTE 5 – NAYS 0 – SO MOVED

BE IT RESOLVED, that the Town Board of the Town of Coeymans, does hereby set the following dates for Town Board Meetings 2010. Please note that Town Board Meetings start at 7:00pm.

January	03	June	21
January	11	July	26
January	25	August	23
February	08	September	13
February	22	September	27
March	08	October	12 *
March	22	October	25
April	12	November	08
April	26	November	22
May	10	December	13
May	24	December	27

* Moved to Tuesday for Columbus Day

RES. #002-10 ESTABLISH TOWN BOARD WORKSHOP DATES
On motion of Councilman Boehm, seconded by Councilwoman Rogers, the following resolution was APPROVED – VOTE 5 – NAYS 0 – SO MOVED

WHEREAS, it has been determined that one Town Board Workshop Meeting per month is deemed necessary,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board establishes the following dates in 2010 as Workshop Meetings. These meetings will take place on Tuesday evenings commencing at 6:00pm.

January	19	July	20
~~February~~	~~16~~	August	17
March	16	September	21
April	20	October	19
May	18	November	16
June	15	December	21

Councilwoman Rogers stated that they normally don't have a Workshop in February because they would be at the Association of Town's Annual Meeting.

Councilman Touchette interjected that he will be out of Town that week.

Councilman Boehm stated that they can do without that week because it is a holiday week and added that he was amending the resolution to delete the February 16th Workshop.

RES . #003-10 ESTABLISH PLANNING BOARD MEETING DATES
On motion of Councilwoman Rogers, seconded by Councilman Touchette, the following resolution was APPROVED – VOTE 5 – NAYS 0 – SO MOVED

January	04	July	06 *
February	01	August	02
March	01	September	07 **
April	05	October	04
May	03	November	01
June	07	December	06

* Due to Independence Day
** Due to Labor Day

RES. #004-10 ESTABLISH ZONING BOARD OF APPEALS MEETING DATES
On motion of Councilman Youmans, seconded by Councilwoman Rogers, the following resolution was APPROVED – VOTE 5 – NAYS 0 – SO MOVED

BE IT RESOLVED, that the Town Board, of the Town of Coeymans, does hereby set the following dates for the Zoning Board of Appeals Meetings for 2010. Please not that Zoning Board of Appeals Meetings start at 7:00pm.

January	20	July	21
February	17	August	18
March	17	September	15
April	21	October	20
May	19	November	17
June	16	December	15

RES. #005-10 SET HOLIDAY SCHEDULE FOR 2010
On motion of Councilman Touchette, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE 5 – NAYS 0 – SO MOVED

BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby set the following Holidays for 2010 employees not covered by Union Contracts. Holiday schedules for covered employees are pursuant to active agreements in force.

January	01	New Year's Day
January	18	Martin Luther King Day
February	15	President's Day
May	31	Memorial Day
July	05	Independence Day (Observed)
September	06	Labor Day
October	11	Columbus Day
November	02	Election Day
November	11	Veteran's Day
November	25	Thanksgiving Day
November	26	Day After Thanksgiving
December	24	Christmas Day (Observed)

Councilman Boehm stated that he had an issue with the following resolution and added that the resolution hereby authorizes Supervisor Henry Traver to execute all agreements with Town of Coeymans contractual employees, CSEA and Council 82. He added that his issue is that Henry as a dispatcher, was a member of that Union and if any of the negotiations would actually allow him to get a raise, it is a strong conflict of interest. He went on by saying that they have a personnel liaison to negotiate the contracts and concluded by saying that he was not going to move the resolution forward.

RES. # 006-10 AUTHORIZE SUPERVISOR TO EXECUTE AGREEMENTS BETWEEN TOWN OF COEYMANS, CONTRACTUAL EMPLOYEES, CSEA AND COUNCIL 82
NOT MOVED – TABLED

BE IT RESOLVED, that the Town Board of the Town of Coeymans, does hereby authorize Supervisor Henry C. Traver to execute all agreements between the Town of Coeymans and contractual employees, CSEA, and Council 82.

RES. #007-10 DESIGNATE DEPOSITORY OF FUNDS
On motion of Councilwoman Rogers, seconded by Councilman Youmans, the following resolution was APPROVED – VOTE 5 – NAYS 0 – SO MOVED

BE IT RESOLVED, that the Town Board of the Town of Coeymans, pursuant to Town Law, Section 64 (1), 20 and 35 that National Bank of Coxsackie, Key Bank, First Niagara, Citizens Bank, Bank of Greene County or any other bank or depository authorized by the State of New York, be designated as the depository of all funds of the Town of Coeymans. In addition, the Town Board directs that all Town Officials responsible for monies are hereby required to deposit said monies into said depository.

Councilman Boehm stated that he has an issue with the Bank of Greene County suing the Town of Coeymans over their assessment and added that he would like to bring it up at the next Town Board Workshop with Attorney for the Town Wukitsch present.

Councilman Touchette interjected that since the Town has funds there now they need to pass the resolution as it is written and added that he agrees that they can make any appropriate changes at the January 25th Meeting.

Collectively the Town Board agreed.

RES. #008-10 ADOPT INVESTMENT POLICY
On motion of Councilman Youmans, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE 5 – NAYS 0 – SO MOVED

WHEREAS, the Town of Coeymans has previously adopted a "Model Investment Policy" supplied by the State Comptroller's Office on April 29, 1996, and

WHEREAS, all towns must adopt an Investment Policy according to the State Comptroller's Office and General Municipal Law, and

WHEREAS, that "Investment Policy" shall be reviewed on an annual basis and shall be adopted at the Annual Organizational Meeting,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby adopt the Investment Policy for the year 2010.

Councilman Boehm inquired as to if the Investment Policy is available.

Town Clerk Millious interjected that it is on file in her office.

Councilman Boehm inquired as to how big the policy is.

Town Clerk Millious stated that she would guess that it was 2-3 pages.

Councilman Boehm asked that she make a copy to circulate amongst the Town Board.

RES. #009-10 AUTHORIZE PREPAYMENT OF CLAIMS
On motion of Councilman Touchette, seconded by Councilman Youmans, the following resolution was APPROVED – VOTE 5 – NAYS 0 – SO MOVED

BE IT RESOLVED, that the Town Board, of the Town of Coeymans, does hereby authorize the payment in advance of audit of claims for public utility services, telephone, postage, freight and express charges, lease and maintenance agreements, and any other prepayments that would result in penalties against the Town of Coeymans. In addition, all payroll and employee benefits payable and due at specific times.

RES. #010-10 DESIGNATE OFFICIAL NEWSPAPER
On motion of Councilman Boehm, seconded by Councilwoman Rogers, the following resolution was APPROVED – VOTE 5 – NAYS 0 – SO MOVED

BE IT RESOLVED, that the Town Board, of the Town of Coeymans, pursuant to Section 64, Subdivision 11 of the Town Law, designates *The News Herald,* a newspaper regularly published in the Town of Coeymans, County of Albany, the official newspaper of the Town of Coeymans.

RES. #011-10 ESTABLISH MILEAGE RATE
On motion of Councilwoman Rogers, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE 5 – NAYS 0 – SO MOVED

BE IT RESOLVED, that the Town Board, of the Town of Coeymans, pursuant to Section 102, Subdivision 1 of the Town Law, establishes the rate of 50 cents per mile for

the authorized use of personal vehicles by Town Employees in the performance of their duties.

Councilman Touchette stated that he would like to offer a revision or amendment of it and added that since the IRS does change the mileage rate from time to time, he would suggest that it read "establishes the current IRS mileage rate for the authorized use of personal vehicles.

Councilman Boehm stated that he would agree with Councilman Touchette because it does vary and added that he believes it is the model that the Town follows. He then asked if Councilwoman Rogers accepts the amendment.

Councilwoman Rogers stated that she does and then reread the resolution reflecting the change.

BE IT RESOLVED, that the Town Board, of the Town of Coeymans, pursuant to Section 102, Subdivision 1 of the Town Law, establishes the current IRS mileage rate for the authorized use of personal vehicles by Town Employees in the performance of their duties.

RES. #012-10 APPONT ADMINISTRATOR OF ACCESS
On motion of Councilman Youmans, seconded by Councilwoman Rogers, the following resolution was APPROVED – VOTE 5 – NAYS 0 – SO MOVED

WHEREAS, the Town Board of the Town of Coeymans, does hereby have an Agreement with Mid-Hudson Cablevision to provide public access programming directly from the Town Building, located at 18 Russell Avenue, Ravena, New York.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board, of the Town of Coeymans does hereby appoint William Horton as the Administrator of Access for the purpose of coordinating, programming, and overseeing individuals involved in the telecasting of approved programs, to serve without remuneration.

Councilman Touchette stated that he wanted to thank Bill for doing what he does and added that he does a great job and they appreciate the good work that he has done throughout the years.

RES. #013-10 APPOINT PLANNING BOARD CHAIRMAN
On motion of Councilman Touchette, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE 5 – NAYS 0 – SO MOVED

BE IT RESOLVED, that the Town Board, of the Town of Coeymans, does hereby appoint Peter Foronda as Chairman of the Town of Coeymans Planning Board. This appointment is effective immediately and will expire on December 31, 2010.

RES. #014-10 APPOINT ZONING BOARD CHAIRMAN
On motion of Councilman Boehm, seconded by Councilman Youmans, the following resolution was APPROVED – VOTE 5 – NAYS 0 – SO MOVED

BE IT RESOLVED, that the Town Board, of the Town of Coeymans does hereby reappoint Kerry Marsh as Chairman of the Zoning Board of Appeals to a term to expire on December 31, 2010.

RES. #015-10 APPOINT CIVIL DEFENSE DIRECTOR
On motion of Councilwoman Rogers, seconded by Councilman Youmans, the following resolution was APPROVED – VOTE 5 – NAYS 0 – SO MOVED

BE IT RESOLVED, that the Town Board, of the Town of Coeymans, does hereby appoint William Bruno as the Civil Defense Director for the Town of Coeymans, and Chairman of the Town Emergency Management Committee, for a term to expire on December 31, 2010. Compensation for this position is $1,500.00 per year.

RES. #016-10 APPOINT EMERGENCY MANAGEMENT COMMITTEE
On motion of Councilman Youmans, seconded by Councilwoman Rogers, the following resolution was APPROVED – VOTE 5 – NAYS 0 – SO MOVED

WHEREAS, the Town of Coeymans, Village of Ravena, Emergency Management Committee has an Emergency Management Plan to be implemented at the time of specific incidents of events which may result in severe or extensive damage, loss of property, casualties, deaths and/or disruption of the normal everyday routine of our specific geographic area, and

WHEREAS, the success of this plan depends on the cooperation and coordination of a number of individuals and organizations,

NOW, THEREFORE, BE IT RESOLVED, that the following will be participating and contributing agencies: Coeymans Fire Company, Coeymans Hollow Fire Corporation, Town of Coeymans Police Department, Ravena Hose Company, Ravena Rescue Squad, and

BE IT FURTHER RESOLVED, that the Committee shall consist of the following for a period ending December 31, 2010:

Bill Bruno, Committee Chairman
Chief Greg Darlington, Emergency Operations Director
Mark Deyo, Coeymans Fire Company #1
Steven Payne, Coeymans Hollow Volunteer Fire Corporation
Brian Dunican, Jr., Ravena Hose Company
Marvin Powell, Ravena Rescue Squad

RES. #017-10 APPOINT BINGO INSPECTOR
On motion of Councilman Touchette, seconded by Councilwoman Rogers, the following resolution was APPROVED – VOTE 5 – NAYS 0 – SO MOVED

WHEREAS, the Town of Coeymans is in need of a Bingo Inspector to ensure that games being run in the town are in compliance with New York State regulations,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board, of the Town of Coeymans does hereby appoint Edward J. Domanico as Bingo Inspector, at the yearly rate of $2,600.00, with a term to expire December 31, 2010.

RES. #018-10 AUTHORIZE SUPERVISOR TO APPOINT CONFIDENTIAL SECRETARY
On motion of Councilman Boehm, seconded by Councilwoman Rogers, the following resolution was APPROVED – VOTE 5 – NAYS 0 – SO MOVED

BE IT RESOLVED, that the Town Board, of the Town of Coeymans, does hereby authorize Supervisor Henry C. Traver to appoint a Confidential Secretary pursuant to Town Law, Section 29, Subdivision (15),

BE IT FURTHER RESOLVED, that the Town of Coeymans Supervisor does hereby appoint Mary M. Lewandowski as Confidential Secretary to the Supervisor.

RES. #019-10 APPOINT BOOKKEEPER
On motion of Councilwoman Rogers, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE 5 – NAYS 0 – SO MOVED

WHEREAS, interviews have been conducted for candidates for Bookkeeper,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans hereby, at the request of the Supervisor, and in accordance with Town Law, Section 29, appoints Lisa Boehlke as Bookkeeper, at an hourly rate of $27.50.

Councilman Boehm stated that it is a higher rate and continued by asking that Supervisor Traver explain the higher rate for Lisa Boehlke and the strategy given the recent resignation of Shelly Fitch as well as how the whole thing is going to play out.

Supervisor Traver stated that once Lisa Boehlke gets established she will be assuming the duties of two other people and added that they will be letting the two part-timers go. He continued by saying that she will be doing the duties of three people as well as assisting with the payroll and Internal Control Officer Purinton. He continued by saying that she is very highly qualified and has a degree in accounting as well as currently working with municipal accounting.

Councilman Boehm inquired as to her former rate of pay in New Scotland.

Supervisor Traver stated that he had not found out the former rate.

Councilman Boehm inquired as to what the timeline is for doing all of these things if they are planning on laying people off.

Supervisor Traver stated that the goal is three months.

Councilman Touchette inquired as to if the contract with the accounting personnel will be finished in three months.

Supervisor Traver stated that it is the goal and it will be.

Councilman Touchette inquired as to if he is confident that it can all be accomplished within the budgeted parameters.

Supervisor Traver stated that he is.

Councilman Boehm inquired about Shelly Fitch's position.

Supervisor Traver stated that the Town Board had previously passed that position to Ms. Ziegler and added that Ms. Boehlke will be assisting Ms. Ziegler with the payroll.

Councilman Touchette stated that it is his feeling that this is a position and responsibility of the Supervisor and added that he has indicated that it can all be accomplished in the adopted budget and continued by saying that it is good enough for him.

RES. #020-10 APPOINT FIRST DEPUTY
On motion of Councilman Youmans, seconded by Councilwoman Rogers, the following resolution was APPROVED – VOTE 5 – NAYS 0 – SO MOVED

WHEREAS, Lucinda Vatalaro, pursuant to Chapter 280 of the Laws of 2007, was appointed to the 1st Deputy Clerk position, and

WHEREAS, Town Clerk Millious is desirous that Ms. Vatalaro continue in this position,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board, hereby acknowledges the Town Clerk's appointment of Lucinda Vatalaro as 1st Deputy Town Clerk. This appointment is for a term to expire on December 31, 2010.

RES. #0021-10 APPOINT TOWN HISTORIAN
On motion of Councilman Touchette, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE 5 – NAYS 0 – SO MOVED

BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby appoint Harry A. Sturgess, Town Historian for the Town of Coeymans, for a term to expire on December 31, 2010. Compensation for this position is $600.00 per year.

Councilman Boehm stated that it was his understanding that he wanted to split this fee equally among the three Historical Associations in the town, the Little Red School House, Alcove Preservation Association and Ravena-Coeymans Historical Association.

Councilman Youmans interjected that it is up to Mr. Sturges to do and added that they should passed the resolution as offered and let him work it out.

Councilman Boehm agreed.

RES. #022-10 APPOINT TOWN PROSECUTOR
On motion of Councilman Boehm, seconded by Councilwoman Rogers, the following resolution was APPROVED – VOTE 5 – NAYS 0 – SO MOVED

BE IT RESOLVED, that the Town Board, of the Town of Coeymans, does hereby appoint Gregory Teresi, Esq. to serve as Prosecutor for Town related matters as follows:

$ 5,200.00 per year – Traffic tickets issued by Town of Coeymans Police Officers to Town of Coeymans Court.

$ 5,200.00 per year – Traffic tickets issued by New York State Police to Town of Coeymans Court.

$ 2,480.00 per year – Town Code/Penal Law trial matters.

~~$ 2,400.00 per year – Traffic Tickets issued by Town of Coeymans Police Officers to Village of Ravena Court~~

~~$15,200.00~~
$12,800.00

These services shall be payable by monthly voucher submissions by Mr. Teresi.

Councilman Touchette stated that he thinks that they abandoned the practice of paying the Prosecutor for traffic tickets issued by the Town of Coeymans Police Officers to Village of Ravena Court and added that he would ask that Councilman Boehm amend it to strike that line. He continued by saying that he would move that they strike that line, which would make the new total $12,800.00.

Councilman Boehm agreed to the amendment.

RES. #023-10 APPOINT ETHICS BOARD
On motion of Councilwoman Rogers, seconded by Councilman Touchette, the following resolution was APPROVED – VOTE 5 – NAYS 0 – SO MOVED

WHEREAS, the Town Board is advised that the terms of office for the members of the Ethics Board expire December 31, 2009, and

WHEREAS, the Town Board wishes to continue the work of the Ethics Board,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board, hereby reappoints Mark Principato, Sean Parker and Jeff Sorensen to the Ethics Board with terms expiring December 31, 2010.

RES. #024-10 AUTHORIZE UNDERTAKING
On motion of Councilman Youmans, seconded by Councilman Touchette, the following resolution was APPROVED – VOTE 5 – NAYS 0 – SO MOVED

WHEREAS, Public Officer's Law, Section 11 and Town Law, Section 25, require that the Supervisor, Town Clerk, Justices, Superintendent of Highways and such other officers and employees as the Town Board may identify, execute and file in the Office of the Town Clerk, County Clerk and/or the Office of Court Administration, as appropriate, an Official Undertaking for the faithful performance of their duties, and

WHEREAS, the Town Board has determined that a Surety Company authorized to transact business in the State of New York should execute the aforementioned undertaking and the expense thereof shall be an authorized charge against the Town,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board directs the acquisition of such Undertaking pursuant to the above stipulations.

RES. #025-10 APPOINT 2010 EMPLOYEES
On motion of Councilman Touchette, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE 5 – NAYS 0 – SO MOVED

WHEREAS, the Town Board has previously approved the 2010 Annual Budget for the Town of Coeymans, and

WHEREAS, that budget included appropriations for personal services for contractual and non-contractual employees,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board, of the Town of Coeymans, authorizes the following employees for 2010, in accordance with Labor Contracts in effect and budgeted amounts for positions outside the scope of negotiated Contracts. (see attached list)

NAME	POSITION	ANNUAL PAY PERIODS	RATE/HR. SALARY
H.C. Traver	Supervisor	26	$1,730.77
M. Lewandowski	Confidential Secretary	26	$1,153.85
L. Boehlke	Bookkeeper	26	$ 27.50
S. Fitch	Clerk I Part-Time	26	$ 14.33
D. Purinton	Internal Control Officer	26	$105.00
S. King	Clerk I	26	$ 15.56
D. Rogers	Councilwoman	26	$ 461.54
T. Boehm	Councilman	26	$ 461.54
J Youmans	Councilman	26	$ 461.54
R. Touchette	Councilman	26	$ 461.54
G. Dardani	Justice	26	$ 673.08
K. Reilly	Justice	26	$ 673.08
L. Eissing	Court Clerk	26	$ 23.49
Vacant	Court Clerk	26	
Vacant	Court Officer	26	
D. Millious	Town Clerk	26	$1,557.70
L. Vatalaro	Deputy Town Clerk	26	$ 18.64
B. Lyons	Clerk 1 Part-Time	26	$ 12.35
V. Besta	Clerk 1 Part-Time	26	$ 11.57
L. VanValkenburg	Assessor	26	$1,071.13
D. DeRose	Clerk I Part-Time	26	$ 12.97
A. DiAcetis	Clerk I Part-Time	26	$ 11.30
R. Sevilla	Assessment Aide P/T	26	$ 11.18
Vacant	Assessment Aide P/T	26	
D. Crowley	Recreation Leader P/T	26	$ 13.00
L. Breedlove	Chief Sewer Plant Operator	26	$ 23.54
J. Lennon III	Sewer Plant Operator	26	$ 21.10
K. Geraldson	Sewer Plant Operator Trainee	26	$ 17.17
A. Deering	Highway Superintendent	26	$1,923.08
S. Searles	Deputy Highway Super.	26	$ 20.77

G. Stevens	Equipment Operator I	26	$ 19.01
E. Barrett	Equipment Operator I	26	$ 19.48
G. LaMountain	Equipment Operator II	26	$ 21.49
D. Merrill	Equipment Operator I	26	$ 19.35
T. Bennett	Equipment Operator I	26	$ 19.01
D. VanAlstyne	Equipment Operator I	26	$ 19.01
M. Coons	Equipment Operator I	26	$ 19.01
L. Southwick	Equipment Operator I	26	$ 19.01
L. Biance	Clerk I Part-Time	26	$ 11.30
G. Darlington	Police Chief	26	$2,911.12
D. LaMountain	Sr. Tele. / Conf. Secretary	26	$ 22.05
D. Contento	Police Sergeant	26	$ 26.83
N. Westfall	Police Sergeant	26	$ 22.18
J. Alberts	Police Officer Full-Time	26	$ 24.39
C. Alberts	Police Officer Full-Time	26	$ 20.16
R. Johnson	Police Officer Full-Time	26	$ 18.32
R. Cross	Police Officer Part-Time	26	$ 16.66
F. McDonagh	Police Officer Part-Time	26	$ 16.66
T. Polverelli	Police Officer Part-Time	26	$ 18.32
G. DeLuca	Police Officer Part-Time	26	$ 20.95 + $1 Inv. Pay
J. Dunn	Police Officer Part-Time	26	$ 20.95
R. Griffith	Police Officer Part-Time	26	$ 20.95
S. Prokrym	Police Officer Part-Time	26	$ 20.95 + $1 Inv. Pay
B. Rinaldi	Police Officer Part-Time	26	$ 20.95
G. Rivituso	Police Officer Part-Time	26	$ 20.95
K. Thompson	Police Officer Part-Time	26	$ 20.16
B. McMullen	Police Officer Part-Time	26	$ 18.32
J. Gallagher	Police Officer Part-Time	26	$ 20.16
J. Myers	Police Officer Part-Time	26	$ 20.16
(Vacant)	Police Officer Part-Time	26	$ 20.16
J. Tucker	Telecommunicator	26	$ 19.47
M. Von Schenk	Telecommunicator	26	$ 19.12
N. McMullen	Telecommunicator	26	$ 19.12
K. Babcock	Telecommunicator P/T	26	$ 17.84
J. D'Ambrosio	Telecommunicator P/T	26	$ 17.84
(Vacant)	Telecommunicator P/T	26	$ 15.31
B. Dunigan	Telecommunicator P/T	26	$ 17.84
Randy Hotaling	Telecommunicator P/T	26	$ 17.84
Richard Hotaling	Telecommunicator P/T	26	$ 17.84
K. Kearney	Telecommunicator P/T	26	$ 17.84
(Vacant)	Telecommunicator P/T	26	$ 15.31
(Vacant)	Telecommunicator P/T	26	$ 15.31
T. Maddage	Automotive Mechanic	26	$ 18.00
J. Shear	Dog Control Officer P/T	26	$ 10.15
(Vacant)		26	$ 10.05
L. Conrad	Building Inspector / CEO	26	$1,870.20
J. Cashin	Building Inspector P/T	26	$ 17.60
S. DeBacco	Building Inspector P/T	26	$ 17.60
C. Anderson	Clerk I	26	$ 15.56
L. Ziegler	Clerk I Part-Time	26	$ 11.30
N. Perry	Parks & Rec. Maint. Super.	26	$ 20.97
D. Mergendahl	Laborer	26	$ 18.57
T. Plath	Laborer	26	$ 18.57
J. Hoose	Laborer	26	$ 17.99
R. Hotaling	Laborer	26	$ 15.15

E. Domanico	Bingo Inspector	12	$ 216.67
W. Bruno	Civil Defense Director	12	$ 125.00
H. Sturges	Town Historian	12	$ 50.00
P. Foronda	Planning Board Chairman	12	$100.00/$50.00
C. Kunz	Planning Board Vice-Chair	12	$ 90.00/$45.00
D. Ross	Planning Board Member	12	$ 80.00/$40.00
W. Brown	Planning Board Member	12	$ 80.00/$40.00
E. Quinto	Planning Board Member	12	$ 80.00/$40.00
J. Kapusta	Planning Board Member	12	$ 80.00/$40.00
W. Irwin	Planning Board Member	12	$ 80.00/$40.00
K. Marsh	Zoning Board Chairman	12	$125.00
R. Rivers	ZBA Member	12	$ 75.00
P. Brown	ZBA Member	12	$ 75.00
W. Flach	ZBA Member	12	$ 75.00
S. Hafensteiner	ZBA Member	12	$ 75.00
L. Ziegler	Recording Secretary	12	$100.00 per mtg.
B. Terile	Carpenter	26	$ 30.00

Councilman Boehm stated that upon reviewing this and in going back to a prior Workshop that they had with Supervisor Elect Traver, the only particular issue that he has is with the Supervisor's salary. He continued by saying that Henry has made it clear that he plans on maintaining two full-time jobs dedicating ten hours a week to the Supervisor's position and added that he is gravely concerned about that given his lack of experience as well as his inability to negotiate with the Village because he is currently employed with the Village. He concluded by reiterating that this is his only concern.

Supervisor Traver asked if there was any other discussion.

Town Clerk Millious stated that Linda Ziegler is listed as a part-time clerk in the Building Department and added that she has now taken Shelly Fitch's position in payroll and went on by saying that they might want to change that.

Supervisor Traver interjected that Shelly is still here until the end of the week and added that they will adjust it then.

Councilman Touchette inquired as to if she is going to be a Clerk I part-time.

Supervisor Traver stated that she would be.

Councilman Touchette stated that it is organized by Departments and continued by saying that they are not specifying which Department she is in.

Councilman Boehm suggested that Supervisor Traver take an opportunity to make a statement.

Supervisor Traver stated that a lot of people are questioning his experience and added that he believes that he brings a lot of experience to the Town Board due to his background with working for the Town for over 19 years and 20 years with the Village Highway Department, which breaks down all the departments in this Town and he knows the in and outs with sewer and water issues. He continued by saying that he did not come into the position blindly or that he came in as someone with no experience in Town Government because he does have experience and has been involved in Government since he was 17 years old, either in the military capacity, Town Government and Village Government. He concluded by saying that he feels that justification for the pay is there and as far as his time, he will be doing enough time to justify what the pay is.

Councilman Boehm reiterated that he is gravely concerned about the position and the combined salary of over $80,000.00.

Supervisor Traver asked if there was any other discussion.

Councilman Touchette stated that the salary is what it is and the job is what it is and added that it is up to the incumbent to do the job and get the salary for it.

Supervisor Traver stated that it was the conclusion of the resolutions.

Councilman Youmans interjected that he had a piece of New Business that he wanted to discuss and added that as he walked passed the table he saw a memorandum with a note to the recipient asking that they pretend that they don't see it until Monday. He continued by saying that it is from Henry Traver Supervisor to all Departments and the subject is a Staff Meeting and then read the following:

"Please plan to attend an introductory Staff Meeting on Tuesday, January 5, 2010 at 9am in my office."

Councilman Youmans inquired as to if it was intended to go out to staff because it also lists some Elected Officials such as the Justices, Highway Superintendent and Town Clerk. He added that he is questioning what authorization he felt it was appropriate to call a meeting and not include any other Board members.

Supervisor Traver stated that it was inadvertently not given to the Board and added that with regard to the note that was attached, he believes that Secretary Lewandowski put the memo out yesterday when she was working with him. He continued by saying that the note was because it was officially going out Monday to the Department Heads.

Councilwoman Rogers interjected that she believes that Confidential Secretary Lewandowski is going to be out on Monday and added that this might be the reason that it was done.

Supervisor Traver reiterated that inadvertently the Town Board did not get the memo and added that he will take responsibility for not getting it to them. He continued by saying that for the public's and Town Board's knowledge it was going to be an introductory to each Department Head for each department in the Town and to introduce himself and to discuss goals for the year and added that no decisions will be made and whatever is discussed will be brought back to the Town.

Councilman Touchette inquired about him setting goals for the Town's Departments.

Supervisor Traver stated that they would not be setting goals but rather discuss what the goals are, where they are, where they are coming from and what needs need to be met and reiterated that it will all be brought back to the Board.

Councilman Youmans interjected that he is outraged because no single member of the Board has the authorization, unless given by the rest of the Board, to conduct a meeting with any Department Heads and added that he is asking that he recall the Notice for the Meeting.

Supervisor Traver stated that he would recall it.

Councilman Boehm stated that he agrees with Councilman Youmans and added that he thinks it is a secretive way by not copying the Board and it was by inadvertently stumbled on the day before the meeting. He added that he believes that it is not proper to move forward with the meeting.

Councilman Touchette stated that he does not buy the assertion by the Supervisor, seeing that there is a note asking that the recipient pretend that they didn't see it until Monday.

Councilman Youmans reiterated that the Board is not on the distribution list.

Supervisor Traver reiterated that it was inadvertent and his fault for not putting them on the distribution list.

Councilman Youmans stated that he thinks it is important to point out that no single member of the Board has executive authority to call meetings.

Supervisor Traver stated that he understands that.

Councilman Youmans added that they also cannot meet with other Elected Officials or Department Heads on their own and continued by saying that this authority rests with the Board. He went on by saying that he hates to get off on the wrong foot but it is totally inappropriate.

Collectively the Town Board agreed.

Town Clerk Millious interjected that she has been with the Town for quite a while and added that other Supervisors have done this on a monthly basis to see how things are going with different departments and reiterated that she has experienced it before.

Councilman Youmans stated that he would say that if previous Supervisors did so, they did so with the authorization of the whole Board.

Councilman Touchette interjected that if they did, it was improper to do so.

Councilman Boehm stated that he thinks it is a lack of miscommunication with the post-it note asking to hold it until Monday and the lack of distribution to the Town Board and added that inadvertent would happen once but with three specific things, it was designed to keep it from their attention.

Councilman Touchette inquired as to if it was a mandatory meeting.

Supervisor Traver stated that it is not a mandatory meeting and added that it was just to get to know the Department Heads and have some discussion and in turn the Board would be advised as to what took place because he would be taking notes.

Councilman Youmans reiterated that he does not think that any such meeting is appropriate.

Councilwoman Rogers stated that it would be to meet with his Department Heads.

Councilman Youmans questioned Councilwoman Rogers saying his Department Heads and added that they are the Town Department Heads and went on by saying that it would not be appropriate for any of them to meet without the rest of the Board.

Councilwoman Rogers suggested that Supervisor Traver change the date and make sure that they are all aware of it.

Supervisor Traver stated that he would and then asked the Board if it was acceptable.

Councilman Youmans stated that it would be fine.

Councilman Touchette interjected that if they were all there then it would have to be held under the auspices of the Open Meetings and there would have to be notice to the paper.

Supervisor Traver asked if there was any other discussion, hearing none he moved to the next item on the agenda.

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TOWN BOARD WORKSHOPS / MEETINGS

- Town Board Meeting, January 11, 2010, 7pm

- Town Board Workshop, January 19, 2010, 6pm
- Town Board Meeting, January 25, 2010, 7pm

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Supervisor Traver asked for a motion to adjourn.

Councilman Touchette stated that this is typically where the Town Board has an opportunity to comment and added that as a new Supervisor it is an opportunity to tell the people what his plans are for his term.

Supervisor Traver stated that he just wanted to make a motion to adjourn.

Councilman Boehm stated that he wanted to wish everyone a Happy New Year and added that he looks forward to his four-year term and working with the Town Board and then asked Councilwoman Rogers if she had any comment.

Councilwoman Rogers stated that she wanted to wish everyone a Happy New Year and added that hopefully for the next two years they can get along and work together.

Councilman Youmans stated that he wanted to welcome Supervisor Traver to the Town Board and added that he knows that there is a learning curve but he is sure that he will get the hang of it in no time at all. He continued by wishing him the best of luck and went on by saying that he was pledging his cooperation and he looks forward to working hard to move the Town forward.

Councilman Touchette stated that he would echo that and added that he will do whatever he can to make sure the business of the Town moves forward smoothly. He continued by saying that in reading the list of employees it came to mind that the Town employees do a great job and are unheralded and unappreciated and added that he wanted to say that he appreciates the work that everyone does. He concluded by saying that it is not an easy job, or a glamorous job or well paid job but everyone on the list is needed to keep the Town running and he thanks them for that.

Councilman Boehm added that they are needed especially on a day like today.

Supervisor Traver stated that he also wanted to wish everyone a Happy New Year and added that he is looking forward to working with the Town Board in keeping the Town going as well as getting along and working with agencies to get things going in the right direction.

Supervisor Traver asked for a motion to adjourn the meeting.

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ADJOURNMENT

MOTION

On motion of Supervisor Traver, seconded by Councilwoman Rogers, the Town Board Organizational Meeting was adjourned.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time: 9:53pm

Respectfully Submitted, ***APPROVED:***

_____
Diane L. Millious, Town Clerk

A Town Board Meeting was held Monday, January 11, 2010, at 7:00pm at Town Hall, 18 Russell Avenue, Ravena, New York

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

ALSO PRESENT: Diane L. Millious, Town Clerk
Albert Deering, Highway Superintendent
Scott Searles, Deputy Highway Superintendent
Greg Darlington, Chief of Police

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

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OPENING COMMENT

Supervisor Traver stated that the records should show the full Town Board present as well as Town Clerk Millious, Chief of Police Darlington, Highway Superintendent Deering and Deputy Highway Superintendent Searles.

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AGENDA

- Public Announcement
  - H1N1 Flu Update
- Public Comment Period
- Approval of Minutes
  - Town Board Meeting, December 14, 2009
  - Town Board Workshop, December 22, 2009
- Old Business
  - Local Waterfront Revitalization Program Contract
  - Building Inspector / Code Enforcement Officer Request to Attend Association of Towns Annual Meeting
  - Local Law #3-09 re: Sewer Rents
- New Business
  - Onesquethaw-Coeymans Watershed Management Plan Work Group
  - Request by Sewer Treatment Plant Operator to Attend NYWEA Seminar
  - Computer Support for Town Offices
  - VFW Post #9594 Contract for Services
  - Town Prosecutor Request – Payroll Status
- Resolutions
  - Authorize Increase in Justice Court Petty Cash Fund
  - Appoint Freedom of Information Officer, Records Management Officer, Registrar of Vital Statistics
- Town Board Workshops/Meetings
  - Town Board Workshop, January 19, 2010, 6pm
  - Town Board Meeting, January 25, 2010, 7pm

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PUBLIC ANNOUNCEMENT

H1N1 Flu Update

Supervisor Traver stated that as of December 10th, the 2009 H1N1 influenza vaccine became available to all New Yorkers aged 6 months and older who want to be vaccinated and continued by saying that there will a clinic Wednesday, January 20th from 3:30-7:00pm at the Guilderland Central High School cafeteria located at 8 School Road in Guilderland Center. He added that the clinics are by appointment only and you can go to the Albany County website at www.albanycounty.com/health for additional information.

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PUBLIC COMMENT

Supervisor Traver invited the public to comment at this time, hearing none he moved to the next item on the agenda.

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APPROVAL OF MINUTES

Supervisor Traver stated that there were two sets of minutes for approval, a Town Board Meeting on December 14, 2009 and a Town Board Workshop on December 22, 2009.

Councilman Youmans stated that he would move that they table the minutes because he just received his copies and added that he would like them tabled until the next meeting so they have time to review them.

MOTION

On motion of Councilman Youmans, seconded by Councilman Boehm, to table the two sets of minutes until the next Town Board Meeting.
VOTE – AYES 5 – NAYS 0 – SO MOVED

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OLD BUSINESS

Local Waterfront Revitalization Program Contract

Supervisor Traver stated that the contract for the Local Waterfront Revitalization Program, which was started by the previous Supervisor needed to be updated with his signature and Tax ID # and then asked for a motion to sign the contract.

MOTION

On motion of Councilman Youmans, seconded by Councilwoman Rogers, authorizing Supervisor Traver to execute all necessary documents in relation to the Town of Coeymans Local Waterfront Revitalization Program.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Building Inspector / Code Enforcement Officer Request to Attend Association of Towns Meeting

Supervisor Traver stated that he had a request from Larry Conrad, Building Inspector, regarding going to the Association of Towns Annual Meeting in February and added that he believes that all of the Town Board had also read it. He continued by asking the Town Board how they felt about the request.

Councilman Touchette stated that during the budget discussions last year they all agreed that there would be no participation by any Elected Officials and added that he was not aware that Larry somehow put into his budget the money to go to this meeting. He added that at this time, in these sorted economic situations that they find themselves, it is an unnecessary extravagance and he would also argue that he can get the training locally for reduced costs and concluded by saying that he would deny the request.

Councilwoman Rogers stated that they had a conversation about it and added that Henry had also wanted to go and in turn they decided that they would pay the registration fee only.

Councilman Touchette stated that he didn't remember that conversation.

Councilman Boehm stated that he is not just asking for the registration fee but is also asking for the room expense, which he recalls is fairly expensive and approximately $250.00 a night plus per diem for meals and added that from past experience he recalls that it is at least $1,000.00.

Councilman Youmans interjected that he does not know if he would classify it as an extravagance because he had gone for two years and gained valuable information. He added that it is an expense that they decided that they were not going to participate in and went on by saying that they have to be clear when they talk about Supervisor Traver going because he has offered to foot the bill himself, which is admirable and a different situation than the Town paying for someone to go and spend three nights in the New York Hilton. He concluded by saying that he tends to agree with Mr. Touchette because if they allow Mr. Conrad to go, then they are going to piece meal it together and other people are going to want to go and reiterated that they made the decision not to participate this year and concluded by saying that he is comfortable with that decision.

Supervisor Traver asked for a motion.

Councilman Touchette stated that he would move that they deny this year the request for expenditure of Town funds for any employees or officials from the Town of Coeymans to attend the Association of Towns Meeting at the Town's expense.

MOTION

On motion of Councilman Touchette, seconded by Councilman Youmans, denying the request for any employees or officials from the Town of Coeymans to attend the Association of Towns Meeting at the Town's expense.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Local Law #3-09 RE: Sewer Rents

Supervisor Traver turned this agenda item over to Councilman Touchette.

Councilman Touchette stated that there was a Public Hearing for Proposed Local Law #3-09 and there was no public comment and continued by saying that he recommends they adopt Local Law #3-09. He continued by reading the following:

Local Law #3 of 2009
Amending Article I, 'Sewer Rents' of Chapter 134
of the Code of the Town of Coeymans

Authority – This Local Law is adopted pursuant to Municipal Home Rule Law, Section 10.

BE ENACTED BY THE TOWN BOARD OF THE TOWN OF COEYMANS AS FOLLOWS:

1. Section 134-1 Purpose, is amended to read as follows:
   The purpose of this article is to establish a schedule of Sewer Rents and time for collection thereof for the Coeymans Hamlet Sewer District, Town of Coeymans, County of Albany, State of New York and for users outside of the District that utilize the Town of Coeymans Hamlet Sewer System.

2. Section 134-2 is amended by adding the following new paragraph:

C. Also including such other properties either within or outside the Town of Coeymans that utilize the Town of Coeymans Hamlet Sewer System.

3. Section 134-3 entitled, "Amount of rent to be determined annually,' is amended to read as follows:

The Town Board shall annually fix and determine by resolution the amount of the Sewer rent to be charged for each classification of ~~property~~ users within the Coeymans Hamlet Sewer District and for each classification of users outside the District that utilize the Town of Coeymans Hamlet Sewer in accordance with General Municipal Law, Section 452.

4. Section 134-3 entitled, "Payment schedule; late payments," is amended to read as follows:

Such sewer rents shall be payable annually in two installments: half of such Sewer Rent shall be payable on the first of January ~~1971~~ and the second installment shall be payable on the first day of July ~~1971 in~~ each year, beginning in the year 1971. In the event that said sewer rent is not paid within 30 days from the due date, ~~five~~ ten percent penalty shall be added to the charge imposed upon ~~the~~ real property. The Town Clerk shall annually file with the Town Board a statement showing the unpaid rates, charges and fees for the Coeymans Hamlet Sewer District and any out-of-district users, containing a brief description of the property against which such sewer rents were imposed, the names of the persons or corporations liable to pay for the same and the amounts chargeable to each. In the event that the fee and penalty shall not be paid prior to the levy of Town taxes, including taxes for special district purposes, then the Supervisor shall, pursuant to Section 198, Subdivision 1 (k), of the Town Law, transmit a statement of such delinquency to the County Legislature of the County of Albany, which shall levy the sums against the property liable therefore.

5. Severability – The invalidity of any clause, sentence, paragraph or provision of this Local Law shall not invalidate any other clause, sentence, paragraph or part thereof.

6. Repealed – All Local Laws or Ordinances or parts of Local Laws or Ordinances in conflict with any part of this Local Law are repealed.

7. Effective Date – This Local Law shall take effect upon filing in the office of the New York State Secretary of State or as otherwise provided by law.

Supervisor Traver asked for a second to pass Local Law #3-09, hearing none he moved to the next item on the agenda.

Supervisor Traver stated that it is not on the agenda and added that he was in receipt of a letter from Albany County regarding the re-levy of $141,634.00 and continued by saying that if the Town does not send a letter from himself to the County, they are going to hold back $141,634.00 from the 4th quarter 2009 sales tax. He went on by saying that he also has a letter from Albany County Legislator Clouse to confirm what was going on.

Councilman Touchette interjected that it is not what the letter says and continued by saying that the letter does not say anything about negotiations.

Supervisor Traver stated that it was noted in the conversations between himself and Jeff Neal and continued by reading the following excerpt:

"As noted in those conversations, the Town has confirmed that the sewer charge was not related to actual use or a pro-rata share for the specific tax mapped parcel where this $141,634.00 sewer charge currently appears."

Supervisor Traver continued by saying that it is 15 Mountain Road.

Councilman Boehm stated that there is one letter from Peter Clouse and another from Jeff Neal, Deputy Commissioner.

Councilman Touchette stated that there was no escape clause from Mr. Neal's letter.

Councilman Youmans stated that it does not say anything about holding $141,634.00 if they don't get a letter.

Councilman Touchette stated that Supervisor Traver had indicated that they will hold it.

Councilman Boehm inquired about Supervisor Traver's conversation with Albany County.

Supervisor Traver stated that it was a conversation with Anthony DiLella and added that he said if the Town did not send a letter by the 15th, they are going to be holding back the $141,634.00 sales tax money. He continued by saying that the letter has to show in good faith that the Town is working with the Village on the sewer negotiations.

Councilman Touchette stated that he does not see that in the letter and added that it might be what he said.

Councilwoman Rogers interjected that Supervisor Traver had called her right after his conversation with Mr. DiLella and told her what he had just said about the letter.

Councilman Boehm stated that the letter is from Jeff Neal but Supervisor Traver had spoken directly with Anthony DiLella.

Supervisor Traver asked the Board whether or not he should send the letter to Albany County.

Councilman Youmans asked Supervisor Traver if he had Peter Clouse's letter because he had not see it and then asked if he could see it.

Supervisor Traver gave the letter to Councilman Youmans.

Councilman Youmans read the following excerpt from the letter from Peter Clouse.

"I have been able to confirm that this proposed action will not take place until Friday, January 15, 2010. In light of this short timeframe the County would need to be made aware of any intended action by the Town to resolve this matter as soon as possible. I would encourage the Town Board to take any action that they deem appropriate to avoid the loss of some or all of this amount."

Councilman Youmans stated that it does not seem very clear to him.

Councilman Boehm stated that Supervisor Traver spoke to Anthony DiLella but got a letter from Jeff Neal and added that this is what's confusing him.

Councilwoman Rogers interjected that she would direct the Supervisor to respond to the letter just in case all they need to see is that the Town is trying for an Agreement.

Councilman Youmans stated that he would have no problem with Supervisor Traver drafting a letter stating that they are in a negotiating process with the Village of Ravena and expect closure on that matter shortly.

Councilman Boehm stated that he concurs with Councilman Youmans and added that based on conversations that they have had with Village Trustees he believes that they are fairly close and added that his question would be whether or not the letter is addressed to Jeff Neal or Anthony DiLella.

Supervisor Traver stated that he can call tomorrow and find out where to direct the letter and added that in turn he can advise the Board.

Councilman Youmans stated that the letter is from Jeff Neal and added that he would address the letter to him and copy to Anthony DiLella and Peter Clouse.

Councilman Touchette questioned being close to a resolution on it and what the terms of the resolution are.

Councilwoman Rogers stated that she does not think that it is a resolution but rather a negotiation and for right now it is just a response letter.

Councilman Touchette interjected that he would suggest that the only equitable Agreement that the Town Board should enter into would be one that would treat users within District the same as users outside the District and added that he thinks the simplest and most fair way to do it would be to determine what the budget for the Sewer District is and determine how many users and everyone pays the same. He continued by saying that he believes that they should be proactive in representing the Sewer District and proactive in moving forward and making those proposals to the Village rather than sitting back and waiting to see what the Village is going to offer to pay for the Town's services.

Councilwoman Rogers stated that she would still like Supervisor Traver to respond to the letter.

Supervisor Traver stated that they only have four days left and then asked for a second authorizing him to send the letter.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Boehm, authorizing Supervisor Traver to send a letter to Jeff Neal.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Supervisor Traver stated that another item not on the agenda was that he received a phone call from Charles Coons relative to the Coeymans Hollow Cemetery. He continued by saying that he would read his notes from the phone call and continued by outlining the conversation as follows:

- Cemetery is to be turned over to the Town.
- Charles Hite was engaged to do a survey last November.
- Mr. Coons provided three deeds to various parts of the cemetery; all were forwarded to Attorney for the Town Wukitsch.
- The Cemetery Association has approximately $13,000.00 that should be turned over to the Town when the cemetery is transferred as well as the cemetery seal that should go to either the Town Clerk or Historical Association.

Supervisor Traver stated that it was an update and added that they are still waiting for the survey from Mr. Hite.

Councilman Boehm inquired as to if Mr. Hite needs the deeds from Attorney for the Town Wukitsch.

Supervisor Traver stated that he does.

Councilman Boehm asked that Supervisor Traver contact Attorney for the Town Wukitsch and see that he gets copies to Mr. Hite so he can move forward.

Supervisor Traver stated that he would and added that they would be moving on to New Business.

Councilman Touchette interjected that he had requested that two items be placed on the agenda that somehow didn't make it and continued by asking if he could proceed with them.

Supervisor Traver stated that he could.

Councilman Touchette stated that the first one is to discuss the past due/delinquent Sewer Rents that the Village owes the Town and added that he would like to move that the Town Board authorize and direct Supervisor Traver to send an invoice to the Village of Ravena for all past due and delinquent Sewer Rents and request that they be paid within a reasonable period of time.

Supervisor Traver asked if there was a second, hearing none he asked Councilman Touchette to go on with his second item.

Councilman Touchette stated that his next item is regarding Rte. 143 and added that last December they received communication from Congressman Tonko's Office about possible uses for Federal stimulus money. He added that he had an e-mail exchange from someone in that office and Sean Shortel, District Director at Tonko's Office replied and continued by reading the following:

"We have passed on the Town's and Mr. & Mrs. Millett's concerns to New York State DOT for their consideration. We will also consider this project as we collect data from our recent mailing. Please keep us posted on the Town's needs and issues."

Councilman Touchette stated that he was going to suggest that they authorize Supervisor Traver to send a letter of support for the project to Congressman Tonko's Office and added that any constituents that have any feelings about this should contact his office as well because the more people to do it, the better off they are. He went on by saying that he believes that there is money available and Congressman Tonko could do something if he was so inclined and then reiterated that they try to do something.

Councilman Boehm stated that the issue was brought up before and added that they addressed letters to Congressman Tonko and Tim Gordon and there was no response.

Councilman Touchette stated that he talked to Tim Gordon last week and asked him to contact DOT because they seem to think that there were plans put together for it that were shelved 15 years ago. He continued by saying that he asked Tim Gordon to ask DOT if the plans still exist and if they do he believes that it would make it a shovel ready project and it would be something that would have a better chance of being funded.

Councilman Boehm interjected that he agrees and added that it makes sense because some of the areas on Rte. 143 by the golf course below Osterhout's where they have rough road signs the guide rail posts are pulled out and there is no support as well as Gedney Hill dumping out there with a limited sight distance in both directions. He concluded by saying that it is a recipe for disaster in that area.

Highway Superintendent Deering stated that he already sent letters to those people.

Councilman Boehm suggested that they each individually sign the letter as well as Highway Superintendent Deering and Deputy Highway Superintendent Searles. He added that with Highway Superintendent Deering and Deputy Highway Superintendent Searles background and knowledge of the local roads it might add some punch to it because it is his understanding that they have no plan to deal with it in the near future.

Councilwoman Rogers inquired as to if they applied for stimulus money for the road and whether or not there was a response.

Councilman Touchette stated that they did receive a letter from Congressman Tonko last year after the Millett's sent their correspondence which said to contact their office in January and added that this was a response.

Councilman Youmans stated that by all means they should send a letter and if they say no they should send another letter in February and added that it can't hurt to keep asking because added the squeaky wheel gets the grease.

Highway Superintendent Deering stated that they also were sent a petition with over 500 names and reiterated that he also sent a letter himself.

Councilman Touchette stated that they should keep the ball rolling rather than drop the ball and added that e-mails don't take very long to compose and send. He continued by saying that any of them respond to their constituents needs and the more people they hear from the better off they are.

Supervisor Traver stated that he would draft a letter and send it to Congressman Tonka.

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NEW BUSINESS

Onesquethaw - Coeymans Watershed Management Plan Work Group

Supervisor Traver stated that he met with Marc Hafensteiner and Mr. Kapusta regarding the Onesquethaw-Coeymans Watershed Management Plan and added that there is a Work Group Meeting tomorrow night at 6:30pm at Bethlehem Town Hall. He continued by saying that Mr. Kapusta was present to address the Board and fill them in about what is going on.

Mr. Kapusta stated that on December 16th they met and discussed some of the issues and felt that the Town would benefit from improvements of the Onesquethaw Creek and they decided that some of the issues that affect the Town are flooding in the Miller Road area, which will be more with new development because the run-off will be increased, the water quality because kids swim in the creek and there is a lot of dumping in the creek that they want to eliminate all the way from the railroad, GE and cement plant, and storm water run-off, which goes in the creek. He continued by saying that they also want to support increased school district student involvement, who have done some studies on the creek and added that he wants the Town to support this and in turn they might be able to shed some light on what the issues are in the Town of Coeymans. He concluded by saying that they are open to any input from anyone, including the Town Board, who might have some ideas that they can add.

Supervisor Traver thanked Mr. Kapusta

Request by WWTP Operator to Attend NYWEA Training

Supervisor Traver stated that he was in receipt of a request from a Waste Water Treatment Plant Operator to attend a training course and continued by asking that Councilman Youmans discuss this topic.

Councilman Youmans stated that he discussed it with Operator John Lennon and Chief Operator Breedlove and had asked that they hold off on that request until they get the sewer squared away budgetarily. He added that they agreed to this and concluded by saying that hopefully it will come up again shortly.

Computer Support for Town Offices

Councilman Boehm stated that computer support for Town Hall was something that they as a Board did not discuss as a Board but rather individually between them when it became apparent when Mr. Canning told them that he would no longer be available to assist them with computer services. He continued by saying that they asked around a little bit and came up with Fred Palmer who lives on Deans Mill Road and in turn he presented them with a proposal and continued by reading the following:

Dear Town Board:

I am a life long resident of the Town of Coeymans, with over 30 years of computer experience.

OBJECTIVE

Provide Professional assistance related to maintaining the established computer network and personal computes located in Town Hall.

PROFESSIONAL FEES

Fee will be based on a rate of $70.00 per hour. Support calls are invoiced weekly. Fees are subject to change annually, effective January 1 of each year, based upon 30-day notice.

CLOSING

I appreciate the opportunity to provide computer consulting services to the Town of Coeymans. If the Town Board accepts the conditions of this proposal, please sign one copy and return it to me at the above address.

Sincerely,

Fred Palmer

Councilman Youmans stated that the rate is the same that they were paying Mr. Canning and continued by saying that he would move that they authorize Supervisor Traver to sign the agreement and send it back to him.

MOTION

On motion of Councilman Youmans, seconded by Councilman Boehm, authorizing Supervisor Traver to sign the agreement with Fred Palmer and send it back to him.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Councilman Boehm stated that he knows Fred Palmer personally and added that he is professional person and will do a good job for the Town.

Councilwoman Rogers inquired as to if he will be able to start as soon as possible to get them up and running.

Councilman Youmans stated that he is sure that he can.

Supervisor Traver stated that he wanted to let the Board know that there is a computer problem down at Nelson's building.

Chief Darlington interjected that it was addressed earlier in the day at no cost to the Town.

Councilman Youmans stated that he understands that there is a computer issue at the Highway Garage and added that he looked at a Purchase Order earlier in the day for $1,400.00 for a new computer. He continued by saying that he would recommend before they spend money on a new one, to have Fred look at it to see if there is any reviving it.

Deputy Highway Superintendent Searles interjected that the computer is seven years old.

Councilman Youmans stated that he works for a pretty big company and he works with a computer that is six years old and he works on it on a daily basis and added that it works beautifully.

Councilwoman Rogers stated that it stops and is slow.

Councilman Youmans stated that there is a reason that it stops and is slow and a computer guy can look at it and tell you if it is worth fixing or not. He continued by saying that before they spend $1,400.00 on a new one it makes sense to look at it.

Deputy Highway Superintendent Searles stated that when they met for the budget they brought it up and it was put in the budget to get a new computer.

Highway Superintendent Deering interjected that they were told to submit it for the first of the year.

Councilman Boehm stated that there is no sense in spending money for the sake of spending money and added that they should have it looked at to see if it can be fixed.

Councilman Youmans stated that they don't buy a new car because a wheel-bearing goes bad and added that they replace the wheel-bearing and continue to drive it for a while. He reiterated that he would not want to spend money on a new computer unless they knew the one that they had was no good and added that he does not know that. He continued by saying that maybe it is no good and they do need a new one but at this point he is not ready to say that.

Highway Superintendent Deering stated that he knew someone that traded in his car when the brakes wore out and added that the car was in good shape.

Councilman Youmans stated that in his car selling days he would have loved to have known that gentleman.

Councilman Boehm stated that he agrees with Councilman Youmans.

Councilman Touchette stated that they are in a precarious financial situation and apparently they are going to have to continue to subsidize the Sewer Plant because they have been approximately 18 months without Sewer Rents from the Village and added that he thinks that they should take every step that they can to save money.

Councilman Youmans reiterated that it should be looked at.

Councilwoman Rogers stated that she would hang on to the Purchase Order and continued by asking when they can have Mr. Palmer look at it.

Councilman Youmans stated that up until 10 minutes ago he didn't work for the Town and added that he will contact him shortly after they adjourn the meeting to check his availability.

Councilwoman Rogers stated that it sounded good and reiterated that she will hang on to the Purchase Order.

Chief Darlington inquired as to if it includes all Town offices.

Councilman Youmans stated that it is town-wide.

Chief Darlington stated that he just wanted it clarified.

Councilman Touchette inquired as to if it includes the Police server as well.

Chief Darlington stated that this is why he asked.

Councilman Youmans stated that the proposal states maintaining the established computer network and personal computers located in the Town Hall and continued by saying that he's sure if they ask him to go out to the Highway Department to look at a computer at the Highway Department he will be happy to do that.

Councilman Boehm interjected that they can amend the resolution to say all Town owned computers.

Councilman Youmans stated that it was not a resolution but rather a motion authorizing Supervisor Traver to sign the Agreement and added that he does not think that they need

to go that far because it's a Town owned computer, which covers it and reiterated that he wants him to look at it.

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

Chief Darlington stated that he would request it as well because it is a substantial cost savings compared to the one that they have.

Councilman Youmans interjected that $1,498.00 for a computer is a lot and added that he just saw a pretty nice one that was bought for $600.00. He continued by asking what they are looking at because $1,498.00 is pretty expensive.

Deputy Highway Superintendent Searles stated that it is the State Contract price from Dell and added that they could go to Walmart to get one if they had an account.

Councilman Boehm stated that the issue is that if they have someone qualified to repair it and if it can be fixed it should be done.

Councilman Youmans stated that they need to see if it is still good.

VFW Post 9594 Contract for Services

Supervisor Traver stated that he is in receipt of a voucher from the VFW regarding the yearly money that the Town gives them and continued by asking for a motion to authorize giving them $1,000.00

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Touchette, authorizing the payment of $1,000.00 to the VFW.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Councilman Youmans stated that he thinks it is important to point out that the VFW not only provides services to the veterans in our town but also to anyone in town who is recovering from illness or suffering from illness. He continued by saying that they have a sick room and bring medical supplies, hospital beds, wheelchairs, walkers and other medical equipment whether you are a veteran or not. He concluded by saying that they do a wonderful service to the people of our Town and added that he thanks them for it.

Councilman Boehm stated that he would echo what Councilman Youmans had said and added that they are important part of the community who do a good job and he is happy to give them $1,000.00.

Town Prosecutor Request – Payroll Status

Supervisor Traver stated that Secretary Lewandowski received a call from Town Prosecutor Greg Teresi asking about a retirement benefit and in turn informed him that the prior prosecutor as well as Attorney for the Town Wukitsch have been paid by voucher submission and are considered vendors not entitled to benefits. He continued by saying that she also pointed out that the appointment resolution states that payment would be made by monthly voucher submission and added that Mr. Teresi indicated that he is carried on payroll by the Village and wonders if this would be done for him with the Town so he can receive retirement credit. He went on by saying that he suggested that it be brought before the Board as well as informing the Board that he talked to the auditors earlier in the day and was advised that there are strict guidelines with regard to this.

Councilman Youmans stated that not only are there strict guidelines but if they in fact make him an employee and paid his retirement benefit; it would cost the Town more money. He added that he was not prepared to tell them the exact figure and continued by saying that in his opinion if it is 2 cents; it is too much more and concluded by saying that this is his position on it.

Councilman Touchette stated that the news media has made it abundantly clear over the past year or so that this is exactly the type of situation that does not qualify someone for retirement benefits.

Councilman Youmans stated that he was told by payroll in a quick conversation, that if he wants retirement credit for that time he can get it but he has to pay into it himself and continued by saying that he is not prepared to pay into it for him.

Supervisor Traver inquired as to if the Board wants to deny the request.

Collectively the Board agreed.

Highway Superintendent Deering stated that he does not see under New Business the new truck.

Councilwoman Rogers stated that there are two quotes one from Metro for $45,950.00 and Crossroads for $46,100.00 and continued by saying that there is only $150.00 between the two and as they had discussed before they are both the same with no extras added on.

Councilman Touchette stated that he thought they were going to actually investigate whether they were the same.

Councilman Youmans stated that it was made clear that they are not identical vehicles and added that the dump bodies on them are different.

Deputy Highway Superintendent Searles stated that they don't have the same vendor for dump bodies.

Councilman Youmans stated that they budgeted a truck and it's well established that the Highway Department needs a truck and added that there is no question there. He continued by saying that they are calling them bids but he does not believe that it is entirely accurate because they are quotes.

Collectively Highway Superintendent Deering and Deputy Highway Superintendent Deering interjected that they are quotes and not bids and State Contract prices.

Councilman Youmans stated that they are State Contract prices but there is a difference and added that this is a question that they will need to ask.

Deputy Highway Superintendent Searles stated that in looking at both there are different prices and Crossroads is giving lower prices on some of the items that they need on the truck and added that he's sure that they have to make a little money and this is probably why it is different prices.

Councilman Youmans stated that it is his understanding that with State Contract there is one vendor for a product.

Deputy Highway Superintendent Searles stated that it's not true with Ford and added that Van Bortel put in a quote and advised that their price would go up another $2,000.00 but they have not sent a new one in. He added that their original price was $49,315.00 and went on by saying that Crossroads and Metro beat that price.

Councilman Boehm inquired as to whether they budgeted for a 2010 or 2011 truck.

Deputy Highway Superintendent Searles stated that they budgeted for a 2010 truck but as they submitted from before the build out date for the 2010 was November 27th and added that it will now be a 2011 truck in 2010.

Councilman Youmans interjected that it is because they changed their engine configuration.

Deputy Highway Superintendent Searles stated that they changed the engine, transmission and added that Ford has completely redone the whole truck.

Councilman Youmans stated that it is probably a good thing that they get the newer version.

Deputy Highway Superintendent Searles stated that in talking to the dealer, if they order this truck this week they are looking at probably June before they get it.

Councilman Youmans stated that he wants to make sure that they are following the Procurement Policy that is already set. He continued by saying that by saying the prices are lower than State Contract, they are not necessarily State Contract and added that he does not think that because someone is saying that they are selling it lower than State Contract, that it obligates their need to follow the Procurement Policy, which to his knowledge means they need three bids and he believes that it means that they have to advertise for bids. He concluded by saying that he has to be sure that they are telling him the right thing.

Collectively Councilwoman Rogers and Highway Superintendent Deering stated that they don't think so.

Councilman Youmans stated that if it is the case it's fine because he would much prefer to see their business stay with the local dealership and reiterated that they do have policies and if this is not the policy he will let them know.

Deputy Highway Superintendent Searles stated that they would be getting off State Contract and added that Van Bortel is a State Contract but is higher

Highway Superintendent Deering stated that it was higher and two others beat the price.

Deputy Highway Superintendent Searles stated that there were two others so that makes three for the quotes and the others beat the State Contract so it would not have to go out to bid.

Councilman Youmans stated that he will be sure of it first thing in the morning.

Highway Superintendent Deering stated that this has happened before with State Contract.

Councilman Youmans stated that he has to be clear on it and added that within his two years here it is a fairly new process to him and added that he wants to make sure that they are following the Procurement Policy to the letter.

Deputy Highway Superintendent Searles asked how quick they will know.

Councilman Youmans stated that he can look as soon as the meeting ends.

Deputy Highway Superintendent Searles asked if they can get it signed then.

Councilman Youmans inquired as to which one signed

Councilman Touchette stated that he is asking if it can be signed after Councilman Youmans' review of the Procurement Policy.

Councilman Youmans stated that he believes that it is something that has to be done at a meeting.

Deputy Highway Superintendent Searles stated that he would not think that it had to be done at a meeting because the money is there.

Supervisor Traver interjected that he could sign the Purchase Order and then have two others sign it.

Collectively the Town Board agreed.

Councilwoman Rogers reiterated that she has the Purchase Order and added that she will leave it with Supervisor Traver and added that Councilman Youmans will look into the Procurement Policy after the meeting.

Councilman Youmans stated that he would suspect that everyone would want to make sure that they are following the Policy.

Councilwoman Rogers stated that if it is signed it will be in Highway Superintendent Deering's mail box in the morning.

Highway Superintendent Deering stated that if it is signed he will move forward and get it on order and they will have it sometime in the spring.

Councilman Boehm inquired as to if they are talking about the Crossroad quote.

Deputy Highway Superintendent Deering stated that they are.

Supervisor Traver asked for a motion.

Councilwoman Rogers stated that they don't need a motion for that.

Deputy Highway Superintendent Searles stated that he needs to sign the Purchase Order and the sheet from Crossroad's, which would be an order acceptance.

Supervisor Traver asked if there were any other New Business topics.

Highway Superintendent Deering stated that he had a request and added that the Board had gotten his letter requesting to reestablish the mechanic position which was abolished last year. He added that he is still saying that it is needed.

Supervisor Traver asked if there was any discussion from the Board.

Councilwoman Rogers asked if it was his request to hire a mechanic or take a driver and make that person the mechanic.

Highway Superintendent Deering stated that he has someone that put in for the position and added that there is no money in the budget for it because they took it out last year.

Councilman Touchette inquired whether he wants to move one of his men into a position that does not exist now and continued by asking if he would eliminate the position that this person is in now.

Highway Superintendent Deering stated that he wouldn't and added that he would like to keep that position. He continued by saying that the mechanic would be reestablished and the driver would be there as well.

Councilwoman Rogers inquired about the idea of paying him out of title if there is something that has to be done during the day and the Town's mechanic can't get there until after 3:00pm.

Highway Superintendent Deering stated that he does not know how it would work.

Deputy Highway Superintendent Searles stated that you would still have to put the mechanic's position back in to make it an out of title.

Highway Superintendent Deering stated that they can't pay one now because there is no mechanic title and added that the individual cannot be paid out of title because there isn't any and added that he does not know how it would go with the Board or the Union.

Supervisor Traver asked if there were any other comments.

Councilman Touchette interjected that they should take it under advisement.

Supervisor Traver asked if there was any other New Business.

Highway Superintendent Deering stated that he didn't hear what they were doing about the last topic.

Supervisor Traver and Councilwoman Rogers collectively stated that the Board is going to discuss it further.

Supervisor Traver stated that they were moving on to resolutions.

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RESOLUTIONS

RES. #026-10 AUTHORIZE INCREASE IN JUSTICE COURT PETTY CASH FUND
On motion of Councilman Touchette, seconded by Councilwoman Rogers, the following resolution was APPROVED – AYES 4 – NAYS 0 – ABSTAIN 1 (Touchette) – SO MOVED

WHEREAS, the Justice Court has experienced difficulties making change for fines and surcharges which come due on court nights and during the weekday, and

WHEREAS, the Justice Court would like to increase the limit on the petty cash fund to eliminate these occurrences,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans hereby increases the Justice Court Petty Cash Fund from $88.00 to $200.00, effective immediately.

RES. #027-10 APPOINT FREEDOM OF INFORMATION OFFICER, RECORDS MANANGEMENT OFFICER, REGISTRAR OF VITAL STATISTICS
On motion of Councilman Boehm, seconded by Councilwoman Rogers, the following resolution was APPROVED – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the term of Diane Millious as Freedom of Information Officer, Records Management Officer and Registrar of Vital Statistics expired on December 31, 2009,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board, of the Town of Coeymans, does hereby reappoint Diane Millious as Freedom of Information Officer, Records Management Officer and Registrar of Vital Statistics for a term to expire on December 31, 2013.

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TOWN BOARD WORKSHOPS/MEETINGS

- Town Board Workshop, January 19, 2010, 6pm
- Town Board Meeting, January 25, 2010, 7pm

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ADDITIONAL COMMENTS

Supervisor Traver asked if there were any additional comments.

Councilman Boehm stated that he wanted to compliment Albert and Scott and asked that they pass it on to the Highway crew that they are doing an excellent job with the nuisance snow storms and keeping the roads clear especially the Stanton Road & Coons Road area.

Supervisor Traver asked if there were any other comments.

Town Clerk Millious stated that she wanted to remind everyone that the Town offices will be closed next Monday due to Martin Luther King Day.

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

****

ADJOURNMENT

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Boehm, the Town Board Meeting was adjourned.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time: 7:55pm

Respectfully Submitted, **APPROVED*:***

_____
Diane L. Millious, Town Clerk

MINUTES BOOKTOWN OF COEYMANS**
January 19, 2010 – TOWN BOARD WORKSHOP – 6:00PM

A Town Board Workshop was held Tuesday, January 19, 2010 at 6:00pm at Town Hall, 18 Russell Avenue, Ravena, New York

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

ALSO PRESENT: Diane L. Millious, Town Clerk
Greg Darlington, Chief of Police
Linda Ziegler, Payroll Clerk

****

Supervisor Hotaling opened the Workshop and led the Pledge of Allegiance.

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AGENDA

- Police Officer Scheduling System
- Bank of Greene County
- PILOT Agreement
- Proposed Site Plan Review Law and Zoning Law
- Emergency Repairs to Town Hall
- Executive Session – Police Department Grievances

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ADJOURNMENT

Supervisor Traver asked for a motion to adjourn.

MOTION

On motion of Councilman Touchette, seconded by Councilman Boehm, the Town Board Workshop was adjourned.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Respectfully Submitted, **APPROVED:**

_____
Diane L. Millious, Town Clerk

A Bid Opening was held Thursday, January 21, 2010, at 2:00pm at Town Hall, 18 Russell Avenue, Ravena, New York

PRESENT: Cindy Vatalaro, First Deputy Clerk
Valerie Besta, Deputy Clerk

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The following Legal Notice appeared in the News Herald:

TOWN OF COEYMANS
NOTICE TO BIDDER
INVITATION TO BID

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Coeymans, Albany County, New York, hereby invites sealed bids for:

Two (2) Digital In-Car Video Systems

All prospective bidders may call the Chief of Police at (518) 756-3388 between the hours of 9:00am – 4:00pm regarding this bid. Bid packages can be obtained at the Town Clerk's Office between the hours of 8:30am – 4:30pm.

Bids will be received at the Town Clerk's Office, Town of Coeymans Town Hall, 18 Russell Avenue, Ravena, NY 12143 up to 2:00pm on Thursday, January 21, 2010, and read aloud on that same day at 2:00pm.

Non-Collusive Bidding Forms must be submitted with all bids. The Town Board of the Town of Coeymans reserves the right to waive any informality and to reject any and all bids.

The bidder is responsible for compliance with all Federal and State Laws and guidelines for this bidding process.

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

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BID OPENING

Deputy Clerk Vatalaro opened the bids and read them aloud as follows:

Kustom Signals $9,320.00
9325 Pflumm Road
Lenexa, KS 66215

Watch Guard Video $9,890.00
3001 Summit Avenue
Plano, TX 75074

Digital Ally, Inc. $8,375.26 – Option A
7311 West 130th Suite 170 $9,740.26 – Option B
Overland Park, KS 66213

Respectfully Submitted, **APPROVED:**

_____
Diane L. Millious, Town Clerk

A Town Board Meeting was held Monday, January 25, 2010, at 7:00pm at Town Hall, 18 Russell Avenue, Ravena, New York

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

ALSO PRESENT: Diane L. Millious, Town Clerk
David Wukitsch, Attorney for the Town
Greg Darlington, Chief of Police
Albert Deering, Highway Superintendent (arrived late)

****

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

****

OPENING COMMENT

Supervisor Traver stated that all members of the Town Board were present as well as Town Clerk Millious, Attorney for the Town Wukitsch and Chief of Police Darlington and continued by giving an overview of the agenda.

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AGENDA

- Public Announcement
  - H1N1 Vaccination Clinic
- Public Comment
- Approval of Minutes
  - Town Board Meeting, December 14, 2009
  - Town Board Workshop, December 22, 2009
  - Public Hearing, December 28, 2009 – 6:20pm
  - Public Hearing, December 28, 2009 – 6:40pm
  - Town Board Meeting, December 28, 2009
- Supervisor Report – December 2009
- Department Reports
  - Building Department, December 2009
  - Sewer Department, December 2009
  - Town Clerk, December 2009
- Old Business
  - Local Law to Limit Personal Liability for Town Board, Planning Board & Zoning Board of Appeals
  - Award In-Car Video System Bid
  - Estimate for Repair of Police Department Water Damage
  - Onesquethaw-Coeymans Watershed Management Plan Work Group
  - Purchase of Highway Department Vehicle
  - Suggested Street Name Change for 911 Emergency Purposes
- New Business
  - Authorization to Sign Milton Cat Customer Service Agreement
  - Alcove Preservation Association Contract for Services
  - Ravena-Coeymans Historical Society Contract for Services
  - Request for Chief WWTP Operator to Attend NYWRA Seminar
- Resolutions
  - Authorize Police Department to Purchase Police Officer Scheduling System Software
  - Appoint Task Force Committee to Determine Fire & Security for Town Hall
  - Approve January 2010 Abstract

- Correspondence
  - Albany County Executive
- Town Board Workshops/Meetings
  - Town Board Meeting, February 8, 2010, 7pm
  - Town Board Workshop, None Scheduled
  - Town Board Meeting, February 22, 2010, 7pm

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PUBLIC ANNOUNCEMENT

Supervisor Traver stated that there will be an H1N1 Vaccination Clinic at Bethlehem High School, 700 Delaware Avenue in Delmar on Sunday, February 7th from 11:00am to 2:00pm. He continued by saying that pre-registration is required and it is open to all residents of Albany County.

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PUBLIC COMMENT

Supervisor Traver invited the public to comment at this time, hearing none he moved to the next item on the agenda.

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APPROVAL OF MINUTES

Supervisor Traver stated that there were minutes for Town Board approval, a Town Board Meeting on December 14th, a Town Board Workshop on December 22nd, two Public Hearings on December 28th and a Town Board Meeting on December 28th. He continued by asking for a motion to approve the minutes.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Boehm, the Town Board Minutes were approved as presented.
VOTE – AYES 5 – NAYS 0 – SO MOVED

****

SUPERVISOR'S REPORT – DECEMBER 2009

Supervisor Traver continued by giving the Supervisor's Report for December 2009.

FUND	BAL. FWD.	RECEIPTS	DISBURSE.	BALANCE
General	**$225,951.47**	**$190,360.43**	**$197,155.23**	**219,156.67**
Part-Town	**$208,906.21**	**$ 1,742.50**	**$ 12,237.24**	**$198,411.47**
Highway	**$ 65,732.00**	**$ 87,310.48**	**$ 39,460.83**	**$113,581.65**
Bridge Const.	**$ 54,346.29**	**$300,340.66**	**$ 43,638.36**	**$311,048.59**
Sewer	**$ 36,901.40**	**$ 108.63**	**$ 22,245.09**	**$ 14,764.94**
Special Water	**$ 2,133.02**	**$ .63**	**-0-**	**$ 2,133.65**
Police Forf.	**$ 3,419.05**	**$ 1.16**	**-0-**	**$ 3,420.21**
Trust & Agency	**$ 13,458.30**	**$218,322.32**	**$220,742.54**	**$ 11,038.08**

Capital Proj.	**$ 43,872.22**	**$ 13.00**	**$ 664.80**	**$ 43,220.42**
Section 8 - HUD	**$137,506.94**	**$ 77,612.78**	**$ 34,639.00**	**$180,480.72**
			Total Rec. Bal	**$1,097,256.40**

SAVINGS ACCOUNTS		**COLLATERAL COVERAGE**	**FDIC COV.**	**COLLATERALIZED**
Unemployment	$ 4,054.84	Greene County	$250,000.00	$1,586,576.84
Grove Cemetery	$ 40,669.91	National Bank	$250,000.00	$ 377,717.09
Sewer Dedicated	$ 6,290.59			
Total	$51,015.34			

Supervisor Traver continued by saying that the Town received its 4th quarter sales tax revenue in the amount of $435,760.00, which is approximately $69,000.00 over what they were budgeted from last year. He then 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

****

DEPARTMENT REPORTS

Building Department – December 2009

Supervisor Traver asked that Councilwoman Rogers give the Building Department Monthly Report for December 2009.

Councilwoman Rogers continued by giving the report.

Supervisor Traver asked for a motion to approve the report.

MOTION

On motion of Councilman Youmans, seconded by Councilman Boehm, the Building Department Monthly Report was accepted as presented.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Sewer Department – December 2009

Supervisor Traver asked that Councilman Youmans give the Sewer Department Monthly Report for December 2009.

Councilman Youmans continued by giving the report.

Supervisor Traver asked for a motion to approve the report.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Boehm, the Sewer Department Monthly Report was accepted as presented.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Councilman Youmans stated that the Town was presented with an Agreement by the Village of Ravena pertaining to the Intermunicipal Sewer Agreement, which has been forwarded to Attorney Haffner who is reviewing it. He continued by saying that Attorney

Haffner indicated that it will be 1-2 weeks before he has anything to share with them and added that things seem to be progressing well. He went on by saying that he would also note that the Town has been paid $156,000.00 for the UV Project and they are currently reviewing some bills with the Village of Ravena to get payment on those as well and concluded by saying that it seems to be looking in a positive direction from his perspective.

Town Clerk – December 2009

Supervisor Traver asked that Town Clerk Millious give the Town Clerk Monthly Report for December 2009.

Town Clerk Millious continued by giving the report.

Supervisor Traver asked for a motion to approve the report.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Touchette, the Town Clerk Monthly Report was accepted as presented.
VOTE – AYES 5 – NAYS 0 – SO MOVED

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OLD BUSINESS

Local Law to Limit Personal Liability for Town Board, Planning Board & Zoning Board of Appeals

Supervisor Traver asked that Councilman Touchette address this topic.

Councilman Touchette stated that the members of the Zoning Board of Appeals are concerned that they may be personally liable for some of their actions and in turn spoke with Attorney for the Town Wukitsch about a remedy for this. He then asked Attorney for the Town Wukitsch to explain it.

Attorney for the Town Wukitsch stated that the subject is indemnity, which means holding someone harmless for acts that they perform as a Public Official and added that if a Public Official is performing a public duty, such as voting on a resolution, approving a subdivision, etc. and is sued individually as a result of the action, the concept of indemnity protects them and holds them harmless for acts performed within the scope of their public duties. He continued by saying that he did a little research and also spoke with prior Town Attorney Rotello because when he looked in the Code Book there was no written indemnity section and added that it was Attorney Rotello's belief that it was unnecessary because under Common Law there are case law court decisions, which hold to the same effect that if you are performing a public duty and in turn sued, you should be protected from individual liability. He went on by saying that he doesn't really agree with that and added that it may be true in practice but there is a State statute which specifically says that a municipality can pass a Local Law providing indemnification to its Board Members and added that it would be his recommendation that given that State statute is on the books, which is in effect an enabling law, which enables you to pass a Local Law to that effect, he would encourage the Board to pass a Local Law providing protection for individual liability. He concluded by saying that he can have a draft to them within the week and they can introduce it at the next meeting.

Councilman Boehm inquired as to if it is for all public council as well as Zoning and Planning.

Attorney for the Town Wukitsch stated that it would be.

Councilman Touchette inquired as to if employees are already indemnified.

Attorney for the Town Wukitsch stated that they would already be indemnified and added that this is more for if a law suit is commenced against the ZBA for denial of a permit or a Planning Board suit for denying a subdivision and those types of acts.

Councilman Touchette asked about the example of the Chief of Police being sued for something that happened in the Police Department and continued by asking if he already would be indemnified.

Attorney for the Town Wukitsch stated that he would have insurance protection as well as having the same Common Law protection. He continued by saying that the State Law, the enabling law, talks specifically about ZBA, Town Board and Planning Board members, which it is geared towards.

Chief Darlington stated that it is his understanding that Law Enforcement can also be indemnified under that and added that he knows that the City of Albany indemnifies their Police Chief and Law Enforcement personnel and continued by saying that they have to have that special indemnity law on the books.

Attorney for the Town Wukitsch inquired as to if they want him to make it as broad as possible to cover everyone.

Councilman Touchette stated that it is a good idea.

Attorney for the Town Wukitsch stated that he would see how broad it could be and in turn give them the broadest version of the law and get it to them within the week.

Councilman Touchette thanked Attorney for the Town Wukitsch.

Award In-Car Video System

Supervisor Traver asked that Chief Darlington talk about the bid for the in-car video system.

Chief Darlington stated that three bids were received and out of those one company gave an Option A and Option B. He continued by saying that his hopes and intention were to review the bids earlier in the day and have a recommendation for the Board but unfortunately Mother Nature didn't cooperate and allow that to happen. He went on by saying that he was requesting that the Board table it until the next meeting so he can have the opportunity to review the bids.

MOTION

On motion of Councilman Youmans, seconded by Councilman Boehm, to table any action on awarding the bid pending the Chief's further examination of the bids.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Chief Darlington thanked the Town Board.

Estimate for Repair of Police Department Room Water Damage

Supervisor Traver stated that he spoke with Bernie Teriele earlier in the day relative to the repair in the Detective's Office and added that Councilman Boehm had wanted more of a breakdown of the $950.00 estimate. He continued by saying that he was advised that $400.00 would be for material and $550.00 for labor to retile the floor and fix the hole in the wall. He added that Nelson's crew is working on getting the floor ready for the new floor.

Chief Darlington stated that if it wasn't completed by Nelson's crew, Bernie had said that he would finish it himself in the morning and get the new floor laid.

Councilman Youmans inquired as to if it makes sense to do it without having the water problem solved first.

Chief Darlington stated that they are putting down a tile floor.

Councilman Youmans inquired as to if it would be affected by water.

Chief Darlington stated that with the minimal amount of water that they have been getting, just diverting the roof water seems to be helping.

Councilman Youmans interjected that if there was not a lot of water today, it was a pretty good indicator and added that with the catch basins and digging and if they fix where the sand bags are piled along with diverting the water from the gutters maybe it will solve most of their problems once they fix it with black top where the sand bags are. He added that he is glad that they are putting down tile and not more carpet to get ruined and then inquired as to if this might be something that will be covered by insurance.

Supervisor Traver stated that it was brought up and added that he can call and check tomorrow and added that he believes that the deductible is $1,000.00.

Onesquethaw-Coeymans Watershed Management Work Group

Supervisor Traver stated that there will be a Onesquethaw-Coeymans Watershed meeting on February 3, 2010, 6:30pm at the Bethlehem Town Hall. He continued by saying that he went to the last meeting and so did Joe Kapusta and added that it was very interesting and they are trying to give as much input as they can.

Councilman Touchette inquired as to what type of input he is making on behalf of the Town.

Supervisor Traver stated that on behalf of the Town he and Mr. Kapusta talked about the storm run-off and how it can be diverted as well as retention ponds and added there was also information from Hudson River Waterway about some grants. He continued by saying that they also talked about development along the creeks and in Bethlehem they implemented that anything over an acre that is disturbed around a creek has to have a retaining system until all of the vegetation is brought back up.

Councilman Touchette stated that a lot of that is already included in the Comprehensive Plan.

Purchase of Highway Department Vehicle

Supervisor Traver asked that Councilman Youmans discuss the purchase of a Highway Department vehicle.

Councilman Youmans stated that when they last met they had a State Contract price as well as two quotes from other dealers that was less than the State Contract price and added that the prevailing thought seemed to be that since the local dealer came in at a lower price, that they could go ahead and buy it. He went on by saying that in reviewing the Procurement Procedure, which was adopted on April 27, 1998, it clearly states that all purchases of supplies or equipment which will exceed $10,000.00 in a fiscal year or public works over $35,000.00 shall be formally bid pursuant to General Municipal Law Paragraph 103, which he has a copy of. He continued by saying that his suspicion that they can't just go ahead and buy it because it is lower than State Contract is correct and added that he has confirmed it with the State Comptroller's Office and added that in reading through General Municipal Law Section 103 it says that they have to advertise it in their Official Newspaper and take bids, which he recommends they do. He went on by saying that he does not know how many dealerships monitor the News Herald for bids on equipment for municipalities and added that they already have an informal quote, a price that is lower than the State Contract price as well as some of the specs on the truck on the State Contract were not correct, such as the dump body. He concluded by reiterating that it is his recommendation that they go ahead with the bid process and move forward to get the truck replaced as soon as possible.

Councilwoman Rogers stated that Highway Superintendent Deering arrived late and continued by telling him that they were talking about a new truck and added that they have to advertise it in the News Herald, even if they only get one bid.

Highway Superintendent Deering inquired about having to do it even if they have a State Contract bid.

Councilwoman Rogers stated that they do.

Highway Superintendent Deering stated that it is what they did with the loader and added that Van Bortel, which is the State Contract quote, is higher than the other two and added that if they want to buy the one on State Contract it is $51,000.00.

Attorney for the Town Wukitsch stated that they can go under the State Contract and not have to do the bidding process and added that there is nothing forcing you to go under the State Contract because if you think you can get a better deal somewhere else, the proper way to do it is to put it out to bid. He reiterated that there is nothing forcing you to buy under State Contract.

Councilman Youmans interjected that just because they have a price that is lower than State Contract does not mean that they can purchase it anyway.

Highway Superintendent Deering stated that there are two.

Councilman Youmans stated that it does not matter if the have 12, you can't just take the lower price and reiterated that all purchases of supplies or equipment that will exceed $10,000.00 in a fiscal year or public works over $35,000.00, shall be formally bid pursuant to General Municipal Law Paragraph 103.

Attorney for the Town Wukitsch interjected that if they decide that they want to take it off State Contract, it will excuse that requirement but if you decided you don't want to buy it off State Contract then you have to put it out to bid.

Councilman Youmans stated that since they already have prices that are lower than State Contract he does not think that there is anyone there that wants to take that route and added that he does not believe that it is going to be a time consuming issue.

Councilman Boehm suggested that they make a motion to authorize the Town Clerk to advertise the bid as soon as possible to get it moving.

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, authorizing Town Clerk Millious to advertise for the bid in the News Herald.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Councilman Youmans stated that Town Clerk Millious should get the specifications from Highway Superintendent Deering.

Highway Superintendent Deering stated that he has them and added that the one off State Contract was Van Bortel for $53,502.00 and the two lowest were within $150.00 of each other with one of them being Crossroads.

Town Clerk Millious stated that with a bid, sometimes there is a bidders list that they can mail an application and notice to.

Councilman Youmans interjected that it would be nice if they were allowed to buy it from the local dealer who is paying taxes and employing local people but they can't do that because of the law. He added that as a guy selling cars in the Town of Coeymans for 15 years it was pretty frustrating when he had Jeep Cherokees coming out of his ears and the Police Department was buying them from Warnock Dodge in New Jersey, which was a dealer that wasn't even in the state that they were giving a State Contract to. He

continued by saying that his feeling was that it was cheaper to buy in New Jersey because they were not getting taxed like we are in New York and went on by saying that it does not surprise him the way the Government seems to be in New York that the State Contract price is higher than what you could get it from the local dealer for and that any municipalities would go ahead and buy it that way. He concluded by saying that he applauds Highway Superintendent Deering for getting other prices and finding out that it was not the best deal and added that now it is a matter of crossing the t's and dotting the legal i's to make sure when the Comptroller looks at it, he says that they did it properly.

ADDITIONAL OLD BUSINESS

Supervisor Traver stated that he drafted letters to Congressman Tonko and Assemblyman Gordon, regarding the disrepair of Route 143 and added that he is trying to get some assistance to get it redone.

Councilman Boehm stated that this was a topic that originally was brought up by Councilman Touchette and added that it is something that they need to stay on top of because the condition of the road has not improved and added that it is an opportunity for all of them to sign the letters and have Supervisor Traver send them out the next day.

Chief of Police Darlington stated that he wanted to note that they have gone through front-ends on the Police cars like crazy and added that they have been replacing at least two a year.

Councilman Boehm stated that the guard rails are literally listing and there is no shoulder as well as Gedney Hill dumping out there and added that it is a disaster waiting to happen.

Councilman Youmans interjected that it is important to note that it is a State road over which Mr. Deering has no jurisdiction and added that if the Town's crew did it would not be in the shape that it is in.

Councilman Boehm stated that the Town roads are in much better shape and added that the State can take lessons from the Town of Coeymans.

Councilman Boehm continued by asking Councilman Youmans about the televised Town Board Meetings with Mid-Hudson Cable.

Councilman Youmans stated that the meetings are televised on Channel 11, on Friday nights at 7:00pm and added that there is usually a week's delay. He continued by saying that he was sorry for the confusion because originally he was told that it would be Thursday nights but it is Friday nights.

Highway Superintendent Deering stated that back in 2008-2209 they missed the warranty on a piece of equipment.

Attorney for the Town Wukitsch interjected that the Challenger tractor had a one-year parts and service warranty attached to it and added that the one-year expired in August 2008 and the actual problem occurred after that date and it was out of warranty when the problem arose. He continued by saying that the parties making the repair were under the impression that it was warranted and as most companies trying to cut costs they came back and said the Town owes $3,500.00 for repairs and added that the company is Stevenson Equipment. He went on by saying that he had probably 15 discussions with the representative from Stevenson Equipment who said they were going to sue the Town unless he is repaid the $3,500.00 that was incurred in the repair. He concluded by saying that they are looking for direction from the Town Board in terms of what they want to do and the options are 1. To say no, you repaired it, too bad and let them do what they need to do. 2. Try to compromise and split the difference or 3. Pay the full amount.

Councilman Touchette inquired as to if Stevenson was the company that they bought the equipment from.

Highway Superintendent Deering stated that they were.

Councilman Touchette inquired as to whether it was taken back to them and were told that it would be done under warranty.

Highway Superintendent Deering stated that Southworth did the repair.

Councilman Touchette inquired as to if Southworth thought it would be covered under warranty.

Attorney for the Town Wukitsch stated that Southworth thought it would be covered under warranty for the repair.

Highway Superintendent Deering interjected that all of the sudden it was denied because it missed the warranty time by 3 weeks.

Attorney for the Town Wukitsch stated that the warranty expired at the time that the repair was needed.

Councilman Youmans stated that it seems fairly clear to him.

Councilman Touchette inquired as to if it was under warranty when it failed.

Attorney for the Town Wukitsch stated that it was out of warranty when it failed by a few weeks.

Councilman Touchette stated that he feels as though it is money that they should pay them.

Attorney for the Town Wukitsch stated that he will work with it with the Board's direction.

Supervisor Traver interjected that they should try to get a compromise because it was so close to the warranty time.

Councilman Youmans stated that his only question is that if it was not a warranted repair, would it have been only $1,500.00 and added that it may have reached $3,500.00 because they thought it was under warranty. He added that if $3,500.00 is a fair price for the work that was performed then they clearly owe it and should not try to get them to compromise because right is right and wrong is wrong.

Attorney for the Town Wukitsch stated that the only thing is that they entered into the repair with the understanding that it was covered and Highway Superintendent Deering might not have repaired it if he knew that he was going to be saddled with the full amount of the repair bill.

Councilman Youmans inquired as to if they were told that it would be covered.

Attorney for the Town Wukitsch stated that everyone started under the assumption that it was going to be covered and added that it was only after someone read the fine print at Stevenson that they took the position that it was out of warranty.

Councilman Boehm asked Attorney Wukitsch to act on behalf of the Town to see if there is some kind of compromise that they can work out.

Councilwoman Rogers asked Highway Superintendent Deering how much business the Town gives Stevenson.

Highway Superintendent Deering stated that it is where he has to get parts for the tractor.

Councilwoman Rogers inquired as to if he has to get it from Stevenson.

Highway Superintendent Deering stated that it is the only place that he can get the pump.

Councilman Boehm asked that Attorney for the Town Wukitsch report back to them.

Suggested Street Name Change for 911 Emergency Purposes

Supervisor Traver stated that Councilman Touchette had asked for this agenda item and continued by asking that he talk about it.

Councilman Touchette stated that this was brought to his attention by Bill Bruno and added that he was in the audience and continued by asking that he give them some background on it.

Mr. Bruno stated that he actually heard about it from Larry Conrad and added that Chief Darlington may know something about it and added that Larry had mentioned that there was issue with the County medics with responding to the Town of Coeymans because there is a Main Street in the Village of Ravena and the Hamlet has a Main Street. He went on by saying that Larry had mentioned that there was some talk about changing the name of Main Street in the Hamlet and continued by saying that he does not know where this is headed but if it is going to happen there should be some input from the people who live on the street as well as the responders, a member of the Coeymans Fire Company and a member of the Board of Fire Commissioners to discuss how it is going to be done or if it should be done at all. He added that back in 1993 they had the opportunity to change the name of roads in Town when they did the 911 numbering system and continued by saying that they did make some changes but elected not to change Main Street in Coeymans. He went on by saying that he does not believe that there has been an issue with local responders to calls on Main Street Coeymans or Main Street Ravena and added that it has to do with out-of-town responders coming into Town and not being able to differentiate between the two. He concluded by saying that he brought it to Councilman Touchette's attention to see where it is headed and added that if it is going to happen, he is curious as to what the process will be as well as being a property owner on the street who would like to be involved.

Councilwoman Rogers stated that she spoke with Larry Conrad and added that it came up about six months ago when Highway Superintendent Deering came to them with his road list and they were making sure of the names of the road. She continued by saying that this is when the subject came up about changing Main Street Coeymans because there is a Main Street Ravena and added that they authorized him to check it out. She concluded by saying that only a certain section is Main Street because at both ends it is River Road.

Mr. Bruno stated that he's not sure what New Baltimore calls it on their end and added that Main Street Coeymans begins at the County line.

Councilwoman Rogers stated that she believes at Cynthia Kunz's it becomes River Road.

Mr. Bruno stated that it is from the Town of Coeymans line, which is across the bridge and travels north to just south of the bridge over the Coeymans creek and added that he knows this because he did the numbering at that time and he was the Fire Chief. He continued by saying that the locals never called it River Road to his knowledge and they call it 144 but it is referred to as River Road in the Town of Bethlehem and went on by saying that in the CAD system as far as 911 they have aka names for it. He added by saying that another thing that they did in 1993 when they addressed the Town of Coeymans, there were some guidelines and they addressed roads south to north and east to west unless it was a dead-end, meaning that a low number would happen on the southern end of town and increase in numbers as you went north. He continued by saying that the Town of Bethlehem numbered their town roads prior to the 1993 911 project and they did it just the opposite because they were not aware of the process and went on by saying that on Rte 9W and River Road the numbers increase as you travel south and in the Town of Coeymans it is just the opposite. He concluded by saying that he understood from Larry that there is some interest and concern about this.

Councilwoman Rogers stated that there has been nothing done as far as the change and added that it is still under review.

Councilman Touchette inquired as to who has the authority to change the name of a road and whether or not the Town has jurisdiction.

Councilwoman Rogers stated that she didn't believe so.

Highway Superintendent Deering stated that he didn't know.

Attorney for the Town Wukitsch stated that he was not sure and added that he thinks the Town has the right to name town roads.

Councilman Youmans interjected that it is a State road.

Attorney for the Town Wukitsch stated that the Town would not have any power to change the name.

Councilman Touchette stated that someone else could change the name without the Town's approval.

Councilman Youmans stated that the State calls it 144 and the Town calls it Main Street.

Mr. Bruno stated that with most State highways, when they are in a Town or Village, there is a local name for it and he guesses that the town does the local component but as far as the State is concerned it is a State road.

Attorney for the Town Wukitsch stated that it is not binding on the State.

Mr. Bruno stated that if the Town Board is going to pursue it and the name is going to change, he would like to do what they did in Bethlehem and have those who live on the street weigh in on the process and added that before they go through all the work of doing it he would like to talk about the issues with Brian Wood from Albany County and Chief Darlington to see if they can work around it. He reiterated that if they are going to make a name change the most prudent thing to do would be to involve the people who live on the street and talk about how they can do it. He concluded by saying that he communicated to Councilman Touchette that personally he does not believe that it should become an extension of River Road and added that it should have its own distinct name for the Hamlet of Coeymans.

Supervisor Traver stated that he believes that Albany County should be able to correct the problem because there are several Main Streets in the County.

Chief Darlington agreed and added that there are many repeated road names. He continued by saying that it seems to be a problem for people that are not from the community and the outside responders responding in and added that if they say Main Street Coeymans, it is Coeymans and Main Street Ravena is Ravena.

Councilman Youmans stated that there were qualified people in the room to comment on it and continued by asking Chief Darlington, Mr. Bruno or Supervisor Traver who was a dispatcher for 20 years, if they ever encountered an issue with it.

Supervisor Traver stated that it was only with the County medics and added that there never was an issue with the Town's responders.

Chief Darlington stated that there is only a problem if the County dispatch is not specific and added that it should come up on their computer whether it is Coeymans or Ravena just by the phone number. He continued by saying that if it is a cell call they need to know to ask the specifics as to whether it is Main Street Coeymans or Main Street Ravena. He concluded by saying that even if it says it on the CAD, they confirm it and ask.

Supervisor Traver stated that the issue is when there is a medic coming into Town.

Mr. Bruno stated that he has listened to some of the calls and added that often times when they send a County resource into the Town, no matter where it is they say the Town of Coeymans and added that for the dispatchers at the County level this is something that they need to be made aware of as far as two Main Streets in two distinct communities.

Chief Darlington interjected that they don't seem to have a problem with Whitbeck Road and added that there are two of those.

Supervisor Traver thanked Mr. Bruno and continued by asking if there were any other Old Business topics.

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NEW BUSINESS

Authorization to Sign Milton Cat Customer Service Agreement

Supervisor Traver stated that there is an annual contract to maintain the generator at the Highway Department and continued by asking if the Board would authorize him to sign it.

Councilman Youmans stated that it is something that they have done for the past couple of years that he has been on the Board and added that it has turned out to be a good thing on several occasions.

Highway Superintendent Deering stated that they have had the contract ever since it has been at the Highway Garage.

Councilman Youmans inquired as to whether or not the Service Agreement includes any maintenance and if they come and service it for the price.

Supervisor Traver and Highway Superintendent Deering stated that it is serviced twice a year for the price.

MOTION

On motion of Councilman Youmans, seconded by Councilwoman Rogers, authorizing Supervisor Traver to sign the Service Agreement with Milton Cat.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Alcove Preservation Association Contract for Services

Supervisor Traver stated that he has a voucher from Alcove Preservation Association for a Contract for Exchange of Services for $1,000.00 and continued by saying that it is an ongoing arrangement that they have with them and pay it every year and then asked for a motion.

MOTION

On motion of Councilman Youmans, seconded by Councilman Boehm, authorizing Supervisor Traver to sign the Contract for Exchange of Services with the Alcove Preservation Association for $1,000.00
VOTE – AYES 5 – NAYS 0 – SO MOVED

Councilman Boehm interjected that Mr. Tom Sweeney does an excellent job out there with the stone work and preserving the heritage of the Valley Mill Park and continued by saying that he believes that eventually they plan on turning it over to the Town of Coeymans.

Ravena-Coeymans Historical Contract for Services

Supervisor Traver stated that he also has a voucher for Ravena-Coeymans Historical Society for the same thing, presented by Ralph Biance and continued by asking for a motion authorizing him to sign the Contract for Exchange of Service.

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, authorizing Supervisor Traver to sign the Contract for Exchange of Service with the Ravena-Coeymans Historical Society for $1,000.00.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Councilman Boehm stated that it is another organization that is good for the community.

Request for WWTP Chief Operator to Attend NYRWA Seminar

Councilman Youmans stated that he has a request from Chief Sewer Operator Breedlove to attend a training seminar in Ghent, NY, for $15.00 and added that he is going to drive his own vehicle. He continued by offering a motion.

MOTION

On motion of Councilman Youmans, seconded by Councilman Boehm, authorizing Chief Operator Breedlove to attend the training in Ghent, NY for a cost of $15.00.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Councilman Boehm inquired as to whether he is taking his own vehicle or a Town vehicle.

Councilman Youmans interjected that it says his own vehicle and added that he does not believe that he typically puts in for mileage but is within his rights to do so. He added that he will talk to him and tell him to take the Sewer truck.

Councilman Boehm stated that it made sense.

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RESOLUTIONS

RES. #028-10 AUTHORIZE POLICE DEPARTMENT TO PURCHASE POLICE OFFICER SCHEDULING SYSTEM SOFTWARE PROGRAM
On motion of Councilman Youmans, seconded by Councilman Boehm, the following resolution was APPROVED – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the Chief of Police is desirous of streamlining the Police Department's payroll collection and accountability methods, and

WHEREAS, the current method of payroll reporting for the Police Department is inefficient and time consuming for both the Department and Payroll Unit, and

WHEREAS, Empire Software Solutions has presented a demonstration of their Police Officer Scheduling System for the Town Board at a recent Workshop, and

WHEREAS, the Town Board agrees that this program would be of benefit to the Police Department and Payroll Unit thereby alleviating most payroll difficulties now being incurred,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans hereby authorizes Chief Darlington to purchase the Empire Software Solutions Police Officer Scheduling System Program at the cost of $3,300.00.

Councilman Boehm stated that he wanted to give Chief Darlington an opportunity to comment on it and added that he along with Councilman Youmans had met with Chief Darlington about the Program and agreed that it is a great thing.

Chief Darlington stated that they discussed at the Workshop reaching out to a couple of police agencies that are currently using the system and added that he reached out to the Village of Scarsdale and City of Poughkeepsie and they are extremely happy with the system. He continued by saying that the system is less time consuming and there is less paperwork and went on by saying that currently when they do Section 8 investigations they have to track their time in order for Section 8 to reimburse them for the hours that they put into it and this system will do it automatically. He concluded by saying that he believes that the system will be a great asset and will make things easier.

Councilman Boehm interjected that given the large number of part-time officers he believes it will be a great help.

Councilman Youmans stated that not only will it make things a lot easier and more efficient but it will also save money in a number of different forms such as spending $500.00 a year for timecards, which they will no longer need as well as the time savings in the payroll processing and scheduling, which will eliminate grievances when they don't call in the right guy. He concluded by saying that it is a money saver and he does not want people to think that they are spending $3,300.00 just to make someone's life easier.

Councilman Boehm stated that they took a solid look at it and determined that it will be a big help. He continued by saying that the only question that he has is that there was a $500.00 annual software fee that is not included in the resolution.

Supervisor Hotaling stated that it is not for the first year.

Chief Darlington stated that it is $500.00 a year after the first year.

RES. #029-10 APPOINT TASK FORCE COMMITTEE TO DETERMINE FIRE & SECURITY SYSTEM FOR TOWN HALL
On motion of Councilwoman Rogers, seconded by Councilman Boehm, the following resolution was APPROVED – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the recent devastating fire in the Town of Ashland, NY has pointed out the need for municipalities to review the fire protection for their office and records, and

WHEREAS, the Town of Coeymans Town Hall building does not have an automatically activated sprinkler or alarm system, and

WHEREAS, the subject of office security also would be an issue, and

WHEREAS, the Town Board is desirous of appointing a Task Force Committee to investigate the needs for such fire and security protection at Town Hall,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby appoint Chief Darlington, William Bruno, Brian Dunican, Sr., Town Clerk Diane Millious, and Sante DeBacco to such Committee charged with the responsibility of determining these needs and reporting back to the Town Board with their recommendations for a fire and security protection system.

BE IT FURTHER RESOLVED, that the Committee should additionally report recommendations and suggestions for any immediate temporary action, should it be so warranted, to protect Town Hall and its occupants from these hazards.

Councilman Boehm stated that this was something that he introduced at the Workshop and added that he along with Code Enforcement Officer Conrad took a tour of Town Hall and they discussed that there was not a centralized fire protection system in Town Hall. He continued by saying that there is a 24 hour police operation but if a fire breaks out in

the bathroom there is no way of detecting it and added that given the current circumstances in Ashland where they lost some records, because the Court, Town Clerk, Business Office, Supervisor, Police, Assessor and Building Departments are all in one building and there is no uniform system, he believes that there is a real need to upgrade their protection so they don't put personnel or the Town's records in danger. He concluded by saying that with the Board's permission he would like to act as the liaison with the Task Force as they move forward.

Collectively the Town Board agreed.

RES. #030-10 APPROVE JANUARY ABSTRACT
On motion of Councilman Boehm, seconded by Councilwoman Rogers, the following resolution was APPROVED – AYES 5 – NAYS 0 – SO MOVED

FUND	VOUCHER #	AMOUNT
GENERAL (A)		
General Pre-Pay	1-6,168	$153,679.51
General	23-89	$295,636.20
	General Total	**$449,315.71**
PART-TOWN (B)		
Part-Town Pre-Pay	7-10,169	$ 9,805.28
Part-Town	90-96	$ 9,403.96
	Part-Town Total	**$ 19,209.24**
HIGHWAY (D)		
Highway Pre-Pay	11-14,170	$ 37,180.27
Highway	97-152	$ 88,425.86
	Highway Total	**$125,606.13**
SEWER (SS)		
Sewer Pre-Pay	15-18,171	$ 13,274.21
Sewer	153-166	$ 27,873.50
	Sewer Total	**$ 41,147.71**
CAPITAL PROJ. (H34)		
Cap. Proj. Cemetery Grant	167	$ 24,025.00
	Cap. Proj. Total	**$ 24,025.00**
	Total for all Funds	**$659,303.79**
TRUST & AGENCY (TA)		
Trust & Agency Pre-Pay	19-22	$216,519.37
	Trust & Agcy. Tot.	**$216,519.37**

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CORRESPONDENCE

Albany County Executive

Supervisor Traver stated that he was in receipt of a letter from Albany County and continued by reading the following:

Dear Supervisor Traver,

As you may be aware the Albany County representative to the Hudson River Valley Greenway Council has just stepped down. I am seeking your assistance to identify interested candidates to become the County representative and represent the needs and interests of all the communities adjacent to the Hudson River.

As the head of a river front municipality, I ask that you please submit to my office the name and resume of an individual you feel would best represent Albany County on the Hudson River Valley Greenway Communities Council. I request that you please submit the requested information by February 26, 2010. I have attached a copy of the Greenway Council section from the Hudson Valley Greenway Act for you information.

Please do not hesitate to contact Elizabeth Staubach in my office if you have any questions or wish to discuss this matter further. I thank you in advance for your assistance and cooperation.

Sincerely,

Michael G. Breslin

Supervisor Traver stated that if anybody knows of anyone in the community that might be interested in doing this he would ask that they submit their name and resume to Albany County.

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TOWN BOARD WORKSHOPS/MEETINGS

- Town Board Meeting, February 8, 2010, 7pm
- Town Board Workshop – None Scheduled
- Town Board Meeting, February 22, 2010, 7pm

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ADDITIONAL COMMENTS

Supervisor Traver asked if there were any other comments.

Councilman Boehm stated that he spoke with the Assessor earlier in the evening and added that he would like to schedule for the February 8th Meeting, under public announcements, for her to go over regarding veterans, senior citizens, STAR and agricultural exemptions and to review them for any residents that might be interested in filing for those exemptions.

Collectively the Town Board agreed.

Supervisor Traver asked if there were any other comments.

Councilman Youmans stated that last Wednesday night he attended a portion of the Zoning Board of Appeals Meeting regarding the Russian Church of Albany and their desire to have a retreat center on Blodgett Road. He continued by saying that it was an extremely full house and there was standing room only in the back and added that after watching the Zoning Board of Appeals listen to everyone's concerns in a diplomatic way, he wanted to take his hat off to them because for some it was very emotionally charged. He went on by saying that he has not spoken to any members of the Board and he does not have any feeling about which way they go with it and concluded by saying that he can assure that after watching them deliberate and listen, whatever decision that they come to will be the right one and added that he wanted to thank them for what they go through.

Supervisor Traver asked if there were any other comments.

Chief Darlington stated that he wanted to thank Highway Superintendent Deering and his crew for their help earlier in the day and added that they put in several calls to the State Department of Transportation regarding the Route 143 flooding and added that he does not believe that they ever showed up and continued by saying that Albert and his crew put up cones to help with traffic. He went on by saying that another thing is the Hannacroix Creek FEMA Project, which he does not know where they stand with it and added that he knows that there was a meting in November and discussion about it and then asked Councilman Touchette if he was heading it up.

Councilman Touchette stated that they are awaiting the final recommendation from Jim Huston with C.T. Male.

Chief Darlington asked Councilman Touchette if he knew anything about it because their time for getting into the creek is limited.

Councilman Touchette stated that he would get in touch with him in the morning.

Supervisor Traver asked if there were any other comments.

Highway Superintendent Deering stated that Green Lane was flooded and added what they were doing there was not going to solve the problem. He went on by saying that they took some pictures of the problem and added that the problem is on Sycamore property and not Town property where it was flooded.

Supervisor Traver stated that there are a lot of problems with the creek out there and added that maybe they should have the Army Corps of Engineers take a look at it.

Highway Superintendent Deering interjected that this problem was not the main creek and added that it is the stream that goes through the golf course by the second bridge and added that there is about 100 feet where the water goes all over the place.

Supervisor Traver stated that there is a lot of flooding from the Hannacroix Creek, which has caused a lot of damage.

Councilman Touchette interjected that he would brief him on what they have been doing for the past three years.

Councilman Youmans stated that it involves a Fluvial Geomorphologist.

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

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ADJOURNMENT

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Boehm, the Town Board Meeting was adjourned.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time 8:03pm

Respectfully Submitted, **APPROVED:**

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Diane L. Millious, Town Clerk

February 8, 2010 – Town Board Meeting – 7:00pm

A Town Board Meeting was held Monday, February 8, 2010, at 7:00pm at Town Hall, 18 Russell Avenue, Ravena, New York

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

ALSO PRESENT: Diane L. Millious, Town Clerk
Laura VanValkenburg, Assessor
Albert Deering, Highway Superintendent (arrived late)

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

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OPENING COMMENT

Supervisor Traver stated that there was a full Town Board in addition to Town Clerk Millious and Laura VanValkenburg, Assessor.

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AGENDA

- Public Announcement
  - H1N1 Update
- Presentation
  - Port of Coeymans Grant, Karen Moreau – Director of Governmental Relations
  - Senior and Veteran's Exemptions – Assessor VanValkenburg
- Public Comment
- Approval of Minutes
  - Organizational Meeting, January 3, 2010
- Old Business
  - Request for Sewer Treatment Operator to Attend Training
  - Local Waterfront Revitalization Program
  - Award In-Car Video System
  - Drainage Project, Town Hall Building
- New Business
  - Resignation of Bookkeeper
  - Retirement of Telecommunicator
  - Lafarge Plant Modernization Project, Land Use and Zoning Requirements
  - Joint Training for Planning & Zoning Boards, Town & Village
  - Establish Public Hearing for Local Law #1-10, Defense & Indemnification for Town Employees
- Resolutions
  - Appoint Part-Time Clerk
  - Council 82 Labor Management Agreement
- Town Board Workshops/Meetings
  - Town Board Meeting, February 22, 2010, 7:00pm
  - Town Board Meeting, March 8.2010, 7:00pm
- Executive Session
  - Council 82 Agreement
  - Employment History of Town Employee

PUBLIC ANNOUNCEMENT

H1N1 Update

Supervisor Traver stated that as a reminder, all children 9 years and under need 2 doses of the H1N1 vaccine and continued by reading the following excerpt:

"To be sure that young children are fully protected against the H1N1 virus, all children 9 years and under need to receive 2 doses of the H1N1 influenza (flu) vaccine, given one month apart. One dose is not adequate. Parents of children who are younger than 9 who have only received the first dose should make sure these children return for the second dose at the appropriate time. If you or any member of your family has not yet received the H1N1 flu vaccine it is not too late to be vaccinated."

Supervisor Traver stated that the virus is still in circulation and it is important to protect ourselves against the H1N1 flu.

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PRESENTATION

Port of Coeymans Grant – Karen Moreau, Director of Governmental Relations Port of Coeymans

Supervisor Traver stated that Karen Moreau, Director of Governmental Relations for the Port of Coeymans was present to give an update to the Town Board.

Councilman Boehm stated that he and Supervisor Traver met with Karen on Friday and added that the Port currently has 200+ employees at 14 separate businesses there and added that there are a lot of opportunities for different grants. He then asked that Karen share her information by going to the microphone.

Ms. Karen Moreau started by distributing recent articles to the Town Board that have been written about the Port, which appeared in the Chamber Magazine and Times Union. She continued by introducing herself as the Director of Governmental Relations for the Port of Coeymans and added that they are located at was once the Powell and Minnock Brick Yard. She added that two entrepreneurs, Carver Laraway and Eli White bought the property in 2002 and in turn spent the next several years figuring out what they thought should be done there and ultimately decided that it might be best to return the property to being a true Manufacturing-Industrial Port. She continued by saying that they set out to get the permits, reconstruct the docks and renovate and refurbish the old buildings that were there, including what was the brick horse barn and now where their offices are located. She added that from time to time there have been some changes, which occur because new businesses continue to locate there and conduct projects that require a river access. She continued by saying that the business plan of the port is to locate at least 30 businesses there that will hopefully each employ 30 people, which in a short time would be approximately 1,000 people working and added that right now there are 14 businesses with 200+ jobs that have been created and the Port Company itself has approximately 25 employees. She went on by saying that the types of things that are happening range from a bridge building company building a second bridge for New York City, which will be built entirely on-site, using upstate labor as well as a Company called Megrant and they are actually building the cooling towers for the Astoria Power Plant in Queens. She reiterated that many of the businesses have located there because they want to make use of the river and added that the Hudson River has historically been a place of commerce and over the years industry and manufacturing started to decline because of global issues. She continued by saying that the Town of Coeymans was once a place where there were many more jobs in the industrial-manufacturing segment and the largest private employer is Lafarge but the Port is running a pretty close second with the jobs that have been created. She added that their plan is to attract companies that want to do recycling and create green jobs and in listening to the media you hear a lot from the President and Public Officials about stimulus packages, job creation efforts and initiatives in government and continued by saying that the challenge for communities locally as well

as a business like theirs, is how they translate that message into something that will work for the community and private companies. She went on by saying that she was present to introduce herself and try to keep the Town posted on what they are doing at the Port and continued by saying that she will be stopping by every once in a while to let them know what they are doing at the Port. She added that one of the parts of her job description at the Port is to look for opportunities where they can work in partnership with government, whether it be the Town Board, Village Board, State and Federal governments, investigating what opportunities may be out there for funding and working together to achieve certain common goals. She continued by saying that she had an opportunity to look at the Town's Economic Development Plan and highlighted some of the goals and hopes that they are on track with meeting some of them and continued by reading the goals:

- Reconnect people to the waterfront.
- Revitalize and maximize waterfront land use.
- Maintain, restore and enhance the water quality and shoreline eco-system of the Hudson.
- Establish the regional context of the waterfront while emphasizing and supporting local municipal interest.
- Enhance job creation through business attraction and retention efforts.
- Develop business ready sites with the appropriate infrastructure.

She continued by saying that these are just a few things and added that one of the effects of the business that has been created at the Port is that they have been doing business with a lot of local small businesses that have been established longer than they have and added that based on their billing they have figured out what they are spending in the local economy and figure that they are putting approximately $200,000.00 into the local economy. She added that there is a list of small businesses that service the Port and went on by saying that the more opportunity that they are able to create spins off to benefit not only residents but also the other businesses that are able to survive what is a very difficult economic climate. She continued by reading the following business names: Nolan Gas, NAPA, Mueller's Auto, Persico Hardware, Blue Diamond Septic, Yanni's, Bullock Utilities, W&W Transmission, The Sign Company, Tracey Welding, Finke and Francisco Equipment and added that those are just a few of the businesses within the area that they are trying to patronize. She went on by saying that one of the first opportunities for funding that she has come across in dealing with government happens to be in the Federal appropriations area and the appropriations through the Federal Government has a process that began in February and continued by saying that what they are looking for in cooperation with the Town is to extend the Sewer System from the Coeymans Creek north along Rte. 144, which is approximately 4,000 feet of sewer line, which they would like to be an 8" main. She added that one of the reasons for doing this is to enhance the environmental qualities in the area, which will be great as they grow so that they can locate more businesses there and take up less land with conventional systems as well as giving the opportunity for those properties north of the creek to tie into the system and eliminate any possibility of sewage in the creek. She continued by saying that this is the beginning stage of trying to get money for a project like this and went on by saying that in the Federal appropriations process the applicants for funding are typically municipalities or not-for-profit and in this case the municipality with respect to the sewer is the Town of Coeymans because they have jurisdiction over that. She added that she has prepared an application for the Town Board's review, which is very simple and a couple of pages that describes very generally what the project would be with other submissions as follows: Senator Schumer's Office, with a deadline of February 12th, Senator Gillabrand, with a deadline of February 19th, Congressman Murphy, with the Port not being in his district but there are a number of residents that work for the Port and work in the area are in his district, with a deadline of February 25th and Congressman Tonko with a deadline of February 25th. She went on by saying that they each have their own application, which she will be preparing to meet the deadlines and continued by saying that the appropriations process is very competitive and her understanding in speaking with Senator Schumer's staff is that they may fund three sewer or water projects statewide in a year. She added that given the nature of the Port and their role in the community as an engine to create jobs, they fit very nicely with the Federal initiatives right now, especially with job creation being their top priority and went on by saying that

she is hopeful that it will give the community a competitive edge in seeking some of these dollars and their relationship with the Town is one where they can have this energy that will allow them to go forward and make it a little more competitive than some community that is up in the hills somewhere that is not on the river and not a transportation hub and does not have the characteristics that the Town of Coeymans has. She continued by saying that the Town of Coeymans has so many great things going for it in its location and proximity to the river with businesses already there and infrastructure in place, which might require some upgrade but the fact that there is infrastructure is a real positive as well as proximity to the Thruway, which most communities don't have. She added that there are a lot of great things as far as natural resources and characteristics that will lend itself to identifying Coeymans as something different and a community that is distinct from others when they are going forward to look for funding. She continued by saying that it is her hope and attitude that it is worth a try because there are a number of programs out there in the State and Federal Government and grant programs that address infrastructure needs of rural communities and added that she will be looking into those and as she becomes more familiar with them and develops the paperwork and she would like for them to go forward together and try to take advantage of some of those things. She went on by saying that the application in front of them is one that she will need a resolution from the Board to actually submit and make the request and in turn doing the same with the other representatives previously mentioned. She added that extending and upgrading the system will help the value of other properties and in the area that the Port is there is a lot of undeveloped, industrial zoned land that if in time with the infrastructure and if it is shovel ready, which is mentioned in the Economic Development Plan to try and develop shovel ready sites, this could be a catalyst for future business development. She then asked if there were any questions.

Councilman Touchette inquired as to if it would require matching funds from the Town.

Ms. Moreau stated that it wouldn't and added that it is simply if they get the money, they get it and continued by saying that they probably won't know for a number of months. She went on by saying that what will happen first is that the Appropriations Committee in the House of Representatives will look at it first and as they move forward the two houses will line up to look at what they are prioritizing and in speaking with Senator Schumer's Chief of Staff, he recommended that they get as many of their representatives on board so they have that many more people pulling for them. She concluded by saying that this is her understanding how it works and reiterated that it would not require matching funds.

Councilman Touchette inquired as to whether or not she thinks that the price tag that she put on it is reasonable.

Ms. Moreau stated that it is as accurate as they can be and added that Mr. Laraway owns a large construction company and they talked to their engineers as well to get a sense of cost on the sewer line itself and they are estimating $60.00 a foot just on the line and there are 4,000 feet. She continued by saying that between that and engineering they are figuring just on the line $500,000.00 as well as additional funding for upgrades that may be required at the Sewer Plant and to continue the line. She went on by saying that this is why they are asking for 1 million, which they might not give them, but it is generally their goal and added that as they move forward they are probably going to ask for more detailed information as they move through the process. She continued by saying that she is also speaking with the Village about putting in a water line because when they do the project it would make sense to do both at the same time and it is her understanding that the Village is the jurisdiction that would apply for water.

Councilman Touchette stated that they are under a moratorium and added that he does not understand how it relates to a moratorium.

Councilman Youmans stated that it was the same question that he was going to ask and added that they are figuring roughly $500,000.00 for the engineering for the sewer line itself. He continued by saying that he is a supporter of the Port of Coeymans and would like to help in any way possible and went on by saying that they are not allowed to hookup any more connections to the Sewer Plant because they are over capacity now and

added that it might make sense before they spend a lot of money on engineering and other things to check with the Town's Engineer, Mr. Vopelak to find out an approximate amount of what their contribution would be as far as gallons per day to get a handle on what kind of upgrades would have to be made to the Sewer Plant in order to hook them up and accommodate the sewage that they would contribute. He concluded by saying that they are currently not in a position to accommodate anymore at all, which is unfortunate.

Ms. Moreau stated that she understands and added that the issue about how many gallons they would be generating, they really are not talking about a lot and continued by saying that the only thing that she is asking for right now is simply to put in the request, which is for fiscal year 2011 and at least a year down the road before they would even see a dime. She added that she does not know the Town's timeframe but she is assuming that the moratorium is one that is not going to last forever.

Councilman Boehm interjected that part of the funds would be to upgrade the Sewer Plant to relieve the moratorium. He continued by saying that they also talked about if they don't get the million but rather $500,000.00 or $250,000.00 and added that they could develop engineering plans so they have a shovel ready project that everyone is talking about.

Ms. Moreau stated that there are also other programs out there like in the Rural Housing Development Program, State Grant Program and added that she is going to be turning up every rock she can for funding, wherever it might be. She continued by saying that this process, no matter where they go, is going to take at least a year for almost anything that they are looking for and went on by saying that they need to start somewhere. She added that if it comes to the point where they say that there is money for them, at that point they will have to decide where the money will go and whether it needs to go to upgrade the system to meet the needs of the Town because it is the Town making the application.

Councilman Boehm stated that they are at the very beginning stages and added that this is just the start of the process and went on by saying that based on what the Port has done so far, and if they improve their infrastructure, it can increase the number of jobs. He concluded by saying that he believes that it is something that they should look at right now and get the application put in and continued by saying that he wanted to make a motion authorizing the Supervisor to submit the application electronically.

Ms. Moreau stated that she has the hard copy printed out and added that she has it in Word as well as the instructions for submitting it.

Councilman Boehm stated that she could contact the Supervisor and work with him to submit it electronically.

Ms. Moreau stated that they also need to have a resolution to authorize submission to Gillibrand, Tonko and Murphy.

Councilman Boehm inquired as to whether it is the same application for all three.

Ms. Moreau stated that it is and added that she will prepare everything and submit it to the Board before it gets submitted electronically. She continued by saying that this is their monthly meeting and the deadlines are backing up.

Councilman Boehm inquired as to the soonest deadline.

Ms. Moreau stated that Schumer's deadline is the 12th and this is the one that they have in front of them and added that the next one is the 19th.

Councilman Touchette inquired as to whether it obligates them at all.

Ms. Moreau stated that it does not.

Councilman Touchette stated that he has had discussion with Tonko's office about Rte. 143 and continued by saying that it is probably a long shot and continued by asking how one would affect the other.

Ms. Moreau asked what the nature of their request was for Rte. 143 and added that she is not familiar with Rte. 143.

Councilman Touchette stated that they talked to them about the possibility of an earmark for some Federal funds and added that they have not gotten to the stage of an application and they might be under the gun to do that.

Ms. Moreau inquired as to whether it is sewer related.

Councilman Touchette stated that it was for road repair.

Councilman Boehm stated that it is certain sections for Rte. 143 with one section in particular being very bad.

Ms. Moreau stated that it is her understanding that when they are making these requests for appropriations, there is a list of bills and their request for sewer is in the Energy and Water bill and Rte. 143 would be a transportation request, which is a Transportation Bill so they would not compete with each other. She continued by saying that if it were another sewer project that they were looking to do, she would say yes it would compete.

Councilman Youmans stated that they do have another one and added that they have already applied for a Sewer Grant to upgrade the plant.

Ms. Moreau stated that she should be more specific and added that if they made a request for an appropriation and not a grant to the Federal Government for sewer it would be competing. She added that if it is a Grant Program, the money is already out there for grants and you are not competing in that sense.

Councilman Boehm continued by offering a motion.

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, authorizing Supervisor Traver to complete the application based on the information provided, correct any clerical errors and submit to Paul Tonko, Scott Murphy and Kirsten Gillibrand by the appropriate dates.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Ms. Moreau interjected that for clarification the first application for appropriations would go to Schumer and it has to be by the 12th, to Gillibrand by the 19th , Murphy by the 25th and Tonko by the 25th.

Councilman Boehm stated that they would review it to make sure that everything is accurate and continued by saying that it is a great opportunity for appropriations and Ms. Moreau's efforts at the Port tie directly to the Town. He continued by saying that when he first came to the Town it was a vacant property and added that they have now expanded their tax base and approximately 200 jobs have been created. He concluded by saying that when they were doing the Economic Development Study four years ago one of the components was to create blue collar jobs, which is what this is doing and in his opinion this is a bright spot not only for the Town of Coeymans, but regional as well.

Collectively the Town Board thanked Ms. Moreau.

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PUBLIC COMMENTS

Supervisor Traver invited the public to comment at this time.

Mr. Jerry Hall stated that he and his neighbors find it appropriate that they are discussing the waterfront because last Monday night they had their own waterfront when the creek entered their neighborhood. He continued by saying that he wanted to know the status of the Hannacroix Creek Project and whether or not any progress has been made.

Councilman Touchette stated that the Town has engaged C.T. Male to review the bids that they got for the engineering and have determined that one of the companies seems to be the appropriate entity that they should deal with. He continued by saying that they are in the process of going through their application to make sure that they have the proper expertise to develop the process and added that he thinks they should have something by next month to move forward.

Mr. Hall asked if this is something that they have to keep coming back in front of the Board for or if they can access one of them individually.

Councilman Touchette stated that they are free to call him and he will be happy to keep them apprise of what is going on.

Councilwoman Rogers stated that she believes that the problem this time was not from the creek and added that it was further up on the golf course and then asked Highway Superintendent Deering if she was correct.

Highway Superintendent Deering stated that it was the little stream that comes down across the golf course and this is where the water was coming from that was going into their yards. He continued by saying that they were going to take pictures but it was too dark and went back the next morning and took pictures and added that up on the golf course it is narrow and blocked up and the water comes down into their yards and then back in the creek.

Councilman Boehm interjected that last year the Highway crew and Nelson's crew went in and worked on it.

Highway Superintendent Deering stated that they worked on it but it is incomplete and added that it is not going to solve the problem with the golf course.

Mr. Hall stated that it is part of the same stream and they have mentioned all this before and added that it is a bigger project. He continued by saying that even as that occurred the water was coming out of the secondary creek when it did find its way back and was flowing south into their neighborhood and added that it was coming between two of the houses and flowing north and then converging with the water that was coming south. He went on by saying that the little creek that they attempted to start on is part of the problem and the creek through the golf course is the same thing that has happened in both of the streams behind them with the little rocks that build up. He added that they might have to approach the owner of the golf course with the same request that they are coming to the Board with because it is water coming from their lands onto theirs. He concluded by saying that the farmer's access is going to be eliminated and continued by asking what the chances of berming it a little bit until they can clean it out.

Highway Superintendent Deering stated that they plan on doing this after they get the stumps and things out of the creek and added that they can't do it now because DEC will not let them in the creek. He reiterated that this is part of the plan and continued by saying that beyond the property where the golf course picks up he turned it in to Chief Darlington to see if they can come up with something from the Federal Government. He concluded by saying that the golf course has a problem that they have to solve.

Councilman Boehm stated that this project will only do the land that borders the park and added that it will not go up that far on the golf course.

Mr. Hall stated that if they are going to get in the little creek that they started on, it brings them right to the borderline and if it's lowered it will give a bigger area for the sediment that is going to be washed out to come down there and deposit. He added that this is not something that just can be done once and it will need to be done every few years.

Highway Superintendent Deering reiterated that the people that own the golf course has to do something because it is not very wide in one spot and it is all blocked up in that spot.

Mr. Hall thanked the Town Board.

Councilman Youmans stated that he knows that it is frustrating and added that the most frustrating part of it is that Highway Superintendent Deering could go in there for a couple days with a gradeall and probably solve any problem that they have but because we are so over regulated in New York State and might affect a fish or two he can't. He continued by saying that he does not know how much money they have spent to this point and they are just getting to the point where they can get an engineering study completed and they have to employ a Fluvial Geomorphologist to get plans. He concluded by saying that it is a symbol of what is wrong with the whole government and added that he apologizes that they can't do something sooner but they are working on it and understands their frustration.

Katrina Prystajko in the audience stated that it is silly because the creek dries up and there are no fish.

Highway Superintendent Deering stated that she is talking about the Hannacroix Creek and continued by saying the stream that he is talking about is a Class C stream.

Ms. Prystajko continued by saying that it is very frustrating and added that if you are not home you could lose your furnace and everything and added that it is causing a lot of stress and they are paying big taxes and they want to be able to enjoy their homes and not have the stress of worrying about rain or snow melt. She concluded by saying that it is very aggravating and the water ruins your lifestyle and it is a problem that can be solved.

Highway Superintendent Deering stated that it is not only the Town property and continued by saying that it is beyond the Town property line and the owners of the golf course have to start working on the problem.

Ms. Prystajko inquired about what they should do about that.

Highway Superintendent Deering stated that he didn't know and added that he does not know who owns it and continued by saying that they would have to go and ask.

Ms. Prystajko inquired as to who would have to do the work.

Highway Superintendent Deering stated that the owner would have to do something unless the Board comes up with something else and continued by saying that he can't do it because it is private property.

Councilman Touchette stated that if she is asking if the Town has the authority to go on private property and do something the answer is no.

Ms. Prystajko inquired as to if it is all private property where the water is.

Highway Superintendent Deering stated that it is and it is where the water is coming out of.

Councilman Youmans stated that to be clear the only reason that they are involved with the situation is because the creek borders Town land where they are talking about doing the remediation and continued by saying that if it wasn't Town land they would not be able to do a thing about it. He added that fortunately for everyone that lives there, there is a big section that is Town land that they do have some control over and are trying to get taken care of. He concluded by saying that he would advise that she make contact with the owner whose name is Joseph Bove and have conversation with him.

Mr. Hall interjected that he thinks they will have to do that through a representative because he will not spend money if he doesn't have to.

Supervisor Traver asked if there were any more comments, hearing none he asked that Councilman Touchette introduce the next speaker.

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PRESENTATION

Local Waterfront Revitalization Project

Councilman Touchette stated that he wanted to introduce Nicole Allen from the firm of Laberge & Associates who has worked with the Town on several occasions on Economic Development, the Comprehensive Plan and most recently the Zoning Law. He added that through them they have started the process of the Local Waterfront Revitalization Project and are at the point where it has been funded for $19,000.00 by the State and they now have to start with a project description. He then asked that Nicole give them some background and let them know where they need to go from here.

Ms. Nicole Allen thanked the Town Board for having them and introduced herself as the Planning Services Manager for Laberge Group as well as Stephanie Siciliano, Senior Planner. She continued by saying that the previous presentation on the Port of Coeymans couples very well with the Local Waterfront Revitalization Project and added that the LWRP Plan is part of a State process in how they manage the waterfront and without a plan in place the State has their own guidelines and policies that tell you what you can do along the waterfront. She added that because the Hudson River is a coastal water, they manage any type of development that goes on the waterfront and if you want to deviate from that process you need to adopt a Local Plan and as part of the Local Plan you are able to take a look at the policies and identify which ones you find appropriate, and what type of land uses you want to see on the waterfront and if you are going to waive those policies you have to decide how you want to develop your land regulations along the waterfront. She continued by saying that the Town of Coeymans started a LWRP back in the mid 90's and started going through the process, which is a labor intensive process because it looks at all of the land uses along the waterfront and gets into specifics of the policies, which the State currently has 44 different ones that are possible that they have currently as part of their Coastal Management Plan. She added that the mid 90's process ran into a hiccup and the Plan was never adopted and it was set aside and then the Comprehensive Plan was adopted in 2006 and part of the process was that the public and officials really embraced that there was a need for a Local Waterfront Plan revisited and adopted and this is where the energy came back from, which the State recognized and in turn awarded a grant. She went on by saying that as Councilman Touchette had said there is $19,000.00 grant, which is a matching grant so it is 50/50 for $38,000.00 and continued by saying that as far as the planning process there is a Draft Contract that the State has provided for them to take a look at to see what the Work Plan would include in that planning process, which is something that can be modified by the Town. She continued by saying that they can go through the Work Plan and identify what is important and what they want to see focused on with the waterfront area, whether it be the Hamlet, Port, or more of the natural landscape. She added that one of the requirements is how they select their consultant and the Work Plan that they have identified lists that it should be under a Request for Proposal and one of the things that they have to be cautious of, because they have a very detailed Work Plan as part of their contract with the Town, is that if the Work Plan deviates from what they have with the State there will be two separate deliverables and the State is only going to pay/reimburse the Town on whatever the contract is with them and in turn be liable for whatever differences there might be for the contract between the Town and the consultant. She went on by saying that at this point in reviewing the contract they might want to go back to the State and say that they would rather do a Request for Qualifications or a Request for Letter of Interest because the State had done this with other communities and added that there would be a sticky point going forward if they had two contracts. She concluded by saying that the planning process couples very well with the draft zoning that is going in place now and as part of the LWRP process they take a hard look at the land use and the zoning and it is an opportunity to update or tweak any of those regulations as well and be reimbursed for some of the zoning that may be associated with the waterfront. She then asked if there were any questions.

Councilman Boehm asked if the Zoning Law should be done before the LWRP.

Ms. Allen stated that if it is not done, typically part of the LWRP process is to identify zoning and land use recommendations that may be better suited for that area after they go through the planning process and in turn it can be updated again. She continued by saying that if they are set and firm with recommendations that are in the zoning and it matches the LWRP, which is a key part that they do match and compliment each other, the timing of having the Comprehensive Plan, Zoning and LWRP done all need to come together and compliment each other.

Councilman Boehm inquired if the cost to the Town is a match of $19,000.00 with the State.

Ms. Allen stated that was correct and added that the total is $38,500.00 with $19,250.00 from the Town and added that the advantage of having the LWRP Plan adopted is that it will make them eligible for grant funding going forward. She continued by saying that part of the LWRP Plan is identifying specific projects and in turn they become 50/50 matches as well.

Councilman Boehm inquired as to if it ties into the appropriations that Karen had spoken about earlier from the Federal level if they give more detail and start refining the process and whether or not they look for a LWRP and if it helps them.

Ms. Allen stated that she does not think that the appropriations would count towards any of the matches and that she does not believe that the Town can use their funds to match.

Ms. Moreau stated that they can't.

Ms. Allen stated that they can piggy back on the project or build upon and expand.

Councilman Touchette stated that he believes that Councilman Boehm's question was that if they have this, does it increase their chances of getting an appropriation.

Ms. Allen stated that it does and added that it is one more plan that justifies what type of development that they want to see on the waterfront and how they want to see it managed. She continued by saying that one of the key things of the LWRP process is defining what is a water dependent use because Ms. Moreau had said earlier that there are businesses that want to be near the water, which the State would not classify or define as water dependent and under their plan they may not allow it to happen and in turn could be more of an inhibitor than promoter if the local plan is not in place.

Councilman Touchette stated that if the Town develops the plan, they set the ground rules for what happens in town.

Ms. Allen stated that was true and they will be able to define what is water dependent and added as an example is that in the Town of Watervliet there was a restaurant on a barge and without the LWRP Plan the State said that a restaurant does not need to be on the water and can locate somewhere else because it is not water dependent and therefore not allowed. She added that they had to go through the whole LWRP process in order to define that the restaurant on the barge is water dependent and they want to encourage that type of use.

Councilman Boehm interjected that the Port would be water dependent.

Ms. Allen stated that it is but the types of business that go in it could be questionable and it would depend on how they are defined and whether or not they need to be there.

Councilman Boehm stated that if it involves a ship, it would be water dependent.

Councilman Touchette inquired about the next step and continued by asking Supervisor Traver if he signed the contracts with the State.

Supervisor Traver stated that he did and added that within the next 2-3 weeks there should be a response.

Councilman Touchette asked what the next step would be.

Ms. Allen stated that the next step with the executed contract would be flushing out a detailed work plan with them and added that if there are tweaks to the contract they still have an opportunity before they contract with any type of consultant. She continued by saying that as she had mentioned earlier, with the work plan if they do an RFP they will get a different work plan from them as well unless they are provided with the exact contract that the State has. She concluded by saying that they have to match apples to apples or there won't be a reimbursement process.

Councilman Touchette inquired as to if they can just take the contract and say that it is what they want the consultant to do.

Ms. Allen stated that typically they can't with the Department of State and added that they don't like to share that unless it is part of an RFQ, REI or letter of interest. She continued by saying that there is the Grant Application that was submitted back in 2007, which includes the scope of work or work plan and added that it does not necessarily match the work plan that they have as part of the contract, which may not match another consultant's contract and there would be three different work plans that they are working from. She continued by saying that the key part of the next step is to make sure that the work plan is exactly what they want and matches what ever consultant they use.

Councilman Touchette inquired as to if the work plan will come back when they get the response from the State.

Ms. Allen stated that they won't make modifications unless they request them specifically and added that the Town has to be proactive in making any changes otherwise the State goes with the cookie cutter approach.

Councilman Boehm inquired as to if there are any opportunities for funding for the Town's matching side.

Ms. Allen stated that she does not recall if the Town has used any Hudson Valley Greenway funds for the zoning and added that they might be able to secure $7,500.00 for zoning, which could go towards the match.

Supervisor Traver asked if there were any other comments, hearing none he thanked Ms. Allen and moved to the next presentation.

Senior Tax Exemptions

Assessor VanValkenburg stated that the State Legislature has enacted approximately 135 exemptions over the course of time and added that in the Town of Coeymans she uses predominately 12 of them. She continued by saying that the most commonly used ones are the senior citizen, STAR school tax release, disabled with limited income, veterans, alternative veterans, Cold War, agricultural, solar and wind energy, clergy and not-for-profit exemptions and added that in total here in Coeymans, based on the 12 exemptions, the number participating is approximately 2,700 in various forms. She continued by saying that she does not know how much detail the Board wants to go in to.

Councilman Boehm inquired as to if there is a deadline.

Assessor VanValkenburg stated that each year on or about the middle of October they send out all of the renewals to the people currently who have exemptions and in early February they send out reminder notices to those that have not submitted them yet and in about the third week in February they make phone calls to capture those that still have not responded. She went on by saying that if it is not renewed by March 1st you would lose your exemptions, which she does not like to do because ultimately there is some reason or another why it didn't happen but the law is the law. She concluded by saying that she

encourages everyone, whether it is a new exemption or a renewal, to do it by March 1st and added that the only exception to it is during the year of a revaluation, agricultural exemptions get an extension because land values change and certified agricultural values may come into play and reiterated that it is the only exception to the rule.

Councilman Boehm stated that anyone watching with a question about the exemptions can contact the Assessor's Office.

Assessor VanValkenburg stated that most of the exemptions are written by the State Law that a municipality taxing jurisdiction has to opt in by resolution or Local Law.

Councilman Touchette interjected that this is what they did last year for the Cold War Exemption.

Assessor VanValkenburg stated that the only one she has come across that is the opposite is the solar energy one and added that you are in unless the municipality opts out.

Councilman Boehm inquired as to if there are a lot of solar energy exemptions.

Assessor VanValkenburg stated that there are 3, and added that the biggest exemption is the Basic STAR and Enhanced STAR, which is approximately 1,800 with the Aged being 161, 35 Agricultural, 400 Veterans and a few here and there of the not-for-profit, clergy and that kind of thing.

Councilman Boehm stated that anyone interested in information as to whether or not they qualify should contact the Assessor's Office.

Assessor VanValkenburg stated that it should be as soon as possible and continued by asking if there were any other questions.

Supervisor Traver moved to the next item on the agenda.

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APPROVAL OF MINUTES

Supervisor Traver stated that there was one set of minutes for approval and continued by asking for a motion to approve the January 3, 2010, Organizational Meeting.

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, accepting the minutes as presented.
VOTE – AYES 5 – NAYS 0 – SO MOVED

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OLD BUSINESS

Docks at Coeymans Landing

Supervisor Hotaling stated that Ray Giroux from Easy Docks met with Nelson Perry and will be meeting with him regarding the purposing and delivery schedule for the docks down in Coeymans.

Councilman Boehm inquired as to whether they discussed the railings and if they are scheduled for a spring installation.

Supervisor Traver stated that he hadn't and will check with him when they meet.

Request for Sewer Treatment Plant Operator to Attend Training

Supervisor Traver asked Councilman Youmans if he had anything to report regarding Operator Lennon's request to attend training.

Councilman Youmans stated that the last Supervisor's Report shows only $14,764.00 in the Sewer Fund and added that considering the fact that they burn at least $20,000.00 a month, he does not know where $495.00 would come from. He continued by saying that it would be nice to send him for 24 hours of contract training but at this time he would recommend that they ask him to hold off on any further training request until they are in a solvent position with the Sewer Plant and continued by asking if there were any other thoughts.

Collectively the Town Board agreed.

Award In-Car Video System

Supervisor Traver asked that Councilman Youmans discuss the award for the In-Car Video System for the Police Department.

Councilman Youmans stated that he would be glad to but he is not prepared to award a bid because he has no numbers in front of him, which should have been provided by the Chief of Police. He continued by saying that all he has is a memorandum describing the different systems. He then asked if anyone else had the numbers.

Councilwoman Rogers suggested that they table it until the next meeting.

Town Clerk Millious stated that she has the bid folder in her office and asked if they wanted it.

Councilman Youmans stated that for the sake of expediency he would agree with Councilwoman Rogers that they table it.

Councilman Boehm stated that there is a recommendation in the memo's last paragraph and continued by saying that they don't have the numbers.

Councilman Youmans stated that was correct and continued by offering a motion.

MOTION

On motion of Councilman Youmans, seconded by Councilman Touchette, to table the bids for the In-Car Video System until the next Regular Town Board Meeting.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Drainage Project – Town Hall Building

Supervisor Traver stated that Highway Superintendent Deering submitted the estimated cost for materials to fix the drainage problem at Town Hall and added that it is $6,997.00, which does not include the black top. He continued by saying that it would be the south and west sides of the building where they would put in drainage and catch basins to get the water away from the building.

Councilman Youmans stated that it would make sense before they dig things up and spend $7,000.00 plus the blacktop and labor, to try and do something with the blacktop and make a swale to divert the water away from the building and maybe look at a different gutter system with down spouts. He added that it would make sense to experiment with it for a few times given the fact that there are not any carpets downstairs that are going to be ruined if it does get wet and concluded by saying that this would be his recommendation.

Councilman Boehm asked Highway Superintendent Deering if he thought that making a swale out of blacktop would work and whether it would keep the water away from the building.

Highway Superintendent Deering stated that it would probably help but he didn't know if it would solve the problem. He added that it is up to the Board and he is just doing the work.

Councilman Touchette stated that the water is coming from the corner and from the down spouts and if the down spouts were running downhill it would make sense and it would work. He added that he does not know that they need to do that and he believes that there is a less expensive solution, especially since they don't get water down there all the time.

Councilman Youmans stated that it is the severe events when they encounter a problem, which leads him to believe that there could be other remediation attempts that they could make, which would not involve $7,000.00. He added that something as simple as a different gutter system could make a big difference and went on by saying that just from looking you don't have to be an engineer to see where the water comes from and just putting sandbags there and extensions on the down spouts helped and they didn't have a big problem the last time. He concluded by saying that this leads him to believe that the problem can be handled by a much simpler fix.

Councilwoman Rogers agreed and added that she would like a cheaper way first like a black top swale.

Highway Superintendent Deering inquired as to if they were talking about doing it in the spring.

Supervisor Traver stated that it would have to be because they won't be able to black top now.

Highway Superintendent Deering stated that there is no base and they will have to take out what's there because there is nothing but clay underneath and they will have to put some crusher run down and added that it is all broken up because there isn't any base. He continued by saying that he does not have a price but they can figure it will be $625.00 a ton for about 6 inches plus the cost of the black top.

Councilman Boehm asked Highway Superintendent Deering if he had a ball park figure and if it will be cheaper than the $7,000.00 price.

Highway Superintendent Deering stated that it would depend on the price of black top and added that they don't want to skimp on it and reiterated that he wouldn't guarantee that it would work.

Councilman Youmans stated that they could spend $6,000.00 putting in catch basins and added that he does not believe that anyone would guarantee that either. He continued by saying that it is right where the street meets the parking lot and went on by saying that the question in his mind is what portion is the Village Street and what portion is the parking lot. He concluded by saying that it might be something that they can work with the Village on to take care of the swale.

Supervisor Traver stated that he could talk to the Village about the corner to see what they can do about blocking it.

Councilman Youmans reiterated that he does not know if it is the Village's responsibility or if it the Town's and added that he knows that there are things that they can do that will be less than $7,000.00 plus black top.

Councilman Touchette interjected that it is clear that the water is coming off the street and on to the Town's property.

Councilman Youmans agreed.

Councilwoman Rogers stated that the sandbags are working and it is a fix for now.

Councilman Boehm asked if the gutter extensions had been moved.

Supervisor Traver stated that they are only put on for heavy rain.

Councilman Boehm inquired whether they could be left there.

Supervisor Traver stated that it is a tripping hazard and added that it is coned off.

Councilman Youmans agreed and added that he has a similar situation at home when he puts on extensions when he knows it is going to rain. He continued by saying that it could be handled on a long-term basis by putting a different down spout system up and if you run one towards the other side of the building at an angle, it dumps out away from the building. He went on by saying that there is a down spout that comes down and gushes water along the building and the water coming down the hill and concluded by saying that if you take care of those two things, the problem would probably go away.

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NEW BUSINESS

Resignation of Bookkeeper

Supervisor Traver stated that he was in receipt of a resignation letter from the bookkeeper and continued by reading the following:

January 29, 2010

Dear Henry,

Please accept this letter as my notice of resignation with the Town of Coeymans as Bookkeeper. I offer two weeks notice with my last day of work to be February 12, 2010.

Sincerely,

Lisa Boehlke

Supervisor Traver stated that she is moving to another job and continued by asking for a motion to accept the resignation.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Boehm, accepting the resignation of Lisa Boehlke.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Councilman Boehm inquired as to whether it would make sense to advertise for the position and have the Town Clerk place an ad to start collecting candidates for the position.

Supervisor Traver stated that he currently has three applications in his office and added that it is up to the Board whether or not he puts it in the paper or go through the applications that he has.

Councilman Touchette interjected that they have known about this since January 29th and continued by saying that they should move to do something quickly.

Councilman Boehm stated that they have three applicants, which is a limited applicant pool and they might be forced to open it up two weeks from now, which would put them further behind. He concluded by saying that he would recommend that the Town Clerk advertise for the position of Bookkeeper in the local newspaper.

MOTION

On motion of Councilman Boehm, authorizing Town Clerk Millious to advertise for the position of Bookkeeper.

Councilman Touchette inquired as to if there is a job description for the position.

Supervisor Traver stated that he believes that there is one in his office.

Councilwoman Rogers inquired as to if any of the applicants were impressive.

Councilman Youmans stated that a couple of them are impressive and added that what concerns him is that not one has any municipal bookkeeping experience, which is different from regular bookkeeping. He added that maybe they can find someone that has that experience and this would be his vote.

Councilwoman Rogers stated that they should mention it in the ad.

Town Clerk Millious inquired as to if the applicant has to have municipal bookkeeping experience.

Councilman Youmans stated that it is preferred.

Town Clerk Millious stated that she has never put anything in the paper for the Supervisor's Bookkeeper and added that she will see what they put in before and will work with Confidential Secretary Lewandowski to get an ad in the paper.

Councilman Boehm interjected that he previously offered a motion to authorize Town Clerk Millious to advertise for the position and added that it needs a second.

Councilwoman Rogers stated that she would second the motion.

VOTE – AYES 5 – NAYS 0 – SO MOVED

Councilman Youmans asked Town Clerk Millious if typically it would not be one of her responsibilities to advertise for the Bookkeeper for the Supervisor's Office.

Town Clerk Millious stated that she has never put in anything for the Supervisor and added that she can make sure that it gets in the paper and she will work with Mary on it.

Retirement of Telecommunicator

Supervisor Traver stated that he was in receipt of a resignation from Telecommunicator Judy Tucker and continued by reading the following:

February 4, 2010

Dear Sir,

I wish to submit my resignation for the purpose of retirement effective March 30, 2010.

The twenty years I have spent in the Communication Center has been a most rewarding one and an experience that I will treasure forever.

I wish to thank you for the opportunity to serve the community and thank my fellow coworkers who have played such a vital role in making my time very happy and fruitful.

Thank you and best wishes for a successful year.

Sincerely,

Judy L. Tucker

Supervisor Traver asked for a motion to accept the resignation.

MOTION

On motion of Councilman Youmans, seconded by Councilman Boehm, accepting the resignation of Judy Tucker, Telecommunicator.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Councilman Youmans thanked Ms. Tucker for her service to the Town.

Councilman Touchette stated that he wanted to wish her the best in her retirement.

Councilwoman Rogers stated that she had done a great job in Communications.

Supervisor Traver stated that he worked with Judy who was a very good Telecommunicator and added that he wanted to wish her the best of luck.

Lafarge Plant Modernization Project – Land Use & Zoning Requirements

Supervisor Traver asked that Councilman Touchette discuss the Lafarge land use and zoning requirements.

Councilman Touchette stated that back in November/December they got a request from John Reagan concerning their Draft Environmental Impact Statement and added that it was a request for the Town to comment on some of the comments of DEC and continued by saying that one of their comments was concerning the view sheds in the Town. He went on by saying that he has a draft letter that he would like for the Board to review that he would like to send if there aren't any revisions or comments and continued by reading the following:

Ms. Elena Varnett, Vice President
Henningson, Durham & Richardson Architecture and Engineering, P.C.
500 7th Avenue
New York, NY 10018

RE: Lafarge Ravena Plant Modernization Project
Land Use and Zoning Requirements in the Town of Coeymans

Dear Ms. Barnett,

We have reviewed the Land Use Zoning and Public Policy and the Visual Resources sections of the Draft Environmental Impact Statement. There are several significant view sheds in the Town of Coeymans, such as the Hudson River, the historic character of the Hamlet and the rural agricultural landscapes of Coeymans Hollow. The proposed action will not negatively impact any of these important view sheds and is consistent with the Town of Coeymans Comprehensive Plan.

Based on an assessment of the conformance of the proposed modernization of the Ravena Plant with the requirements of the Town of Coeymans Land Use Review Procedure and Zoning Ordinance and the Town of Coeymans Comprehensive Plan, we have determined that the proposed modernization conforms to those requirements and would not result in an adverse effect on the visual resources of the town. Although the proposed modernization project would include a new peheater/precalciner tower/stack structure of greater height and bulk than the main stack at the existing facility, we do not believe that this would result in a significant adverse effects on views from visually sensitive resources in the town. Overall, the majority of structures included in the proposed modernization would be similar in character, bulk, form, size, scale and use to that which currently exists at the Ravena Plant, and would not represent a major departure from the visual presence of the existing Ravena Plant.

Sincerely,
Town Board, Town of Coeymans

Councilman Boehm stated that it is specifically what it was talking about and it would make sense to talk about the environmental impact of the dry process and the existing view sheds.

Councilman Touchette stated that it is what they are commenting on now and added that personally he feels that even though the new tower is going to be higher and larger bulk than the stack that is there, he feels as though there is a view shed there and something already there, which changes a bit but there is still something in the view shed. He continued by saying that it changes a little bit but there is still something in the view shed and went on by saying that he does not feel as though there will be any adverse effect.

Councilman Youmans stated that it is his understanding that the new tower is going to be placed in a lower spot than the existing smoke stack and it is going to look like a modern office building like structure. He continued by saying that he does not think that anyone in their right would find that objectionable when the alternative is a giant smoke stack with smoke coming out of it, which will eventually be torn down.

Councilman Boehm stated that this is what he was going to add.

Councilman Youmans stated that he would move that they authorize the Supervisor's Office to prepare the letter for their signature at the next meeting or sooner and get it sent out as soon as possible.

Councilman Touchette stated that the sooner would be better.

Councilman Youmans stated that he can stop and sign it by the end of the week.

MOTION

On motion of Councilman Youmans, seconded by Councilman Boehm, authorizing the Supervisor's Office to prepare the letter for the Town Board's signature and to send it as soon as possible.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Councilman Touchette thanked the Town Board.

Joint Training for Planning & Zoning Boards – Town & Village

Supervisor Traver stated that a Joint Training Session for the Planning & Zoning Boards for the Town and Village will take place March 2, 2010 at Village Hall. He continued by saying that to send the Planning and Zoning Boards to the seminars would cost the Town approximately $900.00 but with the Town and Village both doing it, it will cost approximately $450.00 for the Town's share of the cost. He continued by saying that Andrew Burke will be doing the seminar, which is the mandatory 4-hour training that they have to have. He went on by saying that he sent a letter to the Planning & Zoning Boards to see what kind of response he would get and as of now he is waiting for only two members for the date to be available.

Councilman Youmans stated that he would assume that Mr. Marsh, who is an Attorney, would be exempt from the training.

Councilman Touchette stated that he believes that Mr. Marsh has to go as well and has commented in the past that it would be nice if he could take a class where he would get both the attorney and zoning CU's, which he does not know if this qualifies.

Councilman Boehm inquired as to what day the 2nd is.

Supervisor Traver stated that it is a Tuesday.

Councilman Touchette inquired as to if it is all day.

Supervisor Traver stated that it is four hours.

Councilman Youmans stated that he would say that if it mandatory training and half the cost by partnering with the Village, it is a no brainer.

Councilman Boehm inquired as to if it would be $450.00 for the Town and $450.00 for the Village.

Councilman Touchette asked if Supervisor Traver knew what the agenda for the training is.

Supervisor Traver stated that he didn't have the agenda and continued by asking for a motion to authorize the training.

MOTION

On motion of Councilman Touchette, seconded by Councilman Boehm, authorizing that the Town partner with the Village to provide members of the Planning & Zoning Boards with the required 4 hours of training through the joint training on March 2, 2010.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Establish Public Hearing for Local Law #1-10 – Defense & Indemnification for Town Employees

Supervisor Traver asked that Councilman Touchette talk about Proposed Local Law #1-10.

Councilman Touchette stated that this is a law that has been brought up on several occasions and added that they spoke of it at the last Board Meeting. He added that Attorney for the Town Wukitsch has provided them a draft of the law and continued by reading the following:

PROPSED LOCAL LAW #1-2010
TOWN OF COEYMANS

A LOCAL LAW PROVIDING DEFENSE AND INDEMNIFICATION FOR TOWN EMPLOYEES SUED FOR ACTIONS TAKEN IN PERFORMANCE OF THEIR OFFICIAL DUTIES

Section 1. Legislative Intent

The purpose of this chapter is to provide legal and financial protection for those individuals serving the Town of Coeymans from losses which may be brought against them in their individual capacity for actions taken while in the performance of their official duties and responsibilities. In enacting this chapter, the Town Board finds that the State of New York has enacted similar provisions for the legal and financial security of its officers and employees and further finds that such security is also required for local personnel. By enactment of this chapter, the Town Board does not intend to limit or otherwise abrogate any existing right or responsibility of the Town of Coeymans or its employees with regard to indemnification or legal defense. It is solely the intent of this chapter to provide maximum coverage for local employees, such as is presently provided for state employees, so as to continue to attract qualified individuals to local government service.

Section 2. Definitions

As used in this chapter, unless the context otherwise requires, the following terms shall have the meanings indicated:

EMPLOYEE – Any person holding a position by elections, appointment or employment in the service of the Town of Coeymans, whether or not compensated, or a volunteer expressly authorized to participate in a municipally sponsored volunteer program, but shall include a former employee, his or her estate or judicially appointed personal representatives.

Section 3. Town to Provide Defense

A. Conditions

Upon completion by the employee with the provisions of Section 5 of this chapter, the Town of Coeymans shall provide for the defense of the employee in any civil and criminal action or proceeding in any State or Federal Court arising out of any alleged act or omission of a Federal, State or local rule or regulation which occurred or is alleged in the complaint to have occurred while the employee was acting within the scope of his or her public employment or duties, or which is brought to enforce a provision of the laws of the United States, including but not limited to 42 United States Code, Section 1981 or 1983.

B. Representation by Town Attorney; Private Counsel

(1) Subject to the conditions set forth in Subsection A of this section, the employee shall be entitled to be represented by the Town Attorney; provided, however, that the employee shall be entitled to representation by private counsel of his or her choice in any civil judicial proceeding whenever the Town Attorney determines, based upon his or her investigation and review of the facts and circumstances of the case, that representation by the Town Attorney would be inappropriate or whenever a court of competent jurisdiction,, upon appropriate motion or by special proceeding, determines that a conflict of interest exists and that the employee is entitled to be represented by private counsel of his or her choice. The Town Attorney shall notify the employee, in writing, of such determination that the employee is entitled to be represented by private counsel of his or her choice.

(2) The Town Attorney may require, as a condition to payment of the fees and expenses of such representation, that appropriate groups of such employees be represented by the same counsel. If the employee or group of employees is entitled to representation by private counsel under the provisions of this section, the Town Attorney shall so certify to the Town Board. Reasonable attorney's fees and litigation expenses shall be paid by the Town to such private counsel from time to time during the pendency of the civil action or proceeding, subject to the certification that the employee is entitled to representation under the terms and conditions of this section by the head of the department, commission, division or agency in which such employee is employed. Any dispute with respect to representation of multiple employees by a single counsel or the amount of litigation expenses or the reasonableness of attorney's fees shall be resolved by the court upon motion or by way of a special proceeding.

C. Duty of Town Attorney

Where the employee delivers process and a request for a defense to the Town Attorney as required by Section 5 of this chapter, the Attorney shall take the necessary steps, including the retention of private counsel under the terms and conditions provided in Subsection B of this section, on behalf of the employee to avoid entry of a default judgment pending resolution of any question pertaining to the obligation to provide for a defense.

Section 4. Responsibilities of Town

A. Indemnification of Employees

The Town shall indemnify and save harmless its employees in the amount of any judgment obtained against such employees in any State or Federal Court, or in the amount of any settlement of a claim, provided that the act or omission from which such judgment or settlement occurred while the employee was acting within the scope of his or her public employment or duties; the duty to indemnify and save harmless prescribed by this subsection shall not arise where the injury or damage resulted from intentional wrongdoing or recklessness on the part of the employee.

B. Settlement

An employee represented by private counsel shall cause to be submitted to the Town Board any proposed settlement which may be subject to indemnification by the Town and, if not inconsistent with the provision of this section, the Town Board shall certify such settlement, and submit such settlement and certification to the Town Attorney, the Attorney shall review such proposed settlement as to form and amount and shall give his or her approval if, in his or her judgment, the settlement is in the best interest of the Town. Nothing in this subsection shall be construed to authorize the Town to indemnify or same harmless an employee with respect to a settlement not so reviewed and approved by the Town Attorney.

C. Payment of Final Judgment and Settlement

Upon entry of a final judgment against the employee or upon the settlement of the claim, the employee shall cause to be served a copy of such judgment or settlement, personally or by certified or registered mail within 30 days of the date of entry or settlement, upon the Supervisor; and, if not inconsistent with the provisions of this section, such judgment or settlement shall be certified for payment by the Supervisor. If the Attorney concurs in such certification, the judgment or settlement shall be paid upon the audit and warrant of the Town Treasurer.

Section 5. Cooperation of Employee

The duty to defend or indemnify and save harmless provided by this chapter shall be conditioned upon delivery to the Town Attorney or his or her assistant, at his office, by the employee of the original or a copy of any summons, complaint, process, notice, demand or pleading within five days after he or she is served with such document; and the full cooperation of the employee in the defense of such action or proceeding and in defense of any action or proceeding against the state based upon the same act or omission, and in the prosecution of any appeal. Such delivery shall be deemed a request by the employee that the Town provide for his or her defense pursuant to this chapter.

Section 6. Rights of Other Parties

The benefits of this chapter shall inure only to employees as defined herein and shall not enlarge or diminish the rights of any other party, nor shall any provision of this chapter be construed to affect, alter or repeal any provision of the Workmen's Compensation Law.

Section 7. Insurance Policies

The provisions of this chapter shall not be construed to impair, alter, limit or modify the rights and obligations of any insurer under any policy of insurance.

Section 8. Pending Litigation

The provisions of this chapter shall apply to all actions and proceedings pending upon the effective date thereof or thereafter instituted, whether or not the actions or commissions complained of occurred prior to or subsequent to the effective date of this chapter.

Section 9. Immunity

Except as otherwise specifically provided in this chapter, the provisions of this chapter shall not be construed in any way to impair, alter, limit, modify, abrogate or restrict any immunity available to or conferred upon any unit, entity, officer or employee of the Town, or any right to defense and/or indemnification provided for any governmental officer or employee by, in accordance with or by reason of any provision of state or federal statutory or common law.

Section 10. Effective Date

This Local Law shall take effect immediately upon filing in the Office of the New York Secretary of State.

Councilman Boehm stated that at this point they need to schedule a Public Hearing.

Councilman Touchette reiterated that it is something that has been in the works and was highlighted by the fact that there have been some litigations threatened that would affect personally some of the members of the Planning and Zoning Boards. He continued by saying that everyone agrees that it is something that is necessary at this point to protect the people of the Town.

Councilman Boehm asked Town Clerk Millious if they can schedule a Public Hearing prior to the next Town Board Meeting and whether there would be enough time to advertise.

Town Clerk Millious stated that it would not make the paper until the 17th and it is too late in the week to put that type of Local Law and added that it would not be enough time. She continued by saying that there is a Town Board Meeting on March 8th and inquired as to if it would be alright to have it then at 6:30pm.

Councilman Touchette stated that he will get a copy of the draft Local Law to Town Clerk Millious.

Councilman Boehm stated that they can schedule it by motion and continued by offering one.

MOTION

On motion of Councilman Boehm, seconded by Councilman Youmans, scheduling a Public Hearing for Local Law #1-2010 – a Local Law providing defense and indemnification for Town employees sued for action taken in performance of their official duties, on March 8, 2010, 6:30pm at Town Hall.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Supervisor Traver stated that they would be moving on to resolutions.

Highway Superintendent Deering stated that he has a couple of items that are not on the agenda and added that he does not know if it would be Old Business or New Business. He continued by asking about the shoveling snow in the sidewalks in Coeymans.

Councilwoman Rogers stated that she had it in her hand and was going to bring it up.

Highway Superintendent Deering asked if there was a resolution and continued by saying that he knows that there was no Local Law.

Councilwoman Rogers stated that verbally they had a conversation about it.

Highway Superintendent Deering reiterated that there is not a Local Law and added that in the meantime it is up to the Highway Department to clear the sidewalks according to Highway Law Section 140.

Councilman Youmans stated that it would be unless there is a Local Law that supersedes it.

Highway Superintendent Deering stated that there isn't and it is under Highway Law unless there is an emergency.

Councilman Youmans stated that there is a Property Maintenance Law that says the homeowner will maintain the sidewalks, which would mean sweeping, shoveling and

keeping them in a condition that is safe and passable and added that it seems to be pretty clear to him.

Councilman Touchette interjected that it also says to remove any hazard, which would be snow.

Councilman Youmans stated that he would not expect the Highway Department to go down and shovel every sidewalk.

Highway Superintendent Deering stated that they use to do it.

Councilman Touchette inquired about them doing it and then stopping.

Highway Superintendent Deering stated that it came up at a Board Meeting and reiterated that there was no resolution or Local Law and added that under Highway Law it says that he has to maintain them. He continued by saying that the Property Maintenance Law may supersede Highway Law.

Councilwoman Rogers stated that they would ask Attorney for the Town Wukitsch.

Highway Superintendent Deering stated that there could be a liability.

Councilman Youmans stated that if they come to a conclusion from their legal counsel that the Property Maintenance Law does not supersede the Highway Law they will pass a Local Law that will because they can't shovel every sidewalk in the Hamlet.

Councilwoman Rogers stated that they have been doing it for years.

Councilman Youmans stated that he thinks that they are covered but they will be sure and if not they will pass a Local Law that says that they are.

Supervisor Traver asked if there were any other comments on the sidewalks.

Highway Superintendent Deering stated that he gets all kinds of different things on Mud Hill and added that according to Town Attorney Wukitsch it goes beyond those two properties, and they are included. He went on by saying that at the last Town Board Meeting he said that they stop at the property line and Attorney for the Town Wukitsch stated that it doesn't stop because there are two parts of it and he faxed it to him and outlined it.

Councilwoman Rogers stated that this is what he was doing anyway and he goes all the way through.

Highway Superintendent Deering stated that they have been maintaining some of it and added that the property line that they have to go to, he took him up and showed it to him. He added that he wanted to make it clear in case there are problems in the future and continued by saying that they were doing what the petitioners want.

Supervisor Traver asked if he had spoken with Attorney for the Town Wukitsch about it.

Highway Superintendent Deering stated that he is the one that faxed it to him and told him at the last Board Meeting that he had to go further.

Councilman Youmans stated that they should bring it up at the next Town Board Meeting when Attorney for the Town Wukitsch is present and added that they can get a public statement from their legal counsel.

Councilman Boehm interjected that it is confusing.

Collectively the Town Board agreed.

Highway Superintendent Deering asked if the computer is all set with the virus protection.

Councilwoman Rogers stated that Confidential Secretary Lewandowski had said that she got the bill earlier in the day and it should be coming.

Highway Superintendent Deering asked if it would have virus protection.

Councilman Youmans stated that there will be 30 days protection included with it and added that they can buy what is called Corporate Suite, which would give them a license for as many computers as they need and would be less expensive than buying it individually from Norton or McAffee. He continued by saying that he had done an informal poll and found that none of the computers have antivirus software on them, which is not good.

Highway Superintendent Deering stated that they had it on their computer.

Councilman Youmans stated that he was talking about Town Hall and then asked Town Clerk Millious if she was running antivirus on any of her computers.

Town Clerk Millious stated that she thought that Matt Canning had put something on it because he had blocked a lot of things.

Councilman Youmans stated that it is something that they need to get an answer on as to how to go about buying antivirus software on all the computers instead of a one-on-one basis. He continued by saying that he will have an answer at the next meeting and reiterated that when they take the new machine out of the box it is covered for 30 days.

Highway Superintendent stated that he is not happy that they did not get the computer that they ordered off State Contract and they hired someone to come out there for $210.00 and he didn't do anything.

Councilman Youmans stated that he has not seen an invoice for $210.00 for there.

Highway Superintendent Deering stated that he will because he just made out the voucher and added that he thought they were trying to save money.

Councilman Youmans stated that they wanted to spend $1,500.00 on a computer and spent $1,000.00 and added that even if they did spend $210.00 for someone to assess what they needed, the math works out to roughly a $300.00 savings.

Highway Superintendent Deering stated that there are other things that have to be put on it.

Councilman Youmans stated that Mr. Palmer who is now the Town's consultant and is handling this, does this for a living and added that the reason that he went out there was to talk to them to see what they do with the computer to see what they needed. He continued by saying that Mr. Palmer assured him that the computer he speced out for them is going to be more than enough for what they need.

Highway Superintendent Deering stated that they have done it in the past and it has worked out fine and added that it is like they don't know what they are doing and this is the impression that he gets.

Councilwoman Rogers interjected that she thought the cost was $1,100.00 for the State Contract computer.

Councilman Youmans stated that the first night that it came up there was a purchase order for $1,500.00 for a computer.

Supervisor Traver stated that it was for $1,490.00.

Highway Superintendent Deering stated that there was everything on it that they needed.

Councilman Youmans stated that the one they got is State Contract as well and still a savings.

Highway Superintendent Deering reiterated that they paid someone over $200.00 and added that he will probably have to go back for the new computer.

Councilman Youmans stated that the new computer was $1,000.00 and they paid him $200.00.

Highway Superintendent Deering stated that it will probably be another $200.00.

Councilman Youmans inquired as to what the other $200.00 will be for.

Highway Superintendent Deering stated that he will probably need to do something with the new computer.

Councilman Youmans stated that he is going to need some cable because he is going to reconfigure the way things work as well as taking the old computer and setting it up in a different office so everything backs up to that. He continued by saying that Mr. Palmer will run a wired connection as opposed to a wireless connection because it is faster and more of a reliable connection and added that this is the only extra that they are talking about and this is to optimize the performance of the computer. He concluded by saying that he does not see it as a waste.

Councilman Touchette inquired as to if there is a server out there.

Councilman Youmans stated that they don't and it is a stand alone.

Supervisor Traver asked if there were any other comments.

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RESOLUTIONS

RES. #31-10 APPOINT PART-TIME CLERK - TOWN CLERK'S OFFICE
On motion of Councilman Youmans, seconded by Councilwoman Rogers, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the Office of the Town Clerk experienced reduced coverage following the unexpected resignation of a part-time clerk, and

WHEREAS, the Town Board, in an effort to prevent backlogs in the Town Clerk's Office, allowed a 90-day temporary hire of the part-time clerk who preciously retired from the position, and

WHEREAS, the Town Clerk has since advertised and interviewed a number of applicants for the position, and found a candidate who meets the minimum qualifications, and

WHEREAS, the Albany County Civil Service has reviewed and approved the candidate's qualifications,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby appoint Deana Ferrusi to the position of part-time Clerk I, at the hourly rate of $11.00, effective February 11, 2010.

Supervisor Traver stated that they would hold off on the next resolution.

Councilman Boehm stated that he wanted to offer a motion to adjourn to Executive Session.

ADJOURNMENT TO EXECUTIVE SESSION

MOTION

On motion of Councilman Boehm, seconded by Councilman Touchette, to adjourn to Executive Session for the purpose of discussing an employee and Council 82 Contract Agreement.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Supervisor Traver stated that they would be returning to pass the Council 82 Agreement resolution.

Time 8:52pm

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EXECUTIVE SESSION

Executive Session was called to order in the Supervisor's Office with the full Town Board present and discussion ensued about an employee of the Town as well as Council 82 Contract Agreement.

Executive Session ended at 9:22pm

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RECONVENE MEETING

Supervisor Traver called the meeting back to order and asked that Councilwoman Rogers introduce the Council 82 Resolution.

RES. #32-10 AUTHORIZE SUPERVISOR TO SIGN COUCIL 82 AGREEMENT AND AUTHORIZE COMMENCEMENT OF RETROACTIVE CALCULATIONS
On motion of Councilwoman Rogers, seconded by Councilman Youmans, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSTAIN 1 (Traver) – SO MOVED

WHEREAS, on January 27, 2010, representatives of AFSCME Council 82 Local #2647 and the Town of Coeymans reached a tentative agreement pertaining to the terms and conditions of employment for the period January 1, 2009 through December 31, 2010 for employees in the Bargaining Unit consisting of full-time and part-time police and telecommunicators, and

WHEREAS, the tentative agreement was ratified by a vote of the Union's membership shortly thereafter,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans hereby reaffirms and authorizes Supervisor Henry C. Traver, to sign the agreement reached for the period January 1, 2009 – December 31, 2010 with AFSCME Council 82 Local 2647, and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Coeymans authorizes commencement of retroactive calculations in accordance with the terms and conditions of the Labor Management Agreement.

Councilman Boehm stated that he wanted to thank Councilman Touchette for all of his work on it and added that the job was not finished when Supervisor Hotaling left office and Councilman Touchette took the reins and did a great job in brining it to fruition.

Collectively Supervisor Traver, Councilman Youmans and Councilwoman Rogers thanked him as well.

Supervisor Traver stated that he wanted to add that he would be abstaining from the vote because he was part of Council 82 Local 2647 and added that he was abstaining because he will have some benefits from it.

Councilman Youmans interjected that it is also important to point out that Supervisor Traver had no part in the negotiation of the contract.

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TOWN BOARD WORKSHOPS / MEETINGS

- Town Board Meeting – February 22, 2010, 7:00pm
- Town Board Meeting – March 8, 2010, 7:00pm

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ADJOURNMENT

Supervisor Traver asked for a motion to adjourn the meeting.

MOTION

On motion of Councilman Boehm, seconded by Councilman Youmans, the Town Board Meeting was adjourned.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time: 9:22pm

Respectfully Submitted, **APPROVED:**

_____
Diane L. Millious, Town Clerk

A Town Bid Opening was held Thursday, February 18, 2010, at 2:00pm at Town Hall, 18 Russell Avenue, Ravena, New York

PRESENT: Diane L. Millious, Town Clerk
Cindy Vatalaro, Deputy Clerk
Deana Ferusi, Clerk

ALSO PRESENT: Henry Traver, Supervisor
Scott Searles, Deputy Highway Superintendent
Karen Ely, Arrowhead Equipment/Metro Ford

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The following Legal Notice appeared in the News Herald:

TOWN OF COEYMANS
NOTICE TO BIDDER
INVITATION TO BID

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Coeymans, Albany County, New York, hereby invites sealed bids for:

One (1) 2011 Ford F-450 Crew Cab 4X4

All prospective bidders may call the Highway Superintendent at (518) 756-2251 between the hours of 7:00am-3:30pm regarding this bid. Bid packages can be obtained at the Town Clerk's Office between the hours of 8:30am – 4:30pm.

Bids will be received at the Town Clerk's Office, Town of Coeymans Town Hall, 18 Russell Avenue, Ravena, NY 12143 up to **2:00pm on Thursday, February 18, 2010**, and read aloud on that same day at **2:00pm**.

Non-Collusive Bidding Forms must be submitted with all bids. The Town Board of the Town of Coeymans reserves the right to waive any informality and to reject any and all bids.

The bidder is responsible for compliance with all Federal and State Laws and guidelines for his bidding process.

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

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BID OPENING

Town Clerk Millious opened the bids and read them aloud as follows:

BIDDER

Metro Ford $45,961.00
3601 State Street
Schenectady, NY 12304

Joe Basil Chevrolet $42,999.00
1540 Walden Avenue
Cheektowaga, NY 14225

Vision Ford $43,425.00
4545 Ridge Road
West Rochester, NY 14626

West Herr Ford $44,328.00
S-5025 Camp Road
Hamburg, NY 14075

Crossroads $43,517.00
2466 Rte. 9W
Ravena, NY 12143

***Respectfully Submitted*,** **APPROVED:**

_____
Diane Millious, Town Clerk

February 22, 2010 – Town Board Meeting – 7:00pm

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

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

ALSO PRESENT: Diane L. Millious, Town Clerk
Albert Deering, Highway Superintendent

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

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OPENING COMMENT

Supervisor Traver stated that there was a full Town Board present in addition to Town Clerk Millious and Highway Superintendent Deering.

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AGENDA

- Public Announcement
  - New York Municipal Insurance Reciprocal
  - C.T. Male Associates, P.C.
- Public Comment
- Approval of Minutes
  - Town Board Meeting, January 11, 2010
  - Town Board Workshop, January 19, 2010
- Supervisor's Report – January 2010
- Department Reports
  - Building Department, January 2010
  - Sewer Department, January 2010
  - Town Clerk, January 2010
- Old Business
  - Review of Bid Opening, Highway Equipment
  - Discussion of In-Car Video Bid
  - Route 143, Golf Course to Gedney Hill
  - Mud Hill Road
  - Surplus Equipment, Award of Online Bids
- New Business
  - Required Training Request for Building Inspectors & Code Enforcement Officers
  - Application for Grant Funding
- Resolutions
  - Approve February Abstract
- Town Board Workshops/Meetings
  - Town Board Meeting, March 8, 2010, 7pm
  - Town Board Workshop, March 16, 2010, 6pm
  - Town Board Meeting, March 22, 2010, 7pm
- Executive Session
  - Discussion of Legal Matters with Attorney for the Town

PUBLIC ANNOUNCEMENT

C.T. Male Associates, P.C.

Supervisor Traver stated that Internal Control Officer Purinton found a discrepancy, which goes back to 2008, with C.T. Male where the Town paid them twice and added that they have now refunded the Town $3,375.00.

New York Municipal Insurance Reciprocal

Supervisor Traver stated that when he was at the Association of Towns training in New York City he received from New York Municipal Insurance Reciprocal a check in the amount of $8,382.82.

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PUBLIC COMMENT

Supervisor Traver invited the public to comment at this time.

Mr. John Allen stated that he lives in the Hamlet of Coeymans on Westerlo street and added that he had a couple of questions to ask the Board, which arise out of his concern about the Town's financial position and it's impact on taxpayers like himself. He continued by saying that he knows that they held a Public Hearing on the Sewer District and in looking at the reports it looked like it was ready to be passed but has been held off because the Town is negotiating with the Village for a less than cost set of bills for sewer reimbursement. He went on by saying that he would like to understand how tax payers in the Town who pay one rate that covers the cost of operating the sewage plant, if they are going to have different rates for the sewage, why it is fair for the Village to pay less than the cost and the rest of the town to pay the difference to make up the actual operation for the Sewer Plant. He added that he finds it very troubling and disturbing as someone who lives in the Hamlet and pays his taxes on time and continued by saying that if there is a cost, they should be negotiating the cost for whatever the cost is and not creating differential rates because there was a contract that is now expired and the Town is still allowing the Village to pay the old rate until they establish a new contract. He went on by saying that similarly with the Sewer District issues he understands that because they have not passed that set of rates, the folks on Martins Hill, who they have not created a Sewer District for, is getting free sewer service. He added that it is great and he is happy for them and glad that they got sewage but the rest of them are paying for the additional cost of operating the Sewer Plant because they have not established Sewer Rates fairly and equitably for all residents who use the sewage service rather than preferential treatment for residents who use sewage service who happen to live in the Village as opposed to living in the rest of the Town. He continued by saying that it affects tax payers disproportionately for those that don't happen to live in the Village and the Town's waste products must cost more and the Village waste products cost less to process, which seems inconsistent with the facts of general science. He added that he is also concerned about some of the more recent examples and he wants to express some concerns as a taxpayer when he sees that they have the budget passed to hire a bookkeeper for $20.00 an hour and then there was a discussion about hiring someone, which may have been a discussion outside of public view, to hire someone for $27.00 an hour. He continued by saying that in his job in government they can't hire someone except for what is authorized and you can't indiscriminately create a rate unless the body at large, the elected representatives, pass that rate. He went on by saying that he is equally troubled and he does not know if it is true and added that he apologizes to Supervisor Traver if his perception is wrong but he understands that they are paying him a yearly salary in addition to his time working for the Village, which is fine, but it creates an apparent conflict of interest when as the Town's Chief Financial Officer, one of the sets of negotiations is the Town's ongoing relationship with the Village starting with the Sewer District issues and the cost of sewer services for residents of the Town of which the Village is a part. He reiterated that he is troubled by the appearance of conflict of interest even if he not directly participating in those discussions as Chief Financial Officer for the Town and added that it creates a misperception as well as being troubled that the Supervisor's Office is now only open a

couple hours of the day and sometimes on weekends and the Town is paying a full-time salary. He continued by saying that he would like to know how his tax dollars are being used when he thinks what he has been paying for is a full-time supervisor and whether they are getting that for the Supervisor's salary, which he believes was set at a full-time rate. He went on by saying that he is troubled by what he sees as a slippery slope sliding down some financial potentially long term mismanagement issues of not keeping the budget well regulated and being consistent with the approved budget as approved by the whole Board. He concluded by saying that he wanted to raise that concern, not that there is any immediate pressing issue but that these things not continue to fester and affect taxpayers disproportionately and added that people in the Town and people in the Village waste by-products should cost the same amount to process.

Supervisor Traver asked if there were any additional comments, hearing none he moved to the next item on the agenda.

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APPROVAL OF MINUTES

Supervisor Traver stated that there were two sets of minutes for Town Board approval a Town Board Meeting on January 11, 2010 and a Workshop on January 19, 2010 and continued by asking for a motion to accept them.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Boehm, the minutes were accepted as presented.
VOTE – AYES 5 – NAYS 0 – SO MOVED

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SUPERVISOR'S REPORT

January 2010

FUND	BAL. FWD.	RECEIPTS	DISBURSE.	BALANCE
General	$219,156.67	$1,466.354.64	$544,132.23	$1,141,379.08
Part-Town	$198,411.47	$ 436,358.91	$224,690.07	$ 410,080.31
Highway	$113,581.65	$200,518.82	$142,952.99	$ 171,147.48
Bridge Const.	$311,048.59	$ 137.99	-0-	$ 311,186.58
Sewer	$ 14,764.94	$166,009.18	$ 48,898.63	$ 131,875.49
Special Water	$ 2,133.65	$ .63	-0-	$ 2,134.28
Police Forf.	$ 3,420.21	$ 1.16	-0-	$ 3,421.37
Trust & Agcy.	$ 11,038.08	$234,288.59	$254,083.44	$ (8,756,77)
Cap. Proj.	$ 43,220.42	$157,008.22	$181,009.34	$ 19,219.30
Section 8 HUD Units - 75	$180,480.72	$ 554.50	$ 35,593.00	$ 145,442.22
			Tot. Rec. Bal.	**$2,237,129.34**

SAVINGS ACCOUNTS		**COLLATERAL COVERAGE**	**FDIC COV.**	**COLLATERALIZED**
Unemployment	$ 4,056.22			
Grove Cemetery	$40,683.70	Bank of Greene	$250,000.00	$4,683,482.24
Sewer-Dedicated	$ 6,292.72	National Bank	$250,000.00	$1,275,272.79
Total	**$51,032.64**			

Supervisor Traver stated that the report shows a negative balance of $8,756.77 in the Trust & Agency fund and added that for the Board's advisement money was transferred and there is now a $10,496.00 balance.

Councilman Touchette inquired as to where it was transferred from.

Supervisor Traver stated that he didn't have where it was transferred from in front of him and added that the bookkeeper did it.

Supervisor Traver asked for a motion to accept the report.

Councilman Touchette stated that he would move it for discussion.

Councilman Youmans stated that he would second it for discussion and continued by asking if the date on the report should be 01-31-10.

Supervisor Traver stated that it should be.

Councilman Youmans stated that he has some financial concerns and added that he believes that the first step that they should take at this point is that for all of the .2 equipment purchase accounts, they should issue a spending freeze effective now. He went on by saying that some of the concerns that he has are budgetarily and where they are at this point because they are 2/3 of the way through the first quarter of the year and he doesn't have any kind of a handle on financial data at this point. He added that he believes that it would make sense to wait until later in the year to make any equipment purchases that are not completely necessary until maybe the end of the 3rd or start of the 4th quarter until they know where they are at.

Councilman Boehm asked Supervisor Traver if there is any indication as to how they finished 2009.

Supervisor Traver stated that they are just finishing up the books now and added that they still had vouchers coming in from 2009 up to two weeks ago.

Councilman Boehm inquired as to approximately how much he was talking about.

Supervisor Traver stated that it is slowing down and added that there were a lot in January.

Councilman Boehm stated that they were hit on the sales tax revenue and added that he thinks that they need a snapshot of that as soon as possible.

Councilman Touchette stated that the report they got is for year end 2009 but it is without year end receivables or payables and continued by asking Supervisor Traver if he knows what the receivables or payables are.

Supervisor Traver stated that he doesn't at this point because they are still getting some bills for 2009.

Councilman Touchette inquired as to where the receivables would be coming from at this point.

Supervisor Traver stated that Sarah is finishing up the books on the weekend and continued by saying that they should not be receiving any more receivables.

Councilman Touchette inquired about not expecting any more receivables on the books and continued by asking if he has a sense where they are according to budget after the first month of the year.

Supervisor Traver stated that he spoke with Darryl and they are going to be sitting down within the next two weeks to see where they are with the sales tax money that they got as well as talking about cutting back on equipment spending and other areas that they can start cutting.

Councilman Touchette stated that he had a couple of questions that came up with the vouchers and added that there was one where they transferred $151,000.00 that went from the H29 Capital Project Fund to the Sewer Fund and a prepay voucher in the Highway Fund, which he can't tell where it came from and where it went for $200,000.00 and it appeared to have been transferred to other funds and then asked if it was Highway Funds or money that goes into Highway Funds from the A Fund.

Supervisor Traver stated that he was not sure because he didn't have it in front of him.

Councilman Touchette stated that the check was cut and he must have signed it.

Supervisor Traver stated that he can check into it.

Councilman Touchette asked that he let them know where the $200,000.00 came from and went.

Councilman Youmans stated that for 2009 they ended up with approximately $1,756,000.00 in sales tax revenue and were budgeted for 1,709,000.00 so they ended up for the year approximately $47,000.00 ahead of where they thought they were going to be. He continued by saying that the concern now is that they budgeted for 1,769,000.00, which is $13,000.00 ahead of where they ended up for 2009 and financial analysts have forecasted that the indicators are looking pretty positive for sales tax revenue but he heard on the news earlier today that it is the worst year that they have ever had and are down 5.9% statewide. He went on by saying that the 1.7 million dollars is a crap shoot and no one really knows that it is what they will realize and all it is going to take is for one jerk to blow up a bomb on a subway in New York City and people will stop spending money and went on by saying that it is anyone's best guess estimate and this is why he talked about equipment freezes and getting into the end of the third quarter and beginning of the fourth and see how it trends as well as any place else that they could save. He continued by saying that they need to look at other avenues where they can save some money and added that he wonders what cash strategies they have employed to this point.

Councilman Touchette stated that they brought it 1.4 million dollars in receipts for the General Fund and continued by asking where the money is now.

Councilman Boehm inquired as to if they are in CD's.

Supervisor Traver stated that this was another discussion that he had with the Internal Control Officer when he got back from the Association of Town's Meeting and continued by saying that they talked about taking some of the money and put it back in CD's.

Councilman Boehm stated that he is concerned with the fact that it is taking so long to have the discussions and added that they could be locking some cash in CD's and making some money

Councilman Youmans stated that CD's may or may not be the way to go and added that there is one account that is a Money Market Account and continued by asking Supervisor Traver if he knows what they are getting for interest.

Supervisor Traver stated that he didn't have it in front of him.

Councilman Youmans stated that based on the Supervisor's Report they have 2.3 million dollars sitting there and they obviously don't need that much to get them through the next

few months and continued by asking if Supervisor Traver had forecasted it out as far as what they need for payroll and if he had gone back and looked at abstracts for the last couple of years to see how it trends for what they are going to need for the next 3-6 months. He continued by saying that if they don't need 2 million dollars, they can put 1 million dollars of it away someplace, such as a CD and they could probably do a percent better, which would add up. He went on by saying that they would have done two things which would be putting it away so they could make some interest on it and they would also know that they have it to fall back on later in the year when they are going to need it. He added that if they are going to put it in a CD, there is a risk associated with it and if they are going to get a bigger return they would see a bigger risk involved, which would be not having access to the money so it requires some pretty good planning, which he is concerned is not done at this point. He reiterated that they are 2/3 of the way through the first quarter of the year and added that he wonders where they are headed.

Supervisor Traver asked if there were any other comments.

Councilman Boehm stated that he would echo what Councilman Youmans had said and added that he is concerned that they have had a poor start and continued by asking if the spending freeze was in the form of a motion.

MOTION

On motion of Councilman Youmans, seconded by Councilman Boehm, directing the Supervisor to issue a memo to all departments first thing in the morning indicating that there is a spending freeze in effect on all .2 accounts as well as directing him to take all the .2 account balances to zero and move the money somewhere else.

Councilman Boehm stated that he agrees and added that they can't wait for discussions and it is something that they have to move forward with because it is imperative and they don't know what the financial future will bring with seeing what is going on at the State level.

Councilman Touchette asked Supervisor Traver if he had a response to the concerns that have been expressed.

Supervisor Traver stated that he absolutely does and added that he agrees with the Board on freezing the .2 accounts and looking to other avenues to try and save as much money as they can because they don't know what way the financial market is going and added that they need to save as much money as they can.

Councilman Boehm stated that he appreciates it but they are general statements and added that they need some definite direction on the length of CD's and how much they can lock up and how much money they need to manage the Town.

Councilwoman Rogers stated that she agrees with the freeze until they know where they are.

Supervisor Traver stated that he will work with Darryl on Wednesday.

Councilman Boehm interjected that they do have one issue with the truck.

Councilman Youmans stated that they have all agreed that the truck needs to be replaced and continued by saying that they also have the bids in front of them.

Councilman Boehm stated that he wanted to make sure that the truck was not included.

Councilman Youmans stated that in saying the .2 accounts he would amend the motion to not reduce the Highway account to zero because they are getting ready to purchase a truck. He added that given the lack of financial data that is being provided at this point he would urge that they start a policy immediately that every Board Meeting they should bring in one Department Head and do a budget review. He continued by saying that they need to make sure that the Department Heads aren't under a misconception of where they

stand budgetarily and for them as a Board to make sure where they stand budgetarily and added that he is concerned that they are almost done with the first quarter of the year, which only leaves three more, and in order to manage the budget effectively he does not have the numbers in front of him.

Supervisor Traver asked for the vote.

Councilman Boehm asked Councilman Youmans if he amended the motion.

Councilman Youmans stated that he amended the motion to exclude the Highway .2 account.

VOTE – AYES 5 – NAYS 0 – SO MOVED

Supervisor Traver stated that there was also a motion and a second to approve the Supervisor's Report and then asked for the vote.

VOTE – AYES 5 – NAYS 0 – SO MOVED
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DEPARTMENT REPORTS

Building Department – January 2010

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

Councilwoman Rogers continued by giving the report.

Supervisor Traver asked for a motion to approve the report.

MOTION

On motion of Councilman Boehm, seconded by Councilman Touchette, the Building Department Report was accepted as presented.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Sewer Department – January 2010

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

Councilman Youmans continued by giving the report.

Supervisor Traver asked for a motion to approve the report.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Boehm, the Sewer Department Report was accepted as presented.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Councilman Touchette asked if it was the appropriate time to address the CSEA complaints about the Sewer Department.

Supervisor Traver stated that he hadn't talked to Chief Operator Breedlove because he was out ill and added that he wants to discuss it further with him to see what is going on at his end.

Councilman Touchette asked that he report back to the Board.

Supervisor Traver stated that he would.

Town Clerk – January 2010

Supervisor Traver asked that Town Clerk Millious give the Town Clerk Report.

Town Clerk Millious continued by giving the report.

Supervisor Traver asked for a motion to approve the report.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Touchette, the Town Clerk Report was accepted as presented.
VOTE – AYES 5 – NAYS 0 – SO MOVED

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OLD BUSINESS

Review of Bid Opening

Supervisor Traver stated that there was a Bid Opening for a Highway truck and reported them as follows:

Metro Ford	$45,961.00	Vision Ford	$43,425.00
Joe Basil Chevrolet	$42,999.00	West Herr Ford	$44,3228.00
Crossroads Ford	$43,517.00		

Supervisor Traver asked if there was any discussion.

Councilman Youmans inquired as to when they plan on awarding the bid and whether it would be now.

Supervisor Traver stated that they would be awarding it now.

Councilman Youmans stated that this is something that they have to be careful about with these trucks and continued by saying that the first one that they previously got from Van Bortel Ford, in talking to Crossroads they had some issue about how the truck was speced and the dump body would not even fit the truck. He then asked Highway Superintendent Deering if he or Deputy Searles had studied the bids as presented and whether or not it was for what they had submitted.

Highway Superintendent Deering stated that they had.

Councilman Youmans inquired about awarding it to the lowest bidder and whether or not it is the truck that they need.

Highway Superintendent Deering stated that it is.

Councilman Boehm asked Attorney for the Town Wukitsch if they have to award the bid to the lowest bidder.

Attorney for the Town Wukitsch stated that the truck is a good and added that he would say that they probably should. He continued by saying that Highway Superintendent Deering had said that the specs match up and it is the same item and reiterated that he would think that they have to submit it to the lowest bidder.

Councilman Boehm stated that the only reason he asked was because of the difference between Vision Ford and Crossroads and Crossroads being a local business and added that any savings would be made up in having the service and the parts local.

Attorney for the Town Wukitsch stated that the way the State Law is set up is that there is a distinction between the purchase by bid of goods, which this is, and the purchase of services, which is best value. He added that with services you can take into account things other than price but with commodities or goods it is the lowest responsible bidder and with everything matching up he would say that it has to go to the low bidder.

Highway Superintendent Deering interjected that they all have the same specs.

Attorney for the Town Wukitsch stated that the specs are identical.

Councilman Youmans stated that this is what he was going to ask.

Attorney for the Town Wukitsch stated that they have a duty to the public and to the taxpayers of the Town to go with the lowest bidder.

Councilman Boehm stated that he asked because it is a local dealer.

Councilman Touchette inquired as to what line item it is coming out of.

Highway Superintendent Deering stated that it is coming out of D5130.2.

Councilman Youmans stated that the truck is $42,999.00 and added that there is $50,000.00 budgeted for equipment. He continued by saying that Highway also bought a computer, chain saws and some other things.

Highway Superintendent Deering stated that it didn't come out of the D5130.2.

Councilman Youmans asked where it came out of.

Highway Superintendent Deering stated that it came out of D5140.2.

Councilman Youmans interjected that if Highway Superintendent Deering is fine with it he is fine with it and added that it is his budget.

Highway Superintendent Deering stated that it is the same spec.

Councilman Youmans stated that he would move for a motion.

MOTION

On motion of Councilman Youmans, seconded by Councilman Boehm, authorizing the bid award to Joe Basil Chevrolet in the amount of $42,999.00.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Discussion of In-Car Video Bid

Supervisor Traver inquired as to whether or not the Board wanted to hold off on discussion about the In-Car Video Bid.

Councilwoman Rogers stated that she would hold off until the Chief is present and added that this is the second time that it has been on the agenda but they have not seen the prices.

Route 143 – Golf Course to Gedney Hill

Supervisor Traver asked Councilman Boehm to discuss Rte. 143.

Councilman Boehm stated that earlier in the day he had conversation with Attorney for the Town Wukitsch regarding his concern about the ongoing issue of the condition of Rte. 143. He continued by saying that there is one particular section that starts at the Golf Course and proceeds up past Gedney Hill Road and goes down, where the guide rails are coming out of the ground and there is no shoulder with a sheer drop of at least 75 feet

down a bank to a creek bed. He added that they have had petitions from local residents and they petitioned in person Tim Gordon and other people but it doesn't seem to get anywhere and went on by saying that one of his suggestions was to sue the State and he had asked Attorney for the Town Wukitsch if they could.

Attorney for the Town Wukitsch stated that the law says that even under circumstances that are posed such as this; you cannot compel or force the State Government to perform a governmental function, which is maintaining the roads. He added that they do not have the power to do it by way of a court lawsuit and it would be fruitless and continued by saying that they could make an argument that there is a danger to public safety. He continued by saying that his guess is that there are locations all over the state where the same could be said and a he does not see a lawsuit going any where.

Councilman Boehm stated that it is that particular section of road for a couple of reasons and added that the roadbed is shot, there are pot holes, no guiderails, no shoulder and Gedney Hill intersecting with a limited sight distance. He added that he firmly believes that someone is going to be killed or seriously hurt in that particular section and continued by saying that he would like to make a motion that Attorney for the Town Wukitsch draft a letter to the appropriate people with one being the Regional Director in Schenectady and people that have been involved in the process to state it and hopefully it will shake something loose because it is his understanding that there is nothing in the near future for repairs for that particular section, which he drives twice a day along with Councilwoman Rogers. He concluded by reiterating that it is a hazard.

MOTION

On motion of Councilman Boehm authorizing Attorney for the Town Wukitsch to draft a letter for submission to the State regarding the condition of Rte. 143.

Attorney for the Town Wukitsch inquired about the particular section.

Councilman Boehm stated that he said Gedney Hill and added that it is actually from CR 102 to the crest where Gedney Hill is to the bottom of the hill and added that there are guiderails coming out and some elm trees that are ready to fall into the road. He reiterated that the road in general, in that particular section, is incredibly dangerous and continued by saying that the State has posted rough road signs but not a speed reduction as well as no intersection sign for Gedney Hill. He went on by saying that they need to write this letter to try and gain some attention.

Councilman Touchette inquired as to if there are any mile markers there so they can be specific.

Attorney for the Town Wukitsch stated that this is what he is looking for and added that he is looking for a specific identification.

Supervisor Traver stated that he believes that there are a couple of markers.

Attorney for the Town Wukitsch asked that Highway Superintendent Deering get the markers for him and get back to him.

Supervisor Traver stated that there is a motion on the floor and asked for a second to the motion.

Councilwoman Rogers seconded the motion.

VOTE – AYES 5 – NAYS 0 – SO MOVED

Councilman Boehm interjected that Confidential Secretary Lewandowski has a list of people that they should contact.

Mud Hill Road

Councilman Boehm stated that he thought that they needed some clarification on Mud Hill and added that there was a conversation prior to the meeting and Highway Superintendent Deering is fine with it now.

Highway Superintendent Deering stated that it had been cleared up with the Attorney for the Town.

Surplus Equipment – Award of Online Bids

Supervisor Traver stated that he was in receipt of a memo from Highway Superintendent Deering regarding bidding results for surplus equipment that was done online and then asked for a motion to accept the bids.

Councilman Touchette inquired as to if they were the things that they talked about last year.

Highway Superintendent Deering stated that it is and added that it was through Auctions International and he listed what they got for the surplus equipment and he would just as soon see them go.

Councilman Boehm asked Highway Superintendent Deering if the truck that they are replacing will go online as well.

Highway Superintendent Deering stated that if they ask for it he will put it on there.

Councilman Boehm asked Highway Superintendent Deering if he thinks the bids are reasonable.

Highway Superintendent Deering stated that in his opinion they are.

MOTION

On motion of Councilman Boehm, seconded by Councilman Touchette, to accept the bids as presented for surplus equipment.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Councilman Touchette stated that he has one more item under Old Business and added that at the last meeting they talked about what they need to do to stop the water infiltration to Town Hall and added that Supervisor Traver had said that he was going to talk to the Village about doing something.

Supervisor Traver stated that he talked to Mayor Bruno and he was going to have the Village crew take a look at it to see what could be done on the corner to stop the water from coming down to the Town property.

Councilman Youmans inquired about moving the gutter.

Supervisor Traver stated that they are going to put some pipes on like they did before and in nicer weather reroute the gutters and try to tie them in on the backside.

Councilman Youmans asked if he was saying that if they are expecting rain, they will put the extensions back on with orange cones around them so no one trips on them

Supervisor Traver stated that they will and it would be temporarily.

Councilman Youmans stated that it would be temporarily until they can actually move the gutters, which could be any day and added that they might want to get to that before the mowing season because the guys get pretty busy with that. He continued by saying that the gutter drops the water right on the pavement upstairs from where they had the leak and added that you don’t need to be an engineer to figure that out.

Councilman Touchette stated that it is a cheap fix anyway.

Councilman Youmans interjected that it is something to try before they spend thousands of dollars digging and added that ultimately they may need to dig and put catch basins in but he's not convinced that it is the case yet.

Supervisor Traver asked if there was any other Old Business.

Councilman Youmans stated that he had mentioned having Department Heads coming to each meeting for a budget review and continued by saying that they didn't finish the conversation. He then asked how everyone else felt about it.

Councilman Boehm stated that he was going to bring it up under New Business and added that they can do it now. He continued by saying that he thinks it is a good idea given no accurate financial snapshot and added that it is imperative that the Town Board personally interview the Department Heads. He concluded by saying that they should start with Highway or Police and go forward with the next Town Board Meeting.

Supervisor Traver inquired as to whether they wanted to do it during the meeting or in Executive Session.

Councilman Youmans interjected that finances is public business and added that they should have it right out in the open. He continued by saying that they can kind of project for each department budgetarily where they are and added that he would expect the Supervisor to bring those projections with him to the next meeting.

Supervisor Traver stated that he would and added that they were moving to New Business.

Councilman Touchette asked if they had agreed that this is what they are going to do.

Supervisor Traver asked if he wanted it as a motion.

Councilman Youmans inquired as to if they wanted one Department Head per meeting or have them all come in for one meeting every couple of months.

Councilman Boehm interjected that it is new ground and added that they can start with Highway and Police and go from there.

Councilman Youmans asked if he was saying one per meeting.

Councilman Boehm stated that he thinks that it should be one per meeting and added that maybe for other departments they could combine but they have to take a look at it.

Councilman Youmans stated that he does not want it to be construed by the Department Heads as any reflection on them.

Supervisor Traver stated that it would be a form of information.

Councilman Boehm interjected that it is because of a lack of information and added that the Town Board needs to speak with the Department Heads until they get an accurate picture of the Town's finances.

MOTION

On motion of Councilman Youmans, seconded by Councilman Boehm, to start at the next Town Board Meeting to bring in a Department Head per meeting and do a budget review with the Supervisor deciding which department on which night.
VOTE – AYES 5 – NAYS 0 – SO MOVED

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

NEW BUSINESS

Required Training Request for Building Inspectors & Code Enforcement Officer
Supervisor Traver stated that he was in receipt of a memo from Building Inspector Conrad regarding training sessions for John Cashin, Sante DeBacco and himself to attend the 23rd Annual Hudson Valley CEO Educational Conference being held in Poughkeepsie, NY with classes scheduled for April 7th, 8th and 9th. He continued by reading the following excerpt:

"The seminar will give us 19 hours of certified in-service training. The cost of this course is $285.00 per person and we will all use the Building Department vehicle for travel. As the Department Head, I ask that this be granted. Should the Board have any questions, I would be happy to respond at your convenience."

Councilman Touchette inquired as to how many hours are required for certification.

Supervisor Traver stated that 24 hours are required.

Councilwoman Rogers started that since it is required training she does not have a problem with Mr. Conrad and continued by asking if the Village and the Town of New Baltimore would contribute.

Supervisor Traver stated that Mr. Cashin went to the Association of Towns Meeting and got some training there through New Baltimore.

Councilwoman Rogers inquired about this training.

Supervisor Traver stated that he would find out.

Councilman Touchette inquired as to how many hours he got down there.

Supervisor Traver stated that he wasn't sure.

Councilman Touchette stated that it would seem to him that if you need three people trained it might be a little more effective, rather than lose three people for three days, to spread it out, especially if some of these people already have training.

Supervisor Traver asked if there was any other discussion.

Councilwoman Rogers reiterated that she has no problem with Mr. Conrad going for required training and added that her question with the others is whether or not the Village or New Baltimore is going to help with the other two guys.

Supervisor Traver asked if it was in the form of a motion.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Boehm, authorizing Mr. Conrad to attend the Annual Hudson Valley CEO Educational Conference in Poughkeepsie, NY on April 7th – April 9th.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Councilman Youmans stated that at the next meeting if they have further information saying that the other two gentlemen do in fact need the training and it is their responsibility to send them, they will indeed send them. He added that it is not until April 7th and there seems to be some time to get them registered.

Application for Grant Funding

Supervisor Traver stated that he was in receipt of a copy of a letter from Assemblyman Gordon's office addressed to Highway Superintendent Deering regarding grant money through the State in the amount of $8151.00 to assist the Town with the roads. He

continued by saying that it is not a matching grant and added that all he needs to submit it is an authorization for him to request an appropriation from the State.

Councilman Youmans inquired about it being for the roads.

Supervisor Traver stated that it is for highway maintenance for this year.

Councilman Youmans inquired about it being a free $8,151.00.

Supervisor Traver stated that it is and it's part of the State's budget.

Councilman Boehm interjected that they all are paying for it in a round about way.

Councilman Touchette stated that it could be a little clearer and added that St. Agnes received a similar grant last year for $10,000.00 and added that it was awarded in April and they have not even started processing the request yet and continued by saying that they should not start spending the money yet.

Supervisor Traver asked for a motion to sign for the grant.

Councilman Boehm inquired as to what has to be signed.

Supervisor Traver stated that it is a Grant Application Statement.

Supervisor Touchette continued by offering a motion.

MOTION

On motion of Councilman Touchette, seconded by Councilman Boehm, authorizing Highway Superintendent Deering to sign the Grant Application Statement.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Councilman Touchette stated that he thinks that someone should send a letter of appreciation to Assemblyman Gordon for helping to secure the grant.

Councilman Youmans agreed and continued by offering a motion.

MOTION

On motion of Councilman Youmans, seconded by Councilman Touchette, authorizing Supervisor Traver to send a letter to Assemblyman Gordon voicing their appreciation for the opportunity.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Supervisor Traver stated that they would be moving to resolutions.

Highway Superintendent Deering stated that he had additional New Business and continued by saying that he currently has three chain saws that according to OSHA they cannot be used. He continued by asking for permission to put them on the on-line auction.

Councilman Touchette inquired as to if there is any liability of the Town's part if they sell a piece of equipment that isn't safe.

Highway Superintendent Deering stated that they are safe.

Attorney for the Town Wukitsch stated that they are safe and added that he would put them in "as is" and without any warranty of any kind.

Supervisor Traver asked if there was a motion authorizing Highway Superintendent Deering to list the three chain saws on the on-line auction site.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Touchette, authorizing Highway Superintendent Deering to list the three chain saws on the on-line auction site.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Councilman Youmans stated that he would like Highway Superintendent Deering to provide a description of the saws as far as what type of saw and what make.

Highway Superintendent Deering stated that he would.

Supervisor Traver asked if there was any other Old Business.

Highway Superintendent Deering stated that he had something that he wanted to ask the Town Board about and added that he had spoken with Attorney for the Town Wukitsch about it. He continued by saying that there is an old 1999 Dodge that he is interested in buying himself and went on by saying that there is not a policy for selling equipment.

Attorney for the Town Wukitsch stated that there is no State Law that applies to the Town that requires the Town to dispose of used equipment in any particular manner except that it has to be done in a commercially reasonable way, such as no self dealing. He continued by saying that if there is a truck worth $1,000.00 and there was an appraisal or estimate of value and it was established that $1,000.00 was the value and he wanted to pay that for it, with no other policies in place, he could do that. He concluded by saying that he could not pay $10.00 and then take it and went on by saying that if they want to put it out to bid they can.

Councilman Boehm interjected that it makes sense to put it out to bid.

Attorney for the Town Wukitsch stated that there have been cases in his experience where no one bids on something.

Councilman Youmans stated that personally he has a problem with a Town employee busying surplus equipment without it being put out to bid just because of the way that it would look.

Attorney for the Town Wukitsch asked if the Town has a written policy for disposing of used equipment.

Councilman Touchette stated that there is not one that he knows of.

Attorney for the Town of Wukitsch stated that he researched disposing of used equipment and found that there is no State Law that governs the disposition of used Town equipment.

Councilman Touchette stated that he understands that and added that he thinks there is a precedent in disposing equipment that they put it out to bid or on an auction site.

Attorney for the Town Wukitsch interjected that except for the rule being that they have to do it in a commercially reasonable way and added that if someone pays fair value for it there is no restriction on disposing used equipment that way. He continued by saying that Councilman Touchette had raised a point that it looks like self dealing if a member of the Town buys it and it might be a valid public concern.

Supervisor Traver stated that as long as they put it out there for everyone to bid on it would be ok.

Attorney for the Town Wukitsch stated that it would remove you from any criticism.

Councilman Touchette stated he would suppose that they should do it the way that they did it with the other equipment and what they are going to do with the chain saws and added that Highway Superintendent Deering would be free to bid on it.

Attorney for the Town Wukitsch stated that a lot of municipalities are doing it that way and are using the internet, rather than even publishing it in a newspaper. He added that you get more interested parties that way.

Highway Superintendent Deering stated that he was just asking and added that he knows that it's not his to put out to bid.

Supervisor Traver stated that as long as it is put out to bid and if Albert is the highest bidder it would be his.

Councilman Touchette inquired as to if they are authorizing him to do it and added that he does not have a problem with doing it.

Highway Superintendent Deering stated that it is not his truck and added that it went to Community Beautification and added that he is just asking because it is just sitting down there rusting.

Councilman Boehm stated that they could list it with the on line auction, which would allow Albert to bid online and if he were the highest bidder he could have it.

Supervisor Traver asked if there was any other New Business to discuss, hearing none he moved to the next item on the agenda.

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RESOLUTIONS

RES. # 033-10 APPROVE FEBRUARY 2010 ABSTRACT
On motion of Councilman Touchette, seconded by Councilwoman Rogers, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

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

FUND	VOUCHER #	AMOUNT
GENERAL (A)		
General Pre-Pay	172-282	$868,904.15
General	353-420	$105,988.39
	General Total	**$974,892.54**
POLICE FORFEITURE		
Police Forfeiture	302	$ 300.00
	Police Forfeiture Total	**$ 300.00**
PART-TOWN (B)		
Part-Town Pre-Pay	283-301	$210,343.42
Part-Town	482	$ 83.94
	Part Town Total	**$210,427.36**
HIGHWAY BRIDGES (DA)		
	421	$ 37,755.37
	Highway Bridges Total	**$ 37,755.37**
HIGHWAY (DB)		
Highway Pre-Pay	303-313	$ 44,602.16
Highway	422-468	$ 12,895.61

	Highway Total	**$ 57,497.77**
SEWER (SS)		
Sewer Pre-Pay	314-343	$ 17,922.38
Sewer	469-481	$ 5,821.80
	Sewer Total	**$ 23,744.18**
CAPITAL PROJ. (H29)		
Capital Proj. UV Water	344	$151,312.85
	Capital Proj.Total	**$151,312.85**
	Total of all Funds	**$1,455,930.07**
TRUST & AGENCY (TA)		
Trust & Agency Pre-Pay	345-352	$145,963.70
	Trust & Agcy. Total	**$145,963.70**

Councilman Touchette stated that he had a couple of questions about the vouchers and added that voucher 358 is in the General Fund for Dryar Boyajian for legal services for the Sewer District in the amount of $3,656.88 and continued by asking if it should be in the Sewer Fund.

Attorney for the Town Wukitsch stated that from a bookkeeping standpoint he didn't know.

Supervisor Traver stated that he would check into it.

Councilman Touchette inquired as to if he was suggesting that they pull the voucher.

Supervisor Traver stated that they would pull it for now.

Town Clerk Millious interjected that there were three approvals on the voucher that he was talking about.

Councilman Touchette stated that there were a couple that pertain to the Highway Department and added that it isn't meant to be critical and continued by saying that they bought one chain saw for $319.00 and then they also bought another one because one chainsaw was lost.

Highway Superintendent Deering stated that it was either lost or stolen and added that they filed a police report for it but it has never been found.

Councilman Touchette continued by asking if the Highway Department has a physical inventory of all the tools and equipment and if anyone goes through and checks it.

Highway Superintendent Deering stated that he submits an inventory of equipment and tools every September.

Town Clerk Millious interjected that it also goes to the Insurance Company.

Highway Superintendent Deering stated that they never found the chainsaw and added that it wasn't that old.

Councilman Touchette inquired about him not knowing what happened to it and then asked when it disappeared.

Highway Superintendent Deering stated that it happened last summer and added that he gave the serial number to the police and he never heard anything.

Supervisor Traver asked if there was any other discussion.

Councilman Touchette stated that there is an invoice for the purchase of a domain name coeymanspolice.org and a company e-mail for the Police Department and added that his question is a policy question rather than a financial question and continued by asking if they currently have a different website for the Police Department.

Supervisor Traver stated that he didn't believe so.

Councilman Touchette continued by saying that he wonders why they need a separate website for the Police.

Councilman Youmans stated that especially in light of what they are spending for website hosting for coeymans.org as it is and continued by asking why they would have a separate one and added that he didn't sign the voucher.

Councilwoman Rogers stated that the first time that any of them knew about it was when the voucher came in.

Councilman Youmans stated that no one mentioned it, no one discussed it and it was never brought up.

Councilman Touchette continued by saying there is a voucher for six Employee Parking Only signs for Town Hall and continued by asking where they are going.

Supervisor Traver stated that they are going along the back.

Councilman Touchette inquired why they were needed.

Supervisor Traver stated that it was set up because of Court being held during the day and added that it is for parking spaces for the employees.

Councilwoman Rogers interjected that it should come out of a Court Fund.

Councilman Touchette agreed that it should be a Court Fund.

Supervisor Traver stated that it is part of building and grounds.

Councilman Touchette asked if everything that has to do with the building and a physical part of the court comes out of the A Fund.

Supervisor Traver stated that some things come out of the Court Fund.

Councilman Touchette inquired as to if the building and actual infrastructures come out of the Court Fund.

Supervisor Traver stated that it does.

Councilman Touchette questioned whether the signs should be out of the Court Fund and added that the signs are strictly because of the court changing their hours.

Supervisor Traver stated that he would check into it.

Councilman Touchette inquired whether he should pull that voucher as well.

Supervisor Traver stated that it was up to the Board.

Collectively the Board agreed.

Councilman Touchette stated that he was amending his motion to remove vouchers 354 from General making it 353,355-420 and the voucher for the website.

Town Clerk Millious interjected that the vendor was Keep Lock.

Councilman Touchette asked how they want to handle the voucher for Dryar Boyajian and whether he wanted to redo it.

Supervisor Traver stated that he would.

Councilman Touchette stated that it was voucher 358 and added that it would now be 353, 355-357, 359-420 and then said that it would also include voucher 380, which would make it 353, 355-357, 359-379,381-420.

Town Clerk Millious continued by asking how many vouchers it was and whether they were all out of General.

Councilman Touchette stated that it is 354, 358 and 380.

Town Clerk Millious stated that she has to know for sure so she can let the bookkeepers know not to pay them.

Supervisor Traver asked for a motion to accept the amended abstract.

Councilwoman Rogers stated that she had seconded it.

Supervisor Traver asked for the vote.

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TOWN BOARD WORKSHOPS/MEETINGS

- Town Board Meeting, March 8, 2010, 7pm
- Town Board Workshop, March 16, 2010, 6pm
- Town Board Meeting, March 22, 2010, 7pm

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ADDITIONAL COMMENTS

Supervisor Traver asked if there were any additional comments.

Councilman Youmans thanked Mr. Allen for coming to the meeting and added that he appreciates his comments at the beginning and continued by saying that he needed to clear a couple of things up so that everyone in the Hamlet knows what is going on with the sewer. He went on by saying that the Village is not paying the old rate that they use to pay under the old contract and added that the fact is that they are currently paying nothing, which has been the case for the last 18 months.

Mr. Allen interjected that it is even worse.

Councilman Youmans stated that for some time going back over a year ago past Supervisor Hotaling started negotiating a contract and added that in regard to fairness in what each user pays for the sewer service, going back as far as 1969 when the original agreement was written they called for meters, which would be placed where any Town sewage enters the Village sewer system and then again by the point at the firehouse, which would measure what is coming into the Town sewer system. He continued by saying that he has worked closely on this for two years and the 1969 agreement called for that and the 1999 agreement called for that and for one reason or another the proper meters were not placed because they didn't measure the flow at the highest times when there was inflow and infiltration. He added that it would be nice to think and it is one way to look at it to say that they all flush their toilets about the same and use their bathrooms

the same amount and if that is all that entered the sewer system it would be a valid point but the fact of the matter is that there is other water that comes into the sewer system in the form of inflow and infiltration, with inflow being water that comes into the system from places where it shouldn't such as old roof drains and sump pump drains and infiltration comes in because there are so many cracks. He continued by saying that given the fact that the infrastructure in the Hamlet was new in 1969 and in other parts of the Village and Town are older, they need to take it into account and went on by saying that it is his belief that the only fair way to get to a number for what each municipality should pay for sewer usage is through meters because it has been planned for the last 40 years. He added that currently the Village is reviewing the Town Attorney's draft of an Agreement that they got from the Village and he looked at it and reworked it and it calls for 2011 to be based off actual meter readings so it will be fair for everyone and continued by saying that he believes it is the only fair way to go about it. He went on by saying that Local Law 3 that was mentioned did not set sewer rates because sewer rates have been set and added that Local Law 3 provided a mechanism for the Town Hamlet Sewer District to bill users that are outside the district. He concluded by saying that they will be revisiting that very shortly and it is imperative that they do put that in effect.

Mr. Allen continued by asking if the Town will be finding out when the Village will be paying since they have not paid for 18 months.

Councilman Youmans stated that the Agreement calls for them to pay when they sign the Agreement.

Mr. Allen stated that it could take 10 years for them to be willing to sign it and added that there is no vested interest right now for them to sign anything as he understands the process and continued by saying that it could drag on indefinitely. He went on by saying that he applauds Councilman Youmans negotiating the Agreement and added that fair and equitable makes sense but given that they have never had it fair and equitable there is a disparity here and the appearance, whether it is legitimate or not with the Chief Executive being an employee of the Village and the ongoing negotiations or lack thereof, there is no Agreement signed which has been worked on for the last year and a half as well as there not being an incentive for them signing the Agreement as near as he can tell, forever. He concluded by saying that if he were them he would continue to negotiate indefinitely because as Councilman Youmans' had said that according to the Agreement they don't have to pay until they sign.

Councilman Touchette stated that they do have other options that they can explore if they think they have come to a stalemate.

Councilman Touchette asked that Supervisor Traver address the perception of a conflict of interest.

Supervisor Traver stated that he has checked with attorneys and added that there is no conflict of interest between his job at the Village and this job with the Town of Coeymans. He continued by saying that he does not negotiate pricing on the Village part of it, he is not a Department Head, he has nothing to do with the Village budget at all and he is just a regular employee with the Village of Ravena. He added that it is no different than anyone else such as a Board Member or Village Trustee working at another job and reiterated that there is no conflict with his jobs between the two positions.

Mr. Allen stated that as Supervisor he is the Chief Financial Officer for the Town, which is the entire town, and as the negotiations are going on with the Village that involve the Town's finances, it would seem to him that even though he might absolutely be legally correct under a legal opinion, it certainly provides the appearance of a conflict of interest. He continued by saying that the major negotiation that the Town is involved in with the Village is between the Town's Chief Financial Officer, even though he recused himself in that regard, he is still beholden to two masters and one of the masters is the Town taxpayers who have a financial vested interest in the resolution of this and there is a conflict. He concluded by saying that he has not heard him publicly say that he is not going to share or disclose any information or publicly make any proclamation, and added that in looking at the finances there has not been a change in salary and he is confused

that the Town is paying for a full-time Supervisor who is acting on the taxpayers behalf to manage the town's finances and as he listened to the Board discussion earlier in the meeting there are town finances that they don't have any knowledge of and the Supervisor who is the Chief Financial Officer has to ask other people about things that are suppose to be his responsibility and as a taxpayer he is concerned because his tax dollars are hopefully at work and he thought he was buying some full-time staff but has not heard anything to the contrary.

Councilman Boehm asked if Supervisor Traver was going to address it.

Supervisor Traver stated that he was not going to discuss it at this time and continued by asking if there were any additional comments.

Ms. Donna Pasquini stated that the Village is not paying any sewer to the Town of Coeymans right now but they are collecting the sewer rents from the Village residents and continued by asking if they are getting interest on the money and if so is the Town going to be getting the interest on the money that they are holding.

Supervisor Traver stated that she would have to ask the Village.

Ms. Pasquini stated that it is up to him to ask and added that he is Chief Financial Officer and should be the one in charge of saying that the Town wants the money and the interest that they are holding. She continued by saying that it is not up to her to go to the Village because she is just a taxpayer in the Town of Coeymans.

Supervisor Traver asked if there were any other comments.

Town Clerk Millious stated that she wanted to mention that for the past few weeks Court has been held Thursday mornings starting at 9:00am and will continue and added that she wanted residents to know that anyone wishing to see her can still come to see her while court is in session.

Councilman Boehm stated that especially since the handicap entrance is at the Court end of the building.

Town Clerk Millious stated that anyone needing to should still use the handicap entrance even though court is in session.

Supervisor Traver asked if there were any other comments.

Attorney for the Town Wukitsch stated that he did prepare a draft of a Local Law providing for defense and indemnification for town employees.

Supervisor Traver stated that there is a Workshop regarding that on March 8th.

Town Clerk Millious stated that they passed to have a Public Hearing on March 8th at 6:30pm and added that it was left off the agenda but is posted and in the paper.

Supervisor Traver asked if there were any other comments, hearing none he asked for a motion to adjourn to Executive Session.

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ADJOURNMENT TO EXECUTIVE SESSION

MOTION

On motion of Councilman Boehm, seconded by Councilman Touchette, the Town Board Meeting was adjourned to Executive Session to discuss legal matters regarding the P.I.L.O.T. Agreement and Bank of Greene County.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time: 8:30pm

Supervisor Traver stated that they will be returning to formally adjourn the meeting and added that there will be no resolution with what is to take place in Executive Session.

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EXECUTIVE SESSION

Executive Session was convened in the Supervisor's Office at 8:40pm with all members of the Board present as well as Attorney for the Town Wukitsch. Legal matters involving the P.I.L.O.T. Agreement and Bank of Greene County were discussed with no action taken and it was adjourned at 8:57pm.

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RECONVENE MEETING AND ADJOURN

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

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, the Town Board Meeting was adjourned.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time: 8:57pm

Respectfully Submitted, **APPROVED:**

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Diane L. Millious, Town Clerk

A Public Hearing was held Monday, March 8, 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
Nelson Perry, Parks & Recreation Maintenance Supervisor
Greg Darlington, Chief of Police

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

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OPENING COMMENT

Supervisor Traver stated that the Public Hearing is to hear comments from the public regarding Proposed Local Law #1-2010, a Local Law providing for the defense and indemnification for town employees sued for actions taken in performance of their official duties. He then asked that Town Clerk Millious read the Notice of Public Hearing.

NOTICE OF PUBLIC HEARING
ON PROPOSED LOCAL LAW #1 OF 2010

A Local Law providing for the defense and indemnification for town employees sued for actions taken in performance of their official duties.

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Coeymans will hold a Public Hearing on March 8, 2010 beginning at 6:30pm at Coeymans Town Hall, 18 Russell Avenue, Ravena, NY concerning Proposed Local Law #1 of 2010 as described above.

A copy of the Proposed Local Law is on file in the Town Clerk's Office.

PLEASE TAKE FURTHER NOTICE that all interested parties will be heard at this time and place.

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

PROPOSED LOCAL LAW #1-2010
TOWN OF COEYMANS

A LOCAL LAW PROVIDING DEFENSE AND INDEMNIFICATION FOR TOWN EMPLOYEES SUED FOR ACTIONS TAKEN IN PERFORMANCE OF THEIR OFFICIAL DUTIES

Section 1. Legislative Intent

The purpose of this chapter is to provide legal and financial protection for those individuals serving the Town of Coeymans from losses which may be brought against them in their individual capacity for actions taken while in the performance of their official duties and responsibilities. In enacting this chapter, the Town Board finds that the State of New York has enacted similar provisions for the legal and financial security of

its officers and employees and further finds that such security is also required for local personnel. By enactment of this chapter, the Town Board does not intend to limit or otherwise abrogate any existing right or responsibility of the Town of Coeymans or its employees with regard to indemnification or legal defense. It is solely the intent of this chapter to provide maximum coverage for local employees, such as is presently provided for state employees, so as to continue to attract qualified individuals to local government service.

Section 2. Definitions

As used in this chapter, unless the context otherwise requires, the following terms shall have the meanings indicated:

EMPLOYEE – Any person holding a position by elections, appointment or employment in the service of the Town of Coeymans, whether or not compensated, or a volunteer expressly authorized to participate in a municipally sponsored volunteer program, but shall include a former employee, his or her estate or judicially appointed personal representatives.

Section 3. Town to Provide Defense

A. Conditions

Upon completion by the employee with the provisions of Section 5 of this chapter, the Town of Coeymans shall provide for the defense of the employee in any civil and criminal action or proceeding in any State or Federal Court arising out of any alleged act or omission of a Federal, State or local rule or regulation which occurred or is alleged in the complaint to have occurred while the employee was acting within the scope of his or her public employment or duties, or which is brought to enforce a provision of the laws of the United States, including but not limited to 42 United States Code, Section 1981 or 1983.

B. Representation by Town Attorney; Private Counsel

(1) Subject to the conditions set forth in Subsection A of this section, the employee shall be entitled to be represented by the Town Attorney; provided, however, that the employee shall be entitled to representation by private counsel of his or her choice in any civil judicial proceeding whenever the Town Attorney determines, based upon his or her investigation and review of the facts and circumstances of the case, that representation by the Town Attorney would be inappropriate or whenever a court of competent jurisdiction,, upon appropriate motion or by special proceeding, determines that a conflict of interest exists and that the employee is entitled to be represented by private counsel of his or her choice. The Town Attorney shall notify the employee, in writing, of such determination that the employee is entitled to be represented by private counsel of his or her choice.

(2) The Town Attorney may require, as a condition to payment of the fees and expenses of such representation, that appropriate groups of such employees be represented by the same counsel. If the employee or group of employees is entitled to representation by private counsel under the provisions of this section, the Town Attorney shall so certify to the Town Board. Reasonable attorney's fees and litigation expenses shall be paid by the Town to such private counsel from time to time during the pendency of the civil action or proceeding, subject to the certification that the employee is entitled to representation under the terms and conditions of this section by the head of the department, commission, division or agency in which such employee is employed. Any dispute with respect to representation of multiple employees by a single counsel or the amount of litigation expenses or the reasonableness of attorney's fees shall be resolved by the court upon motion or by way of a special proceeding.

C. Duty of Town Attorney

Where the employee delivers process and a request for a defense to the Town Attorney as required by Section 5 of this chapter, the Attorney shall take the necessary steps, including the retention of private counsel under the terms and conditions provided in Subsection B of this section, on behalf of the employee to avoid entry of a default judgment pending resolution of any question pertaining to the obligation to provide for a defense.

Section 4. Responsibilities of Town

A. Indemnification of Employees

The Town shall indemnify and save harmless its employees in the amount of any judgment obtained against such employees in any State or Federal Court, or in the amount of any settlement of a claim, provided that the act or omission from which such judgment or settlement occurred while the employee was acting within the scope of his or her public employment or duties; the duty to indemnify and save harmless prescribed by this subsection shall not arise where the injury or damage resulted from intentional wrongdoing or recklessness on the part of the employee.

B. Settlement

An employee represented by private counsel shall cause to be submitted to the Town Board any proposed settlement which may be subject to indemnification by the Town and, if not inconsistent with the provision of this section, the Town Board shall certify such settlement, and submit such settlement and certification to the Town Attorney, the Attorney shall review such proposed settlement as to form and amount and shall give his or her approval if, in his or her judgment, the settlement is in the best interest of the Town. Nothing in this subsection shall be construed to authorize the Town to indemnify or same harmless an employee with respect to a settlement not so reviewed and approved by the Town Attorney.

C. Payment of Final Judgment and Settlement

Upon entry of a final judgment against the employee or upon the settlement of the claim, the employee shall cause to be served a copy of such judgment or settlement, personally or by certified or registered mail within 30 days of the date of entry or settlement, upon the Supervisor; and, if not inconsistent with the provisions of this section, such judgment or settlement shall be certified for payment by the Supervisor. If the Attorney concurs in such certification, the judgment or settlement shall be paid upon the audit and warrant of the Town Treasurer.

Section 5. Cooperation of Employee

The duty to defend or indemnify and save harmless provided by this chapter shall be conditioned upon delivery to the Town Attorney or his or her assistant, at his office, by the employee of the original or a copy of any summons, complaint, process, notice, demand or pleading within five days after he or she is served with such document; and the full cooperation of the employee in the defense of such action or proceeding and in defense of any action or proceeding against the state based upon the same act or omission, and in the prosecution of any appeal. Such delivery shall be deemed a request by the employee that the Town provide for his or her defense pursuant to this chapter.

Section 6. Rights of Other Parties

The benefits of this chapter shall inure only to employees as defined herein and shall not enlarge or diminish the rights of any other party, nor shall any provision of this chapter be construed to affect, alter or repeal any provision of the Workmen's Compensation Law.

Section 7. Insurance Policies

The provisions of this chapter shall not be construed to impair, alter, limit or modify the rights and obligations of any insurer under any policy of insurance.

Section 8. Pending Litigation

The provisions of this chapter shall apply to all actions and proceedings pending upon the effective date thereof or thereafter instituted, whether or not the actions or commissions complained of occurred prior to or subsequent to the effective date of this chapter.

Section 9. Immunity

Except as otherwise specifically provided in this chapter, the provisions of this chapter shall not be construed in any way to impair, alter, limit, modify, abrogate or restrict any immunity available to or conferred upon any unit, entity, officer or employee of the Town, or any right to defense and/or indemnification provided for any governmental officer or employee by, in accordance with or by reason of any provision of state or federal statutory or common law.

Section 10. Effective Date

This Local Law shall take effect immediately upon filing in the Office of the New York Secretary of State.

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PUBLIC COMMENT

Supervisor Traver invited the public to comment at this time.

In the absence of comment Councilman Boehm suggested that they take down the audio until someone wished to speak or wait 20 minutes that they have prescribed to for Public Hearings.

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

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ADJOURNMENT

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, the Public Hearing was adjourned.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time: 6:50pm

***Respectfully Submitted*,** **APPROVED:**

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Diane L. Millious, Town Clerk

A Town Board Meeting was held Monday, March 8, 2010, at 7:00pm at Town Hall, 18 Russell Avenue, Ravena, New York

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

ALSO PRESENT: Diane L. Millious, Town Clerk
Albert Deering, Highway Superintendent
Linda Biance, Highway Clerk
Greg Darlington, Chief of Police
Nelson Perry, Parks & Recreation Maintenance Supervisor

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

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OPENING COMMENT

Supervisor Traver stated that there was a full Town Board present in addition to Town Clerk Millious, Highway Superintendent Deering, Highway Clerk Biance, Chief Darlington and Parks & Recreation Maintenance Supervisor Perry.

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AGENDA

- Proclamation
  - Eye Donor Month
- Presentation
  - Cluster Development Conservation Subdivision
- Public Comment
- Approval of Minutes
  - Town Board Meeting, January 25, 2010
  - Town Board Meeting, February 8, 2010
  - Bid Opening, February 18, 2010
- Old Business
  - Request for Training for Code Enforcement Officers
  - In-Car Video Bid
  - Proposed Martins Hill Water District
  - Planning Board Site Review Requirements
  - Hamlet Resident Sewer & Drain Problems
  - Employee Retirement System Reporting Requirements
- New Business
  - Request to Attend NYSDEC Training Seminar
  - Request Mileage Reimbursement to Attend Town Clerk & Board of Elections Meeting
  - Request for Microsoft Word Software for Supervisor
  - Census 2010 & Sales Tax Revenue
  - Authorize C.T. Male to Prepare Infiltration & Inflow Report for December 2009
  - Hiring of Part-Time Telecommunicators
- Resolutions
  - Adopt Albany County Multi-Jurisdiction Hazard Mitigation Plan
  - Adopt Local Law #1-2010, Defense and Indemnification for Town Employees Sued for Actions Taken in Performance of Official Duties
  - Appoint Bookkeeper
- Correspondence
- Town Board Workshops / Meetings

- Town Board Workshop, March 16, 2010, 6:00pm
- Town Board Meeting, March 22, 2010, 7:00pm
- Town Board Meeting, April 12, 2010, 7:00pm

- Executive Session
  - Personnel Matters

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PROCLAMATION

Supervisor Traver read the following Proclamation:

WHEREAS, President Ronald Reagan declared the first National Eye Donor Month in 1983, and

WHEREAS, one of our most important senses is that of sight and restoration of this sense to those not so endowed is the honorable goal of the Sight Conservation of Northeastern New York, Inc., and

WHEREAS, the Eye Bank Association of America seeks to raise awareness of the need to donate eyes, and

WHEREAS, the Eye Bank in this area is supported by the Lions Club, a member of the Sight Conservation of Northeastern New York, Inc., and

WHEREAS, the success of the Eye Bank Program is dependent on eye donors, and

WHEREAS, the Town Board wishes to urge our community to consider participation in the Eye Donor Program.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans proclaim the month of March as "Eye Donor Month" in the Town of Coeymans for 2010.

Henry C. Traver, Supervisor
Town of Coeymans

Supervisor Traver presented the Proclamation to Mrs. Patricia Downes.

Ms. Downes stated that she wanted to thank the Town Board for the Proclamation and continued by saying that the Lions is a community organization that supports the community with their motto being "We Serve". She added that the major goal of Lions internationally is to conserve sight and hearing for people around the world starting with their local community. She went on by saying that they do collect donations to provide eye exams and eye glasses to people in need as well as hearing aids and supporting sight conservation and the Eye Bank in Albany, which has had over 10,000 transplants in their 50 years of service with a 95% success rate, which is a wonderful thing. She concluded by saying that they want to remind everyone that they are here to serve the people in the area and anyone wanting more information can contact Lion Pat Downes or Lion Hank Mormile and then thanked the Town Board for the Proclamation.

Collectively the Town Board thanked Ms. Downes.

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PRESENTATION

Cluster Development Conservation Subdivisions

Supervisor Traver introduced Andrew Meyer, Biodiversity Educator with Hudsonia, Ltd. and continued by asking that he go to the microphone for the presentation.

Mr. Meyer thanked the Town Board for the opportunity to speak and continued by saying that he works for Hudsonia, which is a non-profit Environmental Research and Education Institute in Red Hook, NY in northern Dutchess County and added that he was asked to speak and thanked Councilman Touchette for setting it up. He went on by saying that he spends most of his time doing Public Education Programs for people on Town Boards, Planning Boards and Zoning Boards who make important decisions that Towns have to make that have a large impact on biodiversity on the natural world around them. He continued by saying that in New York State there is a lot of power vested in local municipalities and local officials and with funding from the Hudson Estuary Program of the DEC he has the job of bringing information about biodiversity and about good ways to bring biodiversity into the planning process on a local level up and down the Hudson River estuaries from Rockland and Westchester Counties all the way up to Albany and Rensselaer Counties. He added that they have been doing programs like that for approximately 10 years and two weeks ago they offered one of the programs at Five Rivers in Delmar with 20-25 Planning and Zoning Board members present from Rensselaer, Greene and Albany Counties and went on by saying that he met Cynthia Kunz, Buddy Irwin, Dave Ross and a couple other people from the Town of Coeymans Planning Board. He continued by saying that it was great that they were there and interested in those kind of things and in turn he was able to come and talk about cluster development conservation subdivisions, which is a topic that the Town is investigating and added that he hopes and encourages them to look hard at cluster zoning, open space design because it can have a lot of important and positive impacts to the local biodiversity. He added that the Town of Coeymans is the perfect place to do this kind of zoning to allow these kinds of projects to go forward because it helps to preserve the rural character and continued by saying that in driving south from here or north from Westchester you really see what 30 years and lots of subdivision did to the counties going north and south and in Westchester and Rockland they wish they had invested in cluster subdivisions and in conservation design. He continued by saying that Ulster and Dutchess Counties are now dealing with a lot of subdivision pressure and pressure of new development and places like Coeymans and a lot of Albany County outside the Albany area are great places for this type of discussion and these kind of zoning ideas are useful for helping get buildings built as well as getting the wealth from the land and often farmers and people who own a lot of land need that kind of payback. He added that it can be designed to still get the benefit to the famer and local biodiversity of the grassland and get still get building lots and investment returns for the developer depending on how it's designed. He went on by saying that one way to do that is to do something called conservation subdivision design, which is a way of doing cluster subdivision and putting the houses closer together, which would leave a lot of space as open space, whether it be private or public space, which is a benefit to the local flora and fauna of that space. He continued by saying that there are other benefits beside biodiversity and you could have smaller building imprints with smaller roads and less roads, which would require less clearing and grading, which would save costs for the developer and added that a lot of developers have found that if they market a place as having beautiful trails and access to creeks, ravines and open space, it can be a selling point and beneficial economically. He continued by saying that the benefits are obvious if you are taking houses that otherwise would be put on 5 acre parcels throughout a 100 acre area and spreading out the disturbances associated with humans such as barking dogs, driveways, lawns as well as changing the character of the forest or the meadow, which would make the microclimate hotter and dryer and in turn have an impact on what types of species will germinate as well as losing some wildflowers and increasing the noise level that has a big impact on breeding birds. He went on by saying that the benefits of biodiversity are documented in what are called edge effects, which are those effects that extend into an open space that you are looking to preserve like a forest or meadow but go beyond the edge that you created such as barking dogs and changes in noise, light and temperature. He added that there is a big benefit to biodiversity of moving human development closer and closer to each other so that the edge of influence is shrunken down as much as possible and continued by saying that this is the easy part. He went on by saying that the hard part is to get the zoning right and you may change the ordinance but still not get what you are looking for and you have to have some control over where the cluster goes on the property and what percentage of the area is left as open space, what the open space looks like and what kind of control you have over the management of the open space. He

concluded by saying that it is much too technical for him to get into in a ten minute presentation and added that he has a handout for the Board.

Councilman Boehm asked if he could ask a question and continued by asking how it works with septic and water in a rural area where there is not municipal water and if there are agreements amongst the families.

Mr. Myer stated that it is all site dependent and added if you have a place where a septic works on one acre lot, you cluster everything in from the standard 5 acre zoning that it was and you would give every parcel a ½ to 1 acre lot.

Councilman Boehm asked if they share well water or septic.

Mr. Myer stated that they could do it that way and there are some newer programs and ideas going on with small central sewers and shared septics and continued by saying that the way that they have seen it done successfully in rural areas is that a lot is not that small where you need shared sewer but rather 1 acre instead of 5 and added that on 1 acre you can have individual septic and well. He continued by saying that there are general conservation measures for protecting biodiversity, which are included in the handout and added that there are general rules for what to think about when you are siting individual houses or clusters and the information is what they want to use to site the cluster on the parcel itself. He added that the cluster has to be in the right spot because if you have the cluster development right in the most beautiful, most diverse area then you are not doing much for the biodiversity even though you have a cluster in name. He went on by saying that on the second page of the handout there is literature and website references where he got some of the information and continued by saying that if you are looking for particular language or advice on wording an ordinance it can be found on that page in addition to there being important considerations on the back of the page, which chronicles some of the more technical things if you are looking into conservation subdivision. He continued by saying that it contains some of the things that they want to make sure they are thinking about and able to handle as well as knowing what way the ordinance will lead you and added that there are places with cluster ordinances and they want conservation subdivision but the final product when the developer follows the zoning ordinance gets them a benefit that is not any better than a conventional subdivision. He reiterated that they have to be careful with how they word it and they have to know what they want when they are going into it so that the language is right and what they are looking for. He continued by saying that the third page is some research that he did in looking at cluster ordinances and zoning codes throughout the Hudson Valley and there are six towns with specific information about how they define open space, how the open space is owned and how it is stewarded, and some notes on whether the open space needs to be part of a larger plan. He then asked if the Town of Coeymans has an Open Space Plan and whether they have gone through the process of identifying large areas that they think are important.

Collectively the Town Board stated that they have not.

Mr. Meyer stated that if they are thinking about doing a Conservation Subdivision Ordinance they will want to make sure that the open spaces that they are leaving behind are being set aside for public enjoyment and for the benefit of biodiversity as well as wanting them to be contiguous with other places that are also being set aside. He continued by saying that you don't want the spaces to be small ancillary pockets all over the Town of Coeymans fragmented and subdivided again by a larger development. He concluded by saying that he is leaving his business card with the handout and added that if they are looking into doing it, it is a really good idea and there are some positive benefits for biodiversity.

Collectively the Town Board thanked Mr. Meyer.

Councilman Touchette stated that when he spoke with Mr. Meyer earlier in the day they discussed the number of handouts and they decided 20 would be enough and continued by saying that he will scan and e-mail it to anyone that didn't get one.

Councilman Youmans stated that he believes that it is important to note that the Town is considering this as a potential for further development and not necessarily the only future development. He added that he does not want people to hear the talk and think that now they are going to tell people that they cannot build their house on their five acre lot and reiterated that it is a potential avenue for future development.

Councilman Touchette interjected that he would go further than that and say that it is an informational presentation at this point and as far as he knows no one from the Planning or Zoning Boards has talked about it.

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PUBLIC COMMENT

Supervisor Traver invited the public to comment.

Ms. Donna Pasquini stated that she lives in the Hamlet of Coeymans and continued by saying that she had a few questions and on the agenda is the 2010 Census and added that she has been hearing on the television that you should mail the census back but she has not received one.

Councilman Youmans stated that he received a form letter in the mail today informing that within the next 10 days he will be receiving the census form and added that he would question why they spent the money to mail a letter saying that the census was coming.

Ms. Pasquini stated that also on the agenda is a resolution to appoint a bookkeeper and continued by asking if it is within the budget's limits.

Supervisor Traver stated that it is.

Ms. Pasquini stated that she is having problems in the Hamlet and continued by asking if they were going to discuss it now or do it as it is on the agenda.

Supervisor Traver stated that they would follow the agenda and continued by asking if there was anyone else wishing to comment.

Mr. John Allen stated that he wanted to raise two issues and continued by saying that he thinks that Supervisor Traver is an honorable man and his intent is to do the right thing, but he is concerned, and as he raised the last time as a taxpayer, there is an inherent conflict of interest in his position. He continued by saying that as he has listened around the community and he has heard members of the Village Board of Trustees make it clear that there might be some political ramifications of looking at the sewage outcomes in a variety of different ways and as an employee of the Village it potentially puts him in a position of conflicted values. He added that he contacted the Association of Towns and they informed that they don't issue legal opinions about whether something is a conflict or not but do give advice, which he understands they may have given him. He went on by saying that it is not whether he is working one job or two and he applauds him for taking responsibility in doing what he needs to do to meet his personal obligations and to better himself in life and continued by saying that his concern as a taxpayer is with the pressure being put on the Town Board in its relationship in negotiations with the Village that he is clearly in a position where the Village Trustees and others in the Village can put undue pressure on him as the Supervisor of the Town, which would not allow him to be impartial in the process. He continued by saying that he would ask the Board to look at Chapter 16 of the Town Law to see that matters of potential conflict of interest should be referred to the Ethics Committee and added that he would further ask that the Town Board give the Committee the where with all to seek legal guidance so they are getting a legal opinion about whether the safeguards are in place to protect the Supervisor's neutrality so he is not compromised and to protect the issues of taxpayers. He added that the other issue that he would like to raise before the Town Board is that Councilman Youmans had reported at the last meeting that the sewer negotiations with the Village were going in good faith and continued by saying that he understands that users in the Village got their Sewer Bills at the same rates that they historically have been. He went

on by saying that he would argue that if the negotiations were in fact in good faith on the Village's part, they would have made efforts to come somewhere reasonably so they could pay their obligation to the Town to meet the requirements to fund the Sewer Plant and by billing at the old rates the burden is left to the taxpayers of the Town and not the Village, which is disproportionately affecting the Town. He continued by saying that he would ask and request that the Board immediately consider seeking legal action because there does not appear after two years time, in spite of whatever is happening, the efforts that they have actually raised by putting forth their Sewer Bills at the old rate without any changes to them with no effort made to pay the back invoices that are due to the Town to cover the budget shortfall that will exist if they don't pay their assessment, which disproportionately affects the residents of the Town who are paying their full assessment to cover the sewage and will be further assessed when they get in a shortfall because the Town Board has the ability to assess the residents and not the ability to assess the Village residents. He went on by saying that the Village residents got billed $88.00 and his bill was $105.00 and added that you can't tell him that it is fair and equitable for a single family residence to be treated differently simply because of the jurisdiction that they live in and added that he was asking that the Town Board immediately look at the facts that if in fact it was being negotiated in good faith there would have been a good faith effort to either make a payment to the Town or at least change the rates so they could pay the Town the arrearage that's currently owed now, going on almost two years. He concluded by asking that it be immediately addressed.

Supervisor Traver asked if there were any other comments.

Mr. Lazlo Polyak stated that the Constitution of the United States clearly states in both the 5th and 14th amendments that all laws have to apply equally to all its citizens and added that the inequity in both the sewer and water rates is the reason that he brought his suit against the Village and Town. He added that in the end it will be decided by a jury and judge and it will be a gallon of sewage per gallon of water to all residents of the Village and Hamlet.

Supervisor Traver asked if there were any other comments.

Ms. Donna Pasquini stated that she received her Water Bill earlier in the day and added that it went from $150.00 every six months to $168.75 and continued by saying that it went up $18.75 for six months. She went on by saying that her daughter, who lives in the Village, got raised $12.00 and she didn't remember hearing about a Public Hearing for the Village to set new rates and then asked if anyone knew if they had to have a Public Hearing.

Supervisor Traver stated that she would have to ask the Village Board.

Ms. Pasquini stated that she assumed if you are setting rates to the taxpayers, you have to have a Public Hearing like the Town does to set the Sewer Rates and added that she would think that the Village would have to have one to change the Water Rates. She continued by saying that she didn't know if the Town Board was aware that the Village had raised the rates and reiterated that the Town residents got raised higher than the Village residents.

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

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APPROVAL OF MINUTES

Supervisor Traver stated that there were three sets of minutes for approval, a Town Board Meeting on January 25th, a Town Board Meeting on February 8th and a Bid Opening on February 18th and continued by asking if there was a motion to accept the minutes.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Youmans, the minutes were accepted as presented.
VOTE – AYES 5 – NAYS 0 – SO MOVED

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OLD BUSINESS

Training Request for Code Enforcement Officers

Supervisor Traver stated that there was discussion at the last meeting regarding Larry Conrad attending training and added that since that he has further checked into the request for Sante DeBacco and John Cashin to attend. He continued by saying that the Board had inquired about the Village of Ravena & Town of New Baltimore contributing towards the training and Larry advised him that the Town of New Baltimore sends John Cashin to the Association of Towns and the Village of Ravena sends Sante DeBacco for Fire Inspection and added that Larry sets the plan up and it is a split between all the municipalities for the cost of the training.

Councilwoman Rogers interjected that she had no problem with it at the last meeting and added that she was just inquiring if the Village and Town of New Baltimore were going to share the expense.

Councilman Touchette stated that it is for 19 hours and continued by asking how many hours he had just gotten at the Association of Towns Meeting.

Supervisor Traver stated that he believes that he had got 12.

Councilman Touchette inquired as to if the hours carry over.

Councilwoman Rogers stated that she believes that they do.

Councilman Boehm asked how many hours per year are needed.

Supervisor Traver stated that they need 24 and continued by asking for a motion to send Sante DeBacco and John Cashin to the training.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Youmans, authorizing attendance at the Annual Hudson Valley CEO Educational Conference.
VOTE – AYES 5 – NAYS 0 – SO MOVED

In-Car Video Bid

Supervisor Traver asked Chief Darlington if he had all of the figures for the In-Car Video Bid.

Chief Darlington stated that Town Clerk Millious has them in the bid packet and then asked if the Board wanted them.

Councilman Youmans stated that if they are going to award the bid it would be good if they had the numbers.

Town Clerk Millious provided the Board with a copy of the bids.

Councilman Boehm stated that in Schenectady officers turned off their camera and continued by asking if there is a policy for the use of the cameras.

Chief Darlington stated that the cameras are on anytime the vehicle is running and added that you can't turn them off.

Councilman Boehm inquired as to whether or not an Officer can override the camera or the audio.

Chief Darlington stated that the audio only comes on if the Officer activates the lights and added that the cameras are set to turn on when the car is on, which means that if the car is running the camera will be on.

Councilman Boehm inquired as to what the purpose is of separating the audio from the video with the lights.

Chief Darlington stated that when an Officer is driving around it's not recording everything that they are saying such as phone conversations.

Councilman Boehm inquired as to if the audio and video would be recorded during a routine traffic stop.

Chief Darlington stated that it would.

Councilwoman Rogers stated that when they had discussed it prior, Chief Darlington was looking into it further because one of the bidders had Option A and Option B and continued by asking what he found out.

Chief Darlington stated that it had to do with the way it was going to be downloaded, whether they did it wireless or via thumb drives.

Councilman Youmans stated that Watch Guard is the system that Chief Darlington wants to go with and added that there are systems that look on paper as though they are less money but they would require additional software purchases so you could download the video and went on by saying that Watch Guard is the most seamless and integrated system. He continued by offering a motion to accept the bid from Watch Guard.

MOTION

On motion of Councilman Youmans, seconded by Councilwoman Rogers, awarding the bid to Watch Guard in the amount of $9,890.00.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Councilwoman Rogers interjected that this is the system that they are using now.

Chief Darlington stated that was correct and added that the current car that has one is a Watch Guard System, which would mean that they won't have to retrain everyone.

Councilman Youmans stated that it is important to point out that the cameras are being purchased with a grant from Albany County.

Chief Darlington stated that it is actually through the Byrne Grant, which is a Federal Grant that is part of the stimulus money.

Proposed Martins Hill Water District

Supervisor Traver stated that he was in receipt of a copy of a letter from the Department of Health regarding the Martins Hill Water District and continued by reading the following:

This office has reviewed the map, plan and report for the proposed Martins Hill Road Water District located in the Town of Coeymans. The proposed project involves the connection to the Village of Ravena Water Supply System and the installation of approximately 2,100 linear feet of 8-inch water main, hydrants, valves and appurtenances.

Based upon our review, the New York State Department of Health (NYS DOH) conceptually endorses the project and the map, plan and report with the following conditions.

THAT approval of district formation shall be obtained from the NYS Office of the State Comptroller (OSC). It should be noted that a permissive referendum may be required since the estimated user costs for this project ($1,255.13) exceeds OSC's average estimated cost threshold for water ($624.00 for 2009).

THAT a Water Supply Permit for the new Water District shall be obtained from the NYS Department of Environmental Conservation (NYS DEC).

THAT an engineering report, plans and specification shall be submitted to the NYS DOH for review and approval.

Councilman Boehm stated they had called the Office of the State Comptroller who were suppose to weigh in on it and added that they never got back to them.

Councilman Youmans interjected that they have not heard a thing from the State Comptrollers Office.

Councilman Touchette stated that it has been since June of last year.

Councilman Youmans stated that they have heard unofficially that they will not ok the project because of the cost threshold and added that they have not received the official word. He continued by saying that he would say that they need to pursue the State Comptrollers Office and get them to say no because he thinks that they can do it for less money than was figured when they did the road project to begin with and added that all the laterals are in and there is no cutting of the road required at this point.

Councilman Touchette inquired as to whether Mr. Haffner submitted it to the Comptrollers Office.

Councilman Youmans stated that he did.

Councilman Touchette suggested that they call him for follow-up.

Councilman Youmans stated that he would call him in the morning.

Planning Board Site Plan Review Requirements

Supervisor Traver asked that Councilman Touchette discuss the Site Plan Review requirements.

Councilman Touchette stated that it is a Proposed Local Law, which would be #2 and added that it was at the request of the Planning Board to implement the law. He continued by saying that he would start by reading it and then asked that Mr. Irwin or anyone else from the Planning Board to speak to the issue.

PROPOSED LOCAL LAW #2-2010

A LOCAL LAW RELATING TO SITE PLAN REVIEW REQUIREMENTS

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF COEYMANS AS FOLLOWS:

SECTION I – TITLE

This Local Law shall be know as **"The Site Plan Review Law"**

SECTION II – INTENT

The site plan review procedures and requirements of the local law are intended to achieve the following:

1. Provide a consistent and uniform method of review of certain proposed development plans.
2. Ascertain that significant redevelopment complies with current standards.
3. Create an accurate record of approved development.
4. Achieve efficient use of the land.
5. Protect natural, archaeological and historical resources.
6. Review adverse impact on adjoining or nearby properties.
7. Retain rural and natural resources with a clean and attractive environment as well as continued development of the economy of the town and the general welfare of its inhabitants.
8. Conform the Zoning requirements of the Town of Coeymans.

SECTION III – STATUTORY AUTHORIZATION

The Town of Coeymans Planning Board is hereby authorized pursuant to Town Law, Section 274-A, and the Municipal Home Rule Law Section 10, to review and approve site development plans.

SECTION IV – APPLICABILITY

1. Projects requiring Site Plan Review and approval.

a. The construction of any new structures, development of any new use(s), and all other building or development activities shall require “site plan approval” from the Town of Coeymans Planning Board prior to the issuance of any building permit.
b. Site Plan Review shall also be required for the resumption of any use discontinued or not used for more than one (1) year, or for the expansion of any any existing use. “Expansion” shall include a floor space increase of twenty-five (25) percent or more within any ten (10) year period, or the introduction of new material or processes not previously associated with the existing use.

SECTION V – DEVELOPMENTS NOT REQUIRING SITE PLAN APPROVAL

Construction, moving, relocating or structurally altering a single-family dwelling or two-family dwelling, including any customarily incidental accessory structure.

SECTION VI – REVIEW ELEMENTS AND CRITERIA

In acting on any site plan application, the Planning Board, in addition to all other applicable laws, shall take into consideration the following:

1. Traffic access roads. (Ingress & Egress)
2. Pedestrian safety and access.
3. Circulation and parking.
4. Screening and landscaping.
5. Environmental quality.
6. Fire protection.
7. Drainage / storm water runoff.
8. Refuse and sewage disposal.
9. Water supply.
10. Location and dimension of buildings.
11. Impact of the proposed use on adjacent land uses.
12. Snow clearing and removal.
13. Design elements.
14. Impact of the proposed use on both on-site and off-site infrastructure.

15. Effects of smoke, noise glare, vibration, odors and/or other noxious and offensive conditions if any.
16. Effects on historical properties listed on the National, State, or County
17. Hours of operation, lighting, signs.

SECTION VII – CONCEPTUAL SITE PLAN

1. An applicant may request a meeting with the Planning Board for the purpose of reviewing and discussing a proposed preliminary site plan for the purpose of determining the feasibility of the project, which the site plan represents. The request may be put on the agenda of a regularly scheduled meeting or on the agenda of a special meeting at the request of the applicant who shall pay the established fee for such Site Plan Review.

2. Conceptual site plan submissions shall present a flexible design concept that my be readily changed by the Planning Board in determining the feasibility of the project. The Planning Board shall indicate its general acceptance of the proposed layout of buildings, roads, driveways, parking areas, other facilities, and of the general character of the proposed development.

3. Conceptual site plan submissions are likely to contain less detailed information than a final site plan submission, with the result that review of these two submissions may yield different results. All review of conceptual site plans is tentative and subject to reconsideration upon submission and review of additional detail provided in a final site plan.

SECTION VIII – SITE PLAN REQUIREMENTS

The requirement for a final site plan review and approval shall include, but not be limited to the following:

1. Submission of site plan application form with payment of the required fee as established by the Town Board.

2. The site plan may require a plan drawn by a design professional if required by the Planning Board. The scale shall be based of not more than fifty (50) feet to the inch Or greater and must be on a 11”X17” sheet.

3. A check list provided with the Site Plan Review application shall be reviewed and then submitted to the Planning Board by the applicant.

4. Applicant shall complete the project within 180 days of approval. Applicant may apply for a one 90 day extension.

SECTION IX – SUBMITTAL OF INCOMPLETE SITE PLANS

Submittal of site plans that do not contain the required information as set forth in the Local Law or otherwise required are not subject to review deadlines and failure to provide a decision by said guidelines does not constitute approval or conveyance of a vested right for said development. The Planning Board shall notify the applicant of the incomplete status of the application.

SECTION X – SITE PLAN APPROVAL PROCESS

1. Except those applications for which the Planning Board has waived site plan review, the Planning Board shall issue a notice of completed application to the applicant upon determining the site plan to be complete.

2. Within sixty-two (62) days of a complete application, the Planning Board shall schedule a Public Hearing and provide public notice of the hearing in the official newspaper at least five (5) days prior to the date set for the Public Hearing.

3. The Planning Board shall make a determination for final site plan approval within sixty-two (62) days of the close of the Public Hearing. The time within which the Planning Board must render its decision may be extended by mutual consent of the Applicant and the Planning Board.

4. The decision of the Board shall be filed in the office of the Town Clerk within five (5) business days of the date such decision is rendered and a copy thereof shall be mailed to the applicant.

SECTION XI – AMENDMENTS TO SITE PLANS

1. Any amendment of a final site plan previously approved by the Planning Board shall be subject to the same approval procedure as provided by this law.

2. The Planning Board may waive any of the procedural steps to the extent it deems appropriate for an application for an amended final site plan, provided the applicant shall formally submit an application to amend and receives formal approval therefore, and the application to amend must be submitted within two years of the date of the approval proposed to be amended.

SECTION XII – APPEALS

The Town of Coeymans Planning Board shall bear sole and final authority in its decisions pursuant to the law. Decisions of the Planning Board shall be subject only to judicial review in the matter prescribed by law.

SECTION XIII – CONFLICTS WITH OTHER PROVISIONS

In the event that any provision of any other Town of Coeymans Local Law, Ordinance or regulation conflicts with the provisions of this Law, the more stringent provision shall be controlling.

SECTION XIV – PENALTIES FOR OFFENSES

1. Any person or persons, associations or corporations committing an offense against this law or any section or provision thereof is guilty of a violation and shall, upon conviction thereof, be subject to a fine not exceeding $250.00 or imprisonment not exceeding 15 days, or both.

2. In the event of a continuing offense of any section or provision of this law, each day that such offense shall continue shall be separate violation and subject to a separate fine, imprisonment or combination thereof.

3. Notwithstanding a conviction for any offense against any provision or sections hereof, an association or corporation convicted shall be subject to revocation of any permit therein granted without reimbursement of fees paid thereof.

4. In lieu of or in addition to any fine or imprisonment, or both, imposed for a conviction of an offense of this law, each such offense may be subject to a civil penalty not to exceed $250.00 to be recovered in an action or proceeding in a court of competent jurisdiction. Each day an offense continues shall be subject to a separate civil penalty.

5. The Town Attorney may maintain an action or proceeding in a court of competent jurisdication to compel compliance with this law, notwithstanding the provisions of Subsections A, B and C of this section, for a penalty or other punishment.

Councilman Touchette asked that Planning Board Member Irwin explain the proposed law.

Planning Board Member Irwin stated that several members of the Town Board had previously served on the Planning Board and added that the law is saying that things that they are currently doing in their Zoning Law, it is not written down that they have the

ability to do what the proposed law states and added that they needed a law and continued by saying that appreciates all the Planning Board members spending a lot of time in trying to get it right. He went on by saying that they need a law that will allow them to enact all of the things and do exactly what they currently do when they go out on a Site Plan Review and continued by saying that they try to be uniform on their judgment and the law is a way of making sure that they follow through. He added that it is good for the Planning Board and the Building Department because now the Building Department will have a piece of paper that will say what you can and cannot do as well as a check list being provided so that when someone comes in that wants a Building Permit it will tell them exactly what the steps are that they need to do. He continued by saying that there will be no question about what has to be done and right from the very beginning everyone will know what it is for and went on by saying that they asked that it be a Local Law because planning changes all the time and a good plan will change all the time because things happen that cause a need for change and a Local Law is much easier to change than trying to put it into the Zoning Law, which no one wants to review on a consistent basis of every five years or so and added that if there are changes or they need to tweak it because of changes that have happened or changes that they may foresee, the Local Law can be changed or added to by just a change to the Local Law. He concluded by saying that it is the consensus and there are three Planning Board members present and they voted on it and adopted it unanimously and they are asking the Board's support in making it Local Law #2-2010 and added that it will be a great stride in giving the Planning Board the necessary tools to be able to do their jobs uniformly and to the best of their ability on behalf of the Town's residents.

Councilman Boehm stated that on page 4 it says "within 62 days of a complete application the Planning Board shall schedule a Public Hearing" and continued by saying that it seems like a lot of time.

Planning Board Member Irwin stated that it is what is currently in the Zoning Law now and added that they have 62 days to hold it.

Councilman Boehm inquired as to if there would be another 30 days to wait in addition to that or if the 62 days included the Public Hearing.

Planning Board Member Irwin stated that the 62 days would include the Public Hearing because they have to render an opinion within 62 days.

Councilman Boehm continued by saying that on the same page under Appeals it says "Decisions of the Planning Board shall be subject only to judicial review in the manner prescribed by law".

Planning Board Member Irwin stated that it is an Article 78 proceeding, which is treating someone unfairly and added that it would be when someone would bring suit against the Town and Planning Board and go to court.

Councilman Boehm stated that there is quite a laundry list on page 2 such as environmental quality, water supply and fire protection.

Planning Board Member Irwin stated that under fire protection some of the things that they look at is when someone comes in with a development and it's not going to be a town road but rather a private road, they need to make sure that the road is going to be able to handle emergency equipment if necessary. He added that the road has to be built to an engineering standard so it can handle fire and rescue equipment.

Councilman Boehm asked if they are prepared to reach out to engineers regarding items such as impact of the proposed use on adjacent land uses, runoff water and topography.

Planning Board Member Irwin stated that they don't bear this type of thing and added that it is usually born upon the applicant if they want it and added that with the road specification they would get an engineer to put a stamp on it indicating that the road is adequate.

Councilman Boehm stated that if he were putting in a subdivision and hired an engineer, the engineer works for him and not the Planning Board and if there was a problem he would sue the engineer and not the Planning Board.

Planning Board Member Irwin stated that if an engineer puts a stamp of approval on it there wouldn't be much that they could do other than hire their own engineer to see if the road is adequate. He continued by saying that in the recent past there have been roads that they have looked at and reviewed and made some changes to roads that had already been built.

Councilman Boehm stated that based on a site plan review if there is a road or driveway with a steep grade where the run off might put gravel on a road, they would ask that they provide an engineering report.

Planning Board Member Irwin stated that if a driveway cut is going to come on a county road it has to go to Albany County and added that if it comes out on a town road it is under Highway Superintendent Deering's jurisdiction and he would provide the Planning Board with information as far as the driveway being too steep and it having to be cut down to a certain angle so the gravel does not go on the road and cause a problem.

Highway Superintendent Deering inquired about a development with a private road and then later wanting to turn it over to a town road and continued by asking if the specifications would have to be the same as the towns before they accept it.

Planning Board Member stated that it would have to be brought up to the specifications that a town road has and added that they always bring that to the attention to anyone that is proposing it. He added that they try to make sure that the private roads can easily be brought up to the minimum specifications that a town road has.

Supervisor Traver asked for a motion to move the proposed law to a Public Hearing.

MOTION

On motion of Councilman Touchette, seconded by Councilman Youmans, authorizing the scheduling of a Public Hearing for Local Law #2-10.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Supervisor Traver inquired as to how many days are needed to post the Notice.

Town Clerk Millious stated that it said five in the notice and continued by asking if they wanted to have it the first meeting in April.

Collectively the Town Board agreed.

Town Clerk Millious asked if it would be before the Regular Meeting.

Supervisor Traver stated that it would be at 6:30.

Councilman Youmans inquired as to what date it was.

Supervisor Traver stated that it will be April 12th.

Councilman Touchette stated that he had spoken to Nelson Perry earlier in the day and added that he had some items of interest to the Town Board. He continued by saying that he was going to bring them up and then noticed that Mr. Perry was in the audience and then asked that he make the comments himself.

Mr. Nelson Perry introduced himself as the Building and Maintenance, Park and Recreation Supervisor and added that he has been working on a grant for docks between the Department of Environmental Conservation and Greenway. He continued by saying that they will taking delivery of brand new docks starting tomorrow and will tentatively be putting them in the water the second week in April. He went on by saying that the

other thing that they have been working on is the 440' of railing at Coeymans Landing, which will cover both sides where the boats launch and added that at this time they only have five more to paint and in turn will be installing them as well and it will be completed as per NYMIR, the Town's Insurance Company. He concluded by saying that they have a lot of projects planned for this year between the parks and cemeteries and added that they are moving along.

Hamlet Resident Sewer & Drain Problems

Supervisor Traver asked that Councilman Youmans discuss the problem at the Pasquini residence on Westerlo Street with the sewer and drain.

Councilman Youmans interjected that Supervisor Traver put the item on the agenda and added that he was interested in hearing his take on it.

Supervisor Traver stated that at the Pasquini residence there has been an ongoing sewer and drain problem and added that C.T. Male has been working on rerouting it to go down Colvin Avenue away from the residence. He continued by saying that he went to the residence and observed sinking in the driveway and door jambs being off and added that he feels as though it is a problem that they need to check into and rectify as soon as possible because there is another property that is sinking in to where the drain is. He added that he feels as though between the Highway Department and Sewer Department they can rectify the problem.

Councilwoman Rogers interjected that it would be a temporary fix.

Supervisor Traver agreed and added that once they get the plan review going down Colvin Avenue they will do something there because the way that the land is, it is creating a bigger problem.

Councilman Boehm inquired as to what type of timeline he is thinking about.

Supervisor Traver stated that he will be in contact with Albert and Larry and have them go take a look at it to see what they can do and in turn he will get back with the Board to decide what the next process will be.

Planning Board Member stated that on the agenda there is an item to have an I&I study done and continued by asking if it will be done in that area and whether or not it is where they put the camera down in the sewer lines.

Councilman Youmans stated that it is not.

Supervisor Traver stated that it is a report to DEC showing what water was taken into the sewer system.

Planning Board Member Irwin stated that he does not know the last time that they shot those lines down through that area and added that they are the old clay type pipes. He continued by saying that routinely they use to have I&I studies done and they actually put cameras down through the sewer lines to see where cracks were developing and blockages so they could be handled and taken care of before they became a problem.

Councilman Touchette stated that he would like to clarify that Supervisor Traver has not determined conclusively that the sewer problem has caused the problems at the Pasquini residence.

Supervisor Traver stated that he had not and then asked the Town Board what direction they would like for him to go.

Councilwoman Rogers stated that this is why they had C.T. Male and Ed Vopelak make the judgment because they knew this was happening down there and added that the Board before Supervisor Traver was aware that it is a sewer problem.

Councilman Boehm stated that he thinks they should contact Mr. Vopelak before they start digging up yards.

Councilman Youmans stated that he would agree with Councilman Touchette that he is not willing to go out on a limb right now and say that the problems at the Pasquini home are or are not directly related to the storm sewer that runs through the property. He continued by saying that it is established that in that area there is an issue with the storm sewer and they had rough plans drawn up by Mr. Vopelak from C.T. Male to change the routing of that Storm Sewer System and bring it a different way in addition to applying for a grant to do that. He went on by saying that he is told that in April they should know the status of the grant and given the state of affairs with State Government right now he is not extremely hopeful about getting a lot of money out of the State to fix their problems. He reiterated that they have identified a problem with the storm sewer in that area and while the best course of action would be to move and reroute it, there should be and must be something that they can do to fix it so if in fact it is the cause of the problem at the Pasquini residence they can mitigate that problem now. He concluded by saying that with his limited knowledge of storm sewers and routing he would ask that Supervisor Traver and Highway Superintendent Deering, who has knowledge of the particular situation, to take a look at the problem to see what can be done.

Highway Superintendent Deering stated there was somewhat of a decision to change that with the last Supervisor, Town Board and Building Inspector and continued by saying that he does not know where it went after that and where the money is coming from.

Councilman Youmans reiterated that it went to them applying for a grant and added that it is going to require easements through properties as well as maybe even the acquisition of one particular property, which is not going to take place overnight and this is his concern. He concluded by saying that his point is whether or not there is something that they can do there just to fix the leak in the interim if it does in fact cause problems as it is alleged and it mitigates them.

Highway Superintendent Deering stated that it can’t be done without digging it up to see what is going on.

Councilman Youmans stated that he figured it would have to be dug up and continued by asking if it is a reasonable course of action.

Highway Superintendent Deering stated that it is a pretty messed up storm drain line.

Councilman Youmans stated that he knows it is ancient and continued by asking if he thinks in his opinion it is worth digging up so they can see what is going on and added that they maybe what they have is not a huge elaborate fix and if it is causing a problem they could stop it.

Highway Superintendent Deering stated that if they dig it up it could create a bigger problem with the wall or house falling down.

Councilman Youmans inquired as to how close it is to the house.

Supervisor Traver stated that it is within five feet.

Ms. Pasquini from the audience interjected that it is within inches and added that it has dropped in that far and her neighbor’s property has come in at least six feet on her property.

Councilman Youmans stated that he would have to raise the question, and not to put the blame on anyone, and continued by asking why anyone would build a house five feet from a storm sewer.

Ms. Pasquini stated that it was five feet and added that it wasn’t until the storm drain collapsed that every thing came her way and brought it closer.

Councilman Youmans reiterated that he was not putting it on her and added that he just wonders what the approval process was when it was built.

Ms. Pasquini stated that she went through either the Planning or Zoning Board, which ever one was required at the time and her blueprints were approved and she had a Building Permit and the house was built by the outstanding contractors in town. She reiterated that it was not until the storm drain collapsed that she started having problems and notified the Town in August of 2009.

Councilman Youmans inquired about it being collapsed.

Ms. Pasquini stated that you can see right through and there is a hole in her yard where you can see the storm drain.

Mr. Allen interjected that the storm drains are all stone, which runs through his backyard and if you look down in there the stones are actually falling in on themselves and in a lot of places the storm drain is actually open. He continued by saying that if you walk the lines, there is clearly a problem and it is not only in that yard but all the storm drains starting from the Senior Housing all the way down and reiterated that the old stone line is falling in on itself.

Councilman Youmans stated that it is not as though they have done nothing and added that they have applied for grant money and had engineering done to change the route of the storm sewer, which is something that will not happen over the next several weeks or even months. He concluded by saying that what they are faced with from his point of view is that they wait and hope that it is not causing further damage until they can make further plans and/or finance it a different way to change the route of the storm sewer.

Mr. Allen stated that Councilman Youmans was right when he asked if there was something that could mitigate this and continued by saying that he thinks they should get C.T. Male, the engineering experts who have looked at it, to make a recommendation on whether there is a short-term mitigation strategy that would make sense rather than those in the room guessing about what could or could not happen.

Councilman Youmans stated that he believes Mr. Allen is right.

Highway Superintendent Deering stated that he would agree with that.

Supervisor Traver asked if he should contact C.T. Male.

Ms. Pasquini inquired as to if she will get an answer soon so she will know that she is going to stop getting damage to her property.

Supervisor Traver stared that he would call C.T. Male tomorrow and talk with Ed Vopelak to see if there is a short-term solution and also to see what they can do about mitigating it as soon as possible or at least slow down what is going on.

Ms. Pasquini stated that Highway Superintendent Deering saw what was going on when he dug up two ash trees in her yard that were uprooted and added that he could see the hole, which is near the storm drain. She continued by saying that from the top of Westerlo Street down is where the water is running outside the storm drain and coming down to the ground, which is undermining properties and added that she has a sink hole in her backyard. She continued by saying that it is not just her property and she was there when Supervisor Hotaling, Ed Vopelak from C.T. Male, Chief Operator Breedlove and Highway Superintendent Deering walked the line and continued by saying that the property above her is like a sponge, which she almost went through. She concluded by saying that it was the property on the other side of Colvin above her and added that all of it is coming down and she is getting the brunt of it and the brunt of the damage.

Councilman Youmans stated that the answer is that they are going to seek a short-term mitigation strategy while they pursue rerouting the entire storm drain line.

Employee Retirement System Reporting Requirement

Supervisor Traver stated that he wanted to let the Town Board know that they have to have their retirement system reporting information in by March 19th indicating their hours and added that Confidential Secretary Lewandowski is working on the resolution that they have to have within 180 days of appointment and payroll is working on the payroll reports for them.

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NEW BUSINESS

Request to Attend NYSDEC Training Seminar

Supervisor Traver stated that he had a request from Chief Sewer Plant Operator Breedlove regarding attendance at a FOG Management-Controlling Collection System Impacts & Disposal Options seminar. He continued by saying that he is requesting approval for himself and John Lennon to attend the training seminar on Wednesday, April 7, 2010 in Selkirk and then read the following excerpt:

"This seminar is co-sponsored by New York State Department of Environmental Conservation and New England Interstate Water Pollution Control Commission. The course fee is $60.00 each, which is half the normal rate of $120.00 each. This rate is available to all NYS Certified WWTP Collection System Operators."

Supervisor Traver continued by asking for a motion.

MOTION

On motion of Councilman Boehm, seconded by Councilman Touchette, authorizing $120.00 for Larry and John to attend the seminar.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Request Mileage Reimbursement to Attend Town Clerk & Board of Elections Meeting

Supervisor Traver stated that he was in receipt of a memo from Town Clerk Millious requesting mileage reimbursement to attend the Town Clerk's Meeting on March 11th at 2035 State Street, Schenectady and the Board of Elections Meeting on March 30th at Gateway Diner, 889 Central Avenue, Albany and continued by asking for a motion.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Boehm, authorizing mileage reimbursement for Town Clerk Millious to attend the meetings.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Request for Microsoft Word Software for Supervisor

Supervisor Traver stated that he would like Microsoft Office Word Software in the Supervisor's Office, which is no longer on the system and continued by asking for a motion allowing Confidential Secretary to purchase and have it installed.

Councilman Boehm inquired as to where it went.

Supervisor Traver stated that when he took office it was erased from the computer.

Councilman Youmans asked if he was sure that it was not on the server.

Supervisor Traver stated that they checked and it is not on the server.

Councilman Touchette inquired as to if they have a license for that computer and if so they should be able to duplicate it and continued by asking if he was talking about just Word and not Office Suite.

Supervisor Traver stated that he was requesting Word.

Councilman Youmans stated that obviously he needs access to that.

Supervisor Traver stated that when he has something that needs to be downloaded, he has to send it to his secretary and she had to download it for him from her computer.

Councilman Youmans asked if he had Mr. Palmer look at it to be sure that there is not a way for him to access it and added that he does not want to hold it up if they do in fact need it.

Supervisor Traver stated that he will check with him and have him take a look at it.

Councilman Touchette inquired as to whether or not he needed Excel.

Supervisor Traver stated that he didn't and reiterated that he will have Mr. Palmer take a look at it,

Census 2010 and Sales Tax Revenue

Supervisor Traver asked that Councilman Touchette discuss the 2010 Census.

Councilman Touchette stated that he attended a meeting last week at the County building about the census and sales tax revenue and added that the current data shows that the Town of Coeymans in the last census had a population of 8,151 people and the sales tax distribution percentage was 2.77. He continued by saying that the estimate for 2008 is 8,008 people, which would bring the percentage to 2.69 and if it materializes they will be looking at a smaller slice of the sales tax distribution pie that is already shrinking. He went on by saying that there a couple of things that they can do, which is make sure that everyone is counted in the town and continued by saying that they can put some information on the website. He reiterated that everyone that lives in the town should be counted such as farm workers, undocumented people, college students who live home and "snow birds" should be counted here rather than Florida or Arizona or wherever they are. He continued by saying that it is important because from a very fundamental view point each person that is either counted or not counted accounts for about $275.00 in sales tax revenue every year and for the decade of the census for each person, if they miss a person they are going to lose out on approximately $2,750.00. He reiterated that it is important that everyone be counted and the census forms will be mailed with Census Day being April 1st and added that he thinks it is a good thing that the Census Bureau is getting the word out in trying to get everyone to be counted. He continued by saying that the data is completely confidential and cannot be released for 75 years, which means that people who are undocumented don't have to worry about it or if there is a household that has more people than might be considered proper, those people should be counted and they cannot be penalized. He concluded by saying that they need to get the word out and then follow up to see how it's going, which can be done by following the trends of the data and added that he wants to encourage everyone not only to complete the census for their own household, which is 10 questions but to also talk to friends and maybe reach out to the Grange or the agricultural community who may have farm workers on their property to make sure that every one in the Town of Coeymans is counted for the census.

Authorization to Contact C.T. Male to Prepare Infiltration & Inflow Report for December 2009

Supervisor Traver stated that he needs authorization from the Town Board to contact C.T. Male to prepare an Infiltration & Inflow Report for 2009.

MOTION

On motion of Councilman Youmans, seconded by Councilwoman Rogers, authorizing the Supervisor to contact C.T. Male and have them prepare the I&I Report for 2009.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Hiring Part-Time Telecommunicators

Supervisor Traver asked that Chief Darlington discuss the hiring of part-time Telecommunicators.

Chief Darlington stated that at a previous meeting the Town Board accepted the resignation of Judy Tucker who will be retiring as a full-time Telecommunicator effective March 30, 2010. He added that per discussions with his liaison, a cost savings attempt is to replace with part-time staff rather than full-time staff.

Councilman Youmans stated that in other words he is not looking to up any coverage or hours but rather replace one full-time person with four part-timers and added that one of the questions that arose with Councilman Boehm is whether or not they need four part-time people to fill the spot of one full-time person and continued by saying that when you think it through, she has been the day person five days a week.

Chief Darlington stated that most of the current part-time staff is available in the afternoon and added that even that availability is starting to lessen. He continued by saying that with summer coming and vacations, their numbers have dropped in the number of part-time staff that they have.

Councilman Touchette stated that there will be two full-time people remaining and continued by asking if he will move one of them to the daytime shift.

Chief Darlington stated that it has not been fully decided yet and added that it will be based on the availability of the part-time staff that they have to decide whether she would be moved to a day shift or held at the shift she is at if the majority of part-time that they have is available days.

Supervisor Traver asked if there were any other comments and continued by saying that there is a resolution to hire part-time Telecommunicators.

Councilman Youmans stated that he is fine with that and then asked if the other Board Members wished to weigh in.

Collectively the Town Board agreed that they were ok with it.

Supervisor Traver stated that they would move the resolution at the resolution part of the meeting.

Councilman Touchette stated that he had another item for discussion and added that he didn’t know if it would be New or Old Business and continued by asking Supervisor Traver if he could bring it up now.

Supervisor Traver stated that he could.

Councilman Touchette continued by saying that earlier in the meeting the pending Sewer Agreement with the Village was mentioned and added that they have been in negotiations for as long as he has been on the Board and it seems to him at this point that they delivered a Proposed Contract to the Village about 3-4 weeks ago and in turn have not heard anything back. He added that he believes that now is the time to draw a line in the sand and establish a deadline because they need to get it over with and they should communicate with the Village Board that this is not an endless process that can go on for years. He went on by saying that they do have remedies that they can take if they don’t have a signed contract within a certain period of time and they will take those remedies.

Supervisor Traver asked if there were any other comments.

Councilman Youmans stated that it is a difficult topic and added that two meetings in a row they have had members of the public allege that there is a conflict of interest on the Board and added that he would say in the interest of open and honest government, as Mr. Allen had suggested, they should call for an Ethics Panel Review. He added that he thinks it is the prudent thing to do and continued by urging the Board to consider it.

Councilwoman Rogers stated that she and Supervisor Traver had already had that discussion.

Councilman Youmans asked Supervisor Traver how he felt about it.

Supervisor Traver stated that if they want an Ethics Review they will go from there and added that he feels as though there is no conflict at all.

Councilman Youmans interjected that he is not alleging that there is.

Supervisor Traver stated that they will let the Ethics Board decide and added that he was elected by the people but they will go with the Ethic's Board if that's how they feel.

Councilman Youmans stated that it's not what he feels and added that it was brought up by members of the public.

Supervisor Traver reiterated that they will have the Ethics Board check into it.

Councilman Youmans asked the rest of the Board to weigh in and added that maybe he is out of line.

Councilman Touchette stated that since there has been the question brought before them, it is their obligation to do that and added that Supervisor Traver has made it clear that he had talked to people and they feel that there is no conflict. He continued by saying that if they don't do it, it is going to come up time and time again and it is in everyone's best interest to settle it.

Councilman Boehm stated that he agrees and it is an independent Board outside the Town Board and continued by offering a motion.

MOTION

On motion of Councilman Boehm, seconded by Councilman Youmans, to convene an Ethics Board to determine a conflict of interest.
VOTE – AYES 4 – NAYS 1 – SO MOVED

Supervisor Traver stated that they were moving on to resolutions.

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RESOLUTIONS

RES. #34-10 APPOINT PART-TIME TELECOMMUNICATORS
On motion of Councilman Youmans, seconded by Councilman Touchette, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the Police Department is desirous of increasing coverage in the Communications Department, and

WHEREAS, the Albany County Department of Civil Service has confirmed the candidates meet the minimum qualifications of the position,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby appoint Justin M.G. Rivituso, Nicholas LaMountain, Kelsey

Turek, and Alyssa C. Williams as part-time Telecommunicators, effective March 9, 2010, at the hourly rate of $16.01. Such appointment is to be contingent on the successful completion of all phases of the background investigation.

RES. #35-10 APPROVE COUNTY-WIDE MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN
On motion of Councilman Youmans, seconded by Councilman Touchette, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the Albany County Legislature has adopted a County-wide, multi-jurisdiction Hazard Mitigation Plan, and

WHEREAS, the plan is a joint project between the Albany County Department of Public Works, which has the responsibility for hazard Mitigation, the Albany County Sheriff's Department Emergency Management Office, and all 19 municipalities in Albany County in accordance with the Disaster Mitigation Act of 2000, and

WHEREAS, through the adoption of the plan, the County and participating municipalities will become eligible for hazard mitigation project grants once the plan is approved by the NYS Emergency Management Office and the Federal Emergency Management Agency,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans hereby adopts the County-wide, multi-jurisdiction Hazard Mitigation Plan.

Councilman Boehm asked that Supervisor Traver review how the Town is involved in this.

Supervisor Traver stated that he would pass it along to the Chief who has been involved in this.

Chief Darlington stated that Bill Bruno approached him when he received the correspondence and added that apparently in order to tap into Federal Grants for mitigation projects the Town would have to adopt the resolution and added that evidently everything is going to be a shard effort. He continued by saying that the Town's plans go to the County and ultimately the money gets divided up along those avenues and concluded by saying that it would have to be as part of the County's Mitigation Plan.

RES. #36-10 ADOPT LOCAL LAW #1-10 PROVIDING DEFENSE AND INDEMNIFICATION FOR TOWN EMPLOYEES SUED
On motion of Councilman Boehm, seconded Councilman Touchette, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the indemnification for town employees sued for actions taken in performance of their official duties was introduced by a member of the Board at the January 25, 2010 meeting, and

WHEREAS, a Public Hearing was duly advertised in the official newspaper of the Town, and

WHEREAS, said Public Hearing was held March 3, 2010 at 6:30pm at Town Hall and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to the Proposed Local Law, or any part thereof, and

WHEREAS, the Town Board of the Town of Coeymans after due deliberation, finds it in the best interest of the Town to adopt said Local Law.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans hereby adopts Local Law #1-10 providing the defense and indemnification for town employees sued for actions taken in performance of their official duties, and

BE IT FURTHER RESOLVED, that the Town Clerk is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of Coeymans, and to give due notice of the adoption of said Local Law to the Secretary of State of the State of New York.

RES. #37-10 APPOINT BOOKKEEPER
On motion of Councilman Traver, seconded by Councilman Touchette, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the Town Board has accepted the resignation of the Bookkeeper at a previous Town Board Meeting, and

WHEREAS, the Supervisor has advertised for and conducted interviews of candidates for the position of Bookkeeper,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans hereby, at the request of the Supervisor, and in accordance with Town Law Section 29, appoints Christine Ricci as Bookkeeper, at the hourly rate of $20.00, effective March 10, 2010.

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CORRESPONDENCE

New York State Department of Environmental Conservation

Supervisor Traver stated that he was in receipt of a correspondence from the Department of Environmental Conservation, who are going to be the Lead Agency in a SEQR and continued by reading the following excerpt:

"The purpose of this request is to determine under Article 8 (State Environmental Quality Review-SEQR) of the Environmental Conservation Law and 6 NYCRR Part 617 the following:

1. Your jurisdiction in the action described below.
2. Your interest in assuming the responsibilities of Lead Agency; and
3. Issues of concern which you believe should be evaluated.

I have enclosed a copy of the permit application and a completed Environmental Assessment Form and site location map to assist you in responding.

Project: Operation of a 4.86 acre shale mine on a 126-acre parcel owned by Joy Seufert, 135 Alcove Road, Coeymans."

Supervisor Traver continued by saying that DEC was passing the information on to the Town Board and added that if they have any comments regarding it, they are to submit them.

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WORKSHOPS/MEETINGS

- Town Board Workshop – March 16, 2010, 6:00pm
- Town Board Meeting – March 22, 2010, 7:00pm
- Town Board Meeting – April 12, 2010, 7:00pm

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ADDITIONAL COMMENTS

Supervisor Traver asked if there were any additional comments.

Councilman Boehm asked Chief Darlington about the new software program scheduling.

Chief Darlington stated that currently it is moving forward quickly but initially they were having computer problems with their computers and had to have some things installed, which were free. He continued by saying that they were having a problem getting them installed and their tech people spent about 8 hours online with their computers and eventually they were able to get them installed and added that they are now moving forward with the training.

Supervisor Traver asked if there were any additional comments.

Town Clerk Millious stated that she will be sending out Reminder Notices for the taxes, which is something that she is required to do by law and added that taxes can be paid until March 31st and added that after that date they are sent to Albany County and she has until April 15th to settle with the County.

Supervisor Traver asked if there were any other comments.

Chief Darlington stated that earlier in the day he was on the phone with a gentleman from AT&T Cellular and they are interested in the Town's tower site that they are in the process of constructing. He added that approximately 1 ½ - 2 years ago they met with a company called J&S who had municipally owned towers where they would come in and build it, manage it and take care of it at no cost to the town. He continued by saying that it looks like they might be in that position now, which was originally going to cost $200,000.00 and added that now they might be able to get it built for nothing. He went on by saying that at the next Workshop he would like to sit down with the Board and go over what it is going to entail and start looking at approvals if this is what they are desirous of doing.

Supervisor Traver asked if this was the same subject that he spoke with him about.

Chief Darlington stated that it is and added that the representative originally met with Supervisor Traver and the Building Inspector when he was away on vacation and in turn they pointed him in his direction as a result of the Town's tower. He added that they were originally looking at the highway garage site but there are concerns with the flooding of the Hannacroix and it being such a small parcel. He reiterated that he wanted to add it as an agenda item because they are looking at constructing this summer.

Supervisor Traver stated that he is already scheduled for another topic and added that they can add this. He continued by asking if there were any other comments.

Highway Superintendent Deering stated that he wanted to thank the people of the Town and Hamlet when the Town declared a Snow Emergency and added that they were very good about moving their cars and continued by saying what a difference it made and it should have been done years ago. He continued by asking if a letter was written about the condition of Rte. 143.

Councilman Boehm stated that they did a letter with Attorney for the Town Wukitsch and it was signed and they have received a form letter from Assemblyman Gordon's office.

Highway Superintendent Deering interjected that it is worse than riding in a plowed field.

Councilman Touchette stated that he had not seen the letter.

Councilman Youmans inquired as to the outcome of the conversation with Assemblyman Gordon.

Supervisor Traver stated that Assemblyman Gordon is checking with the State Department of Transportation at the local level and added that he is trying to at least get the hazard of the guard rails rectified as soon as possible. He continued by saying that he is suppose to contact him and let him know how he made out and in turn he will report back to the Board.

Highway Superintendent Deering stated that he has been on a lot of roads and added that this road is unreal.

Chief Darlington stated that the Police Department reported it to the State and added that he doesn't think that there is any blacktop left in the one section by Osterhout and continued by saying that it is nothing but dirt holes now and added that they did some patching by fixing one hole in the beginning and one at the end, which he guesses was their fix. He concluded by saying that they notify them routinely.

Highway Superintendent Deering stated that he does too.

Supervisor Traver stated that the Board had asked that he bring Department Heads to each meeting to discuss their budget and added that Chief Darlington and Highway Superintendent are present for discussion. He continued by asking the Board if they wanted to discuss it now or in Executive Session.

Collectively the Town Board stated that it should be done now.

Councilman Youmans asked if they had any numbers.

Supervisor Traver reiterated that the Board asked for the Department Heads to be present to discuss their budgets.

Councilman Touchette asked Highway Superintendent Deering where he stands year to date as compared to his budget.

Highway Superintendent Deering handed out a summary to each Board member.

Councilman Touchette asked if the numbers were from the General Ledger.

Highway Clerk Biance stated that they keep track of what they spent with every voucher to date.

Councilman Touchette asked that they summarize whether or not they are on track.

Highway Clerk Biance stated that they are well within their parameters and are not going overboard in any respect and added that usually at the beginning of the year it is a little bit of catch-up because they have to wait until the first of the year to purchase certain things when there is funding.

Councilman Boehm inquired about overtime for snow plowing.

Highway Superintendent stated that it is over.

Highway Clerk Biance stated that it is going to be over the 70 hours and added that they can't do anything about that.

Highway Superintendent Deering interjected that it already over.

Councilman Boehm stated that they still have November and December of this year.

Highway Superintendent Deering stated that it was only put in for 70 hours and added that it was usually 100, with a couple being over by 8-9 hours.

Councilman Boehm inquired as to where he expects to fill that budget line with the overtime if there is another snow storm.

Highway Superintendent Deering stated that he didn't know but they have to plow the roads.

Councilman Touchette stated that he is concerned that there are no comparative budget figures for year to date and then asked Supervisor Traver if they can expect to get them soon.

Supervisor Traver stated that they will be.

Highway Clerk Biance stated that their figures are more accurate because it includes vouchers that haven't been processed yet through abstract and added that it is right to date including the last payroll and continued by saying that it gives a percentage of what is left in each account.

Councilman Boehm inquired about the equipment funds and their intent to bring them down to a zero balance.

Councilman Youmans stated that it is what they directed the Supervisor to do.

Councilman Boehm asked Supervisor Traver if it had been done.

Supervisor Traver stated that a memo went out to freeze the .2 accounts.

Councilman Boehm stated that the accounts were frozen and continued by asking if the account balances were brought to zero.

Highway Clerk Biance interjected that the truck had already been approved.

Councilman Boehm stated that they made an exception for the truck.

Supervisor Traver stated that there is also money in .2 for the grant for court and added that they have to check into that because they can't use the grant money.

Highway Clerk Biance stated that they got a call from Terry Ryan for estimated amounts for the past storm and added that they are trying to get it declared so they can get some S.E.M.O. or F.E.M.A. money for the storm. She added that it is not a guarantee but they are going through the process.

Councilman Boehm inquired as to if this is what they did last year with the ice storm.

Highway Clerk Biance stated that it is and added that they got a considerable amount back and added that with a little luck they will get a little reimbursement for this storm and reiterated that there is no guarantee. She went on by saying that a letter came in from Tim Gordon regarding an $8,000.00 grant for highways and continued by saying that they might qualify for that, which can off set and compensate for the overtime.

Councilman Youmans interjected that he was hoping that the Board would have some numbers to compare and added that he has no reason to believe that the numbers are not completely accurate and continued by saying that it is no reflection on that department. He continued by saying that his thought was, and he thought that they discussed, that they would come in and review the budget numbers that bookkeeping has with each department. He concluded by saying that it is great the way that they have it broken down but if they could have compared ours to yours it would have been more telling, which maybe they can do at the next Board Meeting for the same time frame to see where they are at.

Councilman Touchette suggested that they put it on the Workshop agenda.

Supervisor Traver interjected that he believes they should be discussing the budget at either a Workshop or Executive Session.

Collectively the Town Board questioned why they would talk about the budget during Executive Session.

Councilman Youmans stated that they have a Budget Public Hearing so people can come and talk about the budget and get the details and continued by saying that it is no secret.

Supervisor Traver stated that they will discuss it at the next Workshop.

Councilman Touchette inquired as to if Supervisor Traver will have the reports.

Supervisor Traver stated that he will try and added that they are still trying to close out the books for 2009.

Councilman Touchette inquired as to if anything has been posted to 2010.

Supervisor Traver stated that there was and continued by asking for a motion to adjourn to Executive Session for discussion of personnel matters and added that they will return to formally adjourn.

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MOTION

On motion of Councilwoman Rogers, seconded by Councilman Youmans, the Town Board Meeting was adjourned to Executive Session.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time: 8:53pm

****

EXECUTIVE SESSION

Executive Session was convened in the Supervisor's Office at 9:10pm with all members of the Town Board present. Personnel matters were discussed with no action taken.

****

RECONVENE MEETING AND ADJOURN

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

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Youmans, the Town Board Meeting was adjourned.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time 9:47pm

Respectfully Submitted, **APPROVED:**

_____

Diane L. Millious, Town Clerk

A Town Board Workshop was held Tuesday, March 16, 2010 at 6:00pm at Town Hall, 18 Russell Avenue, Ravena, New York

PRESENT: Dawn Rogers, Councilwoman
Thomas A. Boehm, Councilman
Richard N. Touchette, Councilman

ABSENT: Henry C. Traver, Supervisor
James C. Youmans, Councilman

ALSO PRESENT: Diane L. Millious, Town Clerk
Nelson Perry, Parks & Recreation Maintenance Supervisor
Greg Darlington, Chief of Police
Albert Deering, Highway Superintendent

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Councilman Rogers opened the Workshop and led the Pledge of Allegiance.

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AGENDA

- Ravena-Coeymans Historical Society
- Biechman Road Culvert
- Update on 17 Westerlo Street House Demolition
- Colvin Avenue Storm Sewer
- Restoration and Improvement of Memorial at Highway Department
- Hiring of Police Officers
- Police Athletic League (PAL)
- Purchase Forks for Front End Loader
- Memory Upgrade for Town Clerk Computers

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RESOLUTION & MOTION

RES. #38-10 AUTHORIZE $16,000.00 FOR STORM SEWER REPAIR AND NECESSARY BUDGET AMENDMENTS
On motion of Councilman Touchette, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE – AYES 3 – NAYS 0 – ABSENT 2 (Traver & Youmans) – SO MOVED

WHEREAS, the Town Board of the Town of Coeymans has determined that a portion of the Town storm sewer in the vicinity of Colvin Avenue and Westerlo Street is in need of immediate repair; and

WHEREAS, C.T. Male has designed an alternative: plan; and

WHEREAS, verbal permission to enter private lands has been obtained and written permission is expected in the near future.

NOW, THEREFORE, **BE IT RESOLVED**, the Town Board of the Town of Coeymans authorizes and directs Superintendent of Highways Albert Deering to purchase necessary

material at a cost not to exceed $16,000 and to commence construction as soon as all permissions and easements have been executed.

BE IT FURTHER RESOLVED, the Town Board of the Town of Coeymans also directs Supervisor Henry Traver to prepare any necessary budget amendments for this emergency expenditures.

MOTION

On motion of Councilman Boehm, seconded by Councilman Touchette, authorizing Parks and Recreation Maintenance Supervisor Perry to purchase front end loader forks not to exceed $800.00.
APPROVED – VOTE – AYES 3 – NAYS 0 – ABSENT +2 (Traver & Youmans) – SO MOVED

****

ADJOURNMENT

Councilwoman Rogers asked for a motion to adjourn.

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, the Town Board Workshop was adjourned.
VOTE – AYES 3 – NAYS 0 – ABSENT 2 (Traver & Youmans) – SO MOVED

Time: 8:09pm

Respectfully Submitted, APPROVED:

_____
Diane L. Millious, Town Clerk

March 22, 2010 – Town Board Meeting – 7:00pm

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

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

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

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

****

OPENING COMMENT

Supervisor Traver stated that there was a full Town Board in addition to Town Clerk Millious, Attorney for the Town Wukitsch, Highway Superintendent Deering and Chief of Police Darlington.

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AGENDA

- Public Comment
- Approval of Minutes
  - Bid Opening, January 21, 2010
  - Town Board Meeting, February 22, 2010
  - Public Hearing, March 8, 2010
- Supervisor's Report – February 2010
- Department Reports – February 2010
  - Building Department
  - Sewer Department
  - Town Clerk
- Old Business
  - Biechman Road Culvert
  - Request by Ravena Coeymans Historical Society for Funds to Preserve Map
  - Maria Bowers Property Issue
- New Business
  - Intermunicipal Agreement re: Highway Services
  - Shrub Purchase for Memorial Restoration at Highway Department
  - Senior Projects of Ravena Contract for Services
  - Town Clerk Request to Attend Town Clerk's Annual Conference
- Resolutions
  - Appoint Seasonal Laborer
  - Establish Work Day for Employee for Reporting to NYS Retirement System
  - Budget Amendment, Highway Fund
  - Budget Amendment, .2 Balances to Zero
  - Approval of March Abstract
- Correspondence
  - NYS Department of Transportation
  - NYS Department of Public Service
- Town Board Workshops/Meetings
  - Public Hearing, April 12, 2010, 6:30pm
  - Town Board Meeting, April 12, 2010, 7:00pm
  - Town Board Workshop, April 20, 1010, 6:00pm

- Town Board Meeting, April 26, 2010

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PUBLIC COMMENT

Supervisor Traver invited the public to comment at this time.

Ms. Ginny Pearson stated that she lives at 2144 Rte. 9W Ravena and continued by asking why they can't get direct television of the Town Board Meetings instead of waiting until Friday and then not be able to understand them. She continued by saying that she understands if you have the higher end subscription to Mid-Hudson Cable you can get them live and went on by saying that she wonders why because the residents pay good dollars to them and contracted with them for live coverage. She then asked if someone could give her the answer to that.

Councilman Youmans stated that the FCC made a change and took everything off analog and made it digital.

Ms. Pearson stated that her television is digital.

Councilman Youmans stated that if you want the meeting live on your television you can only get it through a digital signal, which you need a digital television and pay for their digital service.

Ms. Pearson inquired as to if he meant high definition television.

Councilman Youmans stated he didn't and added that you need their digital package and continued by saying that high definition is another one that they have which is another charge all together. He added that it was frustrating to him as well because he knows that there are a lot of people that like to watch at home and continued by saying that it was many phone calls and work that he did to get it so it's broadcasted on Friday nights. He went on by saying that he just had a conversation with Mr. Horton, the man who does the televising, and he believes that there is a channel in the 900's or 75 that you can get it on however he cannot get it at his house on a brand new digital television. He concluded by saying that he understands her frustration but their hands are pretty much tied on it and it might be a question to call Mid-Hudson Cable with and ask them.

Ms. Pearson continued by saying that after not being able to see it and understand it, she has been coming to the meetings.

Councilman Youmans stated that you hardly could see it and hear it because there was a problem on Mid-Hudson's end on that and added that just prior to the meeting Mr. Horton told him that it was fixed and the picture and sound are clear.

Ms. Pearson stated that she has been attending some meetings and added that she is a little disturbed by the conflicting on the Town Board and added that it seems like everyone is out chewing the other person and added that she is not pointing any fingers. She went on by saying that every one of them was elected one time or another and had to learn their ropes and she believes that everyone should be given a chance to learn without being coerced into being afraid. She concluded by saying that they need to watch their manners a little bit on the Town Board and added that it is a citizen's opinion.

Supervisor Traver asked if there were any other comments.

Ms. Pasquini stated that with the Mid-Hudson Cable that she has she does not get the digital box or the upper channels but did notice on her cable bill that she is paying for a franchise fee, which in turn they are paying to the Town, so actually she and everyone else are paying it. She continued by saying that they are getting the property that they have in the Town free and then asked where the benefit is for the residents to have cable.

Town Clerk Millious stated that they pay the Town a franchise fee and the Town waives the town portion of their property tax bill.

Ms. Pasquini interjected that that the franchise fee that they pay the Town is collected from the cable customers.

Town Clerk Millious stated that it is in the Franchise Fee that they are suppose to do that and added that they actually pay more and above what they should pay and in turn she waives the town portion and reiterated that they are paying more than their share. She continued by saying that she can show it to her if she wants to stop in her office.

Ms. Pasquini asked if it is legal for them to charge their customers a franchise fee.

Town Clerk Millious stated that they pay the Town the franchise fee.

Ms. Pasquini stated that Mid-Hudson charges their customers the franchise fee.

Town Clerk Millious agreed that they charge every cable user.

Ms. Pasquini stated that the franchise fee just went up again and added that maybe someone in negotiations with Mid-Hudson, Mr. Reynolds, need to tell him that people in the Town of Coeymans are sick of it and they will go to Direct TV if they have to. She concluded by saying that she would like for someone to check into why the customers are paying that franchise fee that they are paying the Town.

Supervisor Traver asked if there were any other comments.

Mr. Joe Vitollo stated that he lives at 42 Main Street in Coeymans and added that he wanted to restate what Ginny had said and added that at the last meeting he was quite disturbed by the sense of tension on the Town Board and added that he felt like if that tension exists while they are all sitting there, he wonders what it is like not on camera. He continued by saying that he wonders if there is a willingness to have that kind of poor manners and went on by saying that he agrees with Ginny that people need to be given a chance. He added that he was also concerned with a comment that Councilman Youmans made regarding Ms. Pasquini's yard and continued by saying that if it were his backyard he would have someone jumping on it immediately. He went on by saying that Ms. Pasquini had stated that it had been a problem since the last Supervisor so it has been around for a while and has not been dealt with. He continued by saying that if it was his backyard he would be screaming that there is an issue that needs to be dealt with and then asked Ms. Pasquini if anyone had been down to look at her property.

Ms. Pasquini stated that Supervisor Traver and Councilman Touchette had been down.

Mr. Vitollo continued by saying that when Councilman Youmans made his statement, it was almost condescending, which is a manners issue and added that it is important for people to know that the Board members are just as concerned about them as they are about their own property. He concluded by saying that he feels as though there should be that kind of respect and added that it is a general statement and observation.

Councilman Youmans stated that he understands his point and added that right in front of him in his binder are engineer plans to fix the problem and earlier in the week he walked the area with Code Enforcement Officer Conrad, who is an expert on their storm sewer system as well as Highway Superintendent Deering who measured for the pipe and Attorney for the Town Wukitsch who is in the process of securing an easement so they can do the work that they need to do, which was done in a week's time and the pipe has been ordered.

Mr. Vitollo stated that it is excellent and added that he is just surprised that it took so long in listening to Ms. Pasquini and her concern and reiterated that he is glad that they finally jumped on it.

Supervisor Traver asked if there were any other comments.

Mr. Tim Carney stated that he lives at 277 Delaware Avenue in Albany and added that he is making a tour and going around to different Town and Village meetings throughout Albany County in trying to develop some ideas of what different areas are in need of because he is thinking about running for Senate for Albany County. He added that he is finding out what their needs are in each of the communities and continued by saying that he was going to sit back and listen and continued by saying that it is good to see how local government works and to see it in action as someone having a complaint and someone jumping on to it and taking care of it. He concluded by saying that he believes that this is what good government is all about and he wanted to commend them for doing it.

Councilwoman Rogers asked what he was running for.

Mr. Carney stated that he is running for Senate for the 46th District in Albany County.

Councilwoman Rogers stated that their biggest problem and concern is Rte. 143, which is a dangerous road with trees falling and the sides caving in.

Mr. Carney inquired as to if anyone is addressing it with any State funding.

Councilwoman Rogers stated that the Town Board has addressed it and the Supervisor received a letter earlier in the day from the State stating that there is no money and they can't help us.

Mr. Carney stated that this is one of the issues that everyone is going to cry about in regard to the State Budget and funds and added that they have to come up with some different ways of being able to work with what they have and unfortunately they are spending on the wrong things and did it again with the money that was allocated for road structure, bridges and highways and continued by saying that they raided that money for other projects, which should be refunded.

Councilwoman Rogers interjected that he should take a ride on Rte. 143 and added that he should not take a fancy car.

Mr. Carney stated that he would.

A member of the audience inquired as to whether he is a Republican or Democrat.

Mr. Carney stated that he was a Democrat.

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

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APPROVAL OF MINUTES

Supervisor Traver stated that there were three sets of minutes for Town Board approval, a Bid Opening, January 21st, Town Board Meeting February 22nd, and a Public Hearing on March 8th.

Councilman Youmans stated that upon his review of the minutes they need to be revised and added that Supervisor Traver was referred to as Supervisor Hotaling a few times and then suggested that they table them until they are corrected.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Youmans, the Town Board Minutes were tabled.
VOTE – AYES 5 – NAYS 0 – SO MOVED

SUPERVISOR'S REPORT

FUND	BAL. FWD.	ADJUST.	RECEIPTS	DISBURSE.	BALANCE
General	$1,141,379.08		$1,152,211.62	$ 986,240.20	$1,307,350.50
Part-Town	$ 410,080.31		$ 3,791.00	$ 10,128.14	$ 403,743.17
Highway	$ 171,147.48		$ 887.89	$ 54,802.45	$ 117,232.92
Bridge Const.	$ 311,186.58		$ 130.29	$ 37,755.37	$ 273,561.50
Sewer	$ 131,875.49		$ 40,471.49	$ 21,344.73	$ 151,002.25
Spec. Water	$ 2,134.28		$ 40,247.02	-0-	$ 42,381.30
Police For.	$ 3,421.37		$ 16.91	$ 300.00	$ 3,138.28
Trust & Agcy.	$(8,756.77)	$18,649.12	$ 195,149.88	$ 190,701.42	$ 14,340.81
Cap. Proj.	$ 19,219.30		$ 26,809.32	-0-	$ 46,028.62
Section 8	$ 145,442.22		$ 39,570.42	$ 35,570.42	$ 149,168.64
				Total	**$2,507,947.99**

SAVINGS ACCOUNTS		**COLLATERAL COVERAGE**	**FDIC COVERAGE**	**COLLATER.**
Unemployment	$ 4,057.36	Bank of Greene	$250,000.00	$2,609,305.97
Grove Cemetery	$40,695.11	National Bank	$250,000.00	$ 471,079.57
Sewer Dedicated	$ 6,294.48			
Total	$51,046.95			

Supervisor Traver asked for a motion to approve the report.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Touchette, the Supervisor's Report was accepted as read.
VOTE – AYES 5 – NAYS 0 – SO MOVED

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DEPARTMENT REPORTS

Building Department – February 2010

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

Councilwoman Rogers continued by giving the report.

Supervisor Traver asked for a motion to approve the report.

MOTION

On motion of Councilman Boehm, seconded by Councilman Youmans, the report was accepted as presented.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Sewer Department – February 2010

Supervisor Traver asked that Councilman Youmans give the Sewer Department Monthly Report.

Councilman Youmans continued by giving the report.

Supervisor Traver asked for a motion to approve the report.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Youmans, the report was accepted as presented.

VOTE – AYES 5 – NAYS 0 – SO MOVED

Town Clerk – February 2010

Supervisor Traver asked that Town Clerk Millious give her report.

Town Clerk Millious continued by giving the report.

Supervisor Traver asked for a motion to approve the report.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Boehm, the report was accepted as presented.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Police Department – January 2010

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

Chief Darlington continued by giving the report.

Supervisor Traver asked for a motion Councilman Youmans, seconded by Councilman Boehm, the report was accepted as presented.
VOTE – AYES 5 – NAYS 0 – SO MOVED

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OLD BUSINESS

Biechman Road Culvert

Supervisor Traver stated that the Biechman Road culvert was discussed at the Workshop that he did not attend.

Councilwoman Rogers stated that the total was $4,000.00.

Councilman Boehm inquired as to if it included the surveyor as well as the engineer's cost.

Collectively Councilwoman Rogers and Highway Superintendent Deering stated that it did.

Councilwoman Rogers asked that Highway Superintendent Deering explain the project.

Highway Superintendent Deering stated that it is Federal and State Wetland and added that in his opinion it is better to have it surveyed and have an engineer do it because what he sent to DEC they didn't accept.

Councilwoman Rogers reiterated that it is State and Federal Wetland.

Councilman Touchette questioned whether they have been delineated and declared Wetland and on a map.

Highway Superintendent Deering stated that they were.

Councilman Touchette inquired as to doing it and whether Marcuccio will approve the project.

Highway Superintendent Deering stated that he hopes so.

Councilman Touchette stated that he had indicated that this is what he wants.

Highway Superintendent Deering stated that he did and added that he wanted professional help and continued by saying that he has done this work before but this is what they want, which is fine.

Councilman Boehm inquired whether the ultimate goal is to increase the drainage to alleviate the water from the Bogardus farm.

Highway Superintendent Deering stated that was true but also to stop the flooding on Biechman Road.

Supervisor Traver asked for a motion to approve the engineering and surveying costs.

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, approving the engineering and surveying costs for the Biechman Road project not to exceed $4,000.00.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Request by Ravena-Coeymans Historical Society for Funds for Map Restoration

Councilman Boehm stated that Ralph Biance came to the last Workshop and asked for half of the cost for the map restoration and added that he believes that he is getting money from the Village as well.

Mr. Biance interjected that they are willing to pay half and he was asking that the Town pay the other half.

Councilman Boehm stated that the Town Board purchased the map and then asked that Mr. Biance explain it.

Mr. Biance stated that in October of last year Supervisor Hotaling invited him to see the map and in turn asked him if the Historical Society would like to have it and he said that they would. He continued by saying that the map was in terrible condition as it was and the stipulation was that if they accepted it, they in turn would have to take it to a conservator and have it restored. He added that they had it in the conservators hands when the applied for a grant and went on by saying that they were denied the grant because it was in the conservator's hands and consequently they could not get the money to do it. He continued by saying that there were a couple of figures on doing it and it wound up at $768.00, with $100.00 being for the frame and added that it really came out great and now shows Coeymans Hollow and the Blaisdell writings.

Councilman Boehm inquired as to what part of the Town the map is.

Mr. Biance stated that he believes that it is part of the patroon where they used to block it off in sections and added that he believes that it goes to New Baltimore to the Coxsackie line and from Coeymans toward the R-C-S District and continued by saying that the center of the map is where the Town of Coeymans area is. He went on by saying that it is going to be on display at their museum and it has been conserved to be UV protected and hermetically sealed before the frame was put on.

Councilman Boehm thanked Mr. Biance and continued by saying that there is a lot of historical significance behind the map and added that the Historical Society has taken the step necessary to preserve an important piece of history. He continued by saying that based on this and with it being discussed at a Workshop he would offer a motion.

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, authorizing $384.00 to offset the cost of preservation of the map.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Mr. Biance stated that he wanted to thank past Supervisor Hotaling and the Town Board for their cooperation on a valuable piece of history.

Maria Bowers Property Issue

Attorney for the Town Wukitsch stated that he asked that this topic be placed on the agenda and continued by saying that there is an arrangement understanding between Ms. Bowers and the Town relative to the use of a portion of her property for storage of Town owned property.

Highway Superintendent Deering stated that there is stone and shale stored there.

Attorney for the Town Wukitsch stated that he has been contacted by her attorney, Mark Blanchfield, who has requested that the Town formalize land use issues that exist between Ms. Bowers and the Town of Coeymans, which he believes to be some kind of written agreement or understanding. He added that he is brining it before the Board at the request of Ms. Bower's attorney and continued by saying that he is not clear in his own mind what the agreement is.

Highway Superintendent Deering stated that it was a verbal agreement with Highway Superintendent Vosburgh and added from then on it has been a verbal agreement.

Councilman Touchette inquired as to what the agreement was.

Highway Superintendent Deering stated that it if she needed something done to her road like a little stone or pipe and added that she never asked for much.

Councilman Boehm stated that her access is through the Highway Department parking lot across the Hannacroix Creek and then winds approximately ¼ mile back.

Highway Superintendent Deering agreed and reiterated that it was something that was established with Highway Superintendent Vosburgh.

Councilwoman Rogers stated that she believes that they should work on this because ½ the Town's stockpile is on her property and continued by saying that they discussed with her the option of opening up the road so she could come out on Greenbush in trade for the property in addition to Highway Superintendent working on the size of the pipe.

Highway Superintendent Deering stated that he had it all together and added that he can update it and they can discuss it at a Workshop.

Councilwoman Rogers reiterated that they need to get this behind them.

Councilman Boehm inquired as to if this would be in addition to the verbal agreement and continued by asking if there is something in writing or if it is proposed.

Highway Superintendent Deering stated that this is for a road that they talked about putting through her property for a driveway in exchange for her property.

Attorney for the Town Wukitsch stated that rather than having these exchanges, it makes more sense to consider other options such as if possible, remove any stone or shale that is on her property or if it's not feasible, consider purchasing the property.

Councilwoman Rogers interjected that there is not an exit from her property without coming through the highway property.

Councilman Youmans stated that there is no exit for her.

Councilman Boehm inquired about any other exit besides crossing the creek.

Councilwoman Rogers interjected that there is no other exit.

Attorney for the Town Wukitsch questioned why it is the Town's problem.

Councilwoman Rogers stated that it is her property.

Chief Darlington interjected that he does not believe the DEC would permit her to cross that creek.

Councilman Youmans stated that in order to cross the creek she has to cross town property.

Councilman Boehm inquired as to if there is an easement or deed.

Highway Superintendent Deering stated that it is just a verbal agreement.

Chief Darlington stated that he wanted to clarify whether or not the Town Board is acknowledging a verbal agreement from Highway Superintendent Deering's previous boss and added that this was a discussion at several meetings under Supervisor Hotaling as to the agreement for work being done and the use of the property. He continued by saying that it was his understanding that at that time no Board members were acknowledging the verbal agreement and in turn they were trying to push for the building of a road to stop her from going through Town property.

Councilwoman Rogers interjected that another problem is that the well is on her property.

Councilman Touchette inquired as to if she has any access by right because this has been going on for so many years.

Attorney for the Town Wukitsch stated that he would have to look into it.

Councilman Boehm stated that he thinks that they should sit down with her lawyer to see what the different options are and hopefully they can keep it as simple as possible and they can also see what Ms. Bowers wants.

Attorney for the Town Wukitsch stated that he can suggest that to her lawyer.

Highway Superintendent interjected that he wanted to correct the amount for the Biechman Road project and continued by saying that the amount is $4250.00 and not $4,000.00.

Councilman Boehm interjected that they will amend the resolution.

Supervisor Traver asked for a vote to amend the resolution.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Councilman Boehm stated that he had one more thing to mention under Old Business and added that Rte. 143 is on the agenda under Correspondence but he thinks that it should be brought up under Old Business because he thinks that they should respond.

Supervisor Traver asked that Councilman Boehm read the letter.

Councilman Boehm continued by reading the following:

Dear Mr. Wukitsch:

I am writing in response to your February 23, 2010 letter (written in your capacity as the Attorney for the Town of Coeymans) concerning the condition of Route 143 between Tompkins Road and the Ravena Grange.

In your letter, you called for immediate remedial action by the Department. We do not dispute that this section of highway, like many in our eight county regions, need remedial work; however, we are experiencing the worst budget crisis in over 30 years. Many tough choices are being made almost on a daily basis. We have been forced to direct what monies we have to the direst needs, primarily bridge work and culvert replacements. This budget situation could continue for a year or more and will continue to severely limit our ability to do the repairs you (and we) believe are needed. We do not have the funds to reconstruct or even resurface Route 143 at this time.

In the interim, we have initiated a study for our Traffic Safety and Mobility Office to determine if the current condition of Route 143, has in fact, led to as you state "an immediate, serious risk of death or injury to users" of the highway. Upon completion of the study, we will inform you of the findings. We have also taken the step of installing "Rough Road" signs on Route 143 to warn motorists of the pavement deterioration and to reduce speeds accordingly. We will take steps to determine the exact location of the elm tree mentioned. As to the guide rail and delineators (reflective poles), their condition is the result of the continuing movement of the step slope along the Hannacroix Creek.

Our maintenance forces will continue to try to address the symptoms of this slope movement as they have in the past but the solution requires a costly reconstruction project. Our Albany County Resident Engineer will be contacting the Town Highway Superintendent to discuss these matters.

Sincerely,

Mary Ivey, Regional Director

Councilman Boehm asked Highway Superintendent Deering if he had heard anything from them.

Highway Superintendent Deering stated that he hadn't and continued by saying that he wrote a letter to the Governor as well.

Councilman Boehm asked that he provide a copy to the Supervisor's Office.

Highway Superintendent Deering stated that he had.

Supervisor Traver stated that the Board will be getting a copy in their mail box.

Highway Superintendent Deering interjected that there was a hole by Rodney's that was really bad.

Councilwoman Rogers inquired as to if someone filled it in.

Highway Superintendent Deering stated that he did Friday night and took some of the bump out of it.

Councilman Boehm stated that he believes that they need to respond to the letter and added that it is unacceptable to have nothing done and continued by saying that as bad as that road is now, it is only going to get worse, particularly the section between Tompkins Road and Ravena Grange. He went on by saying that part of the letter that he would like to respond to is to address the Traffic Safety Mobility Office and find out what the timeline is and what they are going to do. He concluded by saying that with the Board's permission he will work with Attorney for the Town Wukitsch and draft a response to the letter and hopefully shakes something loose.

Councilman Touchette stated that the original letter from Attorney for the Town Wukitsch went to DOT, Tim Gordon and a number of other people and continued by saying that there was a response from Mary Ivey and Tim Gordon but no one else and added that he is disappointed that our own County Legislator did not respond to the letter.

Councilman Boehm stated that he also didn't provide a letter of support.

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

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NEW BUSINESS

Intermunicipal Agreement re: Highway Services

Councilman Touchette inquired as to whether they had any background on an Intermunicipal Agreement between the Towns of Coeymans and New Baltimore.

Councilwoman Rogers stated that they have a copy of the Agreement.

Councilman Touchette stated that there was a copy of it and reiterated that there was not any background on it.

Supervisor Traver stated that it is an Agreement between the Town of New Baltimore and Town of Coeymans Highway Departments that they have been working on and added that Attorney for the Town Wukitsch took at look at it and feels as though each Supervisor should sign it as well as the Highway Superintendents should sign it. He continued by saying that it would be close working relations between the two towns sharing services and trucks.

Councilman Touchette inquired as to what he meant about sharing the trucks.

Highway Superintendent Deering interjected that they have been doing that for years.

Supervisor Traver stated that it would be when they are blacktopping and need assistance.

Attorney for the Town Wukitsch stated that apparently it has been going on for years and added that there was a thought on the part of both the Supervisors that it should be documented and added that anytime there is an Intermunicipal Cooperation like that it is recommended that it be documented and that is what this is. He then asked that Highway Superintendent Deering fill them in on the extent that the sharing occurs and to give an example.

Highway Superintendent Deering stated that if they need trucks he sends them down and vice versa.

Attorney for the Town Wukitsch stated that it is to benefit of all residents of the Town that these type of sharing arrangement be encouraged.

Councilman Touchette questioned whether it was formalizing something that is already going on.

Attorney for the Town Wukitsch stated it was.

MOTION

On motion of Councilman Touchette, seconded by Councilman Youmans, authorizing the Supervisor and Highway Superintendent to execute the Agreement.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Shrub Purchase for Memorial Renovation at Highway Department

Supervisor Traver stated that this topic was discussed at the Workshop.

Councilman Boehm asked that Ms. Joan Radley go to the microphone to explain the request.

Ms. Radley stated that she lives in Coeymans Hollow and is a member of the Clematis Garden Club and continued by saying that the plan is to put a patio out at the Veteran's Memorial at the Highway Garage, which will be 16X16 feet. She added that they are looking for $200.00 to buy shrubs and plants to beautify the project and went on by saying that she has a sketch of what they plan to do and continued by going over the plan with the Town Board. She went on by saying that they have received donations of flowers and also will solicit certain varieties of flowers in the News Herald as well as Councilman Touchette donating a garden bench. She continued by saying that the Highway and Parks Departments will be helping and will lay the patio pavers as well as donating the fill and mulch and added that the Clematis Garden Club is doing this as a Community Development and Beautification Project and will be taking pictures as they go along, which they will pass to the Town Board.

Councilman Boehm inquired as to whether there will be a ceremony on Memorial Day.

Ms. Radley stated that they plan to have it either all or partially completed by Memorial Day and added that Coeymans Hollow Fire Company will help with the Dedication Ceremony. She concluded by saying that as with any garden it is always going to be a work in progress and added that their plan is to try and make it much prettier.

Councilman Boehm stated that he wanted to thank her for improving the Memorial and added that it is a great monument and the pavers, perennials and annuals will really set it off and continued by offering a motion.

MOTION

On motion of Councilman Boehm, seconded by Councilman Youmans, authorizing $200.00 for the purchase of shrubs to be planted at the Veteran's Memorial at the Town Highway Garage.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Councilman Youmans inquired as to whether or not it is on Town property.

Ms. Radley stated that it is.

Councilman Youmans stated that there is someone on staff with a landscaping business and continued by saying that maybe he could get the shrubs at a lower price than them buying it retail.

Ms. Radley stated that Keith is going to help them lay the pavers and added that they are entitled to a 10% discount at Story's Nursery as members of the Garden Club. She continued by saying that they are conducting a Garden Tour on June 16th in the Greenville area and added that part of the proceeds will go toward this because it is part of a Community Beautification Project.

Councilman Boehm interjected that $200.00 will only buy a part of the shrubs and added that it's not enough for the whole project.

Ms. Radley stated that they didn't want to buy little shrubs and added that they want to buy something that looks as though it is established.

Collectively the Town Board thanked Ms. Radley.

Senior Projects of Ravena Contract for Services

Supervisor Traver asked for a motion to accept the Senior Projects of Ravena Contract for Services.

MOTION

On motion of Councilman Youmans, seconded by Councilwoman Rogers, authorizing Supervisor Traver to execute the Contract with Senior Projects of Ravena in the amount of $7,000.00.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Town Clerk Request to Attend Town Clerk's Conference

Supervisor Traver stated that he was in receipt of a memo from Town Clerk Millious requesting approval to attend the New York State Town Clerk's Annual Conference and continued by asking that Town Clerk Millious explain her request.

Town Clerk Millious stated that she is requesting to attend the NYS Town Clerk's Annual Conference in Saratoga and continued by saying that it is in her budget. She added that it is April 25th – April 28th and there are many different Workshops that are important as well as her being President of Albany County Town Clerk's Association. She went on by saying that this is her one Annual Conference and she likes to keep updated on changes and continued by saying that there is going to be a big change in 2011 to Agriculture and Markets and the licensing and renewals of dogs will be done by the municipalities. She continued by saying that there are Workshops on Freedom of Information, Records Management, Birth and Death and other things that she deals with and there are changes that she has to keep up on. She concluded by saying that she believes that it is important that she attend and added that the amount requested may be less because some of the Town Clerks are car pooling.

Councilwoman Rogers interjected that it is the one that she goes to every year.

Town Clerk Millious stated that she is not staying this year and will be traveling back and forth and added that she only put in for lunch each day.

MOTION

On motion of Councilman Youmans, seconded by Councilman Boehm, authorizing Town Clerk Millious to attend the Annual Conference not to exceed $455.00.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Town Clerk Millious thanked the Town Board.

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RESOLUTIONS

RES. #39-10 APPOINT SEASONAL LABORER
On motion of Councilman Touchette, seconded by Councilman Boehm, the following resolution was APPROVED – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, Richard D. Hotaling previously requested a leave of absence from him position as Laborer in the Community Beautification Department, and

WHEREAS, Mr. Hotaling has restriction on his earnings before they negatively impact his pension, and

WHEREAS, the Beautification Department is desirous of hiring a laborer to assist in maintaining the parks, cemeteries and municipal building of the town, and

WHEREAS, the budget was approved for a reduced funding for the position of laborer in Community Beautification, allowing a seasonal appointment from April 1st to September 30th.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby appoint Richard D. Hotaling as laborer, effective April 5th through September 30, 2010 at the hourly rate of $14.50.

Councilman Boehm stated that it works out well because as the spring season approaches the mowing starts in the cemeteries and parks.

RES. #40-10 ESTABLISH WORK DAY FOR EMPLOYEES REPORTING TO NYS RETIREMENT SYSTEM
On motion of Councilman Boehm, seconded by Councilman Youmans, the following resolution was APPROVED – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the New York State Employees Retirement System requires verification that a standard work day has been established for the CSEA class of employees under Town of Coeymans employment and

WHEREAS, the CSEA Contractual Agreement does not precisely demonstrate the workday,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans hereby establishes the standard work day in a five day work week for employees as 8 hours (40 hour work week) and 7 hours (35 hour work week) for administrative personnel for the purpose of determining days worked reportable to the New York State and Local Employees Retirement System.

Councilman Touchette asked Supervisor Traver if the pension matter was taken care of.

Supervisor Traver stated that there will be a resolution at the next meeting and Confidential Secretary Lewandowski is working on it.

Councilman Touchette stated that he thought it was due by March 18th.

Councilwoman Rogers stated that it says 150 days.

Councilman Touchette stated that the letter that they originally received had several questions about Town Board Members as well as the Internal Control Officer and continued by asking if Supervisor Traver if he responded to it.

Supervisor Traver stated that he would look into it.

RES. #41-10 BUDGET AMENDMENT .2 BALANCES TO ZERO
On motion of Councilwoman Rogers, seconded by Councilman Youmans, the following resolution was APPROVED – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the Town Board passed a motion on February 22, 2010, authorizing the .2 accounts to be zero balances and to move the money somewhere else, and

WHEREAS, the Town Supervisor was directed by the Town Board to prepare any necessary budget amendments for this motion,

NOW, THEREFORE, BE IT RESOLVED, the following budget amendments are authorized:

General Fund – Town-Wide (A)

A1220.2	Supervisor	$ 1,100.00
A1310.2	Finance	$ 1,500.00
A1355.2	Assessor	$ 1,000.00
A1410.2	Town Clerk	$ 700.00
A1430.2	Human Resources	$ 1,500.00
A1620.2	Town Hall	$ 5,000.00
A3020.2	Communications	$ 2,000.00
A3120.2	Law Enforcement	$44,000.00
A5132.2	Highway Garage	$10,000.00
A8510.2	Community Beautification	$ 1,269.00
A5031	Interfund Transfers	$68,069.00

General Fund – Part-Town (B)

Decrease	B3620.2	Safety Inspections	$ 1,000.00
Decrease	B8020.2	Planning Board	$ 1,000.00
Decrease	B9901	Transfer to General (A)	$ 68,069.00
Decrease	B1120	Non-Property Tax Distribution By County	$ 70,069.00

Sewer Fund (SS)

Decrease	SS8130.2	Equipment	$190,000.00
Decrease	SS2122	Sewer Rents	$ 28,310.00
Decrease	SS2374	Sewer Services	$161,690.00

Councilman Boehm stated that they are all the .2 equipment accounts that were frozen and continued by asking what accounts for the funds will be set up.

Supervisor Traver stated that he and Internal Control Officer Purinton will be setting down to discuss whether to put the money or CD's or a Money Market Checking Account.

Councilman Boehm stated that the $190,000.00 in the Sewer was put aside for a truck and added that another thing that they need to look into is doing an RFP for the hauling of sludge in addition to finding out what they paid last year for the sludge hauling.

RES. #42-10 BUDGET AMENDMENT
On motion of Councilman Youmans, seconded by Councilwoman Rogers, the following resolution was APPROVED – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the Town Board passed a resolution on March 16, 2010 authorizing the expenditure of $16,000.00 for the purchase of materials for the repair of a storm sewer in the vicinity of Colvin Avenue and Westerlo Street, and

WHEREAS, the Town Supervisor was directed by the Town Board to prepare any necessary budget amendments for this repair,

NOW, THEREFORE, BE IT RESOLVED, the following budget amendments to the Highway Fund – Part-Town (DB) and General Fund – Part-Town (B) respectively:

Increase DB5140.4	Miscellaneous – Colvin Ave. Storm Sewer Repair	$16,000.00
Increase DB5031	Interfund Transfers	$16,000.00
Increase B9901	Transfer to Other Funds	$16,000.00
Increase B1120	Non-Property Tax Distribution by County	$16,000.00

RES. #43-10 APPROVE MARCH ABSTRACT
On motion of Councilman Touchette, seconded by Councilman Boehm, the following resolution was APPROVED – AYES 5 – NAYS 0 – SO MOVED

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

FUND	VOUCHER #	AMOUNT
GENERAL (A)		
General Pre-Pay	482-529,685-686	$192,300.47
General	572-616,687	$ 45,781.17
	General Total	**$238,081.64**
PART-TOWN (B)		
Part-Town Pre-Pay	530-541	$ 16,249.69
Part-Town	617-622	$ 5,506.50
	Part Town Total	**$ 21,756.19**
HIGHWAY (D)		
Highway Pre-Pay	542-549	$ 46,707.32
Highway	623-670	$ 33,797.24
	Highway Total	**$ 80,504.56**
SEWER (SS)		
Sewer Pre-Pay	550-565	$ 14,772.60
Sewer	671-684	$ 8,708.46
	Sewer Total	**$ 23,481.06**
	Total for all Funds	**$363,823.45**
TRUST & AGENCY (TA)		
Trust & Agency Pre-Pay	566-571	$251,648.92
	Trust & Agcy. Total	**$251,648.92**

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CORRESPONDENCE

New York State Department of Public Service

Supervisor Traver stated that he was in receipt of a letter from New York State Department of Public Service and continued by reading the following:

Dear Community Leader:

On January 29, 2010, Niagara Mohawk Power Corporation d/b/a National Grid, requested a $390 million annual increase in electric delivery rates. The company states that the rate increase is needed to help it cope with higher operating and maintenance costs, lower sales, and new capital investment. These rates were last updated in 2002. The new rates may become effective on or after January 2011.

The primary mission of the New York State Department of Public Service (DPS) is to ensure that utilities provide safe and reliable service at just and reasonable rates. Under New York State Law, the Public Service Commission must consider a utility's proposal and may adopt or reject in whole or in part, or adopt changes not proposed by the company. In the near future, the public will be given an opportunity to comment on National Grid's rate increase proposal. Prior to that time, staff of DPS' Office of

Consumer Policy is seeking your assistance in identifying customer service issues that should be considered as part of the DPS review of the company's proposal.

As a leader or service provider in your community, you are in a position to assist us in ensuring that consumers have a voice in the Public Service Commission's rate setting process. We have enclosed a brief questionnaire focusing on several areas of customer service related to National Grid that we invite you to complete. The responses will be compiled and shared with the DPS team analyzing National Grid's proposal.

In addition, we are interested in meeting with you to learn more about your experience with the customer service provided by National Grid, as well as the experience of your clients. Please indicate on the attached survey if you would be willing to co-sponsor and/or attend a public participation forum with DPS staff. The forum would provide you and your clients an opportunity to obtain information about National Grid's proposal and to share your thoughts with DPS staff on customer service issues that may be explored through the rate proceeding, such as credit and collection, billing, and general customer service issues.

Thank you in advance for taking the time to share your thoughts with us by completing the attached survey by March 31, 2010. You may return the completed survey to Susan Katz, Department of Public Service, Office of Consumer Plaza, Albany, NY, 12223-1350, or you may complete it online by visiting www.AskPSC.com and by clicking on Community Leaders Survey. We also look forward to your expression of interest in participating in a future public participation forum. If you have any questions, please contact Susan Katz of the DPS Office of Consumer Policy at (518) 473-0277.

Sincerely,

Douglas Elfner
Director
Office of Consumer Policy

Supervisor Traver continued by asking the Town Board how they felt about him completing the survey.

Collectively they agreed that he should.

Supervisor Traver asked for a motion authorizing him to fill out the survey.

MOTION

On motion of Councilman Boehm, seconded by Councilman Touchette, authorizing Supervisor Traver to complete the survey.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Councilman Boehm stated that he encourages any members of the public that have any input to get it to the Supervisor by the date that it is due.

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WORKSHOPS / MEETINGS

- Public Hearing, April 12, 2010, 6:30pm
- Town Board Meeting, April 12, 2010, 7:00pm
- Town Board Workshop, April 20, 2010, 6:00 pm
- Town Board Meeting, April 26, 2010, 7:00pm

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ADDITIONAL COMMENTS

Supervisor Traver asked if there were any additional comments.

Highway Superintendent Deering stated that he did not see on the agenda his request that he sent to attend Highway School.

Supervisor Traver stated that he didn't get it and continued by asking when it is.

Highway Superintendent Deering stated that it is in June.

Supervisor Traver asked if there were any additional comments.

Councilman Boehm stated that he wanted to thank Ralph and Joan for their contributions to our community and added that it may look like they are just looking for money but there is a lot more work and hours behind it than the monetary funds that the Town has given them. He continued by thanking Ralph for his work with the Historical Society and Joan for her work with the Garden Club on the Veteran's Memorial in Coeymans Hollow.

Councilman Youmans thanked her for honoring our Veterans.

Supervisor Traver asked if there were any additional comments.

Councilman Touchette stated that he wanted to again point out that Census Day will be in about a week and a half and reiterated how important it is for everyone in Town to be counted because a good portion of revenue derived comes from the census data. He concluded by asking for everyone's cooperation.

Supervisor Traver asked if there were any additional comments.

Town Clerk Millious stated that she will be collecting Property Taxes until March 31st and added that anyone wishing to pay after that date would need to contact Albany County at (518) 447-7070 and they are at 112 State Street, Room 800 and continued by saying that she sent out reminder notices.

Supervisor Traver asked if there were any additional comments.

Attorney for the Town Wukitsch stated that there is an Executive Session listed on the agenda and added that there really is nothing to report in terms of the pending litigation at this point in time.

Supervisor Traver asked if there were any additional comments.

Chief Darlington stated that earlier in the meeting they signed a Contract for the Senior Center and continued by asking if it is for the use of their facility for a shelter.

Councilman Youmans stated that it is.

Chief Darlington stated that he heard $7,000.00 mentioned and added that it is the most inexpensive contract that they have and continued by saying that they use them quite a bit in severe weather as well as when Oak Brook Manor had a fire they fed people. He went on by saying that it is a well worth contract that they sign every year and it is an asset to Emergency Management.

Councilman Youmans stated that they provide emergency shelter, meals, training room facilities and income tax services, recreation, congregate dining, meals on wheels, social activities and transportation for seniors and added that it absolutely is a good program.

Chief Darlington stated that the Assessor asked that he bring up an issue with a voucher concerning one of their employee's purchase of oil for the Durango and they were told to go through the mechanic.

Chief Darlington stated that he advised Assessor VanValkenburg that NAPA should have a line that says Assessor's Office.

Councilman Boehm inquired as to who uses the Durango other than the Assessor's Office.

Chief Darlington stated that they very seldom use it and added that it has been a question for the longest time and it has been coming out of his budget and continued by saying that with the budget restrictions he refuses to sign any voucher with that on it.

Councilman Boehm suggested that they discuss it at a Workshop because it is shared by three Departments and added that it is the surplus Durango.
Supervisor Traver asked if there were any additional comments.

Highway Superintendent Deering stated that he wanted to thank Joan Radley along with his Clerk Linda Biance for working in the Memorial Garden and added that after Linda got out of work she worked in the garden, which was all volunteer time. He continued by saying that he wanted to say to the Town Board that the meeting tonight was very professional.

Supervisor Traver asked if there were any other comments.

Councilman Youmans stated that he wanted to thank Highway Superintendent Deering for his quick response on Colvin Avenue with measuring and ordering the pipe and acting on it as quickly as he did.

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

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ADJOURNMENT

Supervisor Traver asked for a motion to adjourn the meeting.

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, the Town Board Meeting was adjourned.
VOTE – AYES 5 – NAYS 0 – SO MOVED

***Respectfully Submitted*,** **APPROVED:**

_____
Diane L. Millious, Town Clerk

A Public Hearing was held Monday, April 12, 2010, at 6:30pm at Town Hall, 18 Russell Avenue, Ravena, New York

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

ABSENT: Henry C. Traver, Supervisor

ALSO PRESENT: Diane L. Millious, Town Clerk
Greg Darlington, Chief of Police

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Councilman Touchette opened the meeting and led the Pledge of Allegiance.

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AUTHORIZE COUNCIL TO PRESIDE OVER MEETING

Councilman Touchette asked that Councilwoman Rogers move the resolution authorizing Council to preside over the Public Hearing.

RES. #44-10 AUTHORIZE COUNCIL TO PRESIDE OVER PUBLIC HEARING
On motion of Councilwoman Rogers, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 – SO MOVED

WHEREAS, the Town Supervisor is unable to attend and preside over the Public Hearing scheduled for April 12, 2010, and

WHEREAS, Town Law, Section 63, authorizes the Town Board to designate a Town Board Member to preside over meetings in the absence of the Town Supervisor, and

WHEREAS, the Town of Coeymans does not have a Deputy Supervisor,

NOW, THERFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby designate Council Member Richard N. Touchette to preside over the Public Hearing of April 12, 2010.

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Councilman Touchette asked that Town Clerk Millious read the Notice of Public Hearing.

Town Clerk Millious continued by reading the following:

NOTICE
OF
PUBLIC HEARING
ON PROPOSED LOCAL LAW # 2 OF 2010

A LOCAL LAW RELATING TO SITE PLAN REVIEW REQUIREMENTS

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Coeymans will hold a Public Hearing on April 12, 2010 beginning at 6:30pm at Coeymans Town Hall, 18 Russell Avenue, Ravena, NY concerning Proposed Local Law # 2 of 2010 as described above.

A copy of Proposed Local Law is on file in the Town Clerk's Office.

PLEASE TAKE FURTHER NOTICE that all interested parties will be heard at this time and place.

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

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OPENING COMMENT

Councilman Touchette stated that by way of introduction, the Local Law was brought to the Town Board at the request of the Planning Board and added that they requested that it be placed on the agenda. He continued by saying that since the Proposed Local Law was read at the last meeting there have been some minor revisions, which were finalized and distributed to the Town Board approximately 10 days ago. He went on by saying that before reading the Proposed Law he wanted to go over those revisions so people know what changes were made as follows:

Section VI, Review Elements and Criteria, #16 – There was a typo that included the words in any – changed to read "Effects on historical properties listed on the National, State, or Albany County Historical Registers and other cultural, archaeological and historic resources of the Town.

Section VIII, Site Plan Requirements, #4 – changed to read "Applicant shall complete the project within 180 days of approval. Failure to do so will result in voiding the Site Plan approval. Applicant may apply for one 90 day extension".

Section IX, Submittal of Incomplete Site Plans – changed to read "The Planning Board shall notify the applicant of the incomplete status of the application and the information needed to complete the application".

Section XII, Appeals – changed to read "The Town of Coeymans Planning Board shall bear sole and final authority in its decisions pursuant to this Law. Decisions of the Planning Board shall be subject only to judicial review in the manner prescribed by law in a proceeding pursuant to CPLR Article 78".

Councilman Touchette stated that what they plan to do, based on the recommendation of Attorney for the Town Wukitsch, is declare the Town Board as Lead Agency and complete the Environmental Assessment Form and if deemed appropriate they will declare a Negative Declaration and in turn forward the proposed action to the Albany County Planning Board.

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PROPOSED LOCAL LAW #2-10

Councilman Touchette continued by reading the Proposed Local Law.

A LOCAL LAW RELATING TO SITE PLAN REVIEW REQUIREMENTS

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF COEYMANS AS FOLLOWS:

SECTION I – TITLE

This Local Law shall be know as **"The Site Plan Review Law"**

SECTION II – INTENT

The site plan review procedures and requirements of the local law are intended to achieve the following:

1. Provide a consistent and uniform method of review of certain proposed development plans.
2. Ascertain that significant redevelopment complies with current standards.
3. Create an accurate record of approved development.
4. Achieve efficient use of the land.
5. Protect natural, archaeological and historical resources.
6. Review adverse impact on adjoining or nearby properties.
7. Retain rural and natural resources with a clean and attractive environment as well as continued development of the economy of the town and the general welfare of its inhabitants.
8. Conform the Zoning requirements of the Town of Coeymans.

SECTION III – STATUTORY AUTHORIZATION

The Town of Coeymans Planning Board is hereby authorized pursuant to Town Law, Section 274-A, and the Municipal Home Rule Law Section 10, to review and approve site development plans.

SECTION IV – APPLICABILITY

1. Projects requiring Site Plan Review and approval.

a. The construction of any new structures, development of any new use(s), and all other building or development activities shall require "site plan approval" from the Town of Coeymans Planning Board prior to the issuance of any building permit.
b. Site Plan Review shall also be required for the resumption of any use discontinued or not used for more than one (1) year, or for the expansion of any any existing use. "Expansion" shall include a floor space increase of twenty-five (25) percent or more within any ten (10) year period, or the introduction of new material or processes not previously associated with the existing use.

SECTION V – DEVELOPMENTS NOT REQUIRING SITE PLAN APPROVAL

Construction, moving, relocating or structurally altering a single-family dwelling or two-family dwelling, including any customarily incidental accessory structure.

SECTION VI – REVIEW ELEMENTS AND CRITERIA

In acting on any site plan application, the Planning Board, in addition to all other applicable laws, shall take into consideration the following:

1. Traffic access roads. (Ingress & Egress)
2. Pedestrian safety and access.
3. Circulation and parking.
4. Screening and landscaping.
5. Environmental quality.
6. Fire protection.
7. Drainage / storm water runoff.
8. Refuse and sewage disposal.
9. Water supply. (ID) Location and dimension of buildings.
10. Impact of the proposed use on adjacent land uses.
11. Snow clearing and removal.
12. Design elements.
13. Impact of the proposed use on both on-site and off-site infrastructure.
14. Effects of smoke, noise glare, vibration, odors and/or other noxious and offensive conditions if any.
15. Effects on historical properties listed on the National, State, or County Registers and other cultural, archaeological and historical resources of the Town.
16. Hours of operation, lighting, signs.

SECTION VII – CONCEPTUAL SITE PLAN

1. An applicant may request a meeting with the Planning Board for the purpose of reviewing and discussing a proposed preliminary site plan for the purpose of determining the feasibility of the project, which the site plan represents. The request may be put on the agenda of a regularly scheduled meeting or on the agenda of a special meeting at the request of the applicant who shall pay the established fee for such Site Plan Review.

2. Conceptual site plan submissions shall present a flexible design concept that my be readily changed by the Planning Board in determining the feasibility of the project. The Planning Board shall indicate its general acceptance of the proposed layout of buildings, roads, driveways, parking areas, other facilities, and of the general character of the proposed development.

3. Conceptual site plan submissions are likely to contain less detailed information than a final site plan submission, with the result that review of these two submissions may yield different results. All review of conceptual site plans is tentative and subject to reconsideration upon submission and review of additional detail provided in a final site plan.

SECTION VIII – SITE PLAN REQUIREMENTS

The requirement for a final site plan review and approval shall include, but not be limited to the following:

1. Submission of site plan application form with payment of the required fee as established by the Town Board.

2. The site plan may require a plan drawn by a design professional if required by the Planning Board. The scale shall be based of not more than fifty (50) feet to the inch Or greater and must be on an 11”X17” sheet.

3. A check list provided with the Site Plan Review application shall be reviewed and then submitted to the Planning Board by the applicant.

4. Applicant shall complete the project within 180 days of approval. Failure to do so will result in voiding of the site plan approval. Applicant may apply for one 90 day extension.

SECTION IX – SUBMITTAL OF INCOMPLETE SITE PLANS

Submittal of site plans that do not contain the required information as set forth in the Local Law or otherwise required are not subject to review deadlines and failure to provide a decision by said guidelines does not constitute approval or conveyance of a vested right for said development. The Planning Board shall notify the applicant of the incomplete status of the application and the information needed to complete the application.

SECTION X – SITE PLAN APPROVAL PROCESS

1. Except those applications for which the Planning Board has waived site plan review, the Planning Board shall issue a notice of completed application to the applicant upon determining the site plan to be complete.

2. Within sixty-two (62) days of a complete application, the Planning Board shall schedule a Public Hearing and provide public notice of the hearing in the official newspaper at least five (5) days prior to the date set for the Public Hearing.

3. The Planning Board shall make a determination for final site plan approval within sixty-two (62) days of the close of the Public Hearing. The time within which the Planning Board must render its decision may be extended by mutual consent of the

Applicant and the Planning Board.

4. The decision of the Board shall be filed in the office of the Town Clerk within five (5) business days of the date such decision is rendered and a copy thereof shall be mailed to the applicant.

SECTION XI – AMENDMENTS TO SITE PLANS

1. Any amendment of a final site plan previously approved by the Planning Board shall be subject to the same approval procedure as provided by this law.

2. The Planning Board may waive any of the procedural steps to the extent it deems appropriate for an application for an amended final site plan, provided the applicant shall formally submit an application to amend and receives formal approval therefore, and the application to amend must be submitted within two years of the date of the approval proposed to be amended.

SECTION XII – APPEALS

The Town of Coeymans Planning Board shall bear sole and final authority in its decisions pursuant to the law. Decisions of the Planning Board shall be subject only to judicial review in the matter prescribed by law in a proceeding pursuant to CPRL Article 78.

SECTION XIII – CONFLICTS WITH OTHER PROVISIONS

In the event that any provision of any other Town of Coeymans Local Law, Ordinance or regulation conflicts with the provisions of this Law, the more stringent provision shall be controlling.

SECTION XIV – PENALTIES FOR OFFENSES

1. Any person or persons, associations or corporations committing an offense against this law or any section or provision thereof is guilty of a violation and shall, upon conviction thereof, be subject to a fine not exceeding $250.00 or imprisonment not exceeding 15 days, or both.

2. In the event of a continuing offense of any section or provision of this law, each day that such offense shall continue shall be separate violation and subject to a separate fine, imprisonment or combination thereof.

3. Notwithstanding a conviction for any offense against any provision or sections hereof, an association or corporation convicted shall be subject to revocation of any permit therein granted without reimbursement of fees paid thereof.

4. In lieu of or in addition to any fine or imprisonment, or both, imposed for a conviction of an offense of this law, each such offense may be subject to a civil penalty not to exceed $250.00 to be recovered in an action or proceeding in a court of competent jurisdiction. Each day an offense continues shall be subject to a separate civil penalty.

5. The Town Attorney may maintain an action or proceeding in a court of competent jurisdiction to compel compliance with this law, notwithstanding the provisions of Subsections 1, 2 and 3 of this section, for a penalty or other punishment.

Councilman Touchette stated that as a Town Board they need to declare Lead Agency, do the Environmental Assessment Form and Negative Declaration and then forward it to the Albany County Planning Board. He continued by saying that they are going to have to adjourn the Public Hearing until they receive a determination back from the Albany County Planning Board and added that they just missed the deadline for submission so it won't be submitted until May, which means it will be the end of May before they can actually pass the Law if it is what the Town Board decides to do. He went on by saying that he wanted to go over the Short Environmental Assessment Form and as a Board

when they get to the Impact Assessment they need to decide each of the actions as a Board and then vote on it. He then went over the form with the Town Board.

Councilman Touchette continued by saying that he would like to move that based on the Environmental Assessment Form, they declare a Negative Declaration on the Proposed Local Law and then asked for a second.

MOTION

On motion of Councilman Touchette, seconded by Councilman Boehm, declaring a Negative Declaration on the Proposed Local Law.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Traver) – SO MOVED

Councilman Touchette then asked for a motion to refer it to the Albany County Planning Board for their review and comment.

MOTION

On motion of Councilman Boehm, seconded by Councilman Youmans, to forward the Short Environmental Assessment Form to Albany County for their review and comment.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Traver) – SO MOVED

Councilman Touchette continued by thanking the audience for their patience and continued by asking if there was anyone wishing to speak relative to the Proposed Local Law and then asked that they raise their hand and when called upon step to the microphone and state their name and address for the record.

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PUBLIC COMMENT

Mr. Gary Bogardus stated that he lives at 139 SR143 and continued by asking what the Town Board is doing now and why they need more control. He added that it seems as though their answers to everything is more laws and went on by saying that as an example, someone that can't make it up Powell Hill can get a ticket because they had to leave their car at the bottom of the hill. He continued by saying that he believes that there are people on the Boards that have their own agendas and added that the Town must get more business to help with taxes and this law will not help business but rather discourage businesses from starting or expanding. He went on by saying that School Taxes are going up almost 5% and who knows how much Town Taxes are going up and then asked that they take a look at how many businesses the Town has lost. He continued by saying that this will add to the cost of businesses through engineers, lawyers, surveyors and what ever else. He added that the Economic Development Plan goals state as follows:

"Foster development of vital businesses-friendly environment, both for existing businesses and new businesses, promote economic development that will expand and stabilize the Town's tax base while providing for a range of employment opportunities, retain and improve the Town's commercial and industrial base to expand the availability of goods and services to residents, and foster the development of tourism resources in the Town to strengthen the local economy and establish stewardship and preservation of the Town's unique resources". He went on by saying that this is in the Town's plan, which they drew up and added that farming should be exempt from Site Plan Review according to Agriculture and Markets guidelines and in the Economic Development goals and Master Plan it says that they should pass a Right to Farm Law, which they have not done and continued by saying that he asked the Board at one time to do it but nothing has ever been done. He then asked if Agriculture and Markets had reviewed the Proposed Law.

Collectively the Town Board stated that they had not.

Mr. Bogardus continued by saying that he had the application all made out for them and it is called a Section 305A Review and added that he will file it. He then asked if the Law will be part of the Zoning.

Councilman Touchette stated that it is separate.

Mr. Bogardus asked if it was stand alone and added that he didn't think so and continued by saying that if it is adopted he is sure that it will end up in the Zoning. He then asked how much the Town has paid Laberge Group from 2004 to present to draw up all the laws and plans to restrict their rights and freedoms.

Collectively the Town Board said they didn't know.

Mr. Bogardus continued by saying that he will F.O.I.L. for it and he will find out. He continued by saying that he never thought he would have to spend his retirement years battling Town Government for his property rights and added that they have not needed the law for 50 years and they should run it through the shredder. He concluded by saying that they can petition for a referendum vote on it.

Councilman Touchette stated that they had approximately four minutes before the regular meeting started and continued by asking if anyone else wished to speak to the issue and added that they are going to have to keep it under four minutes because he will be adjourning the Public Hearing.

Mr. Rob VanEtten stated that he lives in the Town of Coeymans and continued by asking whether or not he would have to go before the Planning Board for approval to put up a hay barn.

Councilman Touchette asked if it would be for agricultural use.

Mr. VanEtten stated that it could be any kind of barn and added that the only exceptions are for single family or a two family house and added that it states construction of any new structures.

Councilman Touchette stated that there were some members of the Planning Board present and continued by asking if Planning Board Member Irwin or anyone else wanted to address it.

Mr. VanEtten stated that before it was just a matter of getting a Building Permit and added that now the way it is worded they are going to have to jump through hoops and if someone wanted to build in the spring for additional storage, by the time they get through all this the growing season will be over.

Mr. Buddy Irwin stated that he is a member of the Planning Board and added that the things in the Proposed Local Law are currently in the local Zoning and they are trying to get it out of the Zoning so it will be a stand alone Local Law that could be changed at anytime. He continued by saying that those in the Agricultural District are exempt from it anyway and most of the farmers present are, and it takes precedence over any actions that the Town may take and it gives them protection to pursue their agricultural businesses.

Mr. VanEtten stated that it says construction of any new structure and added that it is pretty black and white.

Councilman Touchette interjected that they are going to have to adjourn the Public Hearing and start the Regular Meeting of the Town Board.

Mr. VanEtten stated that he did not get his question answered, which was not right and added that they are going to present to the County a Law that they can not give him an answer on.

Councilman Touchette stated that he believes that he has an answer.

Mr. VanEtten reiterated that it is pretty black and white and he read it forward and backward and he does not see where it shows that they can just put up a barn with a permit but rather they will have to go through the Planning Board.

Councilman Touchette asked for a motion to adjourn the Public Hearing.

Collectively members of the audience asked why and added that they had not answered the question.

Councilman Youmans stated that personally he was not prepared to move forward until everyone that wants to be heard has a chance to speak and added that this is the point of a Public Hearing.

Councilman Boehm interjected that he wanted to offer a motion to postpone the start of the Town Board Meeting until everyone is heard.

Councilman Youmans stated that he would move that they postpone the start of the Regular Meeting until they hear from as many people that are present that wish to speak.

Mr. VanEtten stated that he wanted clarification because he is going to call Agriculture and Markets and the Farm Bureau and let them know that the way that it is written the Town is trying to run the farms and reiterated that it is pretty black and white

Planning Board Member Irwin continued by asking what he would have done last week if he wanted to put up a barn.

Mr. VanEtten stated that he would have gotten a Building Permit.

Planning Board Member Irwin stated that none of that changes with the Law.

A member of the audience asked why they are doing the Law.

Planning Board Member Irwin stated that they are doing it to get it out of Zoning so that if there was a change needed, if it is a stand-alone law, they will not have to revamp the Zoning. He continued by saying that for people that want to do a project, with this there is a checklist of things that you would need to do and added that right now there is not this type of thing. He went on by saying that everything that Mr. VanEtten is currently doing now will not change and the wording is the same in the Zoning Law.

Mr. VanEtten stated that he thinks they better reword it because he does not think it that way.

Planning Board Member Irwin asked Mr. VanEtten if Planning or Zoning had ever been involved in anything that he has done on his farm.

Mr. VanEtten stated that they haven't yet.

Planning Board Member Irwin stated that his understanding is that it will stay exactly the same way.

Mr. VanEtten interjected that it is to his understanding but he is also indicating that he is not sure either. He continued by saying that he is going by what it says in the law under Developments Not Requiring Site Plan Approval, which is only one sentence and added that they may need to expand on that and clarify it before they send it to the County.

Planning Board Member Irwin stated they may have to.

A member of the audience stated that you don't need a law to make a check list.

Councilman Touchette asked if any one else wished to make a comment.

Mr. Mark Stanton stated that he lives at 89 Biers Road in Coeymans Hollow and added that in putting the agriculture off to the side, when you think about every one that wants to put an addition on their house, build a house or do any thing, they need to think about the backlog that this it is going to make in the Building Department and Planning Board.

He continued by saying that when you put an application in, the Planning Board has 62 days to act on it in addition to another 62 days to render a decision.

Councilman Touchette interjected that construction, moving, relocating or structurally altering a single-family dwelling or two-family dwellings does not require Site Plan Review.

Mr. Stanton stated that there is certainly a lot more that goes on than that and reiterated that any one wanting to start a business in the Town or expand a business, with all the time that will be required for planning, it will be prohibitive for business. He continued by inquiring as to how much it will cost to do all this because they would be tying up a lot people for many meetings and added that they do not need any more restrictive fees in the Town as far as doing business. He went on by saying that there is also a 180 day limit to get a project done with one 90-day extension and added that there are all kinds of problems that can happen during construction and it could go longer than 6 months. He continued by saying that in today's economy people don't have the money and with this kind of law they are restricting people who are trying to do things in a reserved way and trying to save money so they don't go that far in debt. He concluded by saying that he thinks it is a lot more hoops and loops that people are going to have to jump through and they are against it.

Councilman Touchette asked if anyone else wished to comment.

Mr. Dan Boomer stated that he lives at 212 Biechman Road and added that he is opposed to the law. He continued by saying that the Town is drying up and is like a garden being choked out by weeds and in looking around at every town around us they are doing good. He went on by saying that a lot of people don't go around to other places but he does and even little Freehold is building up with places like Tip Top Furniture and added that he remembers when the Town ran Ken Dudley out of Town, who started the business out on Rte. 143 because he wanted to be in the Town of Coeymans. He continued by saying that instead of doing anything proactive they are wasting everyone's time with more rules and regulations to prohibit people. He added that it was just in the paper that a Company from Texas is putting in a development in Coxsackie and didn't even bother with the Town of Coeymans and went on by saying that they need to wake up and get things going because they cannot afford the school, town and county taxes. He continued by saying that the Town is turning into more and more of a dried up use to be town and the new regulations is more nonsense and went on by saying that instead of arguing and fighting with one another they should be going out and trying to get new business to come in and take a proactive approach and think big like they are in Greene County. He added that he remembers when Coxsackie was the low Town and they watched out for people from Coxsackie, which was not right but it was the way that they felt and now in looking at Coxsackie it is not just the main thoroughfare on Rte. 9W. He continued by saying that they could do the same thing with Coeymans Landing and maybe they should go to Town of New Baltimore meetings and encourage an outlet development to be right over the Town of Coeymans line, which would bring more to the Town. He added that they have to do something, they have to be proactive, they have to stop fighting with one another as well as with the Village and added that the new law is no good and too much because it is already crazy enough to try and build something in this Town. He continued by saying that agriculture is fine because a lot of the law does not touch that at all but for someone else trying to start a business other than another drug store, insurance man or lawyer they can forget it. He went on by saying that he wants his kids to see the Town come back the same way that they brought back Coxsackie and the way New Baltimore is going because his taxes in New Baltimore are half for double the acreage that there are in the Town of Coeymans and added that years ago the taxes were high in New Baltimore but now it is just the opposite. He continued by saying that he realizes that everyone is saying that the taxes have not raised but their assessments have on some sort of a false hope that they are trying to follow Bethlehem with SUV Police vehicles. He concluded by saying that it is madness and they have to get it under control and work together and added that they elected the Board and this is what they are counting on and reiterated that the law is no good and more nonsense.

Councilman Touchette asked if anyone else wished to comment.

Ms. Karen Moreau stated that she is counsel representing P&M Brick LLC, owners and operators of the Port of Coeymans. She continued by thanking them for the opportunity to speak and added that she had been before the Board one time previously to talk about what they do at the Port. She went on by saying that she is hearing that people are generally expressing a feeling that more regulation of this nature is not going to be promoting business or agriculture or quality of life that they would like to see and it may actually have the opposite effect. She continued by saying that she does share their concerns to some degree in speaking to the issue of the agriculture uses as a lawyer and farm operator and added that she believes that if the Board values rural life and rural economic development, that they pause and take their time before enacting the proposal because it would definitely affect the ability to put up agricultural buildings. She went on by saying that there are a lot of farms that are not in Agriculture Districts so the protections that Planning Board Member Irwin had mentioned would not pertain to those farms, which is a technical issue, but it is one that should be reviewed more closely. She continued by saying that Planning Board Member Irwin stated that they are trying to adopt a stand-alone law so they don't have to go through a lot of the difficulty that you would have to go through if you had to change zoning but in reviewing the proposal, which is the Site Plan Review Proposal, which 274-A of Town Law provides for under the Zoning section of Town Law, she finds it very difficult to reconcile the Town's current Zoning Law with the Site Plan Review Proposal. She went on by saying that when you read the proposal even as a stand-alone law, there are a number of things that are inconsistent with the Zoning Law and then asked the Board if they are intending to amend the Zoning Law by adopting the Proposed Law. She added that this may be a question for the Town's counsel, who is not present and continued by saying that it is an important question because it will dictate a number of the things that they have to do as a Board to fulfill the requirements of the Town Law and then asked again if they are repealing certain provisions in the existing Zoning Law by enacting this law.

Councilman Touchette stated that they are not repealing the existing law.

Councilwoman Rogers interjected that she thinks that they are.

Planning Board Member Irwin stated that he thinks that they have to and this is part of the whole process.

Ms. Moreau stated that the appendix of their existing Zoning Law talks about the specific zones in the Town and within each zone there is a schedule of uses and some indicate Site Plan Review is required or Site Plan Review is not required. She continued by saying that this will directly impact what is the actual Zoning Law and added that the Board may be well intentioned in trying to create a better community environment but she thinks it would be helpful based on their Economic Development Plan, that they have put a lot of their effort in, that they have some sort of committee of people that do business in the Town, farmers in the Town, and people who have a real interest in regulations that are going to effect them and work on this in conjunction with the Zoning Law. She went on by saying that it is her understanding that they have a draft of a Zoning Law in the works and it would seem to her that if they are going to do this and go through all the trouble of Public Hearings, referrals to Albany County, other notices, Environmental Impact Statements and other procedural things, it may be a good thing to step back and really start to focus on some of the specifics. She continued by saying that under enforcement it does not say who is enforcing it and whether or not it would be the Planning Board as well as hours of operation for a business, depending on how they structure it, it may not be a legal regulation of a land use and an imposition on business operation, which is unconstitutional. She went on by saying that under Section 2 #4 they talk about achieving efficient use of land and in talking about use of land they are really saying that they are making a law that affects use of land and when you make a law that affects use of land, regardless of what you call it or regardless of whether it is passed on its own, it is considered part of zoning. She continued by saying that under Section 3 they grant the Planning Board authority to review and approve Site Development Plans and continued by asking if it is presently the situation where the ZBA approves Site Development Plans.

Planning Board Member Irwin stated that the Planning Board does.

Ms. Moreau stated that an area that needs a further look and careful review is the uses a Site Plan Review will apply to and added that when they do a Zoning Law they want to make sure that they have zones and within the zones you try to be as specific as possible as to what the uses are so people know ahead of time what they can expect. She went on by saying that the Port is in an Industrial Zone and under the current zoning there are a number of uses that are already permitted and in doing business one of the things that would be difficult for them or anyone else in the same situation, is to be held back by the time that it takes to get through Site Plan Review and added that they are talking about 62 days before a completed application is even accepted before a Public Hearing has to be scheduled and then another 62 days that the Board has to act on it, which is a pretty lengthy time and some businesses such as construction and agriculture are very much tied to a small window of time to get anything constructed. She continued by saying that the Town of Coeymans has a lot of great things going for it and as the previous speaker had said, other communities are passing them by and added that maybe in drafting laws of this nature and in drafting a Zoning Law they should be looking for ways to encourage and streamline the process for the kinds of things that they want to see happen and not impose more regulations as long as it meets what was the intention of zoning in the first place, which is general safety, health and welfare of the public. She went on by saying that this is why towns are allowed to regulate property with that in mind but there has to be a balance and you can't go to one extreme. She added that they talk about construction of any new structure as a project that requires Site Plan Review as well as any development of any new uses and all other building and development activity and they talk about expansion to include not just an increase of size or floor area but also in the term expansion it says "the introduction of new material or processes not previously associated with the existing use". She continued by saying that she can take that to mean if she changes the material in her construction, such as replace siding, she would have to get Site Plan Review to do that and to her if structural alterations do not require Site Plan Review, why should cosmetic changes require Site Plan, which is an interpretation issue. She added that as Mr. VanEtten had said, on one hand they are requiring Site Plan Review for all uses and in the next paragraph they are saying except for single and two-family homes and continued by saying if they want to exempt certain projects from Site Plan Review they have to say in a previous paragraph excepting these uses and reiterated that it is a very important issue of clarity. She went on by saying that she gathers from Mr. Irwin and the Board's comments that the Proposed Site Plan Review Local Law came from and originated from the Planning Board.

Planning Board Member Irwin stated that was correct.

Ms. Moreau continued by asking if there have been any reports done by any of the Boards on the Proposed Site Plan Local Law.

Planning Board Member Irwin stated that it was forwarded to the Town Board at the recommendation of the Planning Board.

Ms. Moreau asked if there was any discussion as to why it was needed or what the intent was.

Councilwoman Rogers stated that there wasn't.

Ms. Moreau stated that section X states "Except those applications for which the Planning Board has waived Site Plan Review, the Planning Board shall issue a notice of completed application." She continued by saying that they don't go on to say anything about what the situation might be where the Planning Board would waive Site Plan Review and added that it is an arbitrary situation where they can waive it in some cases and not others and if you want to give flexibility there has to be some guidelines for waiving Site Plan Review, which speaks to the whole issue of being very specific as to when Site Plan Review is required. She added that to require it in almost every situation, which is what this does, it's like trying to over regulate with the idea that it is going to improve the community but from what people are saying it may have the opposite effect. She then asked if they had referred the document to anyone else or the Albany County Planning Board.

Councilwoman Rogers stated that it had been referred to the Attorney for the Town.

Ms. Moreau continued by asking if it had been referred to the County Planning Board.

Councilman Touchette stated that it hadn't.

Ms. Moreau continued by asking if they intend to send the document and the Negative Declaration along with the Short Environmental Assessment Form.

Councilman Touchette stated that they do.

Ms. Moreau stated that she would suggest that because they have done so much work already on a Proposed Zoning Law as well as some fairly significant studies that the tax payers have paid for, that this should be reviewed in conjunction with the Economic Development Study and the goals that are specified in that. She added that they should slow down on doing this and try to put it in the context of a Zoning Law change so that there are no inconsistencies.

Councilman Touchette asked if anyone else wished to comment.

Mr. William Biers stated that he lives at 319 Biers Road and continued by asking that they withdraw it and not send it to Albany County and added that it seems that they are specifically aiming it toward specific businesses.

Councilman Touchette interjected that he was not aware of any specific target.

Mr. Biers reiterated that they should not send it to the County and talk to some of the property owners and business people in the area before they go any further.

Councilman Touchette asked if there were any other comments.

All persons desiring to be heard were heard.

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ADJOURNMENT

Councilman Touchette asked for a motion to adjourn the Public Hearing.

MOTION

On motion of Councilman Boehm, seconded by Councilman Youmans, to adjourn the Public Hearing.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Traver) – SO MOVED

Councilman Touchette thanked everyone for attending.

Time: 7:28PM

***Respectfully Submitted*,** **APPROVED:**

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Diane L. Millious, Town Clerk

April 12, 2010 – TOWN BOARD MEETING – 7:00PM

A Town Board Meeting was held Monday, April 12, 2010, at 7:00pm at Town Hall, 18 Russell Avenue, Ravena, New York

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

ABSENT: Henry C. Traver, Supervisor

ALSO PRESENT: Diane L. Millious, Town Clerk
Albert Deering, Highway Superintendent
Greg Darlington, Chief of Police

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Councilman Rogers opened the meeting and led the Pledge of Allegiance.

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RES. #45-10 AUTHORIZATION FOR COUNCIL TO PRESIDE OVER MEETING
On motion of Councilman Boehm, seconded by Councilman Youmans, the following resolution was APPROVED – AYES 4 – NAYS 0 – ABSENT 1 (Traver) – SO MOVED

WHEREAS, the Town Supervisor is unable to attend and preside over the Town Board Meeting on April 12, 2010, and

WHEREAS, Town Law, Section 63, authorizes the Town Board to designate a Town Board Member to preside over a Town Board Meeting in the absence of the Town Supervisor, and

WHEREAS, the Town of Coeymans does not have a Deputy Supervisor,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby designate Councilwoman Rogers to preside over the Town Board Meeting on April 12, 2010.

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OPENING COMMENT

Councilwoman Rogers stated that there was a full Town Board with the exception of Supervisor Traver who was not able to attend the meeting.

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AGENDA

- Public Comment
- Approval of Minutes
  - Bid Opening, January 21, 2010
  - Town Board Meeting, February 22, 2010
  - Public Hearing, March 8, 2010
  - Town Board Meeting, March 8, 2010
  - Town Board Workshop, March 16, 2010
  - Town Board Meeting, March 22, 2010
- Old Business
  - Authorize Attendance for Attorney Penpraze to Attend Special ZBA Meeting
  - Rte. 143
  - Budget Considerations
  - Alleged Safety Issues at Waste Water Treatment Plant

- Center for Economic Growth Membership
- Workplace Violence Prevention Program
- Cedar Grove Road Internet Access
- Office of State Comptroller Letter
- Census
- Public Service Commission Letter
- January 22nd Audit Draft
- Abandoned Property on Main Street
- Coeymans Hollow Cemetery
- Tower Master Management Agreement
- Court Hours
- Drainage Project at Town Hall

- New Business
  - Grange Week Proclamation
  - Highway Superintendent Request to Attend Highway School
  - Portable Sanitation Units for Town Parks
  - Ravena Soccer Academy, Joralemon Park
  - Establish Public Hearing Date, Five Year PHA Plan
  - Proposed Local Law #3-2010, Clarifying Salary & Benefits of Chief of Police
- Correspondence
  - NYS Department of Transportation
- Town Board Workshops / Meetings
  - Town Board Workshop, April 20, 2010, 6:00pm
  - Town Board Meeting, April 26, 2010, 7:00pm
- Executive Session

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PUBLIC COMMENT

Councilwoman Rogers invited the public to comment at this time, hearing none she moved to the next item on the agenda.

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APPROVAL OF MINUTES

Councilwoman Rogers stated that there were six sets of minutes for Town Board approval, a Bid Opening on January 21st, a Town Board Meeting on February 22nd, a Public Hearing on March 8th, a Town Board Meeting on March 8th, a Town Board Workshop on March 16th, and a Town Board Meeting on March 22nd.

Councilwoman Rogers asked for a motion to approve the minutes.

MOTION

On motion of Councilman Boehm, seconded by Councilman Touchette, the Town Board Minutes were accepted as presented with the exception of the Town Board Meeting on March 22nd.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Traver) – SO MOVED

Councilman Youmans stated that he was not in attendance for the Workshop on March 16th.

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OLD BUSINESS

Authorize Attendance for Attorney Penpraze to Attend Special ZBA Meeting

Councilman Touchette stated that they have a letter dated March 18 from Attorney Penpraze, Legal Counsel to the Zoning Board and added that there is a ZBA Meeting

scheduled for Wednesday with Laberge to review the proposed Zoning Law. He continued by reading the following excerpt from the letter:

"It is my understanding that the ZBA would like to have me, as the ZBA's Council, to review the proposed changes, participate in the April 14th Workshop, and to the extent necessary remain involved in matters concerning the proposed amendment of the Zoning Code. Because this is outside my regular ZBA duties, I am requesting that the Town Board authorize me to act in this capacity on an hourly basis. This has been a practice of the past. Further, it is my understanding from conversations with then Supervisor Hotaling, that the Town has a line item in the budget for ZBA Workshops. Generally, our representations are on a time and disbursements basis. Our firm's present hourly rates range from $130.00 to $240.00 per hour (with my rate at $220.00), depending upon which attorney or paralegal assistant in the office performs the services. If these rates change during the course of our representation, we will notify you in advance. In light of my existing relationship with the Town and the fact that I am a resident of the Town, I propose that services rendered in this matter would be at a reduced hourly rate of $175.00."

Councilman Touchette continued by saying that the letter was addressed to Supervisor Traver on the 18th and he received an e-mail from him on the 22nd stating that they should discuss it as a Board and go from there. He continued by saying that the meeting is scheduled and the question for the Board is whether or not they authorize Attorney Penpraze to attend the meeting and participate in the Workshop.

Councilman Boehm questioned whether her presence was necessary.

Councilman Touchette stated that the ZBA specifically requested that she be present.

Councilwoman Rogers questioned why they would have to pay Laberge to come down for the meeting and added that it is an informational input meeting.

Councilman Touchette stated that their role in this has been a technical roll to align this with today's practice and standards in their Comprehensive Plan and continued by saying that he thinks it is appropriate that as the technical consultants they would be available and added that it is at their request.

Councilwoman Rogers inquired as to who's request.

Councilman Touchette stated that it was at the ZBA's request.

Councilwoman Rogers stated that she thought she read it different in the ZBA Minutes and that it was his request.

Councilman Touchette interjected that he thinks that there are some misleading comments in the minutes about his role at the last ZBA Meeting and added that the Workshop was originally scheduled by the ZBA for March but another matter came up that they felt was more pressing and the Workshop was postponed and rescheduled.

Councilwoman Rogers asked if they were going to authorize Ms. Penpraze to attend the ZBA Meeting on April 12th for $175.00 an hour.

Councilman Youmans stated that it is customary that when the ZBA meets, the Attorney for the ZBA is present and added that they specifically asked for her presence and he does not know why he would say no to that.

Councilwoman Rogers asked for a vote.

AYES – 4 – NAYS 0 – ABSENT 1 (Traver) – SO MOVED

Councilman Touchette asked if he should communicate it to Attorney Penpraze in Supervisor Traver's absence.

Councilwoman Rogers stated that he should.

Route 143

Councilman Touchette stated that he asked that Rte. 143 be placed on the agenda and added that they have had some correspondence between various people and Mary Ivey, the Regional Director suggested in two of her letters that Assemblyman Tim Gordon schedule a time to meet with DOT to discuss the situation. He continued by saying that he would like to move forward and have one of them contact Assemblyman Gordon and ask him to schedule a meeting and any Board Member that would like to or can be present should attend.

Councilman Boehm stated that he will reach out to Assemblyman Gordon and added that they are also in the process of revising a letter because the other one didn't have much of an effect as well as now being in possession of a Police Report where a firefighter responding to an emergency actually blew out two tires on Rte. 143. He continued by saying that this information might be helpful because the letters are not getting them anywhere and went on by saying that he believes a meeting would be appropriate and added that hopefully there would be a room full of people to speak about the road that is deteriorating more each and every day and becoming more hazardous. He concluded by saying that they are working with Councilman Youmans in trying to attract some media attention to it and added that a public meeting will allow people like Mary Ivey, who has written the letters, to come and actually drive the road and then attend a public meeting where people from the public can express their concerns.

Councilman Youmans interjected that it would be great for her to come and look people in the eye and tell them the road is not bad enough for them to do anything about.

Councilwoman Rogers stated that she agreed.

Budget Considerations

Councilwoman Rogers stated that Councilman Touchette requested that this topic be on the agenda.

Councilman Touchette stated that he wanted to table this item.

Alleged Safety Issues at Waste Water Treatment Plant

Councilman Touchette stated that he wanted to table this item.

Center for Economic Growth

Councilman Touchette stated that he wanted to table this item.

Workplace Violence Prevention Program

Councilman Touchette stated that he wanted to table this item.

Cedar Grove Road Internet Access

Councilman Touchette stated that he wanted to table this item.

Office of State Comptroller Letter

Councilman Touchette stated that he wanted to table this item.

Census

Councilman Touchette stated that there has been some concern that the people in the Hamlet that are required to have post office boxes have not received the census forms and letters and added that he spoke with someone in Congressman Tonko's office who made

a call and he got a call back on the same day from one of the Regional Census Directors who explained that census forms are not sent to post office boxes because having a post office box does not mean that you reside in the area. He continued by saying that anyone with a post office box has not received the letter and went on by saying that the census people will follow-up personally with a personal contact sometime in May. He added that last year they went through the whole country and they have a GEO code for every residence, so they know where the residences are and reiterated that they will contact those people for a personal interview. He continued by saying that it should be happening in the Hamlet as well as some of the rural areas where those homeowners did not receive the census and went on by saying that he would like to hear of any personal contact so they can make sure that everyone is counted. He concluded by saying that he wanted to reiterate the importance of the census in terms of how the sales tax is allocated and each person counted or not counted is worth $2,700.00 over the ten-year period in sales tax revenue to the Town and added that it is important that everyone return the form if you got it in the mail or respond with a personal contact.

Public Service Commission Letter

Councilman Touchette stated that he wanted to table this item.

January Audit Draft

Councilman Touchette stated that he wanted to table this item.

Abandoned Property on Main Street

Councilman Touchette stated that they received notification that there are two houses on Main Street that are going to be abandoned and added that he is bringing it up because he questions if they are abandoned, who are they abandoned to and whether or not the Town has a liability or responsibility.

Councilman Youmans stated that he believes that it would be a question for Attorney for the Town Wukitsch and continued by saying that the letter he read was from a bankruptcy trustee who stated that there is not sufficient equity in the property to warrant his further involvement; therefore the trustee was abandoning the property. He continued by saying that there may be a bank or two lined up for the property and the letter was a formality and added that he would ask Attorney for the Town Wukitsch at the next meeting.

Coeymans Hollow Cemetery

Councilman Touchette stated that Surveyor Charlie Hite came to a Workshop and talked to them about there being an issue with the Title to part of the cemetery and continued by saying that he does not recall if they gave him sufficient direction to move forward with that or how they left it and added that the issue was that a church had titles to some of it.

Councilwoman Rogers interjected that some of it is so old that they could not find any records.

Councilman Boehm stated that Town Clerk Millious has several documents.

Town Clerk Millious stated that she does and she also found some more and in turn talked to Charlie Hite about it and continued by saying that it had something to do with moving the road and added that Mr. Hite stated that it was another part of the missing puzzle.

Councilman Touchette inquired as to whether the ball is in the Town Board's court or if Charlie is still working on it.

Town Clerk Millious stated that the last she knew, Charlie Hite was going to go and talk to the Osterhout's and talk to them and try to find out more information. She continued

by saying that she called Albany County and got everything that they had on file and in turn she gave anything that she found to Charlie Hite.

Councilman Touchette inquired as whether she thinks that the Town Board can expect to hear back from Mr. Hite at some point.

Town Clerk Millious stated that she believes they will.

Town Master Management Agreement

Councilman Touchette stated that he wanted to table this item.

Court Hours

Councilman Touchette stated that he wanted to table this item.

Drainage Project at Town Hall

Councilman Touchette stated that the drainage project was discussed previously and continued by saying that he put it on the agenda to inquire as to whether it had been started or if anything had been completed.

Councilman Youmans stated that he thought they agreed to change the gutter downspouts.

Councilman Touchette interjected that this is what he meant.

Councilman Youmans stated that to his knowledge it had not been started or completed.

Councilman Touchette inquired as to whose daily work it would fall under.

Councilman Youmans stated that he would suspect that it would be the Beautification Department.

Councilman Touchette stated that he will inquire with the Department Head.

Councilwoman Rogers asked if there were any other Old Business topics.

Councilman Boehm asked Highway Superintendent Deering how it is coming along with the Biechman Road culverts.

Highway Superintendent Deering stated that he got a call earlier in the day that the plan is going to be sent to the engineer for design.

Councilman Boehm inquired as to how long it will be before the project is done.

Highway Superintendent Deering stated that he didn't know and added that the water has to be a lot lower than it is to do it and continued by saying that Charlie Hite surveyed it and sent it to the engineer.

Councilman Boehm inquired as to it the work can be started once that is done depending on the water level.

Highway Superintendent Deering stated that the lower the water is, the better it is for them.

Councilman Boehm stated that the other thing that he wanted to mention is that in speaking to Joan Radley, they are still looking for plant donations for the Veteran's Memorial at the Highway Garage. He continued by saying that the pavers are in and improvements have been done and anyone wishing to donate any perennials should contact Joan.

NEW BUSINESS

Grange Week Proclamation

Councilwoman Rogers stated that there is a Grange Week Proclamation and continued by asking that Councilman Boehm read it into the record.

Councilman Boehm continued by reading the following:

WHEREAS, the Grange has sought to advance the interest of farmer, rural Americans and out Nation's families for 143 years through the simple but potent concept that by working together we can accomplish much for our communities; and

WHEREAS, voluntary association with the Grange not only provides the benefits of economic and political cooperation for its members, but also elevates their character by providing social, cultural and educational programs; with opportunities for personal growth; and

WHEREAS, the Grange gives members the opportunity to serve their community through projects and programs that make a difference in the lives of children, youth and neighbors in need of assistance; and

WHEREAS, the Ravena Grange in Coeymans Hollow has served this community since 1919;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans, proclaims the week of April 18-24, 2010 as Grange Week, in recognition of the contributions make by the Grange throughout their many years of faithful service.

Henry C. Traver
Supervisor
Town of Coeymans

Councilwoman Rogers stated that there is a plaque that they will get to them tomorrow.

Councilman Boehm stated that the Grange acted as a shelter during an ice storm a few years back and added that they do provide for their community and are a great asset.

Highway Superintendent's Request to Attend Highway School

Councilwoman Rogers stated that there is a request from Highway Superintendent Deering to attend Highway School, June 7-9 and continued by saying that this is something that he does every year. She continued by saying that it is in Ithaca, New York and he stays at the Clarion Hotel and added that for now it is a matter of the registration fee for $90.00.

Highway Superintendent Deering stated that it is for the registration fee and hotel arrangements.

Councilwoman Rogers asked for a motion.

MOTION

On motion of Councilman Youmans, seconded by Councilman Boehm, authorizing Highway Superintendent Deering to attend Highway School and pay the registration fee of $90.00.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Traver) – SO MOVED

Councilman Touchette inquired as to if this includes the hotel.

Highway Superintendent Deering stated that it is just for the registration and the hotel is separate and they will get that later.

Councilwoman Rogers stated that he just needs the registration now.

Highway Superintendent Deering interjected that he buys his own food.

Portable Sanitation Units for Town Parks

Councilman Boehm stated that there were three proposals for Portable Sanitation Units and quoted as follows:

Blue Diamond Septic	$380.00
Stone Industries LLC	$450.00
Greene County Septic	$490.00

Councilman Boehm continued by saying that the proposals are for both Coeymans Landing and Joralemon Park and added that there will be one regular and one handicap unit placed at both locations. He continued by saying that it appears that Blue Diamond Septic is the lowest bidder and went on by saying that they used Greene County last year, who was the low bidder. He added that the Town uses Blue Diamond for the sludge removal at the Waste Water Treatment Plant and then offered a motion.

MOTION

On motion of Councilman Boehm, seconded by Councilman Youmans, awarding the bid for portable facilities at Coeymans Landing and Joralemon Park to Blue Diamond Septic in the amount of $380.00.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Traver) – SO MOVED

Ravena Soccer Academy – Joralemon Park

Councilman Boehm inquired as to if any one was present from the Soccer Academy.

Councilman Youmans stated that he had done some investigation into this himself and added that he found out that they are not associated or affiliated with Ravena Youth Soccer and the way he reads it, it looks like a business. He went on by saying that he would by all means encourage any one that wants to use Joralemon Park but he is looking for reservations for the pavilion and looking to do it for free, which he does not know how appropriate it would be.

Councilman Touchette stated that he looked at the website and added that it looks like a commercial venture.

Councilman Boehm interjected that they should invite him to come in and approach the Town Board to see if his intention is different.

Councilwoman Rogers indicated that they could have the Supervisor send him a letter to attend a Workshop with the Town Board.

Councilman Boehm stated that they need more information and added that if it is a business enterprise they don't want to tie up the pavilion.

Establish Public Hearing Date – Five Year PHA Plan

Councilman Youmans asked if anyone had a calendar.

Councilman Touchette interjected that there has do be 45 days advance notice for a Public Hearing.

Councilwoman Rogers suggested the first meeting in June and continued by asking if June 14th at 6:30 would be ok.

Town Clerk Millious inquired as to whether it would be Local Law 2 and not 3 because Proposed Local Law #2 was not done.

Councilman Youmans stated that his guess would be that it would be #2.

Councilwoman Rogers agreed.

Proposed Local Law #3-2010 – Clarifying Salary & Benefits of Police Chief

Councilman Boehm stated that he would read the Proposed Local Law into the record and continued by saying that they would be scheduling a Public Hearing for the next Town Board Meeting. He continued by reading the following:

LOCAL LAW #3-10

A LOCAL LAW CLARIFYING THE SALARY AND BENEFITS OF THE CHIEF OF POLICE OF THE TOWN OF COEYMANS

Section A171-11 of the Coeymans Town Code is hereby amended by deleting the present paragraph or subsection M and replacing it with the following:

The Chief of Police is a Supervisor and Department Head excluded from coverage by any applicable Collective Bargaining Agreement. Salary and benefits including vacation time provided to the Chief of Police shall be set by the Coeymans Town Board in its sole discretion.

This Local Law shall take effect immediately upon filing in the Office of the New York Secretary of State.

Councilwoman Rogers inquired as to how much time is needed between the Notice and Public Hearing.

Town Clerk Millious stated that it is 10 days.

Councilwoman Rogers inquired as to whether they wanted to do it in June or the end of April.

Councilman Boehm inquired as to the date of the next Town Board Meeting.

Councilwoman Rogers stated that it is April 26th.

Councilman Boehm suggested that it be on April 26th at 6:30pm.

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CORRESPONDENCE

NYS Department of Transportation

Councilman Youmans stated that some time ago, then Supervisor Hotaling wrote a letter to New York State Department of Transportation in regard to pedestrian accommodations at the intersection of Rte. 9W and Rte. 143, Main Street. He continued by saying that some concerns were brought to the Board regarding the safety of crossing the road there and it was said that with a multi-million dollar road project in the works, a couple of residents found it appropriate that the State add some pedestrian accommodations to make it easier to cross the road. He added that they received a letter from Mark Kennedy, Regional Traffic Engineer, which was addressed to Supervisor Traver and continued by reading the following:

Dear Supervisor Traver:

This letter is in response to a request the Department received last September regarding pedestrian accommodations at the intersection of Rte. 9w and Rte. 143 in the Town of Coeymans. The initial inquiry, which was forwarded to this office for evaluation and response, was submitted by the previous Town Supervisor Ron Hotaling to the Engineer

in charge of the construction project that was reconstructing Rte. 143 just west of the subject intersection. Mr. Hotaling was concerned that pedestrian accommodations were not included in the project, and requested to be added.

We have completed our study of the intersection, which included documenting the existing pedestrian accommodations, observing pedestrian activity during the PM peak traffic period, and reviewing the accident records for the intersection. Our review of the most recent 10 year period of accident data did not reveal any pedestrian related accidents in the vicinity of the intersection. The existing pedestrian accommodations consist of a four foot sidewalk along the north side of Rte. 143 and two push buttons at the signal. The observed pedestrian activity was very light (less than 5 per hour), and did not appear to have any operational issues navigating through the study area. The results of our study do not justify the installation of additional pedestrian accommodations at this time.

If you have any questions, please contact Rob Fitch of this office at 388-0380.

Sincerely,

Mark Kennedy
Regional Traffic Engineer

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Town Board Workshops / Meetings

- Town Board Workshop, April 20, 2010, 6:00pm
- Public Hearing, April 26, 2010, 6:30pm
- Town Board Meeting, April 26, 2010, 7:00pm

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ADDITIONAL COMMENTS

Councilwoman Rogers asked if there were any additional comments.

Councilman Youmans stated that he understands that they are close to tearing down the building on Westerlo Street in Coeymans.

Highway Superintendent Deering stated that the firemen are having a drill there tonight and they will be starting demolition tomorrow morning.

Councilman Youmans stated that he wanted to thank Highway Superintendent Deering for working on that and continued by saying that Highway Deputy Searles had indicated to him that they are waiting for catch basins on Colvin Avenue.

Highway Superintendent Deering stated that one catch basin is being done tomorrow or Wednesday and added that he planned on updating the Board.

Councilwoman Rogers asked if there were any additional comments.

Chief Darlington stated that he had sent an e-mail out concerning a voucher in reference to the F.E.M.A. Project and continued by asking the Board if they were going to have one person specifically responsible for the project because in the past there have been double paid vouchers when the same voucher went to two different people. He added that he is looking for some kind of direction as to whom or where they should go so that they are all aware.

Councilman Touchette stated that he thinks that in his role as Deputy Director of Emergency Management and he has been following it and bird dogging it since its inception, he would think that it is appropriate for the vouchers to go to his office.

Chief Darlington stated that he wanted to report to the Board that yesterday they lost all

of their radio communications for the Police Department and the Village of Ravena Fire Department and it was determined that someone cut the padlocks off their shed, broke in and unplugged the transmitters. He continued by saying that if anyone has any information regarding the incident, they would like to have it and take care of it.

Councilman Touchette inquired as to if they knew what they were doing when they unplugged it.

Chief Darlington stated that he does not know and added that it would be considered vandalism as well as some other things because they cut the padlock. He added that it's interesting that it has been there for 20 plus years and has never been touched and now out of the blue they are having an issue. He continued by saying that they went in and specifically unplugged them as well as kicking a couple of the breakers. He added that his final comment is that he had submitted three requests in the past and one of them they are trying to address now and went on by saying that if they do pass the Proposed Local Law, it will take effect the date that they are making it. He continued by saying that he would respectfully request that the 207-M for the General Municipal Law still holds that he is entitled to the raises that were discussed. He concluded by saying that his vacation time in not accruing appropriately, which he has asked to be corrected but has not been done as well as his cell phone reimbursement that had been discussed but has also not been taken care of.

Councilman Touchette asked if he had submitted vouchers for cell phone reimbursement.

Chief Darlington stated that there was discussion as to how it should be done appropriately and added that if it is done by voucher it has to be accountable and under the current system it is not so it should be included in the payroll, which is what he requested.

Councilwoman Rogers inquired as to how it had been done all along.

Chief Darlington stated that it has been by voucher but he was notified that it is not the proper way to do it.

Councilwoman Rogers inquired as to who said it.

Chief Darlington stated that it was their Internal Control Officer.

Councilman Touchette stated that he also had some discussion with him and suggested that they discuss the IRS regulations at the next Meeting or Workshop.

Councilwoman Rogers asked if there were any additional comments hearing none she asked for a motion to adjourn to Executive Session.

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ADJOURNMENT TO EXECUTIVE SESSION

Councilwoman Rogers stated that they would not be returning from Executive Session.

MOTION

On motion of Councilman Boehm, seconded by Councilman Touchette, the Town Board Meeting was adjourned to Executive Session.
VOTE – AYES 5 – NAYS 0 – SO MOVED.

Time: 8:10pm

Respectfully Submitted, **APPROVED:**

_____
Diane L. Millious, Town Clerk

MINUTES BOOKTOWN OF COEYMANS**
April 20, 2010 – TOWN BOARD WORKSHOP – 6:00PM

A Town Board Workshop was held Tuesday, April 20, 2010 at 6:00pm at Town Hall, 18 Russell Avenue, Ravena, New York

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

ALSO PRESENT: Diane L. Millious, Town Clerk

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Supervisor Traver opened the Workshop and led the Pledge of Allegiance.

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AGENDA

- Town Board Statement
- Rte. 143
- Justice Court Employment Issue
- Waste Water Treatment Plant Building Repairs
- Assessor's Office Hours
- Lafarge Settlement Fund
- Playground Equipment
- Albany County Request for Letter of Support
- Police Department Request to Participate in NYS 1033 Federal Excess Program

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ADJOURNMENT

Supervisor Traver asked for a motion to adjourn the meeting.

Time: 6:44pm

***Respectfully Submitted*,** **APPROVED:**

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Diane L. Millious, Town Clerk

A Public Hearing was held Monday, April 26, 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: Cindy Vatalaro, Deputy Town Clerk
Deana Ferrusi, Clerk
Greg Darlington, Chief of Police
David Wukitsch, Attorney for the Town

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

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OPENING COMMENT

Supervisor Traver stated that the purpose of the Public Hearing was to receive comments from the public on Proposed Local Law #3-2010 relating to clarifying and salary and benefits of the Chief of Police of the Town of Coeymans. He continued by asking that Deputy Clerk Vatalaro read the Notice of Public Hearing.

Deputy Clerk Vatalaro continued by reading the following:

LEGAL NOTICE
PUBLIC HEARING
PROPOED LOCAL LAW #3-10

NOTICE IS HEREBY GIVEN, that the Town of Coeymans will conduct a Public Hearing for the purpose of receiving comments on proposed Local Law #3-2010 Clarifying the Salary and Benefits of the Chief of Police of the Town of Coeymans. The Public Hearing will be held on April 26, 2010 at 6:30pm prior to the Town Board Meeting at 18 Russell Avenue, Ravena, NY.

Be it enacted that the Town Board of the Town of Coeymans as follows:

Section 171-11 of the Coeymans Town Code is hereby amended by deleting the present paragraph or subsection M and replacing it with the following:

M. The Chief of Police is a Supervisor and Department Head excluded from coverage by any applicable Collective Bargaining Agreement. Salary and benefits, including vacation time, provided to the Chief of Police shall be Set by the Coeymans Town Board at its sole discretion.

The Local Law shall take effect immediately upon filing in the Office of the New York Secretary of State.

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

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PUBLIC COMMENT

Supervisor Traver invited the public to comment at this time.

A member of the audience inquired as to what they are changing.

Deputy Clerk Vatalaro interjected that there is a sign-in sheet for anyone wishing to comment.

Supervisor Traver asked if anyone from the Board wanted to respond to what the change is.

Councilman Boehm told Supervisor Traver that he could respond.

Supervisor Traver stated that the Town Board brought it up in his absence and he has no clue what they are doing.

Councilman Boehm stated that it is for clarification of the Chief's salary and how it is negotiated in the Collective Bargaining Agreement and added that they scheduled a Public Hearing and now they are looking for input specifically on the item that was just read. He continued by saying that if anyone has any comments about how the Chief's salary is made up by the Town Board in Proposed Local Law #3-2010, they would appreciate the input.

A member of the audience inquired as to what they are deleting.

Deputy Clerk Vatalaro advised that she needed names of those speaking.

Collectively the Town Board advised that anyone wishing to speak would have to go to the microphone to address the Board and give their name.

Councilwoman Rogers interjected that there is a sign-in sheet for anyone wishing to speak.

Deputy Clerk Vatalaro inquired as to the names of the members of the audience who had inquired about the change.

Barbara Thompson and Dolly Spoor identified themselves.

Councilman Boehm suggested that in the absence of anymore comments they should take the audio portion of the Public Hearing down.

Mr. Daniel Boomer stated that he had a comment and continued by saying that he lives at 210 Biechman Road. He added that he wanted to know what they were striking from the previous paragraph M and how the Chief's salary is determined now and then asked what the point of the Local Law is.

Councilman Boehm stated that the point of the Local Law is to reinforce the Town's position to be able to control the Chief's salary and added that there is some controversy over General Municipal Law 207, which says that the Chief is entitled based on a Collective Bargaining Agreement with the officers, to a raise. He continued by saying that the Board contends that the salary should be in the Town Board's hand and by strengthening paragraph M, it clarifies that the Chief's salary is a component made up by the Town Board.

Mr. Boomer inquired as to the Chief's present salary.

Chief Darlington stated that it is $75,800.00.

Mr. Boomer stated that in a way this could possibly save the Town money by holding the line on spending, maintaining the spending freeze rather than having to honor a Collective Bargaining Agreement and added that it could be a good thing. He went on by saying that he really isn't trying to start trouble.

Councilman Boehm stated that the intent of the provision is to strengthen the Town's position and not give a raise when the Town Board didn't give a raise to any of the Department Heads.

Mr. Boomer stated that they already made an exception for police vehicles and added that they weren't going to spend money this year but did buy a new Police SUV.

Councilman Youmans stated that they didn't buy one this year but there is money budgeted for one.

Mr. Boomer thanked the Town Board.

Supervisor Traver asked if anyone else wanted to comment.

Ms. Barbara McMullen stated that she speaks as a resident and continued by saying that she is under the understanding that there are raises given out every year and the Board controls the Chief's salary as it stands and continued by asking what the difference is and why is the amendment being put in.

Councilman Boehm stated that the amendment is proposed to keep control of the Chief's salary at the Town Board level.

Ms. McMullen stated that they do that by agreeing to a percentage of increase for employees and continued by asking if anything else is going to be changed to alter this.

Councilman Boehm stated that the intent of the law was to allow the Town Board to decide the Chief's salary and benefit package. He added that the Chief brought to the Town Board's attention General Municipal Law 207, which ties it directly to the Collective Bargaining Agreement for the Police Union. He continued by saying that in his opinion he didn't think that it was appropriate so he proposed the Local Law.

Ms. McMullen stated that taxes are going crazy and continued by asking if anyone, including the Town Board had received a raise.

Councilman Boehm stated that Elected Officials and Department Heads did not receive a raise this year.

Chief Darlington asked if he could speak.

Councilman Boehm stated that he certainly could.

Greg Darlington introduced himself as a Town resident as well as Police Chief and continued by saying that it is his understanding that the amendment of the Code that they are trying to amend was in fact abolished in a 1996 resolution by the Town of Coeymans Town Board when they adopted the Employee Handbook. He continued by saying that it states that the Employee Handbook supersedes and manages all employee policies and went on by saying that it is his understanding that even with the passing of any Local Law, NYS General Municipal Law will stay in effect, which requires them to provide the Chief of Police with any raise that is given to the highest ranking Officer in the Collective Bargaining Agreement.

Councilman Touchette asked Chief Darlington what the impact of the raise would be.

Chief Darlington stated that he did not know and added that he didn't tally it up. He continued by saying it is his understanding that the Internal Control Officer has provided it to payroll. He went on by saying that he would further add that even if he were not to bring this up, if the Town were audited and it was found they would still be required to provide it. He concluded by saying that a State Law is a State Law.

Supervisor Traver asked if there were any other comments, hearing none he asked that Mr. Horton take the sound down and added that the Regular Town Board Meeting would be starting in 20 minutes.

Attorney for the Town Wukitsch stated that there has to be a motion to close the Public Hearing.

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Supervisor Traver asked for a motion to close the Public Hearing.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Touchette, the Public Hearing was adjourned.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time 6:40pm

***Respectfully Submitted*,** **APPROVED:**

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Diane L. Millious, Town Clerk

A Town Board Meeting was held Monday, April 26, 2010, at 7:00pm at Town Hall, 18 Russell Avenue, Ravena, New York

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

ALSO PRESENT: Cindy Vatalaro, Deputy Clerk
Deana Ferrusi, Clerk
David Wukitsch, Attorney for the Town
Albert Deering, Highway Superintendent
Greg Darlington, Chief of Police

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Supervisor Traver opened the meeting and asked that VFW Unitas Memorial Post #9594 Ladies Auxiliary lead the Pledge of Allegiance.

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OPENING COMMENT

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

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AGENDA

- Presentation of Proclamation
  - VFW Unitas Memorial Post #9594 Ladies Auxiliary
- Public Announcement
  - Assessor's Hours
- Public Comment
- Approval of Minutes
  - Town Board Meeting, March 22, 2010
  - Public Hearing, April 12, 2010
- Supervisor's Report
- Department Reports
  - Building Department, March 2010
  - Sewer Department, March 2010
  - Town Clerk, March 2010
  - Police Department, February & March 2010
- Old Business
  - NYS Department of Transportation, Rte. 143
  - Hannacroix Creek, Award Bid
  - Maria Bowers Land Use Issue
- New Business
  - Coeymans Landing Park Railing & Gazebo Electrical Outlet
  - Resignation of Confidential Secretary
  - Part-Time Clerk I for Justice Court
  - Planning Board Training at Five Rivers
- Resolutions
  - Approval of Abstract, April 2010
- Correspondence
  - Star Ross, Police Officer Commendation
  - NYS DEC, New York – Mossy Hill Quarries
  - NYS DEC, Dock

- Captains Choice

- Town Board Workshops / Meetings
  - Town Board Meeting, May 10, 2010, 7pm
  - Town Board Workshop, May 18, 2010, 6pm
  - Town Board Meeting, May 24, 2010, 7pm

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PRESENTATION

VFW Unitas Memorial Post #9594

Supervisor Traver read the following Proclamation:

WHEREAS, the Ladies Auxiliary was established as a "partner in service" to the VFW Unitas Memorial Post #9594 on April 18, 1950, and

WHEREAS, the Ladies Auxiliary is composed of thirty members, representing the families of those service men and women who served in the Armed Forces of the United States of America during World Wars I & II, Korean War, Vietnam and other conflicts on foreign soil, and

WHEREAS, the purpose of the VFW Ladies Auxiliary is to demonstrate and foster patriotism, and allegiance to the Government of the United States and fidelity to its Constitution and Laws, and

WHEREAS, the Ladies Auxiliary assists VFW Unitas Memorial Post #9594, with its various memorial observances and community events, and

WHEREAS, the Ladies Auxiliary of Post #9594, as individuals and as an organization, advance patriotism is our community through school programs, assist veterans and their families, volunteer their time at Stratton Veterans Medical Center, remember and support our troops currently deployed in other countries through "Operation Uplink", and recognize other local organizations and individuals for their community service,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans, hereby recognizes the VFW Unitas Memorial Post #9594 Ladies Auxiliary in this year of their 60th Anniversary for their volunteer efforts to serve veterans, their families and our community.

Councilman Youmans thanked the VFW for all that they do for our veterans.

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PUBLIC ANNOUNCEMENT

Assessor's Hours

Supervisor Traver read the following:

At a recent Workshop, the Town Board approved the request of Assessor Laura VanValkenburg to change her evening hours of operation (5:00pm-8:00pm) from Monday to Tuesday.

This change will affect her evening hours only. The daytime and Saturday hours will remain the same.

This change will take effect on Tuesday, May 4, 2010

PUBLIC COMMENT

Supervisor Traver invited the public to comment at this time.

Ivan Millett introduced himself and continued by saying that he would like to know if they can get back the televised Town Board Meetings and added that it is something that they have always had and it is his understanding that Mid-Hudson Cable is suppose to supply that service for the Town as part of the Agreement with the Town. He concluded by saying that he wants to know why they can't get those back on so people in the Town are able to see them because it is something that people like.

Supervisor Traver stated that he spoke with Mr. Horton earlier in the day and he advised that the Church did go back to Channel 11 and Mid-Hudson is working on getting the Town Meetings back to Channel 11. He added that he's not sure if it made it to this meeting or not but they are working on getting it back so the Town's people can see it.

Mr. Millett inquired as to if they are contracted with the Town to do supply that live.

Supervisor Traver stated that they are.

Mr. Millett thanked the Town Board.

Supervisor Traver asked if anyone else wished to speak.

Donna Pasquini stated that she's from the Hamlet of Coeymans and added that her question is about the Sewer Contract between the Town and Village. She continued by saying that she was at the Joint Workshop on March 30th and she was told that they were close to an agreement that night and Councilman Youmans was hoping to have a contract signed by April 12th but Bill Bailey went on vacation. She went on by saying that it is now April 26th and she wanted to know if they are any closer to a contract than they were on March 30th considering Larry Breedlove's report on the Sewer Plant at a Workshop about work that needs to be done down there. She added that she is curious to know if they are close to getting the 18 months of money that the Village of Ravena has not paid the Town in Sewer money, which they have been collecting from their residents and probably holding it in a separate account and collecting interest when the Town is getting nothing.

Councilman Youmans stated that on Wednesday of last week he forwarded an amended copy of the Town's Agreement that their Attorney drew up based on listening to the tape of the meeting because he had not yet received the minutes for it, which the Village said they would provide. He continued by saying that he listened to the tape word for word and made the changes to the document that were agreed upon and in turn forwarded it to them on Wednesday morning and he has been told that they have a Workshop Meeting tomorrow night and Wednesday morning they will be back in contact with the Town to tell them if they are good with it, which is what he expects. He concluded by saying that this is where it stands and added that no one is more frustrated with it than him because he has worked on it for a long time.

Ms. Pasquini stated that she is a Hamlet resident and sewer payer and added that she has been paying a good deal of money for quite a few years and now the Town is letting them hold their money, which does not make sense.

Supervisor Traver asked if there were any other comments.

Danny Boomer stated that he wanted to know what progress there has been if any on the repairs of State Rte. 143, which is in an absolute deplorable condition and the State just seems to be ignoring the Town because they said publicly last year that our Town isn't important enough to repair it. He added that he is looking to the Board, who he knows is working on it and continued by asking how they are doing with it.

Councilman Boehm stated that it is on the agenda under Old Business and added that they will be discussing it later.

Mr. Boomer stated that they had discussed at a meeting about Tim Gordon coming down and riding along the route and continued by asking if that has happened.

Councilman Boehm stated that they do have a tentative date and he is supposed to be coming down this week.

Mr. Boomer stated that he has been in touch with his office and all he gets is a recording because they will not answer his calls.

Councilman Boehm stated that he managed to get a hold of his Chief of Staff and did speak directly to Tim earlier in the day and reiterated that hopefully he will be coming down this week with a photographer because he wants to see first hand the situation especially between Tompkins Road and the Ravena Grange where it is the worst with the guiderails coming out and the road bed is shot and added that he should be able to confirm it with him tomorrow and they will take it from there. He added that they did receive a letter basically saying that they put up a 35 MPH sign and rough road sign.

Mr. Boomer stated that in the time that they spent putting up the rough road and speed limit signs they could have ripped up the old pavement.

Councilman Boehm stated that he thinks that everyone would agree with him and everyone in the audience that lives out that way would agree with him and added that they are working as hard as they can. He continued by saying that there was a petition drive earlier and Tim Gordon has been the only person that has given them any kind of attention on this matter and this is why they are following up with him.

Mr. Boomer stated that he feels as though our Town has been forgotten by the State and added that maybe we should start forgetting to hand in taxes if they are going to flatten us that much.

Councilman Boehm interjected that he would not recommend that.

Mr. Boomer stated that it is nonsense and added that for a good 30 years that he knows of Powell and Minnock trucks ran on Rte. 143 and it was never in the shape that it is and continued by saying that it seems to be more of a mismanagement problem with DOT when you look and see how Rte. 81 for example out in Greenville-Norton Hill was completely repaved in three days last year. He continued by saying that anything would be an improvement over what they have and added that they could rip it up and put gravel it and it would be better than what we have and reiterated that it is deplorable.

Councilman Boehm stated that it is in poor condition and added that maybe the extra media that is there could help them bring some attention to it because they are struggling to get attention to it and added that they have the same frustrations that he does.

Councilman Touchette stated that Mary Ivey from NYS DOT did suggest that they have a meeting with Assemblyman Gordon and herself and added that he thinks it was left open and they are not completely shut out and continued by saying that this is something that they can continue to exploit.

Councilman Boehm stated that once they meet with Tim hopefully they will have a meeting where members of the public can speak about their concerns.

Mr. Boomer thanked the Town Board.

Supervisor Traver asked if there were any other comments.

Mr. Ivan Millett stated that he and his wife last year got a public petition out with over 500 names on it and continued by saying that they sent a letter to Tim Gordon and spoke to him personally and he was suppose to come out and review the road as well as sending letters to Paul Tonko. He added that in return they got a response from the head of DOT who indicated that they were not going to do anything with the road and Paul Tonko's office told them to get back to his office in the beginning of the year, which they did and

in turn they were sent a stimulus letter to apply for stimulus money to do Rte. 143. He went on by saying that he does not know if it was sent to Tim Gordon or the State and continued by saying that they spent quite a lot of time and effort last year trying to get something done and nothing had become of it and so far nothing has become of it this year except a lot of empty answers from Tim Gordon's office, who is the main contact. He concluded by saying that he's not sure how the ladder goes up but it is not happening and some how as a town of 8,500 people they should be able to get a State highway so people can maintain their cars and maintain the safety of everyone.

Supervisor Traver asked if there were any other comments.

Mr. Bill Fitch stated that his comment is for the Board and added that he keeps reading more and more articles in the paper about the Town Board's embarrassment on the situation with the Town Supervisor and added that he is embarrassed to be a Town resident by their actions. He continued by saying that they as a Board need to stop communicating with the press and do what they have to do in closed door Executive Session and deal with the Town Supervisor because it is uncalled for. He went on by saying that if they feel as though he is not in the right place or right mind, they need to do what they have to do and go to a higher level because he is charged with a crime that he has not been found guilty of and has not pled guilty to the crime and added that there have been Town Supervisor's in the past that have. He concluded by asking that they please keep it out of the papers because he is tired of reading the paper and the blogs because it is uncalled for and they should be better than that.

Supervisor Traver asked if there were any other comments.

Tom Dolan stated that he is a Coeymans resident as well as the Chairman of the Democratic Party, which he is not going to pretend that he is not present as. He continued by saying that he has heard the comment that Henry was elected and it is a fact that they all agree that he was elected and added that he sat with Henry and the Republican Chair and counted the absentee ballots and there is no doubt in anyone's mind that Henry was elected in the most recent election. He added that it is also a fact that each of the Town Board Members were elected as well as it being a fact that they each received more votes than Henry got as well as it being a fact that each of the Board members is doing exactly what they think is in the best interest of the Town, which does not mean that it is pretty or nice, but it does mean that they are doing what they believe is in the best interest of the Town. He continued by saying that there is nothing that has even been suggested that the Town Board has done that would rise to the level of them even considering resigning and none of them have been mentioned in the press or have their lawyers mentioned to the press about them having a need to take time to reflect and certain days that they have had were bad days. He reiterated that there has been nothing that they have done or has even been suggested that they have done or that has even been suggested that would rise to a suggestion that they resign. He concluded by saying that his final point is that while this has all risen to the level of politics, it should not rise to the level of thugary where people get threats and when a person does receive a threat it should be condemned by all and not just shaken off as some sort of retaliation that is acceptable and added that politics is one thing but a person's life is something above that and anyone that has threatened someone should be dealt with by the law and anyone that condones it is not fit to hold any sort of office elected or otherwise.

Supervisor Traver asked if there were any other comments.

Nancy Warner stated that based on the previous two comments she would have to say that she agrees partially with Tom as far as no one deserves threats of any sort either way but as the first gentleman stated, she would agree to the fact that it has become some what of a dark day when our Board is quoted in the newspaper as totally unsupportive of our Supervisor. She continued by saying that we do know that past political elected officials here have run, won and been fully supported by this Board with criminal convictions and added that they need to wait until something happens before they decide to throw Henry out with the bath water and treat him like they have treated the past Supervisors because he deserves at least that respect. She concluded by saying that they all need to work together because they did elect all of them and they might not like each other or agree

with each other but they are all there for the residents and they need to set aside whatever bad feelings they have and work together for the residents.

Ginny Pearson stated that she has a request for the Board and continued by saying that she would like for them to put two Public Comment periods on the agenda for each meeting, one in the beginning and one at the end. She continued by saying that after they have their discussions and acted the public should be able to comment or ask a question about what happened during the meeting.

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

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APPROVAL OF MINUTES

Supervisor Traver stated that there were two sets of minutes for Town Board approval, a previously tabled Town Board Meeting on March 22nd and a Public Hearing on April 12th. He continued by asking for a motion to approve them.

MOTION

On motion of Councilwoman Rogers to accept together the Town Board Meeting on March 22nd and the Public Hearing on April 12th.

Councilman Youmans stated that he would move that they table the April 12th because he just got them from his mailbox.

Councilman Touchette stated that there is also a minor revision that needs to be made.

Supervisor Traver asked for a second to the motion.

Councilman Youmans stated that he would second the motion.

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SUPERVISOR'S REPORT

Supervisor Traver read the Supervisor's Report.

March 2010

FUND	BAL. FWD.	RECEIPTS	DISBURSE.	BALANCE
General	$1,307,350.50	$ 70,807.24	$316,835.70	$1,061,322.04
Part-Town	$ 403,743.17	$ 3 ,396.07	$227,099.53	$ 180,039.71
Highway	$ 117,323.92	$200,938.60	$ 92,644.84	$ 225,526.68
Bridge Const.	$ 273,561.50	$ 122.72	-0-	$ 273,684.22
Sewer	$ 151,002.25	$ 2,226.93	$ 30,788.16	$ 122,441.02
Special Water	$ 42,381.30	$ 18,413.95	-0-	$ 60,795.25
Police Forf.	$ 3,138.28	$ .93	$ 580.00	$ 2,559.21
Trust & Agcy.	$ 14,340.81	$341,393.33	$243,685.21	$ 112,048.93
H-Fund Cap. Proj.	$ 46,168.64	$ 11.71	-0-	$ 46,040.33

Sect. 8 Hud Units 83	$ 149,168.64	$ 37,359.54	$ 38,990.00	$ 147,538.18
			Total Rec. Bal.	**$2,231,995.57**

Supervisor Traver asked for a motion to approve the report.

MOTION

On motion of Councilman Touchette, seconded by Councilman Youmans, the Supervisor's Report was approved as read.
VOTE – AYES 5 – NAYS 0 – SO MOVED

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DEPARTMENT REPORTS

Building Department – March 2010

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

Councilwoman Rogers continued by giving the report.

Supervisor Traver asked for a motion to approve the report.

MOTION

On motion of Councilman Youmans, seconded by Councilman Boehm, the Building Department Report was approved as read.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Sewer Department – March 2010

Supervisor Traver asked that Councilman Youmans give the Sewer Department Monthly Report.

Councilman Youmans continued by giving the report.

Supervisor Traver asked for a motion to approve the report.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Boehm, the Sewer Department Report was approved as read.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Town Clerk – March 2010

Supervisor Traver asked that Deputy Clerk Vatalaro give the Town Clerk's Monthly Report.

Deputy Clerk Vatalaro continued by giving the report.

Supervisor Traver asked for a motion to approve the report.

MOTION

On motion of Councilman Touchette, seconded by Councilwoman Rogers, the Town Clerk Report was approved as read.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Police Department – February, March 2010

Supervisor Traver asked that Chief Darlington give the Police Department Monthly Reports.

Chief Darlington continued by giving the reports.

Supervisor Traver asked for a motion to approve the reports.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Boehm, the Police Department Reports were approved as read.
VOTE – AYES 5 – NAYS 0 – SO MOVED

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OLD BUSINESS

NYS Department of Transportation – Rte. 143

Councilman Boehm stated that Rte. 143 was brought up during the Public Comment and added that he was going to read the letter that was received back addressed to Attorney for the Town Wukitsch.

April 12, 2010

Dear Mr. Wukitsch:

This is a follow-up to the March 17, 2010 letter from Mary E. Ivey, Regional Director, regarding the condition of Route 143 between Tompkins Road (CR106) and the Ravena Grange in the Town of Coeymans.

My office recently conducted a review of this section of highway. Currently, there is a "Rough Road" warning sign posted for eastbound traffic near Greenbush Avenue and another similar sign posted for westbound traffic near Tompkins Road (CR 106). Based on our review, we have determined that additional signing may be beneficial. We will arrange to have "Next ¾ Mile" and "35 MPH" panels added to the existing "Rough Road" signs as our workload permits to provide more information to motorists regarding the condition of the road and advise them to reduce their travel speed.

If you have any additional comments or concerns, please feel free to call me at 300-0380.

Sincerely,

Mark J. Kennedy
Regional Director

Councilman Boehm stated that he would encourage the public to call Mark Kennedy and added that he will make the letter available for anyone that wants to see it after the meeting.

Supervisor Traver stated that he will post it on the bulletin board in Town Hall.

Hannacroix Creek – Award of Bid

Councilman Touchette stated that he was going to read a letter addressed to Supervisor Traver from C.T. Male Assoc. regarding the Hannacroix Creek Project and continued by reading the following:

April 12, 2010

Dear Supervisor Traver:

At the October 20, 2009 Meeting of the Town Board, C.T. Male Associates, PC was asked to assist the Board in selecting a consultant from the pool of seven (7) proposals that were received to analyze and design the Hannacroix Creek Restoration Project.

The lowest proposed fee ($98,550.00) for the consultant work was received from Infinigy. A close review of their proposal indicates that they did not possess the necessary experience as a team to perform the complex analysis and design that would be required to complete this project.

The second lowest proposed fee ($110,800.00) was received from F.X. Browne, Inc. A close review of the proposal revealed extensive stream restoration work and a highly qualified staff that would be assigned to the project.

On March 10, 2010, Rick Touchette, Jerry Hall and I met with Deborah Slawson of F.X. Browne, Inc. to gain some insight into how they would complete the analysis and design. In short, I was very impressed with the competency and experience of Ms. Slawson.

As a result of this meeting and a site visit it was agreed that some changes to the original scope and proposal were warranted. The March 22, 2010 proposal fee from F.X. Browne, Inc. incorporated these changes such that the total proposal fee was reduced from $110,800.00 to $104,130.00. On significant change was that the survey services would be performed by others. F.X. Browne, Inc. agreed to perform the field survey for an additional $20,000.00 (a total of $124,130.00).

Consequently, it is the recommendation of C.T. Male Associates, PC that the Town of Coeymans, pending F.E.M.A. acceptance of the additional fees, award the consultant services contract to F.X. Browne, Inc. for $104,130.00 per their March 22, 2010 proposal.

Please contact me at (518) 786-7463 if you have any questions or need any additional information.

Sincerely,

C.T. Male Associates, P.C.

T. James Houston, PE
Project Manager

Councilman Touchette stated that they have C.T. Males recommendation that they accept F.X. Browne's scope of work pending F.E.M.A. approval for the additional scope and continued by saying that what is not included is a survey, which is required. He added that F.X. Browne quoted the survey for $20,000.00, which he thought that they could probably do with a local firm for a more cost efficient price and added that Supervisor Traver located a local surveyor who indicated that he didn't have the necessary equipment to do the survey and in turn they asked C.T. Male to provide a quote, which they did in the amount of $17,800.00. He continued by saying that he thinks that they need to act on the surveying fairly soon and in order to do it most effectively it needs to be done in the near future before there is too much foliage, which will increase the price.

Councilman Boehm interjected that this is all paid for by F.E.M.A.

Councilman Touchette stated that he understood that Chief Darlington was going to contact F.E.M.A.

Chief Darlington stated that he spoke with the Town's representative, which is actually S.E.M.O. earlier in the day and added that there have been a couple of concerns that have risen concerning the grant. He continued by saying that when they were originally talking

they received $27,000.00 as a percentage for the engineering cost and in speaking with the Internal Control Officer, apparently there has been reimbursement levied against that, which he was not aware of and in turn he was brought up to speed as to what is pending against the grant. He added that the concern that he has is that anything has to be approved by S.E.M.O. and F.E.M.A. before the Town will get any reimbursement and originally they talked about a topographical map because of the foliage and if the Board is desirous of it they can go ahead with it but S.E.M.O. said that they would have to show why it is a requirement in order for them to reimburse it because it was above and beyond what was originally in the scope of work.

Councilman Touchette inquired about them not understanding why they need it in order to do the stream restoration.

Chief Darlington stated that he is not going to say that they don't understand why but rather they are requiring that the Town justify why.

Councilman Touchette asked if they indicated that they would be amenable to accepting it.

Chief Darlington stated that they would be and added that as long as DEC or F.X. Browne said that it would be a requirement in order for the engineering to be done appropriately, they should then accept it. He continued by saying that he talked with S.E.M.O. about the additional funding that was going to be needed for F.X. Browne and he was advised to submit it and they will review it and it would then be pending approval with them. He went on by saying that he had a concern and sent out an e-mail because it stated that there were some changes to the scope of work and apparently there was a second project worksheet issued from the initial that he does not have and continued by saying that he needs to make sure that whatever they are doing is within the project worksheet.

Councilman Touchette inquired as to if the project worksheets are from S.E.M.O.

Chief Darlington stated that they are and added that it is the one from the F.X. Browne proposal that they authorized the money and apparently there was one for $200,000.00 that S.E.M.O. will locate and e-mail him a copy. He reiterated that if they go anywhere outside the scope without approval first, they will risk all their funding being lost and when it says the scope of work was changed, they have to get approval from S.E.M.O. before they consider approving F.X. Browne.

Councilman Touchette stated that what Mr. Houston was recommending is that they accept the proposal pending F.E.M.A. acceptance of the additional scope.

Chief Darlington stated that was correct and added that he didn't want to put the Town on the hook for some money and added that they should not start any work until the Town gets approval.

Councilman Touchette stated that it would be until they execute the contract and added that he is more concerned about the survey right now.

Chief Darlington stated that he agrees and added that the cheapest way to get it done is aerial and with the foliage coming on it has to be done prior to. He added that C.T. Male did say that they would be willing to do just the aerial part of it until they get all of the pending approvals.

Councilman Touchette asked Chief Darlington about his experience with S.E.M.O. and F.E.M.A. and what would he recommend.

Chief Darlington stated that if they can approve it pending approval of additional funding and approval of the plan, he would be comfortable with it and reiterated that he does not want them to approve something and then be stuck with $200,000.00 that they would have to put on the backs of taxpayers.

Councilman Touchette inquired as to if he had a sense of how long the approval would take.

Chief Darlington stated that the last one took 6 months, which was for the $98,000.00 and added that they can add the urgency that they are limited on when they can get in there.

Councilman Youmans interjected that it is maddening.

Councilman Touchette inquired as to if it is based on the dollars that have been approved or the scope that was approved or a little of both.

Chief Darlington stated that it is a little of both and added that basically there is a scope of work that you are authorized to do and obviously prices change and if there are overruns they can submit them with an explanation and in turn if it is justified and within the scope you should be approved.

Councilman Touchette inquired as to how they would find out what the difference in the scope is.

Chief Darlington stated that S.E.M.O. gives you a project worksheet and in it is states the scope of duties and the $98,000.00 says basically that it was the engineering for the work that was previously approved. He added that he does not know what the scope of work said on the original one, which is the one that he is trying to get a copy of so he can compare it. He continued by saying that he does not think that F.X. Browne will be an issue because it is an engineering cost and not physical work but if they are doing engineering studies on work that was not approved, they are wasting their time because once they start doing that work they would lose their funding.

Councilman Touchette interjected that the RFP that went out was based on the scope that was approved.

Chief Darlington stated that he was correct but there were changes, which he does not know what they were and added that once he is provided with what the changes were he can make sure that they are not putting the grant in jeopardy.

Councilman Touchette stated that Supervisor Traver was involved in some of the conference calls and continued by asking how he feels about it.

Supervisor Traver stated that he has no problem with moving forward as far as accepting it, pending that they don't lose the funding from F.E.M.A. and S.E.M.O.

Councilman Touchette asked if it was a motion.

Supervisor Traver stated that he would move it as a motion.

Councilman Boehm stated that he should specify the dollar amount.

Supervisor Traver stated that it is $104,430.00 for F.X. Browne and $17,800.00 for the topographical survey.

Councilman Touchette stated that he would second it.

Councilman Boehm interjected that he would clarify that it is subject to approval from S.E.M.O. and F.E.M.A. and he would like to amend the motion.

Chief Darlington stated that the $17,800.00 is for the topographical survey that they want to do as soon as possible.

Councilman Boehm stated that the trees are leafing out now.

Councilman Touchette inquired as to if they will pay for the survey and if it is part of the original scope.

Chief Darlington stated that he does not believe that it was and added that it is something that just came out. He added that they said that it was originally approximately $5,000.00 for them to do the aerial part of it now and continued by saying that they should approve the aerial part of it so they can fly over and get it done and then the groundwork would be pending approval.

Councilman Touchette stated that they would be on the hook for approximately $5,000.00 if it's not approved.

Chief Darlington stated that it is saving them that if they get it done.

Councilman Touchette stated that if they don't do it, it will be putting it back another year.

Chief Darlington stated that they could do it all via the ground but they also said they would be $20,000.00.

Supervisor Traver inquired as to how the Board felt and added that there is a motion and second.

Councilman Touchette asked if he wanted to amend the motion to include the $5,000.00.

Supervisor Traver stated that he would amend the motion.

Councilman Touchette inquired as to if Councilman Boehm was ok with the amendment.

Councilman Boehm stated that he was.

Supervisor Traver called for the vote.

VOTE – AYES 5 – NAYS 0 – SO MOVED

Maria Bowers Land Use Issue

Supervisor Traver asked that Attorney for the Town Wukitsch discuss the Maria Bowers land issue.

Attorney for the Town Wukitsch stated that this is an issue that has been dated back and forth for years and added that it resurfaced a couple months ago when the Attorney for Ms. Bowers, Attorney Blanchfield contacted him and in turn there were some phone conversations where he expressed the view that the Town is obligated to Ms. Bowers by virtue of the fact that there is a well on her property together with storage of highway materials. He continued by saying that he invited Mr. Blanchfield to attend the meeting with his client and he claims in a letter that is before the Board that he had another commitment and added that what they have before them is a proposal by Ms. Bowers attorney that the Town enter into negotiations with her Attorney to consummate a lease arrangement whereby the Town would be obligated to make payment for the well as well as any material that is stored on the property. He went on by saying that the Town Board needs to reach a consensus if they can with regard to the proposal and whether or not they want to move in that direction and added that he would not get stuck on any of the numbers that were offered in the proposal because he says in the letter it is subject to negotiation. He continued by saying that the benefit would be that it would bring closure to the issue that has been pending for several years and continued by saying that it should be subject to his review and examination of the maps that Code Enforcement Officer Conrad had said that he has showing the location of the well and where the material is stored. He concluded by saying that the guidance that he would like from the Board is if they want to move in the direction of some form of a lease arrangement.

Councilwoman Rogers stated that personally she is not in agreement to pay her a monthly lease agreement.

Councilman Boehm inquired as to if at some point there was a swap for the land.

Highway Superintendent Deering stated that it was suppose to be to build her a road and added that this has been going on since the mid 70's.

Councilwoman Rogers stated that a couple years ago they started an agreement to make her road that came out on Greenbush Avenue in exchange for the property.

Highway Superintendent Deering stated that originally there was talk about the Town buying it and added that he does not want to get into that.

Councilman Boehm stated that he does not think that a lease will solve the issue because she uses the Highway parking lot as a driveway and crosses the Hannacroix Creek to get to her home and added that he thinks that they need to address that issue.

Highway Superintendent Deering stated that in the past she had not asked for much and added that they would help her if she needed it, which was very rarely and continued by saying that he thought it was a pretty good trade.

Councilman Boehm inquired about the well on her property.

Highway Superintendent Deering stated that the well is on her property,

Councilman Youmans inquired as to how that came to be and continued by asking if it predates Highway Superintendent Deering.

Highway Superintendent Deering stated that it was there before him and continued by saying that it is a good well.

Councilwoman Rogers stated that there are some deed maps that go way back that she just received and added that she would like to take a look at them to see exactly where the property line is.

Councilman Youmans stated that she has to cross Town property to get to her property and added that for $600.00 a month over a 10 month period, they could drill a new well and be off her property and in turn put a gate up and then she would be stuck. He continued by saying that he has a problem with someone holding them hostage over this and now wants money from the Town and added that it probably has not been handled right from the beginning and he does not want to now handle it wrong going forward and throwing it in the next Board's lap. He concluded by saying that if they have material on her property, they should take it off her property and drill a new well and in turn she can put her own driveway in somewhere else to get to her property and added that this would be his inclination.

Councilman Boehm inquired as to what is on her property now.

Highway Superintendent Deering stated that there is stone, shale, and pipes.

Councilman Boehm asked if the lower building is on her property.

Highway Superintendent Deering stated that it's not.

Councilman Youmans inquired as to how much of a hardship it would be if he stored the material at the landfill or somewhere else.

Highway Superintendent Deering stated that the landfill is the only place that he could go with it and added that it would be further away from the building when they want something.

Councilman Youmans stated that it would then create a hardship for him.

Highway Superintendent Deering stated that it is up to what the Board decides.

Councilman Touchette stated that they should look at all of their options before they agree on anything and added that he does not believe that it is a good deal for anyone other than Ms. Bowers.

Councilman Youmans stated that he agrees.

Councilman Boehm reiterated that it does not solve the problem and added that he thinks they should look for an outright purchase of the property right to the creek.

Attorney for the Town Wukitsch stated that he has received enough guidance from the Board and is now in a position to respond to the proposal.

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NEW BUSINESS

Coeymans Landing Park Railing Additions & Gazebo Electrical Outlet Upgrades

Supervisor Traver stated that he received a memo from Nelson Perry, Parks and Maintenance Supervisor for Parks and Recreation and continued by reading the following:

To:	Supervisor Traver & Town Board
From:	Nelson M. Perry, Parks & Recreation Maintenance Supervisor
Subject:	Quotes for Coeymans Landing Railing Additions & Electrical Outlet Upgrade to Gazebo
Date:	April 20, 1010

Attached for your review and approval are quotes for work at Coeymans Landing Park.

Newburg Steel Fabrication – End rails to complete railing projects as required by NYMIR $3,712.50. Parks will supply labor necessary for paining and installation. Mr. Newburg will do the welding installation as per previous rate of $65.00 per hour.

Bullock Utilities – Halide flood light with photocell at basketball court $775.00
400 W Metal Halide $575.00

Price quotes include labor & material. I would recommend the Halide flood light as it is a better quality light and would provide more area coverage for security purposes. (Supplies light for both basketball court and soccer field).

Electrical Service – Installation of additional 20 amp circuits (6) at Gazebo – quote includes labor and material - $705.00.

There is sufficient funding in A711.4 to allow for these upgrades.

Supervisor Traver asked if there were any comments from the Board.

Councilman Boehm stated that he thinks it is important to finish the project on the railing.

Councilman Youmans stated that he had been down there and looked at it and continued by asking if they are talking about the little pieces that go perpendicular to the river

Supervisor Traver stated that it has to go all the way to the end of the concrete and added that they are perpendicular.

Councilman Youmans stated that he just ran some quick numbers on the sales tax that they got for the first quarter and added that it looks to him like they are trending almost $20,000.00 behind in sales tax revenue and he thinks that it would be prudent to wait until later in the year when they know where they stand because there is a list for $5,755.00 of things that he wants to do, which are all things that would be nice to do but

his opinion is that they wait on it for a while He concluded by saying that the railings look beautiful down there.

Councilman Boehm stated that his only concern is with NYMIR and this is an issue that they brought up and without completing the job he does not know what it would accomplish by not increasing the safety to their standards.

Councilman Youmans stated that he does not understand how that short piece that is perpendicular to the water is a safety issue and added that it is not a piece that prevents you from going in the water. He added that it would look a little nicer but he does not see it as a safety issue and continued by saying that if NYMIR disagrees it would be another thing.

Councilwoman Rogers inquired as to the purpose of it.

Supervisor Traver stated that it is down on the very end where there is still concrete and it is about a six-foot drop going off the very end.

Councilwoman Rogers inquired as to what that small piece does.

Councilman Touchette stated that it closes off Town property.

Councilman Youmans inquired as to if they are talking about the south end.

Supervisor Traver stated that they are and added the north end is done.

Councilman Boehm suggested that they separate the steel fabricating charges from the floodlights and added that he would like to see the floodlight there so people can play soccer and basketball. He continued by asking if the lights are on a timer or if they are on all night.

Chief Darlington stated that some of it is on a timer but he believes the basketball courts are lit all night.

Councilman Boehm stated that he didn't see any sense in keeping it lit all night and added that it would be good to get the spotlight on the soccer and basketball court and continued by saying that the gazebo has had chronic problems in the past and they actually ran lead cords from Tom Dolan's house and other neighbors. He went on by saying that he would be in favor of proposing the electrical service upgrade for $705.00 and specifying the installation of some type of mechanism to time the flood lights as well as replacing them so people in the community can play basketball and/or soccer after dark.

Supervisor Traver asked if it was a motion.

Councilman Boehm stated that he would make it in the form of a motion.

Councilman Touchette inquired as to whether or not he was proposing that they do the steel fabricating.

Councilman Boehm stated that he will check with Nelson on it because it seems like a lot of money for a tiny piece of steel and he would like to get more information on that. He continued by saying that he would like to move forward with the installation of 20 AMP circuits at the gazebo for $705.00 as well as upon Nelson's recommendation, install the Halide flood light for $775.00.

Supervisor Traver asked if there was a second.

Councilwoman Rogers stated that she would second it.

Supervisor Traver called for a vote.

VOTE – AYES 4 – NAYS 1 – SO MOVED

Resignation of Confidential Secretary

Supervisor Traver stated that he received a letter from his Confidential Secretary and continued by reading the following:

April 12, 2010

Dear Supervisor Traver:

Please accept this letter as notification of resignation from my position as Confidential Secretary, to be effective May 28, 2010.

My decision has not been an easy one to make. Acting as caregiver to an aging parent, maintaining my home, as well as some recent health concerns make this a necessary step.

Thank you for the opportunity to serve the Town of Coeymans.

Sincerely,

Mary M. Lewandowski

Supervisor Traver asked for a motion to accept Mary's resignation.

Councilwoman Rogers stated that she has worked with Mary over the years and added that she's been great and continued by saying that she really does not want to accept it but they have to and continued by offering a motion.

MOTION

On motion of Councilwoman Rogers, seconded with regret by Councilman Youmans, the resignation was accepted.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Councilman Boehm stated that she has been with the Town since he has been here and added that she is an integral part of the office and will be sadly missed and he too would accept it with regret.

Supervisor Traver asked Councilman Touchette if he had any comments.

Councilman Touchette stated that he hates to see her go.

Supervisor Traver stated that for the short time that Mary has served him, she has been an excellent asset and a tremendous amount of help in helping him get through the learning process of the Supervisor's position.

Councilwoman Rogers interjected that he's been spoiled and no one will be able to fill her shoes.

Councilman Boehm jokingly stated that they could force her to stay by not accepting the resignation.

Attorney for the Town Wukitsch stated that he wanted to chime in and added that generally he does not add anything but from his dealings with Mary she has done a terrific job and will be difficult to replace.

Councilman Boehm interjected that she also indicated that she is willing to train the next person and if they move quickly she can do that in bringing that person up to speed.

Supervisor Traver called for the vote to accept her resignation.

VOTE – AYES 5 – NAYS 0 – SO MOVED

Part-Time Clerk I – Justice Court

Supervisor Traver stated that they discussed a part-time clerk for the Justice Court at the last Workshop and continued by asking for a motion to allow the hiring.

Councilman Boehm interjected that it is Clerk I position and not a Court Clerk and added that part-time is not to exceed 17.5 hours and continued by offering a motion.

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, authorizing the hiring of a part-time Clerk I in the Justice Court.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Planning Board Training at Five Rivers

Supervisor Traver stated that he spoke with Councilwoman Rogers earlier in the day regarding Planning Board Members attending training at Five Rivers and added that they did not submit it for payment but it was required training. He continued by saying that he is requesting that they be able to put in a voucher so they can be paid the right way as well as advising them that they have to get Town Board authorization before they go to any additional training.

Councilman Boehm asked Councilwoman Rogers if she knew the cost.

Councilwoman Rogers stated that she didn't have any idea and added that it keeps getting put off even though they did it the wrong way and should have gotten Town Board approval.

Councilman Boehm inquired as to who attended.

Councilwoman Rogers stated that she believes that it was Buddy Irwin, Joe Kapusta, Peter Foronda and Dave Ross, who was present in the audience.

Councilman Youmans asked Mr. Ross if he remembered how much it was and added that he thought it was around $25.00.

Planning Board Member Ross stated that it was minimal and added that he does not have his notes to refer to and continued by saying that there was some question as to whether it was going to be submitted because some of the training they take on their own and they don't submit anything.

Councilman Boehm interjected that he thinks it is appropriate that they reimburse them.

Councilman Youmans agreed and added that they would not expect them to pay for training on their own because they are serving the Town.

Councilman Boehm inquired as to when the training was.

Councilwoman Rogers stated that it was in February.

Supervisor Traver agreed that it was in February.

Mr. Ross stated that he would have to look at his notes.

Councilman Boehm stated that he would make a motion.

MOTION

On motion of Councilman Boehm, seconded by Councilman Youmans, authorizing reimbursement for the Planning Board that attended the training at Five Rivers.
VOTE – AYES 5 – NAYS 0 – SO MOVED

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RESOLUTIONS

RES. #046-10 APPROVE APRIL 2010 ABSTRACT
On motion of Councilman Youmans, seconded by Councilwoman Rogers, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

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

FUND	VOUCHER #	AMOUNT
GENERAL (A)		
General Pre-Pay	688-752	$276,341.82
General	823-882	$ 30,732.70
	General Total	**$307,074.52**
POLICE FORFEITURE (A)		
Police Forf. Pre-Pay	753	$ 580.00
	Police Forf. Total	**$ 580.00**
PART-TOWN (B)		
Part-Town Pre-Pay	754-775	$224,434.99
Part-Town	-0-	-0-
	Part Town Total	**$224,434.99**
HIGHWAY (D)		
Highway Pre-Pay	776-790	$ 65,038.74
Highway	883-929	$ 43,589.03
	Highway Total	**$108,627.77**
SEWER (SS)		
Sewer Pre-Pay	791-813	$ 25,000.86
Sewer	930-947	$ 8,733.02
	Sewer Total	**$ 33,733.88**
	Total for all Funds	**$674,451.16**
TRUST & AGENCY (TA)		
Trust & Agency Pre-Pay	814-822	$335,454.79
	Trust & Agcy. Total	**$335,454.79**

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CORRESPONDENCE

Star Ross – Police Officer Commendation

Supervisor Traver stated that he was in receipt of a letter from Starr Ross and continued by reading the following:

April 14, 2010

Dear Chief Darlington,

I am writing in reference to the incident on April 11, 2010 in the Hamlet of Coeymans.

As I approached the bridge area where a young girl had fallen, I noticed that she was not alone down there. One of our Coeymans Officers was down there by her side, comforting her and assessing her condition. I believe his name was Frank McDonagh.

I just wanted you to know that I was so proud of him and you should be too. He didn't have to climb down there, but he did. I watched him until the bigger rescue teams arrived. It was obvious that he was making a difference to a bad situation for that child. He stayed with her to the end; in fact, he was the last one to be pulled up.

Sincerely,

Starr Ross

Supervisor Traver stated that Ms. Ross wanted to pass along to the Town Board and Chief of Police what Officer McDonagh had done that day.

Councilman Youmans stated that they are all very proud of Officer McDonagh and his actions and added that he was glad to hear that the little girl is ok.

Councilman Touchette asked Chief Darlington if Officer McDonagh had seen the letter.

Chief Darlington stated that he had as well as it being in his personnel file.

NYS DEC – NY and Mossy Hill Quarries

Supervisor Traver stated that he was in receipt of a permit from DEC for a SEQR Review and added that it is for expansion of Mossy Hill Quarry. He continued by saying that he passed it along to Building Inspector Conrad and he does not believe that it has gone to the Planning Board and he feels as though it should be passed on to the Planning Board.

Attorney for the Town Wukitsch stated that there is a deadline for comment and continued by saying that the letter is soliciting comments from the Town. He continued by saying that he does not want the Board to miss the deadline because if they do they are not going to consider their comments. He concluded by saying that they better check it to make sure what the deadline is.

Supervisor Traver asked the Board if they had any comments and added that he has the whole packet.

Councilman Boehm suggested that Supervisor Traver read the letter and added that it might make more sense.

April 13, 2010

Applicant: New York Quarries Inc.
305 CR 111
PO Box 70
Alcove, NY 12007

Facility: Mossy Hill Quarry
305 CR 111
Alcove, NY 12007

Application ID: 4-0124-00009/00001

Permit(s) Applied for: Article 17 Titles 7 & 8 Industrial SPDES – Surface Discharge 1-Article 23 Title 27 Mined Land Reclamation

Project is located: Town of Coeymans in Albany County

Project Description:

The Department has received an application from the company for a new mining permit to continue mining bluestone from its quarry, which has been in operation for many years. Mining is proposed over a 14.3 Life of Mine areas, of which, 12.7 acres would be mined during the permit term. Bluestone is mined and cut and shaped using various pieces of equipment such as excavators, wheel-loaders, and several types of wet saws. Storm water will be controlled though the use of on-site storage ponds. The mine is situated within a 174 acre property on the east side of SR 111, approximately ¾ mile south of Alcove.

Availability of Application Documents:

Filed application documents, and draft permits where applicable, are available for inspection during normal business hours at the address of the contact person. To ensure timely service at the time of inspection, it is recommended that an appointment be made with the contact person.

State Environmental Quality Review (SEQR) Determination:

Project is an Unlisted Action and will not have a significant impact on the environment. A Negative Declaration is on file. A coordinated review was performed.

SEQR Lead Agency:

NYS Department of Environmental Conservation

State Historic Preservation Act (SHPA) Determination:

Cultural resource lists and map have been checked. No registered, eligible or inventoried archaeological sites or historic structures were identified at the project location. No further review in accordance with SHPA is required.

Public Comment:

Comments on this project must be submitted in writing to the Contact Person no later that 05-21-10 or 30 days after the publication date of this notice, whichever is later.

Contact Person:

Angelo A. Marcuccio, NYSDEC
1130 N. Westcott Road.
Schenectady, NY 12306
(518) 357-2069

Councilman Boehm suggested that he place a copy of the Notice on the bulletin board in case anyone has any questions.

Supervisor Traver asked the Board if he should forward it to the Planning Board.

Councilman Touchette suggested that it also be sent to the Zoning Board and added that both would be involved in the project.

NYS DEC – Docks at Landing

April 22, 2010

To: Town of Coeymans

Subject: Coeymans Landing – New E-Z Dock System "Parts Trade-In"

Dear Mary:

We are very pleased to have assisted in the Town's acquisition of the subject dock system. DEC's long-term success in collaborating with various Town Officials over the years has mad such on-site improvements possible. Nelson's continued dedication to your Parks Department is an obvious asset to the Town and we have no problem allowing him to use any extra dock parts or DEC provided funds at his discretion to maintain the subject facility for the safety and convenience of all public users. Installation and deployment of this new E-Z Dock System passed my visual inspection on April 8, 2010 without a hitch. Thus, any future dock maintenance can be performed without reporting back to the DEC, Region 4 Fisheries. We anticipate much positive feedback from the appreciative public regarding this high use site. Again, we thank Nelson and Ron Hotaling for their tireless support in the more recent improvements to this riverside park.

With best regards,

Scott Wells
Aquatic Biologist I

Councilman Boehm stated that he wanted to echo what the letter said and added that Nelson has done a tremendous job with getting the docks in and continued by saying that the new docks are well used and a big improvement over what they had. He continued by saying that it was all done with grant money from DEC so there was no cost to the Town and the railings, docks, Evenings on the Green and Farmer's Market really enhance the area down there.

Supervisor Traver stated that he wanted to echo the same thing and added that Nelson and his crew have been working hard down there for the last couple of weeks putting the railings up and putting the new docks in.

Captains Choice

Supervisor Traver stated that Joanne Burrows and Captain Al of Captains Choice stopped in the office to speak with the Supervisor and Confidential Secretary Lewandowski communicated the following:

(1) Their ability to tie up at Coeymans Landing to offer cruises on the Wofford to people attending Evening on the Green as they did last year.
(2) Inquire whether we would be getting another dock section for the new docks to bring it a little further out into the river.
(3) Our old docks – whether they can be stationed against the riverfront wall for docking passenger loading purposes.
(4) Or, maybe they can take the old docks off our hands.

Joanne & Captain Al will be away for three weeks, but Captain Steve Burrows is aware of these issues and can be reached at his cell at 470-4666.

(Per Nelson – Old docks require structural repair. There is no ramp to them anymore. Last year it was discussed that the docks be sold. He has had someone who is very interested in purchasing the docks "as is" calling him.)

Supervisor Traver stated that he was advised by Confidential Secretary Lewandowski that another company wanting to purchase the old docks is Bazooka General Contracting out of Mechanicville and added that he is offering a price of $500.00.

Councilman Boehm inquired as to putting it out to bid because there are two parties interested.

Councilman Touchette suggested using the online auction for surplus material.

Councilman Boehm asked if there is another section of dock going in.

Councilman Youmans stated that it was his understanding that there was suppose to be tires that went underneath them for when the tide goes out so they don't bottom out and added that the new docks do not require them. He continued by saying that it is his understanding that the distributor, in lieu of the tires, will be bringing another dock section and it will be going out a little further.

Councilman Boehm stated that he didn't have an opportunity to ride on the Woffard but does know people that did and added that he does not have a problem allowing them to use the docks.

Councilman Touchette stated that there were some people disappointed last year and added that he understood that they were going to be present every Thursday night and added that their attendance was sketchy and continued by saying that he thinks that they need to either commit to every Thursday night or have a schedule.

Councilman Boehm stated that he will ask the Captain what his intentions are.

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ADDITIONAL COMMENTS

Supervisor Traver asked if there were any additional comments.

Chief Darlington stated that he had submitted a request regarding the NYS 1033 Federal Excess Property for authorization to execute the Agreement.

Councilman Touchette stated that it was on the last Town Board Meeting agenda and added that they tabled it because he was not present and continued by saying that it is not on this week's agenda.

Councilman Youmans stated that he thought that they came to an informal conclusion that it would make sense.

Chief Darlington inquired as to if it was a Town Board Meeting or Workshop.

Collectively the Board stated that it was a Workshop.

Chief Darlington stated that he does not attend Workshops unless he is asked and added that he was not aware that it was on the agenda.

Councilman Youmans reiterated that they concluded that it made sense to authorize the Chief to enroll in the program because it allows the Town to get surplus equipment for the Police Department at no cost and continued by saying that if it is free he is good with it.

Attorney for the Town Wukitsch stated that as Councilman Youmans had indicated they did feel that it was a good idea that it be done but one issue did arise, which was whether the Supervisor or the Chief of Police should execute the Agreement.

Chief Darlington stated that is says that the Chief Executive Officer of the Law Enforcement Agency has to sign saying that he read the Agreement and will abide by it as well as having to verify that he has approval from the Town Board to execute it. He continued by saying that if does not sign it, there are five places for the Board to sign.

Attorney for the Town Wukitsch stated that it is covered.

Councilman Youmans stated that he would offer a motion to enter into the Program.

MOTION

On motion of Councilman Youmans, seconded by Councilwoman Rogers, authorizing Chief Darlington to enter into the program and sign-off on it today.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Chief Darlington thanked the Town Board and continued by saying that as the Town Board is aware, AT&T is interested in the Town's site for the cellular tower and added that he was contacted earlier in the day and they were wondering if the Town was interested in moving to a different land owner spot and try to get a Lease Agreement with the landowner. He continued by saying that he is in discussions with the Building Department because he believes that this landowner has some code issues that may be arising and it might not be feasible for them to try to go into a Lease Agreement with them. He went on by saying that AT&T has said that if there was no way that they could, they would still be interested in putting the tower at the site that they currently have.

Supervisor Traver asked if there were any other comments.

Councilman Youmans stated that he had some exciting news to report and continued by saying that on Friday he spoke with Tracy Brooks, who worked for Senator Clinton as a liaison to 15 different upstate counties with an emphasis on Economic Development and continued by saying that she has offered to sit on a Task Force for Economic Development for the Town of Coeymans. He continued by saying that he spent a good part of Friday and the weekend reaching out to local business leaders and he has what he believes to be a pretty good team assembled and he is asking the Board to strongly consider it as a vehicle to stimulate some Economic Development in Town. He added by saying that the vision that he has is that this Task Force will study the current business climate and economic condition and make recommendations to the Board as to things that they can do immediately to promote Economic Development and growth. He concluded by saying that he will have more information to share with the Board and he hopes that the Board shares his opinion that it is a good idea.

Supervisor Traver asked if there were any other comments.

Councilwoman Rogers stated that she sits there week after week and she hears the comments from the public that the Board is a disgrace and they should resign and added that she has kept quiet because she also has been tired of the press and she thought that it would go away and they could continue on with Town business, but it is not happening. She added that this is her third term and she has worked with Republican Supervisors and Democratic Supervisors and she has gotten along with everyone and continued by saying that those in the public that have comments to the Town Board, should stop addressing it as the Town Board because some people do work with the Supervisor and she would appreciate that they name the person on the Town Board that they have a problem with.

Supervisor Traver asked if there were any other comments, hearing none he continued by saying that he had a statement that he wanted to read and then read the following:

As everyone knows I have done 26 years of dedicated service to the Town in volunteer fire departments, rescue squad, working for the Town and Village and being in the military. I have dedicated over half of my life just for the people of this Town. The time has now come to inform the public where I would like to see the Town moving. I met with my Department Heads last week to start early on the 2011 Budget. Throughout this year we intend to watch the budget very closely and monitor where the money is going.

After sitting in office for the past four months, I am seeing things that need to be addressed to save money, with two major concerns actually right now due to the winter months, the heating and electric. I feel as though there should be a Task Force to try and start doing some energy conservation starting right here with Town Government in trying to save some money. These bills are very extremely high and we need to look at making these conservation changes as soon as possible.

When I was on the campaign trail, numerous individuals told me they wanted to make the Town of Coeymans a better place to live.

Major items of concern were:

1. Establishing a transfer station, which I believe, could be very inexpensive with the possibility of very little cost or no cost at all. I am going to try to look and research and have a committee to start this.
2. The establishment of a leaf, grass and brush program like the Village of Ravena has. There are a lot of residents in the Hamlet of Coeymans that have no place for these items to go and if the Program is successful I would like to expand it to the entire Town, which would also be very inexpensive or low cost to the Town residents.
3. Reinstituting the Paramedic Program, like I said I ran many years with the Rescue Squad and Fire Company and a few years ago the Paramedic Program was let go. It was only a part-time status or a very long response due to the fact that some of the paramedics were coming out of Voorheesville. There are many senior citizens in this community that need the Paramedic Program and the paramedics as soon as possible and not waiting 20 minutes or ½ hour.
4. Examine the possibility of the Ravena Rescue Squad becoming a Taxing District. Councilman Boehm is liaison to the Rescue Squad and I would like to have him start checking into this to see if it is a cost effective measure to save some money.

These are only a few ideas, but are important issues that concern our residents. Waiting too long to act on these items will cost more in the future.

Other items that need to be addressed include the roof on the Waste Water Treatment Facility that has been leaking for over ten years and has done extensive damage within the building. The poor drainage around the Town Hall has also been going on for ten years. A better plan for a replacement program for the Town Highway Department and Beautification Department and Police Department vehicles needs to be established. Each year the more and more that we wait, it gets more and more expensive. Other major concerns is dealing with drawing business to the community and I'm glad that Councilman Youmans has taken a step to go that way and start bringing businesses to the Town of Coeymans because the Town is starting to fade away and there is not enough business to support us.

In the coming months, I will be performing the job of what I was elected to do and keep the public informed as well as obtaining their input. I will be conducting Round Table Discussions on Saturday mornings to get the people involved and to get them involved in Town Government. We all live here, we all need to work together, I am here for the people to listen to their voices of concern and as of right now I am not stepping down as Town Supervisor. I will not be forced out as Town Supervisor. I will only step down when I feel the need to step down.

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TOWN BOARD WORKSHOPS / MEETING

- Town Board Meeting – May 10, 2010, 7:00pm
- Town Board Workshop – May 18, 2010, 6:00pm
- Town Board Meeting – May 24, 2010, 7:00pm

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ADJOURNMENT

Supervisor Traver asked for a motion to adjourn the meeting.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Touchette, the Town Board Meeting was adjourned.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time 8:30pm

Respectfully Submitted, **APPROVED:**

_____
Diane L. Millious, Town Clerk

A Town Board Meeting was held Monday, May 10, 2010, at 7:00pm at Town Hall, 18 Russell Avenue, Ravena, New York

PRESENT: Henry C. Traver, Supervisor
Dawn Rogers, Councilwoman
Thomas A. Boehm, Councilman
Richard N. Touchette, Councilman

ABSENT: James C. Youmans

ALSO PRESENT: Diane L. Millious, Town Clerk
Greg Darlington, Chief of Police

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

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OPENING COMMENT

Supervisor Traver stated that the record should reflect the absence of Councilman Youmans due to another commitment as well as the presence of Town Clerk Millious and Chief of Police Darlington.

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AGENDA

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

PUBLIC COMMENT

Supervisor Traver invited the public at this time.

Mr. John Lennon stated that he is an Operator at the Sewer Waste Treatment Plant and added that he is there to respond to the News Herald about the conditions at the Plant. He continued by saying that most of the Town Board has refused numerous invitations to look at the plant for themselves with no one coming down since the Union sent in their safety request, he is there to explain some of the conditions down there. He went on by saying that the roof has been leaking for 10-15 years and has been requested to be repaired numerous times but never has and every room leaks with one leak being six feet away from a 440 volt sensor control unit, which is only four feet from the lab where he sits to do lab work. He added that the furnace is now down and has to be replaced this year because if it's not they will have frozen pipes, the grid chambers and walkways are dangerous and he is in the process right now of redoing handrails that were not included when they did the last upgrade and not included in the engineers drawing and he is doing it himself to save money. He continued by saying that the grid screws, which gets rid of some of the solids in the bottom, the north one is not working and there is almost an inch gap that makes it impossible to work properly. He went on by saying that two of the clarifiers have been down since the new one has been online and were suppose to be repaired but has not been done yet as well as one of the chambers that thickens the solids that are sent to Albany County has an arm that is broken for the past two years and they have been trying to get the Highway Department to come down and lift the top off so they can try to repair it, which has not been done. He continued by saying that their computer is 11 years old and they use Windows 98 on a 2000 Gateway and they cannot open some of their DEC mailings because the software is too old for the new Microsoft Word and added that he sent in a request for an upgrade as well as using a dial-up connection and they were looking at getting either Mid-Hudson or DSL, with DSL being the cheapest way to go because Mid-Hudson wants $2,500.00 and they can get DSL for $35.00 a month. He went on by saying that another thing is their lawn mowers, which they might think is a wish list but they have been told that they have to take care of their own land and the lawn mowers are down ¾ of the time and last year Keith Geraldsen borrowed Beautifications mower almost every weekend and continued by saying that the mower is down now and the lawn has not been mowed. He added that their dump truck is a 1991, which is 11 years old, and the body has been replaced once and the plow does not work right as well as their Chevy pick-up being 1995 with the frame rusting and they had to have a piece welded on so it could pass inspection this year. He continued by saying that he came to speak because it said in the paper that it is a Wish List and went on by saying that to them it might be but to him it's not because these are things they need to operate and the Waste Water Treatment Plant is the last to get any kind of money and their budget was cut during election and they need money to operate. He added by saying that they need money to operate and they can't cut a budget that they don't have and added that their budget is $400,000.00 a year and they don't spend nearly that much and they are lucky if they spend $100,000.00 - $200,000.00. He went on by saying that there are other things that he would like to be able to do down there like taking water that goes to the river to clean the tanks and not use clean drinking water because he goes through 300,000 gallons of water a year to clean the tanks and he can't do it because there is no money to buy what he needs. He continued by saying that he has sent some of this to the Town Board but has not heard from any of them and added that he would invite every member of the Board and anyone from the public to come down and look to see if what he is saying is true or not and added that Councilman Youmans and Supervisor Traver had been down but no one else on the Board has any idea what is going on down there and they need help now. He concluded by saying that it has come to the time that they need to get the job done because some parts of it are unsafe for them and some part is things that they need and added that he believes that he speaks for other members and added that he likes his job down there but it is hard to do when you don't have the equipment to work with.

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

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

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

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

Councilman Touchette asked what their current budget is.

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

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

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

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

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

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

Supervisor Traver stated that it is.

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

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

Supervisor Traver asked if there were any other comments.

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

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

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

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APPROVAL OF MINUTES

Supervisor Traver stated that there were five sets of minutes for Town Board approval a Public Hearing on April 12th, a Town Board Meeting on April 12th, a Town Board Workshop on April 20th, a Public Hearing on April 26th and a Town Board Meeting on April 26th and continued by asking for a motion to approve them.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Touchette to approve all minutes except the Public Hearing and Town Board Meeting on April 26th, which will be tabled.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Youmans) – SO MOVED

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

Town Clerk Millious stated that she did not have them.

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

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

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

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OLD BUSINESS

Route 143 – Assemblyman Gordon's Site Visit

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

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

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

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

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

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

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

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

Councilman Touchette asked if he had received anything back.

Supervisor Traver stated that he had not.

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NEW BUSINESS

Summer Recreation Program

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

Payroll Clerk I Request to Attend Training

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

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

This memo is to request approval for me to attend the General Preview Training provided by Paychex on May 20, 1010, at their offices in Albany. I feel my attendance would be beneficial to both the Town and myself especially since I have not had an opportunity to receive comprehensive/formal training from Paychex.

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

Thanks for your consideration.

Supervisor Traver asked for a motion to authorize the training.

MOTION

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

Request for WWTP Operator to Attend Training

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

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

Supervisor Traver asked for a motion to authorize the training.

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

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

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, authorizing Operator Lennon to attend training in Ghent, NY in the amount of $75.00.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Youmans) – SO MOVED

Asbestos Abatement at Waste Water Treatment Plant

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

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

ASSOCIATED ASBESTOS ABATEMENT COSTS (Estimated)		
Project/Air Monitoring		$2,500.00
ESTIMATED ASSOCIATED COSTS	**Total**	**$2,500.00**

ESTIMATED PROJECT TOTAL $7,600.00

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

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

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

Access to WWTP Property

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

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

Councilman Boehm asked that Operator Lennon comment.

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

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

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

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

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

Operator Lennon stated that they have.

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

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

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

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

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

Councilman Touchette interjected that it is posted.

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

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

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

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

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

Councilman Touchette stated that there is quite a bit.

Councilman Boehm inquired about there not being any signage.

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

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

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

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

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

Town Clerk Millious inquired about the Fishing Derby.

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

Stanton Use of Town Property

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

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

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

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

Councilman Boehm inquired as to the size of the lot.

Mr. Stanton stated that it is about 12 acres.

Councilman Boehm inquired as to what is planted there now.

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

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

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

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

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

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

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

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

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

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

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

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

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

Mr. Stanton stated that it is.

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

Communications Tower Site

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

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

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

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

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

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

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

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

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

Collectively the Town Board agreed.

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

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

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

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

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

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

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

Councilwoman Rogers agreed.

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

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RESOLUTIONS

RES. # 047-10 APPROVE SETTLEMENT WITH CIVILL SENIOR HOUSING
On motion of Councilwoman Rogers, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Youmans)
SO MOVED

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. The Town Board hereby approves the settlement set forth in the attached Agreement to Pay Monies Due under the PILOT Agreement.

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

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

RES. #048-10 AMEND BUDGET FOR DOCKS
On motion of Councilman Boehm, seconded by Councilwoman Rogers, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Youmans)
SO MOVED

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

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

WHEREAS, the 2010 Budget did not include receiving these grants; and

WHEREAS, the Town of Coeymans is required to create a budget for the source and use of these funds;

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

EZ Docks

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

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

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

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

Supervisor Traver stated that was correct.

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

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

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

RES. #049-10 AMEND BUDGET FOR POLICE IN-CAR CAMERAS
On motion of Councilman Touchette, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Youmans)
SO MOVED

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

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

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

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

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

JAG/BYRNE

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

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CORRESPONDENCE

NYS Department of Environmental Conservation

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

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

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

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

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

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

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

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

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

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

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

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

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

Councilman Boehm agreed.

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TOWN BOARD WORKSHOPS / MEETINGS

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

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ADDITIONAL COMMENTS

Supervisor Traver asked if there were any additional comments.

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

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

Supervisor Traver asked if there were any further comments.

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

Supervisor Traver asked if there were any further comments.

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

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

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

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

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

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

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

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

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

Supervisor Traver stated that he didn't receive anything.

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

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

Supervisor Traver asked if there were any additional comments.

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

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

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

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

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

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

Councilman Boehm asked where it is sitting out there.

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

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

Councilman Boehm interjected that they need to.

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

Councilman Touchette inquired as to when they bought it.

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

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

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

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

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

Councilman Boehm inquired as to how much it would cost.

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

Supervisor Traver asked if there were any additional comments.

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

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

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

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

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

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

Supervisor Traver stated that they did a very nice job.

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

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

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

Councilman Boehm stated that they did at some point.

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

Councilman Boehm inquired as to who did the pavers.

Supervisor Traver stated it was the Highway crew.

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

Supervisor Traver stated the Garden Club did the plantings.

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

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

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

SUPERVISOR'S PROPOSED INITIATIVES

Highway Department
Equipment Program
Salt Facility
Road Program

Beautification Department
Bathrooms at Parks
Equipment Program

Ravena Rescue Squad
Taxing District
Reinstitute 24 Hour Medic Program

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

Economic Development
Committee for Acquiring New Businesses
Assist Businesses that are Established

Sewer Department
Upgrades to Plant
Equipment Program

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

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

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ADJOURNMENT TO EXECUTIVE SESSION

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

MOTION

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

Time: 8:13 pm

****

EXECUTIVE SESSION

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

****

RECONVENE MEETING AND ADJOURN

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

MOTION

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

Time 8:45pm

Respectfully Submitted, **APPROVED:**

_____
Diane L. Millious, Town Clerk

May 18, 2010 – TOWN BOARD WORKSHOP – 6:00PM

A Town Board Workshop was held Tuesday, May 18, 2010 at 6:00pm at Town Hall, 18 Russell Avenue, Ravena, New York

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

ALSO PRESENT: Diane L. Millious, Town Clerk
Lawrence Breedlove, Chief Sewer Plant Operator

****

Supervisor Traver opened the Workshop and led the Pledge of Allegiance.

****

AGENDA

- Draft Single Audit Public Housing Agency Special Grant Fund of the Town of Coeymans, Ed Arthurs, CPA
- Draft Zoning Law
- Workplace Violence Program
- Sewer Agreement with Village of Ravena
- Economic Development Task Force
- Waste Water Treatment Plant
- Resolution – Appoint Confidential Secretary to the Supervisor

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RESOLUTION

RES. #50-10 APPOINTMENT OF CONFIDENTIAL SECRETARY TO THE SUPERVISOR
On motion of Supervisor Traver, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the incumbent Confidential Secretary to the Supervisor will be vacating that position at the end of May and unable to complete the term of office in conjunction with the Supervisor,

BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby authorize Supervisor Henry C. Traver to appoint a Confidential Secretary pursuant to Town Law, Section 29, Subdivision (15),

BE IT FURTHER RESOLVED, that the Town of Coeymans Supervisor does hereby appoint Theresa Shear as Confidential Secretary to the Supervisor at the hourly rate of $12, effective immediately,

****

ADJOURNMENT

Supervisor Traver asked for a motion to adjourn.

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, the Town Board Workshop was adjourned.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time: 7:39pm

Respectfully Submitted, **APPROVED:**

_____
Diane L. Millious, Town Clerk

A Town Board Meeting was held Monday, May 24, 2010, at 7:00pm at Town Hall, 18 Russell Avenue, Ravena, New York

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

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

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

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OPENING COMMENT

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

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AGENDA

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

- Appoint Internal Control Officer
- Adoption of Workplace Violence Prevention Program
- Budget Amendment, Historical Society
- Budget Amendment, Veteran's Memorial
- Budget Amendment, Justice Court Grant
- Approve May 2010 Abstract

- Correspondence
  - Public Service Commission
  - State Board of Real Property Services
  - City of Albany Common Council
- Town Board Workshops / Meetings
  - Public Hearing, June 14, 2010, 6:30pm
  - Town Board Workshop, June 15, 2010, 6pm
  - Town Board Meeting, June 21, 2010, 7pm

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PUBLIC ANNOUNCEMENTS

Town Offices Closed Memorial Day

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

Memorial Day Parade

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

Memorial Day Service – Veteran's Memorial

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

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

****

PUBLIC COMMENT

Supervisor Traver invited the public to comment at this time.

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

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

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

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

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

Supervisor Traver stated that he is.

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

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

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APPROVAL OF MINUTES

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

MOTION

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

****

SUPERVISOR'S REPORT

Supervisor Traver read the Supervisor's Report.

April 2010

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

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

Supervisor Traver asked for a motion to approve the report.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Touchette, the Supervisor's Report was approved as read.
VOTE – AYES 5 – NAYS 0 – SO MOVED

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

Supervisor Traver stated that they are occupied.

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

Supervisor Traver stated that there were not.

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DEPARTMENT REPORTS

Building Department – April 2010

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

Councilwoman Rogers continued by giving the report.

Supervisor Traver asked for a motion to approve the report.

MOTION

On motion of Councilman Youmans, seconded by Councilman Touchette, the Building Department Report was approved as read.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Sewer Department – April 2010

Supervisor Traver asked that Councilman Youmans give the Sewer Department Monthly Report.

Councilman Youmans continued by giving the report.

Supervisor Traver asked for a motion to approve the report.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Boehm, the Sewer Department Report was approved as read.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Town Clerk – April 2010

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

Town Clerk Millious continued by giving the report.

Supervisor Traver asked for a motion to approve the report.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Touchette, the Town Clerk Report was approved as read.
VOTE – AYES 5 – NAYS 0 – SO MOVED

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OLD BUSINESS

Wastewater Treatment Plant Asbestos Abatement

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

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

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

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

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

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

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

Councilman Boehm asked Supervisor Traver how he knew that.

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

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

Supervisor Traver stated that he's not.

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

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

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

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

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

Maria Bowers Property Issue

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

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

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

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

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

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

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

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

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

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

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

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

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

Attorney for the Town Wukitsch stated that it sounds good.

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

Attorney for the Town Wukitsch stated that they were.

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

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

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

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NEW BUSINESS

Evenings on the Green Band Schedule

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

Councilman Youmans continued by reading the following:

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

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

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

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

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

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

Emergency Equipment Repair Request for Beautification Department

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

- 2005 Zero Turn Mower purchased in 2005 with 859 hours broke down today – swallowed exhaust valve, bent two rods, needs new head, possibly rod.

- Per Osterhout – to repair it needs head, rocker arm assembly with spring, exhaust valve, push rods, new head gasket & head for left side of engine with labor and parts $650.00.

- Per Nelson Perry – Beautification needs this mower as the riding tractors are insufficient to do the work needed at the park.

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

MOTION

On motion of Councilman Youmans, seconded by Councilman Touchette, authorizing Nelson to get the mower fixed as soon as possible due to their busy mowing season.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Mowing Property on Westerlo & Fifth Streets

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Attorney for the Town Wukitsch stated that he would.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Request by Alcove Preservation Association re: Valley Mill Paper Park

Supervisor Traver continued by reading the following e-mail:

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

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

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Touchette, authorizing the Town Highway Department to remove debris from Valley Paper Mill Park.
VOTE – AYES 5 – NAYS 0 – SO MOVED

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

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

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

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

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

Chief Darlington stated that it was.

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

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

Councilwoman Rogers stated that he goes to this every year.

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

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

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

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

Chief Darlington stated that it is without a doubt.

Councilman Youmans continued by offering a motion.

MOTION

On motion of Councilman Youmans, seconded by Councilwoman Rogers, authorizing Chief Darlington to attend the Executive Training from July 18-21, not to exceed $678.00.
VOTE – AYES 4 – NAYS 1 – SO MOVED

Request for Coeymans Landing Gazebo as Drop off Location

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

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

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

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

Councilman Youmans stated that it is worth thinking about.

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

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

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

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

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

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

Councilman Youmans stated that it was a good idea.

Authorization to Sign MVP Health Care 2010 Contract

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

Councilman Youmans inquired whether the rate had changed.

Supervisor Traver stated that the rate did not change.

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

Supervisor Traver stated that he received it May 12th.

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

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

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

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

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

Councilman Youmans stated that he would offer a motion.

MOTION

On motion of Councilman Youmans, seconded by Councilman Boehm, authorizing Supervisor Traver to sign the contract.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Resignation of Police Sergeant & Revert to Patrolman

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

Chief Darlington,

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

Sincerely,

Nicholas Westfall

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

Chief Darlington stated that he didn't.

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

Narcotics Lock Box for EMT's

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

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

Councilwoman Rogers inquired as to where he got the information.

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

Councilwoman Rogers inquired as to who the bands are.

Councilman Touchette read the list of bands.

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

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

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

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

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

Councilman Boehm asked if the pavilion includes electricity.

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

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

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

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RESOLUTIONS

RES. #051-10 APPOINT SEASONAL RECREATION LEADER
On motion of Councilman Youmans, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

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

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

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

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

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

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

RES. #052-10 APPOINT INTERNAL CONTROL OFFICER
On motion of Councilwoman Rogers, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

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

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

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

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

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

RES. #53-10 ADOPT WORKPLACE VIOLENCE PREVENTION PROGRAM
On motion of Councilman Boehm, seconded by Councilman Touchette, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

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

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

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

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

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

RES. #54-10 APPROVE BUDGET AMENDMENT – HISTORICAL SOCIETY
On motion of Councilman Boehm, seconded by Councilman Touchette, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

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

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

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

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

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

RES. #55-10 APPROVE BUDGET AMENDMENT – VETERAN'S MEMORIAL
On motion of Councilman Youmans, seconded by Councilwoman Rogers, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

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

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

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

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

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

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

RES. #56-10 APPROVE BUDGET AMENDMENT – JUSTICE COURT GRANT
On motion of Councilwoman Rogers, seconded by Councilman Touchette, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

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

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

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

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

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

RES. #057-10 APPROVE MAY 2010 ABSTRACT
On motion of Councilman Boehm, seconded by Councilman Youmans, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

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

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

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

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CORRESPONDENCE

Public Service Commission

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

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

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

State Board of Real Property Services

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

City of Albany Common Council

Dear Sir or Madam:

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

Dear Sir or Madam,

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

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

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

Thank you in advance for your cooperation in this matter.

Very truly yours,

John Marsolais
City Clerk

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

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

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

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

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

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

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

Collectively the Board stated that they had.

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

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

Highway Superintendent Deering stated that he hadn't.

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

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PUBLIC COMMENT / ADDITIONAL COMMENTS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Chief Darlington stated that he hadn't.

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

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

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

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

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

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

Supervisor Traver asked if there were any other comments.

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

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

Supervisor Traver asked if there were any other comments.

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

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

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

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

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

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

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

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

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

Chief Darlington stated that was correct.

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

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

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

Chief Darlington stated that he does.

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

Councilwoman Rogers stated that there is one in June.

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

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

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

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

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

Chief Darlington stated that it was.

Councilman Touchette asked how it was working.

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

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

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

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

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

Supervisor Traver asked if there were any other comments.

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

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

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

Supervisor Traver asked if there were any other comments.

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

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

Councilman Touchette stated that it will be.

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

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

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TOWN BOARD WORKSHOPS / MEETINGS

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

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ADJOURNMENT TO EXECUTIVE SESSION

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

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, the Town Board meeting was adjourned to Executive Session.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time 8:25

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EXECUTIVE SESSION

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

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RECONVENE MEETING & FORMALLY ADJOURN

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

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Youmans, the Town Board Meeting was adjourned.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time 8:45

Respectfully Submitted, **APPROVED:**

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Diane L. Millious, Town Clerk

A Public Hearing was held Monday, June 14, 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

ABSENT: Richard N. Touchette, Councilman

ALSO PRESENT: Diane L. Millious, Town Clerk

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

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OPENING COMMENT

Supervisor Traver stated that the purpose of the Public Hearing was to receive comments from the public on the proposed PHA Plan for 2010 for the Section 8 Housing Choice Voucher Program. He continued by asking that Town Clerk Millious read the Notice of Public Hearing.

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Town Clerk Millious read the following Notice of Public Hearing.

NOTICE
OF
PUBLIC HEARING

TOWN OF COEYMANS PUBLIC HEARING
PHA Plan for 2010
SECTION 8 HOUSING CHOICE VOUCHER PROGRAM

The Town Board of the Town of Coeymans will hold a Public Hearing on Monday, June 14, 2010, at 6:30pm, at Town Hall, 18 Russell Avenue, Ravena, NY 12143 for the purpose of receiving comments from the public on the Town's proposed Agency Plan for 2010 for the Section 8 Housing Choice Voucher Program.

Copies of the Agency Plan and all supporting documentation are available for review by the public at either of the following locations:

Town of Coeymans
Town Clerk's Office
18 Russell Avenue
Ravena, NY 12143
(518) 756-2100

Joseph E. Mastrianni, Inc.
242 Union Street
Schenectady, NY 12305
(518) 372-4739 Ext. 26

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

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INTRODUCTION

Supervisor Traver introduced Mr. James Mastrianni.

Mr. James Mastrianni thanked the Town Board for holding the Public Hearing and stated that HUD requires every five years that they put together a plan to look at the next five years and create some goals and objectives and added that it use to be an annual requirement but for smaller Housing Authorities under 250 units it is now a five year requirement. He continued by saying that there are five goals that they are working on for this year's plan, which are:

- Improve the quality of service through better process and information systems.
- Promote self-sufficiency and asset development of families and individuals.
- Ensure equal opportunity housing.
- Expand the supply of assisted housing to meet local needs.
- Reduce fraud and program abuse.

Mr. Mastrianni continued by saying that they have had similar goals in the past and they have made good progress toward meeting them and added that the program is about helping low income and elderly individuals and families afford safe, sanitary, decent housing. He added that the hand-out is a form that they have used in the past and it shows some statistics about the program with the key indicators being:

- The Program was initiated in 1978 and they have been administering it for the Town since then.
- The Program is funded at an estimate of $467,000.00, which is Federal funds.
- The Program is allowed to help up to 81 families; they are currently 100% occupancy and helping 81 families.
- The Family Self-Sufficiency & Homeownership Programs, which were previously administered in conjunction with the Section 8 Program, are complete.
- The Program currently has a waiting list of 39 families.
- Elderly families that live or work in the area receive a preference and will be helped first; there are currently 8 families that fall under that preference.
- The family to be helped next was applied to the waiting list on 01-20-10.
- There are 74% or 60 families that are elderly or disabled in the Program.
- Each year annually they perform a Housing Quality Standard Inspection, which are a set of standards mandated by the Federal Government, there were 142 inspections in 2009, of those 88 passed, 54 failed with 4 being lead based paint inspections that passed and 7 lead based paint inspections that failed.
- The average number of years that a family is on the Program is 4.6 years, for elderly or disabled it is 4.5 years and all other families is 4.8 years.
- The average gross monthly income is $1,121.00.
- The average subsidy is $436.00.

Mr. Mastrianni continued by going over the spreadsheets for calendar year 2009 and 2010, showing the amount of funding that has been provided, what the total expense was and the variance column that shows what the difference is between the funding provided and the expense, which currently shows a negative number, which means that they are spending more than they received funding for. He continued by saying that it may raise some concern but they do have a reserve and as of 12-31-10 there was a balance of $141,156.00, which they are now spending. He added that in looking at last years spreadsheet, they started off the year by spending more money than they were provided, with a significant number in April but then HUD received their budget number in May and started funding the Program at the full amount and gave a very large installment in May. He went on by saying that the remainder of the year they were in the black and ended the year with a $40,351.00 addition to the reserve and in addition to starting the year with $71,120.00 reserve it got them up to the $141,156.00 in reserve for 2010. He concluded by saying that this is the report on the plan and the current statistics for the Section 8 Program and then asked if there were any questions.

Supervisor Traver asked the Board if there were any questions, hearing none he asked if there were any comments from the public.

PUBLIC COMMENT

Ms. Barbara Cumm stated that they have heard negative comments about the condition of Oak Brook Manor and continued by asking if the public is aware of what is going on and if they can inquire about what is going on and if so who would they get the information from. She continued by saying that the conditions there are deplorable and she believes that they should re-exam what is going on.

Councilwoman Rogers stated that it is not Section 8 Housing and added that she believes that it is Social Services.

Ms. Cumm continued by asking as Town Officials who they would go after and continued by asking if she was saying that it was cleaned up.

Councilwoman Rogers stated that she has not been in there and could not say.

Supervisor Traver stated that he believes that there are 4 units that are through HUD.

Ms. Cumm inquired as to how often they inspect.

Mr. Mastrianni stated that they inspect on an annual basis and added that previously they had units in there and had difficulty with the management and for a number of years they have not put any new units in there. He added that as Supervisor Traver had mentioned, there are some still in the program but as they leave by attrition, they do not replace them in that complex.

Ms. Cumm asked what they do if they find a family that is destructive within a unit.

Mr. Mastrianni stated that from the viewpoint of Section 8, if a family who is subsidized in the Program does do damage beyond normal wear and tear, they have to correct it within a given amount of time and if they don't correct they are terminated from the Program.

Ms. Cumm stated that she was wondering if Oakbrook Manor had been cleaned up and added that she has not gone over there based on advice from some people to not go over there. She continued by saying that she was curious to know if they were aware of it and whether or not it was being addressed.

Supervisor Traver asked if there were any additional comments, hearing none he asked that the audio be taken down for the remaining 10 minutes of the Public Hearing.

Supervisor Traver asked that the audio be turned back on and continued by asking if anyone else from the public wished to comment, hearing none he asked for a motion to adjourn the Public Hearing.

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ADJOURNMENT

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Boehm, the Public Hearing was adjourned.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Touchette) – SO MOVED

Time 6:52pm

Respectfully Submitted, **APPROVED:**

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Diane Millious, Town Clerk

June 15, 2010 – TOWN BOARD WORKSHOP – 6:00PM

A Town Board Workshop was held Tuesday, June 15, 2010 at 6:00pm at Town Hall, 18 Russell Avenue, Ravena, New York

PRESENT: Henry C. Traver, Supervisor
Dawn Rogers, Councilwoman
Thomas A. Boehm, Councilman

ABSENT: James C. Youmans, Councilman
Richard N. Touchette, Councilman

ALSO PRESENT: Diane L. Millious, Town Clerk
Albert Deering, Highway Superintendent

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Supervisor Traver opened the Workshop and led the Pledge of Allegiance.

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AGENDA

- Sewer Rents
- Ravena Rescue Squad
- Narcotics Lock Box for E.M.T.'s
- Quotes for Asbestos Abatement
- Workplace Violence Prevention Program
- IT Services / Shared Services with the School
- Historical Society Storage Area
- Highway Issues
  - Agreement to Spend Highway Monies
  - Drainage Problem on Route 144
  - Creating Road from Park to Field at Joralemon Park
- Playground for Hamlet – Play Pro Proposal
- C.H.O.I.C.E.S. Program for Summer Employment
- Reimbursement for Town Clerk's Attendance at Meeting

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ITEMS WITH TOWN BOARD ACTION

Sewer Rents

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Boehm, authorizing Town Clerk Millious to publicize a Public Hearing on July 20, 2010 at 5:30pm for the purpose of discussing Sewer Rents.
VOTE – AYES 3 – NAYS 0 – ABSENT 2 (Youmans, Touchette)

Town Clerk Reimbursement for Meeting

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, authorizing mileage reimbursement for Town Clerk Millious to attend Town Clerk Association Meeting.
VOTE – AYES 3 – NAYS 0 – ABSENT 2 (Youmans, Touchette)

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ADJOURNMENT

Supervisor Traver asked for a motion to adjourn the meeting.

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, the Town Board Workshop was adjourned.
VOTE – AYES 3 – NAYS 0 – ABSENT 2 (Youmans, Touchette)

Time: 7:24pm

***Respectfully Submitted*,** **APPROVED:**

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Diane L. Millious, Town Clerk

A Town Board Meeting was held Monday, June 21, 2010, at 7:00pm at Town Hall, 18 Russell Avenue, Ravena, New York

PRESENT: Henry C. Traver, Supervisor
Dawn Rogers, Councilwoman
Thomas A. Boehm, Councilman
James C. Youmans, Councilman

ABSENT: Richard N. Touchette, Councilman

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

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

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OPENING COMMENT

Supervisor Traver stated that the record should reflect the presence of Councilpersons Youmans, Rogers and Boehm as well as Town Clerk Millious, Attorney for the Town Wukitsch, Chief of Police Darlington and Highway Superintendent Deering.

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AGENDA

- Public Announcement
- Public Comment
- Approval of Minutes
  - Town Board Meeting, May 10, 2010
  - Town Board Workshop, May 18, 2010
  - Town Board Meeting, May 24, 2010
  - Public Hearing, June 14, 2010
  - Joint Meeting of Village & Town, March 30, 2010
  - Town Board Workshop, June 15, 2010
- Supervisor's Report – June 2010
- Department Reports
  - Building Department, May 2010
  - Sewer Department, May 2010
  - Town Clerk, May 2010
  - Police Department, April & May 2010
- Old Business
  - Narcotics Lock Box for Medics
  - PlayPro Proposal, Playground for Hamlet
  - Asbestos Abatement
  - Rte. 143
- New Business
  - Old Docks for Auction
  - Agreement with Albany Crime Analysis Center
  - Discussion of Water Rents
  - Police Department, Surplus Property
  - Approval of Road List to be Paved
- Resolutions
  - Adopt Section 8 Housing Choice Voucher Program PHA Plan for 2010
  - Appoint Food for Thought Bus Driver
  - Appoint Food for Thought Recreation Assistants
  - Appoint Summer CHOICES Program Supervisor

- Appoint Summer Recreation Staffing
- Amend May Abstract
- Approve June Abstract
- ERS Elected Official Standard Workday Reporting
- Approve IT Services Agreement with RCS School District

- Correspondence
  - NYS Department of Public Service
  - David Coury, Golf Tournament at Joralemon Park
  - NY Municipal Insurance Reciprocal
  - County of Albany
- Town Board Workshops / Meetings
  - Public Hearing, July 20, 2010, 5:30pm
  - Town Board Workshop, July 20, 2010, 6pm
  - Town Board Meeting, July 26, 2010, 7pm

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PUBLIC ANNOUNCEMENTS

Town Offices Closed July 4th

Supervisor Traver stated that the Town Offices will be closed Monday, July 4th in observance of Independence Day.

Ravena-Coeymans Summer Recreation Program

Councilman Boehm stated that he wanted to announce that there are flyers on the table for the Ravena-Coeymans Summer Recreation Program that will run from July 6th – August 13th, at Mosher Park and will be open for children in the Town for ages 3-8 with programming from 9am to 3pm and the staff will be covering the lunch hour.

Food for Thought Program

Councilman Boehm stated that there were also applications for the Food for Thought Program that will run from July 12th – August 13th and applications should be submitted as soon as possible, especially those requesting transportation. He added that if there any questions on either item they can be asked after the meeting.

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PRESENTATION

Capital Bicycle Racing Club

Supervisor Traver invited Mr. McDonnell to the microphone.

Mr. Paul McDonnell stated that he was from the Capital Bicycle Racing Club and added that he was there to present a letter to the Town Board, which was addressed to the Supervisor. He continued by reading the following:

Dear Sir:

The Capital Bicycle Racing Club (CBRC) is planning its fifth annual bicycle race in the Town of Coeymans, New Scotland, and Bethlehem, on Saturday, August 14, 2010. Just as last year we are requesting Town Approval.

We anticipate the event to run approximately 3 ½ hours (10am – 1:30 pm), with groups of cyclists in several fields. The race is held under USA Cycling Permit 2010-1823, as well as Albany County and NYSDOT permits and approvals. The race includes four different municipalities and each is provided with an Insurance Certificate (attached); however, the only municipal roads used are in the Town of Coeymans. The majority of the event uses County and State highways.

Although CBRC is a not-for-profit volunteer organization, each year we donate approximately $1,000.00 to the Ravena Rescue Squad, Coeymans Hollow VFC, the Onesquethaw VFC, and the NYS Troopers Signal 30 Fund (depending on event participation and proceeds).

We again plan to use the Ravena-Coeymans-Selkirk High School for registration and parking. As required for our County and State permits, we are securing traffic control services from local county and state police departments. Separately, we will request one police officer from the Town of Coeymans to assist with traffic control at the intersection of Bushendorf Road and CR 102. Volunteer course marshals will also be stationed at all intersections. No roads will be closed, but some minor traffic delays are possible. If you have any questions please call me at 291-3710 (cell), 453-3989 (work), or 439-1477 (evening).

Sincerely,

Paul O. McDonnell
Event Coordinator

Mr. McDonnell stated that he has the letter with the Insurance Certificate as well as a map of the race loop, which is the same that it has been for the last four years, and an event flyer.

Councilman Boehm stated that they put it on the Town's website last year.

Mr. McDonnell stated that he can e-mail PDF format the map and the flyer.

Councilman Boehm stated that they also put signs out a couple days prior to the race so people were aware of it.

Mr. McDonnell stated that they tried a couple of different things for publicity so residents knew what was going on as well as signs telling the cyclists to ride single file but the signs were taken. He continued by saying that there were signs put up throughout the race loop and added that they put 30 signs up the Saturday before the race last year and most of them were taken as well. He went on by saying that he also had an idea of taping a notice on mailboxes along the course and adjacent to the race loop so people might be more familiar with it.

Councilman Boehm asked the date of the race.

Mr. McDonnell stated that it is Saturday, August 14th.

Supervisor Traver asked the Town Board if there were any questions or comments.

Councilman Boehm stated that it is the 5th year that they have had the race and added that he thinks it is a great thing and their contributions back to the Rescue Squad and Fire Department is a nice thing to do.

Mr. McDonnell stated that they appreciate it because they help the Racing Club and added that the only money comes from the racers that pay to play and whatever they have left they give away as well as save a little for the next year.

Supervisor Traver thanked Mr. McDonnell.

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PUBLIC COMMENT

Supervisor Traver stated that he wanted to make an announcement regarding Public Comment and continued by stating the following guidelines:

- Everyone must silence their cell phones.

- Anyone wishing to speak has to sign in.
- Comments will be limited to 3 minutes; a gavel will indicate that there is 30 seconds remaining.
- You must come to the microphone and speak directly to the Board and the Board only and not address anyone in the audience.
- If there is any major disruption you will be asked to leave and escorted by a Police Officer.
- The Board reserves the right to ask questions and does not have to respond to all parties addressing the Board.

Supervisor Traver asked that anyone wishing to speak to sign in and continued by reading the first name.

Mr. Mark Stanton stated that his family felt after the article that was in the paper last week, they should respond to the issue of the land that is leased from the Town in the area of the golf course. He continued by saying that he wanted to start by saying that his family has been in the Town since 1754 and on their present farm since 1872 and they are very committed to this town. He added that they are a family farm which is currently operated by himself, his brother Neil and his son Michael and they currently have 11 full-time and 8 part-time employees. He went on by saying that they are upset by some of the accusations that have been leveled against them locally but they are proud to tell their story and defend themselves. He added that they are very passionate about agriculture in the town, state and country and very supportive of all businesses, people and residents of the town. He continued by saying that their farm produces over 2 million gallons of milk per year that is shared by all people in this area and they have received many awards for very high quality and they strive to keep a neat farmstead and try to portray a professional image as well as receiving many environmental awards for the practices that they use to protect the environment. He went on by saying that they have been selected as a Conservation Farm and have received an Environmental Management Award and Dairy of Distinction Award and they follow and exceed all best management agricultural practices and abide by all Department of Environmental Conservation laws as well as having a full-time Nutrient Management Planner. He continued by saying that they work very hard to have a low impact on their neighbors and neighborhood and try to do their work in a timely fashion and try to be very neat and professional. He added by saying that he would have to say that the accusations that have been brought against them have affected their livelihood and ability to care for their families and employees families and they are very upset. He concluded by saying that regardless of what happens in this situation they are going to hold their head up high and are very proud of what they do and hope that the Town of Coeymans will continue to support them.

Mr. Tom Gallagher stated that he is with Cornell Cooperative Extension and has been with them for 35 years in Albany County and he knows quite a few people in the room. He continued by saying that he is also on the County Agriculture and Farm Land Protection Board and worked on putting together the Agriculture and Farm Land Protection Plan for the County as well as there being a County Right to Farm Law, which was enacted in 2007 and added that he had recently worked with the Town of Bethlehem to put their Farm Land Protection Plan together. He went on by saying that he wanted to thank the Town for allowing the Stanton's to use the field because it is the best soil that there is in Albany County and from a rank of 1-10 it is a #1 soil. He continued by saying that it is nice to be able to use quality soils because they have seen over the years that the best soils go for building houses and in doing that they start to lose farms and open space and reiterated that he thinks it is great that they have been able to use the field to grow their crops because it is the best soil and they can get a good yield off this particular field. He added that he has worked with the Stanton family for 35 years and is now working with the third generation of Stanton's and they have grown from a small dairy farm of 60-70 cows to a farm much larger than that and in doing so they have had to learn a lot of new management skills and in the Division of Management one of the biggest things is managing manure and there is a State Plan in place for managing manure that you have to follow. He concluded by saying that they are good managers, a great family, a great business and he thinks that it is great that the Town has supported this endeavor and he supports it as does the Cooperative Extension.

Mr. Bill Cook stated that he is a farmer in Schoharie Valley and added that he has an interest in this because he has an interest in all of the farming that goes on in the Capital Region and continued by saying that as most know the two biggest industries in the state are tourism and agriculture. He continued by saying that he has had some personal experience with the family on some farming issues and he wanted to share his perspective on how he views what they are doing both historically and now. He added that a lot of new guidelines and regulations have come down from the Department of Environmental Conservation and the EPA challenging farmers to do cleaner and greener than they did it a couple decades ago, which the Stanton's have done better than most farmers in the state. He continued by saying that when you look at a farmer that puts down nutrients, the choice is putting down animal waste or putting down chemical additives to the soil, which cost a lot of money and most farmers that are doing it right want to use nutrients that are generated on the farm back on the land and there are a lot of ways to do this. He added that farmers can put a lot of manure on in trying to dispose of it or they can put on the amount of nutrients or manure that is called for in the plan, which is the amount that the crops can uptake in the season and how much is needed to grow the crop. He continued by saying that there are not a lot of farmers that are going back and tilling it in within a number of hours and most farmers, himself included, leave it on the land for a few days or whenever they can get back to it and when he sees someone go back and till it in within hours, it is the gold standard in farming. He went on by saying that Albany County is special because it is one of the few counties where the number of farms is actually growing and added that you need service agencies, support and the community and when he thinks about New York's future and what the Stanton's are doing, in looking at the Farm Plan and regulations, they are doing it better than the vast majority of farmers. He concluded by saying that the Town of Coeymans should continue to support the farming community because New York is a Right to Farm State and Albany is a Right to Farm County and if they want to see the biggest industry in the state thrive again the way it use to, they have to take active steps to help that happen and added that he stands up for farmers because they are running out of time and out of land and when you support farming, you support your community and your children.

Mr. Dave Conrad stated that he works part-time for the Stanton's and added that they are a class act and know what they are doing and if there is a problem, just call them and they will address it and take care of it and added that the Town should support agriculture.

Ms. Linda Keir stated that she was present to address the Board concerning the Stanton Farm and continued by saying that farming is a way of life, a family life and they have been working very diligently to build the farm from when it was very small with 60 head. She added that the life that has been brought forward is one of very hard work and determination and to feel as though the Town would even consider taking away the livelihood of the use of the land and let it go she does not understand because the land is being used for a very good purpose and she thinks it should continue.

Mr. Les McMullen stated that he is and has been a part-time worker for Stanton's since he retired from Callanan and added that he grew up on a farm and was part of a farm all of his life. He continued by saying that the Stanton boys do an excellent job with management of manure because he hauls it for them and they put it down efficiently and bury it the way it should be. He added that they are very concerned about the environment and they don't get too close to streams, ponds, peoples houses and wells and they are constantly aware of it and do a tremendous job and should be commended.

Mr. Tom Newell stated that he spent 25 years farming with 3 Farms Dairy and added that they worked the land that the Stanton's are now using as well as where houses are now built. He continued by saying that it will be a real travesty if the land is taken away from them because they are excellent stewards of the land with a state-of-the-art operation and they do things the right way. He concluded by saying that he would like to see the Town Board let them continue to farm the land.

Mr. Jack Dirrigl stated that he lives on Powell Hill Road opposite Gary Bogardus and added that every year the Stanton's spread manure, till it in, plant it and then leave. He continued by saying that there are a few days that they get the smell of manure for a

couple of days but he does not mind because the smell is going to convert to food for the people of this country. He added by saying that he got upset when he read the article because there are people who live in an area that is zoned residential/agriculture and they want the agriculture taken out, which is not right. He went on by saying that if the smell went on for weeks at a time he would call the Stanton's and he's sure that they would oblige and he resents when people who don't like farm country live here and they should move to the city and smell automobile fuels. He concluded by saying that he understands that there are some legal problems with them using the land, which he hopes can be resolved and he hopes that they can farm that land as long as they live.

Mr. Dennis Wright stated that he works for the Stanton's part-time and added that the farm is a big business and continued by saying that after reading the article, any business that was looking to this area would see that people are not willing to work with business and they will just drive on by. He concluded by saying that the Town needs business and the Stanton's are a big business and they do it right.

Mr. Dan Biers stated that he works for the Stanton's part-time and added that as everyone else has said they do everything right and by having to come to the meeting, their time is being wasted and they are being taken away from their farm.

Mr. Bill Biers stated that he has lived next to the Stanton family his whole life and added that they are all used to the smell, which is a little bit each year. He continued by saying that this is their way of life and his way of life is different but they share the road and all get along well together. He went on by saying that they are a good neighbor, they do a fine job farming and they put people to work and anyone that can put business in the community at this time and add people to their payroll, he applauds them. He concluded by saying that the Town needs more of them and more business and they don't need people bickering against a good clean business like they run.

Ms. Donna Pasquini stated that she lives in the Hamlet of Coeymans and continued by saying that she grew up on a farm as a young girl and she knows what the smell is and she has been by the Stanton farm, which is a very clean farm. She added that when Frangella Mushroom Plant was in the Hamlet it wasn't a day or two or a week or two and you rolled your windows up coming through town and no one ran them out of town and that people need to be considerate of the businesses in town that they desperately need. She continued by saying that the second thing that she wants to say, which has nothing to do with what the are currently discussing, is that on the agenda there is an item listed mentioning the Joint Meeting between the Village and Town on March 30th, which was a meeting about a the Sewer Contract, which she attended and went on by saying that she understood at that point there was going to be a contract signed within a matter of a couple of weeks. She then asked if there is a contract yet.

Supervisor Traver stated that as of right now there isn't.

Ms. Pasquini inquired as to how long they were going to let the Village keep postponing it while the Town is in desperate need of money for the Sewer Plant and the sewer lines that are falling apart. She continued by saying that they are collecting the money from their residents, which is $88.00 every six-months and added that she understands that there is a possibility that the Hamlet Sewer Rents are going up, which she thinks is very unfair that the Town gets stuck again by paying an extra $200.00 on top of the $210.00 that they are already paying. She concluded by saying that maybe people from the Hamlet should come to meetings and start jumping down their throats and say that they should take the Village to court to get their money and do what they have to do to make the Village pay their share.

Mr. Craig Thompson thanked the Town Board for giving him the floor and added that he was uniquely qualified to address the Stanton situation. He continued by saying that he lives on the Stanton farm 365 days a year but does not work for the Stanton's and he is present to state that they are one of the most upstanding families in the Town of Coeymans and he is very discouraged that their reputation must be smirched in the News Herald. He went on by saying that they are not polluters and they don't have significant environmental impact on the land and added that he was not saying that their impact on

Macintosh Lane is frivolous because by living on a dairy farm he knows about odor and dust. He continued by saying that the area on Macintosh Lane is minimal, which he drove earlier in the night as well as a week ago and it is a beautiful area both now and a week ago. He went on by saying that he is concerned about the damage to the Stanton reputation and added that he would like for the Town Board to consider what the best use of the land is and if it is an approved public park there should be public access and use because as of now the only use is for ATV's and off-road vehicles. He concluded by saying that it is difficult to avail and difficult for residents to use and it is nice open space but it is trouble waiting to happen and continued by saying that as a Manager of a 500 acre public park for the State he would suggest to them that the best use of the land would be to keep it productive and in use, which keeps vandalism down and continues the agricultural values of the land.

Mr. Steve Moutopoulos stated that he does not know the Stanton's and added that he's sure that they are terrific people based on everything that he has heard. He continued by saying that he is not against farming and he thinks that it is a very important part of the agriculture of the United States. He went on by saying that his concern is that if it is a Town Park it should be used by all people in the Town of Coeymans and added that he has three boys that play for R-C-S Recreational Soccer and this year they were told that they won't have soccer fields so he would like to see that land possibly used for soccer fields. He continued by saying that his kids hike back there and fish, look for frogs and minnows and they went back there a couple weeks ago when the Stanton's went through with their machinery and it was disturbed and the waterway was all mucked up and it was like quicksand. He added that he understands that farming is very important to Albany County but he feels as though if the land there is public land it should be used for park purposes and if it isn't public it should be put out for bid for anyone to use it and went on by saying that he might want to bid on the property to put soccer fields there for public use for the kids. He continued by saying that last weekend he heard machinery back there and he went back and it looked like there was a road being cut for that land and it went over the creek and disturbed the park area and added that he does not know if the Town is putting a road there for the park, which is great if they are but, he wants to make sure that the water is not disturbed because their wells are back there.

Mr. Jerry Hall stated that he was there for another matter and continued by saying that he wanted to check on the status of the small stream behind him that the Town started to clean out but stopped for some reason and reiterated that he wanted to know what the status of the project is.

Supervisor Traver asked if anyone wished to respond, hearing no response he asked Mr. Hall if he had anything else.

Mr. Hall asked if he was going to get an answer.

Supervisor Traver asked the Town Board if they wished to respond, hearing no response he invited the next speaker to the microphone.

Mr. John Kapusta stated that he is a life long member of the Town of Coeymans and added that he has a small farm and was present to show support for the Stanton's and farming. He continued by saying that the Town of Coeymans has always been based agriculturally and he thinks the Town Board should show support for those that support farming.

Mr. Joe Kapusta stated that the Stanton's have farmed his property for over thirty years and have taken excellent care of it and they are one of the few farms that he has seen take on environmental issues and go full speed ahead with them, which he commends them for. He continued by saying that he thinks it is an excellent use for that piece of property and if it is such good farmland it should be used as farmland.

Ms. Ginny Pearson stated that she is a member of the Board of the Ravena Rescue Squad and added that she was present at the last Workshop Meeting and she has a suggestion on the Medic Box that is on the agenda for later in the meeting. She continued by asking that they consider it being placed in the Police Department where it will be

under constant watch and added that with the Town having to buy it, it would be a possession of the Town of the Coeymans and if the medic were to leave this area there would be a place to lock up things that were confiscated. She went on by saying that she wanted to know when the Rescue Squad is going to get a contract signed by the Town Board because the last contract was 2008 and added that they supply services to the Town of Coeymans and she does not think that it is fair that they have to beg for a contract to be signed. She concluded by saying that she thinks it should be considered that the contract be brought up to date with the Ravena Rescue Squad.

Ms. Nancy Millious stated that she has lived on the same road as the Stanton's for a long time and added that they don't do anything wrong and she feels more comfortable knowing that her milk comes from them rather than being shipped from China. She concluded by saying that she supports them.

Mr. John Mead stated that he is the President of the Albany County Farm Bureau and added that he wanted to give his support to the Stanton's who have always been good farmers and have been long time members of the New York Farm Bureau. He continued by saying that he is sure from the past and with all they have known about the Stanton's, he is sure that there aren't any problems with the way that they spread their manure. He concluded by saying that they have heard testaments from truckers, farmers and neighbors that they are doing a good job.

Mr. Gary Bogardus stated that he owns the farm across the road from the development and added that he hopes they can come together somehow and reach a settlement that makes everybody happy because he hates to see neighbors against each other. He continued by saying that as far as that property, the alternative would be that the Town would have to mow it if the Stanton's don't farm it, which would be an expense to the Town. He added that as far as going through the creek, town employees would have to go through the creek to mow it because right now the only way to go in there is through the creek. He continued by saying that he heard a few meetings ago that a mower had blown up and it's not cheap to mow a 12 acre field because it's not mowed in five minutes and added that as far as he knows there is not time for the Beautification crew to go down and mow the Filtration Plant property. He went on by saying that the Town's mowers are old and there was an issue about buying new mowers and if they don't have time to mow the Filtration Plant property, they won't have the time to mow out there. He concluded by saying that he hopes they can work something out and it's not good that everyone is at each other throats and if the Stanton's did something wrong, call them up and tell them and he's sure that they would do something about it and added that it should not have gotten to this stage.

Mr. Bill Buell stated that he lives at 280 Blodgett Road and the Stanton's have been his neighbors for 37 years and have been excellent neighbors. He continued by saying that he is all for farming because he loves to go to his refrigerator and open it up and take out a gallon of milk and added that everyone is so against farming these days and down on these guys who work ten times harder than anyone else. He went on by saying that he thinks they should pull the plug, sell it and take their millions and go and then when a child go to the refrigerator for milk they will be told that there is no milk. He added that they are great people, farming was here before we were and when he built his house he knew that he was going to smell manure, see tractors on the road and would hear cows during the night and if he didn't want to put up with that he would not have built where he did. He concluded by saying that it's the country and as someone had said earlier, people come from the city who loves the country but after six months they don't want to smell the manure or hear the machinery and added that they should go back where they belong.

Supervisor Traver asked if there were any other comments.

Councilman Youmans stated that there seems to be a huge misunderstanding in the room and added that there are a lot of people there to support the Stanton's. He went on by saying that he has seen their farm and knows the farm and he thinks that the Town of Coeymans is proud to have them but the issue that has come up now is plain and simple and it is whether the Town of Coeymans should lease Town property to anyone, which is

a legal question. He continued by saying that he just wanted to say that no one is trying to impugn the Stanton's character or say that they are terrible people and reiterated that the only issue is that they have got a piece of Town property that was donated to the Town to be used as a park and it has been said that leasing the property is not proper to do and he tends to agree. He concluded by saying that no one is saying that the Stanton's are bad, or dirty farmers or should sell their farm and move out and added that he thought it was important that he state this.

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

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APPROVAL OF MINUTES

Supervisor Traver stated that there were minutes for Town Board approval, a Town Board Meeting on May 10th, a Town Board Workshop on May 18th, a Town Board Meeting on May 24th, a Public Hearing June 14th, a Joint Meeting of the Village and Town March 30th and a Town Board Workshop on June 15th and continued by asking for a motion to approve the minutes.

MOTION

On motion of Councilwoman Rogers, seconded by Councilwoman Rogers, seconded by Councilman Youmans, the minutes were approved as read.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Touchette) – SO MOVED

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SUPERVISOR'S REPORT

Supervisor Traver read the Supervisor's Report

FUND	BAL. FWD.	RECEIPTS	DISBURSE.	BALANCE
General	852,666.76	118,149.19	207,450.10	763,365.85
Part-Town	458,600.79	1,963.52	12,844.55	447,719.75
Highway	127,032.92	4,019.83	39,723.23	91,329.52
Bridge Const.	273,825.87	109.11	-0-	273,934.98
Sewer	94,264.30	247.74	19,001.25	75,510.79
Special Water	96,683.18	3,682.00	82,779.80	17,585.38
Police Forf.	2,559.99	0.76	-0-	2,560.75
Trust & Agcy.	16,121.47	216,431.14	218,203.83	14,348.78
H-Fund Cap. Proj.	46,051.67	11.72	2,240.00	43,823.39
Sect. 8 Hud Units 83	144,654.79	38,487.71	40,750.00	142,392.50
			Total Rec. Bal.	**1,872,571.70**

SAVINGS ACCOUNTS		COLLATERAL COVERAGE	FDIC COV.	COLLATERALIZED
Unemployment	$ 4,060.93	Bank of Greene	$250,000.00	$2,475,020.10
Grove Cemetery	$40,730.96	National Bank	$250,000.00	$ 424,736.92

Sewer- Dedicated $ 6,300.03
Total $51,091.82

Supervisor Traver asked for a motion to approve the report.

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, approving the Supervisor's Report as presented.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Touchette) – SO MOVED

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DEPARTMENT REPORTS

Building Department – May 2010

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

Councilwoman Rogers continued by giving the report.

Supervisor Traver asked for a motion to approve the report.

MOTION

On motion of Councilman Boehm, seconded by Councilman Youmans, to accept the Building Department Report as presented.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Touchette) – SO MOVED

Sewer Department – May 2010

Supervisor Traver asked the Councilman Youmans give the Sewer Department Monthly Report.

Councilman Youmans continued by giving the report.

Supervisor Traver asked for a motion to approve the report.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Boehm, to accept the Sewer Department Report as presented.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Touchette) – SO MOVED

Town Clerk – May 2010

Supervisor Traver asked that Town Clerk Millious give the Town Clerk Monthly Report.

Town Clerk Millious continued by giving the report.

Supervisor Traver asked for a motion to approve the report.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Boehm, to accept the Town Clerk's Report as presented.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Touchette) – SO MOVED

Police Department – April, May 2010

Supervisor Traver asked that Chief Darlington give the Police Department Monthly Reports.

Chief Darlington continued by giving the reports.

Supervisor Traver asked for a motion to approve the reports.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Boehm, to accept the Police Department Reports as presented.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Touchette) – SO MOVED

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OLD BUSINESS

Narcotics Lock Box for Medics

Supervisor Traver stated that he had not received anything back from Mr. Wood and added that he feels as though they should table the Narcotic Lock Box for now.

Councilman Boehm stated that for clarification, the lock box doesn't prohibit the vehicle from coming down and added that he does like the idea of having a Narcotic Lock Box and continued by asking Chief Darlington what his thoughts are about having a Narcotic Lock Box.

Chief Darlington stated that he does not have a clue what a Narcotic Lock Box is or what the requirements would be.

Supervisor Traver stated that the Paramedics are going to be covering 8am to 8pm and added that instead of creating overtime, the Lock Box is a fob system that puts the narcotics in the box so they don't have to go to another medic vehicle or wait for a medic vehicle and at the end of the shift they can put the narcotics in the box and be secured. He added that it is through the supervision of the Albany County Medics.

Councilwoman Rogers stated that her only problem is that Albany County does not want to pay for it and they are looking for the Town to pay for it.

Councilman Boehm stated that in the County's defense, they are stationing a paramedic vehicle right here in the Village where the majority of the calls are and added that he has given it a lot of thought and even though they have not heard back from them he feels as though they should move forward with it because it is a big plus having the paramedic vehicle here. He concluded by saying that he does not want to table it indefinitely and he wants to hear back from them and added that he does not want to spend more money than they have to but he feels it is something that they should strongly consider and move forward with because of their commitment in placing a vehicle in Town.

Supervisor Traver stated that he believes the date is August 1st that there will be a vehicle here.

Ms. Starr Ross interjected that she thought it was sooner than that and added that it is not dependent on the box but it would be a convenience for them. She continued by saying that she also agrees that it would more appropriate to be attached to a Town building where it might have other uses should times change.

Councilman Boehm asked that Supervisor Traver reach out to them, which would give Chief Darlington time to digest the whole concept and reiterated that he does want to move forward with it at the next meeting.

PlayPro Proposal – Playground for Hamlet

Councilman Boehm stated that each Board member had gotten the proposal and continued by saying that the playground will be paid for by the Kellogg Foundation and will be placed in the Hamlet of Coeymans, which was specifically specified by the Foundation. He continued by saying that it was proposed to include a new play set with cushioning underneath and fiber mesh cushioning under the existing playground equipment and swing set. He concluded by saying that it is a good opportunity for the Town to save some money and install play ground equipment and unless anyone has any objections to the proposal he wants to double check with Nelson and submit it to Judy Eisgruber for their consideration.

Councilman Youmans asked if the Kellogg Foundation had agreed to pay for it.

Councilman Boehm stated that they have and added that there is no Town money or State money being expended and added that it is a private Foundation so they are not obliged to New York State contract pricing.

Councilman Youmans inquired as to what Councilman Boehm is looking for.

Councilman Boehm stated that he was looking for input or approval so they can move forward.

Supervisor Traver asked that Councilman Boehm put it in the form of a motion.

MOTION

On motion of Councilman Boehm, seconded by Councilman Youmans, authorizing that they move forward with the proposal for play ground equipment installation at Coeymans Landing Park.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Touchette)

Councilman Boehm stated that he will meet with Nelson and contact Judy.

Asbestos Abatement

Supervisor Traver stated that they received four quotes for the asbestos abatement at the Sewer Plant and continued by reading the following:

Jupiter Environmental Services, Inc.	$ 6,800.00
Atlantic Contracting & Specialties	$ 7,990.00
Edgeco Environmental Inc.	$ 4,780.00
Dona Tech, Inc.	$10,500.00

Supervisor Traver continued by saying that C.T. Male has indicated that Edgeco is a responsible bidder as well as being the lowest quote and continued by asking what the Board wanted to do.

Councilman Youmans stated that they checked with Mr. Vopelak, Engineer for the Town and he said that Edgeco was a responsible bidder with the lowest quote and continued by saying that he would offer a motion.

MOTION

On motion of Councilman Youmans, seconded by Councilwoman Rogers, authorizing the Supervisor to enter into an Agreement with Edgeco in the amount of $4,780.00 to do the asbestos abatement at the Sewer Plant.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Touchette)

Councilwoman Rogers interjected that it be done as soon as possible.

Supervisor Traver stated that Code Enforcement Officer Conrad is working with National Grid in trying to get gas down to the Sewer Plant because they are looking at possibly a gas boiler and added that the gas goes to the utility building but does not go to the Sewer Plant. He continued by saying that he needs authorization to enter into a contract with Niagara Mohawk to put in a gas meter.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Youmans authorizing the Supervisor to sign the contract.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Touchette)

Route 143

Councilman Boehm stated that anyone living out Rte. 143 knows that they have improved the road and put 2 coats of pavement and earlier in the day they finished the shoulders. He continued by saying that the section of the road that they had an issue with from Tompkins Road to the Ravena Grange has been repaved and added that originally they were going to go to Collins' but stopped just short of Biechman Road and he does not think that they are coming back in the near future. He went on by saying that they had a scheduled meeting with Mary Ivey, Regional Director of DOT and Assemblyman Gordon but it was cancelled. He continued by saying that he would be following it up because he thinks that it is a short-term solution and added that over the long period unfortunately there will be sections of Rte. 143 that are in good shape and sections that are in poor shape. He went on by saying that there is suppose to be a plan for the road going out to Rte. 32 that he has not heard anything about and he will follow up and draft a letter to Mary Ivey to set up a meeting. He concluded by saying that it looks great and he wanted to thank everyone that signed the petition and came forward and spoke about it and added that the road improvement is a great thing.

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NEW BUSINESS

Old Docks for Auction

Supervisor Traver stated that the new docks are in place and Parks & Recreation Maintenance Supervisor Perry has asked that they put the old docks out to bid. He continued by reading the following:

"Treated lumber docks, consisting of four (4) sections measuring 8 feet wide X 20 feet long, in good condition with eight (8) 55 gallon plastic drum barrels per section for flotation. Superstructure needs minor repair. Being sold in "as in" condition. Purchaser will be responsible for removal and transport."

Supervisor Traver asked for a motion to authorize putting the old docks out to bid.

Councilman Boehm stated that a time frame should be specified for removal of the docks and he would suggest within 30 days of the purchase.

Attorney for the Town Wukitsch interjected that it should also say that they reserve the right to reject any and all bids.

Councilman Boehm inquired as to how they are going to advertise the bid.

Supervisor Traver stated that he believes that it will be through the on-line auction.

Councilman Boehm inquired about it being in the News Herald.

Supervisor Traver stated that they could put it there also and continued by saying that the Captain's Choice tour boat that is at the Landing for Evenings on the Green on Thursdays is interested in them.

Councilman Boehm reiterated that it should be in the News Herald because it is Town material in case there is someone in Town that would like to bid.

MOTION

On motion of Councilman Boehm, seconded by Councilman Youmans, authorizing the Supervisor to advertise the surplus old docks for auction in the News Herald and other means, to accept bids with reserving the right to reject any and all bids and that the docks be moved within 30 days of the purchase.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Touchette)

Agreement with Albany Crime Analysis Center

Supervisor Traver stated that he was in receipt of a memo from Chief Darlington requesting authorization and continued by reading the following:

"I am requesting authorization to sign the attached agreement with the Albany County Crime Analysis Center. This agreement allows us to share and receive criminal intelligence from the center to enhance our investigative toolbox. There is no cost associated with this information sharing."

Supervisor Traver asked for a motion to sign the Agreement.

Councilman Boehm asked that Chief Darlington explain the benefit of doing this.

Chief Darlington stated that they already receive and share some information and continued by saying that recently they had a string of commercial burglaries on Main Street, which ultimately stemmed into other towns in the county. He continued by saying that every agency submitted their information and a plot map was done so they could see the routes that were being traveled or what routes they would appear to travel and added that Coeymans is a test pilot of license plate reader data where they upload the plates and if there was a suspect vehicle, any police car that hit on the plate would provide a mapping of anywhere the vehicle goes. He added that if you are looking for any particular suspect, anyone having dealings with the police, they would be able to tell and possibly get recent addresses

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, authorizing the Supervisor to sign the Agreement with the Albany Crime Analysis Center.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Touchette)

Discussion of Water Rents

Supervisor Traver stated that Town Clerk Millious and Internal Control Officer Purinton wished to speak to the Board about the water rents and the collection of them.

Town Clerk Millious stated that she is the Collector of the Water Rents for the Town of Coeymans and added that she is concerned because she does the re-levies on the Property Tax Bills and added that she and Internal Control Officer had gone over some data and they also spoke with the Town Attorney and according to the information that she has it says that she should not be doing re-levies. She continued by saying that she wanted to ask what she can do to make it right and added that it is something that has been done but according to the information she should not be doing it.

Internal Control Officer Purinton stated that Attorney for the Town Wukitsch had some legal information that was given to him.

Attorney for the Town Wukitsch stated that when they retained Craig Crist to look at the issue of re-levying the Sewer Rents, during Supervisor Hotaling's administration, he shed some light on this topic and his general research on the validity of the practice. He continued by saying that as they may recall his opinion was that the Town had no

authority to re-levy Sewer Rents but in connection with doing that research he also came up with some authority that deals with specific issues about Water Rents, which calls into question the practice that the Town has been using in the past and it calls into question the validity of what they have been doing. He added that this is why it is being brought up and added that the more you dig into some of these legal issue, some of which are esoteric, you come across authorities that seem to call into question the way that things have been done over the years and the mere fact that it has been done over the years does not necessarily mean that it has been done the right way and reiterated that this is why they are brining it up.

Supervisor Traver asked Internal Control Officer Purinton if he had anything to add.

Internal Control Officer Purinton stated that the outline is what he prepared in terms of the accounting synopsis of the issue and added that it seems to fit the correct accounting treatment of a trust & agency arrangement when the Town is in custody of funds of the Village. He continued by saying that the accounting part is much easier but now they are dealing with the practical aspect of whether the Town should utilize their re-levy authority for the benefit of the Village, which is the question at hand and should the Town be guaranteeing the payments in advance of the Town's collection to the Village and then wait for the collection of the Village rents through the Town's re-levy. He concluded by saying that it is an operational question from the Town Clerk & Receiver of Taxes perspective.

Supervisor Traver asked the Town Board if they had anything to add.

Councilman Boehm stated that this is the first that he has heard about it and added that they should put it on the agenda of the next Workshop and discuss it in more detail unless there is something more pressing that they have to address now.

Councilwoman Rogers stated that she agreed.

Supervisor Traver stated that they would put it on the agenda for the next Workshop and continued by asking Internal Control Officer Purinton if he would be available.

Internal Control Officer Purinton stated that he would.

Supervisor Traver moved to the next item on the agenda.

Clerk of the Works Position

Supervisor Traver stated that this topic was not on the agenda and added that Internal Control Officer and Chief Darlington had discussed this with him because of all the projects currently going on like the Hannacroix Creek Project and Sewer Projects. He continued by saying that they discussed having a Clerk of the Works so there is one person following through on all the bills and the direction of each project and in turn they would be able to report to the Town Board, Zoning Board and Planning Board. He added that there would be one person instead of four or five and reiterated that he believes that it is in the best interest of the Town to have one person involved, which would be a Clerk of the Works position and then asked the Town Board how they felt about it.

Councilman Boehm inquired as to if it would be additional compensation or just a matter of appointing a lead person.

Supervisor Traver stated that one thing that they did talk about is the fact that the Hannacroix Creek Project is Chief Darlington's responsibility because it is Emergency Management. He continued by saying that if it were Code Enforcement Officer Conrad working on a project at the Sewer Plant, he believes that on the books it should come out of the Sewer Fund and not the Building Department, which is now being done and added that any Highway Projects should come out of the DB Fund.

Councilwoman Rogers stated that CEO Conrad is up to date on the Sewer Plant from top to bottom.

Supervisor Traver stated that this is what he means and they discussed CEO Conrad being the Clerk of the Works and added that they will be doing the roof and other projects at the Sewer Plant and they should have one person that is in constant contact with Engineering Firms and the Attorney.

Councilman Boehm inquired about Chief Operator Breedlove.

Councilman Youmans asked if he meant like a Town Supervisor.

Supervisor Traver stated that a Clerk of the Works is more specific for that job.

Councilman Boehm stated that in the case of the Sewer Plant, they have Chief Operator Breedlove.

Supervisor Traver stated that a Clerk of the Works can be anyone and added that it is one person that deals with a project.

Councilman Boehm stated that a project involving the Sewer Plant such as replacement of the furnace or asbestos abatement or the roof, they have Larry Breedlove the Chief Operator. He added that instead of hiring someone else and spending more money he thinks he would be the point person.

Supervisor Traver asked if there were any other comments.

Chief Darlington stated that one of the examples is the Hannacroix Creek Project and added that currently the way it is set up is that Councilman Touchette is the lead person on it but the issue is that all the vouchers and billing goes through him and they are finding that one person is authorizing work but a different person is approving the billing and they found that they have almost duplicated services because of the way that things are logged in as to what the work is. He continued by saying that Councilman Touchette is asking that Chief Darlington organize everything but then everything gets lagged because he has to contact Councilman Touchette and then wait for a response as to what is the next step and things like that.. He added that in recognizing that the Town Board does not work full-time everyday during normal business hours when most of the staff is working and the State agencies in the project are working, it becomes a tough communications issue. He concluded by saying that for the Hannacroix Project one person should oversee it and when there are 4-5 people overseeing different parts of it, the left hand does not know what the right hand is doing, which results in either wasting time, money or services.

Councilwoman Rogers stated that she understands what Chief Darlington is saying but as Councilman Boehm had said, the Sewer Department with Chief Operator Breedlove is different and he is head of the Department. She added that the Hannacroix Project with Councilman Touchette and Chief Darlington is a different scenario.

Councilman Boehm interjected that the Hannacroix FEMA Project is unique and added that Department Heads would be involved in a major renovation of their department and would take the lead but in this particular case it is a lot more complicated.

Councilwoman Rogers stated that having one person for the Hannacroix Creek Project is a smart move and she agrees with it.

Councilman Boehm stated that Councilman Touchette was not present and then suggested that they table it until the Workshop when he will be present and they can look at the structure of the project and added that this particular project should be streamlined and attention should be given to it.

Chief Darlington interjected that he is in no way saying that Councilman Touchette is not doing a good job and added that it is a confusing process and for a while the Supervisor was signing the vouchers and approving things to be done and at one point they thought they approved $1,200.00 twice. He continued by saying that it appeared the same but when you went to the second page you realized what the billing was and he didn’t know

what it was and in turn he has to ask for reimbursement from the State and Federal Governments, which he has to justify and if he does not know what the work is, he can't justify it.

Councilman Boehm asked that Chief Darlington reach out to Councilman Touchette and reiterated that they will talk about it at the next Workshop and added that he can talk about the recommended structure that he thinks would be the best way to administer the FEMA Plan for the Hannacroix Creek Project.

Chief Darlington stated that they have Department Heads for a reason but this is unique because his position with Emergency Management is new and he thinks that the easiest way, excluding this project, would be that the Department Head runs the project and in turn reports to the Department Liaison.

Ms. Pasquini interjected from the audience that they need a Chief Financial Manager to oversee all of the projects and continued by asking if the Town has one.

Councilman Boehm stated that the public comment period is over.

Ms. Pasquini apologized.

Police Department – Surplus Property

Supervisor Traver read the following:

To: Town Board
From: Chief Darlington
Subject: Surplus Property

The attached vehicle was seized and forfeited from a drug case. The vehicle has been titled to the Town of Coeymans and as such I am requesting authorization to consider it surplus property and auction it off. The funding would be placed in the forfeiture account.

Supervisor Traver asked for a motion to advertise for bids.

Councilman Boehm stated that as with the docks he would place it in the News Herald and continued by asking if it is at the Sewer Plant and whether it would be made available for inspection.

Chief Darlington stated that it would be sold as is and added that they will put pictures with the advertisement.

Councilman Boehm interjected that they will reserve the right to reject any and all bids and stipulate that it be moved within 10 days of purchase.

Attorney for the Town Wukitsch stated that it should be advertised "as is without recourse"

MOTION

On motion of Councilman Boehm, seconded by Councilman Rogers, authorizing that the car be advertised for bidding with the right to reject any and all bids, to be sold as is without recourse and moved within 10 days of purchasing it.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Touchette) – SO MOVED

Chief Darlington inquired as to if it should state in the minutes what the vehicle is.

Attorney for the Town Wukitsch suggested that Chief Darlington identify it.

Chief Darlington stated that it is a 1998 Cirrus 4-door sedan, 6 cylinders and added that it runs great.

Approval of Road Lists

Supervisor Traver stated that Highway Superintendent Deering talked to them about his Road List at the Workshop and added that the list includes Payne Road, Amber Circle, Stone House Hill Road, John Street and Colvin Avenue and continued by asking for a motion to accept the Road List presented by Highway Superintendent Deering.

Councilwoman Rogers stated that Highway Superintendent Deering had a question about reimbursement for Colvin and whether or not it was coming out of the Road List money. She continued by saying that she believes that it is not coming out of the Road List money and he does not have to give up one of his roads that was on the list, which he originally said he would do.

Councilman Youmans inquired as to why Colvin Avenue would not be on the Road List.

Councilwoman Rogers stated that they were talking about the money for the repair that they just did on Colvin Avenue and added that Highway Superintendent Deering had inquired about it coming out of his road money and if it did come out of his money he would have to eliminate a road. She continued by saying that they discussed it at the Workshop when Councilman Youmans was absent and decided that it should not come out of his Road List money.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Youmans to authorize the Road List Agreement to Spend Highway Monies for 2010.

Councilman Youmans stated that Colvin Avenue is on the list as one of the roads that he wants to do.

Councilwoman Rogers stated that they are talking about the repair that he did down there and the fact that it was not to be included on the Road List.

Councilman Youmans stated they are not talking about the paving and continued by asking where they propose that they budget the money.

Highway Superintendent Deering stated that he is talking about the paving of the road.

Councilman Youmans stated that this is what he thought they were talking about.

Supervisor Traver stated that it is going to be just as much money or more to patch it.

Highway Superintendent Deering stated that it has to be paved.

Councilman Youmans stated that it is listed on the list for $24,322.00.

Councilman Boehm inquired as to if he was going to take Stone House Hill road for $21,992.00 off the list and replace it with Colvin Avenue.

Highway Superintendent Deering stated that it was his original plan.

Councilman Youmans stated that as far as the Road List, they are looking for another $19,045.00.

Highway Superintendent Deering stated that was correct.

Councilman Youmans inquired as to where that would be coming from.

Supervisor Traver stated that it looks like they will be getting one grant for $10,000.00 through what Assemblyman Gordon had done three months ago as well as appearing at this time that no sidewalks will be worked on this year, which is also $10,000.00.

Councilman Youmans stated that they might have $10,000.00 coming from Assemblyman Gordon and the Town is going to hope that the State gives it to them.

Supervisor Traver stated that he had to return a letter and it looks like there was $10,000.00 coming back from the State for a Highway Grant.

Councilman Youmans inquired as to if the Town had received the grant.

Supervisor Traver stated that they have not received it yet.

Councilman Youmans inquired as to if they have been notified that they are going to receive it.

Supervisor Traver reiterated that it looks like they are going to receive $10,000.00.

Councilman Youmans stated that he didn't want to be a stickler and continued by asking if it looks like or have they been notified that they are going to receive it.

Supervisor Traver stated that they have not been guaranteed.

Councilman Youmans asked if it made sense to spend $10,000.00 that they don't know that they have.

Councilwoman Rogers asked Highway Superintendent Deering if he can take Stone Hill House Road off for now and add it back on if they get the money.

Highway Superintendent Deering stated that he didn't care and added that the grant was actually $8,151.00.

Councilman Youmans stated that his reservations come from the news and seeing that the State Government is in jeopardy of shutting down and added that he is not optimistic about any prospects of receiving money from the State in the form of a grant. He added that he knows it is important to pave the roads as well and went on by asking Highway Superintendent Deering if storm water was his area of responsibility anyway.

Highway Superintendent Deering stated that supposedly it is but it is a project that was not budgeted for in the Highway Budget. He continued by saying that he just received a letter on June 14th indicating that he was going to receive CHIPS money in the amount of $87,274.78.

Councilman Boehm inquired as to what that amount represents and if it is a percentage of what he is spending on repairs.

Highway Superintendent Deering stated that it is what he is going to get in CHIPS money but the work has to be done first.

Councilwoman Rogers stated that it is based on his last Road List.

Supervisor Traver stated that there was a motion and second on the floor.

Councilman Boehm stated that he shares Councilman Youmans' thoughts about the news and whether or not they will get the grant from Assemblyman Gordon.

Councilwoman Rogers stated that he had said that he would take Stone House Hill Road off the list.

Highway Superintendent Deering stated that he will take it off for now and add it back on later.

Councilman Boehm stated that they will have to know that they have the money coming and then actually get the money.

Supervisor Traver reiterated that there is $10,000.00 budgeted for sidewalks that they won't be using.

Councilman Boehm inquired as to why they are not getting to the sidewalks.

Highway Superintendent Deering stated that there is not enough time and added that they spent a lot of time on Colvin Avenue that was not planned for.

Councilman Boehm inquired about Callanans doing the sidewalks.

Highway Superintendent Deering stated that they will for a price.

Councilman Boehm stated that they have been waiting on them and continued by asking what sidewalks the $10,000.00 was going to cover.

Highway Superintendent Deering stated that it was going to be Rte. 144 from the corner down toward the old firehouse for as far as they could go for $10,000.00.

Councilman Boehm inquired as to if it was just a timing issue with not getting to it this year.

Highway Superintendent Deering stated that it was.

Supervisor Traver stated that there was a motion and second on the floor and continued by asking for the vote.

Councilman Boehm stated that he would amend the motion to accept the Road List with the removal of Stone Hill House Road improvement.

Councilman Youmans agreed to the amendment.

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

Resignation of Operator I – Highway Department

Supervisor Traver stated that he was in receipt of a copy of a resignation letter from Donald VanAlstyne addressed to Highway Superintendent Deering and continued by reading the following:

Dear Mr. Deering:

Please accept this letter as my resignation from the position of Operator I with the Town of Coeymans Highway Department. My final date of employment at the Town of Coeymans will be July 21, 2010. My final day of work will be July 2 and I will use my remaining credits for the last two weeks.

Over the past several years, it has been my pleasure to work for the Town of Coeymans. I appreciate the opportunity I have had to work with you and others for the improvement of the infrastructure and quality of life for local residents.

I will be leaving to further my career with the National Park Service stationed in Virginia. I hope that my friends and co-workers will keep in touch. I wish you all well in the future.

Sincerely,

Donald VanAlstyne

Supervisor Traver asked for a motion to accept the resignation.

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, accepting the resignation of Donald VanAlstyne, Operator I.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Touchette) – SO MOVED

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RESOLUTIONS

RES. #58-10 ADOPT PUBLIC HOUDING ASSISTANCE PLAN FOR 2010
On motion of Councilman Youmans, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Touchette) – SO MOVED

WHEREAS, the Town of Coeymans operates a Section 8 Housing Choice Voucher Program funded by the U.S. Department of Housing and Urban Development, and

WHEREAS, the Town of Coeymans is required by the U.S. Department of Housing and Urban Development to prepare and adopt a written PHA Plan that establishes local policies for administration of the Section 8 Housing Choice Voucher Program in accordance with regulations of the U.S. Department of Housing and Urban Development, and

WHEREAS, the Town Board of the Town of Coeymans has caused a written PHA Plan for 2010 to be prepared establishing local policies for administration of the Section 8 Housing Choice Voucher Program in accordance with regulations of the U.S. Department of Housing and Urban Development, and has reviewed such written plan,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans hereby adopts the PHA Plan for 2010 for operation of the Town of Coeymans Section 8 Housing Choice Voucher Program.

RES. #59-10 APPOINT FOOD FOR THOUGHT BUS DRIVER
On motion of Councilwoman Rogers, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Touchette) – SO MOVED

WHEREAS, the Summer Food for Thought Program is in need of an experienced bus driver for transportation July 12th through August 13, 2010, and

WHEREAS, one bus will provide the necessary transportation, and

WHEREAS, Tammy Provost has driven bus for the Program in the past and has the required experience,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans authorizes the Supervisor to hire Tammy Provost as the designated bus driver at the hourly rate of $12.50.

Councilman Boehm stated that he wanted to remind everyone that there are applications on the table at the back of the room and added that they should be returned this next week if you want bus transportation because it is a first come, first served basis.

Councilman Youmans stated that he would be recusing himself from any and all discussion on the following resolution.

RES. #60-10 APPOINT PART-TIME RECREATIONAL ASSISTANTS FOR FOOD FOR THOUGHT
On motion of Councilman Youmans, seconded by Councilwoman Rogers, the following resolution was APPROVED – VOTE – AYES 3 – NAYS 0 – ABSTAIN 1 (Youmans) ABSENT 1 (Touchette) – SO MOVED

WHEREAS, the summer Food for Thought Program is in need of Recreational Assistants to supervise the children who have signed up for the program,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby appoint the following individuals as part-time Recreational Assistants for the Food for Thought Summer Youth Program:

Karin Beswick	Matthew Krein
Jamie Breedlove	Kelci Margiasso
Tucker Helm	Emily Shear
Christiane Holodook	Victoria Youmans
Madison Kolis	Michael Zullo

This appointment is effective July 12 – August 13, and will be at the hourly wage of $7.25.

Attorney for the Town Wukitsch interjected that he believed that Councilman Youmans had meant to say that he was abstaining from the vote.

Councilman Youmans agreed.

RES. #61-10 APPOINT SUMMER CHOICES PROGRAM SUPERVISOR
On motion of Councilman Youmans, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Touchette) – SO MOVED

WHEREAS, the Town of Coeymans has been approved to receive summer season personnel assistance through the CHOICES Program, and

WHEREAS, these summer employees are being assigned to perform various summer tasks in the community, and

WHEREAS, the Town Board is desirous of providing supervision for these summer seasonal CHOICES funded employees,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby authorize payment for the services of Ralph Surrano to provide the necessary and required supervision for these employees, and

BE IT FURTHER RESOLVED, that Mr. Surrano shall receive $1,000.00 for these services during the approximate five-week duration of the Program. This payment will be made by voucher in the August 2010 Abstract.

Councilman Boehm stated that Mr. Surrano has been doing this for a number of years and has done a great job and he looks forward to having him back.

RES. #62-10 APPOINT SUMMER RECREATION PROGRAM RECREATION ASSISTANTS
On motion of Councilwoman Rogers, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Touchette) – SO MOVED

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

WHEREAS, both the Town Board and Village Board has agreed to equally fund this program by each contributing $3,500.00, and

WHEREAS, seasonal Part-time staff is needed to operate this program, which will run from July 12 – August 13, 2010.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans hereby appoints part-time seasonal Recreation Assistants at the hourly rate of $7.25 as follows:

Geoffrey DeLuca	Nicholas LaMountain
Keith Geraldson	Eric Norris
Karlie Haack	Erienne Reith

Councilman Boehm stated that last month they hired Eric Stott, Recreational Coordinator and added that it is a Village-Town Municipal Program for everyone in the Town.

RES. #63-10 AMEND MAY 2010 ABSTRACT
On motion of Councilman Boehm, seconded by Councilman Youmans, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Touchette) – SO MOVED

BE IT RESOLVED, that the Town Board of the Town of Coeymans, does hereby amend the May 2010 Abstract as follows and indicated in red.

FUND	VOUCHER #	AMOUNT
GENERAL (A)		
General Pre-Pay	791-844	$ 213, 238.53
General	882-897,899-937	$ 45, 764.62
	General Total	**$ 259, 003.15**
PART-TOWN (B)		
Part-Town Pre-Pay	845-853	$ 12, 611.03
Part-Town	938-939	$ 1, 518.68
	Part Town Total	**$ 14,129.71**
HIGHWAY (D)		
Highway Pre-Pay	854-859	$ 33, 778.52
Highway	940-971	$ 9, 542.14
	Highway Total	**$ 43, 320.66**
SEWER (SS)		
Sewer Pre-Pay	860-875	$ 14, 905.79
Sewer	972-992	$ 8, 195.14
	Sewer Total	**$ 23, 100.93**
SPECIAL WATER (SW)		
Special Water	876	$ 82, 779.80
	Special Water Total	**$ 82, 779.80**
CAPITAL PROJ. (H)		
Capital Projects	993-994	$ 2, 240.00
	Capital Proj. Total	**$ 2, 240.00**
	Total for all Funds	**$ 424,574.25**
TRUST & AGENCY (TA)		
Trust & Agency Pre-Pay	877-881	$ 225, 693.26
	Trust & Agcy. Total	**$ 225, 693.26**

Councilman Youmans inquired as to why they are amending the May Abstract.

Town Clerk Millious stated that the bookkeeper brought to her attention that there was a duplicate invoice in for payment, which changed the abstract and added that it was caught before it was paid.

RES. #64-10 APPROVE JUNE 2010 ABSTRACT
On motion of Councilman Youmans, seconded by Councilwoman Rogers, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Touchette) – SO MOVED

FUND	VOUCHER #	AMOUNT
GENERAL (A)		
General Pre-Pay	995-1041	$206,157.71
General	1089-1140	$ 24,125.88
	General Total	**$230,283.59**
PART-TOWN (B)		
Part-Town Pre-Pay	1042-1054	$ 12, 671.43
Part-Town	1141-1147	$ 2,246.53
	Part Town Total	**$ 14,917.96**
HIGHWAY (D)		
Highway Pre-Pay	1055-1064	$ 39,145.66
Highway	1148-1180	$ 14,270.92
	Highway Total	**$ 53,416.58**
SEWER (SS)		
Sewer Pre-Pay	1065-1079	$ 12,663.22
Sewer	1181-1201	$ 4,887.74
	Sewer Total	**$ 17,550.96**
CAPITAL PROJ. (H29)		
Sewer UV Pre-pay	1080	$ 5,671.49
	UV Proj. Total	**$ 5,671.49**
CAPITAL PROJ. (H30)		
Hannacroix Creek	1202	$ 1,320.00
	Hannacroix Creek Total	**$ 1,320.00**
CAPITAL PROJ. (H35)		
Sewer Upgrades	1203	$ 6,582.51
	Sewer Upgrades	**$ 6,582.51**
	Total for all Funds	**$329,743.09**
TRUST & AGENCY (TA)		
Trust & Agency Pre-Pay	1081-1088	$234,467.39
	Trust & Agcy. Total	**$234,467.39**

RES. #65-10 ESTABLISH WORK DAYS FOR ELECTED AND APPOINTED OFFICIALS
On motion of Supervisor Traver, seconded by Councilwoman Rogers, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Touchette) – SO MOVED

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans hereby establishes the following as standard work days for elected and appointed official and will report the following days worked to the New York State and Local Employees Retirement System based on the record of activities maintained and submitted by the officials to the Clerk of this body:

Title	Name	SS#	Reg. #	Work Day	Term	Participates Employers Time Keeping System	Days/Month (Based on record of activities)
Supervisor	Traver, H.	9985	3575492-8	7	1/10-12/11	N	13.79
Town Clerk	Millious, D.	8048	3678302-5	7	1/10-12/13	N	20.36
Board Member	Rogers, D.	5366	4030860-3	7	1/10-12/13	N	5.62
Board Member	Touchette, R.	9259	4265545-6	7	1/08-12/31	N	5.06
Supt. Of Highways	Deering, A.	8255	0849084-9	8	01/10-12/13	N	31.68

RES. #66-10 AUTHORIZE SUPERVISOR TO SIGN AGREEMENT WITH R-C-S INFORMATION TECHNOLOGY SERVICES
On motion of Councilman Boehm, seconded by Councilwoman Rogers, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Touchette) – SO MOVED

WHEREAS, the Town of Coeymans is desirous of Information Technology Services for the Town, and

WHEREAS, a needs assessment was done and found that there are several security and back-up issues throughout the Town's computers, and

WHEREAS, the Ravena-Coeymans-Selkirk Central School District has agreed to provide a shared service of Information Technology Service at a rate of $40.00 per hour, and

WHEREAS, the Ravena-Coeymans-Selkirk Central School District will bill the Town of Coeymans monthly for all services incurred.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby authorize Supervisor Henry C. Traver to sign an agreement with the R-C-S Central School District for Information Technology Services, and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Coeymans does hereby agree to pay for such Information Technology Services at an hourly rate of $40.00.

Councilman Boehm inquired as to how long the agreement was for.

Chief Darlington stated that there should have been an amended agreement.

Town Clerk Millious distributed the amended agreement to the Town Board.

Attorney for the Town Wukitsch interjected that it can be terminated on 30 days notice.

Councilman Boehm stated that this is one of the things that they were looking at for a Inter-Municipal Agreement for IT Services and snow plowing at Pieter B. and added that he does not want it to be a long-term agreement if they can reach an agreement with the school district.

Chief Darlington stated that he had spoken with Mr. Clemens earlier in the day and he did explain that they are looking at other shared services where the cost is done in services rather than actual financial. He added that because of the result of their assessment of the computers upstairs, there is a threat of someone getting in and able to access the Town's information as well as there be little or no back-up going on and if one were to crash everything would be gone. He continued by saying that he sent the Agreement to Attorney for the Town Wukitsch and he recommended putting in the 30 day notice for termination. He added that their intention is to move forward with all of the shared services that they are looking at, which could be a bumpy road with Unions and continued by saying that it is something that he and Councilman Boehm are aggressively working on as well as the school being greatly interested in saving tax dollars and providing as much service as possible. He concluded by saying that this is something that may be needed in the interim.

Councilman Boehm stated that for this particular project they estimate between 20-25 hours to get everything straightened out, which is the purpose of the Agreement.

Chief Darlington stated that they also did a test on his computer and they were able to access into his computer.

Councilman Youmans stated that the resolution is not the Agreement that they were contemplating authorizing the Supervisor to sign and added that he had said earlier in the day that there should be a couple more clauses and it should state being able to get out within 30 days.

The revised resolution was given to Councilman Youmans.

Councilman Youmans stated that to be clear, this is not in contemplation of the Town doing anything in exchange and it is strictly them providing the service for $40.00 per hour.

Councilman Boehm interjected that was correct and added that there is an immediate need to make sure that they are backing up.

Attorney for the Town Wukitsch interjected that if you don't like the way that the Agreement is working, you terminate it.

Chief Darlington stated that they would only come in when they ask them.

Councilman Youmans stated that he would ask that the Supervisor's Office draft a letter thanking Mr. Palmer for his services.

Supervisor Traver stated that he thinks they are going to keep Mr. Palmer for some of the basic things until they actually enter into a long-term Agreement with the school. He added that the services now are just to get the server up to date and to do the repairs for the back-up.

Councilman Youmans stated that they should check with Mr. Palmer because he might not be interested in that.

Chief Darlington stated that with no disrespect to Mr. Palmer they are getting equal service at $40.00 an hour as opposed to $70.00 an hour, which is a cost savings to the Town.

Councilman Youmans stated that it is a cost savings but it leads one to wonder if the going rate is $70.00 to $100.00 per hour, how the school can provide that service for $40.00 per hour and who is paying for that. He continued by saying he wonders if they are idle a lot of time doing nothing and it would be better to spend their time here, which would make sense and reiterated that he would seriously question how they can provide a service that is worth $70.00 - $100.00 an hour for $40.00.

Chief Darlington stated that it is basically that and it is part of the whole shared service program and added that the Town would be providing plowing at Pieter B. at no cost. He continued by saying that the plows will be driving by there and there will be some cost, but in turn the Town will be getting IT services. He added that the school's IT needs will take preference over the Town but if it is a slow day and the Town needs work done the school will be paying those people anyway. He concluded by saying that the school would get a little relief on what they are paying out in salaries and the Town will get a little relief because they won't be paying $70.00 - $100.00 an hour.

Councilman Youmans interjected that he is all for savings.

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CORRESPONDENCE

NYS Department of Public Service

Supervisor Traver stated that he had a correspondence from State of New York Department of Public Service, which he will post on the bulletin board for the public to read and continued by reading the following excerpt:

"I am writing to ask for your help with our "Energy Efficiency: Use Less Energy, Save More Green" summer public awareness campaign. We want to inform the people in your community about steps they can take to use less electricity but still keep cool in the summer, and also update them on this summer's electricity outlook. Energy efficiency measures will help residential and business customers control their summer energy costs, protect the environment, and assist the State in meeting peak electricity demand."

Supervisor Traver stated that there is an informational packet that will be in Town Hall for the Town Board or public to look at.

David Coury – Golf Tournament at Joralemon Park

Supervisor Traver stated that he received an e-mail on June 16th and continued by reading the following:

Dear Mr. Traver,

On Saturday, June 12th, I had the pleasure of participating in the 4th Annual J-Park Jammer Disc Golf Tournament at Joralemon Park. I wanted to take a minute to extend to the Town of Coeymans my thanks for working with Kevin Rounds and the rest of the Capital District community of disc golfers to establish and maintain the Joralemon Park Disc Golf Course.

The course expansion that has taken place over the past year has made J-Park one of the premier disc golf venues in New York State. Everybody that attended the tournament had glowing reviews of the course and the event. The collaborative efforts of the Town of Coeymans and local disc golfers has helped make the Capital District a favorite travel destination for enthusiasts throughout all of New York and New England.

Thank you for your support of the course and of our sport.

David Coury

Councilman Boehm stated that he was at the park on Sunday the day after the tournament and added that there were a lot of cars from out-of-state and continued by saying that he hears comments all the time about people from Albany and Colonie who come and use the course. He added that Joralemon Park is becoming the Frisbee Golf capital of the Capital District.

NY Municipal Insurance Reciprocal

Supervisor Traver stated that he believes that all of the Board members had previously received the recommendations from NY Municipal Insurance Reciprocal and added that this is to let the public know that NYMIR came down and did a safety inspection throughout the Town at Town Hall, Sewer Plant, Police Department, Highway Department and Parks Building and in return sent their recommendations for things that need to be taken care of.

Councilman Boehm inquired as to if it was shown to the Department Heads.

Supervisor Traver stated that so far Nelson is the only one that has seen it.

Councilman Boehm suggested that it be given to the Department Heads who should get back to the Town Board by the next Workshop with an action plan to solve the problems.

Councilwoman Rogers stated that it was a good idea.

Attorney for the Town Wukitsch interjected that NYMIR is looking for a response within 60 days.

Councilman Boehm stated that some are pretty easy and others might involve a lot of money because they are complicated and reiterated that he wanted to see what the Department Heads come up with to remedy the situation.

County of Albany

Supervisor Traver stated that he was in receipt of a letter from County Executive Michael Breslin and continued by reading the following:

Dear Supervisor Traver:

As you are aware, Albany County has commissioned a study to analyze potential alternatives to the current Public Safety Answering Points configuration. These alternatives will range from improvements in existing systems to forms of regionalization of these services. The County has contracted with a consulting firm, the Matrix Consulting Group, to complete the study. Matrix is a national management consulting firm that specializes in conducting public safety and communications studies for local governments.

We are writing today to invite you to kick-off meeting for the study on Tuesday, June 29, 2010 at 9:30am. The meeting will be held at the Cahill Room, 112 State Street, Albany, NY, and it will give each of you an opportunity to meet the consultants conducting the study, to ask questions, and to get an overview of the process, and your roles in it. The study has been designed to be inclusive and collaborative, so we encourage your attendance and active participation.

Although we will go into more detail at the kick-off meeting, here is a brief synopsis of the steps in the process of completing the study:

- Consultants meet with key personnel and selected staff members to obtain an overview of your operations, and to develop an understanding of your issues as they regard potential PSAP consolidation.
- The consultants will develop a descriptive profile of operations for each of the PSAP's in the County, and will distribute this to you for review and comment.

- You and your staff will be asked to complete an anonymous on-line survey to ascertain views on potential consolidation.
- The consultants will conduct a survey of other countywide 911 centers in New York for comparative purposes.
- We will reconvene to determine the necessary assumptions to be made in the development of any alternative forms of organization.
- The consultants will structure and evaluate a number of alternatives, which will be documented in a report that you will have the opportunity to review and comment upon.

We look forward to seeing you June 29th.

Sincerely,
Michael C. Breslin

Supervisor Traver asked Chief Darlington if he would be available that day and added the he also would try to make himself available.

Chief Darlington stated that he would double check.

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ADDITIONAL COMMENTS

Supervisor Traver asked if there were any additional comments.

Councilman Youmans stated that last week he and Supervisor Traver attended the meeting the Mrs. Driscoll held and added that she had some pretty good ideas but he was unable to stay for the whole meeting. He continued by saying that her idea is to put together some people from the Town and Village, community members, to look at ways that we can maybe get some positive press for our Town. He went on by saying that it seems like the only time that the Town is in the news is when there is something bad that has happened and as Mrs. Driscoll pointed out, and he agrees, that there is a lot of good in the Town. He then asked Mrs. Driscoll if she will be having another meeting soon.

Mrs. Driscoll stated that they will but have not set a date.

Councilman Youmans stated that he wanted to commend her because anyone trying to do something for our community should be commended.

Supervisor Traver asked if there were any other comments.

Town Clerk Millious stated that there is a Public Hearing on July 20, 2010 for the purpose of hearing comments on the proposed Sewer Rents and added that it will be prior to the Workshop.

Supervisor Traver asked if there were any other comments.

Attorney for the Town Wukitsch stated that a while back Highway Superintendent Deering asked him to review an Agreement to be used to deposit fill on a private land owner's property and added that he advised him that in order to go on someone's property and deposit fill or any other material there would have to be authorization from the landowner and it would be best to have a written authorization. He continued by saying that Highway Superintendent Deering got authorization to deposit fill on a piece of property and was told where to dump it, which ended up being someone else's property because there is a letter from an Attorney saying that Highway Superintendent Deering deposited fill on her property without authority, which means the written authorization that he had gotten did not give him authority to dump the fill on someone else's property. He went on by saying that there is another issue that Code Enforcement Officer Conrad had brought up about excavating on property and that there is a requirement for a Special Use Permit. He continued by saying that the complaint that

they received from the Attorney is simply that the fill was deposited on his client's property without authority and she does not want it there so they have to take it away.

Councilman Boehm asked why Highway Superintendent Deering wouldn't just take it back.

Attorney for the Town Wukitsch stated that this was his recommendation.

Councilman Boehm asked Highway Superintendent Deering if he could get to the fill and take it out of there and added that he believes it would satisfy her and her attorney if he removes the fill.

Highway Superintendent Deering asked if he needed to get authorization in writing to go on her property to do that.

Councilman Boehm stated that Attorney for the Town Wukitsch can contact the Attorney and work that out.

Attorney for the Town Wukitsch stated that he would contact her Attorney with the resolution that Highway Superintendent Deering will remove the fill and ask whether or not he agrees and continued by saying that it would be a written Agreement from her attorney to remove it and it would be over.

Councilman Boehm stated that it seems to be a pretty common sense way to solve it.

Supervisor Traver asked if there were any other comments.

Chief Darlington stated that he had discussed with Councilwoman Rogers the fact that he received a complaint from some local residents that attempted to use Joralemon Park for paint ball the same day as people were playing Disc Golf and in turn were verbally accosted by the Disc Golf players who said they were not authorized to play paint ball out there. He continued by saying that the complainer was quite upset and asked him whether or not they were allowed to be out there and he advised that he didn't know of anything that would prevent them from being there and added that they were more upset because they are residents who help pay for the park and he has also been hearing some comments about the golfers chasing people out of their immediate golf area. He went on by saying that they have had discussion about setting park rules as far as what is and what is not suppose to be going on out there as well as hours of operation and concluded by saying that people are using the parks more and he believes that they need to be able to have more of a handle on what is and what is not suppose to be going on out there.

Councilman Boehm asked Chief Darlington if there is a current set rules for park usage.

Chief Darlington stated that he believes that the only thing that they have is what is posted on a board at the park.

Councilman Boehm asked that Chief Darlington come up with a set of basic rules that they can post out there and in turn make a recommendation to the Town Board.

Chief Darlington stated that he would and added that with the Riverfront Park and putting in new playgrounds, to help prevent vandalism they should set hours and added that obviously docking boats would be something different.

Councilman Boehm interjected that it could be from dawn to dusk.

Town Clerk Millious stated that there is a list of rules attached to the application.

Councilman Boehm asked that she provide them to the Chief and maybe based on his recommendation they can post some rules.

Town Clerk Millious stated that it is a basic list such as moving the trash and other things that are expected.

Chief Darlington stated that he believes that the issue is that there is no enforcement behind it other than keeping the Town keeping the $25.00.

Councilwoman Rogers stated that it is different because there are people just stopping by with no rules and regulations posted.

Town Clerk Millious stated that they would be there without a reservation.

Councilwoman Rogers stated that they would have to post them for the people that are stopping by.

Councilman Boehm stated that he thinks it is exciting about the 14 acre field that they have out there, which is a level field and added that ultimately it will make great athletic fields. He added that Highway Superintendent Deering is going to check with DEC about putting a road back there and in turn it will open up the park tremendously.

Councilman Youmans stated that it could be a potential home for Pop Warner or Youth Soccer.

Councilman Boehm stated that there have been several requests.

Highway Superintendent Deering stated that he spoke with DEC and they advised that they need a permit to cross the stream and added that it is a Class 3 stream.

Councilman Boehm stated that there is a wooden bridge that crosses it now and then asked Highway Superintendent Deering how he would get the permit.

Highway Superintendent Deering stated that they would have to apply for it...

Councilman Boehm suggested that they discuss it at the next Workshop and added that there is no access except crossing the creek, which they know is an issue and added that they need access somewhere within the park. He continued by saying that he walked it and it is a pretty substantial stream and a feeder stream of the Hannacroix. He then asked Highway Superintendent Deering to get the application as well as asking that it be put on the Workshop agenda. He concluded by saying that it is silly that they have this beautiful field where they could do a lot and there is a lot of room and all they would have to do is provide access.

Supervisor Traver asked if there were any other comments.

Highway Superintendent Deering stated that he sent a letter to the Board asking if he should continue plowing what he plowed this last winter or whether he should stop.

Councilwoman Rogers inquired as to why the issue came up and added that he has always plowed the fire house.

Highway Superintendent Deering stated that it was because of the garbage that went on last year when he had to get his own attorney and added that they are out to hang him.

Attorney for the Town Wukitsch stated that he was going to do some research and check with the Association of Towns.

Highway Superintendent Deering stated that if he can't do it, he wants the Board to come up with something in writing telling him that he can't plow it anymore.

Councilman Boehm inquired as to if he had heard anything from Maria Bowers.

Highway Superintendent Deering stated that he did talk to her and told her that he, Councilman Boehm and Councilwoman Rogers wanted to talk to her and she said she would get back to him. He added that he thinks that her Attorney was walking around with her.

Attorney for the Town Wukitsch stated that she has another attorney and he is supposed to get back to him in terms of a meeting.

Councilman Youmans stated that because she does have another attorney it would be improper to try and approach her.

Attorney for the Town Wukitsch stated at this point it would be and her attorney was suppose to get back to him and added that he was referred to as her current attorney.

Councilman Boehm asked that Attorney for the Town Wukitsch either write him or Ms. Bowers a letter so they are not perceived as trying not to reach out to her.

Attorney for the Town Wukitsch stated that he would.

Supervisor Traver asked if there were any other comments.

Highway Superintendent Deering stated that they have not forgotten about the stream that a gentleman had asked about earlier and added that it is a Class E stream and they don't need a permit to work in it and added that with the water running into it, they cannot work in it. He reiterated that they have not forgotten about the stream and they have not done anything since last year because they ran out of time.

Councilwoman Rogers asked where it is.

Councilman Boehm inquired as to if he was talking about the A & B streams.

Highway Superintendent Deering stated that it is the one that goes across the golf course, which is a Class E stream and reiterated that they don't need a permit to go in it and they would have to go by the MOU. He also reiterated that they can't work in it with water running, which happened last year and when it dries out they will be able to work in it but they have to get some other things that they are behind on.

Councilman Boehm stated that the next few months will probably be the driest months.

Highway Superintendent Deering stated that when they got some of the other things caught up they will work on the stream.

Councilman Boehm asked that he notify the Board if he gets in there and starts cleaning it up.

Highway Superintendent Deering stated that he would.

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

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WORKSHOPS / MEETINGS

- Public Hearing, July 20, 2010, 5:30pm
- Town Board Workshop, July 20, 2010, 6pm
- Town Board Meeting, July 26, 2010, 7pm

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ADJOURNMENT

Supervisor Traver asked for a motion to adjourn the meeting.

MOTION

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

Time: 9:11pm

Respectfully Submitted, **APPROVED:**

_____

Diane L. Millious, Town Clerk

A Special Town Board Meeting was held Friday, July 9, 2010, at 7:00pm at Town Hall, 18 Russell Avenue, Ravena, New York

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

ALSO PRESENT: Diane L. Millious, Town Clerk
Albert Deering, Highway Superintendent

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

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OPENING COMMENT

Supervisor Traver stated that the record should reflect the presence of a full Town Board and continued by giving an overview of the agenda.

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AGENDA

- Public Comment
- Motions
  - Cancellation of July 20th Public Hearing
  - Postponement of Second Sewer Billing
- New Business
  - Litigation, Hall vs. Town of Coeymans, et al
  - Permission to Auction 1988 Ford Crew Truck
- Resolutions
  - Highway Equipment Operator
- Town Board Workshops/Meetings
  - Town Board Workshop, July 20, 2010, 6pm
  - Town Board Meeting, July 26, 2010, 7pm

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NOTICE OF SPECIAL MEETING

The following notice appeared in the News Herald and was posted in Town Hall and various other locations.

NOTICE

SPECIAL
TOWN BOARD MEETING

In compliance with Public Officer's Law, this will inform you that the Town Board of the Town of Coeymans has scheduled a Special Town Board Meeting for the purpose of discussing possible litigation. The meeting will be held at 7:00pm on Friday, July 9, 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

PUBLIC COMMENT

Supervisor Traver stated that he wanted to advise the public that there would be two minutes allowed for comment and continued by saying anyone wishing to speak had to come to the microphone. He then asked if anyone wished to comment at this time.

Mr. Mark Stanton stated that he lives on the Stanton Farm at 89 Biers Road in Coeymans Hollow and continued by saying that since the last meeting, he along with his brother and the Town has been served with papers relative to being sued by Jerome Hall. He continued by saying that he wanted to encourage the Town to hire a lawyer to represent themselves because there is a conflict of interest with the Attorney for the Town and reiterated that he feels it is very important that the Town hire counsel to defend the Town. He went on by saying that a few things have come up since the last meeting and added that the Department of Health has investigated the situation at the park land that is used as well as having a New York State Vehicle and Traffic Law that states during agricultural purposes, if dirt and manure is on the road, it is legal. He continued by distributing a copy to each Board Member and added that the Department of Health letter stated that they followed all the laws and they could not find any evidence of wrong doing. He added that the Village had detected an odor in their water but DEC had knocked down a beaver dam a few days before, which they presumed was the cause of the odor and reiterated that any issues that they had and any of their practices were determined to be legitimate. He went on by saying that it is in the public's best interest for the land to be used for the purpose that is being used now because until the Town deems that it is time to make it a park, it is going to require maintenance and added that when that time comes they are in full support. He continued by saying that their advisors and supporters have been in contact with the Land Conservancy as far as the deed restriction on the property and it says in the restriction that it is suppose to be used for municipal park purposes as well as protect the wetlands and natural resources and added that agricultural use is protecting the natural resources of the land. He concluded by saying that the land has been worked for years as farm land and their counsel has advised that it comes under prior non-conforming use and as long as it has been farmed it should be legal to continue to be farmed.

Supervisor Traver asked if there were any other comments.

Mr. Bill Cook stated that he is a Schoharie County farmer and added that he had the opportunity to be the Chairman of the Albany County Water Quality Coordinating Committee for 10 years and he became very familiar with the Stanton family farm and what was going on at the farm. He added that the Nature Conservancy does a number of deals on land protection, whether by fee or by acquiring the Conservation Easement or development rights that include long term agriculture. He continued by saying that the use of the land has been historically consistent, precedes any zoning, is in the best interest of the Town and is something that apparently is a problem for one individual person. He went on by saying that he is present to show support for the farming family but also to show support for the Town Board in getting a lawyer and fighting it and added that it is not just happening here, but rather happening in a number of areas where an agitated resident will insist that something be changed to suit their personal wants. He concluded by saying that when it comes to farming, farmers are frequently the target and the bottom line and the reason why he thinks the Town has to fight it aggressively is because if you don't, who knows what might be next and if one well monied bully can force the Town to do what they want, they are all in trouble.

Mr. John Allen stated that he lives at 37 Westerlo Street and continued by saying that the was present to ask the Board the status of the Sewer Contract with the Village and added that he understands that it is still not fully executed and the Town does not have the money yet. He added that the public was told at a March Meeting that within two weeks there would be an executed contract and monies that were owed to the Town in arrears so that Sewer Bills would not be affected. He continued by saying that it is his understanding that the Town still does not have a contract and still does not have the money and are still waiting for whatever the current wait dejure is and whatever the Village is asking for in terms of documentation even though they told the public and Town Board at a Joint Meeting that they had everything that they needed and were fully

prepared to execute a contract within two weeks. He concluded by saying that he wanted to know what the Town's position is and why as a Town they have not taken action when he understands it has been contemplated to raise the Sewer Rates when most people that are and have been paying the Town sewer bills, the resident in Town that are not part of the Village, are not getting subsidized rates by lack of a contract and agreement.

Supervisor Traver asked if there were any other comments.

Mr. Craig Thompson stated that he lives on the Stanton Farm and added that he is the Vice-Chairman of the Audubon Council of New York State and continued by saying that in brief he wanted to suggest that agricultural uses in Joralemon Park are not incompatible with park values and park uses. He added that there is minimal conservation degradation and minimal environmental impact from the activities that they are doing and he continued by saying that he wanted to suggest that they continue to let the land be farmed. He went on by saying that an alternative would be to turn it into a soccer field, which would be great but it would involve tremendous capital expense to provide safe access, maintenance and upkeep and surveillance for security purposes, which they do not have right now. He concluded by saying that he would much prefer the sound of growing corn to the sound of ATV use ripping through there and added that he does not have anything against legitimate ATV use but when you can't surveil something, which he believes the Town has an obligation to provide as well as security on Town property, anything can happen and he would much prefer seeing it farmed than just be open space for anyone to do what they want.

Supervisor Traver asked if there were any other comments.

Mr. Gary Bogardus stated that he owns the farm across from the development and added that when he was 17 years old he worked for Bob VanEtten, who farmed that same land in 1960 and continued by saying that it has been continually farmed ever since and prior to that, his father worked the land when he worked for Consolover. He went on by saying he is worried about what goes on over there because he could be next across the road becasue he does the same thing that is being done on the land in the park and if he is forced out they will not like who he sells it to. He concluded by saying that as he had said before, he hates to see neighbors fighting and he believes that there should be some kind of settlement or negotiation because it is a mess.

Mr. Giles Wagner stated that he has a small cattle farm at the border of the Coeymans-Bethlehem border, which is mostly in the Town of Bethlehem and added that he is retired and works part-time for the Stanton's. He continued by saying that he wanted to offer the comment that as farmers, as a Dairy of Distinction and all the other accolade's that the State has given, the Stanton's should mean something to the Board and whatever decisions that they have to make regarding that property because they are outstanding farmers. He went on by saying that the Town of Bethlehem has an Agricultural and Farmland Protection Plan, which he co-authored and added that he would suggest that the Town Board get a copy of it and see if they want to do the same. He added that a group of ten met for the better part of a year and wrote up the plan to protect farmland in the Town of Bethlehem and continued by saying that Coeymans probably has more farmland than the Town of Bethlehem. He continued by saying that it is a good product, serves the public and addresses a lot of the issues that they are talking about and went on by saying that an example would be that if someone sells a lot and it's a certain distance from an agriculture practice, it is a disclosure that has to be brought forth in the sale. He concluded by saying that they also adopted the Albany County Right to Farm Law as policy, which is also addressed in the Plan and reiterated that it might be something that they want to look at and it might solve some of disputes that may arise in the future.

Mr. Bill Buell stated that he spoke at the last meeting and added that he lives at 280 Blodgett Road and is an old farm boy and veteran of Viet Nam and what he sees sickens him. He continued by asking why they can't bring it down to exactly what it is and added that there was a guy that got cow manure on his tires when he drove in his driveway and now he wants to disrupt everything. He went on by saying that we all live with it and the Stanton Farm is one of the outstanding farms here and the other day he rode by the new barns and he noticed that they put cupolas on top of the barns, that are pretty and they

didn't have to put them on and they cost a lot of money but it makes the farm look nice and neat. He concluded by saying that they follow the law and the law is simple and continued by asking why they are all sitting there on a Friday night talking about it because it is their job as the Board, the Board of the Town, who should be stopping the nonsense because they don't need lawyers and they need to move on.

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MOTIONS

Supervisor Traver stated that he wanted to make a motion to cancel the Public Hearing on July 20, 2010 at 5:30pm and added that due to the contract signing with the Village, the rates will change and in turn they will have to schedule a new Public Hearing date, which he proposes to be August 9, 2010. He then asked for a second.

On motion of Supervisor Traver, seconded by Councilman Youmans, to cancel the Public Hearing on July 20, 2010 and rescheduling it to August 9, 2010.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Supervisor Traver continued by saying that he wanted to make a motion to postpone the second Sewer Billing Cycle due to the need for a budget amendment to the Sewer Fund and then asked for a second.

On motion of Supervisor Traver, seconded by Councilman Youmans, to postpone the second the Sewer Billing Cycle.
VOTE – AYES 5 – NAYS 0 – SO MOVED

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NEW BUSINESS

Authorization to Auction Surplus Equipment

Supervisor Traver stated that Highway Superintendent Deering sent a memo requesting permission to auction off the old C-27, which is the 4-door cab truck and continued by reading the following.

TO: Supervisor Traver and Town Board

I am hereby requesting to be put on the agenda for the Special Board Meeting on July 9, 2010 to request authorization to submit the old C-27, 1988 Ford Crew truck bearing Serial # 1FDKE30M2JHB59602 to Auctions International for sale.

Supervisor Traver asked for a motion authorizing Highway Superintendent Deering to auction the vehicle.

Councilman Boehm asked if he wanted to do it now or wait for the next meeting.

Supervisor Traver stated that if they could he wanted to do it now.

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, authorizing Highway Superintendent Deering to auction off the C-27, 1988 Ford Crew Truck using Auctions International for the sale.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Hall vs. Town of Coeymans, et al

Supervisor Traver stated that he was skipping the litigation topic for the moment.

RESOLUTIONS

Supervisor Traver asked the Town Board how they felt about a resolution to hire an Equipment Operator at the Highway Department.

Councilman Youmans stated that he wanted to table it until the next meeting.

MOTION

On motion of Councilman Youmans seconded by Councilman Boehm, to table hiring an Equipment Operator at the Highway Department.
VOTE – AYES 5 – NAYS 0 – SO MOVED

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ADDITIONAL NEW BUSINESS

Hall vs. Town of Coeymans, et al

Supervisor Traver stated that he would offer a motion to adjourn to Executive Session.

MOTION

On motion of Supervisor Traver, seconded by Councilman Youmans to adjourn to Executive Session.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Supervisor Traver stated that they will be returning to adjourn the meeting and added that no further action will be taken.

Time 7:20pm

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EXECUTIVE SESSION

Executive Session commenced in the Supervisor's Office immediately following the adjournment, it was decided to offer a resolution relative to the Hall vs. Town of Coeymans, et al.

Executive Session concluded at 7:32pm.

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RECONVENE MEETING AND ADJOURN

Supervisor Traver called the meeting back to order immediately following Executive Session.

Councilman Youmans offered the following resolution.

WHEREAS, the Town of Coeymans has been named in a law suit, and

WHEREAS, the Town of Coeymans is desirous of having legal representation, now

THEREFORE, BE IT RESOLVED, that the Town Board off the Town of Coeymans does hereby hire John W. Clark, Attorney at Law for the purpose of representing the Town of Coeymans in the matter of Jerome Hall vs. the Town of Coeymans.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Councilman Boehm stated that he would amend the motion to state that they make every effort to expedite contact with the Attorney and provide him with the material for review as soon as possible.

Councilman Youmans agreed to the amendment.

Supervisor Traver asked if there was any other business, hearing none he asked for a motion to adjourn the meeting.

****

ADJOURNMENT

Supervisor Traver adjourned the meeting at 7:34pm.

Respectfully Submitted, **APPROVED:**

_____

Diane L. Millious, Town Clerk

A Special Town Board Meeting was held Thursday, July 15, 2010, at 7:00pm at Town Hall, 18 Russell Avenue, Ravena, New York

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

ALSO PRESENT: Diane L. Millious, Town Clerk
John W. Clark, Attorney
Cheryl Sovern, Associate Attorney

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

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OPENING COMMENT

Supervisor Hotaling stated that the record should reflect the presence of a full Town Board and continued by giving an overview of the agenda.

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AGENDA

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- .
- 0Resolution
  - Appoint Food for Thought Substitute Bus Driver
- Executive Session
  - Litigation, Hall vs. Town of Coeymans, et al

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NOTICE

SPECIAL
TOWN OF COEYMANS
TOWN BOARD MEETING

In compliance with Public Officer's Law, this will inform you that the Town Board of the Town of Coeymans has scheduled a Special Town Board Meeting for the purpose of convening Executive Session to discuss possible litigation. The meeting will be held at 7:00pm on Friday, July 15, 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

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RESOLUTION

RES. # 68-02 APPOINT FOOD FOR THOUGHT SUBSTITUTE BUS DRIVER
On motion of Councilman Boehm, seconded by Councilwoman Rogers, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the Summer Food for Thought Program is in need of an experienced bus driver for transportation daily, July 12th through August 13, 2010, and

WHEREAS, Tammy Provost has been appointed as the designated bus driver for the program, and

WHEREAS, the Food for Thought Program is in need of an experienced back-up (substitute) driver, and

WHEREAS, Tammy Provost and RCS Transportation staff have made a recommendation,

NOW, THEREFORE, BE IT RESOLVED, the Town Board of the Town of Coeymans hereby authorizes the Supervisor to hire Lydia J. McCormack as the substitute bus driver for the Food for Thought Program at the hourly rate of $12.50.

****

ADJOURNMENT TO EXECUTIVE SESSION

Supervisor Traver asked for a motion to adjourn to Executive Session to discuss litigation between Hall vs. Town of Coeymans and continued by saying that they will not be returning for any other Board action.

MOTION

On motion of Councilman Touchette, seconded by Councilman Boehm, the Town Board Meeting was adjourned.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time: 7:03pm

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EXECUTIVE SESSION & ADJOURNMENT

Executive Session convened at 7:03pm with the full Town Board present in addition to Attorney Crist and Associate Attorney Cheryl Sovern to discuss litigation against the Town, discussion ensued, and no decisions were made.

Supervisor Traver asked for a motion to adjourn Executive Session.

MOTION

On motion of Councilwoman Rogers, seconded by Supervisor Traver, Executive Session and the Town Board Meeting were adjourned.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time 7:55pm

A Workshop Meeting was held Tuesday, July 20, 2010, at 7:00pm at Town Hall, 18 Russell Avenue, Ravena, New York

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

ALSO PRESENT: Diane L. Millious, Town Clerk
George Dardani, Justice
Albert Deering, Highway Superintendent
Scott Searles, Deputy Highway Superintendent
Teresa Shear, Confidential Secretary
Chris Ricci, Bookkeeper
Sarah Morrison, Bookkeeper
Tammy Eissing, Court Clerk

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

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OPENING COMMENT

Supervisor Hotaling stated that the record should reflect the presence of a full Town Board and continued by giving an overview of the agenda.

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AGENDA

- NYS Health Department
- Captain's Choice Charter Boat Business
- Riverview Missionary Baptist Church Block Party
- Hannacroix Creek
- Hiring of Highway Employee
- Auction Results for Docks and Surplus Property
- IT Service Emergency
- Water Rents
- Clerk of the Works
- Review of Books – Supervisor, Court, Town Clerk
- Resignation of ZBA Counsel
- Request for ZBA Training

ADJOURNMENT

Supervisor Traver asked for a motion to adjourn the Workshop.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Boehm, the Town Board Workshop was adjourned.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time: 9:30pm

***Respectfully Submitted*,** **APPROVED**

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Diane L. Millious, Town Clerk

A Town Board Meeting was held Monday, July 26, 2010, at 7:00pm at Town Hall, 18 Russell Avenue, Ravena, New York

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

ALSO PRESENT: Diane L. Millious, Town Clerk
Albert Deering, Highway Superintendent
Scott Searles, Deputy Highway Superintendent
David Wukitsch, Attorney for the Town
Greg Darlington, Chief of Police
Teresa Shear, Confidential Secretary

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

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OPENING COMMENT

Supervisor Traver stated that the record should reflect the presence of a full Town Board in addition to Town Clerk Millious, Attorney for the Town Wukitsch, Police Chief Darlington, Highway Superintendent Deering and Deputy Highway Superintendent Searles. He continued by giving an overview of the agenda.

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AGENDA

- Public Comment
- Presentation
  - Albany County Rural Housing Alliance, Presentation of Check for Playground
- Approval of Minutes
  - Town Board Meeting, June 21, 2010
  - Special Town Board Meeting, July 9, 2010
  - Special Town Board Meeting, July 15, 2010
  - Town Board Workshop, July 20, 2010
- Supervisor's Report – June 2010
- Department Reports
  - Building Department Monthly Report, June 2010
  - Police Department Monthly Report, June 2010
  - Sewer Department Monthly Report, June 2010
  - Town Clerk Monthly Report, June 2010
- Old Business
  - Mud Hill Road Maintenance
  - Lock Box for Medics
  - Newburg Steel Fabrication
  - Approval of IT Service Provider
  - Bid Approval, Docks/Surplus Property Vehicle
  - Request for Approval for ZBA Training
  - Town/Village Sewer Agreement
- New Business
  - Request for WWTP Operator to Attend Training
  - Police Reports US
  - Police Equipment
  - Health Insurance Premium Proposal
  - Alcove Preservation Association Request for Soil and Grading at Valley Paper Mill Park

- Resolutions
  - Appoint Highway Equipment Operator I
  - Approve July Abstract
  - Authorize Budget Amendment for Storm Sewer Repair on Colvin Avenue
- Correspondence
  - Get Your Guts in Gear
  - DEC-WWTP Inspection
  - Abounding Love Christian Fellowship
- Town Board Workshops/Meetings
  - Town Board Workshop, August 17, 2010 6:00pm
  - Town Board Meeting, August 23, 2010, 7:00pm
- Adjournment to Executive Session
  - Discussion of Employment History of Town Employee

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PRESENTATION

Albany County Rural Housing Alliance – Presentation of Check for Playground

Supervisor Traver stated that Ms. Judy Eisgruber from Albany County Rural Housing Alliance was in attendance to present to the Town a check from the Albany County Rural Housing Alliance and continued by inviting her to the microphone.

Ms. Eisgruber thanked the Board for inviting her and continued by saying that she is present on behalf of the Coeymans Landing Heritage Fund, which has been funded by the Kellogg Foundation for the last decade. She added that they have been doing many activities in the Hamlet and continued by saying that she has a press release that she wished to read and continued by reading the following:

As part of a beautification effort at Coeymans Landing, the Coeymans Landing Heritage Fund will be donating approximately $24,000.00 to purchase and install new playground equipment, including mulch integrated with geo-tech style fabric at the Coeymans Landing. This follows recent strides by town leadership and the Parks and Recreation Department to plant tubs of flowers, install additional guard rails at the Riverfront Landing and increase the overall maintenance and attractiveness of the recreation area. During 2007 the Historic Coeymans Landing Neighborhood Association was formed to address community issues such as blight vacancy, resident apathy and the overall well being of the Hamlet. Each year the central activities of this vibrant Association have been beautifying the Hamlet by starting a Plant and Groom Program, a Spring and Fall clean-up, a cooking and hot cocoa stand at the Annual Coeymans Landing Christmas Tree Lighting Ceremony, decorating the Coeymans Bridge for the holidays, community bar-b-que's and a newsletter. The Coeymans Landing Neighborhood Association assisted the Albany County Rural Housing Alliance to facilitate an 8 month commitment by the SUNY Syracuse College of Environmental Science and Forestry Center School of Community Design. Each month 15 grad students and 2 professors visited the Hamlet to survey the local residents, interview local businesses discuss the historical perspective with the Coeymans Historic Society and facilitate a monthly meeting of local residents. The meetings were working meetings and at times there were upward of 60 attendees. The interest and desire for a more pedestrian friendly community was and remains to be high. As a result of all the hard work of the graduate students, faculty and community residents, three conceptual designs were formulated and presented to the Town of Coeymans Town Board. In early 2009 the Historic Coeymans Landing Neighborhood Association worked with Cornell Cooperative Extension of Albany County to bring Coeymans Landing's first Farmer's Market to fruition. This Market has proven to be a success to the Hamlet attracting many new businesses each Thursday night between June and October and has grown this year to include new vendors, exhibits, music and a weekly raffle of a basket of local fruits and vegetables. In the future an opportunity for that much needed General Store may be just around the corner with the recent purchase of the former Bruno store by owners very interested in bringing this needed element back to the neighborhood. The Coeymans Landing Heritage Fund will continue to assist them in their endeavor to bring that vision into a reality for the riverside community during

what will be the last year of program funding. The Coeymans Landing Heritage Fund was designed and implemented in 2000 by the Albany County Rural Alliance and J.J.L. & Associate Historic Preservation Company (aka John Bonafidi) utilizing funding from the W.K. Kellogg Foundation. At conception the goals were to provide funding for neighborhood revitalization, the project included 21 building façade restorations, several down-payment assistance grants to homebuyers that were committed to making the Hamlet of Coeymans their home, community building and consensus, community planning, the formation of a Neighborhood Association, the re-opening of a much needed General Store and marketing the Hamlet to the surrounding areas.

Ms. Eisgruber continued by saying that she wanted to say that the Albany County Rural Housing Alliance is grateful to the Board, the Kellogg Foundation for funding this endeavor for the past ten years and as part of that they would like to do a presentation to the Town for new playground equipment. She then presented the check to Supervisor Traver.

Collectively the Town Board thanked Ms. Eisgruber.

Councilman Boehm stated that he wanted to personally thank Judy, John Bonafide and Nelson Perry. He added that it was approximately three months ago when they met at the park and Judy presented the opportunity for the Town to purchase some playground equipment and in turn Nelson contacted Bill Simone, the New York State Contract provider who put together the specs that were presented to the Board and in a matter of a few months they are going to have some nice playground equipment. He continued by saying that it is a fitting tribute from all of the organizations involved to the youth of the community and concluded by saying that they look forward to the ribbon cutting ceremony in which he hopes that Judy can attend.

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APPROVAL OF MINUTES

Supervisor Traver stated that there were four sets of minutes for Town Board approval, a Town Board Meeting on June 21st, a Special Town Board Meeting on July 9th, a Special Town Board Meeting on July 15th and a Town Board Workshop on July 20th and continued by asking for a motion to approve the minutes.

Councilman Boehm interjected that in the July 20th Meeting it states Supervisor Hotaling and should say Supervisor Traver and continued by saying that he would make a motion to approve the minutes with that correction.

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, approving the Town Board Minutes.
VOTE – AYES 5 – NAYS 0 – SO MOVED

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SUPERVISOR'S REPORT

Supervisor Traver continued by reading his report.

June 2010

FUND	BAL. FWD.	RECEIPTS	DISBURSE.	BALANCE
General	763,365.85	36,679.13	231,332.20	568,712.78
Part-Town	447,719.76	635.03	16,030.11	432,324.68
Highway	91,329.52	447.01	53,034.35	38,733.18

Bridge Const.	273,934.98	91.29	-0-	274,026.27
Sewer	75,510.79	16.93	19,196.84	56,330.88
Special Water	17,585.38	718.28	-0-	18,303.66
Police Forf.	2,560.75	3,514.73	270.00	5,805.48
Trust & Agcy.	14,348.78	232,804.88	232,575.52	14,578.14
H-Fund Cap. Proj.	43,823.39	10.61	7,902351	35,931.49
Sect. 8 Hud Units 83	142,392.50	39,836.08	42,733.96	139,494.62
			Total Rec. Bal.	**1,584,241.18**

SAVINGS ACCOUNTS		**COLLATERAL COVERAGE**	**FDIC COV.**	**COLLATERALIZED**
Unemployment	$ 4,062.10	Bank of Greene	$250,000.00	$2,491,867.90
Grove Cemetery	$40,742.66	National Bank	$250,000.00	$ 410,242.80
Sewer- Dedicated	$ 6,301.84			
Total	$51,106.60			

Supervisor Traver asked for a motion to approve the report.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Touchette, the Supervisor's Report was approved as presented and read to the Town Board.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Councilman Touchette stated that he had a question for Attorney for the Town Wukitsch and continued by saying that in the Grove Cemetery Fund there is $40,000.00 and Internal Control Officer Purinton had stated that he believes that they are restricted funds.

Attorney for the Town Wukitsch stated that he can't keep the cemeteries straight and continued by asking if it is the cemetery that they are in the process of getting a deed to.

Councilman Touchette stated that it wasn't and continued by saying that it is the one that the Town took over 6-7 years ago. He added that he does not think that it is perpetual care funds and he does not see why it would be restrictive at all.

Attorney for the Town Wukitsch agreed and continued by saying that the Town has acquired ownership of the property and is now required to maintain it pursuant to State Law and reiterated that he does not see why it would be restrictive.

Councilman Touchette inquired as to if it is in a regular savings account.

Supervisor Traver stated that it was.

Councilman Touchette inquired as to if there is any indication that it is a Trust Fund.

Supervisor Traver stated that he would check with the bookkeeper and let him know.

Attorney for the Town Wukitsch stated that he does not see why it would be.

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DEPARTMENT REPORTS

Building Department – June 2010

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

Councilwoman Rogers continued by giving the report

Supervisor Traver asked for a motion to approve the report

MOTION

On motion of Councilman Youmans, seconded by Councilman Touchette, the Building Department Report was approved as presented and read to the Town Board.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Police Department – June 2010

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

Chief Darlington continued by giving the report.

Supervisor Traver asked for a motion to approve the report.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Boehm, the Police Department Report was approved as presented and read to the Board.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Sewer Department – June 2010

Supervisor Traver asked that Councilman Youmans give the Sewer Department Monthly Report.

Councilman Youmans continued by giving the report.

Supervisor Traver asked for a motion to approve the report.

MOTION

On motion of Councilman Touchette, seconded by Councilman Boehm, the Sewer Department Report was approved as presented and read to the Board.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Town Clerk – June 2010

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

Town Clerk Millious continued by giving the report.

Supervisor Traver asked for a motion to approve the report.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Boehm, the Town Clerk's Report was approved as presented and read to the Town Board.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Town Clerk Millious stated that as Election Officer she wanted to advise that everyone will be receiving a mailing from the Board of Elections titled Election Systems and Software, which is a digital image scanner that will be used in the next election. She continued by saying that the new machine will be at Town Hall on Tuesday August 10th,

Thursday August 12th and Saturday August 14th and the time for the weekdays is 4-8pm and Saturday 9am to 1pm and added that voters can come and try out the new machine, which they have been waiting for since 2004. She went on by saying that she received a letter that was cc'd to the Supervisor and continued by reading the following:

Dear Ms. Millious,

Thank you for once again allowing us to use Joralemon Memorial Park as a rest stop for our charity bicycle ride on June 13th. We had another great ride and expect many return riders and crew again next year. This result would not have been possible without your assistance and generosity.

Again this year, the Ride achieved its goal of broadening awareness about Chron's Disease and ulcerative colitis, which is one of the major purposes of Get Your Guts in Gear, Inc. In addition, the ride was profitable and our beneficiaries will reap a financial benefit from our participant's fundraising efforts.

Cooperation by towns such as Coeymans is vital to producing our ride and we are very grateful for your help. If you have any questions or comments about the ride or our use of the pavilion, please do not hesitate to contact us at (718) 875-2123.

Sincerely,

James McGuinness
Ride Director

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OLD BUSINESS

Mud Hill Maintenance

Attorney for the Town Wukitsch stated that there were attorneys present to speak with the Board about this.

Attorney Joe Catalano introduced himself and added that he and Attorney Galgay were present to represent property owners along Mud Hill Road, the Neumann's, the Labocetta's and the Lohmus'. He continued by saying that prior to 2010 the Town had not maintained and plowed Mud Hill Road along these properties in the winter and in turn on behalf of their clients they wrote to the Town requesting that the road be maintained as required under an existing Court Order that was issued in 1999. He added that thanks to the coordination between the Town Board, Attorney for the Town and Highway Superintendent at some point in January 2010 the road started to be plowed and the maintenance was continued throughout the winter but it was not consistent nor was it something that his clients could continue to expect, which is why they requested to be on the agenda. He went on by saying that they wanted to present to the Town Board the issues as well as to see if they can resolve the problem, which has been persistent for over a decade and resolve it for the future so there is some consistency and expectation that the people along Mud Hill Road can have to have safe access in and out of their property. He added that he felt as though he should point out that there are a couple of long-time residents that have health issues who require ambulance care from time to time and reiterated that it is a very important safety issue. He continued by saying that he appreciates the attention that the Town Board had provided during the winter of 2010, particularly with the new administration of the Supervisor in attempting to resolve this problem. He went on by saying what they need to do is not to resolve it on a week by week or month by month basis but rather resolve it for the long term because Mud Hill Road is a Town Road, which the Town is obligated to maintain as it does other Town roads and added that they continue to be perplexed about the reason that the Town would not maintain it. He continued by saying that they feel as though there has been a pattern of disrespect toward their clients that live along Mud Hill Road who are long time tax payers of the Town and like any other Town resident and property owner there is an expectation that when you live on a Town road, the Town will maintain it as it maintains

other roads. He concluded by saying that the maintenance of the road has only happened in the winter and it would be a nice gesture if the road was improved and repaved as it has been only up to a certain portion.

Councilman Touchette asked that he explain his statement about the maintenance not being consistent.

Attorney Catalano stated that maintenance was non-existent up until January of this year.

Attorney Galgay stated that there is a history to the road and it is hard to do without giving the details and added that they have maps from 1906 showing the road on a map and in 1977 there was a letter that was sent to one of the impending property owners saying that pursuant to their inquiry, the road is a Town maintained road, which was pursuant to an inquiry of someone that was purchasing the property, which is now owned by Mr. LaBocetta who is at the far end of Mud Hill Road. She continued by saying that in 1997 there was a request by the property owner at the corner that the road no longer be maintained and in turn the road was no longer maintained based on the request and there are some other actions that have occurred throughout time that show them that there has been a relationship between one particular property owner and certain members of the Town's administration that would allow some of the activities to go onward. She went on by saying that in 1997 the Town stopped maintaining the road and in 1998 the property owners get a letter from the Town that said they had been maintaining the road for 30 years but would no longer be doing it and in turn their clients brought a Court Order saying that the Town cannot just stop maintaining the road because there are four other families that live on the road and the Town has always maintained it and they wanted the Town to continue maintaining it. She added that there is a settlement between the Town of Coeymans and the property owners, which became a Court Order and basically the Court Order said that the Adams, who are the neighbors on the corner that don't want the road plowed have agreed to no longer interfere with blocking the Town trucks. She continued by saying that the Adams' created an obstacle at the corner, which made it very difficult for the Highway Department to get in and out of the road and said that if the Town damages their septic system they are going to sue the Town and the Highway Department said that they were put in a bind and said that they are either going to damage the property and get sued or no longer maintain the road. She went on by saying that the Court said that they have to maintain the road, so Mr. Adams could no longer interfere and the Town needs to maintain it, which is required for 15 years and it expires in 2014 but unfortunately since the time of the Order there has been no regular maintenance or snow plowing on the road. She added that this has been ongoing, there has been ongoing correspondence, and files where there have been letters and somewhere someone said that they didn't want the Town to maintain the road, notwithstanding that there is a Court Order against the Town. She continued by saying that back in 1999-2000 the Town started to maintain just the Adam's property, which she found interesting because they are the people that don't want it maintained to begin with and it went on and on with letters exchanged and actions to the Court until about 2007-2008 when again the attorney's handling it at the time says that on a snow storm basis they have to beg. She added that their client's have had to pay for snow plowing whenever the Town does not show up and have exorbitant bills and in the meantime one of their client's father had passed away and they could not get the ambulance out of the road in addition to another gentleman having very serious cancer and the Hospice Care cannot always get to his residence. She went on by saying that when she and Attorney Catalano took the case over their first inclination was to reach out to the Town's Attorney and added that Attorney Wukitsch has been very cooperative in trying to guide the Town, especially since the Town is under a Court Order for maintenance but as Attorney Catalano had mentioned it is on a snow storm by snow storm, week by week, month by month basis. She continued by saying that the Town is under an Order by Judge Teresi to maintain Mud Hill Road and plow snow just like they would for any other Town road and while there has been cooperation at a cooperative level, their client's are concerned about what might happen next year and whether they are going to have to go through the same thing with the first snow storm and having no one to plow the road. She went on by saying that they are there to remind the Board that they are under an obligation through 2014 to maintain the road, to request a conversation with the Board regarding what is going to happen after 2014 and to discuss how the Town's involvement is going to assist in assuring that the

first part of the Court Order is in force, which is that the residents at the end cannot block the road to restrict access of municipal vehicles to go up and down the road and added that they asked to come before the Board not to criticize those that had attempted to assist their clients over the last year but rather they feel the need that there needs to be a record and attempt from now forward to insure that these residents are going to have consistent maintenance that they can rely on when the road needs to be plowed. She continued by saying that in addition to that she wanted to point out another matter and that it ties in to why they are so concerned about the actions and where the orders were for there not to be any maintenance in contravention of the Court Order. She added that there is a building that was built on the road, basically right on the road and having practiced Zoning and Planning she knows that there are lot line requirements and continued by saying that they are curious how close the building was built to the road, which causes problems. She continued by saying that the building was built and now all of the cars are parked in the road, which creates more of an obstruction for the municipal vehicles. She went on by saying that in 1974 the property was sub-divided pursuant to Town regulations and one of her clients bought a piece of the property and the survey was on record from 1972 – 2007, which was never disputed or questioned and the taxes were paid on the property but when Mr. Adams, the person that instituted all the issues, wanted to build a garage and it was determined that there was not enough land and he could not build a garage. She continued by saying that in conjunction with the Building Department they had a new survey done and the survey showed that the property line was 15 feet further from what he had been living with for 20 years and the permit was granted and the garage was built before anyone knew about it, which is causing increased difficulty. She continued by saying that they are dealing separately with the issue of the survey and the fact that the two surveys are not consistent and added that they question the involvement of the Code Enforcement Officer in that matter, which was a property line issue and no permit should have been granted.

Councilman Touchette inquired as to when that took place.

Attorney Galgay stated that the survey was done in 2007 for Mr. Adam's property and the survey for her client was done in 1972 and continued by saying that there was a second survey done in 1986 for a neighbor and the 1972 and 1986 surveys were consistent and the 2007 survey was done only to the property line that had to be moved in order to construct the garage. She added that she wanted to give the history on this because she did the research and pulled together all the facts and reiterated that she is a Zoning & Planning Attorney and Attorney for the Town Wukitsch Highway Superintendent Deering, and Supervisor Traver have all tried to assist her clients but she thinks that they are only working within the confines of the orders that had been given previously. She concluded by asking that the Board go back and look at the order and see what they are compelled to do and in turn discuss with them what the future holds for their clients on Mud Hill Road.

Councilman Youmans stated that it seems curious to him that if it is in fact a Town road, why a Judge would order the Town to only maintain it for 15 years.

Attorney Galgay stated that she did not know and added that she was not part of the original court action.

Attorney for the Town Wukitsch stated that he was part of the original action in 1999 and added that at that time the Town took the position that it was not a Town road and the petitioners contended that it was by virtue of continuous use, maintenance and snow plowing. He added that the two judgments that came about were in the nature of settlements of that claim so without conceding that it was in fact a Town road, the Town took on a 15 year maintenance and snow plowing obligation under the judgments. He concluded by saying that the determination as to whether it is a Town road is not made under these judgments but in effect is deferred into the future and added that it is a valid point to bring up that in 1999, 2014 seemed like it was a long way away but now it is 2010 and only a few years ago so it is something that they have to look at carefully and decide.

Attorney Galgay interjected that part of the evidence that was brought in during that court case was past actions and added that it had been maintained since 1947 and some of those people have lived on the road that long as well as having a letter from the Highway Superintendent confirming that it was a Town road, which was maintained throughout the entire time. She continued by saying that it had been maintained until 1998 when Mr. Adams asked that it no longer be maintained because he didn't want the trucks going up and down.

Attorney Catalano stated that the reason that they asked to be present was because even though it may be considered a small road with only a few people on it, they wanted to emphasize the gravity of the situation that their clients have experienced. He continued by saying that in snowstorms they need to get out and go to work and in ill health you might need to go to the doctors and you don't know if the town trucks are going to come by and plow. He reiterated that there has been improvement this year but they are asking for a commitment from the Town that is a public acknowledgement that it is a Town road that will be maintained, which will go a long way in alleviating their client's concerns. He went on by saying that there are other issues that are being eluded to that he would ask that they continue their discussions with the Town and added that he and Ms. Galgay are both Town Attorneys and they are not asking them to make any decisions immediately or take any action. He concluded by saying that their main idea was to start a dialog so that they can resolve the issue because left unresolved there could be some serious liability issues, which they are trying to avoid and added that they thank the Board for their time and they look forward to hearing from them.

Lock Box for Medics

Supervisor Traver stated that he spoke with Dennis Wood last week and he had informed him that he is searching for money, which was discussed at a Workshop, and he is in the middle of purchasing medic vehicles and if there is any money left over he will put it toward the medic box. He continued by saying that Mr. Wood is looking for assistance from the Town to purchase it and assist the Albany County Medics in any way to get the Lock Box down here.

Councilman Boehm inquired as to the price and whether or not the paramedic vehicle is down here.

Supervisor Traver stated that he believes that it is around August 1st that they will start and added that the price is $2,133.00 minus $158.00 for the sales tax.

Councilwoman Rogers inquired as to why they would not wait to see how much money they raise first.

Councilman Boehm interjected that the Town pays $187,000.00 for the Paramedic Program and added that the Lock Box would be convenient for the medics but it would not affect whether or not they are going to be here and added that he would like to wait. He continued by saying that they considered having it stationed in the Police Department and then asked Chief Darlington if he recalled anything.

Chief Darlington stated that it was brought up at the last Board Meeting but that was the last that he had heard.

Councilwoman Rogers interjected that the Rescue Squad suggested that it be kept in the Police Department.

Councilman Touchette stated that it was suggested for there so the Police Department could use it as well and added that he cannot image that the County would allow someone else to have access to their narcotics.

Supervisor Traver stated that it would not be for the Police Department.

Councilman Boehm stated that the Town would have possession if they buy the box.

Chief Darlington interjected that he would need to know what the expectation of the Police Department is as well as the responsibility. He continued by saying that they are talking about narcotics and locking it is one thing but who would has access to it is another and added that he would limit who has access to it.

Councilman Boehm stated that there are certain keys that are allowed.

Supervisor Traver stated that it is a key fob and it will be only the medics themselves that can get in it.

Chief Darlington stated that he was referring to within the Police Department as well and who within the Department would have access to it. He added that just having a box sitting there is not a viable solution.

Councilman Boehm asked Supervisor Traver if Mr. Wood had given a timeline as to when he is going to get back to him about possible funding.

Supervisor Traver stated that he had not and added that he can call him next week and reiterated that Mr. Wood is purchasing vehicles and in turn he was going to let him know how much money was left.

Councilman Boehm stated that he agrees with Councilwoman Rogers that they should wait.

Councilwoman Rogers stated that she does not want to spend $2,100.00 and only be reimbursed $500.00.

Newburg Steel Fabrication – Estimate for Riverfront Handrail

Supervisor Traver stated that he had a quote from Newburg Steel Fabrication for the continuous railing at the river front on the south side for $2,980.00 and added that it is for 28 feet of railing with a request that $1,300.00 be paid upfront to purchase the steel. He continued by saying that this would be to finish the NYMIR request for the railing because of liability issues.

Councilman Boehm interjected that it has been a NYMIR issue but also they had just talked about putting new playground equipment and there will be additional children playing down there. He stated that he would recommend that they go forward because it is a safety issue with the whole south-end open and added that he is surprised that it was not done originally.

Councilman Touchette stated that he noticed that there was space left for maybe another walkway and continued by asking if this will close that off as well.

Supervisor Traver stated that he was going to order steel for that as well and he believes it was part of the estimate for last time but it has not been completed yet.

Councilman Boehm inquired as to if it is the gate that goes to the docks.

Supervisor Traver stated that it was.

Councilman Boehm inquired about it not being there.

Supervisor Traver stated that there is no steel there right now and it is wood bolted up.

Councilman Boehm stated that he wanted to offer a motion.

MOTION

On motion of Councilman Boehm, seconded by Councilman, authorizing the services of Newburg Steel Fabrication to complete the 28 feet on the south end of the sidewalk and pay $1,300.00 immediately to get him started on the job.

VOTE – AYES 5 – NAYS 0 – SO MOVED

Councilman Touchette stated that with the initial railing, he had to come back for the installation.

Supervisor Traver stated that he had to come back and weld the seams.

Councilman Touchette inquired as to if it was a separate charge.

Supervisor Traver stated that he believes that it was and added that he is not sure about this.

Councilman Boehm asked that Supervisor Traver check to see if it is included in the quote.

Supervisor Traver stated that he would.

IT Service Provider

Supervisor Traver stated that Confidential Secretary Shear worked last week on getting an IT Service provider in Town Hall because there is a critical state of computers going down and the server failing. He then asked that Confidential Secretary Shear give an update.

Confidential Secretary Shear stated that she worked together with Town Clerk Millious and added that there have been ongoing server issues that are progressively getting worse. She continued by saying that she called local neighboring municipalities to see what companies they use and in turn she called those companies to come and do a preliminary evaluation and give a quote prior to the Town Board Meeting so she could get it to the Town Board members. She went on by saying that her e-mail, fax and scanner were not working so they were not able to electronically give her the proposals and they are now present to give them and answer any questions that the Board may have. She continued by saying that she wanted to emphasize that it is an emergency situation and they need to act much more quickly than they would like but they have done a thorough job of getting reliable, dependable companies to come down on the recommendation of several municipalities and in some cases personal recommendations. She concluded by thanking the vendors for being extremely cooperative under extenuating circumstances and because of confidentiality they cannot look at everything they need to look and get where they need to get and added that they did a great job at putting this together so they can get moving on this as quick as possible.

Supervisor Traver asked if BAS was present.

Mr. George Vitti introduced himself and added that Jose Holguin-Veras was with him who is head of the IT Services Division and added that they currently are an incumbent vendor to the Town and they are a software vendor as well and the Town Clerk uses their tax collection and Town Clerk software. He continued by saying that their specialty is municipalities and in total from a software point of view they have approximately 700 municipalities in three states with New York being predominant and added that a lot of their clients rely on their IT services. He went on by saying that naturally when you are in the software business you tend to get the first call no matter what the problem really is because sometimes it is hard to discern between a software problem and network problem and they are known for their customer service and support. He added that Jose came last week and spent approximately 3 ½ hours surveying the Town's network server and visited with each department that was available but was not able to get access to the Police Department server, which they understand why, so their proposal reflects estimates in terms of support and continued by saying that once they can have some access they can confirm the estimates that are provided. He went on by saying that they have given some observations in terms of the vulnerabilities that currently exist with the Town's current network structure and on the proposal sheet they separated out the Town Hall network from the Police Department network and based on about 3 ½ hours of looking at everything they have identified some issues with the backup and firewall that

need to be rectified as well as identifying a range of 25-35 hours to come in initially to do the things that need to be done to correct and improve the current network operation, which are listed. He continued by saying that once those things are done they structure for their IT clients a network management services approach where they would become the IT Department and the Town would be able to rely on them as if they were in the building and added that it only takes about 30 minutes to get here. He went on by saying that they currently have two local towns, Stillwater and Greenfield, who rely on them 100% for IT services and reiterated that all they work with is municipal government so they feel they have a good understanding of how municipalities operate and the types of services and support are required. He concluded by saying that they would appreciate an opportunity to work with the Town and added that Town Clerk Millious can tell them about the level of support that they provide from a software point of view and added that when you call their office a human being always answers the phone and they are fully staffed with 24 people in their office in Clifton Park and have been in business for 24 years doing municipal government work.

Councilman Boehm asked what the total cost would be.

Mr. Holguin-Veras stated that it would depend on what they are interested in and added that right now there is a home quality firewall, which is very weak for security and as far as the backup it would depend on the option that they are looking for. He continued by saying that the initial for 25-35 hours ranges from $3,125.00 and $4,375.00 in addition to the ongoing management.

Mr. Vitti stated that if you add up the first four sets of numbers it is $3,858.00 and approximately $9,000.00 - $10,000.00 to correct the current situation and from an ongoing point of view it would be the network management services that he quoted.

Councilman Touchette stated that they have two servers in Town Hall and continued by asking if the Highway Department has a server.

Deputy Highway Superintendent Searles stated that they do not and added that their service is through Mid-Hudson Cable.

Councilman Touchette inquired as to if the Police Department has a server.

Chief Darlington stated that they do.

Councilman Touchette inquired about a server in the Justice Court.

Supervisor Traver stated that it is all done through the State.

Town Clerk Millious stated that the Justice Court uses the Town's internet but their computers and server are through the State.

Supervisor Traver asked that Intelligent Technology Solutions present their proposal.

Mr. Joseph Wolodkevich thanked the Town Board for allowing him to present a potential solution to the issues that the current Town Board is facing and added that they were called to come in and do an initial analysis for the purpose of delivering a quote proposal for an initial fix as well as an ongoing management services contract for the Town. He added that they are located approximately 12 minutes south of Ravena in the Village of Coxsackie and they currently manage 7 different municipalities within a 40 minute diameter of the Town of Coeymans, including the towns of New Baltimore, Rensselaerville, Village and Town of Catskill, Village of Coxsackie and Greenville. He continued by saying that like BAS they are intimately familiar with the software that municipalities need to operate and more importantly they have an in-depth knowledge of all of the software used by Police Departments, Office of Real Property software and the BAS software. He went on by saying that their business is to operate and manage operations for their clients and their proposal is broken into two segments, the first is the initial evaluation fix and assessment, which given the limited time and access to resources within the Town they were not able to fully complete an assessment of every

computer, network port, etc. but given the information that they were given they feel fairly comfortable, based on a determination by the Town of what equipment they would be supporting. He continued by saying that the Court Administration handles the 4-5 computers assigned to the Justice Court and are connected to the network only for internet connectivity and provided full support by the Office of Court Administration and added that he had spoken with their IT support group who maintain the software licenses and found that they will be more than able to work with them, which would lower the cost to the Town. He added that the single biggest benefit is that their approach to technology isn't a break-fix response but more of a proactive approach to reduce reactive costs and spending because when you have to fix it when it breaks, it costs more and their history with municipalities in this region are demonstrated within their quote and they do this for a living day in and day out. He continued by saying that the presentation that they have in terms of a managed contract requires or sets up a virtual private network, it address the back-up solutions both on-site and off-site as well as the current security, which is not good and needs to be addressed very quickly because it is at a critical juncture that needs to be addressed both from a data protection standpoint and OGS standpoint and document protection, specifically in relationship to e-mail, electronic communication, data retention, etc. He concluded by asking if there were any questions.

Supervisor Traver asked if there were any questions.

Councilman Boehm questioned the quote of $5,851.00.

Mr. Wolodkevich stated that this is what they estimated to be the maximum amount to do the initial fixing of the network, which is based on touching every single machine in the network.

Councilman Boehm inquired as to if it is a not to exceed price.

Mr. Wolodkevich stated that at this point it is an estimate based on the information that they have and were able to discuss with Town employees and added that they feel fairly confident that there is enough room in there that the amount of time would come down.

Attorney for the Town Wukitsch inquired as to what the next element of pricing is.

Mr. Wolodkevich stated that within the quote there is a Managed Services Contract, depending on what options they choose, and that is the second quote in terms of off-site backup, actual day to day desktop support, full blown help desk support and added that when you call their office you are directed to a technician without going into a standard que if one is available and in turn they connect to the network and address the problem.

Attorney for the Town Wukitsch inquired as to if it is a go forward type of menu.

Mr. Wolodkevich stated that was true and added that they can actively man the network until it is fixed and added that this is what the first proposal is meant to do, which is get to a point where things are not deteriorating, the data is secure and being backed up and the network is secure.

Councilman Touchette inquired as to if he would be migrating all of the applications to one server.

Mr. Wolodkevich stated that was true and added that the original server is Windows 2000, which is no longer supported by Microsoft and is out of warranty and it houses the two private applications Real Property Services and BAS to a backup software that it about 7-8 years old. He added that the new server is Windows 2003, Small Business server that was purchased approximately 3 years ago and it was not set-up or configured correctly.

Councilman Boehm inquired as to if off-site back-up is included.

Mr. Wolodkevich stated that it is and it is on the Managed Services quote based on a preliminary estimate of 100 gig and they provided ongoing monthly costs and there are

annual prepaid discounts that can be taken advantage of and it can be a month by month basis or an annual basis.

Councilman Touchette inquired as to if they would act as the Network Administrators.

Mr. Wolodkevich stated that they would act as the Help Desk and added that when there is a problem you would call them and added that based on their proactive management they would know about the problems before the Town did. He added that they have agents and alerts that go out and probe the network to make sure that things are happening the way they are suppose to be right down to the back-ups, internet connectivity as well as connectivity to printers.

Attorney for the Town Wukitsch inquired as to if the fix includes hardware and software purchases.

Mr. Wolodkevich stated that within the quote there are hardware purchases that they recommend, which are included in the total dollar amount. He added that everything that they specified carries a minimum of a three year manufacturer warranty next business day on-site and they are the regions largest Dell partner and they prefer their equipment not so much on 100% of functionality but rather on a good price point that meets the needs of their client base.

Supervisor Traver asked if there were any questions, hearing none he asked that Professional Computer Associations give their proposal.

Mr. Bob Shoemaker stated that he is the President of Professional Computer Associates and added that they are located in Red Hook, NY and have been in business for about 12 years. He continued by saying that they are Microsoft Gold Certified Partners, Dell Certified Partners, Cisco and Citrex Partners as well other vendors that they work with and have a staff of 12 full-time technicians, which allows them to focus on what they do, which is network infrastructure support. He added that when they were asked to come and take a look at the network and in turn found many areas that were inefficient and in need of attention with the most critical being the back-up, which is not functioning. He went on by saying that they all agree that the servers need to be consolidated and made whole and added that the server that is running the Small Business can be made whole again but the most important thing after it is made whole is what they do for a back-up solution because many back up to a tape or external drive and many people back the data up off-site but then the question comes as to what you would do when the server actually crashes. He continued by saying that their solution actually provides a virtualized host machine on-site that can actually be generated into a server that functions and in as few a couple of hours they can have the server completely and totally functioning again so the network is back up and running, which is a huge difference from sitting there with a tape or a back-up that they have restored from an off-site location and not knowing what to do with it. He added that that they are very proactive and do remote control support so when there is an issue they can become the remote control help desk and when something needs to be done on an IT basis they would expect a call so they could help the Town determine what the direction is to go. He went on by saying that there is currently a server that is at least 2 years old and has no warranty from the manufacturer and the switch and router has no warranty and is substandard to properly address the tasks and at this point in time he didn't actually quote a new server but the Town would be better served with new hardware. He continued by saying that they can use what is there but it needs to be fixed and made functional and added that PCA has the skill, man power and technique to take care of the situation the Town currently has. He concluded by saying that they work with the Towns of Hyde Park, Marbletown, Red Hook, Red Hook Village and others and they exclusively focus on businesses and do not do homeowner type of things and they don't have a division that does web development or data based design but rather strictly and exclusively support networks and networking computers.

Councilman Touchette inquired as to if the proposal includes replacing the router and switches.

Mr. Shoemaker stated that at this point in time, among the information that he had when he visited, he did not recommend a particular hardware change at this point in time, which does not mean that they don't need it. He added that he needs more information about what the Town's total needs are because they only saw approximately 50% of the network because the Police Department was not involved and continued by saying that he wants to see the entire network before he makes any hardware recommendations. He went on by saying that one thing that he did notice is that currently the e-mail system is not using what they paid for when they bought Small Businesses and added that the mail is not stored on the mail server but rather stored on individual local computers, which would mean that if an individual computer crashes, all the mail on it could go with the computer and the ability to comply with Freedom of Information is not there. He concluded by saying that they want to get the mail system running properly and the functionality to where it should be and added that as far as the hardware, he would come up with a recommendation should they be chosen.

Councilman Boehm asked Town Clerk Millious if she had any input.

Town Clerk Millious asked Confidential Secretary Shear if there were any other quotes.

Confidential Secretary Shear stated that there was an evaluation done by the school and added that they could refer to their proposal as well and continued by saying that there was an individual consultant referred by the Town of Bethlehem but she said that the Town needs way too much long term. She concluded by saying that there were five all together but there are three that presented proposals who are capable after their initial assessment of doing the job that needs to be done.

Councilman Boehm asked Town Clerk Millious what she thinks of the three proposals.

Confidential Secretary Shear asked if she had seen the proposals.

Town Clerk Millious stated that this was the first she had seen them.

Attorney for the Town Wukitsch suggested that they take some time to review them rather than put one person on the spot and added that they are talking about spending a lot of money.

Town Clerk Millious suggested that they call a Special Meeting to appoint someone rather than waiting another month.

Attorney for the Town Wukitsch interjected that they should not wait another month.

Councilman Youmans stated that there are two separate situations and added that there is a dire need today to get up and running and what's not working, working. He continued by saying that in the long-term they know that they have a computer mess and they need to engage a company to come in and do what has been proposed. He reiterated that it is two separate things and he thinks that getting it running so people can do their jobs is first and foremost on his mind. He concluded by saying that to award thousands of dollars in a contract based on hearing someone talk does not make sense to him and suggested that they look through the quotes to see who has the lowest hourly rate and have them come and get the computers fixed so people can work and then move from there.

Councilwoman Rogers interjected that they might not be able to come immediately.

Councilman Touchette stated that he thinks that one of the reasons they are where they are now is because they have done piecemeal and added that they have the opportunity now to look at not just fixing but moving forward and making sure that they can use the technology the way it is suppose to be used. He asked Councilman Youmans if he is suggesting someone for long term and went on by saying that he appreciates the fact that the three companies came together in a matter of a couple days notice and put together really good proposals. He concluded by saying that he thinks that they need a little bit of time to digest the proposals and talk amongst themselves to see what they want to do and added that there is bit of a conflict.

Councilman Youmans asked Confidential Secretary what state they would be in the morning.

Confidential Secretary Shear stated that if it was anything like the previous morning none of them will be able to log on and start their daily job.

Town Clerk Millious stated that they are all offline and it's gotten worse.

Confidential Secretary Shear stated that everything that they have is on the server and added that she cannot even log on to her own computer and can only log on the network so if the network is down she cannot log on at all.

Town Clerk Millious interjected that the new server is in trouble and the old server is not working.

Attorney for the Town Wukitsch suggested that they do a Special Meeting for Friday.

Confidential Secretary Shear stated that she was under the impression from Councilman Boehm, which she might be mistaken but several of them were there, that they knew a general ballpark of the extent of it and that they need someone immediately.

Councilman Boehm stated that it was true and added that they didn't expect the proposals right at the time of the meeting but rather before the meeting, which she could not do.

Councilman Youmans stated that he agrees with Councilman Touchette that over the years it has been pieced together and added that they need a plan going forward, which will take more than hearing three different people talk. He continued by saying that they need some time to digest, study and ask questions, which he is sure that he will have many and went on by asking in the meantime what the solution would be for the following morning and then asked if anyone had any suggestions.

Attorney for the Town Wukitsch interjected that it's not just a matter of coming in and added that the proposal that was presented for the fix and the price for the fix is not something that will happen just like that.

Mr. Shoemaker from Professional Computer Associates stated that it is very likely that any of them could come in and if they are sharp, which they are, they can find out what is stuck and get things back functioning and added that when he was here on Thursday, the computers were working.

Town Clerk Millious stated that it stopped right after he left and added that the cable was down and when they rebooted the old server came up but the new one didn't.

Attorney for the Town Wukitsch stated that they could put a band-aid on it and it could go down again the next day.

Mr. Shoemaker stated that in the short term, short of making a decision of who is going to totally fix it for them, they are going to have to make a short term decision for who is going to fix it tomorrow.

Chief Darlington stated that the person who they purchased the newest servers from, there was an issue with him working downstairs and pushing out someone who was working on computers upstairs. He added that he is the one that is familiar with those computers and continued by saying that he just sent a text to him asking if he would be willing to look at the issue and get them back online and give them time to research further.

Councilman Touchette stated that he thinks it is part of the reason that they are where they are right now.

Chief Darlington stated that the option is the hourly rate and he would be willing to do it or the $5,000.00 that was proposed and added that the Police Department was not involved in this because he was away at training and they had an emergency upstairs, which pushed it along and added that the Police Department is up and running and he would request that they not rush into an IT Service for the Police Department until it can be fully reviewed and they see what is needed downstairs. He continued by saying that there are some other options, if they can look at them, with one hiring an employee as the IT person at a much lower rate and added that there have been a couple offers and then you would only have to pay when they are needed with no contracts. He concluded by saying that his server is running well and he maintained it when it was needed but it was a conflict because he is also an employee of the Police Department and Police Officers get paid a lot less than IT people and he didn't want to continue that way because if he was doing IT things, he wanted to be paid IT rate.

Councilwoman Rogers asked Chief Darlington if he could get them up and running.

Chief Darlington stated that he said that he can look at it and the price depends and it would probably be $55.00 an hour.

Councilman Touchette stated that he does not have a lot of confidence in this particular individual.

Councilwoman Rogers stated that it would be a quick fix and added that they can't make any decisions on something that was just given to them.

Supervisor Traver stated that he would offer a motion to hire Steve Prokym with Keep Lock Security at $55.00 an hour for IT services.

MOTION

On motion of Supervisor Traver to hire Keep Lock Security at $55.00 an hour to look at the IT Services.

Mr. Wolodkevich from Intelligent Technology Solutions stated that the problems and issues that they are having right now with offline could be solved in about 20 minutes and added that it is not a difficult fix.

Chief Darlington stated that he has brought them back online in the past.

Supervisor Traver stated that he has a motion of the floor for Keep Lock Security for $55.00 an hour for temporary IT Service.

Councilman Boehm asked if there is a cap.

Councilman Touchette asked how many hours.

Councilman Youmans stated that he would second it for discussion and continued by asking if anyone has any other solution.

Supervisor Traver asked Councilman Touchette if he had any other solutions.

Councilman Touchette stated that he didn't.

Supervisor Traver called for a vote.

VOTE – AYES 4 – NAYS 1 – SO MOVED

Councilman Touchette thanked the IT Companies for their proposals and added that they will be making a decision and in turn communicate it to them.

Bid Approval – Docks/Surplus Property Vehicle

Supervisor Traver stated that they talked about the docks at the Workshop and added that he spoke with Captain Al from Captain's Choice and he is not interested in the docks. He continued by reading the following bid results:

1998 Chrysler Cirrus LXI	$410.00
Lot of Docks	$642.00

Supervisor Traver asked for a motion to accept the bids.

MOTION

On motion of Councilman Youmans, seconded by Councilwoman Rogers to accept the bids as read for the 1998 Chrysler Cirrus LXI and the lot of Docks.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Deputy Highway Superintendent Searles stated that he spoke with Karen from Auctions International and she said that she will hold the bids until the meeting but she could not guarantee that the bidders would do the same. He continued by asking the Board what they wished to do if the bidders are now not interested because they waited.

Councilwoman Rogers stated that he should re-bid it.

Supervisor Traver agreed.

Councilman Touchette stated that the next time that they bid it they need to specify that the bid has to be accepted by the Town Board at some time period prior to the next Town Board Meeting.

Request for ZBA Training

Supervisor Traver stated that he was in receipt of a request for Zoning Board of Appeals Member Robert Rivers to attend training for a fee of $80.00 and continued by asking for a motion to approve the request.

MOTION

On motion of Councilman Youmans, seconded by Councilwoman Rogers, approving the attendance of Zoning Board member Rivers for a registration fee of $80.00.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Town/Village Sewer Agreement

Supervisor Traver asked that Councilman Youmans discuss the Town/Village Sewer Agreement.

Councilman Youmans stated that since June 2008 the Town has been without a contract with the Village of Ravena and as everyone is aware negotiations occurred between then Supervisor Hotaling, himself, Mayor Bruno and Trustee Bailey that spans a period of many months and many of the negotiations proved to be fruitless. He continued by saying that most of the terms of the contract were negotiated by then Supervisor Hotaling, Mayor Bruno and the other parties involved and not much has changed since then. He added that the Village voted on it a couple of weeks ago and approved the contract and in turn it is up to the Town Board to vote on it for approval and continued by offering a motion.

MOTION

On motion of Councilman Youmans, seconded by Councilman Boehm, authorizing the Supervisor to execute the contract with the Village of Ravena.

Councilman Boehm stated that the Sewer Agreement with the Village required a lot of work and time and added that he appreciates all of the hard work that he put into it.

Councilwoman Rogers and Supervisor Traver agreed.

Councilman Touchette stated that he wanted to echo that and added that he also wanted to note that they determined how much the arrearage they are going to pay upon execution of the Agreement which goes through January 1st and from January 1st on they are going to pay the budgeted amounts.

Councilman Youmans stated that it is how it reads.

Councilman Boehm inquired as to if $355,984.89 is the amount that they are going to get.

Councilman Youmans stated that was correct.

Councilman Touchette inquired as to where they stand with the locations of the meters.

Councilman Youmans stated that the locations have been determined and added that there is not an appendix like he had hoped for but he is confident that it won't be an issue. He continued by saying that the Hamlet has carried an unfair burden in relation to sewer costs and continued by saying that he wants them to know that he believes that the contract solves the inequities and brings them in 2012 to a playing field where no one will feel that they are getting the short end of a stick. He went on by saying that he believes that meters is the only fair way to go to measure the sewage where it enters the Village's system and where it leaves it and it is the only fair way to determine what the Village is actually contributing to sewage. He continued by saying that in 1969 it was suppose to be part of the plan but never happened and again in 1999 it was part of the plan that never materialized but now it is a contractual obligation.

Councilman Boehm stated that he also wanted to thank Trustees Persico, Case and Bailey for their hard work.

Councilman Youmans stated that they all spent a lot of time together on this and he would echo that.

Councilman Touchette stated that Councilman Youmans put his heart and soul into it and continued by thanking him for keeping on it and finally coming to a resolution.

Supervisor Traver stated that he wanted to take a roll call vote for the Sewer Agreement.

Town Clerk Millious continued by doing a roll call vote.

Supervisor Traver – ABSTAIN, Councilwoman Rogers – AYE, Councilman Boehm – AYE, Councilman Youmans – AYE, Councilman Touchette – AYE

Councilwoman Rogers stated that they had to revisit the IT Services because Mr. Prokym has indicated that he will not do it.

Chief Darlington stated that Mr. Prokym felt that it was not full Board approval as well as observing the Board and not being happy with certain comments and if the trust and confidence was not there he didn't want to do it.

Attorney for the Town Wukitsch stated that Intelligent Technology Solutions indicated that it will take only an hour to do and continued by suggesting that they pay them to do it.

Councilman Boehm, stated that he would offer a motion to hire Intelligent Technology Solutions at an hourly rate to get the IT system operational and continued by asking that Mr. Wolodkevich confirm what the hourly rate will be.

Mr. Wolodkevich stated that based on a potential relationship they would be willing to give a preferential service contract rate of $72.25 an hour as opposed to their standard rate of $110.00 in and around the Albany Capital District area as well as there not being a charge for travel because the Town is within the mile radius of their business.

MOTION

On motion of Councilman Boehm seconded by Councilman Youmans, to hire Intelligent Technology Solutions at the rate of $72.25 per hour to immediately begin repairing the system.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Mr. Wolodkevich stated that they have executed a non-disclosure confidentiality agreement with the Town of Coeymans, which binds them to confidential regulations.

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NEW BUSINESS

Request for WWTP Operator to Attend Training

Supervisor Traver stated that he was in receipt of a request from Chief Operator Breedlove for Operator Lennon to attend training and continued by reading the following:

I would like to request approval for John Lennon to attend the Advanced Activated Sludge Workshop in Johnstown NY on August 24-25. This is a very good workshop and is being co-sponsored by NYSDEC and NYWEA. The cost of the Workshop is $70.00 for two days. John will drive his own car to the Workshop.

Councilman Youmans inquired as to the date of the request.

Supervisor Traver stated that the request was June 15th.

Councilman Youmans stated that he has had subsequent conversations with Chief Operator Breedlove and it was his recommendation that they hold off on this.

Supervisor Traver asked if they should table it.

Councilman Youmans stated that they should.

Replacement of Portable Pump at WWTP

Supervisor Traver stated that he was in receipt of a memo from Chief Operator Breedlove and continued by reading the following:

One of our portable pumps is out of service and it is not economical to repair. Attached are price quotes for a replacement pump and for two alternate pumps. I would like to recommend a Zoeller High Head Waste Pump. We have had good service with this pump. Please contact me if you need more information.

Councilman Youmans stated that he has spoken with Chief Operator Breedlove about the pump, which is a necessary piece of equipment and it is not optional.

Councilman Touchette stated that it is $939.00.

Councilman Youmans stated that no Board action is required and suggested that Supervisor Traver sign the purchase order for it.

Councilman Boehm inquired as to if it exceeds the purchase order amount.

Supervisor Traver stated that it does not and a purchase order is required if it is over $200.00.

Councilman Boehm stated that he wished to offer a motion.

MOTION

On motion of Councilman Boehm, seconded by Councilman Youmans, authorizing Chief Operator Breedlove to purchase the pump in the amount of $939.00.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Police Reports US

Supervisor Traver asked that Chief Darlington explain what Police Reports US is.

Chief Darlington stated that Police Reports US currently is a free online service where the insurance companies and insured can obtain their accident reports. He continued by saying that when a Supervisor reviews a report they provide software, the Police Department adds some basic information and in turn they can go online and retrieve their accident reports. He added that there are fees associated with it that Police Reports US would get for themselves and went on by saying that currently the fee for an accident report alone is $13.00, which is because their clerk has to research the records, make copies and deal with the mailings. He continued by saying that they continually get on an average of 3-4 accident report requests per week, which has a check associated with it that has to be processed. He went on by saying that this would take care of it and because they would not be doing the physical search and paperwork he would suggest a reduced fee of $9.00 and $5.00 would be the return to the Town with US Report getting $4.00, which is a $4.00 savings and added that monthly they will directly deposit the fee into the Town's account. He concluded by saying that he is looking for the approval to do it and for the Supervisor to sign the Memorandum of Agreement.

Attorney for the Town Wukitsch inquired as to what they will do if someone sends a request and $13.00.

Chief Darlington stated that they would take the check and retrieve the record and attach a card with the web page to the receipt for future use and added that the officers will also give out the information. He added that you will be able to see if the report is ready but you won't be able to retrieve it until the fee is paid.

Town Clerk Millious asked if it will remain the same as far as the Town Clerk's Office.

Chief Darlington stated that it won't and added that it is his understanding that the funds will be deposited directly in a Town account and added that it is less work for her and less work for the Police Department.

Supervisor Traver asked for a motion.

MOTION

On motion of Councilman Youmans, seconded by Councilman Touchette, authorizing the Supervisor to enter into an Agreement with Police Reports US.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Police Equipment

Supervisor Traver asked that Chief Darlington discuss the purchase of new equipment.

Chief Darlington stated that in the 2010 Budget the .2 accounts were frozen, which froze the purchase of a new police car and added that currently he has three cars that are becoming in very rough shape and two of them have in excess of 140,000 miles and the repairs are becoming more costly. He continued by saying that the other issue that he is having is the safety of the officers when they have to respond to a call at higher speeds and went on by saying that the other car that he is referring to is his car that is over 11 years old. He added that the other day on his way home the road turned to the left and his car continued straight when the front end fell out of it and he is lucky that he was not

responding to a call. He concluded by saying that he is looking for Board approval to start looking at the cost of a new car to discuss at the next Workshop and continued by saying that they should consider a purchasing plan for the future so they are not trying to purchase a large number of cars every 3-4 years and they should try to come up with a rotation plan like they previously had.

Councilman Boehm inquired as to what the average life expectancy and mileage is for each car.

Chief Darlington stated that it is 3 years and approximately 100,000 miles and added that they are currently pushing 4-5 years at 140,000 miles.

Councilman Touchette inquired as to the budget line item.

Chief Darlington stated that it was .2 but that was erased out.

Councilman Touchette inquired as to if it was police equipment/capital outlay.

Chief Darlington stated that it was.

Councilman Touchette stated that he was originally budgeted for $44,000.00.

Councilman Boehm inquired as to if it was for one car or two.

Chief Darlington stated that it was for one car and some other equipment that was going to be purchased.

Councilman Youmans stated that when they froze the account the intention was not to take it away but rather get into the 3rd to 4th quarter to see where they stood and make decisions at that point and added that his mind has not changed on that.

Councilman Boehm inquired as to if he is looking for permission to start looking at prices.

Chief Darlington stated that he was as well as coming up with a solid plan for the future and added that when he goes home after the meeting he has to drive with high beams because it is a $400.00 repair for a headlight module.

Councilman Youmans suggested that he gets that repaired.

Chief Darlington stated that $400.00 a month or more for his car and the other two cars starts adding up and added that as they all know budgets were cut and he didn't budget for large repairs on a routine basis.

Councilman Touchette inquired as to if Police Departments ever lease vehicles.

Chief Darlington stated that several years ago they leased and when you go to turn them in after the lease, because of the abuse that they take, it is not feasible. He continued by saying that in talking to the previous Supervisor and Control Officer Purinton, another option because it is an expense that goes over a 3-4 year period, rather than taking it out in one year, is to bond it for 3-4 years so that it is paid for at the end of the cycle. He concluded by saying that this would be instead of trying to budget one large sum altogether in one year.

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

Councilman Boehm stated that he would like to authorize the Chief to start looking and added that it is something that they have to face because of the mileage and the wear and tear of the vehicles.

Supervisor Traver asked for a motion.

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, authorizing the Chief of Police to start researching the cost for cars to start to rotate out the old ones.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Health Insurance Premium Proposal

Supervisor Traver stated that he wanted to table the Health Insurance Premium Proposal topic until the next meeting so that the Board has an opportunity to look at it and added that they have until September 1st.

Councilwoman Rogers inquired as to which MVP proposal they are using now.

Supervisor Traver stated it is I, II, III and IV.

Councilwoman Rogers stated that it has to be printed out clearer.

Alcove Preservation Association Request for Soil & Grading at Valley Paper Mill Park

Supervisor Traver stated that he was in receipt of a letter from Alcove Preservation Association requesting two large dump truck loads of soil and continued by reading the following:

Dear Supervisor Traver:

The Alcove Preservation Association requests two large dump trucks loads of soil and grading of the soil to further landscape the Valley Paper Mill Park. The soil will be used to re-grade the area around the planter bed and the realigned entrance driveway.
I have spoken to Albert Deering and determined the soil is stock piled at the Highway Garage.

Sincerely,
Thomas Sweeney

Supervisor Traver stated that the previous Board granted a request for it.

Councilman Rogers stated that they had.

Councilman Boehm interjected that the park will eventually become Town property.

Mr. Tom Sweeney interjected from the audience that it will.

Councilman Boehm continued by offering a motion.

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, authorizing Highway Superintendent Deering at his convenience, deliver the soil requested by the Alcove Preservation Association to their site.
VOTE – AYES 5 – NAYS 0 – SO MOVED

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RESOLUTIONS

RES. #69-10 APPOINT HIGHWAY EQUIPMENT OPERATOR I
On motion of Councilman Touchette, seconded by Councilwoman Rogers, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the Superintendent of Highways is desirous of filling a position of Equipment Operator I at the Highway Department, and

WHEREAS, the Albany County Civil Service Department has confirmed this job title as a non-competitive position requiring the chosen candidate to meet minimum qualifications, and

WHEREAS, the Highway Superintendent has confirmed the candidate meets minimum qualifications,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby appoint Peter J. DeLuke, to the position of Highway Equipment Operator I, effective immediately, at a salary consistent with the Labor Management Agreement in effect and contingent upon a successful pre-employment drug screening report.

RES. #70-10 APPROVE JULY 2010 ABSTRACT
On motion of Councilman Boehm, seconded by Councilwoman Rogers, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

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

FUND	VOUCHER #	AMOUNT
GENERAL (A)		
General Pre-Pay	1205-1263	$188,582.76
General	1204,1319-1360,1365-1366	$ 16,272.40
	General Total	**$204,855,16**
POLICE FORFEITURE (A)		
Police Forfeiture Pre-Pay	1264	$ 270.00
Police Forfeiture	1361	$ 400.00
	Police Forf. Total	**$ 670.00**
PART-TOWN (B)		
Part-Town Pre-Pay	1265-1280	$ 13,937.29
Part-Town	1362-1364,1367-1368,1421	$ 1,264.11
	Part Town Total	**$ 15,201.40**
HIGHWAY (D)		
Highway Pre-Pay	1281-1292	$ 49,169.12
Highway	1346,1369-1397	$ 51,740.79
	Highway Total	**$ 100,909.91**
SEWER (SS)		
Sewer Pre-Pay	1293-1310	$ 16,294.40
Sewer	1398-1420	$ 16,410.63
	Sewer Total	**$ 32,705.03**
	Total for all Funds	**$354,341.50**
TRUST & AGENCY (TA)		
Trust & Agency Pre-Pay	1311-1318	$236,946.76
	Trust & Agcy. Total	**$236,946.76**

RES.# 71-10 APPROVE BUDGET AMENDMENTS
On motion of Councilwoman Rogers, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the Town Board passed a resolution on March 16, 2010, authorizing the expenditure of $16,000.00 for the purchase of materials for the repair of a storm sewer in the vicinity of Colvin Avenue and Westerlo Street, and

WHEREAS, the Supervisor was directed by the Town Board to prepare any necessary budget amendments for this repair, and

WHEREAS, the Town established line item DB5140.4 in the 2010 Budget, and

WHEREAS, upon the completion of this repair the cost over-run is $6,675.98.

NOW, THEREFORE, BE IT RESOLVED, the following budget amendments to the Highway Fund – Part Town (DB) and General Fund – Part Town (B), to record the cost over-run:

Increase DB 5140.4	Misc. Colvin Avenue Storm Sewer Repair	$6,675.98
Increase DB5031	Interfund Transfers	$6,675.98
Increase B9901DB	Transfer to Highway	$6,675.98
Increase B1120	Non-Property Tax Distribution by County	$6,675.98

RES. #72-10 AUTHORIZE RETAINER AGREEMENT FOR ZONING BOARD OF APPEALS ATTORNEY
On motion of Councilman Youmans, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE 5 – NAYS 0 – SO MOVED

WHEREAS, there exists a vacancy in the position of counsel to the Town's Zoning Board of Appeals effective July 31, 2010

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby appoint Brendan Baynes, Esq. to serve as legal counsel to the Zoning Board of Appeals, effective August 1, 2010, for a yearly fee of $6,000.00 payable by monthly voucher submission, prorated to reflect services through the end of 2010; and

BE IT FURTHER RESOLVED, that the Town Supervisor, Henry C. Traver, is hereby authorized to execute a retainer agreement with Brendan Baynes, Esq. for services as counsel to the Zoning Board of Appeals.

Councilman Boehm stated that former Zoning Board of Appeals Attorney Penpraze has offered to work with Attorney Baynes for no charge and added that he wanted to thank her for doing that as well as for her service and guidance to the Zoning Board of Appeals.

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PUBLIC COMMENT

Supervisor Traver invited the public to comment at this time.

Mr. John Allen introduced himself and added that he lives at 37 Westerlo Street and said that he wanted to thank Councilman Youmans for his work on the Sewer Contract. He continued by saying that he wanted to be sure that the residents of the Hamlet are getting the best, fair and equitable arrangement and he would ask that the Board take immediate action to rectify the lack of billing for the 19, mostly businesses along Rte. 9W, who have not been billed for sewer within the last 3 years so the rest of the residents are not picking up the tab and those businesses are paying their fair share of the sewer rates. He added that he understands that the Board approved the Agreement but it is not a signed Agreement and went on by saying that he was asking that they take immediate action because they have been promised as residents, since December, that this was eminent and

then in March the trustees promised that it would be executed in two weeks, but as Trustee Bailey had promised it was not signed.

Councilman Youmans stated that until they approved the Agreement, there was not anything to be signed.

Mr. Allen stated that he understands but there have been delays repeatedly and there have been arguments that this Board has not acted, which is part of the reason for the delays and reiterated that there have been repeated delays in spite of assurances otherwise. He continued by saying that he is aware that there is going to be a Public Hearing for new Sewer Rates as a result of budget demands coming up in a couple of weeks and the Town does not have the money from the Village, which puts an inordinate burden on the people that have been paying for the sewer and will continue to be paying for the sewer because they don't have any other options. He added that he wants to be sure that there isn't going to be another technical reason for a delay in actually signing a firm Agreement and getting the check that has been promised since December in a timely fashion. He continued by saying that as they are going to hold a Public Hearing a question that he has as well as many members of the Hamlet would like to know is when they set the rate, will people in the Village be paying the same rate as those of the Hamlet or is just the Hamlet going to be increased whatever the amount is going to be and everyone else gets a free ride. He went on by saying that four members of the Board do not pay into it but those that do pay would like a fair and equitable distribution and added that Councilman Youmans believes it is fair based on flow rates but when his neighbor who lives several door up from him who happens to live in the Village, pays ¼ of what he will pay in the new rate adjustment, which is not fair or equitable because sewage is sewage and the rate should be consistent across the Board. He concluded by saying that he would ask that they consider it as they are moving forward to insure that the rates are fair and if they are going to be raised they should affect everyone in the process and if it doesn't he would ask that the Board continue to look at what they need to do to resolve the contract issues so that there is a sewer rate that is the same no matter where you live that people pay and then thanked the Town Board.

Supervisor Traver asked if there were any other comments.
Ms. Mary Driscoll stated that she wanted to clarify a couple of things about the Concerned Citizens Committee and continued by saying that she wanted to clarify that the committee has nothing to do with politics. She added that they are concerned citizens not connected with any political people and as much as she appreciates Supervisor Traver's attempt to bring in some businesses, she wanted to say that they are not connected with Councilman Youman's committee that he is trying to raise. She went on by saying that they are alive and well and have a couple short and long term projects that they are doing and will be hearing more from them later on. She continued by reiterating that she wanted to clear it up that they are not connected politically with either the Town or the Village but just concerned citizens about the community and then thanked the Town Board.

Supervisor Traver asked if there were any other comments.

Mr. Fred Lake introduced himself and continued by saying that he was at a meeting approximately 2 months ago about his property at 5 Colvin Avenue. He continued by saying that the property is sinking next to his house along with his neighbor Donna Pasquini's and the Town Board had indicated that someone would be taking care of it. He added that he has not heard anything and he is concerned about them doing something because his sewer is sinking, which is the drain that comes from his house and everything coming from his house goes to the corner, the property is sinking and it will break the line. He went on by saying that the Town fixed some of it but not all of it and they re-routed it to go to the end of the street and continued by asking what is going to be fixed on the property that is sinking where there still is a problem. He concluded by asking if anyone had gone down to look at it and had any thoughts on what they might do.

Supervisor Traver stated that as he had said the last time, they have to contact C.T. Male, the Engineer, to see what the next step is and added that he believed that there was talk of doing a flow into the old system that will fill in that area. He continued by saying that he

believes in front of that project was to fix the main sewer going from Mr. Lake's yard to the manhole on Westerlo Street because where it is going in there is a 90 degree turn that goes out to Westerlo Street so they may possibly move the manhole down and create a new so there is more of an angle so it's not creating a turbulence into the manhole.

Mr. Lake inquired as to if they are actually going to dig up the yard, fill it in and level it off.

Supervisor Traver reiterated that they are waiting to hear on the next step from C.T. Male.

Mr. Lake asked if this is something that they are keeping up on or if it is on the back burner and added that he wanted to see something done but he has not heard anything. He continued by asking about the paving of the road and if they were going to wait until it is settled before they do it.

Highway Superintendent Deering stated that it will be done next month.

Mr. Lake said that it is getting hard for the kids to ride their bikes with the road dipping and added that he is pretty sure that it is as settled as it is going to get. He continued by saying that it is great that the park is going to be cleaned up and railing is going to be put up and it is nice to know that it is being taken care of.

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CORRESPONDENCE

DEC-WWTP Inspection

Supervisor Traver stated that he was in receipt of a report from DEC regarding the Sewer Plant Inspection.

Councilman Touchette stated that on the last page there are inspector comments and added that he is not sure where they came from but they seem inappropriate to him. He continued by reading the following comments:

- Supervisor Traver in May asked for a "wish list"
- Still waiting for agreement from Village
- Town Board is fighting against improvements, the Town Supervisor is pro-improvement.

Councilman Touchette continued by asking where the comments came from.

Councilwoman Rogers stated that they came from an employee at the Sewer Plant.

Councilman Youmans stated that this is something that they will be discussing in Executive Session.

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

Abounding Love Christian Fellowship

Dear Community Leader:

As we are all too aware being in the northeast, we live with the threat of a variety of possible emergency situations – devastating fire, flood situations, high wind damage, and of course ice and snow storms. All these situations and more can block roads, knock out power and place our people in harm's way in many ways.

Because of the real possibility of dealing with one or more of these emergencies we are hosting a community Emergency and Financial Preparedness Seminar, "Equipped to

Care". This seminar is being presented to activate, educate and equip individuals and organizations to deal with potential emergencies.

Speakers will include a Certified Financial Planner who will address financial preparations for emergencies, and representatives from FEMA (Federal Emergency Management Agency, SEMA (State Emergency Management Agency) and the American Red Cross. Each speaker will address practical methods, individuals and organizations can prepare or emergencies not just to care for themselves but to help the community at large.

The seminar is open to the public and there is no charge.

We invite you to attend and also extend the invitation to persons in your organization or those you know. We believe all will benefit in this important seminar. It will help individuals, families and organizations assess their readiness for dealing with emergencies and give answers in how to prepare.

Please call (518) 756-6820 to register. Seating is limited so call early to reserve your place. There will be registration at the door.

We look forward to preparing together for the betterment of the communities.

Sincerely, Pastor Chuck Engelhardt

Supervisor Traver stated that it is from the Abounding Love Church at Faith Plaza and it is August 7th from 9am to 1pm with representatives from State and Federal Agencies to help the community prepare for disasters. He continued by saying that they are asking for representatives from the Town Board and the Police Chief and fire companies have been invited as well. He concluded by saying that he will be attending and if any other members of the Town Board would like to go they should let him know so he in turn can let them know that they are going to be there.

TOWN BOARD WORKSHOPS/MEETINGS

- **Town Board Workshop, August 17, 2010, 6:00pm**
- **Town Board Meeting, August 23, 2010, 7:00pm**

ADDITIONAL COMMENTS

Supervisor Traver asked if there were any other comments.

Councilman Boehm stated that the Summer Recreation Program had some of its best numbers last week and added that it is a drop-in program at Mosher Park that is in conjunction with the Village.

Supervisor Traver asked if there were any other comments.

Councilman Touchette stated that he wanted to thank everyone for their kind words and condolences on the death of his mother-in-law. He continued by saying that he wanted to comment on the outreach that is provided to the Town by the faith communities in town and added that Abounding Love is hosting a seminar, Riverview Missionary Baptist Church told the Town Board their plans to have a Block Party, and a number of churches have come together for the Summer Feeding Program for youth in the community who would otherwise go hungry and added that it shows how important the faith communities are to the Town. He went on by saying that the Farmer's Market is going strong in its second year and two weeks ago there were nine different vendors and there are a number of people who are showing up regularly each week. He continued by saying that it is being done in conjunction with the Evenings on the Green, which Councilman Youmans put together and concluded by saying that it is a great place to be on Thursday night.

Councilman Boehm interjected that with the Coeymans Fire Department there you can get dinner as well.

Supervisor Traver asked if there were any other comments.

Town Clerk Millious stated that she wanted to mention that the Public Hearing on the Sewer Rates is August 9th at 7:00pm and added that it was not on the agenda but she felt as though it was important to mention.

Supervisor Traver asked if there were any other comments.

** Tape Change Councilman Boehm

Chief Darlington stated
jet ski and small watercraft, took out a telephone pole and the wires fell on the police car and added that thankfully no one was injured. He continued by saying that he will be getting a quote for the damages and will be submitting it to his insurance company. He went on by saying that the night before the Coeymans Police and the local dive team was called out to a boating accident on the Hudson River when someone felt the need to drink and drive ended up with his boat on the rocks and ultimately was arrested for boating while intoxicated. He concluded by saying that the Village has a water restriction and he wanted to make the residents aware.

Councilman Youmans stated that the notice said that the restriction says no sprinklers.

Highway Superintendent Deering stated that he wanted to make sure that Mr. Lake understands that when he said next month, it could be sometime next month or the first part of September and added that when the contractor is ready to come he comes. He continued by saying that he wanted to make sure that it is understood that if he doesn't see him next month it does not mean that it isn't going to get done.

Mr. Lake stated that he just wanted to make sure that it was going to be done.
Highway Superintendent Deering stated that it is on his schedule.

Supervisor Traver stated that they discussed at the last Workshop Meeting the possibility of splitting the room at the Community Beautification Building in half for the Historical Society because the school is going to have their offices at Village Hall. He continued by saying that Town Clerk Millious talked to Board of Elections earlier in the day and it was determined that due to elections it is not feasible to split the room. He went on by saying that he along with the Mayor and some youth talked about possibly having a Skate Board park behind the firehouse on the Town's tennis courts but in talking with the seniors it was decided that the Village is going to put a Skate Board Park at Mosher Park and they have already started by putting some planking down, which is already being used by some skate boarders.

Councilman Boehm inquired as to if it is open to all Town residents.

Supervisor Traver stated that it is and added that the location is in the corner where it won't affect anyone and added that they are asking that no ramps be brought in because what is put in has to be approved by the Village because of safety concerns.

Councilman Youmans interjected that it is the Village's Park.

Supervisor Traver stated that it is and there is no responsibility on the Town's part. He added that the Mayor came up with a good idea and now the Town has a Skate Park. He continued by saying that he was requesting from the Board that they hold a Special Meeting due to the fact that they passed the Intermunicipal Agreement between the Town and Village so they can start looking at some numbers for the budget amendments to pay back some funds and come up with new rates prior to the Workshop Meeting on August 9th.

Councilman Boehm inquired as to if he was asking for a Joint Meeting.

Supervisor Traver stated that he wasn't and it would be to discuss budget amendments and set rates for the August 9th Meeting and continued by saying that he was proposing Thursday night at 6:00pm.

Collectively the Town Board stated that they would be unavailable..

Supervisor Traver asked the Board to come up with another time that they could meet to set the rates prior to the meeting.

Councilman Youmans stated that he would question why the whole Board would have to be involved in the process.

Supervisor Traver stated that Councilman Youmans has been talking to Larry Conrad as well as talking to him as well and continued by asking Councilman Youmans if he wanted to keep the discussions between the three of them.

Councilman Youmans stated that Larry Conrad is going to be out for 3 weeks due to knee replacement and continued by saying that he would be more than happy to sit down with him on a Friday afternoon to go through it together and added that he will show him what he has so far and they can go from there. He added that he could not see pulling everyone in when they don't have the facts and figures and continued by saying that the two of them can piece it together and then present it to everyone prior to the meeting.

Supervisor Traver agreed.

Councilman Youmans stated that they can meet this coming Friday afternoon at 2:30-3:00.

Supervisor Traver agreed.

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ADJOURNMENT TO EXECUTIVE SESSION

Supervisor Traver asked for a motion to adjourn to Executive Session to discuss the employment history of Town employees and added that they would not be any further Board action but they would be returning to formally adjourn.

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers to adjourn to Executive Session.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time: 9:20pm

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EXECUTIVE SESSION

Executive Session commenced at 9:29pm in the Supervisor's Office and discussion ensued, no Board action was taken.

Supervisor Traver asked for a motion to adjourn Executive Session.

MOTION

On motion of Councilman Touchette, seconded by Councilwoman Rogers, Executive Session was adjourned.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time: 9:54 pm

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RECONVENE MEETING TO FORMALLY ADJOURN

Supervisor Traver reconvened the meeting immediately following Executive Session and asked for a motion to adjourn.

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, the Town Board Meeting was adjourned.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time: 9:55pm

Respectfully Submitted, **APPROVED:**

_____
Diane L. Millious Town Clerk

A Public Hearing was held Monday, August 9, 2010, at 7:00pm at Town Hall, 18 Russell Avenue, Ravena, New York

PRESENT: Henry C. Traver, Supervisor
Dawn Rogers, Councilwoman
Thomas A. Boehm, Councilman
James C. Youmans, Councilman

ABSENT: Richard N. Touchette, Councilman

ALSO PRESENT: Diane L. Millious, Town Clerk

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

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Supervisor Traver asked that Town Clerk Millious read the Notice of Public Hearing that appeared in the News Herald and was posted in Town Hall.

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 7:00pm on Monday, August 9, 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

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AGENDA

- Public Comment

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OPENING COMMENT

Supervisor Traver stated that he wanted the public to know that there will be another Public Hearing to set the Sewer Rents on August 19th as well as a Public Hearing for Proposed Local Law #3 Amending Article I, Sewer Rents of Chapter 134 of the Code of the Town of Coeymans. He added that the Local Law Public Hearing will be at 6:00pm and the Public Hearing for the Sewer Rents will follow at 6:30pm.

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PUBLIC COMMENT

Supervisor Traver stated that he would be opening the floor to the public for comment and added that there is a sign-in sheet by the microphone for those wishing to speak and then invited the first person to the microphone.

Mary Pape stated that she lives in the Hamlet of Coeymans and added that she had a really hard time finding any written information regarding the Sewer Rates, which she

never did find nor did she find on the Town's website notification of the Public Hearing and added that she is disappointed about that. She continued by saying that before she can speak to any concrete issue she needs to read what it is to see if she has any objection to it. She added that Supervisor Traver had announced that there is going to be another Public Hearing on August 19th, which will give her time to find written material and maybe F.O.I.L. some written material. She went on by saying that without having the information, she commends what Supervisor Hotaling did in trying to get the rates lowered and it was very unjust what happened to them before in the Village and continued by saying that it is her understanding that the Village is in arrears in paying the Town.

Supervisor Traver stated that was correct.

Ms. Pape asked if there is any kind of lawsuit pending to help justify it and get payment.

Supervisor Traver stated that at this time they have a signed Agreement and are expecting a check very shortly.

Ms. Pape stated that she wanted to say that she is very much against her sewer rates going up and added that the last time the rates went up they also came on vacant lots that have nothing and at that time she said that her flowers don't flush and continued by saying that they still don't. She went on by saying that she does not think that it is not right to charge vacant lots that are not hooked up plus the fact that increases are simply going to drive people out because you can only pay so much and then there is nothing left to give. She continued by saying that she's sure that everyone is feeling the pinch with taxes and everything else with everyone wanting more and more. She concluded by saying that she was not going to take any more time and added that she is disappointed in some of the choices that she has seen the Board make and she would like to see the standards a little higher and then asked that they keep in mind the people in the Town that they are representing because they are the ones that vote them in and trust them in making decisions for what is best for the people of the Town.

Supervisor Traver invited the next person to the microphone.

John Allen stated that he lives at 37 Westerlo Street and added that he wanted to offer to the Board a petition that was signed by more than 120 residents and citizens who live in the Hamlet of Coeymans and then read the following:

We, the undersigned citizens of the Hamlet of Coeymans residing in the Sewer District, request that the Town Council immediately delay any discussion of new sewer rates until the Town has a fully executed contract from the Village of Ravena and that the sewer bills owed by the Village of Ravena have been paid to within the most current billing month. Further, we demand that until such time as the Town of Village issues sewer bills all the users who are part of the Sewer District (specifically those along 9W who have not been billed in the past several years) that no discussion of rate changes should take place. We believe the public Sewer System with the current proposed contract with the Village of Ravena disproportionately puts the sewerage bills on the backs of the few Hamlet residents who are the only individuals that have continuously been paying sewer bills. The issue is compounded by the Village of Ravena charging Hamlet residents more than the cost of providing water to the Hamlet, while Village residents pay a much lower rate.

We the undersigned residents of the Hamlet of Coeymans, demand that the Town immediately take all appropriate action (including lawsuit) to prevent Hamlet residents, including those who inhabit rental property, from being subjected to sewer bills which could be as much as $500.00 while those individuals living in the Village of Ravena, using the same Sewer Plant, pay sewer bills of $170.00.

Mr. Allen stated that they are holding a Public Hearing on the proposed rate and added that they would like to know what the proposed rate is and continued by saying that they said publicly that they would announce the proposed rate and the Hearing is on the proposed rate and yet there has been no discussion of that. He went on by saying that they are angry that the Board has negotiated a deal that will have residents of the Village

paying $176.00 while individuals in the Hamlet could pay as much as $400.00 - $500.00 for the same use of the Sewer Plant and the Village has successfully argued with the Board that the cost of the plant and the operation includes all of the flow out of everywhere that flows into the plant. He added that it is true but every individual who is a member of the Village is also a resident of the Town and every one, including every one in the Village benefits from the control of the run-off and should be paying all of the share and not just the share of the run-off in the Town because if the run-off uphill and downhill was not taken care of, the enjoyment of all the benefits that the Town offers would not be available to all of the citizens there. He continued by saying that the Town Board has agreed and signed a contract with the Village for the next 30 years, which is different from what they were told at the last Hearing in that it was just a couple year contract and then they would be looking at the rates again. He added that they signed a Contract for the next 30 years that will institutionalize the difference and disparity and there are more than 1,600 users in the Village and 425 users in the Hamlet and in using simple math it says that 80% of the users reside in the Village. He continued by saying that they have agreed to a Contract where the Village is only going to pay 70% of the operating cost and 65% of the Capital Improvements, in spite of the fact that they have 80% of the users. He went on by saying that he does not know where they went to school to figure out that it is fair and equitable because most of the people present, those watching and those that signed the petition understand that in simple math 1+1=2 and $176.00 does not equal the $400.00 to $500.00 that they are going to be charged in their sewer rates. He added that they would now like for the Board to tell them what the proposed rate is, since the Hearing is about the proposed rate and continued by saying that they want to know and it is not a rhetorical question because the people present and the people watching would like to know what the proposed rate is because if the Hearing is on the proposed rates they have the right to know.

Supervisor Traver stated that he does not have an answer right now because they are doing some budget amendments with the Agreement that they just signed with the Village.

Mr. Allen interjected that the Hearing specified and Public Law specifies that the Hearing is on a proposed sewer rate and added that it was announced that it was on a proposed rate. He went on by asking what the range is so that they can partially comply with the law because right now they are not even complying with the Public Hearing Law and then reiterated that they are present to talk about the proposed date and continued by asking what the proposed rate is.

Supervisor Traver stated that he does not have one at this time.

Mr. Allen continued by asking why they are holding a Public Hearing and violating Public Law and reiterated that they are not rhetorical questions and added that they have a right to know why there is a Public Hearing scheduled that says on the Public Hearing Notice that it is to discuss the proposed rate. He continued by saying that the Town Clerk read the Notice and it said to discuss the proposed rate and went on by saying that they are having a Public Hearing and wasting everyone's time and they are going to be paying a disproportionate share for the foreseeable future because the contract is for 30 years with all the renewals. He added that they have given away a 10% reduction to the people in the Village just so they will pay a contract that they could have taken them to court for and actually won because many towns and villages have done that when one refused to pay. He continued by saying that even more insulting than that is the fact that they have given them a $355,000.00 loan for free yet they charge those of them who have been paying their bills a 10% penalty if they don't pay on time and reiterated that within the contract they have given the Village a loan for free with tax payer dollars without consulting them or giving them any rights, without holding due process for all the residents to receive equal and fair protection under the law. He went on by saying that they have given away in the agreement no penalty, no interest and the Village has collected by simple math calculations more than $422,000.00 from the users of the sewer in the Village but have only agreed to pay the Town $355,000.00 so the Village is profiting by simple math, which does not work here because they have many businesses in the Village that pay more than residential users, at least $66,000.00 from the collections that they have had, which does not include interest that they have made on the

money that they have been holding. He continued by saying that the contract says that they have to pay up to January and all of the Hamlet users have paid their bills up to current and yet the contract specifies that they will pay in 1/12th increments and added that they would like to see the check and know that it has been deposited because as members of the Town Board they have been telling them for more than six months that the check was eminent and now they have a signed contract and some of them understand that the Mayor has to sign it unless he is incapacitated and there are no other provisions but the Village Board had the Deputy Mayor sign it. He added that no one can look at the Village Law because it is not widely publicly available and then asked if this is going to be another ploy and another three months to say that the contract is not legitimate. He concluded by saying that they are rightly outraged and they would like to know when the Board is going to correct the issues and when are they going to tell them honestly what the rate is because they scheduled a Public Hearing and would not have scheduled it unless they had an idea of what the rate is and added that they have one petition with many more coming for them on August 19th.

Supervisor Traver invited the next person to the microphone.

Laszlo Polyak stated that he lives in the Village and added that for a long time he has been trying to say if you use a gallon worth of waste you pay for it with everyone paying equally as Mr. Allen had said so eloquently and added that it is due process and it is the 14th Amendment of the Constitution that all things should be equal, which would mean whether you live in the Village or Town. He went on by saying that the same goes for water and there are some things that are complicated in the system and infrastructure but at some point in time all 10 members of the Village and Town Boards should have sat down and said lets look at it and charge x amount and at the end of the year, on a yearly basis show how much it actually cost to run the Water and Sewer Plants, and then this would be how they up and down the scale on how much you would have to pay for. He continued by saying that they can charge commercial, industrial and residential rates and the common sense way of doing it would be to use meters and added that he has used examples in the past and does not know any other community that does it this way and every other community has those simple things in effect and as a result they are blooming, growing and beautiful to see. He went on by saying that the four Council that are present as well as Deputy Mayor Bailey and other Elected Officials that might be watching who go off on vacation can't be sincerely happy with their hometown and tell people to come to Ravena and Coeymans. He added that they can't be proud of it and he has been here for 25 years and when he walks down Main Street he sees nothing but closed stores, which is the same in Coeymans because there is no growth and the bottom line to growth is having a decent infrastructure that people from outside the community would come and start a business and raise their kids because it is equal and fair and continued by saying that all they have gotten in the 25 years that he has been here is nothing more than the Hatfield and McCoys and tit-for-tat. He went on by saying that he comes from Iceland and there is a humiliating story to Iceland and some might remember the garbage barge that went around the world and it cost 50,000 members of the community millions of dollars that was attached to their taxes and they had to pay for it but out of it came the very first recycling program that every small community around the country modeled itself after that humiliation and added that after that a judge in Brooklyn, after it came back to port, said to burn it.

Supervisor Traver asked that Mr. Polyak get back to the sewer rates.

Mr. Polyak stated that when the sewer issue ends up in court, a judge and a panel would say that there are pathetically ten moronic people that could not come up with a simple solution and then question why they are dealing with something so basic to human to life as water and sewer. He continued by saying that the law does have provisions in it and if he remembers it is 1871 of the Federal Law that allows for individual people to hold individual elected officials personally liable for their decisions.

Supervisor Traver invited the next speaker to the microphone.

Donna Pasquini stated that she lives in the Hamlet and is a sewer user and continued by saying that her problem that she has with this is that her sewer bill was due to come out in

the beginning of July but she has not received it and added that now it is being postponed so new rates can go into effect and instead of receiving their bills in July as they should have they are now going to get them at the end of August and be hit with a larger amount and then another bill in January. She continued by saying that this is very unfair to the Hamlet sewer users that have been paying their sewer on time, faithfully all along and now they are going to postpone the bills so they can jack it up for a huge amount. She added that as a sewer user she has had people asking her why they have not gotten their bills and she has told them that there is a reason behind it, which is the Town playing a game by postponing, having a Public Hearing and raise the rates and reiterated that they are going to be getting their sewer bill in late August along with a school tax bill in September, a water bill in October and in January another sewer bill. She went on by saying that this is very unfair to people that live in the Hamlet where there are elderly, people on fixed incomes, low income people and it is very unfair to turn around and slap the people in the face that have been paying their sewer bills all along.

Supervisor Traver invited the next speaker to the microphone.

Tom Dolan stated that he lives at 10 Dock Street and added that he can't really comment on the rates because they are not available and added that he used to be on the Sewer Commission, which at the time was Tony DiAcetis, Randy Irwin, Bob Wade and Mayor Bruno and the numbers were a little different but it was structured pretty much the same way. He continued by saying that it was a certain percentage for the Village and a certain percentage for the Town and compared to that contract at least the Hamlet share goes down both in the operations and maintenance. He added that something that he learned then and since then is that it is not just a matter of the number of users divided by the amount of sewage that is produced but also a matter of infiltration into the system. He went on by saying that the Village has had a much more aggressive and therefore successful infiltration program where they have replaced pipes, which he believes that they have paid for themselves. He continued by saying that there could also be a variation of individual users and if they want a truly fair system, the water would be metered and in turn you would pay the same percentage of other users for the sewer on the theory that what goes in, goes out. He added that they are there prematurely to discuss the rates because they don't know them yet and went on by saying that it is not an open question anymore of what the percentages will be because there is now a contract but rather a question as to if the Board is going to do the responsible thing and charge them what they need to run the plant and no more than what they need. He continued by saying that it can't be less because if they don't pay it this year, they will pay it next year and that when they do have a number on the table, the only thing in his mind that they need to look at is whether they are taxing the same amount of money that they actually need to run the plant, which would be no more or no less than they need. He concluded by saying that in the past there have been times when they have been charged less than required to operate the plant only to have big increases the next year and added that he does not want to pay a dollar more than he has to but he also does not want to put off paying his dollar until next year or the year after and when he sees what the rate is going to be, it will be the basis for him to evaluate whether it is fair or not as far as whether it is sufficient to cover the cost or if it will create a surplus in the account, which he does not want to do either.

Supervisor Traver invited the next person to the microphone.

Paul Ryan stated that he lives in the Hamlet and continued by asking why the rates were not ready.

Supervisor Traver stated that as he had stated before, they have to do a budget amendment due to the signed contract that they have with the Village so they can establish the right rates.

Mr. Ryan stated that the Village owes the Town the money and then inquired as to why the Town does not sue them for the money and then asked what good is a contract if they are not paying the Town.

Supervisor Traver stated that this is why they signed the contract.

Mr. Ryan inquired as to where the money is.

Supervisor Traver stated that the contract was just signed last week.

Mr. Ryan inquired as to when it will be paid.

Supervisor Traver stated that it will be as soon as possible.

Mr. Ryan stated that it can mean anything and it could mean three years from now and continued by saying that they have a contract that should have had a date, which would be the date that it had to be paid. He added that they must be stupid in his opinion because they didn't know enough to put a date in and went on by saying that they are not doing their jobs. He continued by saying that Supervisor Traver should not be part of it anyway because he has a conflict of interest.

Supervisor Traver stated that there is no conflict.

Mr. Ryan interjected that he works for the Village and then asked Supervisor Traver if he would go after his boss and reiterated that it is a conflict and they are not doing their jobs because there is not a date that it is going to be paid. He then asked if there was an answer.

Supervisor Traver stated that he didn't have an answer.

Mr. Ryan stated that it is what he figured.

Supervisor Traver invited the next person to the microphone.

Cynthia Kunz stated that actually her nearest neighbor is the Sewer Plant and continued by saying that earlier in the day there was an article in the Times Union about Governor Patterson wanting a property tax cap. She added that it talks about a farmer in Saugerties who finally gave up his business and moved to North Carolina and added that in Saugerties he was paying $3,400.00 for taxes and in North Carolina he has a larger house and a larger lot and is paying $900.00. She went on by saying that to her one of the things that is most troubling about the increase in the sewer rate is the increase generally in taxes with the Federal Government spending money like drunken sailors and then there is the State, County, Town. She added that the fact is that tax payers are running out of money and continued by saying that she thinks that it behooves the Town to maybe think in terms of how they can save money and if they have to raise taxes maybe there could be some way that they could cut back in another spot so they don't have to raise quite so much money. She went on by saying that the fact is that pockets are getting empty and it is not only a Town issue with over taxation because it is also the County and State and the northeast is in dire straights and people are leaving and according to the newspaper article 1.5 million New Yorkers left between 2000 and 2008 because of taxation. She concluded by saying that it has to stop someplace and suggested that the Town of Coeymans be a model and maybe it's time to talk about merging the Town of Village because it would be a way to save money and that's the bottom line.

Supervisor invited the next person to the microphone.

Donna Pasquini asked if she could speak once more.

Supervisor Traver stated that she had one minute.

Donna Pasquini stated that she had a list of the 19 properties on Rt. 9W that have not been billed for sewer in almost three years. She added that now there is a sewer contract and then asked if those properties are going to be billed or will they continue to get a free ride, which is 15 businesses and 4 residents.

Councilman Youmans stated that he can answer it for her and added that they actually set a Public Hearing for August 19th to establish a Local Law, which will give them the

authority to bill those parcels. He added that they currently don't have the authority to bill them.

A member of the audience questioned who has the authority to bill them.

Councilman Youmans stated that no one does.

Ms. Pasquini asked why they are allowed to have sewer.

Councilman Youmans stated that it was a good question and added that it happened before he got on the Board.

Ms. Pasquini stated that she would like a free ride for three years and added that none of the Board present pay sewer right now and reiterated that she would like a free ride for three years. She continued by saying that maybe they should hold back paying their sewer rents like the Village did for a while. She concluded by saying that she wanted to make sure that those people are going to be billed because they have had a free ride for three years, which is thousands of dollars that have gone wayside and not they want to lay it on the backs of those in the Hamlet and concluded by saying that the Hamlet residents are resident of the Town and are tax payers and sewer payers and when they elected them to the Board they expected them to represent them and this is what they want.

Pat Farrell stated that he is a resident of Coeymans and added that Cynthia Kunz brought up a good thing about saving money and added that he does not understand what the Town Board is doing or what they do but the thing that bothers him, and he has been her for 40 years, is that they are arguing about who can go in the pool and 40 years later they are still arguing about who can go in the pool. He continued by saying that nothing has been done and it has always been a fight between the Town and Village and it's all they have ever done. He added that they have to have one municipality and then asked if the Town Board can fight for that.

Councilman Youmans stated that if the people in the Village want to have a Village, there is absolutely nothing that the Town Board can do and added that it would have to come from those that live in the Village, which he does not. He continued by reiterating that the Town Board does not have any control but he understands the point.

Mr. Farrell stated that he is well aware of that and suggested that the Town Board go to a meeting at the Village and bring it up to see what they would say and what their input is.

Councilman Youmans stated that it has been raised more than once and he would say that it is a Village issue and not a Town issue and reiterated that the Town has no control or say over it.

Mr. Farrell stated that it would save tons of money.

Supervisor Traver asked if there were any other comments.

Laszlo Polyak stated that he wanted to make one more comment.

Supervisor Traver asked that he make it quick.

Mr. Polyak stated that a lot of people have signed the petition and continued by suggesting that they do a petition to have the State Comptroller and the Attorney General come down and audit where all the money is going for both the Village and Town as far as the water and sewer, which would give them all the necessary information that they need to debate what the rates should be because they would then know what the costs are by an independent audit by the State.

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

ADJOURNMENT

On motion of Councilwoman Rogers, seconded by Councilman Boehm, the Public Hearing was adjourned.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Touchette) – SO MOVED

Respectfully Submitted, **APPROVED:**

_____
Diane L Millious, Town Clerk

A Special Town Board Meeting was held Monday, August 9, 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

ABSENT: Richard N. Touchette, Councilman

ALSO PRESENT: Diane L. Millious, Town Clerk

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

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The following notice appeared in the News Herald and was posted in Town Hall.

NOTICE
TOWN OF COEYMANS TOWN BOARD
SPECIAL MEETING

In compliance with Public Officer's Law, this will inform you that the Town Board of the Town of Coeymans has scheduled a Special Meeting for the purpose of discussing Town business. The Special Meeting will be held at 6:30pm on Monday, August 9, 2010 at Town Hall, 18 Russell Avenue, Ravena, NY prior to the Public Hearing scheduled for 7:00pm.

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

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OPENING COMMENT

Supervisor Traver stated that a Special Meeting was being held for some necessary resolutions and added that a Public Hearing would follow the meeting.

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AGENDA

- Resolutions
  - Appoint IT Service Management Provider
  - Authorize Supervisor to Execute Settlement Agreement

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RESOLUTIONS

RES. #73-10 APPOINT IT SERVICE MANAGEMENT PROVIDER
On motion of Councilman Boehm, seconded by Councilman Youmans, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Touchette) – SO MOVED

WHEREAS, the Town of Coeymans is desirous of information technology services for the Town, and

WHEREAS, a needs assessment was done and found that there are several security and back-up issues throughout the Town's computers, and

WHEREAS, three companies specializing in information technology services evaluated the Town's needs and provided recommendations and quotes for providing such services, and

WHEREAS, upon review of the quotes provided, the company of Intelligent Technology Solutions of Coxsackie, NY submitted the most reasonable quote and rates for technology services,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby appoint Intelligent Technology Solutions, Coxsackie, NY, as its Information Technology Service Provider, and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Coeymans does hereby authorize Supervisor Henry C. Traver to sign the attached agreement with Intelligent Technology Solutions for IT services provided through and including December 31, 2010, and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Coeymans does hereby appoint Town Clerk Diane Millious to oversee the performance of this Agreement as it pertains to all Town offices in the Town Hall and the remote locations for the Beautification Department, Sewer Department and Highway Department, except for the Police Department; and Police Chief Greg Darlington to oversee the Agreement as it pertains to the Police Department (as the Police Department is a 24/7 operation), which overseeing includes, but is not limited to, authorizing IT work to be done and contacting Intelligent Technology Solutions as needed.

Councilman Boehm interjected that the amount of the Agreement is $4,437.50, which will run through 12-31-10.

Councilman Youmans stated that he wanted to thank Joe for the services that were provided already and added that it has been a pleasure doing business with the company as well as thanking him for bailing the Town out and sticking with them.

Councilman Boehm stated that he would piggyback on the comment and added that at the prior meeting when they agreed to work at an hourly rate they got going with the problem immediately and continued by saying that he thanks them for their prompt service and looks forward to a very productive relationship.

RES. #74-10 AUTHORIZE SUPERVISOR TO SIGN CONFIDENTIAL SETTLEMENT AGREEMENT
On motion of Councilwoman Rogers, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Touchette) – SO MOVED

WHEREAS, a case entitled Hall vs. Town of Coeymans, et al., Supreme Court, Albany County, Index No. 4303-10 was duly commenced by the filing of an Order to Show Cause, Notice of Petition, Petition and supporting affidavits and exhibits on July 1, 2010, and

WHEREAS, the parties to action have resolved their differences without the need for further litigation, and

WHEREAS, an 8-page Settlement Agreement was provided to the Town Board by its attorney in that action, John W. Clark, Esq., and

WHEREAS, the Town Board has determined that a settlement pursuant to the terms of the 8-page Settlement Agreement is the economically prudent decision in light of the circumstances,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does herby authorize and direct the Supervisor of the Town of Coeymans, Henry C. Traver, to execute the 8-page Settlement Agreement entitled "Confidential Settlement Agreement and General Release" which shall be the same or substantially the same as the copy which is attached hereto.

Councilman Boehm stated that it is his understanding that as a Confidential Settlement Agreement, the Town Board cannot discuss it but any member of the public, should they wish, could F.O.I.L. the document that is attached.

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CLOSING COMMENT

Supervisor Traver stated that they need to schedule a Public Hearing on August 19th for a Local Law Amending Article I, Sewer Rents of Chapter 134 of the Code of the Town of Coeymans as well as a Public Hearing for the proposed sewer rates for the Hamlet and added that the Public Hearing for the Proposed Local Law will be 6:00pm. He then asked for a motion.

MOTION

On motion of Councilman Youmans, seconded by Councilwoman Rogers, scheduling a Public Hearing on the Proposed Local Law.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Touchette) – SO MOVED

Councilman Boehm asked if the Local Law will be published in the announcement.

Town Clerk Millious asked if they want the Local Law Public Hearing to be at 6:00pm and then another Public Hearing to set the Sewer Rates or if they want it together as one thing.

Supervisor Traver stated that they can do it as one because it is all for sewer.

Town Clerk Millious stated that she would think that they should do the Local Law one first and then the other separate.

Councilman Youmans interjected that he would agree.

Town Clerk Millious suggested that they do one at 6:00pm and one at 6:30.

Councilman Boehm suggested that they do Proposed Local Law #3-10 at 6:00pm.

Councilman Youmans stated that it is not Local Law #3 anymore.

Town Clerk Millious interjected that it is Proposed Local Law #3 and if they adopt it, it will be Adopted Law #2.

Collectively the Town Board agreed.

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ADJOURNMENT

Supervisor Traver asked for a motion to adjourn the meeting.

MOTION

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

***Respectfully Submitted*,** **APPROVED**

_____
Diane L. Millious, Town Clerk

A Workshop Meeting was held Tuesday, August 17, 2010, at 6:00pm at Town Hall, 18 Russell Avenue, Ravena, New York

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

ALSO PRESENT: Diane L. Millious, Town Clerk
Greg Darlington, Chief of Police
Tammy Eissing, Court Clerk

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

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OPENING COMMENT

Supervisor Traver stated that the record should reflect the presence of a full Town Board in addition to Chief of Police Darlington and continued by giving an overview of the agenda.

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AGENDA

- Completion of Audit of Books
  - Justice Court
  - Police Department

- Police Department – Equipment Purchase Request

- Sewer Department
  - Leachate Plant Collection Well Pump
  - WPCF Raw Influent Pumps
  - Colvin Ave Storm Sewer
  - Colvin Ave Sanitary Sewer
  - Sewer Budget
  - Sewer Plant Heater

- IT Services – Update

- Town Hall Maintenance – Gutters

- JNS Towers

- Port Security

- County Executive Request for Support of Application DOT TIGER II Grant

- Old Gedney Hill Road – Request for Abandoned Road

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ADJOURNMENT

Supervisor Traver asked for a motion to adjourn the meeting.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Boehm, the Workshop was adjourned.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time – 7:45pm

***Respectfully Submitted*,** **APPROVED:**

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Diane L. Millious, Town Clerk

A Public Hearing was held Thursday, August 19, 2010, at 6:00pm at Town Hall, 18 Russell Avenue, Ravena, New York

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

ALSO PRESENT: Diane L. Millious, Town Clerk
Theresa Shear, Confidential Secretary to the Supervisor

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

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OPENING COMMENT

Supervisor Traver stated that the purpose of the Public Hearing is to receive comments from the public on the proposed Local Law #3-2010, Amending Article I, Sewer Rents of Chapter 134 of the Code of the Town of Coeymans. 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
ON PROPOSED LOCAL LAW #3-2010

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Coeymans will hold a Public Hearing on Thursday, August 19, 2010 beginning at 6:00pm at Coeymans Town Hall, 18 Russell Avenue, Ravena, NY, concerning Proposed Local Law #3-2010 as follows:

AMENDING ARTICLE 1, "SEWER RENTS" OF CHAPTER 134
OF THE CODE OF THE TOWN OF COEYMANS

Authority – This Local Law is adopted pursuant to Municipal Home Rule Section 10.

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF COEYMANS AS FOLLOWS:

1. Section 134-1 Purpose, is amended to read as follows:

   The purpose of this article is to establish a schedule of Sewer Rents and time for collection thereof for the Coeymans Hamlet Sewer District, Town of Coeymans, County of Albany, State of New York and for users outside of the District which utilize the Town of Coeymans Hamlet Sewer System.

2. Section 134-2 is amended by adding the following new paragraph:

   C. Also including such other properties either within or outside the Town of Coeymans which utilize the Town of Coeymans Hamlet Sewer System.

3. Section 134-3 entitled, "Amount of rent to be determined annually," is amended to read as follows:

   The Town Board shall annually fix and determine by Resolution the amount of the Sewer Rent to be charged for each classification of property users within the Coeymans Hamlet Sewer District and for each classification of users outside the

District which utilize the Town of Coeymans Hamlet Sewer System in accordance With GML, Section 452.

4. Section 134-4, entitled "Payment Schedule; late payments", is amended to read as follows:

Such Sewer Rents shall be payable annually in two installments: half of such Sewer Rent shall be payable on the first of January and the second installment shall be payable on the first day of July in each year, beginning in the year 1971. In the event that said Sewer Rent is not paid within 30 days from the due date. Ten percent penalty shall be added to the charge imposed upon the real property. The Town Clerk shall annually file with the Town Board a statement showing the unpaid rates, charges and fees for the Coeymans Hamlet Sewer District and any out-of-district users, containing a brief description of the *property* against which such sewer rents were imposed, the names of the persons or corporations liable to pay for the same and the amounts chargeable to each. In the event that the fee and penalty shall not be paid prior to the levy of Town taxes, including taxes for special district purposes, then the Supervisor shall, pursuant to Section 198, Subdivision 1 (k), of the Town Law, transmit a statement of such delinquency to the County Legislature of the County of Albany, which shall levy the sums against the property liable therefore.

5. Severability – The Invalidity of any clause, sentence, paragraph or provision of this Local Law shall not invalidate any other clause, sentence, paragraph or part thereof.

6. Repealed – All Local Laws or Ordinances or parts of Local Laws or Ordinance in conflict with any part of this Local Law are repealed.

7. Effective Date – This Local Law shall take effect upon filing in the Office of the New York State Secretary of State or as otherwise provided by law.

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

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PUBLIC COMMENT

Supervisor Traver asked the members of the public to silence their cell phones and continued by saying that anyone wishing to address the Town Board should come to the microphone and sign in. He then invited the public to comment at this time.

Supervisor Traver stated that there was no one to comment and then asked for a motion to close the Public Hearing and then re-open it if anyone wishes to speak.

Councilman Youmans suggested that they take the sound down and leave the Public Hearing open for 20 minutes in case anyone wished to speak.

Councilman Touchette stated that he wants to make sure that he understands what all of the due to and due from are and continued by asking if they can talk about it.

Supervisor Traver stated that they can't during the Public Hearing.

Laszlo Polyak stated that he had a point of information and added that as a layman he can speak, so certainly a Councilman is more than free to speak if he has questions about what he does not understand.

Supervisor Traver asked Councilman Traver if it was in reference to this Public Hearing.

Councilman Touchette stated that it is in reference to the Sewer District.

Mr. Polyak asked if it is in reference to the Law and added that there are two Public Hearings.

Councilman Touchette asked Mr. Polyak if he wanted to address the Board.

Mr. Polyak stated that he was addressing the Board in telling them that he has the right to speak. He reiterated that as a point of information, if he as a layman has the right to speak, Councilman Touchette has the right to speak and should be able to ask questions.

Supervisor Traver invited Councilman Touchette to speak.

Councilman Touchette stated that they don't operate by Robert's Rules of Order and added that even if they did a point of order is something that a participant in the meeting brings up and Mr. Polyak is a spectator.

Mr. Polyak interjected that he was bringing up a point of information and not a point of order.

Councilman Touchette stated that it was the same thing and continued by saying that as of 12-31-09 they were due from the H29 $267,000.00 and H35 $62,000.00, which is $329,000.00 and added that his first question is where that money is going to come from and whether it is due from that fund. He went on by saying that due from H29 was showing zero as of June 30th, and H33 and H35 are due to and the $355,984.00 that they got yesterday cancels it out and continued by asking if it was going to go in the B Fund to pay down that due to.

Supervisor Traver stated that he along with the Internal Control Officer and the Bookkeeper will sit down with all the figures to determine where the money will be going to also keep the operations and maintenance going at the Sewer Plant as well as paying off some of the debt.

Councilman Touchette stated that the $355,000.00 that was accrued as of 12-31-09 should go totally to the debt because it is a prior year and added that the entire $355,000.00 should reduce their total due to other funds and the deferred revenue equals $1,198,979.00. He continued by asking if the deferred revenue was to offset the due from the Village and went on by saying that he wanted to know how they arrived at the principal and interest and whether they have $300,000.00 in Capital Improvements over 20 years.

Supervisor Traver stated that they do.

Councilman Touchette then asked if it was going to be bonded or banned as well as whether there was any payment of principal or interest included in that and if the $15,000.00 in principal interest is for the debt that they already owe.

Supervisor Traver stated that it is.

Councilman Touchette stated that they don't have anything budgeted for the $300,000.00 in Capital Improvements.

Supervisor Traver stated that it was in the Budget to actuals.

Councilman Touchette stated that as of June 30th they budgeted $34,000.00 for debt principal for a Bond Anticipation Note and debt interest of $15,000.00 on a Bond Anticipation Note and continued by asking if they are carrying any outside debt for the Sewer District at this time.

Supervisor Traver stated he would have to look into it.

Councilman Touchette stated that they have debt interest in a fund loan of $10,300.00 which they have not paid anything on and added that his question is if the principal and interest is on the inner-fund debt and added that the $15,000.00 in principal and $3,000.00 in interest is for the inner-fund debt.

Supervisor Traver stated that was correct.

Councilman Touchette stated that they are not budgeting anything for the Capital Improvements for the balance of this year and continued by asking if they are talking about bonding for all the Capital Improvements.

Councilman Youmans stated that they would be for $300,000.00.

Councilman Touchette questioned if they would accrue any interest or principal payment in this fiscal year.

Supervisor Traver stated that the Village portion would be paying $1,625.00 and added for the $15,000.00 for the principal year 2010 they would be paying $9,750.00 and the Town would be paying $5,450.00.

Councilman Touchette questioned as to whether it was for the existing inner-fund debt or if it is new debt and added that if it is for the new debt, they don't have anything budgeted for the year for the inner-fund debt and if it is for the inner-fund debt they don't have anything for the Bonds or BANS. He continued by saying the he is just trying to understand how it works and added that they have to pay interest on an inner-fund debt of 2% and they are accruing debt, and it has to be included some where.

Supervisor Traver stated that there is $15,000.00 in the budget for this year for the principal and added that he had said that 65% of it will be going toward the Village paying $9,750.00 and 35% for the Town, which is $5,215.00.

Councilman Touchette interjected that it will be for new debt.

Supervisor Traver stated that it would be for new debt with $3,000.00 in estimated interest for 2010 at 1% and 65% would be for the Village at $1,625.00 and $875.00 for the Town.

Councilman Touchette stated that there is nothing there for the inner-fund debt and added that he does not know where the deferred revenue is and if it is off-set by what the Village owes the Town. He continued by saying that if you take that out, there is still inner-fund debt of $900,000.00 reduced by $355,000.00, which is roughly $600,000.00. He went on by saying that if they don't pay it down at all or pay any interest, they will continued to accrue interest and then asked if the inner-fund debt is for expenditures that have already occurred.

Supervisor Traver stated that was correct.

Councilman Touchette stated that it means that the Hamlet users owe that entire amount and continued by asking if they were going to ignore it in this year's budget.

Councilman Youmans stated that they were not and added that he actually had some input with the numbers and the number that they got from the Supervisor's Office for the inner-fund debt was $450,000.00 and they decided to take it out on an 8 year basis and they budgeted in $56,250.00 this year to cover it and he knows that it does not show up.

Councilman Touchette stated that it shows up as a fund balance and continued by asking what the $15,000.00 is for administration.

Supervisor Traver stated that it is for the engineering and attorney fees.

Councilman Touchette inquired about it not being in the operations and maintenance.

Councilman Youmans stated that it is but when you start looking at engineering fees and such it is broken out separate.

Councilman Touchette stated that there is $30,000.00 for maintenance of transmission system and all totaled it is $217,550.00 for the Town's share.

Supervisor Traver asked if there were any other comments.

Mr. Polyak stated that for clarification he wanted to know what the +9-R stands for and added that it is in Section 134-4.

Supervisor Traver asked Town Clerk Millious is she knew what it was.

Town Clerk Millious stated that she didn't know.

Collectively the Town Board stated that they didn't know.

Mr. Polyak stated that he wanted to thank the Board for utilizing their time to do what some would consider a Workshop and for the public to be able to listen in to Councilman Touchette's questions and continued by saying that the Public Hearing was closing and added that if anyone else had any comments he wanted to bring that to light.

Supervisor Traver asked if there were any other comments, hearing none he asked that the sound be brought down until someone else wished to speak.

Supervisor Traver asked that the sound be brought back up and added that the Public Hearing was being held for the purpose of hearing comments on Proposed Local Law #3-10 Amending Article I for Sewer Rents and added that in going through the Local Law and in go through some background information, in reference to what Mr. Polyak had brought up, they are going to be striking our the +9-R on both lines, which appears to be a typo. He then asked if there were any other comments, hearing none he asked for a motion to adjourn the Public Hearing.

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ADJOURNMENT

On motion of Councilman Youmans, seconded by Councilwoman Rogers, the Public Hearing was adjourned.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time: 6:25pm

***Respectfully Submitted*,** **APPROVED:**

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Diane L. Millious, Town Clerk

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

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

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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

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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:

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 Ravena 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 Ravena, 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.

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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 bested 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

A Town Board Meeting was held Monday, August 23, 2010, at 7:00pm at Town Hall, 18 Russell Avenue, Ravena, New York

PRESENT: Henry C. Traver, Supervisor
Dawn Rogers, Councilwoman
Thomas A. Boehm, Councilman
Richard N. Touchette, Councilman

ABSENT: James C. Youmans, Councilman

ALSO PRESENT: Diane L. Millious, Town Clerk
Albert Deering, Highway Superintendent
David Wukitsch, Attorney for the Town
Greg Darlington, Chief of Police
Theresa Shear, Confidential Secretary

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

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OPENING COMMENT

Supervisor Traver stated that the record should reflect the presence of Council Rogers, Boehm, and Touchette and added that Councilman Youmans was absent. He continued by saying that Town Clerk Millious, Highway Superintendent Deering, Attorney for the Town Wukitsch, Chief of Police Darlington and Confidential Secretary Shear were also present and then gave an overview of the agenda.

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AGENDA

- Public Announcement
  - Town Offices Closed, September 6, 2010, Labor Day
- Approval of Minutes
  - Town Board Meeting, July 26, 2010
  - Special Town Board Meeting, August 9, 2010
  - Public Hearing, August 9, 2010
  - Town Board Workshop, August 17, 2010
- Supervisor's Report
  - July 2010
- Department Reports
  - Building Department, July 2010
  - Police Department, July 2010
  - Sewer Department, July 2010
  - Town Clerk, July 2010
- Old Business
  - Port Security
  - Town Hall Maintenance
  - Sewer Department, WPCF Raw Influent Pumps
  - EMS Agreement 2011
  - Water Rents
  - Police Department, New Vehicles
- New Business
  - Police Department, Town Employees Driver's Licenses
- Motions
  - Accept Resignation of Police Department Employee
  - Authorize to Enter Into Agreement with American Legion
  - Authorize Town Clerk to Bid Sludge Hauling
  - Authorize Contract for Renewal of Software Support

- Authorize Purchase of Software through ITS

- Resolutions
  - Adopt Local Law #2-10 Amending Article I, Chapter 134 of Code of Town of Coeymans
  - Amend Sewer Rents for 2010
  - Annual Audit of Justice Court
  - Annual Audit of Town Officials
  - Approve August Abstract
  - Health Insurance Renewal
- Public Comment
- Correspondence
  - Ladies Auxiliary, Remembrance Walk
  - Supervisor, Town of Barker, NY, Marcellus Shale
  - Town Attorney Wukitsch, Town of Coeymans Public Housing Agency, NY
- Town Board Workshops/Meetings
  - Town Board Meeting, September 13, 2010, 7:00pm
  - Town Board Workshop, September 21, 2010, 6:00pm
  - Town Board Meeting, September 27, 2010, 7:00pm

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PUBLIC ANNOUNCEMENT

Town Offices Closed – Labor Day

Supervisor Traver stated that the Town Offices will be closed September 6, 2010 in observance of Labor Day.

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APPROVAL OF MINUTES

Supervisor Traver stated that there were four sets of minutes for Town Board approval, a Town Board Meeting on July 26th, a Special Town Board Meeting on August 9th, a Public Hearing on August 9th and a Town Board Workshop on August 17th and continued by asking for a motion to approve them.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Boehm, the Town Board Minutes were accepted as presented and read.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Youmans) – SO MOVED

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SUPERVISOR'S REPORT

July 2010

FUND	BALANCE FWD.	RECEIPTS	DISBURSE.	BALANCE
GENERAL	$568,712.78	$114,038.99	$207,436.92	$475,314.85
PART-TOWN	$432,324.68	$446,509.17	$117,386.89	$761,446.96
HIGHWAY	$ 38,733.18	$100,441.97	$102,190.73	$ 36,984.42
BRIDGE CONST.	$274,026.27	$ 86.25	-0-	$274,112.52
SEWER	$ 56,330.88	$ 11.87	$ 32,498.62	$ 23,844.13

SPEC. WATER	**$ 18,303.66**	**$ 401.98**	**-0-**	**$ 18,705.64**
POLICE FOR.	**$ 5,805.48**	**$ 1.69**	**$ 1,140.00**	**$ 4,667.17**
TRUST & AGCY.	**$ 14,578.14**	**$238,349.66**	**$237,419.39**	**$ 15,508.41**
H-FUND CAP. PROJ.	**$ 35,931.49**	**$ 9.14**	**-0-**	**$ 35,940.63**
SECTION 8 – HUD UNITS – 80	**$139,494.62**	**$ 41,113.31**	**$ 41,910.96**	**$138,696.97**
			Total Rec. Bal.	**$1,758,221.70**

SAVINGS ACCOUNTS		**COLLATERAL COVERAGE**	**FDIC COV.**	**COLLATERALIZED**
Unemployment	**$ 4,063.31**	**Bank of Greene**	**$250,000.00**	**$2,037,817.90**
Grove Cemetery	**$40,754.75**	**National Bank**	**$250,000.00**	**$ 392,353.72**
Sewer – Dedicated	**$ 6,303.71**			
Total	**$51,121.77**			

Supervisor Traver asked for a motion to approve the report.

MOTION

On motion of Councilman Touchette, seconded by Councilman Boehm, the Supervisor's Report was accepted as read.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Youmans) – SO MOVED

Councilman Touchette asked Supervisor Traver in his opinion how they are doing as far as the cash flow and cash needs and where they are in the year.

Supervisor Traver stated that right now they are approximately 1.7 million.

Councilman Touchette inquired as to if it is going to be adequate for all of their obligations for the rest of the year.

Supervisor Traver stated that as of right now it is as long as they don't have any major projects.

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DEPARTMENT REPORTS

Building Department – July 2010

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

Councilwoman Rogers continued by giving the report.

Supervisor Traver asked for a motion to approve the report.

MOTION

On motion of Councilman Boehm, seconded by Councilman Touchette, the Building Department Monthly Report was accepted as presented.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Youmans) – SO MOVED

Police Department – July 2010

Supervisor Traver asked the Chief Darlington give the Police Department Monthly Report.

Chief Darlington continued by giving the report.

Supervisor Traver asked for a motion to approve the report.

MOTION

On motion of Councilman Rogers, seconded by Councilman Boehm, the Police Department Monthly Report was accepted as presented.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Youmans) – SO MOVED

Sewer Department/Leachate – July 2010

Supervisor Traver stated that in Councilman Youman's absence he would give the Sewer Department / Leachate Monthly Report.

MOTION

On motion of Councilman Touchette, seconded by Councilman Boehm, the Sewer Department Monthly Report was accepted as presented.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Youmans) – SO MOVED

Councilman Touchette inquired as to if they allocate the personnel cost for the time that goes into the Leachate Plant to the A-Fund or if it is covered by the Sewer District.

Supervisor Traver stated that it is covered by the Sewer District and at this time he is doing the budget and proposing that it goes back to the A-Fund so the Village and Hamlet Sewer District is not paying for the Leachate Plant.

Councilman Touchette stated that they should also look at the portion of the Sewer Plant that is not used for sewer activities and those areas should be allocated to the A-Fund as well.

Town Clerk – July 2010

Supervisor Traver asked that Town Clerk Millious give the Town Clerk Monthly Report.

Town Clerk Millious continued by giving the report.

Supervisor Traver asked for a motion to approve the report.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Boehm, the Town Clerk's Monthly Report was accepted as presented.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Youmans) – SO MOVED

Town Clerk Millious stated that she was invited to attend a meeting at Guilderland Town Hall regarding Agriculture & Market issues and as they know it is going to be the responsibility of the municipalities to issue dog licenses. She added that she is asking for permission for mileage reimbursement to attend the meeting on August 26, 2010 at 9:30am.

Councilman Touchette stated that he does not have a problem with it and there is money budgeted for it and then asked if it is something that has to be approved by the Town Board.

Town Clerk Millious stated that prior to 2004 she had always budgeted for this and she didn't have to get Board approval but now there could be a question about them signing the voucher because they didn't approve her to go. She continued by saying that if the Board wishes, she does not have to ask and they could do something at the beginning of each year and be fine with it.

Councilwoman Rogers stated that she could just mention it to them but if it is already planned in her budget she can go ahead and do it.

Councilman Boehm inquired about the municipalities having to do the licensing and what it means for the Clerk's office.

Town Clerk Millious stated that it will be more work and they will have to purchase their own supplies such as dog tags as well as having to pass a new Local Law, which she does not know what the wording will be for the Town Board to pass the law. She continued by saying that it will be her office sending out the renewals and she knows that it is budget time and she is trying to figure out where she will be as far as costs. She went on by saying that at this point the Town gets 53% with the State getting 47%.

Councilman Boehm inquired as to if she thinks that the Town will make money, lose money or break even.

Town Clerk Millious stated that it is hard to say and added that Coeymans is one of the few towns that don't have a local fee and a census has never been done. She added that most Towns do a census and stay right on it and reiterated that it has never been done here. She continued by saying that while they are going through this it might be something that they might need to take a look at and as soon as she knows more she will let them know. She concluded by saying that right now they just know that it is going to happen and will take effect next year and it has been on the news and reiterated that it will create more work and right now there are approximately 400 dogs that are licensed and will have a renewal.

Councilman Boehm inquired as to the date of the meeting.

Town Clerk Millious stated that it is this coming Thursday at 9:30am at Guilderland Town Hall.

Councilman Boehm stated that he would like to make a motion.

MOTION

On motion of Councilman Boehm, seconded by Councilman Touchette, authorizing reimbursement for mileage to Town Clerk Millious.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Youmans) – SO MOVED

Chief Darlington stated that if it would be possible he would like to attend the meeting because a lot of the Agriculture and Markets is done with the dog control, which falls under his agency and added that Town Clerk Millious could ride with him if he were able to attend and he does not know if it is just for Clerks.

Town Clerk Millious stated at this time it is regarding the software, which she already has and BAS will be going over the change. She advised that she will let him know when she has more information regarding the change.

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OLD BUSINESS

Port Security

Supervisor Traver asked if the Town Board wish to table the Port Security topic.

Councilman Boehm interjected that it should be mentioned because it was discussed at the Workshop.

Supervisor Traver stated that at the last Workshop there was discussion regarding Port of Coeymans Security and he along with Chief Darlington met with Carver Laraway, owner of the Port and at this time there is a private contractor doing the security. He continued by saying that Mr. Laraway wants to partner with the Town of Coeymans and have the Town do the security because if there is an emergency the Town would be going there anyways. He then asked Chief Darlington if he had anything that he wanted to add.

Chief Darlington stated that right now they contract with a private company and they are interested in contracting with the Police Department and there is a possibility that it might generate revenue for the Town. He continued by saying that currently he and Councilman Youmans are researching the legalities and the insurance requirements if in fact they are interested in doing this, to make sure that it would be on the part of revenue as opposed to on the backs of the taxpayers.

Councilman Boehm interjected that they have also asked that Attorney for the Town Wukitsch look at the legal issues as well as having contacted Colonie Police Department.

Chief Darlington stated that Colonie Police Department provided him with the information and have provided him with the forms that they use when they contract with businesses.

Councilman Boehm stated that he thinks it is a good idea to look into it.

Town Hall Maintenance – Gutters

Supervisor Traver stated that they discussed the installation of new gutter at Town Hall at the Workshop Meeting and he discussed it with Nelson Perry earlier in the day and he didn't get back to him as far as an upgraded cost. He continued by saying that Councilman Youmans, Chief Darlington and Nelson met last Friday in regard to re-routing the gutters and in talking to Nelson he stated that he believes it will be an additional $300.00 to do what they have to do, which would be $1,620.00 to re-route the water so they do not have flooding downstairs.

Councilman Boehm stated based on the conversations, the gutters are necessary and added that he would like to offer a motion.

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, authorizing the expenditure of not to exceed $1,700.00 for the purchase of new gutters for Town Hall.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Youmans) – SO MOVED

Councilman Boehm stated that with the change of seasons the sooner it is done the better.

Sewer Department – WPCF Raw Influent Pumps

Supervisor Traver stated that they discussed at the Workshop the price to rebuild 2 Wemco raw influent pumps for use at the Waste Water Treatment Plant and added that he has not talked to Chief Operator Breedlove about it but he believed that Councilman Youmans was going to talk to him and he is not sure what was discussed.

Councilwoman Rogers stated that they should hold off on the topic.

Councilman Boehm suggested that they table it until the next meeting.

Councilman Touchette interjected that if it is a necessary repair and if there is money in the budget he would think that just a purchase order should be prepared by Chief Operator Breedlove and in turn submitted to the Supervisor for his signature.

Supervisor Traver stated that as the Supervisor he would feel more comfortable presenting everything to the Board and letting them know what is going on and added that if they wanted to offer a motion they could and it would be passed by the full Board that they will accept items like this.

Attorney for the Town Wukitsch stated that there are some benefit to airing such expenditures in a public forum so the public can be kept abreast of the type of spending is going on. He added that he does not think that from a strict legal standpoint, once the money is budgeted that every single expenditure needs to be approved formally but it is certainly beneficial to bring it to the public and let them see what is going on.

EMS Agreement 2011

Councilman Boehm stated that he had conversation with Starr Ross and they are waiting to hear from the Town of New Baltimore about the renewal of their agreement, which will make a big difference on what they look at and once that is done they can move forward on it.

Supervisor Traver stated that they would table it until the next Town Board Meeting.

Water Rents

Supervisor Traver asked that Town Clerk Millious talk about water rents.

Town Clerk Millious stated that in May she had mentioned to the Town Board that it was brought to her attention that she can not re-levy unpaid water on the property tax bills as well as receiving information that she is not authorized to collect the water rents. She continued by saying that she wanted to bring this to the Board's attention and they have Attorney for the Town Wukitsch's opinion. She added that they are now going in to the second half and the Village is looking for the address changes and she did collect the first half and the money is paid upfront to the Village and the warrant was $82,779.80 with unpaids to date of $23,550.78, which she is concerned with. She concluded by asking what the Board wishes to do with the water collection and went on by saying that she believes that they all received the opinion of Attorney for the Town Wukitsch.

Councilman Boehm asked Attorney for the Town Wukitsch what he would recommend based on his decision.

Attorney for the Town Wukitsch stated that the Town with the benefit of counsel entered into an agreement 28 years ago, which permitted this practice but in taking a fresh look at the law, he stands by his opinion and continued by reading a quote from his conclusion as follows:

"Delinquent water charges owed by users of the Village water system or located outside the Village may not be collected by the inclusion of such delinquent amounts on the Town Tax Roll"

Attorney for the Tow Wukitsch stated that he thinks it is pretty straight forward in terms of legal research and if the practice that has been going on for 28 years is unauthorized, it is not authorized by State Law and concluded by saying that he would not recommend continuing it in the future.

Supervisor Traver inquired as to if it would be wise to contact the Village Attorney to advise them what is going on as far as the findings.

Attorney for the Town Wukitsch stated that it could be the next step if that is they way that the Board wants to proceed.

Councilman Boehm stated that it should be shared with the Village Attorney as well as the Village Trustees.

Attorney for the Town Wukitsch agreed.

Councilman Boehm asked Supervisor Traver if he wanted to provide a copy of the opinion.

Supervisor Traver stated that he would provide a copy to the Mayor as well as the Village Board and if there are any questions they can contact Attorney for the Town Wukitsch and continued by asking in the meantime how Town Clerk Millious should proceed.

Attorney for the Town Wukitsch stated that it might be a better idea if he contacted the Village Attorney and share with him a summary of his findings and then go from there.

Councilwoman Rogers stated that it was a good idea.

Attorney for the Town Wukitsch stated that they should do it attorney to attorney.

Supervisor Traver asked that Attorney for the Town Wukitsch let Town Clerk Millious know once he does it because they are so close to the next billing cycle.

Attorney for the Town Wukitsch stated that he will do it right away.

Police Department – Purchase of New Vehicle

Supervisor Traver stated that the next item on the agenda was a motion to authorize the purchase of a police vehicle and continued by saying that he was asking that a motion be made to authorize the Chief of Police to purchase a fully equipped 2010 Crown Victoria in the amount not to exceed $36,000.00 and to direct the Supervisor to determine the appropriate budget or fiscal source to pay for this purchase. He then asked for a motion.

Councilman Boehm interjected that it was a motion and added that he would second the motion.

Councilman Touchette asked to discuss it and continued by saying that his feeling is that if it is a three year budget item it should be a BAN or bonded rather than paying it in cash out of this year's budget. He then asked if Supervisor Traver had any plans or idea on how he is going to fund it.

Supervisor Traver stated that he would be sitting down with the Bookkeeper and contacting the banks to find out the proper procedure for a BAN.

Councilman Touchette inquired as to if it will be a BAN.

Supervisor Traver stated that he would suggest that it be by BAN.

Councilman Boehm asked that he amend the motion to reflect that.

MOTION

On motion of Supervisor Traver, seconded by Councilman Boehm, authorizing the purchase a fully equipped Crown Victoria in the amount not to exceed $36,000.00 and direct the Supervisor to obtain information about a BAN.
AYES – 4 – NAYS 0 – ABSENT 1 (Youmans) – SO MOVED

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NEW BUSINESS

Police Department – Town Employee Driver's License

Supervisor Traver asked that Chief Darlington discuss his memo regarding Town Employee Driver's Licenses.

Chief Darlington stated that late March he received a Newsletter from the insurance carrier recommending that the Town perform annual license checks on Town employees

who operate town vehicles to determine their qualification and effects on the insurance. He added that currently the Police Department does it and at one point they were doing it for the Town but they have not done it in the three years that he has been Chief. He continued by saying that it is his request as to whether the Town wants to continue this procedure and if so he will need a copy driver's licenses.

Councilman Boehm inquired as to if he would prepare an abstract on all Town employees.

Chief Darlington stated that he would report anything that's not noted on any previous years to the Supervisor's Office and department heads and it would be done directly by his office by either himself or Dawn for confidentiality purposes.

Councilman Boehm stated that it is a safety issue and is important to find out that everyone has a license, which could be suspended and continued by saying that he would like to offer a motion and continued by asking if there is anyone that does not drive a Town vehicle and would be excluded.

Supervisor Traver stated that it would be some of the secretaries that don't have access to the vehicles.

Chief Darlington stated that the court doesn't as well as the Town Clerk's Office but Highway, Parks and Building Departments do and the Highway Clerk has at times used Town vehicles. He added that he believes it would be everything other than the main offices upstairs at Town Hall and he does not know if the Building Department clerk or Assessors clerk staff does.

Supervisor Traver stated that the Assessor's staff does.

Councilman Touchette inquired as to what happens if a report comes back that a license is suspended.

Chief Darlington stated that he would immediately notify the department head and they would not be allowed to drive and in turn the Town Board and department head would have to decide ultimately what would transpire with that employee. He continued by saying that he would caution on the side of suspension, since suspensions are caused by insurance companies not being diligent in their reporting and it would be a matter that the employee would have to show whether it was in fact cleared and in turn they could come up with steps to deal with those issues.

Councilman Boehm inquired about issues such as excessive speed and driving while intoxicated.

Chief Darlington stated that this would be something where they would contact the insurance company to find out what the impact would be on the Town and they should take proactive action and look into it now rather than waiting for an incident to happen and find out that they are going to be open to more.

Councilman Touchette stated that he would like for this to be a Policy of the Town and adopted into the Personnel Policy and annually pick an arbitrary date as well as new employees being checked after they are hired.

Councilman Boehm stated that he agrees.

Chief Darlington stated that he can check with NYMIR and added that they have several sample policies and in turn he can present one to the Board.

Attorney for the Town Wukitsch stated that another question is that they have to determine if it impacts any of the Collective Bargaining Agreements.

Highway Superintendent Deering stated that he believes that there is something in the Handbook that pertains to that.

Councilman Boehm inquired as to if there is something in the Union Agreement that prevents them from doing this.

Highway Superintendent Deering stated that he does not believe so but he is not sure.

Attorney for the Town Wukitsch stated that they are acquiring information about the employees and it may be a situation where you at least have to bring it to the attention of the Union and acquire their consent because otherwise they could conceivably file a grievance depending on whether or not it is covered in the Collective Bargaining Agreement. He continued by asking if it is being done as a condition of hire or rather a check on the existing employees.

Chief Darlington stated that was correct.

Attorney for the Town Wukitsch stated that it could be a determining condition of employment, which could be something that conflicts with the Collective Bargaining Agreement that is already in place. He continued by saying that he is not saying that it's not a good idea but rather they need to make sure that everyone is on board.

Councilman Boehm inquired if the Agreement is that detailed and stated that if you are a driver or operator you have to have a license to drive a vehicle. He continued by saying that he does not see how you could grieve that because it seems so basic.

Attorney for the Town Wukitsch interjected that you would think that drug testing is basic too and that a person can't come to work intoxicated or under the influence of drugs. He added that there has been so much litigation that has been created involving employers who have imposed drug testing without consent from the unions that are involved. He concluded by saying that it is not an identical issue but it is analogous.

Councilman Boehm inquired as to if he is recommending that they hold off until they review the Union Contracts.

Attorney for the Town Wukitsch stated that they need to review them to make sure that they are not creating an issue.

Councilman Boehm asked Attorney for the Town Wukitsch if he could do that.

Attorney for the Town Wukitsch stated that he could.

Councilman Boehm stated that based on his decision and if it is ok, he can authorize the Chief to run the abstracts.

Chief Darlington stated that the only union that it will be an issue with is the regular Town employees and added that as far as Council 82, it is in their manual and they do it annually.

Councilman Boehm interjected that they can break it down.

Supervisor Traver stated that there was a motion from Councilman Boehm and he needs a second.

Councilman Touchette stated that he would second it but it would be contingent on Attorney for the Town Wukitsch's approval.

MOTION

On motion of Councilman Boehm, seconded by Councilman Touchette, authorizing Chief Darlington to run an abstract of Town employee driver's licenses contingent on Attorney for the Town Wukitsch's approval.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Youmans) – SO MOVED

MOTIONS

Accept Resignation of Police Department Employee

Supervisor Traver stated that he was offering a motion to accept the resignation of Police Department employee Justin Rivituso, part-time Telecommunicator, effective August 31, 2010 and then asked for a second.

MOTION

On motion of Supervisor Traver, seconded by Councilwoman Rogers, accepting the resignation of Justin Rivituso, part-time Telecommunicator.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Youmans) – SO MOVED

Authorize Exchange of Services Agreement with American Legion

Supervisor Traver asked for a motion to authorize an Exchange of Services Agreement with American Legion Post #114 for 2010.

Councilman Boehm inquired as to the amount.

Collectively the Board advised that it is $1,000.00.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Boehm, authorizing the Supervisor to enter into an Exchange of Services Agreement with American Legion Post #114.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Youmans) – SO MOVED

Authorize Town Clerk to Put Sludge Hauling Out to Bid

Supervisor Traver stated that he was offering a motion authorizing Town Clerk Diane Millious to put the sludge hauling out to bid.

Councilman Boehm stated that he would second it for discussion and continued by asking how it is bid out and whether it is by gallon or by haul.

Town Clerk Millious stated that she and Chief Operator Breedlove had discussed the bid earlier in the day.

Councilman Boehm stated that they talked about a sludge pen so the truck would be full each time, which would be cheaper than having them come down every couple of days.

Councilman Touchette stated that it was a recommendation in the report

Town Clerk Millious stated that the specs should say “hauling waste water treatment plant sludge to Albany County Sewer District south plant, Port of Albany” and added that it was taken from when they bid it out in 2002. She continued by saying that it was changed a little because the Town had their own tanker.

Councilman Boehm inquired as to if it will be a price per gallon.

Town Clerk Millious stated that on the bid specification it says price per gallon and price per trip and added that she wanted the Town Board to take a look at it to make sure that it is right.

Councilman Boehm interjected that price per gallon makes the most sense to him.

Councilwoman Rogers inquired as if they know if the tanker is full or if they are just making trips.

Councilman Boehm stated that this is what he does not know and when they come down twice a week they might be taking ½ truck loads.

Councilman Touchette stated that he thinks it was part of the recommendation to expand and there would be fewer trips, which would cost less.

Supervisor Traver stated that he believes that the way it is done now is that they call and there is at least 1-2 truck loads a day 2-3 times a week depending on the sludge.

Councilman Boehm stated that from the gauge it is broken down by gallons.

Councilman Touchette stated that they pay for disposal by the gallon.

Town Clerk Millious stated that she has vouchers showing them how they break it down.

Supervisor Traver stated that the per gallon charge is from Albany County and the hauling is different.

Councilman Touchette stated that he just wants to make sure that they are comparing apples to apples.

Supervisor Traver asked if they should table it for now until they do some more research.

Councilman Touchette stated that it should be how Chief Operator Breedlove would like to do it.

Town Clerk Millious inquired as to if they want to see price per gallon.

Councilman Boehm stated that they can approve putting it out to bid and in turn Supervisor Traver can talk with Chief Operator Breedlove to find out the best and most appropriate way to word it and in turn he could communicate it back to the Board. He added that he thinks that it is a good idea to put it out to bid and maybe they can save some money.

Town Clerk Millious stated that Chief Operator Breedlove put it together.

MOTION

On motion of Councilman Boehm, seconded by Supervisor Traver to put the disposal of sludge out to bid based upon the conversations which will determine whether it will be per gallon or per trip.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Youmans) – SO MOVED

Councilman Boehm stated that they need to understand the bids when they come back so they can make a decision on the best price.

Councilman Touchette stated that he thinks that it is important because the Comptroller is implying that they need to look at purchases of aggregate.

Authorize Contract for Renewal of Software Support

Supervisor Traver stated that at a Town Board Meeting they discussed the Assessor's use of SDG Software, who provides the database of homes online, which is used to compare and get information for grieving the value of your home versus others. He added that it was decided that the cost is well worth it because it potentially can save the Town the administrative cost of grievances because residents could check their home value versus others in the area themselves online as well as providing a spirit of openness in allowing residents access to the information. He continued by saying that the cost for this service is $1,200.00, which is the same amount as last year and then offered a motion authorizing him to sign a Renewal Agreement with SDG, which will allow Town Assessor VanValkenburg to administer the contract as well as authorizing the payment of $1,200.00 by voucher to SDG.

MOTION

On motion of Supervisor Traver, seconded by Councilwoman Rogers, authorizing a renewal agreement for SDG Software in the amount of $1,200.00
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Youmans) – SO MOVED

Authorize Purchase of Office Software through ITS

Supervisor Traver stated that at a Town Board Meeting on August 9th the Town Board hired Intelligent Technology Solutions as its technology service provider and after examination of the server and computer systems of the Town; one of the recommendations is for the Town to purchase updated software such as Microsoft Office 2010 and Windows 7 Upgrade. He continued by saying that the quote for the upgrade and purchase is $5,150.00, which would provide the software for every computer in the Town's inventory. He then asked for a motion to authorize the purchase, authorize the Supervisor to sign the agreement to purchase the software and authorize the expenditure of money to pay for this purchase.

MOTION

On motion of Supervisor Traver, seconded by Councilman Touchette, authorizing the purchase of software, authorize the Supervisor to sign the purchase agreement and authorize the expenditure to pay for it.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Youmans) – SO MOVED

Councilman Touchette inquired as to if the number of computers in the Town is 32.

Supervisor Traver stated that it is.

Councilman Touchette inquired as to if there is an inventory of them and if the Town needs 32 and continued by asking if they are all in use.

Supervisor Traver stated that they are all in use.

Councilman Touchette inquired as to if this resolves anything with the server.

Supervisor Traver asked Town Clerk Millious if she knew.

Town Clerk Millious stated that this was an extra finding.

Council Boehm and Rogers collectively stated that it is part of the package.

Councilman Touchette inquired as to if they are still working on the server.

Town Clerk Millious stated that they are working with everything and at this point they cannot do any upgrades to it because it would show errors and added that without the upgrades, they can't move forward.

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RESOLUTIONS

RES. #75-10 ADOPT LOCAL LAW #2-10
On motion of Councilman Touchette, seconded by Councilwoman Rogers, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Youmans) – SO MOVED

Attorney for the Town Wukitsch stated that there needed to be a roll-call vote, Town Clerk Millious continued with the roll-call vote as follows:

Supervisor Traver	AYE
Councilwoman Rogers	AYE

Councilman Boehm AYE
Councilman Youmans ABSENT
Councilman Touchette AYE

RESOLUTION AUTHORIZING ADOPTION OF LOCAL LAW #2-2010, AMENDING ARTICLE I, "SEWER RENTS" OF CHAPTER 134 OF THE CODE OF THE TOWN OF COEYMANS

WHEREAS, the amending of Article I, "Sewer Rents", of Chapter 134 of the Code of the Town of Coeymans was introduced by a member of the Board at a meeting of the Town Board on January 11, 2010, and

WHEREAS, a Public Hearing was duly advertised in the official newspaper of the Town, and

WHEREAS, said Public Hearing was duly held on August 19, 2010 at 6:00pm at Town Hall and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition of the Proposed Local Law, or any part thereof, and

WHEREAS, the Town Board of the Town of Coeymans after due deliberation, finds it is in the best interest of said Town to adopt said Local Law.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans hereby adopts Local Law #2-2010 Amending Article I, "Sewer Rents" of Chapter 134 of the Code of the Town of Coeymans, and

BE IT FURTHER RESOLVED, that the Town Clerk is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of Coeymans, and to give due notice of the adoption of said Local Law to the Secretary of State of New York.

AMENDING ARTICLE 1, "SEWER RENTS" OF CHAPTER 134 OF THE CODE OF THE TOWN OF COEYMANS

Authority – This Local Law is adopted pursuant to Municipal Home Rule Section 10.

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF COEYMANS AS FOLLOWS:

1. Section 134-1 Purpose, is amended to read as follows:
   The purpose of this article is to establish a schedule of Sewer Rents and time for collection thereof for the Coeymans Hamlet Sewer District, Town of Coeymans, County of Albany, State of New York and for users outside of the District which utilize the Town of Coeymans Hamlet Sewer System.

2. Section 134-2 is amended by adding the following new paragraph:

   C. Also including such other properties either within or outside the Town of Coeymans which utilize the Town of Coeymans Hamlet Sewer System.

3. Section 134-3 entitled, "Amount of rent to be determined annually," is amended to read as follows:

   The Town Board shall annually fix and determine by Resolution the amount of the Sewer Rent to be charged for each classification of property users within the Coeymans Hamlet Sewer District and for each classification of users outside the District which utilize the Town of Coeymans Hamlet Sewer System in accordance With GML, Section 452.

4. Section 134-4, entitled "Payment Schedule; late payments", is amended to read as follows:

Such Sewer Rents shall be payable annually in two installments: half of such Sewer Rent shall be payable on the first of January and the second installment shall be payable on the first day of July in each year, beginning in the year 1971. In the event that said Sewer Rent is not paid within 30 days from the due date. Ten percent penalty shall be added to the charge imposed upon the real property. The Town Clerk shall annually file with the Town Board a statement showing the unpaid rates, charges and fees for the Coeymans Hamlet Sewer District and any out-of-district users, containing a brief description of the *property* against which such sewer rents were imposed, the names of the persons or corporations liable to pay for the same and the amounts chargeable to each. In the event that the fee and penalty shall not be paid prior to the levy of Town taxes, including taxes for special district purposes, then the Supervisor shall, pursuant to Section 198, Subdivision 1 (k), of the Town Law, transmit a statement of such delinquency to the County Legislature of the County of Albany, which shall levy the sums against the property liable therefore.

5. Severability – The Invalidity of any clause, sentence, paragraph or provision of this Local Law shall not invalidate any other clause, sentence, paragraph or part thereof.

6. Repealed – All Local Laws or Ordinances or parts of Local Laws or Ordinance in conflict with any part of this Local Law are repealed.

7. Effective Date – This Local Law shall take effect upon filing in the Office of the New York State Secretary of State or as otherwise provided by law.

RES. #76-10 SET SEWER RENTS AND AUTHORIZE TOWN CLERK TO COLLECT SECOND HALF
On motion of Councilman Boehm, seconded by Councilwoman Rogers, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Youmans) – SO MOVED

WHEREAS, the Town Board of the Town of Coeymans passed Resolution #120-09, authorizing the Town Clerk to collect an established sewer rate, and

WHEREAS, the Village of Ravena and the Town of Coeymans did enter into a Shared Services Agreement, made on July 6, 2010, signed by the Town on July 29, 2010 and the Village on August 5, 2010, which changed the percentages to be collected by each municipality, and

WHEREAS, as a result of current changes in the abovementioned agreement the sewer rates for 2010 need to be amended, and

WHEREAS, A Public Hearing on the proposed new sewer rates was held at 6:30pm on August 19, 2010, pursuant to Section 452 of the General Municipal Law, and

WHEREAS, the Town Board considers the number of uses per parcel to calculate the parcel billing for operation and maintenance and capital improvements, and each use is hereby charged:

$494.43/year	Residential & Commercial – Coeymans Sewer District
$494.43/year	Industrial User
$100.00/year	Vacant Lot
$494.43/year	Martins Hill Gray Water User
$494.43/year	Out-of-District User
$221,700.00/year	Village of Ravena (billed monthly), and

WHEREAS, Local Law allows for a late penalty to be imposed on all balances thirty days from the due date of the billing.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby amend the motion made on December 28, 2009, to reflect the change in the 2010 Sewer Warrant, and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Coeymans does hereby authorize the Town Clerk to collect for the first billing cycle and second billing cycle of 2010, pursuant to the above established rates.

RES. #77-10 AUTHORIZE COMPLETION OF AUDIT FOR JUSTICE COURT
On motion of Supervisor Traver, seconded by Councilwoman Rogers, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Youmans) – SO MOVED

WHEREAS, the Town Board must complete and has completed an audit in accordance with Town Law Section 123 and Section 2019-a of the Uniform Court Act, of all Town Justices and,

WHEREAS, the Town Board has adopted an audit procedure, based on the Local Management Guide, Fiscal Oversight Responsibilities, published by the State of New York Office of the State Comptroller, on May 14, 2007 to be applied to records of each Town Justice, and

WHEREAS, the Town Board has completed the audit on August 17, 2010,

NOW, THEREFORE, BE IT RESOLVED, the records of Town Justice Dardani have been reviewed by the following reviewers and have concluded as follows:

Board Member	**Conclusion**
Henry C. Traver	See attached checklist/comments
Dawn Rogers	See attached checklist/comments
Thomas Boehm	See attached checklist/comments
James Youmans	See attached checklist/comments
Richard Touchette	See attached checklist/comments

The records of Town Justice Reilly have been reviewed by the following reviewers and have concluded as follows:

Board Member	**Conclusion**
Henry C. Traver	See attached checklist/comments
Dawn Rogers	See attached checklist/comments
Thomas Boehm	See attached checklist/comments
James Youmans	See attached checklist/comments
Richard Touchette	See attached checklist/comments

The completed checklists, which include the reviewer's comments and conclusions, are made part of this resolution.

Councilman Touchette inquired as to if the checklists will be included in the minutes.

Town Clerk Millious stated that they are kept in a notebook on file in the Town Clerk's Office.

Councilman Boehm asked if they are available to the public for anyone that wants to see them.

Town Clerk Millious stated that they are.

RES. #78-10 AUTHORIZE COMPLETION OF AUDIT FOR TOWN OFFICIALS THAT HANDLE CASH

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

WHEREAS, the Town Board must complete or have completed an audit, in accordance with Section 123 of Town Law, of all Town Officials that handle cash, and

WHEREAS, the Town Board has adopted an audit procedure, based on the Local Management Guide, Fiscal Oversight Responsibilities, published by the State of New York Office of the State Comptroller, on May 14, 2007, to be applied to the records of each Town Official that handles cash, and

WHEREAS, the Town Board has completed the audit on August 17, 2010,

NOW, THEREFORE, BE IT RESOLVED, that the records of the Town Supervisor have been reviewed by the following reviewers and have concluded as follows:

Board Member	**Conclusion**
Henry C. Traver	See attached checklist/comments
Dawn Rogers	See attached checklist/comments
Thomas Boehm	See attached checklist/comments
James Youmans	See attached checklist/comments
Richard Touchette	See attached checklist/comments

The records of the Town Clerk have been reviewed by the following reviewers and have concluded as follows:

Board Member	**Conclusion**
Henry C. Traver	See attached checklist/comments
Dawn Rogers	See attached checklist/comments
Thomas Boehm	See attached checklist/comments
James Youmans	See attached checklist/comments
Richard Touchette	See attached checklist/comments

The records of the Receiver of Taxes have been reviewed by the following reviewers and have concluded as follows:

Board Member	**Conclusion**
Henry C. Traver	See attached checklist/comments
Dawn Rogers	See attached checklist/comments
Thomas Boehm	See attached checklist/comments
James Youmans	See attached checklist/comments
Richard Touchette	See attached checklist/comments

The records of the Town Clerk's collection of water receipts have been reviewed by the following reviewers and have concluded as follows:

Board Member	**Conclusion**
Henry C. Traver	See attached checklist/comments
Dawn Rogers	See attached checklist/comments
Thomas Boehm	See attached checklist/comments
James Youmans	See attached checklist/comments
Richard Touchette	See attached checklist/comments

The records of the Town Clerk's collection of sewer receipts have been reviewed by the following reviewers and have concluded as follows:

Board Member	**Conclusion**
Henry C. Traver	See attached checklist/comments
Dawn Rogers	See attached checklist/comments
Thomas Boehm	See attached checklist/comments
James Youmans	See attached checklist/comments
Richard Touchette	See attached checklist/comments

The records of the Police Chief's collection of bail and other cash receipts have been reviewed by the following reviewers and have concluded as follows:

Board Member	**Conclusion**
Henry C. Traver	See attached checklist/comments
Dawn Rogers	See attached checklist/comments
Thomas Boehm	See attached checklist/comments
James Youmans	See attached checklist/comments
Richard Touchette	See attached checklist/comments

RES. #79-10 APPROVE AUGUST 2010 ABSTRACT
On motion of Councilman Touchette, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Youmans) – SO MOVED

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

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

FUND	VOUCHER #	AMOUNT
GENERAL (A)		
General Pre-Pay	1422-1433,1435-1474	$222,658.35
General	1519-1561	$103,161.57
	General Total	**$325,819.92**
POLICE FORFEITURE (A)		
Police Forfeiture Pre-Pay	1475	$ 740.00
	Police Forf. Total	**$ 740.00**
PART-TOWN (B)		
Part-Town Pre-Pay	1434,1476-1490	$319,327.28
Part-Town	1562-1567	$ 3,845.64
	Part Town Total	**$323,172.92**
HIGHWAY (D)		
Highway Pre-Pay	1491-1497	$ 33,107.34
Highway	1568-1608	$ 52,727.58
	Highway Total	**$ 85,834.92**
SEWER (SS)		
Sewer Pre-Pay	1498-1512	$ 14,498.23
Sewer	1609-1625	$ 15,299.12
	Sewer Total	**$ 29,797.35**

CAP. PROJ. H-35		
Cap. Proj. Pre-Pay	1626	$ 1,676.48
	Cap. Proj. Total	**$ 1,676.48**
	Total for all Funds	**$767,041.59**
TRUST & AGENCY (TA)		
Trust & Agency Pre-Pay	1513-1518	$224,467.14
	Trust & Agcy. Total	**$224,467.14**

RES. #80-10 AUTHORIZE BENETECH TO PREPARE CONTRACTS FOR CDPHP
On motion of Councilman Boehm, seconded by Councilwoman Rogers, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Youmans) – SO MOVED

WHEREAS, the Town of Coeymans provides health insurance to employees and retirees, and

WHEREAS, the Town pays the majority of the cost of the employee and retiree paying a portion of the cost, and

WHEREAS, the Town has reviewed the options for annual health insurance coverage available for the period of September 1, 2010 to August 31, 2011, and

WHEREAS, input has been obtained from the employees and retirees with regard to options,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans has selected CDPHP HMO 25 for employees and MVP Medicare Gold are hereby authorized.

BE IT FURTHER RESOLVED, that the Town Board directs our health insurance consultant, Benetech, to prepare the contracts for CDPHP HOM 25 and MVP Medicare Gold for the year September 1, 2010 to August 31, 2011.

Councilman Boehm asked if the rates on the back are the premiums.

Supervisor Traver stated that it shows single, double and family.

Councilman Touchette inquired as to what the increase is from last year.

Tape Change - some conversation was not recorded and there is no video.

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PUBLIC COMMENT

Supervisor Traver invited the public to comment at this time.

Mr. John Hillman stated that he got a letter from Code Enforcement about his dumpster being in public view and it being a violation of the Code and added that a $50.00 fine or 15 days in jail is a kick in the teeth. He continued by saying that he took some pictures as well as taking a survey at his shop for 13 business days, and he has over 50 signatures to his question whether or not his dumpster's appearance bothers them when they come into his facility and not one person said it does. He added that Mr. Conrad is the only person that does not like his dumpster and he went to school with him and could have come to him and talked to him instead of sitting in the vacant lot across the street and waving to

him. He went on by saying that he does not want to put a fence around it and everyone is going through hard economic times, including himself and he does not want to incur an expense of $400.00 - $500.00 to put a fence around a dumpster that is clean and neat and never over-flowing. He continued by saying that he also has pictures of other dumpsters in the area and he does not know if they also received letters but he would like to know. He added by saying that the Town needs to take a look at the businesses that have closed up, moved or are for sale, and Main Street is no beauty and the fact is that he has tried to keep his business neat and orderly. He continued by saying that he would have to worry about customer's cars being hit with the garbage man flinging open the door at 4:00am or someone hiding behind it ready to engage in a criminal act like jumping someone that is picking up their car. He went on by saying that the dumpster has been in five different places since he built his business in 1987-1988 and the reason that it is in the corner is because the owner of Deli-Plus does not want him driving across his fresh blacktop with the garbage truck. He continued by saying that he invites any of them to drive 55mph past his business and see where his dumpster might be bothering them and added that it seems like an asinine request for him to have to move his dumpster or put a fence around it and incur more debt. He concluded by saying that it is hard enough to run a business and people are going out of business everyday and there has been no one in the past five years that have wanted to go in business around here and added that if anyone wants to talk logic about it, he is here.

Councilman Boehm asked that Mr. Hillman leave his pictures for review.

Mr. Hillman stated that he would.

Ms. Mary Driscoll stated that as President of the Ladies Auxiliary to VFW Post #9594 she wanted to tell the Board about a Remembrance Walk on September 11th at Village Hall, 10:00am in the morning. She continued by saying that they will be joining thousands of communities in remembering the victims of 9-11 as well as honoring the local heroes, Fire Departments, Police Department, and Rescue Squad. She concluded by saying that they wanted to invite everyone to join in a short impressive ceremony.

Mr. Larry Conrad stated that he wanted to point out that he was not present in any official capacity and had listened to the discussion about the Water District earlier and it seems that there are some facts that are being left out of the picture that he feels should be brought into the picture. He added that Attorney for the Town Wukitsch referred to the fact that a contract was consummated back in the 80's, which is the most recent contract that was developed between the Village and Town basically because of the fact that the Town had no billing capacity at that time. He went on by saying that the contract that was consummated by then Supervisor John T. Biscone was the way it was done back then, a handshake a hit and a miss and away they went and they probably tried to escape some of the legalities of the law. He continued by saying that he brought it to Town Clerk Millious' attention that she does not have authority to collect those bills or interest and it was based on the same thing that they passed earlier, Local Law 2-04, which authorizes collection of Sewer Rents, which they can do because there is a Sewer District. He added that he also wanted to point out that the Coeymans Water District was originally consummated in 1896 and has been reformulated three times since then and it is a District just like the Coeymans Hamlet Sewer District and there are obligations in dealing with districts and you don't just disband them or hand them off. He went on by saying that the Town Board is obligated to look out for those districts and those districts depend on the Board to take care of the district users, whether it is water or sewer and it appears based on discussions that he's heard that they are just going to do away with the Water Billing and let the Village take it over. He continued by saying that he'd like to point out that just like the Sewer Billings that they have the ability to do now, that same Sewer Billing will also do a Water Billing and there is the capability to do it in-house in the Town of Coeymans and Town Clerk Millious can verify that the Sewer Billing that she uses already has the Water Billing loaded on it and because of the way that the Village keeps track of the rates, it is problematic for her office to keep track of who owes what and what penalties of interest are due. He concluded by saying that he would suggest that in the discussion with Attorney for the Town Wukitsch and the Village that they look at the possibility of another Local Law authorizing Town Clerk Millious to collect the Water Rents.

Councilman Touchette asked that he respond to Mr. Hillman's comments.

Mr. Conrad stated that he is the Code Enforcement Officer for the Town of Coeymans who represents the Town of Coeymans and he has a job to do. He added that Mr. Hillman has not been singled out and there are many letters that have been sent out from the Town of Coeymans line in the south at the Town of New Baltimore line to the Town of Bethlehem line. He continued by saying that it is Section 102-7 of the Code that he has provided to Supervisor Traver and basically he is doing what the Code says in that a dumpster should be obscured and a fence does not have to be put up, he can move it around behind the building. He went on by saying that when you send out a letter to one business you can't discriminate against all the rest and there are others like Key Bank that have complied and put up a fence and some foliage to block the view of their dumpster and it is a matter of trying to maintain some kind of façade along the 9W Corridor so it's not quite so harsh in the future. He continued by saying that the law was put into place in 2000 and if the Board wants to do away with it in 2010 so be it but until then he has a job to enforce the Code.

Ms. Mary Pape stated that she wanted to know when the Board's next discussion regarding the Port of Coeymans and the Coeymans Police Department is going to be.

Supervisor Traver stated that it will be once they have the information back as far as the legalities.

Ms. Mary Pape asked if there would be a Workshop or sometime when the public can present their feelings on it.

Councilman Boehm interjected that she could do it now if she wanted.

Ms. Mary Pape stated that she doesn't really have any information and it is too limited to form an opinion. She added that just off the top of her head she does not have a good feeling about it but she has very limited information and it's always been her understanding that the Police Department is already overwhelmed with the needs that the Town and Village has and they are already over capacity. She continued by saying that she really would question taking on a private security job and as a taxpayer she does not want to pay for her Police Department, who is already overworked, to be affording private security for a private company. She went on by saying that she does not think that the Albany Police are the security for the Port of Albany and she believes that they retain a private company for that as well as the Hudson being an international river, which makes it under Homeland Security. She then asked how that would affect the Town of Coeymans Police status and if they become Homeland Security.

Supervisor Traver stated that the Port is in the Town of Coeymans and if there are calls at the Port, the Coeymans Police Department would respond to all calls for down there.

Ms. Pape asked if the was referring to now or then.

Supervisor Traver stated that it is for now and if there is a call for assistance the Coeymans Police Department would respond.

Ms. Pape stated that she asked two years ago who the security would be for the Port of Coeymans and she never got an answer from the Town Board or her State Representative and now all of the sudden this has surfaced. She added that she thinks it should be a private company that the Board would hire to be their security and if some of the Town of Coeymans Police force want to do it on their own time, it is their business and then reiterated that she does not feel that it is something that the Town's Police Department should be doing because they've already got their hands full with the Town.

Councilman Touchette stated that when it is on an agenda for the future, the agendas are published on the Town's website in advance and suggested that she check the website before the meetings she can see what is going to be on the agenda.

Ms. Pape stated that she thought it was true about the agendas being on the website but regarding the sewer issues that went on last week, there wasn't anything on the website and she would not have known about it if people hadn't told her by word of mouth. She continued by saying that if she can trust that the information is really going to be there, which is wonderful to have it there, it would be great and reiterated that she would like to be present to hear that discussion.

Chief Darlington stated that he wanted to make a couple of comments and added that the question about the Homeland Security and the opportunity to provide security there would open up grant funding through the Department of Homeland Security because they are directly involved with the Port of Coeymans. He continued by saying that the intent of him presenting this would not cost the taxpayers and in fact it would be a revenue source to the point that it could potentially create enough revenue to put another officer on the road protecting the Town of Coeymans with no cost to the taxpayers. He added that there were some preliminary numbers that they were looking at and some insurance questions did come up. He went on by saying that the Port of Coeymans currently hires private security and if there is an issue they do not address it and they call the police. He went on by saying that the definition of security is questionable and his concern is what the true security is with international ships entering the Town.

Ms. Pape inquired as to when it is discussed further and whether or not the public is going to be able to participate in the discussion.

Supervisor Traver stated that they will be able to participate and continued by asking if there were any additional comments.

Mr. John Hillman stated that he wanted to clear something up with Larry Conrad's comment and added that he is not zeroing in on him and only mentioned his name because he is the one that signed both letters that he received. He continued by saying that he is just asking for communication and this is how things get accomplished and he is easily accessible and a phone call or stopping in and saying that there was a problem and in talking about it they maybe could have gotten a resolution instead of sending letters. He went on by saying that he is an upfront type person and doesn't hide behind letters, e-mails, or voice mails and would like to be upfront and get the problem solved, if there is such a problem and reiterated that he is not zeroing in on Larry Conrad and he wanted to make that clear but he is the one that signed the two letters and this is why he mentioned his name.

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

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CORRESPONDENCE

Ladies Auxiliary – Memory Walk

Supervisor Traver stated that Mary Driscoll spoke about the Ladies Auxiliary Memory Walk earlier in the meeting.

Supervisor, Town of Barker, NY – Marcellus Shale

Supervisor Traver stated that he received a letter from the Supervisor of the Town of Barker looking for some assistance from the Town Board in passing resolutions regarding the Marcellus Shale. He continued by saying that he is checking into it and he wanted to let the Town Board and public know that there is a possible formation of Marcellus Shale in part of the Town of Coeymans in the Gedney Hill area and down the road it may become a concern for the Town of Coeymans.

Councilman Touchette stated that the Supervisor is asking for support by resolution.

Attorney for the Town Wukitsch stated that it is a resolution of support.

Councilman Touchette stated that it is a resolution supporting the drilling of Marcellus Shale and added that at this time he does not have enough information.

Supervisor Traver stated that he agreed and added that it may be something that they will be concerned with because a portion of it may be in the Town of Coeymans.

Town Attorney Wukitsch, Town of Coeymans Public Housing Agency NY

Supervisor Traver stated that he was in receipt of a copy of a letter from McNamee, Lochner, Titus & Williams, P.C. to Leavenworth and Company and continued by reading the following:

Leavenworth & Co., CPA's, PLLC
2600 State Hwy. 30A
Fonda, NY 12068

RE: Town of Coeymans Public Housing Agency, New York

Dear Sirs:

By letter dated August 11, 2010 and in connection with your audit of the Town of Coeymans Public Housing Agency (the "Town PHA"), we have been requested by Henry C. Traver, Supervisor, to furnish you with certain information concerning the Town PHA.

Our response is made in conformance with and is limited by the ABA Statement of Policy regarding Lawyers' Responses to Auditors' Requests for Information issued in December 1975.

Subject to the foregoing, this will confirm that as of December 31, 2009 and as of this date, there are no matters involving pending or threatened litigation or lawsuits, with respect to which we have been engaged and to which we have devoted substantive attention on behalf or the Town PHA in the form of legal consultation or representation which pose any risk of liability to the Town PHA.

Based on available knowledge, we confirm management's belief that there are no unasserted claims which are probable of assertion or which, if asserted, would have at least a reasonable possibility of an unfavorable outcome.

Our response is limited to matters upon which we have been consulted, and we specifically disclaim any undertaking to opine on matters for which this firm has not been consulted. Further, we have not conducted an investigation to determine whether there are other matters upon which we have not been consulted, which would alter the opinions expressed above.

We are not aware of any other matters which we feel would assist you in arriving at an opinion concerning the financial position of the Town PHA. This will confirm as correct the Town PHA's understanding as set forth in its letter to us that whenever, in the course of performing legal services for the Town PHA with respect to a matter recognized to involve unasserted possible claims or assessments that may call for financial statement disclosure, we have formed a professional conclusion that the Town PHA must disclose or consider disclosure concerning such possible claim or assessment, we, as a matter of professional responsibility, will so advise and will consult with the Town concerning the question of such disclosure and the applicable requirements of Statement of Financial Accounting Standards #5.

As or this date, there is $0.00 due this firm for billed services or unbilled services. Legal fees, if any, paid this firm in 2009 were attributable entirely to the normal Town PHA legal services.

We are not aware of any filings under the Uniform Commercial Code or of any other assignment of the Town PHA's assets. We have not concluded a search of public records for purposes of locating any filings or assignments.

The information set forth in this letter is given as of the date of the audit, although it reflects changes to the date of this letter. We disclaim any undertaking to advise you of changes which hereafter may be brought to our attention.

This letter is solely for your information in connection with your examination of the foregoing financial statements and your reports with respect thereto, and shall not be quoted in whole or in part or otherwise referred to in any financial statements of the Town PHA on your report with respect thereto or in any other document, nor shall it be filed or furnished to a governmental agency or other person without our prior written consent.

Very truly yours,

McNamee, Lochner, Titus & Williams, P.C.

David Wukitsch

Councilman Touchette stated that this is a standard letter that is written for any audit and continued by asking if it is typically required before the final audit statement is issued.

Attorney for the Town Wukitsch stated that it is.

Councilman Touchette stated that the final audit statement was issued several months ago.

Attorney for the Town Wukitsch stated that he issued the opinion as soon as he got the request for it.

Councilman Touchette stated that the request was in August of this year.

Attorney for the Town Wukitsch stated that was correct.

Councilman Boehm stated that he had a correspondence to share and added that he received a copy of a letter from the Office of State Comptroller from Anthony J. Dolan, C.P.A., which was copied to all the Town Board Members and continued by reading the following:

Dear Town Supervisor Traver,

Despite previous correspondence with your office, your Annual Financial Report for fiscal year ending 12-31-09 remains delinquent. Pursuant to Municipal Law 30 your Annual Report should have been filed with the Office of the State Comptroller on May 1, 2010. In as such, a timely report impacts the entire municipality a copy of this letter is being distributed to each member of your municipality's legislative body. We recognize that the demands of your office may conflict with your efforts to complete the report; however we must emphasize the importance of the information in the Annual Financial Report to the managers within your municipality and a wide variety of external users. Our prior correspondence noted that we provide financial data from your municipality and other local governments to the State Legislature, State agencies and other interested parties for their use in allocating resources and monitoring programs which may affect your municipality directly. We also make this information available to the general public and note those municipalities that have not filed a report with our office. To avoid negative consequences that may be associated with these circumstances, we again urge you to file your Annual Financial Report for the fiscal year ending December 31, 2009 without further delay. As we have noted in each of our earlier letters, Division of Local Government and the School of Accountability is prepared to assist you in filing your Annual Financial Report. Questions relating to accounting issues or the preparation of your Annual Financial Report should be to our regional office serving your County. A listing of New York State Counties and regional office contacts can be found on our website. For assistance with the Annual Financial Report or electronic filing software, please cal (518) 474-4014.

Councilman Boehm stated that the purpose of him reading the letter is to formally ask and get a deadline, because it is severely late and when it will be completed.

Supervisor Traver stated that it is being worked on with Internal Control Officer Purinton and added that they have found a few discrepancies with some of the filings for the Report for 2009 and they are working on those issues. He continued by saying that one of the issues is with H.U.D. and they are trying to ascertain some money from H.U.D. as well as getting the audits done, which are now complete and can be added.

Councilman Boehm asked if he has reached out to the State Comptroller's Office and asked for their assistance.

Supervisor Traver stated that the last time that he spoke with them, they asked that he keep them up to date, which he has done and he advised that they are still working on it.

Councilman Boehm reiterated that they need to set a deadline or some kind of timeline and he does not know how many other letters there were and this is the first one that he copied the Board on.

Supervisor Traver stated that it is the third letter.

Councilman Boehm asked that they commit to a deadline or timeline right now so they can get the financial information to the Comptroller's Office.

Supervisor Traver stated that he will speak with Internal Control Officer Purinton to see how quick they can get the rest of the report done and added that as Supervisor he does not feel comfortable signing off on a report and would much rather have it be accurate and correct as opposed to a report that is not correct.

Councilman Boehm interjected that it still has to be filed and continued by saying that he does not know his colleagues feel but he thinks that 30 days makes sense.

Supervisor Traver stated that he can work within that timeline and will have it submitted within 30 days.

Councilman Boehm thanked Supervisor Traver.

Supervisor Traver asked if there was any other correspondence, hearing none he moved to the next item on the agenda.

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ADDITIONAL COMMENTS

Supervisor Traver asked if there were any additional comments.

Chief Darlington stated that as many are aware there was a train derailment that happened right outside Town Hall and one of the cars laying on its side was an empty tanker with residue sulfuric acid and when they clarified what residue and empty meant they were advised that it is anything under 1,000 gallons. He added that it raised a concern with him about the Town employees and in the past three years he has asked for additional funding to maintain the Communications Bus, which is the Town's backup system for the Dispatch Center. He continued by saying that if the tanker were to leak they would have had to evacuate the Dispatch Center and 911 lines and the radios that are currently in the bus are outdated and inadequate and would not be able to handle it. He went on by saying that in the 2011 Budget he has asked for some funding to start upgrading the bus and it is one of those things that they keep saying will never happen but unfortunately it did and they were lucky with the results. He added that another thing that has come up is the use of the garage at the Sewer Plant and in their research he would also ask that when the mechanic works on a Sewer Plant vehicle, with the Chief Operator's salary and everything coming out of the A-Fund, that they make sure that the repair also comes out of the Sewer Fund. He continued by saying that regarding Section 8, the Police

Department has done many investigations and he has several cases where they are possibly going to be reimbursed for them. He then asked if any decision had been made as to whether or not they are going to obtain that money and what they will be doing with the possible reimbursement, which has been out there for at least a year and a half.

Attorney for the Town Wukitsch inquired as to where the reimbursement comes from.

Chief Darlington stated that he believes the way that the Internal Control Officer explained to him is that with the Section 8 Program, when someone commits fraud they are required to pay the fund back and for example out of $20,000.00 the PHA is entitled to up to 50% of reimbursement of that money and if the Town spent $10,000.00 investigating it, they would be reimbursed $10,000.00.

Attorney for the Town Wukitsch inquired as to if Mastrianni Inc. agrees with their analysis.

Chief Darlington stated that Mastrianni Inc. has not agreed with anything with the Town of Coeymans regarding Section 8.

Councilman Touchette stated that they discussed it recently at a Workshop and he thought they were going to ask Attorney for the Town Wukitsch to look into it.

Supervisor Traver stated that it is beyond his scope.

Attorney for the Town Wukitsch stated that he has a stack of Federal Regulations and miscellaneous documents and other matters and added that he feels as though it is outside the scope of his retainer.

Councilman Boehm stated that it would cost more to get the money back.

Attorney for the Town Wukitsch stated that he is willing to do it and added that he does not feel that an analysis and a study of that potential claim, which has already been rejected by Mastrianni Inc., is within the scope of the services.

Councilman Boehm inquired as to what it would cost.

Councilman Touchette stated that he thought they decided at the Workshop that they were going to discuss with Attorney for the Town Wukitsch what the cost of examining it would be and in turn determine if it made sense to move forward.

Attorney for the Town Wukitsch interjected that they would have to make a claim against something and added that it does not sound like anyone is prepared to issue the Town or the Town PHA a check.

Chief Darlington stated that the Town writes the checks and it is just a matter that it would come out of that account and added that he would emphasize that if the Town does not take the money; Mastrianni gets that money and takes the recovery.

Attorney for the Town Wukitsch stated that in reading through Mastrianni's correspondence, he is of the view that the Town has no right to make a claim against those moneys and the Town is without authority to make that claim.

Chief Darlington stated that was correct.

Councilman Boehm inquired about writing a check to pay themselves and added that they would then have to come after the Town.

Attorney for the Town Wukitsch stated that he would not recommend that the Town do that unless they are on firm legal footing. He added that if they are going to take a claim adverse to Mastrianni, they better be on firm legal footing before they do it or they could get in a lot of trouble.

Chief Darlington stated that was correct and added that he will say that Mastrianni's attorney also said that the Town did not have the authority or grounds to investigate the Section 8 frauds and once the Special Agent from HUD came down and when Mastrianni refused to reveal the records, it was explained that the records are in fact the property of the Town of Coeymans. He added that the Town of Coeymans is the PHA and it says that the PHA can recover for fraud recoveries, which has been the discussion and he had asked and Internal Control Officer Purinton had asked if someone was on the Town's side and even the previous Supervisor had questioned the operation and how it is funded. He went on by saying that he along with Internal Control were looking for someone on the Town's side to review it and give an official decision.

Councilman Touchette inquired as to if his recollection was correct that they were going to ask Attorney for the Town Wukitsch to give them some sort of ballpark figure as to what it might cost to give an opinion.

Supervisor Traver stated that they discussed how many days it would take him to investigate and see if it is worth going forward to see if they can recoup some of the money.

Chief Darlington stated that he believes that there is a substantial amount of money.

Supervisor Traver stated that there is over $40,000.00 right now.

Attorney for the Town Wukitsch stated that he would share with the Board an estimate of what he thinks that it would take.

Supervisor Traver stated that it would also assist with one of the items on the Annual Financial Report.

Attorney for the Town Wukitsch stated that he would not hold that up.

Councilman Touchette stated that they already have the audited financial statements for that and added that he thinks the crux of it is who the PHA is and clearly and it says on Mastrianni's website that the PHA is the Town of Coeymans. He continued by saying that he would like for Attorney for the Town Wukitsch to investigate it further.

Supervisor Traver asked that Attorney for the Town Wukitsch check into it.

Attorney for the Town Wukitsch stated that he would and get back to him.

Supervisor Traver asked if there were any additional comments, hearing none he moved to the next item on the agenda.

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TOWN BOARD WORKSHOPS/MEETINGS

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

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ADJOURNMENT

Supervisor Traver asked for a motion to adjourn the meeting.

MOTION

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

Time – not indicated

Respectfully Submitted, **APPROVED:**

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Diane L. Millious, Town Clerk

A Town Board Meeting was held Monday, September 13, 2010, at 7:00pm at Town Hall, 18 Russell Avenue, Ravena, New York

PRESENT: Henry C. Traver, Supervisor
Dawn Rogers, Councilwoman
Thomas A. Boehm, Councilman
James C. Youmans, Councilman

ABSENT: Richard N. Touchette, Councilman

ALSO PRESENT: Diane L. Millious, Town Clerk
Albert Deering, Highway Superintendent
Greg Darlington, Chief of Police
Theresa Shear, Confidential Secretary

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

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OPENING COMMENT

Supervisor Traver stated that Council Youmans, Rogers and Boehm were present with Councilman Touchette being absent. He continued by saying that Town Clerk Millious, Confidential Secretary Shear, Chief of Police Darlington and Highway Superintendent Deering were also present and continued by giving an overview of the agenda.

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AGENDA

- Public Comment
- Approval of Minutes
  - Public Hearing, August 19, 2010, 6:00pm
  - Public Hearing, August 19, 2010, 6:30pm
- Old Business
- New Business
  - Justice Court, Hiring Full-Time Clerk
  - Invitation to Bid, Collection System and WWTP Upgrades 2010
  - Highway Department, Renewal of GASBOY Software Support, Need for ITS Hardware
  - Planning Board, Request to Attend Training
  - NYMIR, Proposed Additional Lines of Coverage
- Resolutions
  - Approve Amended Abstract
- Correspondence
  - Lafarge
  - Citizen Liaison Panel Meeting
  - Hillary Hawke, Press Release
- Town Board Workshops/Meetings\
  - Town Board Workshop, September 21, 2010, 6:00pm
  - Town Board Meeting, September 27, 2010, 7:00pm

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PUBLIC COMMENT

Supervisor Traver invited the public to comment at this time.

Christina Burns stated that she lives in Coeymans Hollow and continued by asking if there was $1,000.00 allocated for the Farmers Market in Coeymans this year and whether or not it was in the budget and added that she was under the assumption that there was.

Supervisor Traver stated that he does believe there was money allocated but he is not aware of how much there was and added that there were some signs purchased. He continued by saying that he can find out for sure and let her know.

Ms. Burns reiterated that she understood that there was money and it was suppose to be used for advertising and funds for different events and there was no advertising, no events planned and basically the market that was suppose to run through October is done because there are no vendors left. She continued by asking why money was not spent to bring in customers and keep the vendors there.

Councilman Boehm inquired as to if she was charged a fee for her booth.

Ms. Burns stated that she wasn't.

Councilman Boehm stated that he didn't think that there was money allocated for advertising.

Councilman Youmans stated that he does not have a budget with him and added that he spoke with Councilman Touchette, who organized the Farmer's Market, and he indicated that next year as they go into the season to start getting ready, he would welcome any and all input from the vendors.

Ms. Burns stated that there was a big meeting at the beginning of the season and they all had input and she understood that Councilman Touchette was going to go to local businesses to see if they wanted to do some funding and in turn make a banner with all the businesses on it. She continued by saying that her concern is that next year they will go through the same thing and it will be another year that it is a flop and this is two years in a row. She added that they are not going to be able to pull vendors in if it continues the route it is going at, which is her concern and then asked what the options are because she does not want it to fail. She went on by saying that she enjoys it and it is nice and it's nice to be local rather than having to go outside the Town because this one is not pulling in enough people and there are not enough vendors, which she does not understand.

Councilman Boehm stated that at the New Baltimore Farmer's Market they give you free coffee if you go.

Ms. Burns stated that she doesn't personally do that market but her mother-in-law does and it has actually been better this year since they moved it and it has been growing.

Councilman Boehm stated that the vendors are not charged a booth space and they tied it in with the Evenings on the Green, so there was traffic down there. He added that they are open to new ideas and he hopes that it continues and it was advertised on the website.

Ms. Burns stated that it was on the website but there was not much other advertising and added that you really have to hit it hard.

Councilman Boehm stated that it's not all the Town's responsibility.

Ms. Burns stated that Councilman Touchette is the only manager that the vendors know because he is the one that had been discussing it and she does not know who else to go to or who is suppose to do it.

Councilman Youmans stated that he understands that she would be in favor of a fee for the vendors and asked if that was correct.

Ms. Burns stated that she is but not a large one because it is not a big enough market and a small fee for $10.00 - $15.00 per week given at the beginning of the market could be

used for funding and would keep the vendors there because they had money invested in it.

Councilman Youmans stated that she seems to know the ins and outs of it.

Ms. Burns stated that she does somewhat and added that she has been dealing with it for two years.

Councilman Youmans stated that the Town is new at it.

Ms. Burns stated that she would agree with that.

Councilman Youmans stated that he will talk with Councilman Touchette about it and he is sure that her input will be welcomed and then thanked her.

Supervisor Traver asked if anyone else wished to speak.

Mr. Mike Lambert stated that he lives on Westerlo Street in Coeymans and continued by asking who is responsible for the sewage increase where Coeymans pays the whole shot and the Village does not. He added that Coeymans probably has more apartment buildings than the Village and the landlords will be raising their rent when the average Joe in Coeymans has less money that the average Joe in the Village. He continued by saying that it makes no sense to him and then asked that it be explained.

Supervisor Traver stated that at this time there are several things that have to be done at the Sewer Plant, which will be brought up later in the meeting and includes a roof replacement, a generator that has to be replaced, and a boiler that has to be replaced that they have to come up with the money, which is why there was a major increase.

Mr. Lambert stated that it should be paid for across the board and the Village should pay their share but instead it's the Town picking up the tab and added that it is ridiculous and not fair, which they can see themselves.

Supervisor Traver asked if anyone else wished to speak.

Ms. Lesley Lopez stated that she also lives in the Hamlet and she received her sewer bill earlier in the week and was quite shocked when she opened it. She added that she agrees with what the gentleman was just saying about the huge increase and part of her issue is that she had no knowledge that there was going to be an increase and apparently there was a Public Hearing that was advertised in the News Herald but she does not get the News Herald. She continued by saying when the bill came with such an outrageous increase there should have been a letter that came either with it or separately explaining the things that Supervisor Traver was just talking about. She went on by saying that you hear things in and around Town about the differences between the Village and the Town and she has no idea what is right and what the real story is and all she knows is that she went from paying about $200.00 a year to paying $500.00 a year, which is not acceptable to have that much of an increase. She continued by saying that she has no problem with an increase if that is what's necessary but to go that kind of a jump is not fair to any of the taxpayers and if there is some kind of a situation with the Village and it does need to be across the Board and then asked for the reason for the huge increase. She concluded by saying that they said that there are repairs that need to be done but to jump that much is putting it all on the taxpayers in the Hamlet.

Supervisor Traver stated that it is also due to a deficit in the budget with the Sewer Plant for over the past eight years and it is a deficit of about $500,000.00 that they also have to pay, which is also part of the reason for the large increase.

Ms. Lopez inquired as to why they have not seen an increase during the last eight years.

Supervisor Traver stated that she would have to ask the prior administration.

Ms. Lopez inquired as to if they are covering the deficit all in one shot.

Supervisor Traver stated that it will be over a five-year period.

Ms. Lopez inquired as to how the Village plays into it and as to what is happening with their sewer prices.

Supervisor Traver stated that the split went to 65/35 and 70/30 percents.

Ms. Lopez inquired as to what the average homeowner pays in the Village and added that she is going up an extra $300.00 a year.

Supervisor Traver stated that the Village sets the rates and she would have to ask the Village Board.

A member of the audience stated that she is also in the Village and added that it went up $56.00.

Ms. Lopez stated that there is a problem if the Village is buying sewer services and they are going up $56.00 and she is going up $300.00 and there is a huge unfairness there and she does not think that it is fair to put it on the individual taxpayer, especially with the economy the way that it is. She concluded by saying that it is a substantial increase and it should be looked at.

Supervisor Traver asked if there were any other comments.

Ms. Alice Southwick stated that she has lived in the Town of Coeymans for 30 years and she just got her bill as well. She added that her bill in January was $315.00 and it just went up to $1168.00, which is an $853.00 increase and her property and the Village only went up $56.00, which is water and sewer combined. She continued by asking why it went up that much and added that there won't be anyone left in the Town of Coeymans.

Supervisor Traver stated that he just explained his reasoning.

Ms. Southwick stated that they just put in a gas line and it didn't cost them anything and continued by asking where the money is going.

Supervisor reiterated that he just explained it.

Ms. Southwick stated that if everyone leaves the Town they will have nothing and it ridiculous and continued by asking how they expect to bring new people in to this town when there is stuff like this going on because no one is going to want to move in but rather they will be moving out.

Mr. Paul Ryan stated that he lives in the Hamlet and added that he has his house for sale because he needs to get out of here and will abandon it because he refuses to pay what they want. He continued by asking if the Village has paid their share because they supposedly settled it.

Supervisor Traver stated that they did.

Mr. Ryan inquired as to if he can get a negotiated settlement on how much he owes.

Supervisor Traver stated that he can't.

Mr. Ryan stated that the Village is a customer and they can but the people in the Hamlet can't. He continued by saying that they supposedly have a contract with the Village and it's not signed and dated and then asked how it can be a contract.

Supervisor Traver stated that they have a signed contract.

Mr. Ryan continued by asking if the Village rates are only allowed to go up so much and why their rates are going up so little and the Hamlet's rates are skyrocketing.

Supervisor Traver stated that he would have to address the Village Board about their rates.

Mr. Ryan inquired as to why the Town doesn't charge the Village more.

Supervisor Traver stated that it is what was negotiated.

Mr. Ryan stated that he went from $110.00 up to $384.00, which is ridiculous and the Village went up $50.00 combined for sewer and water.

Mr. Ryan continued by asking why the difference because he does not understand why the Town went so high and then asked if the Village is charged the same as the Hamlet.

Supervisor Traver stated that the split is 65/35 and 70/30.

Mr. Ryan stated that on the average the Village is paying more than the Hamlet.

Supervisor Traver stated that the Village is paying 70% toward the plant.

Mr. Ryan inquired as to if Supervisor Traver lives in the Village.

Supervisor Traver stated that he does.

Mr. Ryan stated that he still thinks that it is a conflict of interest there.

Supervisor Traver stated that it is his opinion.

Mr. Ryan stated that it is to his benefit and it's why it is a conflict and reiterated that he does not understand why the Hamlet got raised so much and the Village didn't.

Supervisor Traver asked if there were any additional comments.

Mr. Dana Northrup stated that he has a three unit at 51 Westerlo Street, which are two bedroom units and his sewer went up 138%. He continued by saying that the water bill is doable and it should be illegal for the sewer to go that high. He added that he put a lot of money and time into the property and cleaned it up nice and put decent people in it and he can't raise their rents any higher because if they leave he won't have anyone to rent to. He went on by saying that from $210.00 a unit to $490 something is unheard of and they have to do something about it because he can't afford to own a house here.

Mr. Andy Lopez stated that he lives in the Hamlet and continued by saying that it would have been a professional courtesy on their part to let them know ahead of time with a letter or some kind of formal announcement that they were going to do this as opposed to just giving them a bill.

Supervisor Traver stated that there was a Public Hearing.

Mr. Lopez stated that he wasn't even in the country for the Public Hearing and he's not going to pay what ever the cost for the News Herald to get a recap of it and like any other bill that he gets, when he gets an increase it is a professional courtesy to get a warning or at least an explanation on the bill as to where the charges are coming from. He continued by asking whether or not they felt it would be a professional courtesy to let the residents, who voted for them to be here, know what the actual costs were and to explain why they were getting a 150% plus increase as well as justification behind it.

Supervisor Traver stated that they did it the legal way by having a Public Hearing.

Mr. Lopez inquired as to if the Town Board negotiated the sewer bill with the Village of Ravena.

Supervisor Traver stated that they did.

Mr. Lopez continued by saying that the Village is paying less and then asked if it is good negotiating skills on the Boards part in representing the Hamlet or whether or not something else in the backdoor was done.

Supervisor Traver stated that there was no backdoor.

Mr. Lopez stated that he must be telling him that the negotiating skills on his part are lacking because the Village is paying less than what the Hamlet is paying.

Supervisor Traver stated that they are paying more.

Mr. Lopez stated that they are not and it's a lie and added that there is a problem because a lot of people either don't know the right answers or they think they know the right answers or they all know something wrong and added that they are not explaining themselves properly. He continued by saying that they should forget the legal part and it is a small town with a small budget as well as being a small minded town and then asked why they can't just have a conversation and have the justification of it so the rumor mill can go away and they can feel comfortable and have faith that they negotiated on their behalf whether they live in the town or not.

Councilman Youmans stated that he would agree with him in saying that a better explanation was probably in line and added that some of them are fairly new at this and they could have done a much better job communicating with them as to why the rates were going up. He continued by saying that they did have a Public Hearing and the felt like they talked to every person in Town but he knows that they didn't and they did talk a lot and to say that the Village is paying less is not entirely accurate. He added that historically, the way it was is that they were paying 50% of Capital Improvements and they have now agreed to pay 65% and they were paying 65% of the Operation and Maintenance of the plant and now they are paying 70%, which is an interim solution. He went on by saying that there are two places where sewage from the Town goes into the Village Collection System and then leaves the Village Collection System down by the firehouse by Pieter B. Coeymans School and goes back into the Town's and then ultimately to the plant to be processed. He continued by saying that the only fair way to put a dollar figure on what should be paid, and the new contract calls for meters to be placed in two places in the 9W corridor and a place where it goes back into the Town's Collection System and then down to the plant. He added that it has been said by a lot of people that they all flush their toilets the same amount so everyone should pay the same and if all they processed at the Sewer Plant was sewage, it would be very valid but because the Collection System in the Village and the Collection System in the Town are getting old, when they have high rain events they have problems at the plant and there is more coming in than they can process at time, which is not because people flush their toilets more when it rains but because they have an inflow and infiltration problem. He went on by saying that inflow is water that comes from sump pumps being hooked into the system and old roof liters that go into the system and infiltration is water that comes in through cracks. He continued by saying that there are some that believe that the Village has a much bigger I&I problem than the Town does and there are those that believe that the Town has a much bigger problem than the Village and the only way to ultimately determine that is to put meters in and now each municipality is going to pay for what they are contributing to the plant. He added that the meters are scheduled to go in within the next year and in 2012 the amount that the Village pays will be based solely on the meters instead of some negotiated amount and in 1969 when the original agreement was signed with the Village that was called for and it was suppose to be done but it was never was and then in 1999 another agreement was signed with the Village and it was suppose to be done, but it never was. He continued by saying that it is his way of thinking that it is the only fair way to get at who pays what for the Sewer Plant and the unfortunate part of that is that it is going to take a little time and some engineering to make sure that they have the right meters, they are placed in the appropriate places and read properly so they can come up with billing data.

Mr. Lopez inquired as to who is going to pay for the meters.

Councilman Youmans stated that both the Village and the Town will pay for them.

Mr. Lopez stated that he is not a great mathematician and continued by saying that if the Village is paying 70% of operational costs then why is the Town going up 150% plus and where is their money going towards.

Supervisor Traver stated that as he said earlier there has been a $500,000.00 deficit through the years.

Mr. Lopez stated that they are paying for mismanagement over the last eight years for the people that sat in their previous position and now they have to cover 100% of the mismanagement for the Town of Coeymans for the fact that the Village can't cover their part because it was not negotiated properly. He continued by saying he is just trying to figure it out and he can afford the increase but it is not fair and it is not right and he won't pay it just out of principal and there are a lot of senior citizens in the Town of Coeymans that are on a fixed budget that cannot afford 150% or 175% increase. He went on by saying that he is not speaking to them about whether or not he can or cannot afford it and it is totally out of principal especially when someone has negotiated not for the betterment of the people that live in the Town but rather for the betterment of the Village. He concluded by saying that he very much appreciates and respects the fact that Councilman Youmans was able to answer his question, which he didn't get from Supervisor Traver and added that his attitude about this problem in unwarranted.

Supervisor Traver asked if anyone else wished to comment.

Mr. Daryl Moore stated that he lives on Westerlo Street in the Hamlet and he is present to address the Board on the sewer usage rates and he is in full agreement with the majority of the consensus on the rates escalating unfairly and how the bills are being separated between Ravena and Coeymans on fair shares of escalation based on some input from other people in the community. He continued by saying that he signed a sheet when he talked to Town Clerk Millious when he paid his bill and then asked if the sheet was for those protesting their bills and in turn where it will go and what it will do.

Town Clerk Millious stated that she presented it to the Board to let them know about the calls and people that came in complaining about their bill.

Mr. Daryl Moore inquired as to how the Board is going to address the names on the sheet.

Supervisor Traver stated that they just received it.

Mr. Moore inquired as to if they have any idea as to what they are going to do with the sheet with the list of names and then asked how many names were on the sheet.

Town Clerk Millious stated that there are approximately 30.

Mr. Moore asked again what the Board will do and whether or not they will make a motion to lower the bills based on the list or leave it like it is.

Supervisor Traver stated that they will take a look at it.

Mr. Moore continued by saying that the billing date was suppose to be in June but unfortunately it came out in September, which poses another hardship upon the community because their school taxes are due at the same time, which he found out while he was in the Clerk's Office. He continued by saying that it was not billed in an appropriate manner because they were still in negotiations with the Village and postponed it, which is a double whammy in getting their sewer bill and school taxes due at the same time. He went on by saying that he understands that the water rates are also going to escalate and then asked what percent they plan on escalating the water bills.

Supervisor Traver stated that water is determined by the Village.

Mr. Moore inquired as to if they negotiate with the Village on the water rates.

Supervisor Traver stated that they do not.

Mr. Moore stated that he is just asking because he is not sure how any of it works and continued by saying that they spoke about meters but all of the houses in the Hamlet do not have a meter and this would be the fair and equitable way to bill because he is a two person family and there could be another family with ten, which would not be equitable to bill based on a flat rate when there are multi family dwellings as opposed to families that have a one person family dwelling.

Councilman Youmans stated that when he mentioned meters he was not talking about individual meters on houses but rather meters that measure the Town's input into the Village system and then where it comes back into the Town. He continued by saying that he would agree that the only fair way to do it, really and truly, is to have a meter on every house and water in versus water out is what the bill would be based on, which would also lead to conservation.

Mr. Moore stated that water in versus water out is not accurate either because people water lawns, wash cars and fill pools.

Councilman Youmans stated that his point is that it is how it is done in a lot of municipalities and the fact that there are not meters on every house is what has been handed down to them and if you look at what it would cost no to install a meter on every house and the have someone read every meter on a periodic basis it would seem to him that they would almost have to establish a whole different department to do that, which he does not see as a cost savings to anyone at this point.

Mr. Moore stated that it could save them a lot of headaches over the long run because when you go to escalate rates you would be able to justify the rate increment and people would be able to understand paying a higher rate than their neighbor and it would be more clarification to the customer.

Councilman Youmans stated that the way it works is not that the guy with a three family-house pays the same as the guy with the one family house and as Mr. Northrup stated, he gets hit for three units while a single family house is one unit. He continued by saying that unfortunately it's the system and the way that it is and in looking forward maybe there is a way to change it but for this current billing cycle and the foreseeable future there is probably not.

Mr. Moore stated that Supervisor Traver had stated earlier that there is a $500,000.00 deficit and then asked how it took place and who is being held accountable other than the taxpayers.

Supervisor Traver stated that in 2002 the sewer rates were dropped 23% and part of it was that there was no increase in the usage and upkeep as well as prior administrations had a different philosophy as to where they were going to go in charging in different areas.

Mr. Moore stated that he had also mentioned maintenance and upkeep at the sewer plant and the cost is high and there are various pieces of equipment that are failing and continued by asking if there are any kind of green solutions to this where there are State or Federal monies that could be appropriated to remedy these problems.

Supervisor Traver stated that they put in for a grant and were denied.

Mr. Moore stated that it's either a grant or low interest loans that are not a massive burden on the taxpayers and there are revenues that could be applied to something like that.

Supervisor Traver reiterated that they applied for a grant and it was denied.

Councilman Youmans interjected that the upgrades to the sewer plant are $300,000.00 of which the Hamlet is going to be responsible for 35% of and their plan is to bond it with a

low interest loan over 20 years and added that it is not a good reason for the increase that they are facing but it is part of it for certain. He added that to hear someone say that for the past eight years it was mismanaged in his opinion is disingenuous as well and he thinks that each administration that came in was handed a bigger bag of problems as they went along and as Supervisor Traver had said, different administrations had different strategies for dealing with it. He continued by saying that they are in a position now where unfortunately it is pay me now or pay me later and right now is later, which is the hard part because they cannot continue to operate the plant in a deficit position. He reiterated that they could have done a better job getting the word out about the rate increase and he has done some research and found that the Town's rate is in line with what other municipalities around pay for sewer taking the Village of Ravena out of the equation. He continued by saying that looking at New Baltimore, Coxsackie and Bethlehem, $500.00 is not a crazy amount to pay for sewer service.

Mr. Moore stated that he does not believe that it is $500.00 per year because his bill is $383.00 for a quarter.

Supervisor Traver stated that the $383.00 is for this billing period and at the start of next year it will drop down to $246.00 and then in six months another $246.00. He continued by saying that's what they did to make up for some of the deficit and for some of the upgrades that they have to do and they raised it this year to $383.00 to start the upgrades and pay off some of the deficit, which would be $498.00 total with the major part being in the second billing.

Mr. Moore stated that it is still quite excessive and added that Mr. Lopez spoke earlier and said that he was protesting it and would not pay the bill and continued by saying that his understanding in speaking with the Town Clerk's Office, is that if they don't pay the bill it will be rolled over into the Property Tax Bill with the late fees and penalties, which is a double whammy. He added that school taxes just came out and it is really a burden for single parents and senior citizens and then suggested that they do some kind of an installment plan for those that cannot make one lump sum payment like they are demanding and whether they can break it into several payments without penalizing those that want to make a good faith attempt to make the payments and not be penalized. He continued by saying that under these circumstances they feel as though they have a gun to their heads and don't have a lot of options and if they could break it up into some kind of payment schedule for people in the community it would give them an option instead of a high penalty fee and in doing so it would be more appreciative and the public might be more receptive.

Supervisor Traver asked if anyone else wished to speak.

Ms. Donna Pasquini stated that she lives in the Hamlet and she wanted to thank the Board for raising their sewer rents and along with her Sewer Bill came her School Tax Bill and three days later she got her water bill, which eats up her income for the whole month. She continued by saying that she will be coming to one of the Board's house for dinner and she's thankful that she doesn't have any children that she has to buy school clothes and supplies for because they would have had to go without. She added that they said that it goes back to 2002 but as far as she can remember her sewer rents dropped last year and they know that the Village didn't pay their sewer rents from June 2008 up to December 2009 until they did a contract and the amount they owed, which she got from the Town Clerk's Office was $664,000.00 but in the contract the Town settled for $355,000.00 with the Village having 1,661 users and the Hamlet has 425 and with out-of-district users it is 440. She continued by saying that they say this just came about now, and they blame it on the last administration but she thinks that a lot of it is because the Village was not made to pay and then asked if they have even been billed for 2010 because they are being hit with 2 ½ times the amount.

Supervisor Traver stated that he believes that they have been billed for up to June.

Councilman Youmans stated that he knows that there have been some bookkeeping issues that they needed to handle and as of the last meeting they amended the Sewer Budget and at this point the Village is waiting for the Town to tell them what they owe

for 2010, which is an accounting function at this point. He continued by saying that he has every indication from them that they are ready, willing and able to pay what they owe and when she says that they have not paid from 2008 through to when they got the contract, he does not want to see them vilified unnecessarily because to be fair they offered to pay at the old rate and the Board, minus Supervisor Traver told them that they didn't want it and there were some reasons behind that.

Ms. Pasquini stated that she understood that it was because it was to be considered payment in full and it wasn't.

Councilman Youmans stated that he doesn't know about that but there were some considerations and thought process that they went through before they accepted their money. He added that he does not want to sit and beat them up because they did offer to pay at the old rate and the Board told them no.

Ms. Pasquini stated that this is part of the reason that they don't have the money ahead of time right now and it was because they had to wait for it because of negotiations or because of what was going on and that money wasn't coming in so it did create a bigger hardship. She continued by saying that this is why she is wondering if they were billed for this year and the Village bills the Town for 150% of the water and they bill it in advance and in watching their meeting on Tuesday night, they want to charge 25-30% of their maintenance to the plant and break the agreement that they have with the Town. She went on by saying that he is saying not to vilify the Village but they are sitting on public television and saying that the Hamlet hates them and the Hamlet is milking them when the Hamlet isn't doing anything to them and if anything they are the ones that are getting milked. She added that she thinks that it needs to be clarified a little bit more and it should not be blamed on the eight years because it is not a whole eight year situation because she has been in the Hamlet for 33 years and she knows what the Sewer Rents have been and that they went down in 2009 and then back up this year more than they have ever been and back less than eight years ago they were paying $500.00 so they can't say eight years. She continued by saying that this has been quite a long time going on and she has talked to residents that have called and asked her what they should do because they just put kids in school and had to buy school clothes and supplies and on top of it got their water, sewer and school tax bills and questioned how they choose what they will pay. She concluded by saying that they should call the Town Board and not her because she didn't set the sewer bill that should have come out in July to come out in September along with the water and school taxes and anyone that has those kinds of questions need to step forward and address the Board.

Supervisor Traver asked if anyone else wished to speak.

Mr. Kevin Biegel stated that he lives on Civill Avenue in Coeymans and he also agrees with everyone who has spoken about the excessive sewer bill and when proportions are spoken of and various percentages between what the Village and the Hamlet, it is true that it does not take into account for the number of people that live in the Hamlet of Coeymans and for those that live in the Village. He added that an illusion is created even when it is compared to other districts as to how much people pay for sewer or water and it is definitely unacceptable to go from the previous billing to the current rates and in his particular situation it is $2.00 shy of $400.00, which he does not find acceptable as well as bad timing and in poor taste to have a school tax bill in the same month that there is an excessive increase in the sewer bill and then have the water bill compounded with it. He continued by saying that he does not know about all the other people but he can speak for the majority in saying that they do not accept it nor do they take it lightly and many people could not make it to the meeting that he has spoken to and if anything he can speak for the people because there are not too many people that are officials in any capacity that truly do speak for the people. He reiterated that it is unacceptable and there is no excuse for it and he understands that this Board has not been in office for the last 15-20 years but there is such a thing called preventative maintenance and this Board could initiate mandatory plans and procedures where in the case of preventative maintenance and in dealing with the sewer plant, when there are things to be repaired or replaced, it should be done and you don't wait 10 or 15 or 20 years before you do necessary upgrades to a sewage plant or to do basic simple maintenance. He added that

he understands that there are a lot of issues with the Sewage Plant, which is poor management and he is not saying that it is this Board's fault because of negligence but it is a reflection on how this Town government has operated and that they have not operated in the best interest of the residents of Coeymans. He continued by saying that he has lived in this community for 22 years and he finds that unfortunately the government of Coeymans does not get along with Ravena and he finds it sickening that they live in the same district and there is an extremely poor working relationship when it comes to government officials and it's not just the sewage bill increases, it is also many other areas in this locality. He added that he's probably not the only one that will have to use his credit card to buy groceries for the rest of the month because the debt to Coeymans has consumed the majority of his debt and if the Town is afraid that they won't have the money to pay for the latest repairs at the sewer plant, they can rest assured that in driving through Coeymans you will see many houses for sale and there will soon be more of them. He concluded by saying that he does not plan on living in Coeymans for the rest of his life and he used to think that it was a good town to live in and this Town does not have to mold after other dysfunctional town's and this town generally speaking can do the right thing for the people but instead they will turn it into a ghost town because a lot more people will be leaving.

Supervisor Traver asked if anyone else wished to speak.

Mr. Larry Ruff stated that he lives in the Hamlet and he had just talked to a lifetime resident of the Village and the Hamlet and he said that it seems to him that the Hamlet has always lost in any relationship with the Village. He added that he was talking about when the Water Plant was built, it was suppose to be 50/50 and then the Hamlet lost the lawsuit with the Village and since then the rates have not been equitable. He continued by saying that it seems that they need to do something with the relationship with the Village and they need to try and work things out to get them to be a little better. He went on by saying that at the August 19th Meeting there was a budget for the Sewer District and he is wondering where the numbers came from because when he looks at them they are rounded off so much that it looks like it something that he would put together as a back of the envelope estimate for a project. He continued by asking if there is better documentation of where the numbers came from because it looks like something that someone pulled out of the air.

Supervisor Traver stated that he does not have in front of him what he is referring to and added that the Internal Control Officer and other people working on it rounded it off and there are more accurate numbers but it is right in the ball park of what the numbers are on the sheet.

Mr. Ruff stated that when you look and it's rounded off from $275,000.00 to $300,000.00 it is $25,000.00, which is $25,000.00 that can be returned back to the taxpayers and reiterated that he is curious as to where the numbers came from. He continued by saying that at the last Meeting Mr. Allen had quoted some possible issues about the legality of this whole thing and it appears in the article in the paper that they got legal opinions relative to the Mayor not signing the agreement as well as changing the rate half way through the year, which is possibly not legal. He went on by asking if there were laws or previous cases that were cited that said it was legal.

Supervisor Traver stated that they had the Town's attorney look into it.

Mr. Ruff stated that Mr. Allen cited some laws and continued by asking if the Town's attorney has some written response to the Board that cites laws or opinions as well as if it is public record.

Supervisor Traver stated that he believes that it is public record.

Mr. Ruff stated that there have been meters included in every agreement for many years and then asked if it is something that is really going to happen and if it is being worked on as far as input and output to the Village.

Councilman Youmans stated that it is.

Mr. Ruff inquired as to when it will happen.

Councilman Youmans stated that they expect the first year that the billing will be affected by the meters is going to be 2012, which gives them the rest of 2010 and early end of 2011 to get them installed and he expects by spring they will be installed and they will have at least six months worth of data from the meters going in to 2012, which is what the billing will be based on instead of some arbitrary negotiated number that he understands is frustrating to many.

Mr. Ruff stated that hopefully it will be good for those in the Hamlet. He continued by saying that there was also discussion about metering the water usage and trying to get a more equitable billing in the Hamlet and Village in terms of sewer usage and he would agree that it is a tough call as to if it would be worth it or not to do. He added that it is his thought that it might be worth getting a group of Civil Engineering student from R.P.I. to run an estimate on it, which would determine if it would be worthwhile to do it or not because as it has been pointed out, there are only two in his house and then there are houses that have 10 people in them and are using a lot more water.

Councilman Youmans stated that the problem that they have there is if they as a Board have a meter put on everyone's house in the Hamlet, it is only a small percentage of the users of the system, so the Village would have to agree to do it as well, which would have to be a joint effort.

Mr. Ruff stated that he mentioned previous that there needs to be more consolidation of what is going on between the Town and Village rather than to have the two entities fighting each other all the time and they should try to work a little more closely in pulling the two entities together. He continued by saying that for the Village it would also be more equitable for the two person home versus the rental properties that might have a bunch of kids, which seems to him like it would be more equitable for everyone in the long run and could hopefully adjust the rates to be a little better. He added that he agrees with Mr. Lopez that for some of them it might not be a major hardship but it was bad to get everything at one time. He went on by saying that he wanted to also address the traffic in the Hamlet and he always sees the police sitting on Rte. 144 where the conveyor goes over the road and he thinks that the police need to sit in front of his house on the weekend during the day and watch how fast people drive through the Hamlet and it is not 35mpn or 40mph but rather 45-50mph. He added that he is a pretty good judge of car speed and you can tell when someone is going 30mph and when someone is doing way above 30mph and it is scary because when cars are headed north they top the hill and then go down and they are going even faster and it is blind when you top the hill so they can be coming over the hill at 45mph when they are backing out of their driveway and they have had a few close calls. He went on by saying that another thing that they are seeing is an increase in truck traffic coming from the south, which is tractor-trailer traffic and they come over the hill at 40mph and hit their jack breaks, which is pretty scary. He added that he would be more than willing to let the police get the monitoring unit from Albany County and stick it in the property right across from his house on James Drive to tell people how fast they are going because he does not think that they realize how fast they are going. He went on by saying that there is truck traffic headed north out of the port and his wife was almost killed the other day by a tractor-trailer pulling out who didn't even look and he pulled out right in front of her and she had a tough time stopping before she hit the side of the truck. He continued by saying that he has been watching the truck traffic and he does not want to knock the business because he thinks that it is great that they have a business that is growing in the Hamlet of Coeymans but the truckers don't seem to have any respect for anyone and they are crossing the double yellow lines and are speeding and they should be held to 55mph and no faster and if they are going 56 they should be ticketed because it is too dangerous because it is narrow and winding, He went on by saying that the last thing that he wanted to address was housing and as they all know they had some S.W.A.T. action in the Hamlet of Coeymans and continued by asking what is being done in terms of Code Enforcement in terms of the number of units per house. He continued by saying that he is wondering if they have been going through there and checking to see that there is a legal number of units and residents because when you come into the Hamlet from the north it scares friends of theirs. He added that the trash is getting worse and worse through there as well as absentee landlords, which he's

sure is an issue and that's why they are probably not going to hear some people complain because the landlords will just up the rentals. He concluded by asking if anything is ever going to happen to the Malphrus property because in coming from the north it is horrible and it has always been horrible. He went on by saying that the vacant, decrepit, falling down house is sitting there and then asked again if there is anything that the Town can do about it.

Councilman Youmans stated that Mr. Malphrus has passed on and he sees a "For Sale"sign there and there is considerable acreage. He continued by saying that he thinks it goes back as far as when he was in high-school that the Town was doing battle with Mr. Malphrus.

Mr. Ruff interjected that it has been going on as long as he's been living here.

Councilman Youmans stated that there have been court cases and somehow he always seemed to beat the system and he did see that they brought a crusher on site and crushed the cars.

Mr. Ruff stated that the trailers are still there.

Councilman Youmans stated that it looks to him like an effort has been made to clean it up so they can sell it and once it is sold hopefully the new owner will take some pride in it and want to do something nice with it.

Mr. Ruff stated that it will be if they can sell it in this economy as well as who knows what is on that property in terms of waste. He continued by saying that he talked about the port and it is nice to have the business here and they did a nice job with the berms along the property, even though it blocked the view of the river and now that the business is growing north and you are coming in from the north, it is not the greatest looking piece of property. He then asked if there were any sort of plans to try and put more berms or try to clean it up because when you look through the fence there is rusted equipment and all kinds of other stuff sitting there.

Councilman Youmans stated that he would think that if Mr. Laraway heard him say that he would probably cringe and continued by asking Mr. Ruff if he had ever been down in to the property.

Mr. Ruff stated that he had been several times.

Councilman Youmans stated that he knows what it looks like down in there and continued by saying that he would mention to him himself that it is a concern that had been raised because he had indicated to him as well as everyone else that his intention is to be a good neighbor.

Chief Darlington asked to speak on two of the issues and continued by saying that as far as the speed enforcement he will ask that his cars step-up enforcement along there as well as checking into the sign from Albany County.

Mr. Ruff interjected that he knows that a sign makes a difference.

Chief Darlington stated that the housing had been mentioned earlier and one of the things that the law enforcement does in conjunction with the Albany County District Attorney's Office is whenever they have any kind of drug arrest and there are tenants and if it is an absentee landlord, the District Attorney's Office will evict on behalf of and in the absence of the landlord. He continued by saying that with the incident that happened earlier, they will be working with the DA's Office and possibly looking at evictions for them.

Supervisor Traver asked if anyone else wished to speak.

Mr. Peter Sorrell stated that he lives in Ravena but has property in Coeymans and he thinks that it is a crime that $610.00 is for the first month and then they want to hit them

with the full thing back to the first. He added that he thinks it is unfair that he pays the same thing as Yanni's for his units and Yanni's as a business pays the same and there are probably hundreds of people at night during the weekends going down there and using the toilet but he pays the same all year as them.

Councilman Youmans stated that he understands where he is coming from with that and he has had some contact with business owners over the last week upset because they are being billed multiple units and Cumberland Farms is billed two units, one for their retail gas sales and one for their store and another business is being charged six units. He continued by saying that just because he is seeing that commercial is the same as residential he understands where he is coming from.

Mr. Sorrell stated that they are talking about sewer and water and commercial is $494.00 per unit.

Councilman Youmans stated that what he is trying to explain to him is that different businesses within the Town are charged more than one unit and he would bet that if he asked Marc Yanni, he is being charged more than one unit and maybe paying 3-4 and reiterated that he understands from the paper that he is looking at.

Mr. Sorrell stated that there are signs that say "Vote Them Out" and he didn't know what it was for but he hopes that the people in the Town of Coeymans and Ravena should think about who they have running and how they are running the residents life down because he wishes he could go back and tell his tenants that they can pay $40.00 extra to make up all the difference that he is going to have to pay to the Town because the Town mismanaged his money.

Supervisor Traver asked if anyone else wished to speak.

Mr. Terrence Falzano stated that he owns a multi-family 10 unit and a 6-unit building, which will be a total of $8,000.00 for sewer, and he will not have a choice but to raise the rent and the sewer bill is now more than the water bill. He continued by saying that he will be paying $13,000.00 for sewer and water, which is more each month than he is paying for the school and county tax combined. He added that it is a disproportionate ratio because if you go into a community you find out what the taxes are and you put in a numerator and denominator for water and sewer. He continued by asking if they can meter the multi-family houses so he can pay for what he uses and then asked if it is in negotiation or if it is just a venting time.

Supervisor Traver stated that it is public comment.

Mr. Falzano stated that it does not mean anything because the law has already been passed and it is firm and it will have no effect on the Town. He continued by saying that his point is that it is a large increase and $8,000.00 for sewer for one building and $4,800.00 for water, the money is literally going down the drain because you don't make a lot of money when you are chasing people for rent but he does not have any other choice than to raise the rent.

Councilman Youmans stated that 10 units do not compute to $8,000.00 a year for sewer.

Mr. Falzano stated that he was correct and added that it is 16 units for sewer, which is a lot of money and for a 10 unit it would be just under $5,000.00 for sewer for flushing your toilet and the water is another $5,000.00, which is $10,000.00 for water and sewer with property taxes being just under $10,000.00. He continued by saying that the point that he is trying to make is that the water and sewer is greater than the school tax and property tax combined, which is disproportioned and there is no other community that you could go to and find that. He added that usually the ballpark figure that you can go with is $50.00 per month and in Coeymans it is $100.00 a month, which is double what most communities are, so it is high. He then asked if there was any comment or response or if they are going to change it.

Councilman Youmans stated that they can't change it by law.

Mr. Falzano asked why they won't change it.

Councilman Youmans stated that by law they can only change it once a year, which is what they have done.

Mr. Falzano suggested that they appeal it.

Councilman Youmans stated that they can't appeal it.

Mr. Falzano questioned whether or not they can appeal a bad decision and insert comments and maybe try to renegotiate or try to get a grant. He added that when he first bought the unit he was paying $1,200.00 for water and sewer and now he is paying between $8,000.00 and $9,000.00 a year, which a big increase. He continued by saying that he is looking for a solution and then asked if there was a grant writer involved with the Town at all.

Supervisor Traver stated that there's not.

Mr. Falzano stated that there was a big bail-out for the Federal government and continued by saying that he was wondering if there was any money available for smaller towns and if anyone looked into it.

Councilman Youmans stated that they looked into it and you will find very little in Albany County.

Mr. Falzano inquired about money for waste water treatment going into the Hudson River.

Councilman Youmans stated that where they spend the money is on municipalities that do not have a viable sewer system, which the Town does have, and they have spent hundreds of thousands of dollars upgrading it, which has been ongoing for years and years and this is what they face. He added that they all wish that they could wave a magic wand but the numbers are the numbers and to make it less expensive now is going to make it more expensive for them later, which is the unfortunate because if they run it at a deficit, at some point the deficit has to be paid.

Mr. Falzano asked if he can pay for what he uses and can it be metered and it is usually water in versus water out.

Supervisor Traver interjected that they already covered that earlier in the meeting.

Mr. Falzano stated that for the multi-family units, the increase is multiplied 10 times for a ten unit so he is being hit 10 times as hard and continued by asking if they can make a special case law where they meter the multi-families and added that the Civill building he believes is 28 units so their sewer bill is approximately $14,000.00 for the elderly. He then asked again if it could be metered because he is sure that the older people don't use the same amount of water as a family of 4 or 7 or 10.

Councilman Youmans stated that he sees his point and he has looked at the numbers and bit his fingernails and pulled his hair out and he is never cavalier when it comes to telling people that they have to pay. He added that he lives here too and he is acutely aware of the cost associated with home ownership and he wishes that there was a way to wave a magic wand over it and make it something other than what it is. He concluded by saying that he would sit down with him and go over the numbers and if he can see a way to save some money, he is all ears.

Supervisor Traver asked if anyone else wished to comment.

Mr. Laszlo Polyak stated that he lives at 1 Central Avenue in Ravena and he was sitting home watching everyone talk and he concurs and there are several things that can be done. He continued by saying that the Board can congregate and discuss ways for the senior citizens on fixed incomes to pay over a period of time without penalizing them

because they are on fixed incomes and it would be by special law or they can just forgive. He continued by saying that Village Law for multi-family houses of two or more, by law and he has been fighting for it, must be metered and they can fight it, which also applies to commercial. He added that the 14th Amendment of the Constitution says that everything must be equal and fair, which they can also address as well as filing a complaint with the Attorney General's Office and request that the Village and the Town be looked at and audited as far as where all the money is going and to look at why it is not equal. He continued by saying that every community that he knows of, they do bill it equally and it is billed by usage, which is simply put as a $1.00 for a gallon of water per use and $1.00 worth of waste per use, which is the fairest way as well as being able to bear pressure in other ways such as filing a Notice of Claim that says you intend to sue both the Town and the Village until it is all equal and fair and you can also incorporate the Attorney General and Comptroller's Office into it, which will bring the news media down. He went on by saying that everyone is paying for the added sewer and they are all mad about it and they should turn their water spigots on for an entire weekend and use it because they are paying for it and it is called civil disobedience, which will also bring around the news media. He concluded by saying that Americans can do things.

Supervisor Traver asked if anyone else wished to speak.

Councilman Youmans stated that he would like to ask people not to do that and added that it sounds like a great idea and Mr. Polyak makes some great points but if they were to do that, all they would do is put a lot of waste in the river, which he does not think that they would want to do.

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

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APPROVAL OF MINUTES

Supervisor Traver stated that there were two sets of minutes for Town Board approval, a Public Hearing on August 19th at 6:00pm and a Public Hearing on August 19th at 6:30pm and then asked for a motion to approve them.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Boehm, the minutes were accepted as presented and read.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Touchette) – SO MOVED

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OLD BUSINESS

Supervisor Traver stated that there is no Old Business to report at this time and moved to the next item on the agenda.

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NEW BUSINESS

Justice Court – Hiring Full-Time Clerk

Supervisor Traver stated that he spoke with Justice Dardani earlier in the day about hiring a full-time clerk and he advised that it will be put out internally first and then out to the public for a full-time clerk and he will keep the Board abreast of what if going on because of some changes in the laws and there is a lot more paperwork involved.

Councilman Youmans interjected that he thinks it is important to note that the Court is budgeted for that from the beginning of the year.

Invitation to Bid – Collection and WWTP Upgrades 2010

Supervisor Traver stated that he was asking that a motion be made to authorize Town Clerk Millious to put miscellaneous collection system and W.W.T.P. upgrades 2010 out to bid. He continued by saying that it is the emergency generator and installing a new roof, which includes the roof removal and asbestos removal as well as the installation of a new heater.

MOTION

On motion of Councilman Youmans, seconded by Councilwoman Rogers, authorizing Town Clerk Millious to put said stated items out to bid.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Touchette) – SO MOVED

Highway - Renewal of Contract for GASBOY

Supervisor Traver asked for a motion to authorize the renewal of software support between the Highway Department and Gilbarco Inc. dba. GASBOY, which expires on October 20, 2010. He continued by saying that GASBOY presented a renewal contract with no increase in the price per year for their services and the motion would be authorizing him as Supervisor to sign the renewal agreement and allowing Highway Superintendent Deering to administer the contract as well as authorizing payment by voucher to GASBOY.

Councilman Boehm inquired as to if he or Albert would be administering the contract.

Supervisor Traver stated that Highway Superintendent Deering would administer it and as Supervisor he would sign it.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Boehm, authorizing Highway Superintendent Deering to renew the contract.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Touchette) – SO MOVED

Highway – Need for ITS Hardware

Supervisor Traver asked that a motion be made for a purchase through ITS for IT hardware for the Highway Department and added that ITS did some work out there with the computers and there is a need for some hardware to update their system. He continued by saying that there is no cost increase for them working on the system and it is just the price for the hardware.

Councilman Boehm inquired as to what the hardware will do.

Supervisor Traver stated that one of the things will be a battery back-up.

Highway Superintendent Deering stated that computers are over his head.

Supervisor Traver stated that there is no increase for the hourly rate.

Councilman Boehm stated that the price is $219.00 plus $79.00 plus $74.99.

Supervisor Traver stated that he believes that there is money in the budget for this.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Boehm, authorizing the purchase of the hardware.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Touchette) – SO MOVED

Planning Board Request to Attend Training

Supervisor Traver asked for a motion to approve a request for training for the Planning Board for its members to attend a Planning Workshop on October 4, 2010 and to authorize the registration fee of $20.00 per member attending.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Youmans, authorizing training for the Planning Board and the registration fee of $20.00 per member attending.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Touchette) – SO MOVED

Councilman Boehm inquired as to if the request included mileage.

Councilman Youmans stated that it does not say that.

Councilman Boehm stated that it is in Colonie and he would also agree to mileage for their transportation.

Collectively the Town Board agreed.

Supervisor Traver stated that the request was accompanied by the Planning Board Minutes for Town Board review.

Confidential Secretary Shear stated that they are normally with the Building Department Report but because Larry was not in when Cathy got it, she didn't think to put them in and she asked that they be put in at the meeting.

NYMIR Proxy – Proposed Additional Lines of Coverage

Supervisor Traver stated that he was asking that a motion be made to authorize him, as Supervisor, to sign the proxy from NYMIR regarding two new proposed lines of coverage. He continued by saying that it is for getting information and their opinion on the two proposals which are:

Proposal I:

- Shall NYMIRE be authorized to offer NYS Insurance Law Section 1113 (a) (2a) defense only coverage; meaning that NYMIR could provide a defense where money damages are not sought such as where only injunctive or declaratory relief is requested.

Proposal II:

- Shall NYMIR be authorized to provide fidelity and surety insurance pursuant to Chapter 389 of the Laws of 2010: namely official undertakings conditioned for the faithful performance of official duties as referenced in Section 11 of the Public Officers Law and required by related provisions of the County, Town and Village Laws.

MOTION

On motion of Councilman Youmans, seconded by Councilwoman Rogers, authorizing Supervisor Traver to sign the proxy.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Touchette) – SO MOVED

Councilman Youmans asked that in the future he would like to have something like this in his box prior to a meeting so it is not a surprise.

Councilman Boehm inquired as to if he is approving of disapproving Proposal I and II.

Councilman Youmans suggested that he would sign them in the affirmative.

Councilman Boehm stated that both Proposal I and Proposal II would be approved and the Supervisor would be authorized to sign.

Supervisor Traver stated that it is dated September 8th but they just got it on Friday, September 10th.

Councilman Youmans stated that he covered his ears and tried to read it and understand it while Supervisor Traver was talking.

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RESOLUTIONS

RES. #81-10 AMEND AUGUST ABSTRACT
On motion of Supervisor Traver, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Touchette) – SO MOVED

BE IT RESOLVED, that the Town Board, of the Town of Coeymans, does hereby Amend the August, 2010 Abstract as follows and indicated in red.

FUND	VOUCHER #	AMOUNT
GENERAL (A)		
General Pre-Pay	1422-1433,1435-1474	$222,658.35
General	1519-1549,1551-1561	$103,111.59
	General Total	**$325,769.94**
POLICE FORFEITURE (A)		
Police Forfeiture Pre-Pay	1475	$ 740.00
	Police Forf. Total	**$ 740.00**
PART-TOWN (B)		
Part-Town Pre-Pay	1434,1476-1490	$319,327.28
Part-Town	1562-1567	$ 3,845.64
	Part Town Total	**$323,172.92**
HIGHWAY (D)		
Highway Pre-Pay	1491-1497	$ 33,107.34
Highway	1568-1608	$ 52,727.58
	Highway Total	**$ 85,834.92**
SEWER (SS)		
Sewer Pre-Pay	1498-1512	$ 14,498.23
Sewer	1609-1624	$ 15,149.93
	Sewer Total	**$ 29,648.16**
CAP. PROJ. H-35		
Cap. Proj. Pre-Pay	1626	$ 1,676.48
	Cap. Proj. Total	**$ 1,676.48**
	Total for all Funds	**$766,842.42**
TRUST & AGENCY (TA)		

Trust & Agency Pre-Pay	1513-1518	$224,467.14
	Trust & Agcy. Total	**$224,467.14**

Councilman Boehm inquired as to the reason for the changes.

Town Clerk Millious stated that one voucher was going in to be paid twice and the other a vendor returned a check saying that it was duplicate payment and when that happens the abstract that they previously approved has to be amended.

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CORRESPONDENCE

Lafarge

Supervisor Traver stated that he was in receipt of a letter of invitation from Lafarge and continued by reading the following:

Dear Colleague,

I am writing to notify you of our plans to host Ravena Plant Modernization Information Fairs and inviting you to attend a meeting.

We will hold information fairs on Thursday, September 16 at Stuyvesant Town Hall (5 Sunset Drive, Stuyvesant), on Wednesday, September 22 at Senior Projects of Ravena (9 Bruno Blvd., Ravena) and on Thursday, September 23 at the Castleton Volunteer Ambulance Building (1700 Brookview Road, Castleton).

All three Information Fairs will run from 6:30pm to 8:30pm and all are open to the public.

At each Information Fair, attendees will have an opportunity to meet with representatives from Lafarge North America and our project environmental and engineering team. These experts will be glad to discuss the state-of-the-art technology proposed for the new facility, the construction timeline and other details of our exciting modernization project.

We continue to work diligently with our regulator, the New York State Department of Environmental Conservation (DEC) on our plant modernization project and we are anxious to explain our plans for transforming the existing plant into the most advanced cement facility in New York State.

If you have any questions, feel free to contact me at 756-5026.

Sincerely,

John F. Reagan
Environmental Manager

Citizen Liaison Panel Meeting

Supervisor Traver stated that he received an e-mail from John Reagan inviting him to a Citizen Liaison Panel Meeting on September 30th at 8:30am and added that he is unable to attend the meeting. He continued by asking if any other Board Member is available and can attend the meeting.

Councilman Youmans stated that he will get back to him on his availability.

$25 on the 25th Campaign

Supervisor Traver asked that Councilman Boehm discuss this topic.

Councilman Boehm stated that the campaign $25 On The 25th Campaign is sponsored by the New York Press Association, the New York State Conference of Mayors and Municipal Officials. He added that it is promoting a statewide citizen campaign to help support Main Street business across New York State on September 25th. He continued by reading the following excerpt:

The growing campaign, which now involves the New York Press Association (NYPA); the New York State Conference of Mayors (NYCOM); the New York State Economic Development Council; the Manhattan Chamber of Commerce and others, will give New Yorkers a concrete way to support struggling local merchants. It will encourage New Yorkers to shop locally this September 25th, spending at least $25 at a local store or stores. If successful, the "$25 on the 25th" campaign will be repeated.

Councilman Boehm continued by saying that the letter indicates that you should mark your calendar and added that it is a simple program that can be easily implemented here and he has some stickers for anyone wanting to take one. He continued by saying that the whole idea is to patronize Main Street businesses and spend some money and it is a great idea to keep money local and to support local merchants.

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TOWN BOARD WORKSHOPS/MEETINGS

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

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CLOSING COMMENTS

Supervisor Traver asked if there were any additional comments.

Chief Darlington stated that he wanted to give an update on the tower construction and added that he and the Supervisor received a call earlier in the day from P&M and they are hoping to have the new Land Lease Agreement ready for review by the end of the week in addition to speaking with J&S Towers and they are asking that the Town review the Management Agreement, which he will forward to Attorney for the Town Wukitsch and send by e-mail to each Board Member. He continued by saying that the hope is that by the October 12th Meeting they will be able to execute both Agreements and have any questions clarified prior to that date because AT&T is very anxious to get started and they wanted to be up and running by now and once the Agreements are signed the construction will start. He went on by saying that he also wanted to update the Board on the purchase of a new car and as such the car that was not going to be replaced, the newer of the two cars, unfortunately had some engine problem and the minimum for repair on that car is $600.00. He continued by saying that he is requesting at the next Workshop to discuss a Vehicle Maintenance Program and prior to that he will sit down with Councilman Youmans and discuss it.

Councilman Youmans stated that to be clear, Chief Darlington is not suggesting a Vehicle Maintenance Program to avoid what just happened with that car but rather a Vehicle Maintenance Program to keep the fleet updated on a regular basis.

Chief Darlington agreed and added that at pervious meetings they discussed the fact that the replacement has been lacking and has created an issue. He continued by saying that he also would like to be on the agenda at the next Workshop to discuss staffing as well as communication equipment needs. He went on by saying that as stated prior, it was a busy day Friday on Main Street in Coeymans, which is the result of a six-month investigation that was started by the road patrols and picked up by the investigators. He continued by saying that although the S.W.A.T. was not the Town of Coeymans, they worked hand-in-hand with the Albany County Sheriff's Department, and Department of Environmental Conservation who came down and did entries for them due to some concerns at some of

the residence and as a result, six residents were arrested, most for criminal sale of a controlled substance.

Supervisor Traver asked if there were any other comments.

Highway Superintendent Deering asked if he was on the Workshop agenda.

Supervisor Traver stated that he was.

Councilwoman Rogers inquired as to what he was on the agenda for.

Supervisor Traver stated that it was for the Hannacroix Creek Project.

Highway Superintendent Deering asked if he was going to meet with the Board on the budget.

Supervisor Traver stated that he was and continued by asking if there were any other comments.

Town Clerk Millious stated that she wanted to announce that the Bid Opening will be on Thursday for the Hauling of Sludge at 2:00 on September 16th and added that it was advertised at price per gallon as they wanted. She continued by saying that tomorrow is the Primary Election and she put a notice in the News Herald and added that it is for those registered as Democrat, Republican, Conservative, Independent and Working Families and the polls are open from 12:00pm to 9:00pm. She continued by reading the list of polling places as follows:

- 1st District Coeymans Municipal Building, 70 Main Street, Coeymans
- 2nd District Coeymans Fire House, 67 Church Street, Coeymans
- 3rd District Coeymans Fire House, 67 Church Street, Coeymans
- 4th District Congregational Christian Church, 175 Main Street, Ravena
- 5th District Coeymans Hollow Fire House, 1290 SR 143, Coeymans Hollow
- 6th District R-C-S Senior High School, 2025 US Rte. 9W, Ravena
- 7th District Coeymans Hollow Fire House, 1290 SR 143, Coeymans Hollow

Town Clerk Millious stated that she will be available if there are any questions and added that the new machines will be used, which were available for the public to see prior to the election.

Supervisor Traver asked if there were any additional comments.

Councilman Boehm stated that last Wednesday was the First Day Celebration at Coeymans Landing and added that he wanted to offer special thanks to the Police Athletic League, Chief Darlington, and the officers and dispatchers that were handing out sno-cones, cotton candy and popcorn and monitoring the Bouncy Bounce. He added that it was a lot of fun and a great opportunity for the Police Athletic League to interact with the younger kids as well as cutting the ribbon officially for the new playground equipment. He continued by saying that there have been a lot of improvements down there with the new fencing, playground equipment and new docks and it is a nice place to be. He added that he wanted to thank Chief Darlington on the police investigation that led to the arrests in Coeymans and went on by saying that it is unfortunate to hear about it but all of the leads were generated locally and he worked appropriately with the other agencies to get drug dealers off the street.

Supervisor Traver stated that he wanted to update the Board on a few things and added that the Sewer Plant is continuing the dye and smoke testing down in Coeymans for the leaking of the sewer into the storm sewer area. He continued by saying that Chief Operator Breedlove said that 18 residence were done with the dye testing and a letter will be going out relative to the smoke testing, which is a smoke machine that is non toxic into the creek and it blows out smoke where there are leaks and if any residents see any smoke in their house they should go out to the street where they are working and let them know that there is smoke coming into the house, which hopefully there is none and

reiterated that it is to see if sewer is going into the storm sewer. He went on by saying that he got another complaint today about the Marshalls' building and the collection of junk cars and added that he knows that Code Enforcement Officer Conrad has been working on it with the Department of Motor Vehicle to see if everything is legal and up to date. He continued by saying that he believes that there is nothing that they as a Town Board can do but he would like for the Board to take a look at it because they may be getting into a problem with the junk vehicles that cannot be sold and added that it does not have anything to do with Cross Roads but rather another company that has the other two buildings there.

Councilman Boehm inquired as to if the cars were left there.

Supervisor Traver stated that they are cars that were brought in and added that in looking at the buildings, they are filled with cars.

Councilman Youmans stated that the word on the street is that there is someone that plans on opening a used car dealership and added that he has been told that for a number of months and those cars have been there for a long time. He continued by saying that he is starting to get suspicious himself and maybe they should contact the property owner to see what is going on.

Councilwoman Rogers inquired as to how long they have been filling the building with cars.

Supervisor Traver stated that it has been at least two months and added that a lot of people don't realize that the cars up on the hill are not part of Crossroads and people thought that they were part of Crossroads taking in trades.

Ms. Lorraine Swinyer from the audience stated that the building that they are talking about, which is the old showroom for Marshalls has a big sign in the window saying that they will be opening soon.

Supervisor Traver stated that he wanted to thank Mary Driscoll for the 9/11 Ceremony on Saturday at Village Hall and added that she presented the Town with a plaque that he will be putting in Town Hall and continued by saying that they did a nine lap stroll in remembrance for each year since 9/11/01. He added that he also participated in the First Day Celebration and he also wanted to thank Chief Darlington and the Police Athletic League as well as Councilman Boehm for spearheading the project.

Councilman Boehm stated that there were also a lot of community people and teachers that he wanted to thank as well.

Supervisor Traver stated that it was very nice event for the first day of school. He continued by saying that with regard to the Leachate Plant on Jarvis Road, Chief Operator Breedlove is giving him prices for the liner that was damaged, which may be covered under their insurance but the fence may not be covered due to the fact that they might be able to fix it rather than replace it and it may be a budgeted item that they will have to do. He added that he will continue to work with the Insurance Company and try to get it replaced.

Councilman Youmans stated that he made a suggestion that they repair the fence that is there and put signs with a skull and cross bones that says "poison" because you might stop people from going in there and added that it is what is in there. He continued by saying that people need to know that when you ride your dirt bike through the lagoon, you are riding through 40-50 year-old garbage juice that is leaching out of the ground, which is why that plant is there, to capture it and treat it. He went on by saying that it is absolutely ridiculous for someone to ride a dirt bike through there is absolutely ridiculous and maybe they don't know what's in there. He reiterated that when they repair the fence they should hang a bunch of signs that say "Poison, Danger, Keep-Out" because people tend to stay away from a skull and cross bones.

Supervisor Traver stated that he also wanted to thank Chief Darlington for the good job that they did on Friday and as Councilman Boehm had said, it is sad but at this time there are six drug dealers off the street in our community and added that he also wanted to thank the other agencies that assisted.

Supervisor Traver 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 Councilwoman Rogers, the Town Board Meeting was adjourned.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Touchette) – SO MOVED

Time: 8:41pm

***Respectfully Submitted*,** **APPROVED:**

_____
Diane L. Millious, Town Clerk

MINUTES BOOKTOWN OF COEYMANS**
September 16, 2010 – Bid Opening – 2:00pm

A Bid Opening was held Thursday, September 16, 2010, at 2:00pm at Town Hall, 18 Russell Avenue, Ravena, New York

PRESENT: Diane L. Millious, Town Clerk
Cindy Vatalaro, Deputy Clerk
Deana Ferrusi, Clerk

ALSO PRESENT: Larry Breedlove, Chief Operator W.W.T.P.

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The following Legal Notice appeared in the News Herald:

TOWN OF COEYMANS
NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Coeymans, Albany County, NY, hereby invites sealed bids for transporting sludge from the Wastewater Treatment Plant at 67 Sewer Plant Access Road in Coeymans, NY to Albany County's Sewer District in the Port of Albany. Prospective bidders must supply own tanker truck.

Bid packets and specifications can be obtained at the Town Clerk's Office, 18 Russell Avenue, Ravena, NY and sealed bids will be received at the Town Clerk's Office, 18 Russell Avenue, Ravena, NY up to 2:00pm on the 16th day of September, 2010. Bids will publicly opened and read aloud at 2:00pm n the 16th day of September, 2010.

Non-collusive bidding forms are to be submitted with all bids. The Town Board of the Town of Coeymans reserves the right to waive informalities and to reject any and all bids.

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

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BID OPENING

Town Clerk Millious opened the bids and read them aloud as follows:

BIDDER

Blue Diamond Septic — $.0398 per gallon of sludge
357 South Albany Road
Selkirk, NY 12158

Bill Baldwin & Sons — $.055 per gallon of sludge
297 George Road
Ghent, NY 12075

The bid opening concluded at 2:05pm

Respectfully Submitted, **APPROVED:**

_____
Diane L. Millious, Town Clerk

September 21, 2010 – WORKSHOP MEETING – 6:00PM

A Workshop Meeting was held Tuesday, September 21, 2010, at 6:00pm at Town Hall, 18 Russell Avenue, Ravena, New York

PRESENT: Henry C. Traver, Supervisor
Dawn Rogers, Councilwoman
Thomas A. Boehm, Councilman
Richard N. Touchette, Councilman

ABSENT: James Youmans, Councilman

ALSO PRESENT: Diane L. Millious, Town Clerk
Greg Darlington, Chief of Police
Albert Deering, Highway Superintendent
Laura VanValkenburg, Assessor
Theresa Shear, Confidential Secretary to the Supervisor

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

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AGENDA

- 2011 Market Areas – Assessor
- Application for Stream Disturbance Permit – Joralemon Park
- Storm Sewer – Colvin Avenue
- Sewer Smoke Test Update
- Police Department – Vehicle Maintenance Program
- Police Department Staffing
- Telecommunications Equipment Needs
- AT&T Tower
- EMS Agreement
- Sludge Hauling Bid Opening Results
- IT Items WWTP
- CSEA Negotiations
- Town Procurement Policy
- Deputy Supervisor Position

****

ADJOURNMENT

Supervisor Traver asked for a motion to adjourn the meeting.

Time – 7:45pm

Respectfully Submitted, **APPROVED:**

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Diane L. Millious, Town Clerk

A Bid Opening was held Monday, September 27, 2010, at 2:00pm at Town Hall, 18 Russell Avenue, Ravena, New York

PRESENT: Diane L. Millious, Town Clerk
Cindy Vatalaro, First Deputy Clerk

ALSO PRESENT: Larry Breedlove, Chief Operator
Ed Vopelak, C.T. Male
Greg Guerin, Capital District Electric Inc.
David Kaufmann, Campito Plumbing and Heating
Jack Gemtile, Barrrier One Co.
John McElligott, McElligott Inc
Rich Livsey, Brunswick Electric
Dave Shepard, Crisafulli Brothers
Mark Schwarz, J&M Schwarz Heating and Cooling

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The following Legal Notice appeared in the News Herald and was mailed to various contractors.

TOWN OF COEYMANS
NOTICE TO BIDDER
INVITATION TO BID

Sealed Bids will be received at the office of the Town Clerk, Town of Coeymans, Town Hall, 18 Russell Avenue, Ravena, NY 12143, until 2:00pm local time on September 27, 2010 and then at said office publicly opened and read aloud for:

Miscellaneous Collection System and WWTP
Upgrades 2010 Town of Coeymans

The work includes furnishing and installing a new boiler at WWTP, new emergency generator at WWTP and new roof for WWTP buildings.

Contract No. 1 G includes furnishing and installing a new roof at the WWTP~ including roof removal and asbestos abatement. The project shall be completed by June 30, 2011.

Contract No. IP includes furnishings and installing a new boiler at the WWTP, new roof leaders, gas service piping, storm drains and total site restoration. The boiler shall be installed for service by November 30, 2010 and the remainder of the work shall be completed by June 30, 2011.

Contract No. IE includes furnishing and installing a new emergency generator at the WWTP, associated site work, electric service work, generator demolition and total site restoration. The project shall be completed by June 30, 2011.

Bids will be received on a Lump Sum basis per contract.

Bids should not include sales and compensating use taxes on materials incorporated into the work.

Bids actually received by mail or by hand after the appointed time on the date specified shall be rejected, notwithstanding that such Bid may have been placed in a mail box or other mail receptacle regularly maintained by the United States Postal Service before such time, and ordinarily in sufficient time to have been delivered on time.

Bid security in the amount of 5% of the Bid must accompany each Bid in accordance with the Instructions to Bidders.

The successful Bidder will be required to furnish a performance bond and a payment bond, each in an amount equal to 100% of the contract price.

Drawings and Specifications may be examined on and after September 13 ,2010 at C.T. MALE ASSOCIATES, 50 Century Hill Dr., Latham, NY 12110, tel. (518) 786-7400, from 7:30 AM to 4:15 PM Monday through Friday, and at Town of Coeymans, Town Hall, 18 Russell Avenue, Ravena, NY between the hours of9:00 AM and 4:00 PM. Documents may also be examined at Eastern Contractors Association, Inc., 6 Airline Dr., Albany, NY 12205, tel. (518) 869-0961, from 8 AM to 5 PM Monday through Friday; at F.W. Dodge, 6 Wembley Ct. Albany, NY 12205, tel. (518) 869-5374, from 8:30 AM to 5 PM Monday through Friday; and at Reed Construction Data, 1275 Broadway, Albany, NY 12204, tel. (518) 487-3649, from 8:00 AM to 5:00 PM Monday through Friday.

Complete sets of Bidding and Contract Documents may be purchased from C.T. MALE ASSOCIATES, P.c. The deposit on the first set is fifty dollars ($50), to be refunded in full to all Formal Bidders provided that the complete set of Bidding and Contract

Documents (Drawings and Project Manual) is returned to C. T. MALE ASSOCIATES, P.C., postage paid and in good condition within 30 days after the Bid Opening. Full refund will be made to non-bidders only if the complete set of Documents is returned to C. T. MALE ASSOCIATES, P.C., in good condition within 7 days after the bid opening. Additional sets of Documents are available at non-refundable cost as listed in the Instructions to Bidders. If requested, documents will be mailed by mail or overnight delivery at additional nonrefundable cost of $8.00 per set for postage and handling.

Payment for Documents should be made either in cash or by check. Separate checks should be written for the first set, for any additional Documents, and for postage and handling. Checks for the first set and any additional Documents should be made payable to Town of Coeymans. Check for postage and handling should be made payable to C. T. MALE ASSOCIATES, P.C.

The Town of Coeymans reserves the right to waive any informalities or irregularities in the Bids received, or to reject any or all Bids without explanation.

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

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Town Clerk Millious opened the bids promptly at 2:00pm and were in turn read aloud by Ed Vopelak from C.T. Male.

Bidder	Base Bid Contract	Base Bid
Mid State Industries Ltd.	1G	$148,811.00
Pinnacle Roofing, Inc.	1G	$166,000.00
Titan Roofing	1G	$180,000.00
Barrier One	1G	$161,075.00
Ackerman Plumbing	1P	$129,763.00
Campito Plumbing & Heating Inc.	1P	$164,811.00
Crisafulli Brothers	1P	$ 72,000.00
J&M Schwarz Heating & Cooling	1P	$141,317.83
T. McElligott Inc.	1P	$ 89,600.00
Mazone Plumbing & Heating	1P	$175,000.00
Brunswick Electric Inc.	1E	$104,784.00
Capital District Electric Inc.	1E	$ 81,461.00
Harold R. Clune Inc.	1E	$107,200.00
Stilsing Electric Inc.	1E	$100,841.00

The Bid Opening concluded at 2:10 pm.

***Respectfully Submitted*,** **APPROVED:**

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Diane L. Millious, Town Clerk

A Town Board Meeting was held Monday, September 27, 2010, at 7:00pm at Town Hall, 18 Russell Avenue, Ravena, New York

PRESENT: Henry C. Traver, Supervisor
Dawn Rogers, Councilwoman
Thomas A. Boehm, Councilman
Richard N. Touchette, Councilman

ABSENT: James C. Youmans, Councilman

ALSO PRESENT: Diane L. Millious, Town Clerk
Albert Deering, Highway Superintendent
Greg Darlington, Chief of Police
Theresa Shear, Confidential Secretary

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

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OPENING COMMENT

Supervisor Traver stated that the record should reflect the presence of Council Boehm, Rogers and Touchette as well as Town Clerk Millious, Attorney for the Town Wukitsch, Confidential Secretary Shear and Chief Darlington and added that Councilman Youmans was absent. He continued by giving an overview of the agenda.

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AGENDA

- Public Announcement
  - Town Office Closed October 11, 2010 for Columbus Day
- Approval of Minutes
  - Town Board Meeting, August 23, 2010
  - Town Board Meeting, September 13, 2010
  - Bid Opening, September 16, 2010
  - Town Board Workshop, September 21, 2010
- Supervisor's Report
  - August 2010
- Department Reports
  - Building Department, August 2010
  - Police Department, August 2010
  - Sewer Department, August 2010
  - Town Clerk, August 2010
- Old Business
  - WWTP Raw Influent Pumps
  - Maria Bowers Land Issue
  - Police Department, Telecommunications Recording System
  - Police Department, Tasers
- New Business
  - Resignation of Cemetery Coordinator
  - Authorize Purchase of Police Vehicle
  - Bid Opening WWTP
- Resolutions
  - Approval of Abstract, September 2010
  - Award Sludge Hauling Bid
  - Authorize Budget Amendment
  - Authorize Conveyance of Cemetery Premises
  - Establish Deputy Supervisor Position
  - Authorize JCAP Application

- Public Comment
- Correspondence
  - Albany County Volunteer Recruitment & Retention
  - Tom Quinlivan, Summer Employment
- Town Board Workshops/Meetings
  - Town Board Meeting, October 12, 2010
  - Town Board Workshop, October 19, 2010
  - Town Board Meeting, October 25, 2010

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PUBLIC ANNOUNCEMENT

Supervisor Traver stated that the Town Offices will be closed on October 11, 2010 in observance of Columbus Day and due to this the Town Board Meeting will be on Tuesday, October 12, 2010

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APPROVAL OF MINUTES

Supervisor Traver stated that there were four sets of Minutes for Town Board approval, a Town Board Meeting on August 23rd, a Town Board Meeting on September 13th, a Bid Opening on September 16th and a Workshop on September 21st and continued by asking for a motion to accept the minutes.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Touchette, with the stipulation that he was not in attendance for the September 13th and September 16th meetings, the minutes were approved as read.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Youmans) – SO MOVED

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SUPERVISOR'S REPORT

August 2010

FUND	BALANCE FWD.	RECEIPTS	DISBURSE.	BALANCE
GENERAL	$475,314.85	$ 45,835.38	$328,654.10	$192,496.13
PART-TOWN	$761,446.96	$ 4,668.39	$220,254.49	$545,860.86
HIGHWAY	$ 36,984.42	$200,470.30	$ 84,358.52	$153,096.20
BRIDGE CONST.	$274,112.52	$ 114.59	-0-	$274,227.11
SEWER	$ 23,844.13	$356,435.50	$ 31,328.97	$348,950.66
SPEC. WATER	$ 18,705.64	$ 369.34	-0-	$ 19,074.98
POLICE FOR.	$ 4,667.17	$ 1.43	-0-	$ 4,668.60
TRUST & AGCY.	$ 15,508.41	$217,00537	$217,613.57	$ 14,900.21
H-FUND CAP. PROJ.	$ 35,940.63	$ 9.14	-0-	$ 35,949.77
SECTION 8 – HUD UNITS – 80	$138,696.97	$ 41,286.08	$ 43,823.96	$136,159.09

			Total Rec. Bal.	**$1,725,383.61**

SAVINGS ACCOUNTS		**COLLATERAL COVERAGE**	**FDIC COV.**	**COLLATERALIZED**
Unemployment	**$ 4,064.52**	**Bank of Greene**	**$250,000.00**	**$2,093,900.10**
Grove Cemetery	**$40,766.85**	**National Bank**	**$250,000.00**	**$ 331,696.94**
Sewer – Dedicated	**$ 6,305.58**			
Total	**$51,136.95**			

Supervisor Traver asked for a motion to approve the report.

MOTION

On motion of Councilman Touchette, seconded by Supervisor Traver, the Supervisor's Report was approved as read.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Youmans) – SO MOVED

Councilman Touchette stated that in August the Town received $355,000.00 from the Village, which represented past due amounts from July 2008 through December 2009 and continued by saying that the money should go to paying back some of the Interfund Loans and then asked Supervisor Traver if this is in the plan.

Supervisor Traver stated that it is.

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DEPARTMENT REPORTS

Building Department – August 2010

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

Councilwoman Rogers continued by giving the report.

Supervisor Traver asked for a motion to approve the report.

MOTION

On motion of Councilman Boehm, seconded by Councilman Touchette, the Building Department Monthly Report was approved as read.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Youmans) – SO MOVED

Police Department – August 2010

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

Chief Darlington stated that he does not have a report.

Sewer Department – August 2010

Supervisor Traver stated that in Councilman Youman's absence he would give the Sewer Department Monthly Report.

Councilman Youmans continued by giving the report.

Supervisor Traver asked for a motion to approve the report.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Touchette, the Sewer Department Monthly Report was approved as read.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Youmans) – SO MOVED

Town Clerk – August 2010

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

Town Clerk Millious continued by giving the report.

Supervisor Traver asked for a motion to approve the report.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Boehm, the Town Clerk's Monthly Report was approved as read.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Youmans) – SO MOVED

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OLD BUSINESS

WWTP Raw Influent Pumps

Supervisor Traver stated that they discussed the raw influent pumps for the WWTP at the last meeting and added that Chief Operator Breedlove gave some insight as to the need for the repairs and continued by reading the following request:

I would like to request approval to have the 2 Wemco Raw Influent Pumps rebuilt. These pumps are for use in the lift station at the WPCF. These pumps were purchased in 2001 and were used until 2009. We do not have any spare pumps for the lift station. In the event of a pump failure, these pumps can be put into service and used. NYSDEC asks and requests that there be a spare parts inventory.

Attached is a price quote for the cost to rebuild the 2 pumps. Please contact me if you need any more information or have any questions.

Supervisor Traver stated that the price for the repair is $1,581.00.

Councilman Touchette stated that they discussed it at the last Workshop and they are all in agreement and continued by saying that he would offer a motion.

MOTION

On motion of Councilman Touchette, seconded by Councilwoman Rogers, authorizing the Supervisor to sign a Purchase Order for the repair.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Youmans) – SO MOVED

Maria Bowers Land Issue

Supervisor Traver stated that the Maria Bower's land issue would be tabled for now.

Police Department – Telecommunications Recording System

Supervisor Traver asked that Chief Darlington discuss his equipment purchase request for a Communications Recording System.

Chief Darlington stated that at the last Workshop he discussed the need of replacing the recording system and at that time the Board asked for more time to look over what was presented. He continued by saying that he is looking for direction from the Board.

Councilman Boehm stated that equipment was $18,000.00.

Chief Darlington stated that the equipment is $18,248.00 with an additional $2,018.00 for a five-year warranty and added that it was a budgeted item for 2010 and a .2 appropriation.

Councilman Boehm inquired about the cost of repair for $100.00 an hour to fix the old one.

Chief Darlington stated that it is $90.00 an hour if they are able to talk them through it on the phone and $300.00 an hour if they have to do an on-site repair, which includes travel time and they are located in Massachusetts. He continued by saying that they advised that the piece of equipment is old and if it needed parts, unless they had a junk one, the parts are no longer available.

Councilman Boehm stated that his question is whether or not they can or cannot fix it.

Chief Darlington stated that it would depend on what is wrong with it and if it needs parts replaced they might be able to if they have the parts.

Councilman Boehm inquired as to what the cost to find that out would be.

Chief Darlington inquired as to the cost to find what out.

Councilman Boehm stated that it would be the cost to find out whether or not it can be fixed and if they would have to come here and take a look at it.

Chief Darlington stated that they may have to come or they might be able to determine it over the phone.

Councilman Boehm stated that he would like to push it to next year and it would make sense to take a look to see if it can be fixed and if it can't be fixed and they can tell them that over the phone it would be worth investing a few hundred dollars and then suggested a cap of $500.00. He continued by saying that he knows that it is needed and it looks bad when people request tapes and things like that when they need it for evidence.

Chief Darlington agreed.

Councilman Touchette asked that Chief Darlington reiterate the reasons why it is important.

Chief Darlington stated that it records every phone call and radio transmission that goes in and out of communications as well as the Police Department and it is used as evidence in criminal trials, civil trials and lawsuits for or against the Town and it basically provides audible documentation as to what happened.

Councilman Touchette stated that last week he indicated that some cases were compromised because of it.

Chief Darlington stated that many times cases are requested by the District Attorney's Office, such as the recent case of the altercation when he and one of his officers was injured when just before that there was a power failure and it caused an error on the recorder, which it no longer tells them and when they went to replay it, there was nothing there for them to replay because there was an error.

Councilwoman Rogers inquired as to if they can get three more months out of the old system.

Chief Darlington stated that possibly and hopefully they can and added that he respectfully requests it because this is the third year that it has been in the budget and each year it gets pulled out.

Councilman Boehm asked that he pursue checking to see if it can be fixed over the phone.

Chief Darlington stated that he has a call into them asking for written documentation as to the availability of parts and whether in fact if it is a major error, if it can be repaired.

Councilman Touchette stated that he recalls having this discussion about the same time last year and added that first of all they really have to watch where their dollars are going but if it is something that they need to do now, they should do it now. He added that if they can't repair it and cases are being compromised, he thinks that it is an issue that they should look at and the $18,000.00 to $20,000.00 was budgeted and they can unfreeze that and they have to look at some other things. He concluded by saying that this would be his feeling.

Councilwoman Rogers reiterated the thought of it lasting three more months because there is also a car purchase.

Chief Darlington stated that much like they had discussed at length, he budgets, he requests and it gets taken out of his budget and they are so far behind with any kind of replacement with equipment that it is getting more and more difficult. He concluded by saying that he would leave it up to the Board.

Councilwoman Rogers reiterated that her feeling is that for January, the next budget will be for that equipment and for now they will go ahead with the purchase of the car and then asked the Board if they were with her on this.

Councilman Touchette interjected that the other side of the coin is how long it takes to be installed and invoiced.

Chief Darlington stated that the install does not take long and they require 50% down, 25% on delivery and 25% on installation.

Councilman Boehm stated that he wanted to get back to his original thought of pursuing to see if it can be repaired and if it can't they can go in another direction.

Chief Darlington stated that once it is down there is no recording for the whole Communication Center.

Councilman Boehm inquired as to how long it would take to have them come and take a look at it.

Chief Darlington stated that they would be here within a day and added that if it is not repairable it is a matter of getting the item ordered and installed and up and running and during that period they would be unrecorded. He continued by saying that he wishes he could be comfortable in saying that it will last three more months but as he said he has been three years hoping that it's going to last until he can get a new one.

Supervisor Traver asked if there was a motion on the floor.

Councilman Touchette inquired about the cash situation.

Supervisor Traver stated that as he had spoken with Councilman Boehm earlier, they are working on the cash flow to see where they are at for the remainder of the year.

Councilman Touchette suggested that they table it until they get that information.

Supervisor Traver stated that he can have that information to the Board by the end of the week as far as where the cash flow is and added that there is another item on the agenda that was contingent on that as well.

Councilman Boehm interjected that the Mortgage Tax Receipts are way down this year and reiterated that he thinks they should try to fix it rather than not do anything.

Supervisor Traver asked the Board if they agreed.

Councilwoman Rogers reiterated that they should try to make it until January.

Police Department – Tasers

Supervisor Traver asked that Chief Darlington discuss his request for the purchase of tasers.

Chief Darlington stated that as discussed at the last Workshop, the Albany County District Attorney's Office has a program called Make a Crime Pay, which is when they receive asset forfeitures they funnel it to Police Departments and in turn he was able to get them to purchase one taser for his department. He continued by saying that he is willing to use part of his asset forfeitures that they have received to purchase a second one and he is requesting that the Town purchase a third one.

Supervisor Traver interjected that it is $1,721.15 per taser.

Chief Darlington stated that was correct and added that it also includes the necessary equipment to go with it. He continued by saying that basically the District Attorney's Office will issue the Town a check for $1,721.15 and the Town through the .2 and his asset forfeiture will pay for the other two, which will include the cartridges and warranties.

Councilman Touchette inquired about training and whether there is a cost associated with training.

Chief Darlington stated that many of his officers have received training through other agencies and some would be required to go to training and there may be some hours there. He continued by saying that the training itself is offered for free through the Department of Criminal Justice.

Councilman Boehm stated that his question is about the guidelines and a local procedure and how they are going to use them and then asked if he has put anything in writing.

Chief Darlington stated that currently nothing is in writing and he has received the Department of Criminal Justice's recommendations as well as other departments and from there a set of procedures will be designed.

Councilman Boehm stated that he would like to see the procedures and a copy of the model of the taser and added that he does not necessarily think that it is a bad thing but it seems that the use of a taser has a lot of potential to be misused and he has seen videos of people being tased multiple times as well as being tased with handcuffs on and there are a lot of questions. He continued by saying that it can enhance officer's safety but first they need to know how they are going to be used and they need to have something in writing.

Chief Darlington stated that with anything that is issued to anyone, whether it is a Police Officer or highway person, everything has the potential of being abused but obviously supervision and the procedures are what would be in effect.

Councilman Boehm stated that they have not seen those yet.

Chief Darlington stated that he is not going to draw a set of procedures for something that he does not own.

Councilman Boehm interjected that they are not going to buy tasers if he is not going to tell them how they are going to use them.

Chief Darlington stated that when they end up with officers out on injury, the amount of money that the Town will pay for salaries of people that aren't working will be more than the cost of the tasers.

Councilman Boehm stated that they will also have a lawsuit from a parent of a student in Junior High who was tased four times because the officer was not properly trained and continued by saying that he is asking for something in writing.

Chief Darlington stated that his department is properly trained and he has not seen a lawsuit yet that has resulted in the lack of training.

Councilman Touchette inquired as to if the other Police Departments in the area have tasers.

Chief Darlington stated that they do.

Councilman Boehm inquired as to if the State Police have tasers.

Chief Darlington stated that they did.

Councilman Boehm asked if all of the State Police Officers have them.

Chief Darlington stated that not all of them do.

Councilman Boehm reiterated that he wants to see something in writing and added that it is just coming off the top of his head.

Chief Darlington stated that with all due respect it is not just coming off the top of his head and the tasers have been researched and the procedures have been instituted by the Department of Criminal Justice, State of New York and other agencies. He continued by saying that it has never been that a program is instituted without approval and not one of them will be issued until a set of procedures are in effect, which is the way that it is done.

Councilman Boehm reiterated that he wants to see the procedures before he gets the tasers.

Councilwoman Rogers stated that there is one that he is going to get and when he gets that one he can then probably show them the procedures from that one.

Chief Darlington stated that they need to understand that it will be put in one car and if the officer is tied up on a call, if another officer is the one with the issue the officer with the taser cannot break from his call and this is why the purchase of three was requested. He continued by saying that a perfect example is when Officer Alberts was tied up on an issue and if he were the one that was issued the taser, they would have been 10-15 minutes waiting for him to respond.

Councilwoman Rogers stated that in a situation like that they definitely needed a taser and what Councilman Boehm is saying is that for example zapping school kids there are going to be certain reasons why you would use it, such as a life or death situation or the situation that he was just in.

Chief Darlington stated that there are a set of guidelines and a thing called The Ladder of Use of Force, and Article 35 of the Criminal Procedure Law dictates what that is and anything beyond that is abuse of power. He added that his department carries pepper spray and he's sure that there are people out there spraying people without the necessary incidents where it is proper and it does not mean that his department is going to do it.

Councilman Boehm interjected that he thinks they are doing it backwards.

Councilman Touchette inquired as to what account it would go under.

Councilwoman Rogers interjected that it wouldn't go under an account.

Chief Darlington stated that it would go under the Asset Forfeiture Account and then .2 and originally there was $6,000.00 authorized for the purchase of portable radios and their current radios are holding up for now.

Supervisor Traver stated that he feels as though it would be protection for the residents and protection for the Police Department to have the use of tasers so they don't have another incident like they had two weeks ago. He continued by saying that at this time he feels as though they should be purchasing the tasers.

Councilman Boehm interjected that he's not saying that they don't need them but rather they need more information on the Department of Justice guidelines and added that he's never seen one and questioned why they cannot see a picture of one or see the guidelines and how they will be used at a local level because they are very controversial. He added that he thinks that it is important information before they go out and buy them.

Councilwoman Rogers asked if they can put it on the Town Board Meeting agenda for the October 12th.

Chief Darlington stated that they can if that's the Board's decision and it is fine and added that it will be the second agenda that it has been on.

Councilman Touchette interjected that the first one was a Workshop and they typically don't take action on items at a Workshop. He continued by asking if he has independent discretion to spend money from the Police Forfeiture Account.

Chief Darlington stated that he doesn't and added that all purchases are usually approved by the Board and it is the same as any other purchase.

Councilman Touchette stated that he read a quote in the paper from Senior Investigator Steve Prokym that said all of the officers on the force want these, which came as a surprise to him that he has been on the Board for two years and this is the first time that he has heard of it. He added that his feeling is that if the Chief deems that it is appropriate equipment to have, which is state-of-the-art status-quo for most of the agencies, then they should do it. He concluded by saying that they might want to table it until the next meeting.

Councilman Boehm stated that he would reiterate that he wanted to see the policy that the Chief talks about as well as actually seeing the actual taser and more information.

Chief Darlington stated that he would be more than happy to do this and added that he finds it interesting that they are willing to buy patrol rifles but yet something that it a very temporary stunning, they are going through large hoops for. He added that he is called on an average of every two weeks and asked what the status of his purchasing patrol rifles is.

Councilman Boehm stated that he did ask that he put that in the budget and it is a whole different conversation. He reiterated that his point is that tasers are very controversial and he thinks that they have a strong potential to be misused and added that he is not saying that the officers don't need them but rather he is not providing the information for them to make an informed decision. He continued by saying that everything that the Chief has given them is verbal and he would like to see the policy of how they are used because he watched a video of someone being pulled from a car and tased three times and reiterated that they have a strong potential for being misused as well as not checking with NYMIR to see if they could be a legal issue. He concluded by saying that all he wants is more information, which Chief Darlington is not giving them.

Chief Darlington stated that it is interesting that he asked for patrol rifles.

Councilman Boehm interjected that they be placed in the budget for discussion and then asked if he can provide additional information.

Chief Darlington asked what he wanted additional information on.

Councilman Boehm stated that he wanted to see the Department of Justice Guidelines.

Chief Darlington stated that he could and he also has pictures and added that if he's watched videos, he knows what they look like and he can go to Taser International where there is a lot of information.

Supervisor Traver stated that they would table it until the next meeting.

Councilman Touchette stated that he has two more Old Business topics and continued by asking who takes care of the Judicial Subpoenas and if it is Attorney for the Town Wukitsch.

Attorney for the Town Wukitsch asked which subpoena because there have been several that have come in.

Councilman Touchette stated that it is the one for Matthew Babcock.

Attorney for the Town Wukitsch stated that it is being taken care of and the Chief is handling it, has all of the information together and will be attending the Court on the date that is cited in the subpoena.

Chief Darlington stated that it is October 5th.

Councilman Touchette stated that the second item that he has is on the collection of Water Rents and continued by saying that at the Town Board Meeting on August 23rd they asked for Attorney for the Town Wukitsch to write a letter to the Village Attorney, which he did and in that letter he said:

"The fund which accounts for Water Rents for users outside the Village is not a fund of the Town and will be removed from the Town's ledgers and I have advised my client accordingly."

Councilman Touchette inquired as to if the Town had received a response to it.

Attorney for the Town Wukitsch stated that they didn't receive a written response and it is only what he has heard second-hand from both the Town Clerk's Office and Supervisor Traver. He continued by saying that basically what they got back from the Village was that it was too late and the mechanics of setting it in motion this time had already been undertaken and would the Town object strenuously if the implementation of his recommendation was deferred until the next billing cycle. He reiterated that he didn't speak with anyone and never got a response from anyone in the Village directly.

Supervisor Traver stated that within the next six months they need to really work on seeing where they are going to be going with this and check with their attorney.

Councilman Touchette asked Supervisor Traver if he spoke with the Village.

Supervisor Traver stated that he spoke to the Town's Board and due to the billing cycle that was coming out within two days from when the Village received the letter and they already had the bills printed and they were going out, they agreed to the collection.

Councilman Touchette asked if it will be implemented for the next billing cycle.

Supervisor Traver stated that it is what they are working on.

Attorney for the Town Wukitsch interjected that it has to be implemented because current practice is not in accord with the law and this is why he was asked to look into it and to

determine whether it was valid, which it is not. He added that he knows it is what has been done for the last 20 some years but that does not mean that it is right.

Supervisor Traver asked Councilman Touchette if he had anything else.

Councilman Touchette stated that he didn't.

Supervisor Traver moved to the next item on the agenda.

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NEW BUSINESS

Resignation of Cemetery Coordinator

Supervisor Traver stated that he was in receipt of a resignation from Richard Hotaling and continued by reading the following:

Town Supervisor and Town Board Members:

I am hereby resigning as Town Cemetery Coordinator as of September 30, 2010, due to personal reasons. I will attempt to tie up any loose ends by then. I will turn over any paperwork and keys to the Town Clerk's Office by that date.

Respectfully Submitted,
Richard D. Hotaling

Supervisor Traver asked for a motion to accept the resignation.

Councilman Boehm inquired as to if this was part of his job and whether or not he was keeping the other part with Parks and Beautification.

Supervisor Traver stated that it was only part of his job and the resignation is for Cemetery Coordinator.

Councilman Touchette stated that he is a seasonal worker.

Councilwoman Rogers inquired as to if they will be filling the position.

Supervisor Traver stated that they will have to find a replacement for Mr. Hotaling.

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, accepting the resignation of Rich Hotaling.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Youmans) – SO MOVED

Councilman Boehm thanked him for his service.

Councilman Touchette inquired as to if he would be following up on finding a replacement.

Supervisor Traver stated that he would be.

Bid Opening – Miscellaneous Collection & WWTP Upgrades

Supervisor Traver stated that earlier in the day Town Clerk Millious had a Bid Opening for the roof, generator and the heating system at the Sewer Plant and continued by giving the following results:

Contract 1G – Mid-State Industries Ltd. was the low bidder for the roof in the amount of $148,811.00.

Contract 1E – Capital District Electric was the low bidder for the electric in the amount of $81,461.00.

Contract IP – T. McElligott, Inc. was the low bidder for the heating system in the amount of $89,600.00.

Supervisor Traver stated that Ed Vopelak, Engineer from C.T. Male was present for the Bid Opening and put together his recommendation based on the bids.

Town Clerk Millious stated that Crisafulli Bros., who was the apparent low bidder for the heating system withdrew their bid due to an error. She continued by saying that they put the bid together as quick as they could because of the need for the work to be done and they were hopefully going to award at least the furnace work.

Councilman Touchette stated that they estimated $300,000.00 for Capital Improvements for those three items and it comes to $318,000.00 without the administrative cost for the engineering.

Councilman Boehm interjected that it is not good.

Councilwoman Rogers agreed and added that they also can't delay much more either.

Councilman Touchette stated that he agrees.

Supervisor Traver asked for a motion to accept the three bids.

MOTION

On motion of Councilman Touchette, seconded by Councilman Boehm, accepting Contract 1G from Mid-State Industries Ltd. in the amount of $148,811.00, Contract 1E from Capital District Electric in the amount of $81,461.00 and Contract 1P from McElligott, Inc. in the amount of $89,600.00.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Youmans) – SO MOVED

Councilman Touchette stated that there was an apparent low bidder for Contract 1P who withdrew their bid and it is being awarded to the seconded lowest bidder.

Authorize Purchase of Police Vehicle

Supervisor Traver stated that they discussed the purchase of a police vehicle at the Workshop last week and continued by asking that a motion be made authorizing the Police Chief to purchase a fully equipped 2010 Police Crown Victoria in an amount not to exceed $36,000.00 and to direct the Supervisor to determine the appropriate budget fiscal source to pay for this purchase.

Councilman Touchette stated that during their discussion last week, his comment is that it be contingent on available funds and they are looking at the latest financial records that they have from July and he is not comfortable authorizing the purchase now without further information about the projected cash flow.

Supervisor Traver stated that with regard to police vehicles, it looks like they will do a BAN for the vehicle that they authorized last month and they would also do a BAN for this vehicle, which would be for the life of the vehicle and a three year BAN.

Councilman Boehm inquired as to if they stagger them for delivery and if the first one that was purchased is coming in January.

Chief Darlington stated that they said 60-90 days, which would mean they are looking at late November or early December and the second one would probably be late December, early January. He added that it there is also a correction and it would be a 2011 because 2010's are no longer available.

Attorney for the Town Wukitsch stated that they could add in the motion that it is going to be purchased through the issuance of a BAN, which would clarify the intent.

Chief Darlington stated that he wanted to advise the Board that the 921 was taken out of service for a period of time because every light on the dashboard had an electrical problem, which is intermittent and when the mechanic went to fix it, it was fine. He continued by saying that he would invite the Board to come out and listen to his car when he starts it up and it is the same issue that they have been discussing.

Councilman Boehm stated that he thinks that they need to move forward with the two purchases and added that he thought that they agreed to try to get his car through to the end of the year.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Boehm, authorizing Chief Darlington to purchase a fully equipped 2010 Police Crown Victoria in an amount not to exceed $36,000.00, which as discussed will be done through the issuance of a BAN.
VOTE – AYES 3 – NAYS 1 – ABSENT 1 (Youmans) – SO MOVED

Councilman Touchette stated that from time to time they receive a schedule of equipment at the Highway Department and continued by asking if the Police Department does the same thing, which lists the vehicle number, year, description, present value, when purchased, the cost new, and condition. He continued by saying that it might be a good thing to look at for the Police Department.

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RESOLUTIONS

RES. #82-10 APPROVE SEPTEMBER 2010 ABSTRACT
On motion of Councilman Touchette, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Youmans) – SO MOVED

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

FUND	VOUCHER #	AMOUNT
GENERAL (A)		
General Pre-Pay	1627-1693,1886	$ 271,876.68
General	1746-1816	$ 76,051.52
	General Total	**$ 347,928.20**
PART-TOWN (B)		
Part-Town Pre-Pay	1694-1708	$ 214,614.41
Part-Town	1817-1822	$ 759.24
	Part Town Total	**$ 215,373.65**
HIGHWAY (D)		
Highway Pre-Pay	1709-1720	$ 61,935.07
Highway	1823-1865,1887	$ 177,320.60
	Highway Total	**$ 239,255.67**
SEWER (SS)		
Sewer Pre-Pay	1721-1737	$ 19,246.78

Sewer	1866-1885	$ 14,908.69
	Sewer Total	**$ 34,155.47**
	Total for all Funds	**$836,712.99**
TRUST & AGENCY (TA)		
Trust & Agency Pre-Pay	1738-1745	$317,869.98
	Trust & Agcy. Total	**$317,869.98**

RES. #83-10 AWARD SLUDGE HAULING BID
On motion of Councilman Boehm, seconded by Councilwoman Rogers, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Youmans) – SO MOVED

WHEREAS, through the established bidding process, the Town Board of the Town of Coeymans solicited bids for the hauling of sludge from the Waste Water Treatment Plant, Coeymans, New York, to Albany County Waste Water Treatment Plant, Port of Albany, Albany, New York, and

WHEREAS, two bids have been received, reviewed and considered for the above solicitation,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans, does hereby make the following award:

Blue Diamond Septic Service (using own truck driver/tanker portal to portal) $.0398

RES. #84-10 AUTHORIZE BUDGET AMENDMENT
On motion of Councilwoman Rogers, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Youmans) – SO MOVED

WHEREAS, at a Town Board Meeting on June 21, 2010, the Town Board passed a motion authorizing that they move forward with the proposal for playground equipment to be installed at Coeymans Landing Park, and

WHEREAS, the playground equipment has been duly installed, and

WHEREAS, the Town has received a bill from Play Pro for this equipment in the amount of $24,106.30, and

WHEREAS, the town has received payment from Albany County Rural Housing Alliance for reimbursement for this equipment in the amount of $24,106.30.

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

Create Revenue Code	A2089	Other Culture & Recreation Income
Create Expenditure Code	A7197.2	Recreation Equipment

Increase Revenue Code	A2089 by $24,106.30
Increase Expenditure Code	A7197.2 by $24,106.30

Councilman Boehm stated that it was mentioned in the motion but he thinks that it is important to point out again that the entire cost of the playground equipment was funded by the Kellogg Foundation in cooperation with Albany County Rural Housing Alliance and taxpayer money was not used because it was a gift from the Kellogg Foundation.

RES. #85-10 AUTHORIZE CONVEYANCE OF COYEMANS HOLLOW CEMETERY
On motion of Councilman Touchette, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Youmans) – SO MOVED

WHEREAS, there has been established in this Town, a cemetery known as the Coeymans Hollow Cemetery, Inc., which Association maintains a public cemetery on Gedney Hill Road in Ravena, Albany County, New York and owns real property in said Town, and

WHEREAS, said Association has under its care certain funds for perpetual care, permanent maintenance, special trust, general deposited in the following banks: Key Bank and First Niagara, Ravena, New York, and

WHEREAS, the Association has been and still is unable to procure sufficient income from above investments, the members of the Association and from the representatives of the deceased persons interred in the cemetery, and

WHEREAS, the Cemetery Association has requested that the Town of Coeymans, pursuant to Section 1506 (j) of the Not-for- Profit Corporation Law, accept the conveyance of the cemetery premises and transfer of assets.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Coeymans hereby accepts the conveyance of the cemetery premises and the transfer of the assets from the Cemetery Association, such conveyance shall be subject to all agreements as to lots sold and all trust, restrictions and conditions upon the title or use of the real property or assets.

Councilman Boehm asked Attorney for the Town Wukitsch if this was the finalization of the transfer of the cemetery to the Town.

Attorney for the Town Wukitsch stated that it is and added that at long last he is happy to say that this will be the last step prior to him sending the entire package to the State of New York for filing in their office and it completes the transaction.

RES. #86-10 ESTABLISH DEPUTY SUPERVISOR POSITION

Resolution tabled until the October 12th Meeting.

RES. #87-10 AUTHORIZE JUSTICE COURT TO PREPARE JCAP APPLICATION
On motion of Councilman Boehm, seconded by Councilwoman Rogers, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Youmans) – SO MOVED

WHEREAS, the Town Court is desirous of making application for funding assistance to make improvements and enhancements to the Town's security and facility-related needs, and

WHEREAS, such assistance is possible through the New York State Unified Court System Justice Court Assistance Program (JCAP) application,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans authorizes the Town Justice Court to prepare such JCAP application and forward the completed application to Supervisor Henry C. Traver for signature and submission.

Councilman Touchette asked that Supervisor Traver tell them a little bit more about the JCAP application.

Supervisor Traver stated that it is relative to a grant that they are working on and doing a resolution is part of the process.

Councilman Touchette inquired as to if it is for work that has already been completed.

Supervisor Traver stated that it is a new round.

Attorney for the Town Wukitsch interjected that it is a new round of grant applications through JCAP and JCAP through State funding authorizes various improvements to the court facilities for security and renovations up to a maximum of $30,000.00 per year.

Chief Darlington stated that it is also his understanding that part of it is to install the metal detector that is required and the Judge told him that there would be a meeting in regard to this and one issue that he is going to have is that it will require a second officer in the court and his budget is strained as it is.

Councilman Touchette stated that he has another resolution and added that he's sorry that it wasn't submitted in time to be on the agenda and he had given to each Council Member a copy of it. He continued by reading the following.

RES. #88-10 APPOINT PERSONNEL LIAISON FOR CSEA NEGOTIATIONS
On motion of Councilman Touchette, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE – AYES 3 – NAYS 1 – ABSENT 1 (Youmans) – SO MOVED

WHEREAS, the Town of Coeymans has a Collective Bargaining Agreement with CSEA covering certain employees, and

WHEREAS, the current Agreement expires on December 31, 2010, and

WHEREAS, over the past negotiation cycles with both CSEA and Council 82, much has been invested in past negotiations, and

WHEREAS, it would be prudent for the Town Board, of the Town of Coeymans to determine its comprehensive negotiating objectives before meeting with CSEA, and

WHEREAS, Rick Touchette was appointed personnel liaison in 2009;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board, of the Town of Coeymans, authorized Rick Touchette to proceed with negotiations with CSEA and to utilize the services of Michael Richardson, Labor Relations Consultant. Mr. Touchette is further directed to determine, with the Town Board, the negotiating objectives, and will be subject to the requirements of the Board during the negotiations. No other person or persons are authorized or approved by the Town Board of the Town of Coeymans to act on the Town's behalf during these negotiations.

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PUBLIC COMMENT

Supervisor Traver invited the public to comment at this time.

Mr. Chris Alberts stated that he was present as a representative of the Union for the Police Department and the issue of the tasers was brought up earlier and added that he wanted to reiterate that as a Police Officer he is certified and given the right to carry a fire arm and is qualified and able to use it and potentially could use the discretion to take someone's life if ever necessary, which he hopes that it never comes to. He continued by saying that he does not see the big deal with a less lethal way to apprehend someone and the situation that the Chief and another officer was involved in could have gone that way very quickly. He went on by saying that a taser is very well known, out there and every agency around uses them and are very restricted in the way that they are used. He concluded by saying that it is an excellent officer safety measure that he believes they need to step up and use and before they are issued to anyone they will obviously be trained.

Supervisor Traver asked if there were any other comments.

Ms. Starr Ross stated that she wanted to know what the status is with the Ravena Rescue Squad Contract because she expected to hear from Councilman Boehm this week.

Councilman Boehm stated that they had discussed it at the Workshop and it is going to have to go through the budget negotiations as far as the amount and they won't be able to have anything until the budget is finalized.

Ms. Ross stated that they have had the contract for several months and she has lost track of how long, which is the same as last year and the year before and the Rescue Squad needs to get their budget together.

Councilman Boehm stated that she gave them the amount of $91,000.00, which is what he brought up at the Workshop and it is the amount that will be discussed in the budget hearings but until the budget is finalized they cannot present them with a contract.

Ms. Ross inquired as to what date she can expect.

Councilman Boehm asked Supervisor Traver when the budget will be finalized.

Supervisor Traver stated that the budget will be finalized by Thursday when it has to be given to the Town Clerk.

Town Clerk Millious interjected that it has to be adopted by November 30th.

Supervisor Traver stated that on October 5th Town Clerk Millious will be presenting the budget to the Board and in turn they will be meeting with each department.

Councilman Boehm inquired as to when it is actually finalized.

Attorney for the Town Wukitsch stated that it is November 30th.

Ms. Ross inquired as to if they are saying that the Rescue Squad cannot arrange their budget for next year until November 30th.

Councilman Boehm stated that was correct and they have to go through the process.

Councilwoman Rogers stated that the Rescue Squad was held up because they were in negotiations with the Town of New Baltimore.

Ms. Ross stated that they took care of it and when they took the contract to them they were pleased with their service and signed it at the next meeting and handed it back to them.

Councilman Boehm stated that he told her the amount and now they have to go through the budget process and it does not make sense to have a contract if the amount is not there.

Ms. Ross stated that they have a budget too and they need to plan on theirs and needless to say they held them up two years ago and this year.

Councilman Boehm stated that they paid them everything that was in the contract.

Ms. Ross stated that they didn't and that is the problem because they don't pay them what's in the contract because there isn't a contract and they pay what they put in the budget and not what they put in the contract.

Councilman Boehm stated that she had to say it again because he didn't follow it.

Councilwoman Rogers stated that she didn't catch it either.

Ms. Ross stated that he said that the Town pays them what is in the contract but there has not been a contract for two years and they have paid what they felt they could pay and not what they needed.

Councilman Boehm stated that it was $71,000.00.

Ms. Ross stated that they had $80,000.00 in last year's contract and they had to adjust their budget and cut on their end, which they cannot do anymore so they need to know what they can do.

Councilwoman Rogers interjected that this year they want $91,000.00.

Ms. Ross stated that was correct.

Councilman Boehm stated that as soon as the budget process is over and that is locked in he will give them the contract and added that there are no big changes from last year.

Ms. Ross stated that there are no changes from last year that didn't happen.

Councilman Boehm stated that soon after that he will give them the contract as long as the amount makes it through the budget process.

Supervisor Traver asked if anyone else wished to speak.

Ms. Ginny Pearson stated that she wanted to clarify what was said about the medic box and it was Mr. Touchette that made the statement and he wanted to know if the medic box would be in conjunction with the Police Department and what she stated was that when the medics were no longer here, the Police would have use of a lock box paid by the Town of Coeymans. She continued by saying that she wants it understood that she never said that it would be in conjunction with the Town of Coeymans where they were worried about double keys and everything being mixed up and reiterated that she wanted to make it clear. She then inquired as to how many cases it would take for them to authorize a piece of equipment that is not lethal and as far as You Tube goes it can be misconstrued in any way that you want to look at it when it is written and done by amateurs. She continued by saying that they take the professional approach and the tasers are not a lethal weapon and she's sure that they are not going to be used without the proper procedures. She then inquired about the contracts that were awarded and continued by asking where the generator was going.

Councilman Touchette stated that it was for the sewer plant.

Ms. Pearson inquired as to whom the contract was awarded.

Supervisor Traver asked that Town Clerk Millious advise.

Ms. Pearson stated that while they were looking for it she had one final question and continued by saying that they awarded a bid for hauling sludge and then asked why they don't buy their own tractor to haul the sludge because there are people with certified licenses.

Councilman Boehm stated that it would be $190,000.00 to buy a tractor.

Ms. Pearson stated that it was not necessarily so.

Councilman Boehm stated that for clarification he wanted to also say that he knows that taser are non-lethal and never said that they were lethal.

Town Clerk Millious interjected that the bid was awarded to T. McElligott from Troy, NY in the amount of $89,600.00.

Councilman Touchette interjected that one more comment and added that he understands the officer's concern but the first that they had heard anything about tasers was last Tuesday.

Ms. Ginny Pearson stated that it came up for subject when she was sitting in the Court Office more than six years ago.

Councilman Touchette stated that within the last two years he hadn't heard about it.

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

****

CORRESPONDENCE

Albany County Volunteer Recruitment & Retention

Supervisor Traver continued by reading the following:

To: Town Supervisor
From: Albany County Volunteer Recruitment & Retention

Your town is served and protected by volunteer firefighters and emergency medical personnel, but their ranks have been decreasing over the years. The Albany County Volunteer Recruitment and Retention Taskforce was formed to reverse this disturbing trend.

Our Mission has been two-fold: first, to foster awareness of the need of volunteer fire and EMS agencies in Albany County for more volunteers to join their rank, and second to provide the tools necessary for those agencies to pursue new members.

The Albany County Volunteer Recruitment Task Force has faced the same financial issues as your Towns have this past year and as a result, we have had to scale back our efforts. We have continued getting our message out this year including some limited print media campaigns in weekly newspapers and will be distributing our 2010 Fire and EMS recruiting banners. A number of agencies in Albany County have started their own active Recruiting and Retention Committees to work in tandem with the County Committees efforts. 2011 is going to be a good year for the Volunteer Fire and EMS services in Albany County.

The Albany County Legislature continues to match each dollar we raise. In order for the Recruitment Taskforce, to continue to work on your behalf, we need your financial help. With your support we can continue our successful programs and prevent your town from having to consider much more costly alternatives to volunteer fire and EMS protection. The Task Force is working to attract those people and guide them to the proper agency. If the awareness program disappears, so might that pool of people.

Please continue your support to this vital program. Send your donation (which might be matched by the Legislature) to:

Albany County Recruitment Task Force
PO Box 28
Slingerlands, NY 12159-0028

Thank you,
The Albany County Recruitment Task Force
Steve Wright, Chair

Councilman Boehm stated that he wanted to offer a motion.

MOTION

On motion of Councilman Boehm, seconded by Councilman Touchette, authorizing the Supervisor to send a check in the amount of $250.00 to the Albany County Volunteer Recruitment Retention Committee to recruit volunteers and individuals to staff the Town's fire departments.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Youmans) – SO MOVED

Tom Quinlivan – Summer Employment Program

Dear Supervisor Traver:

Even though we suffered approximately a 50% cut in funding, we were able to return to run another successful summer work program due to your excellent cooperation and Tom Dolan's full commitment. I feel that in many ways this has been our most successful year ever, considering the fact that the funding was not made available until the week before the program opened.

The total amount of money earned in the summer program throughout the Town of Coeymans was $11,002.90.

Supervisor Traver stated that the letter goes on to list the youth within the Town that had worked as well as a breakdown of hours and wages, which he was not going to read and continued with the following excerpt:

A special thanks goes out to the following "excellent supervisors" who I work with on a daily basis:

Ralph Surrano
Nelson Perry
Richard Hotaling
Tommy Plath
Diane Millious
Danyell Crowley

Looking forward to next year.

Sincerely,

Tom Quinlivan
Department of Youth & Workforce Services

Councilman Touchette stated that he wanted to add Tom Dolan's name to the list because without him they would not have the successful program that they had.

Supervisor Traver stated that he did mention him in the beginning of the letter.

****

ADDITIONAL COMMENTS

Supervisor Traver asked if there were any additional comments.

Highway Superintendent Deering stated that under Highway Section 142 his inventory list has to be done in September and this is why it is done.

Councilman Touchette stated that it is very valuable information to have.

Highway Superintendent Deering stated that he just wanted to advise the Board that it is under Highway Law and added that his list had not moved ahead because he has not gotten anything and he wanted to show the Board that it is under Highway Law.

Supervisor Traver asked if there were any additional comments.

Chief Darlington stated that he is requesting permission to speak with the Attorney for the Town in reference to the vehicles that they have down at the impound lot and added that they have sent letters to the owners who have either not responded or basically have not accepted their mail and in order to take ownership and have them as surplus properties so they can auction them, he needs to make sure that the procedures that they are following will in fact protect them.

Councilman Boehm inquired as to how many vehicles there are.

Chief Darlington stated that he believes that there are 6.

Councilwoman Rogers inquired as to how long they have to sit before he can take proceedings.

Chief Darlington stated that it depends on their values and it is really only 90 days if the owners don't claim them and in turn they send a letter telling them if they don't claim them this is the procedure that they will move forward with. He continued by saying that their failure to respond to the certified, return receipt, is the same as saying that they don't want the vehicle.

Attorney for the Town Wukitsch stated that it was fine.

Collectively Council Boehm and Rogers agreed.

Councilman Touchette inquired as to where the proceeds from the sales go.

Attorney for the Town Wukitsch interjected that they go to the forfeiture fund.

Chief Darlington stated that it would actually go back towards the regular fund unless it was an asset forfeiture and added that there are currently three that they are taking ownership of out of drug forfeitures. He continued by saying that he wanted to explain that he met with Councilman Youmans prior to his flight to Detroit and he advised that they were all set with the taser purchases and this is why no further information was provided. He added that also at the last Workshop no additional information was requested nor was any procedure requested of the Police Department and he takes exception to the Board Member that called the integrity of his officers into question and those departments that abuse tasers also have written procedures in effect and it's individuals that choose not to follow them. He concluded by saying that he has many good officers and the continued calling their integrity into question he takes great exception to.

Councilman Boehm stated that he takes exception to his exception and added that he is not questioning the officer's integrity but rather looking for more information about a controversial non-lethal system that they are looking to implement, and that is it and it's Chief Darlington that is making a big deal out of if.

Chief Darlington stated that when he says that the fact that his officers could abuse, or his feeling is that they would abuse, is calling their integrity into question.

Councilman Boehm stated that it has a potential for abuse and they need to take a look at what they do with them, just like they have a procedure manual for everything else and he is questioning the procedure for use of a taser, which protects the officer as well as the people and probably the next person that will get tased will be a Town of Coeymans resident and he wants to make sure that he is protected too because there are two sides to the issue.

Chief Darlington stated that they purchased 16 firearms and then asked if he requested the procedures for them.

Councilman Boehm stated that it was ridiculous.

Supervisor Traver asked if there were any other comments.

Confidential Secretary stated that she spoke with Joe, the Director and owner of I.T.S. in Coxsackie and it is his plan to have the Town completely done and all of the software up, installed and updates made by the end of next week with the latest being the beginning of the week following. She added that it is contingent only upon when they can be off-line for a fairly extensive period of time, which will take at least two days and they waited until the Sewer Billing Cycle ended and Town Clerk Millious had also asked that they hold off for a bit. She continued by saying that they are in the process of Sewer and Parks getting DSL and the Highway is cable and State Telephone is making appointments to implement the upgrades, which puts them on track to have everyone on one network with everyone having their own user name and connectivity.

Town Clerk Millious stated that the deadline for purchasing a Doe Permit is October 1st, which hunters may want to know.

Supervisor Traver asked if there were any other comments.

Councilman Touchette stated that he was out of town when the Police Department executed the raids in the Hamlet and he had spoken with Investigator DeLuca and he was not here earlier to add his congratulations to the department on doing a great job. He continued by saying that he understands that there are further ramifications with Section 8 and the other thing that he asked Investigator DeLuca is when they execute a raid like that, are the officers aware of looking for things that might trigger property maintenance or building code issues.

Chief Darlington stated that many times when they do routine search warrants they do and there have been many times when they have called the Building Department and when it is like the last incident, because of the heightened urgency to get in and out, a lot of times they don't. He continued by saying that in addition to that, Albany County's Districts Safe Homes, Safe Streets Initiative eviction processes has been started as well as they are going to attempt to do a landlord training in regard to landlord responsibility when it comes to narcotics or illegal things going on in apartments that they own and they will invite every landlord that they know of in the Town of Coeymans and Village of Ravena and the District Attorney will come down and do the training in conjunction with the Police Department and hopefully it will be a success in dealing with some of these issues.

Councilman Touchette inquired as to what the penalties or ramifications are for the landlord in this type situation.

Chief Darlington stated that basically what had happened is that the District Attorney's Office had sent letters to the landlords demanding eviction processes be done and there is nothing criminally or civilly other than the fact that if they refuse, the DA's Office may take the proceedings on themselves and evict the person.

Supervisor Traver asked if there were any further comments, hearing none he moved to the next item on the agenda.

****

TOWN BOARD WORKSHOPS / MEETINGS

- Town Board Meeting, October 12, 2010, 7:00pm (Tuesday due to the holiday on Monday)
- Town Board Workshop, October 19, 2010, 6:00pm
- Town Board Meeting, October 25, 2010, 7:00pm

****

ADJOURNMENT

Supervisor Traver asked for a motion to adjourn the meeting.

Councilman Touchette inquired as to if there was going to be a Special Meeting to distribute the Tentative Budget.

Supervisor Traver thanked him for reminding them and added that there had to be one scheduled by October 5th and added that he was requesting that there be one on October 5th for the sole purpose of distributing the Tentative Budget.

Councilman Touchette stated that he would be out of Town on business.

Town Clerk Millious stated that it would be for the Town Clerk to present the Tentative Budget to the Town Board.

Supervisor Traver inquired about there being time for posting it.

Town Clerk Millious stated that if there is time she may be able to get it in the paper and added that she will post it where she can.

Supervisor Traver reiterated that it is for the sole purpose of giving the Tentative Budget to the Town Board and no other business will be handled.

Town Clerk Millious inquired as to what time it should be.

Collectively the Town Board agreed that 6:00pm would be fine.

Supervisor Traver asked for a motion to adjourn the meeting.

MOTION

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

***Respectfully Submitted*,** **APPROVED:**

_____
Diane L. Millious, Town Clerk

A Special Town Board Meeting was held Tuesday, October 5, 2010, at 6:00pm at Town Hall, 18 Russell Avenue, Ravena, New York

PRESENT: Henry C. Traver, Supervisor
Dawn Rogers, Councilwoman
Thomas A. Boehm, Councilman
Richard N. Touchette, Councilman

ABSENT: James C. Youmans

ALSO PRESENT: Diane L. Millious, Town Clerk
Theresa Shear, Confidential Secretary

****

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

****

OPENING COMMENT

Supervisor Traver stated that the record should reflect the presence of a full Town Board with the exception of Councilman Youmans as well as Town Clerk Millious and Confidential Secretary Shear.

****

OPENING COMMENT

Supervisor Traver stated that the Special Meeting was for Town Clerk Millious to present the Tentative Budget to the Town Board. He then asked that Town Clerk Millious read the Notice of Special Town Board Meeting.

****

NOTICE
SPECIAL TOWN BOARD MEETING

In compliance with Public Officer's Law, this will inform you that the Town Board of the Town of Coeymans has scheduled a Special Town Board Meeting for Tuesday, October 5, 2010 at 6:00pm. The purpose of the meting will be for the Town Clerk to submit the 2011 Tentative Budget to the Town Board. The meeting will be held at Town of Coeymans, Town Hall, 18 Russell Avenue, Ravena, NY.

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

****

AGENDA

- Presentation of Budget to Town Board

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PRESENTATION OF BUDGET

Supervisor Traver asked that Town Clerk Millious present the Tentative Budget to the Town Board.

Town Clerk Millious continued by distributing the Tentative Budget to the Town Board.

Councilwoman Rogers asked Supervisor Traver if the tax rate was going up, down or staying the same.

Supervisor Traver stated that the tax rate will be staying the same.

Councilman Boehm inquired as to if there are any highlights or anything that the Board needs to know.

Supervisor Traver stated that they came up with a new formula working on the Sewer Budget, which shows more details between the Joint Town and Village appropriations and expenditures.

Councilman Touchette stated that in previous years the Supervisor had used this as an opportunity to make a presentation about the budget and talk about the rational behind the budget with the appropriations and revenues. He continued by asking if Supervisor Traver wished to say anything about that.

Supervisor Traver stated that he would not at this time.

Councilman Boehm inquired as to if there would be a breakdown for each individual person of their benefits and salary.

Supervisor Traver stated that it is not individually but rather department.

Councilman Boehm inquired as to how they would differentiate the employee and the amount of increase that they would get if it was not done individually.

Supervisor Traver stated that he would have to look at the worksheets again and reiterated that he believes that it is by department and Sue King the Human Resource clerk did most of the benefit package on it.

Councilman Boehm stated that there is a variance column and continued by asking if it was new.

Supervisor Traver stated that it is and added that it shows the difference from the previous year and added that another big change is that it shows the department request and his Tentative Budget figure.

Councilman Boehm inquired as to if the tax rate will be flat with no increase or decrease.

Supervisor Traver stated that was correct.

Councilman Touchette stated that he appreciates the Tentative Budget and he looks forward to reviewing it and continued by asking Supervisor Traver if he had any further comments.

Supervisor Traver stated that he didn't.

Councilman Boehm stated that normally they set up a series of Workshops with the department heads to go over the budget.

Supervisor Traver stated that they will not be doing that at this meeting and added that on at Tuesday's meeting they will be setting up some dates for the Workshops with department heads.

Councilman Touchette inquired as to if the department heads will receive the Tentative Budget in the morning.

Town Clerk Millious stated that she takes care of that and it will be first thing in the morning as well as there being copies for the public.

Councilman Touchette inquired as to if it will be posted on the website.

Town Clerk Millious stated that it hasn't been in the past and added that it will be in the minutes when it is adopted.

Councilwoman Rogers stated inquired as to how some of the insurances could go down.

Supervisor Traver stated that some of the insurance went down and others went up.

Councilwoman Rogers asked that Supervisor Traver explain the Budget Officer's variance again.

Supervisor Traver stated that it is what he put in and felt it should be and the last column is the percent that it either went up or down.

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

****

ADJOURNMENT

MOTION

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

Time: 6:06pm

***Respectfully Submitted*,** **APPROVED -**

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Diane L. Millious, Town Clerk

October 6, 2010 – SPECIAL TOWN BOARD MEETING – 7:00PM

A Town Board Meeting was held Wednesday, October 6, 2010, at 7:00pm at Town Hall, 18 Russell Avenue, Ravena, New York

PRESENT: James C. Youmans (Joined Meeting after Resignation and Appointment)
Dawn Rogers, Councilwoman
Thomas A. Boehm, Councilman
Richard N. Touchette, Councilman

ALSO PRESENT: Diane L. Millious, Town Clerk
Cindy Vatalaro, Deputy Clerk
Dave Wukitsch, Attorney for the Town
Greg Darlington, Chief of Police
Theresa Shear, Confidential Secretary

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Councilwoman Rogers opened the meeting and led the Pledge of Allegiance.

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NOTICE
TOWN OF COEYMANS
TOWN BOARD
SPECIAL MEETING

In compliance with Public Officer's Law, this will inform you that the Town Board of the Town of Coeymans has scheduled a Special Meeting. The Special Meeting will be held Wednesday, October 6, 2010, at Town Hall, 18 Russell Avenue, Ravena, NY immediately following the scheduled CSEA Meeting for 7:00pm.

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

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AGENDA

- Designate Council to Preside Over Meeting
- Statement By the Board
- Accept Resignation of Councilman
- Appoint Supervisor
- Oath of Office
- Comments by the Board

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RES. #89-10 DESIGNATE COUNCIL TO PRESIDE OVER MEETING
On motion of Councilman Boehm, seconded by Councilman Touchette, the following motion was APPROVED – VOTE – AYES 3 – NAYS 0 – SO MOVED

WHEREAS, the Office of Town Supervisor has been vacated and there is no Supervisor to preside over the Town Board Meeting of October 6, 2010, and

WHEREAS, Town Law, Section 63, authorizes the Town Board to designate a Town Board Member to preside over a Town Board Meeting in the absence of the Town Supervisor, and

WHEREAS, the Town of Coeymans does not have a Deputy Supervisor,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby designate Councilmember Rogers to preside over the Town Board Meeting of October 6, 2010.

****

STATEMENT OF THE TOWN BOARD

Councilwoman Rogers stated that it was a brief Emergency Meeting and there would be no public comment or questions and continued by reading the following:

STATEMENT OF THE TOWN BOARD
OF THE TOWN OF COEYMANS
OCTOBER 6, 2010

Henry C. Traver vacated the Office of Supervisor of the Town of Coeymans today, October 6, 2010. The Town Board wishes to thank Supervisor Traver for his service to the Town of Coeymans. Our thoughts and prayers are with Henry and his family at this difficult time. On the advice of the Attorney for the Town, a Special Meeting on an emergency basis was held at 7:00pm today for the purpose of appointing a Supervisor. The Town Board, along with the professional and dedicated Town employees, will ensure that the operations of the Town continue uninterrupted.

****

ACCEPT RESIGNATION OF COUNCILMAN

Councilwoman Rogers stated that a letter of resignation was given to Town Clerk Millious and continued by reading the following:

October 6, 2010

Dear Diane,

Effective immediately, please accept my resignation as Councilman.

Sincerely,
James C. Youmans

MOTION

On motion of Councilman Touchette, seconded by Councilman Boehm, accepting the resignation of Councilman Youmans.
APPROVED – VOTE – AYES 3 – NAYS 0 – SO MOVED

****

APPOINTMENT OF SUPERVISOR

RES. #90-10 APPOINT SUPERVISOR
On motion of Councilman Boehm, seconded by Councilman Touchette, the following resolution was APPROVED – VOTE – AYES 3 – NAYS 0 – SO MOVED

WHEREAS, effective on the morning October 6, 2010, there is a vacancy in the Office of Supervisor of the Town of Coeymans by virtue of the felony conviction of Supervisor Traver, and

WHEREAS, the Town Board of the Town of Coeymans has determined to appoint a member of the Town Board, pursuant to New York Law, Section 64(5), to fill the vacancy that presently exists in the Office of Supervisor, and

WHEREAS, Councilman Youmans has resigned as a Member of the Town Board of the Town of Coeymans.

NOW, THEREFORE, BE IT RESOLVED, that James C. Youmans is hereby appointed to the Office of Supervisor of the Town of Coeymans, effective immediately, and he shall hold that office in accordance with the provisions set forth in Section 64(5) of Town Law of the State of New York.

****

OATH OF OFFICE

Town Clerk Millious asked that James C. Youmans place his left hand on the Bible, which was held by his wife, Stacey Youmans, raise his right hand and repeat the Oath of Office after her.

James C. Youmans repeated the Oath of Office.

Town Clerk Millious requested that Supervisor Youmans sign the Oath of Office.

Supervisor Youmans continued by signing the Oath of Office.

****

TOWN BOARD COMMENTS

Councilwoman Rogers invited comment from the Board at this time.

Supervisor Youmans stated that he wanted to make a brief statement and continued by saying that he wanted to start by saying that he does not enter into this with any sense of jubilation or elation. He continued by saying that it is a serious undertaking and he is humbled by the confidence that this Board has placed in him and his abilities to do this job and he wants to let the Town employees know that they can expect business as usual tomorrow morning.

Councilwoman Rogers asked if there were any other comments, hearing none she asked for a motion to adjourn the meeting.

****

ADJOURNMENT

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, the Special Town Board Meeting was adjourned.
APPROVED – VOTE – AYES 3 – NAYS 0 – SO MOVED

Time: 7:14pm

***Respectfully Submitted*,** **APPROVED:**

_____
Diane L. Millious, Town Clerk

A Town Board Meeting was held Tuesday, October 12, 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
Thomas E. Dolan, Councilman (Arrived after Resolution & Oath)

ALSO PRESENT: Diane L. Millious, Town Clerk
Albert Deering, Highway Superintendent
Greg Darlington, Chief of Police
Theresa Shear, Confidential Secretary

****

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

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AGENDA

- Public Comment
- Approval of Minutes
  - Bid Opening, September 27, 2010
  - Town Board Meeting, September 27, 2010
- Old Business
  - Police Department, Equipment
- New Business
  - ZBA Members Request to Attend Workshop
  - Councilman Request to Attend Seminar
  - Joralemon Park
  - Assessor's Request to Attend Training
- Resolution
  - Appoint Deputy Supervisor
  - Appoint Town Board Member
  - Reinstate Cemetery Coordinator
- Correspondence
  - Grace Covenant, Summer Bag Lunch Program
- Workshops/Meetings
  - Town Board Workshop, October 19, 2010, 6:00pm
  - Town Board Meeting, October 25, 2010, 7:00pm

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OPENING COMMENT

Supervisor Youmans stated that he wanted to note the presence of a full Town Board as well as Town Clerk Millious, Chief of Police Darlington, Highway Superintendent Deering and Confidential Secretary Shear. He continued by saying that he wanted to make a brief statement and added that if anyone is surprised by the change of faces on the Board, they were somewhat surprised themselves when Supervisor Traver resigned last Wednesday, which left them in a somewhat difficult position. He continued by saying that he says difficult because had that resignation come sixteen days earlier it would have been much easier because the people of the Town of Coeymans would have voted for who is sitting at the table. He went on by saying that it did not occur and given the timeframe, the Board was faced with difficult choices and found it in the best interest of the Town to appoint him as the new Town Supervisor and he is very humbled by the faith that they have placed in him and with that said the first thing that he did as Town Supervisor was that he dropped the salary by $15,000.00, given the fact that he is not going to be a full-time Supervisor and as anyone who knows him, knows that he hold a full-time job and his availability at times may be limited. He continued by saying that he thought it was a prudent course of action to reinstate the position of Deputy Supervisor

and later in the meeting Mr. Touchette will be sworn in as Deputy Supervisor and for that Mr. Touchette will get a small portion of the salary that they reduced, which in a sense is that they are getting two of them for less than the price of one. He added that he wanted to thank Mr. Touchette for his willingness to step up because he brings to the table some important qualifications as far as budgeting and labor negotiations and he expects him to be a huge asset going forward. He concluded by saying that his move to Town Supervisor left a vacancy on the Town Board and he would jump to a resolution to fill the vacancy.

****

RESOLUTION - APPOINT COUNCIL

RES. #91-10 APPOINT COUNCILMAN
On motion of Councilman Boehm, seconded by Councilman Touchette, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – SO MOVED

WHEREAS, the resignation of James C. Youmans has been received and accepted by the Town Board of the Town of Coeymans, thereby creating a vacancy on the Town Board, and

WHEREAS, the Town Board is desirous of filling this vacancy pursuant to Town Law, Section 64, Subdivision 5,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby appoint Thomas E. Dolan to the position of Councilman, effective immediately, to fill this position through December 31, 2011.

****

OATH OF OFFICE – COUNCILMAN

Supervisor Youmans asked that Mr. Dolan come forward so Town Clerk Millious could administer the Oath of Office.

Mr. Dolan stepped forward with his grandson Jackson.

Town Clerk Millious asked that he place his left hand on the Bible and raise his right hand and continued by administering the Oath of Office.

Mr. Dolan signed the Oath of Office.

Supervisor Youmans asked that Councilman Dolan join the Town Board and continued by saying that with a full Town Board they would move into the agenda starting with the Public Comment period.

****

PUBLIC COMMENT

Supervisor Youmans invited the public to comment.

Mr. Henry Traver stated that he lives in the Village of Ravena and continued by reading the following:

Hello, I first want to say that it was a real pleasure to serve the people of the Town of Coeymans and the Village of Ravena.

Now, my apologies to my family and friends. I am so sorry for what I have done since that day. I have seen so many people support me and care for me that I can now say that I am glad that I did not succeed in taking my own life on the evening of the fire. If it was not for me thinking of my daughters and my Mom at the last minute, I would have carried out my plan of dying, but I am grateful now that I did not. So again, I am sorry.

To all of the emergency personnel that responded that night, I am sorry for putting your lives in danger when I was not even looking to save my own. And being a big part of the emergency services in this Town, I should have known that, and again I am very sorry.

I also want to apologize to the people of the Town for taking the Office of Supervisor when I was unable to finish my job. I truly enjoyed serving the people and you can see that service is my passion – serving in the military, dispatch for the Town and my full-time Village job at the Highway Department. My time and devotion to the emergency services with EMS, fire department and other organizations was for the Town's people and being Supervisor just made it that much better.

To all of my employees, you were and are a rock to me. There was no help from the Board and the employees stepped up to the plate and assisted me in working things out. So I'd like to thank them again for all their hard work.

Now, moving on to this Board, from day one and even prior to that, I have taken nothing but grief and heartache from them. There was no pleasure at all in working with three of these members, personal attacks on me on the computer and saying things that were personal. I now can say that on one is perfect here in this Town, but what they have done to me in the last ten months really turns my stomach because, in my personal opinion, their passion for the job is not there. I feel they have personal agendas and that's all they want.

Councilman Youmans started on me since day one, just prior to my first day as Supervisor. Three of them have not lifted one finger in assistance to me with this job. They show up for meetings, sometimes, and that's about it for some of them, and they tell me that I am not here enough to do my job when now we have a Supervisor that is on the road and not even in Town if something goes wrong. And that gentleman sat in my office in the beginning and told me I could never do the job he's now doing because I was not around enough. And yet now he is sitting in that seat? Amazing!

Councilman Boehm is around for media things to make himself look like "look what I did" but all of the other times you don't even see him.

Councilman Touchette is the biggest fake up there. If things don't go his way, he gives up or says things like "I don't recall that". He has one objective which is the Hamlet, which would be fine in some ways, but the Town is so much larger that that, Mr. Touchette.

With Councilwoman Rogers, she is faithful to her party, but I do give her a lot of respect. She always showed respect to me in my position and we talked. We may have not agreed, but that is part of democracy, so I respect her for that.

There are so many other things that I could attack the Board for right now, things I have seen them do, but that is not productive, so I will stop there for now. But, like I've said before, 99% of the employees for this Town are good, hard workers. The one thing I hate the most about these members of the Board is their attitude towards the employees. If someone spoke up or even looked the wrong way at one of these three, they wanted to reprimand or even fire the employee. I am glad that they have not done this yet. I am asking the Board to get off their high horses and come down to our level here and see what good our employees do and stop bashing them. Go see what they do that's right. You can't if you're never around or if you are only seeing the bad. I find it amazing that Councilman Touchette, I have see you here at Town Hall a total of maybe 8 hours all year, and yet the day after I'm out of the office, you already put in eight hours. Just amazing, it really is.

So people of the Town, a new chapter of my life has begun. I will again apologize for all I have done and thank you again for all your support. And I will promise you this, I am still going to be around to fight Town Hall to get things done and done right. All I ask is that next November, you vote them out.

Supervisor Youmans asked if anyone else wished to speak.

Mr. Ron Teator stated that for those that don't know him, he is the President and owner of Crossroads Ford and he has a situation that he has dealt with for 5-6 months. He continued by saying that everyone actually thinks that it is his property, but it's not and he has moved to the new location, which is the old Subaru and GMC building but there is someone that has moved in a tremendous amount of junk cars and they are running a junk yard under the disguise of a used car lot. He added that if you look inside the building they have vehicles in there and all kinds of dismantled pieces and it's disheveled and he asked for support from the Town to try and close this down and has received no help and the answer has been that no one has actually been able to do anything about it. He went on by saying that he is concerned and he was in front of the Zoning Board before he moved and re-modified and fixed everything up and within three months of all his requests cars started coming from out of the middle of nowhere and none of them are worth more than $100.00 or even worth the price of them bringing into the Town. He continued by saying that there are quite a few members that have tried to do something but it's like going up against a brick wall and the sad part is that it has been over three years, so it's abandonment. He continued by saying that no one knows the name of the business, they don't have a DMV license, there not proper paperwork in the vehicles and on the window he has listed a phone number so he is actually in operation and he has seen him go in and out every day. He added that they are going to have a junk yard on Rte. 9W and it is a little selfish on his part and he understands that but they can't allow another junk yard in Ravena or the Town of Coeymans and he is asking for everyone's support. He went on by saying that the only thing that he knows that they can do is that there is a DMV complaint form that you can fill out and send in and you would go to DMV.org to get the BS-35 form, which is a form to file a complaint against someone but unfortunately there is no name on the building so you have to write in the descriptive and send the claim in. He added that he has been keeping quiet for a long time but decided that he can't sit by idly and a little bit of it is selfish on his part because he has spent a lot of money fixing his place up and he does not want it looking like a hole and it is really a distraction and a detraction from a very nice community although there is a lot to do but this is actually a crime as far as he is concerned and it's serving no purpose. He continued by saying that the truth is that they all need to understand one thing, David Evans is back in Town and he is going to hurt everybody again and the guy running it was kicked out of Cobleskill and if anyone has the time he will take them through the lot, which he is not suppose to, and show them the inside of the building from the outside windows, which is not a pretty sight and it's not helping the Town because he does not see any tax base or tax revenue coming in. He added that they need to do something and he does not have all the magical answers but he is asking for anybody and everybody's help that can help them get there. He went on by saying that the reason Dave Evans got the property is that Dick Marshall trusted this gentleman because they went to church together, and he represented himself and Dick Marshall, who trusted him that much and there was no recourse or second opinion and the final straw was that he realized as an Attorney and CPA that M&T Bank failed to put a lien on the building and the dirt and this is how he was able to retain it and it is why he closed the doors and it is going to happen again. He concluded by saying that if anyone with an opinion of something that might work, or something that might help, to contact him because they don't need this business in Town and added that he is all for business in Town and respects the business owners and they should all stick together to get to the bottom of this to either get rid of it, clear it up or make it work.

Supervisor Youmans asked if anyone else wished to comment.

Mr. Jim Williams stated that he lives at 31 Mountain Road Extension, which is adjacent to the property that Mr. Teator had just referenced and within the last several months there are probably in the neighborhood of 130-140 cars there now, which as Ron had eluded to are junk. He continued by saying that he called Larry Conrad and talked about it as well as being on the State website for laws concerning it. He went on by saying that the cars, other than dismantling for parts are useless and most of them have no doors on them and a car that was brought in with four wheels now sits on four blocks, which means they are dismantling and you have to have a license for that. He added that State Law says that it has to be fenced in as well as not being within 1000 feet of a major highway and clearly they are not following regulations of DMV. He added that with new cars there are not any problems but when you go to a junk yard where cars in this

condition are, you will have oil leaks, possibly gas leaks and then asked if the Town has inquired as to if they have liability insurance in case there is a fire or some type of environmental spill that may come out of the vehicles. He continued by saying that it is quite a concern as well as a blemish on the Town and hopefully another Rte. 144 incident will not occur that they had for years, but if they sit back and do nothing it is what will happen. He went on by saying that who ever owns the cars must follow the law, which they clearly are not doing when they are dismantling wheels off cars with a lot of the cars not having doors and the mufflers are hanging and they had to be brought in by tow truck. He added that they are clearly junk and he hopes that the Board looks at it a lot deeper and not wink at it and let it go because it is a terrible blight on the Town and a terrible blight on a man that just started a business up there. He concluded by saying that Mr. Teator did a fine job and his property is adjacent to his as well as adjacent to the junk yard.

Supervisor Youmans asked if there were any other comments, hearing none he moved to the next item on the agenda.

Chief Darlington asked if he could make a comment.

Supervisor Youmans stated that he could.

Chief Darlington stated that Investigator DeLuca as well as Mr. Conrad has been in contact with DMV Investigators and in the near future they are anticipating that they will be coming down and meeting with them and they will go to the site to see if in fact there are any violations.

Supervisor Youmans stated that it was good and added that it is his understanding that it needs to go before the Planning Board because the business didn't run for over a year there and he will see to it that it occurs and will do everything that he can to see that it does occur and he operates within the law. He then asked if anyone else wished to comment.

Assemblyman Tim Gordon stated that he lives in North Bethlehem, New York and added that he wanted to thank Supervisor Youmans for stepping forward and he knows from their conversations that this is not something that he sought, actively pursued or necessarily wanted or anticipated. He continued by saying that his willingness to come forward and serve as the Town as Supervisor is something that he thinks is an honorable thing and to the benefit of the people of the community and he wanted it recognized as his opinion. He went on by saying that to the other Board members this has been a difficult time and he believes that it is a time for healing as they go forward and represent the people of this Town as is their duty. He added that he wanted to congratulate Councilman Dolan and it is a very honorable thing to be a representative of the people as well as being a difficult and challenging job as the people don't always agree but they must weigh all of their opinions and do what they feel is best in the interest of the Town. He concluded by saying that he wishes Supervisor Youmans all the success in the world and he has confidence that he will do his very best and continued by saying that he would pledge to him, as he has to the other Supervisors who have preceded him, that he is available and will work with him in any way that he can and his door is always open.

Supervisor Youmans thanked Assemblyman Gordon and continued by asking if there were any other comments, hearing none he moved to the next item on the agenda.

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APPROVAL OF MINUTES

Supervisor Youmans stated that there are minutes from a Bid Opening on September 27th and the Board Meeting on September 27th for approval and continued by asking for a motion to approve them.

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, to approve and accept the minutes as read.
VOTE – AYES 5 – NAYS 0 – SO MOVED

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OLD BUSINESS

Police Department – Equipment

Supervisor Youmans asked that Chief Darlington discuss the Police Department equipment.

Chief Darlington asked which they wanted to start with.

Supervisor Youmans inquired as to which is the oldest and continued by saying that he would guess that it is the tasers at this point.

Chief Darlington stated that it was correct.

Councilman Youmans stated that they should start with that one.

Chief Darlington stated that at the last meeting it was requested that the tasers be tabled until now and there was a request to see what the tasers would look like, which he now has but would ask that they view it after the Board Meeting in privacy. He continued by saying that there also was discussion about setting up an Operating Procedure and without having the equipment available to them, it is difficult to produce a procedure without knowing exactly everything that is going to be entailed with it. He added that he does have a sample of a local agency's procedures that he could allow the Town Board to view and look over if they wish to do that.

Supervisor Youmans stated that for anyone that does not know what tasers are, they are a non-lethal alternative to deadly force and the ones used by most Police Departments are shaped like a pistol and metal prongs come out of it, attached to wires that stick in to a person and an electric shock is delivered but the electric shock does not affect a persons heart or functions at all and it is strictly electro-muscular. He continued by saying that it takes a person who is highly combative and puts them on the ground, which makes it so an officer can put cuffs on them quite easily. He went on by saying that when he came on the Board three years ago he was actually surprised to learn that the Police Department did not have that tool at their disposal and what brought it to light was that they did have a situation several weeks ago where they had an officer respond to a call and found a gentlemen with some kind of metal pipe and the officer was assaulted. He added that Chief Darlington showed up to back him up and they tussled with the guy for some time and the officer was kicked in the head and injured, which made it clear in his mind that if the officer had a taser at that point one person could have handled the situation and had the person in handcuffs in the back of the car without anyone getting hurt. He continued by saying that in his opinion, it is an asset to officer's safety but it also protects the individual who might be having a bad day or might otherwise be hurt and he remembers just a year ago reading a story in the Times Union about a Schenectady officer who came upon a guy on the street with a butcher knife and the guy was swinging the knife at the officer, who did not have a taser, and with the officer's life being in danger he had no other option but to shoot the person, and he was killed. He went on by saying that he does not want one of our officers to have to live with that for the sake of a couple thousand dollars, and it can save the Town a lot of liability and can save the officer the anguish of having to live with that moment and save an individuals life on the street as well. He concluded by saying that the District Attorney's Office has made an offer to purchase one of them and he had discussed with Chief Darlington that there is money in the Police Forfeiture account to purchase the other two.

Chief Darlington stated that currently they were hoping to have another seizure in place but it has not taken place yet but probably in the very near future they will have the funding available.

Supervisor Youmans stated that for anyone that does not know, the Police Forfeiture Account is monies that are seized from criminals for different things such as drug sales, which are proceeds from drug sales that the Town confiscates and in turn becomes Town property. He continued by saying that he is of the opinion that they should take the District Attorney's Office up on their offer to purchase one and out of the Police Forfeiture Account they purchase the other two and at that time, once officers are trained, they will formulate a Town Policy for the use of the tasers.

Councilman Touchette asked if it was a motion.

Supervisor Youmans stated that he would offer it as a motion.

MOTION

On motion of Supervisor Youmans, seconded by Councilman Touchette to approve one taser from the District Attorney's Office and approve the purchase of two more out of the Police Forfeiture Account.
APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

Supervisor Youmans asked Chief Darlington what he had next.

Chief Darlington stated that the next item was the recording system for communications and there was a request to have some documentation that the equipment was in fact not repairable and in turn he provided them with a NICE Marketing Note advising that the end shipment date for the recorder was February 20, 2004 and the end support date was May 31, 2006 and end date means that spares and modules for the WorldNet Series 2 will be continued to be available until the end of the support date and as of that date chances of getting them are low. He continued by saying that it goes on to say that alternative parts may be offered from time to time where obsolescence prevents supply of original parts and basically it means that from 2006 on if there are parts available, you get them but if not the system is down.

Supervisor Youmans interjected that the unit is 6 years old.

Chief Darlington stated that it is a lot older and it is actually 14 years.

Supervisor Youmans stated that he misunderstood what he said and added that anyone that does not know what the Chief is discussing, it is the recording equipment so when people call in to the Dispatch Center, the call is recorded, which is done for a number of reasons. He then asked Chief Darlington to bring them up to date on the status of the equipment at this time.

Chief Darlington stated that it is functioning but the reliability of it is minimal and any time there is a power fluctuation it fails and it is suppose to ring an alarm telling them that it failed but ultimately they find out that it failed when they go to pull a recording and find out that it had not recorded for a few days. He continued by saying that not only does it record the phone calls but it also records every radio transmission from the Police Department, Fire Departments and Rescue Squad. He went on by saying that the discs that it uses are not reliable and antiquated and the IT part of it to get it on his computer to pull the recordings is minimal and sometimes it does not work.

Supervisor Youmans stated that this is not a new issue that they have and added that he would tell him that his strategy is that over the coming days and weeks, and he's sorry if it takes that long because they are in the process of analyzing and looking at the revenue side of the budget for 2010 and continued by saying that he does recall that they had $20,000.00 budgeted for communications equipment.

Chief Darlington stated that he believes it was $24,000.00.

Supervisor Youmans inquired as to how much the cost of the new unit is.

Chief Darlington stated that with the 5-year warranty the total ended up being $20,274.00.

Supervisor Youmans stated that back in February the Town Board froze spending from the .2 accounts, which are the accounts from which they buy equipment and the freeze was intended to last until the end of the third, early in the fourth quarter so they could then analyze the revenue side of the budget and make sure that things are trending the way they hoped before they spend money. He continued by saying that he would ask that they table it until the next meeting at which point he would say that they would most likely be in a position to make a decision and then asked if everyone agreed.

Collectively the Town Board agreed.

Councilman Dolan inquired as to how long it takes from when they buy it to when it is installed and up and running.

Chief Darlington stated that it could take a period of a couple of months by the time that they get the equipment ordered and installed.

Councilman Dolan inquired as to if it is two months.

Chief Darlington stated that it is approximately two months.

Supervisor Youmans asked Chief Darlington if it concluded the communication and Police Department equipment discussion.

Chief Darlington stated that the only other question that he does have is that they had discussed the second purchase of a police car and then asked if there was a decision on that.

Supervisor Youmans stated that it was his understanding that in his absence, the Town Board actually authorized the purchase of that car and he would say that it is up to them to figure out how to pay for it and no one disputes the need for it. He concluded by saying that to him it was finished business.

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NEW BUSINESS

ZBA Members Request to Attend Workshop

Councilman Boehm stated that there is a request for approval for the ZBA Members who wish to attend a Zoning Board of Appeals Workshop sponsored by the Capital District Regional Planning Commission, which will take place on November 8, 2010 at 6:15pm with a fee of $10.00 and a registration deadline of November 1st and limited to the first 75 participants. He continued by asking if they all plan on attending and then added that either way he would like to offer a motion.

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, authorizing any Zoning Board Member that wishes, to attend the Workshop and reimburse them for mileage and the $10.00 fee for the Workshop.
APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

Councilman Touchette's Request to Attend Workshop

Supervisor Youmans stated that there is a request from Councilman Touchette to attend a seminar on personnel management and labor relations, which is apropos given his role in

labor negotiations and continued by asking that Councilman Touchette describe what is involved with the seminar.

Councilman Touchette stated that it is an Association of Towns seminar, which is November 10th in Newburg and the agenda is State and Federal Labor Law Primer, layoff and separation from service for issues relating to Civil Service, unemployment, insurance, COBRA, employee privacy and proper use of equipment, the Taylor Law and collective negotiations and a case law of personnel and labor issues. He continued by saying that the cost is $100.00 for members, which the Town is.

Councilwoman Rogers inquired as to if it is something that the Association has in February.

Councilman Touchette stated that it is a full day dedicated to labor issues.

Councilman Youmans stated that it is hard to say if that will be offered in February and added that given the upcoming negotiations; it is his opinion that it is a good idea that Councilman Touchette attends that training.

MOTION

On motion of Councilman Boehm, seconded by Councilman Dolan, authorizing payment of the registration fee and mileage for Councilman Touchette to attend the seminar.
APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

Assessor's Request to Attend Training

Supervisor Youmans asked that Councilman Boehm discuss the Assessor's request to attend training.

Councilman Boehm continued by reading the following request.

"I am hereby requesting approval to attend a one day educational training seminar on Manufactured Home Park Valuation being held in Albany, Friday, November 19th. This seminar will identify the components that are pertinent for valuation purposes such as sales analysis of mobile home parks, the cost and income approaches to valuation, highest and best use, as well as case study analysis. As there are mobile home parks in our town, I feel this course would be very helpful to me. As you know, the State has changed reimbursement eligibility for training, and at this time, I am not eligible to receive tuition reimbursement. The cost for this class will be $85.00, which will have to come from my budget."

Councilman Boehm stated that he thinks that given the number of mobile home parks in the Town that it is important for the Assessor to attend and continued by offering a motion.

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, authorizing Assessor VanValkenburg to attend the training on November 19th for a cost of $85.00 plus mileage.
APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

Joralemon Park

Supervisor Youmans stated that he placed the topic of Joralemon Park on the agenda and added that he has been in fairly constant contact with Bob Rivers, a Zoning Board Member, who is actually a retired landscape architect who worked for the State of New York as well as spending a long time in the military and with the Army Corps of Engineers. He continued by saying that some time ago there was a Parks Committee and Councilman Dolan and Councilwoman Rogers sat on the Committee and there were some things done at that time, particularly out at Joralemon Park where a septic system and

well was put in, which was a nice start but now it would seem to be somewhat of a waste to have spent the money and not follow up and actually have some bathrooms there and to further improve the park. He went on by saying that Mr. Rivers and his wife have offered their services, as they have in the past, and at one point they actually wrote a Master Plan for Joralemon Park and have a pretty deep interest in the park because their property adjoins it. He added that he would like to discuss at the next Workshop Meeting the possibility of forming another Parks Committee, but in the meantime Mr. Rivers has brought to his attention a situation that he thinks they need to address immediately, which is that there is a lot of hunting that seems to go on, on Joralemon Park property. He continued by saying that it is not so much in the park where there is the playground and tennis courts but a lot of people don't know that on the other side of the road is also park property and the Disc Golf Course has expanded there because there were some issues with rare plants and flowers and the holes were moved to the other side of the road as well as people that walk their dogs in that area and hike on the trails. He added that it is a dangerous situation to have people hunting on that park property and he thinks that there would be a liability issue if they don't address it and he would propose that they should take out an ad in the News Herald reminding people that there is to be no hunting on park property.

Councilwoman Rogers interjected that it should also be labeled around the perimeter and there should be signs.

Supervisor Youmans stated that the year before last, Nelson Perry from the Beautification Department with the volunteer help of Mr. Rivers, went around the perimeter of the park and put some signs high up in the trees so people would not take them down and they have deteriorated at this point. He continued by saying that Mr. Rivers told him the other day that he saw someone's tree stand and there was a big hole in one of the signs that delineates the park boundary. He concluded by saying that he agrees that they need to in a more permanent way mark out the property boundary so people know when the are crossing on to park property and it is also important that they come up with a set of rules for the park and posted at the entrance, which is something that they would work on with a Parks Committee but for right now he is asking to at least take out an ad in the News Herald reminding people that hunting is not allowed on park property.

Councilman Boehm stated that he thinks it is a good idea and added that they need to do define the boundary with some kind of signage for the hunting season and Nelson could construct some kind of signs for not hunting on park property.

Supervisor Youmans stated that he and Councilman Dolan had a conversation and he has agreed to take some responsibility at this point and he will put him in touch with Mr. Rivers who is willing to volunteer his time and efforts. He continued by asking how the Town Board feels about placing an ad in the News Herald.

Councilman Boehm stated that he agrees and added that they could also put out to the public that if anyone is interested in serving on the Parks Committee they should contact the Supervisor's Office.

Supervisor Youmans asked if he is authorized to take out an ad in the News Herald by a motion.

MOTION

On motion of Councilman Touchette, seconded by Councilwoman Rogers, authorizing the Supervisor to take out an ad in the News Herald stating that there is no hunting in Joralemon Park.
APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

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RESOLUTIONS

RES. #92-10 ESTABLISH DEPUTY SUPERVISOR POSITION

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

WHEREAS, pursuant to Town Law, Section 42, the Town Board of the Town of Coeymans is authorized at any time to establish the office of Deputy Supervisor, and

WHEREAS, the Office of Deputy Supervisor does not presently exist in the Town of Coeymans, and

WHEREAS, the Town Supervisor, after the establishment of the Office of Deputy Supervisor, intends to appoint an individual to fill that position and to exercise all the powers and duties authorized under State and Town Law,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby establish the Office of Deputy Supervisor in the Town of Coeymans, effective immediately, and

BE IT FURTHER RESOLVED, that the Supervisor hereby appoints Richard Touchette as Deputy Supervisor, with an annual salary of eight thousand dollars ($8,000.00), effective immediately.

Supervisor Youmans stated that he wanted to thank Mr. Touchette for stepping up to the position and added that as they had discussed, they have quite a bit of work to do over the next month with the budget.

RES. #93-10 REINSTATE CEMETERY COORDINATOR
On motion of Councilwoman Rogers, seconded by Councilman Touchette, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the Town Board had accepted the resignation of Coordinator of Cemetery Services, Richard D. Hotaling, effective September 30, 2010, and

WHEREAS, the Town of Coeymans is responsible for Indian Fields, Grove and Coeymans Hollow Cemeteries and requires a Cemetery Coordinator, and

WHEREAS, the position requires a working knowledge of cemetery operations and an ability to work well with Funeral Directors, and

WHEREAS, Richard D. Hotaling had previously been Cemetery Coordinator, is familiar with the duties required, and is desirous of returning to that position,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby authorize the reinstatement of Richard D. Hotaling to the position of Cemetery Coordinator, effective immediately, and

BE IT FURTHER RESOLVED, that Richard D. Hotaling shall be paid two thousand six hundred dollars ($2,600.00) for annual compensation for this position.

Councilman Boehm stated this is a reappointment and there is no change in the original salary of $2,600.00.

Supervisor Youmans stated that State Law requires town government to take over cemeteries as they become abandoned and cemeteries in New York State were once owned by Associations but unfortunately over the years people have died off and the Associations have dried up and gone away and when that happenes, it falls on the Town to take control over and manage the cemetery. He added that part of the job is to coordinate with Funeral Directors about burials and work with monument companies to get stones installed and during quiet times it is a fairly easy job but there are times that it is busy and it requires attention to detail. He concluded by saying that Mr. Hotaling has done an excellent job in that position in the past and he is thankful for his willingness to return.

RES. #94-10 AUTHORIZE SUPERVISOR TO HIRE BOOKKEEPER
On motion of Councilman Dolan, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

BE IT RESOLVED, that the Town Board of the Town of Coeymans, does hereby authorize Supervisor James C. Youmans to appoint a Bookkeeper pursuant to Town Law, Section 29,

BE IT FURTHER RESOLVED, that the Town of Coeymans, Supervisor James C. Youmans, does hereby appoint Nita J. Chmielewski as Bookkeeper to the Supervisor at an hourly rate of $20.00, effective 10-13-10.

RES. #95-10 AUTHORIZE SUPERVISOR TO HIRE CONFIDENTIAL SECRETARY
On motion of Councilman Touchette, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

BE IT RESOLVED, that the Town Board of the Town of Coeymans, does hereby authorize Supervisor James C. Youmans to appoint a Confidential Secretary pursuant to Town Law, Section 29, Subdivision (15),

BE IT FURTHER RESOLVED, that the Town of Coeymans Supervisor James C. Youmans, does hereby appoint Mary M. Lewandowski as Confidential Secretary to the Supervisor at the hourly rate of $16.48, effective 10-13-10.

Councilman Touchette inquired as to if they are appointing or reinstating.

Supervisor Youmans stated that it comes to being a matter of semantics at this point and it will be an appointment.

Town Clerk Millious asked Supervisor Youmans if he wanted her to do the Oath for the Deputy Supervisor.

Supervisor Youmans stated that it is important that they do it and invited Mr. Touchette to take the Oath of Office.

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OATH OF OFFICE – DEPUTY SUPERVISOR

Town Clerk Millious asked that Councilman Touchette put his left hand on the bible, held by his wife Kathy, and to raise his right hand and repeat the Oath after her.

Councilman Touchette repeated and signed the Oath of Office.

Supervisor Youmans congratulated Deputy Supervisor Touchette.

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CORRESPONDENCE

Grace Covenant Community Church

Supervisor Youmans stated that he had one piece of correspondence and continued by reading the following:

Dear Town Supervisor and Town Board,

We want to express our appreciation to you for so willingly providing us access into different areas throughout our community to help provide for the children that may be in need of a nutritious meal during the months of July and August.

What a wonderful opportunity this has been to see how a community functions together to meet the needs found within.

Through the Matthew Project, our eyes have been greatly opened to the needs that children and families have within our school district. When children are standing under a tree in the rain waiting for a meal, you know that they are hungry. When a 5 year old child expresses that they are saving their lunch so they have something to eat for dinner, you know they are hungry.

Throughout the months of July and August over 80 people filled over 400 volunteer positions from local churches and from community members providing all labor, which resulted in zero cost to prepare and deliver the lunches. Every child that wanted or was in need of a free lunch got one – no child went without.

The Matthew Project served children for 8 consecutive weeks in these six locations:

Oakbrook Manor	870 lunches served
Mosher Park Recreation Program	141 lunches served
Mosher Park Pool	338 lunches served
Food for Thought Program	240 lunches served
Coeymans Gazebo	494 lunches served
Flemings Trailer Park	532 lunches served

As you can see the need has been great. Yet we recognize that there are still other areas within the district that are in need of this service as well. We hope that next summer we will be able to obtain permission to get into some of these areas meeting the needs of even more children.

Not only did the Matthew Project provide a means for 2,615 children, but it assisted the judicial court system with a resource for community service needed by several individuals. The outreach also helped some in high school to meet needed community service hours as well as it offered an avenue for numerous youth and adults to have a place to get involved with being active in service.

Again, we thank you for your support in helping us make this outreach possible. We are looking forward to continued service within our community.

Sincerely,

Pastors Jim & Sheri Datri

Supervisor Youmans stated that he wanted to thank Pastors Jim and Sheri Datri and every volunteer that helped in that effort. He added that the idea was first brought up at the Prayer Breakfast at St. Patrick's Church and their main concern was that there are children whose main source of nutrition comes in the form of a school lunch. He continued by saying that personally he was shocked that there are as many children in that type of need in our community. He reiterated that he wanted to thank Pastors Jim and Sherry and all the volunteers stepping up and feeding those children because no child should go hungry and it was a tremendous service to our community.

Councilman Boehm stated that even on the day when they had pizza at the Recreation Program, they went out of their way and brought ice cream because the children had already had lunch and added that they did a heck of a job and should be recognized

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TOWN BOARD WORKSHOPS/MEETINGS

- Town Board Workshop, October 19, 2010, 6pm
- Town Board Meeting, October 25, 2010, 7pm

ADDITIONAL COMMENTS

Supervisor Youmans asked if there were any additional comments.

Councilman Touchette asked Highway Superintendent Deering if the work has been scheduled for the work to be done on the Pasquini property.

Highway Superintendent Deering stated that no one had told him anything.

Councilman Touchette stated that he thought that it was approved.

Supervisor Youmans stated that he thinks the work that Councilman Touchette is talking about is the sanitary sewer work on Westerlo Street and not to be confused with the storm sewer that is on the Pasquini's property because they are two separate issues and it is his understanding that they are moving ahead with the sanitary sewer upgrades that must be done and he would not expect Highway Superintendent to be involved.

Councilman Touchette stated that it was his mistake and continued by saying that he wanted to take the opportunity to thank Supervisor Traver for his years of service to the Town of Coeymans and he wants him and his family to know that they are in his thoughts and prayers during this time.

Councilman Boehm stated that he wanted to thank Chief Darlington for the taser protocol and guidelines and he looks forward to seeing the procedures and going forward with the tasers. He added that it was never a question of not giving them to the officers but rather he just had some questions and if you really know him, he does not look at You Tube that much and that got misconstrued. He went on by saying that he looks forward to developing that and he is glad that they are enhancing the officer's safety because it is highly important as well as more conversations about patrol rifles that he is looking forward to continuing with.

Supervisor Youmans asked if there were any other comments.

Councilwoman Rogers stated that she wanted to wish Henry good luck with moving on and hopes that he succeeds with where he is heading next.

Supervisor Youmans asked if there were any other comments.

Councilman Dolan stated that he wanted to say that he is honored to be sitting on the Town Board and for the past 20 years he has been on the Town's Economic Development Committee, Parks Committee, Youth Advisory Committee and Sewer Commission and it is a lot different sitting on the Town Board than he thought it would be, even for the few hours that it has been. He continued by saying that he also has worked with a lot of Department Heads in the Town through the Summer Youth Program as well as the Police Department on youth and domestic violence issues and has had the pleasure of being the Chair under both Republican and Democratic Supervisor's and Town Boards. He went on by saying that he has worked formally and informally with the Village Board and has had a great relationship with them and he expects that to continue in the future and is looking forward to learning as much as he can so he can hit the ground running as soon as humanly possibly to do whatever it is that the Town Board thinks he should be doing and whatever issues the people of the Town bring to him. He continued by saying that he welcomes comments and input from anyone, regardless of what part of the Town they live in whether they are Democrat, Republican, or not enrolled and he will always treat everyone on the Town Board, employees of the Town, department heads and the public with the utmost respect, which is a standard that he thinks he should be held to. He went on by saying that he is pleased to be working with this Town Board and has worked with everyone on the Board and worked with Rick on the Farmers Market, Tom Boehm on the Economic Development Committee, BARC and many other economic development issues, Councilwoman Rogers on many different things, particularly Joralemon Park along with Mr. Rivers and they did come up with a plan and there is a nice drawing of the park.

Councilwoman Rogers interjected that she still has it and will get it to him.

Councilman Dolan stated that they are things that he has worked on and he is looking forward to working on them again and added that the first time that he worked with Supervisor Youmans was during a July 4th Celebration and Mr. Youmans worked at a local car dealer who provided the money for the fireworks and he was the contact person and worked with him as Chairman of the Parks Committee and they worked effortlessly together and it was a lot of fun. He concluded by saying that he wanted to send out his best to Henry and has been friends with him since the first time that he ran for Supervisor and they have always had a good relationship and he wishes him the best.

Supervisor Youmans asked if there were any other comments.

Town Clerk Millious stated that it is budget time and in the past they have scheduled additional Workshops and continued by asking if it is something that they want to do now.

Supervisor Youmans stated that it would be a good idea to get that out of the way and continued by saying that typically they do them on Saturday mornings and suggested that they plan on October 23rd, October 30th, and November 6th at 9:00am with a schedule of the departments to be forthcoming and then asked if it was alright with the Board.

Collectively the Town Board agreed.

Town Clerk Millious asked if the Board wanted to schedule the Public Hearing.

Supervisor Youmans stated that there has to be five days notice and added that he does not want to schedule it now and will do it at the next meeting.

Town Clerk Millious stated that she wanted to add that it was a pleasure working with Henry and she will miss his smiling face and she wishes him and his family well. She continued by welcoming Tom to the Board, who she has known for a long time as well as being happy to hear that Mr. Hotaling is back as Cemetery Coordinator because they do work a lot with him when calls come in and they have to locate deeds, which can take a lot of research and Mr. Hotaling does know his stuff.

Supervisor Youmans asked if there were any additional comments.

Chief Darlington stated that at the last meeting the Board authorized a canvas of Civil Service for two positions and he has received the list and is now requesting to be on the agenda for the next Workshop to discuss it further. He continued by saying that the month of October is Domestic Violence Awareness Month and the Albany County District Attorney's Office in partnership with the Albany County Coalition Against Domestic Abuse and local law enforcement agencies have created a purple ribbon magnet with the message Stop Domestic Violence and the magnets have been placed on all patrol cars in Albany County and additional magnets are available to Albany County residents, which he has 30 of and they are on a first come, first serve basis for anyone that would like one. He went on by saying that when they had their large raid in the Hamlet of Coeymans there was a concerned citizen who inquired about absentee landlords and tenant issues and continued by saying that tomorrow evening in Town Hall the Town of Coeymans Police Department will be hosting the Albany County District Attorney's Safe Homes – Safe Street Initiative Landlord Training and it will consist of preparing and training to approximately 30 landlords that have signed up for it from both the Town of Coeymans and Village of Ravena. He continued by saying that the training consists of tenant screening and what's available as well as model Zero Tolerance Leases, eviction support and inner-agency cooperation in working with law enforcement and other agencies to deal with problem tenants. He added that even though they are combating a lot of the crime issues by making arrests, they are also trying to take a proactive route and do some training in trying to deal with some of these issues.

Supervisor Youmans stated that he is glad that so many people have signed up for it.

Chief Darlington stated that they sent out close to 500 invitations and he didn't realize that there were that many landlords in the Town of Coeymans and that was for only the multiple dwellings as well as being very impressed with the comments from the landlords thanking them for providing this because they do have a lot of questions and it seems to be very well received and hopefully it will be a success.

Hillary Hawke from the News Herald asked if it was open to the public.

Chief Darlington stated that it is by invitation but she can attend to report on it and the Board Members are also welcome. He added that it is specifically for landlord training and they have to make sure that they have enough room. He went on by saying that he welcomes Tom to the Board and he looks forward to working with him and also would like to thank Henry for his many years of service with the Police Department and the Town of Coeymans and he wishes him well.

Supervisor Youmans asked if there were any additional comments.

Highway Superintendent Deering stated that he has not received anything on the sewer in the Hamlet and added that he has asked about it but has gotten nothing.

Supervisor Youmans suggested that he speak with him in the morning about it. He continued by saying that he wanted to thank Theresa Shear for her service to the Town of Coeymans and working with him this past week as well as Chris Ricci for her service as Bookkeeper in addition to welcoming the other new but not so new faces back. He then asked for a motion to adjourn.

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ADJOURNMENT

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Boehm, the Town Board Meeting was adjourned.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time: 8:10pm

Respectfully Submitted, **APPROVED:**

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Diane L. Millious, Town Clerk

October 19, 2010 – TOWN BOARD WORKSHOP MEETING – 6:00PM

A Town Board Workshop Meeting was held Tuesday, October 19, 2010, at 6:00pm 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
Greg Darlington, Chief of Police

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

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ADJOURNMENT TO EXECUTIVE SESSION

Supervisor Youmans stated that they would be adjourning to Executive Session to discuss CSEA negotiations.

MOTION

On motion of Supervisor Youmans, seconded by Councilman Touchette, the Town Board Workshop was adjourned to Executive Session.
VOTE – AYES 5 – NAYS 0 – SO MOVED

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EXECUTIVE SESSION

Executive Session convened in the Supervisor's Office with a full Town Board and Labor Relations Negotiator Michael Richardson, discussion ensued regarding the CSEA Negotiations with no decisions being made. The Executive Session ended at 7:55pm.

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RECONVENE WORKSHOP

AGENDA

- Executive Session
  - CSEA Negotiations
- Town Employee Handbook
- Joralemon Park
  - Park Committee
  - Boundary Markings
- Police Department
  - Civil Service Canvas
- Draft Local Law Amending Chapter 60 – Town of Coeymans Code

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ADJOURNMENT

Supervisor Youmans asked for a motion to adjourn the Workshop.

MOTION

On motion of Councilman Touchette, seconded by Councilwoman Rogers, the Town Board Workshop was adjourned.
VOTE – AYES – 5 – NAYS – SO MOVED

Time: 8:55pm

***Respectfully Submitted*,** **APPROVED**

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Diane L. Millious, Town Clerk

October 23, 2010 – SPECIAL BUDGET WORKSHOP – 9:00AM

A Special Budget Workshop was held Saturday, October 23, 2010, at 9:00am at Town Hall, 18 Russell Avenue, Ravena, New York

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

ABSENT: Richard N. Touchette, Councilman

ALSO PRESENT: Diane L. Millious, Town Clerk
Nelson Perry, Beautification Supervisor
Albert Deering, Highway Superintendent
Scott Searles, Deputy Highway Superintendent
Linda Biance, Highway Clerk

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

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NOTICE
SPECIAL TOWN OF COEYMANS
TOWN BOARD BUDGET WORKSHOP

Pursuant to Section 123 of Town Law, please take notice that the Town Board of the Town of Coeymans has scheduled Special Town Board Budget Workshops for Saturday mornings at 9:00am on October 23rd, October 30th, and November 6th. The Workshop will be held at Town of 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

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AGENDA

- Beautification Department – Nelson Perry
- Highway Department – Albert Deering
- Town Clerk – Diane Millious

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AUTHORIZATION FOR PUBLIC HEARING ON BUDGET

Supervisor Youmans stated that they need to put a Notice of Public Hearing in the News Herald on Thursday, November 4th at Town Hall at 7:00pm.

Councilman Boehm interjected that the purpose of the Public Hearing would be to receive comments on the 2011 budget.

Town Clerk Millious stated it has to go in next week's paper.

Supervisor Youmans stated that was correct and added that no matter what they have to have the Public Hearing even if they open it and then adjourn. He continued by saying that he thought this might have to happen but after what they have accomplished and will accomplish on Tuesday, he thinks they will be ready.

Town Clerk Millious stated that when she does the Notice, she has to show the Elected Officials salaries.

Supervisor Youmans stated that it is as follows:

Supervisor	(1)	$30,000.00
Councilman	(4)	$12,000.00 each
Justice	(2)	$17,500.00 each
Highway Supt.	(1)	$50,000.00
Town Clerk	(1)	$40,500.00

Councilman Boehm inquired about the Deputy Supervisor position.

Town Clerk Millious stated that Deputy Supervisor is not an Elected Official but rather an appointed position and does not have to show. She continued by saying that the Notice also says that the Preliminary Budget is available and added that it is not in hand.

Supervisor Youmans stated that she should leave that sentence out and added that by the time that Thursday rolls around, which is the official day for publication, it may be ready.

Town Clerk Millious stated that it will be next week.

Supervisor Youmans reiterated that she should leave the sentence out and if people come looking for it, she can say that they are not finished with it yet because of the circumstances.

Town Clerk Millious stated that she can keep a list of anyone wanting a copy and in turn as soon as she has it, she can let them know.

Supervisor Youmans stated that it was a good idea and added that the only change to the Elected Officials salaries is for Supervisor

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ADJOURNMENT

Supervisor Youmans asked for a motion to adjourn the Special Budget Workshop.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Dolan, the Special Budget Workshop was adjourned.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Touchette) – SO MOVED

Time 11:37am

***Respectfully Submitted*,** **APPROVED:**

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Diane L. Millious, Town Clerk

A Town Board Meeting was held Wednesday, October 25, 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

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

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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 and Highway Superintendent Deering.

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AGENDA

- Public Announcement
  - Town Offices Closed, Election Day – November 2, 2010
- Public Comment
- Approval of Minutes
  - Special Town Board Meeting, October 6, 2010
  - Town Board Meeting, October 12, 2010
- Supervisor's Report
- Department Reports
  - Building Department, September 2010
  - Police Department, August & September 2010
  - Sewer Department, September 2010
  - Town Clerk, September 2010
- Old Business
  - CDPHP Contract
  - Contracts for Construction Improvements at WWTP
- New Business
  - Establish Public Hearing Date, 2011 Budget
  - Establish Public Hearing, Proposed Local Law – Dog Licensing
- Resolutions
  - Authorize Amendment of Interest Rate on Sewer Department Loans
  - Amend Budget
  - Approve October Abstract
- Correspondence
- Town Board Workshops/Meetings
  - Budget Workshop, October 30, 2010, 9am
  - Budget Workshop, November 6, 2010, 9am
  - Town Board Meeting, November 8, 2010, 7pm
  - Town Board Workshop, November 16, 2010, 6pm
  - Town Board Meeting, November 22, 2010, 7pm
- Executive Session

PUBLIC ANNOUNCEMENT

Town Office Closed – Election Day

Supervisor Youmans stated that the Town offices will be closed on Election Day, November 2, 2010 and added that the Police Department serves as a 24 hour, 7 day operation and will be available.

Exemption Renewals for Property Owners

Councilman Boehm stated that he also had an announcement and continued by saying that the Assessor's Office will be mailing out Exemption Renewal Applications on October 26 to all property owners who are receiving the following exemptions: Enhanced Star, Aged Senior Citizen, Disabilities with Limited Income, Agricultural, Clergy and Not-for-Profit and the deadline for filing the renewal application along with any new Exemption Application is March 1, 2011 and anyone that has any questions can call the Assessor's Office at 756-8927.

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SUPERVISOR'S STATEMENT ON TOWN GOVERNMENT

Supervisor Youmans stated that before he opened the Public Comment period he wanted to bring the people of the Town of Coeymans up to speed on the stated of their Town Government and continued by reading the following:

Eighteen days ago due to a series of unfortunate events, which culminated in my predecessor's removal from office I was appointed by this Board to the position of Supervisor of the Town of Coeymans and Mr. Dolan was appointed Councilman.

We as a Board are responsible for all aspects of Town Government. The Town Supervisor is a Board Member who also serves as the Treasurer, and in effect Chief Fiscal Officer, of the Town. Over the course of the last eighteen days I have had to identify top priorities and act accordingly. It is my opinion that the most vital function of this Board is budget and finance management, with that in mind this transition did not come at a worse time. The path to adopting an annual Town Budget is set forth in law. The first important milestone comes on October 5th at which time the Tentative Budget must be filed with the Town Clerk and distributed to the Town Board. The next milestone is a Public Hearing during which the Board hears comments from the public; this Hearing must be held no later than the Thursday after Election Day. During the time between October 5th and the Public Hearing date, the Board makes revisions and prepares what becomes the Preliminary Budget, which is the version discussed at the Public Hearing. The Board makes final adjustments after the Hearing and the budget must be adopted no later than November 20th.

At the time that I took office on October 6th the Tentative Budget had been filed by my predecessor, but unfortunately it was not a workable budget. It included raises for just about everyone including $11,000,00 or 27% for one Elected Official, more than $10,000.00 or 13% for one employee, $7,500.00 or 15% for another Elected Official, yet budgeted nothing for the most basic equipment purchases like computers, printers, police cars, highway implements, mower parts, paper clips, pens and pencils. After receiving feedback from most Department Heads, it was determined that they did in fact foresee the need to purchase equipment during the upcoming year. As a result Mr. Touchette, Mrs. Chmielewski, our Bookkeeper and I have had to go through the Tentative Budget line by line and basically rewrite every bit of it. We were left very little supporting documentation for any of the numbers that were in the Tentative, so in a sense we've had to start from scratch. Please keep in mind that we will have had about three weeks to construct something that typically would have been started months ago. It is a very tedious, time consuming process but we are making good progress.

While we are not yet finished preparing the Preliminary Budget, I want all interested parties to know that we are working very hard to continue providing the current level of

services without impacting the taxpayer. We are looking closely at every expense that the Town has, while keeping the needs of the public in the forefront. These are serious times and I want to insure the taxpayers and employees of the Town that we are acting in a very serious manner.

The last couple of weeks have been very tumultuous and traumatic for our Town. While fiscal leadership has been restored, this town needs to heal from some other wounds as well. I will ask that all who seek to participate in this and future Town Board Meetings do so with a level of decorum that will lend itself to that end. You can expect nothing less from us, it's time to look ahead and I do so with optimism.

Supervisor Youmans continued by asking if anyone had anything that they would like to add, hearing none he asked if anyone from the public wished to comment.

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PUBLIC COMMENT

Mr. Tom Sweeney stated that he resides in Alcove and added that he had approached the Board earlier in the summer and requested topsoil and some grading at the park site, which was accomplished and those that did it, did an excellent job and even did some extra work to grade off some high spots. He continued by saying that he wanted to compliment Albert's staff for the work that they did as well as thanking the Town Board. He added that recent tree trimming activities on his road, Deyo Road, has caused him some concern and town employees have littered up the side of the road with water bottles, cigarette packs and wadded up cellophane wrappers from their snacks. He concluded by saying that he put it all in one neat pile and he is asking that someone come and pick it up because it is not right.

Supervisor Youmans asked if there were any other comments, hearing none he moved to the next item on the agenda.

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APPROVAL OF MINUTES

Supervisor Youmans stated that there were two sets of meetings for Town Board approval, a Special Town Board Meeting on October 6th and a Town Board Meeting on October 12th and continued by asking for a motion to approve them.

MOTION

On motion of Councilman Touchette, seconded by Councilman Boehm to approve the minutes as read.
VOTE – AYES 4 – NAYS 0 – ABSTAIN 1

Councilman Dolan stated that he was abstaining from the vote because he was not present for the October 6th meeting.

Supervisor Youmans stated that his abstention is noted.

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SUPERVISOR'S REPORT

FUND	BAL. FWD.	RECEIPTS	DISBURSE.	BALANCE
General	**$192,496.13**	**$269,036.51**	**$350,173.93**	**$111,358.71**
Part-Town	**$545,860.86**	**$ 1,290.38**	**$415,138.70**	**$132,012.54**
Highway	**$153,096.20**	**$201,559.60**	**$239,093.62**	**$115,562.18**

Bridge Const.	**$274,227.11**	**$ 118.89**	**-0-**	**$274,346.00**
Sewer	**$348,950.66**	**$ 32,870.26**	**$ 34,170.13**	**$347,650.79**
Spec. Water	**$ 19,074.98**	**$ 12,188.11**	**-0-**	**$ 31,263.09**
Police Forfeitures	**$ 4,668.60**	**$ 401.40**	**-0-**	**$ 5,070.00**
Trust & Agcy.	**$ 14,900.21**	**$320,069.36**	**$213,306.35**	**$121,663.22**
H-Fund Cap. Proj.	**$ 35,949.77**	**$ 8.85**	**-0-**	**$ 35,958.62**
Section 8 HUD	**$136,159.09**	**$ 39,442.21**	**$ 42,444.96**	**$133,159.34**
			Total Rec. Bal.	**$1,308,044.49**

SAVINGS ACCOUNTS		**COLLATERAL**	**FDIC COV.**	**COLLATERALIZED**
Unemployment	$ 4,065.69	Bank of Greene Co.	$250,000.00	$1,547,987.40
Grove Cem.	$40,778.56	National Bank	$250,000.00	$ 176,898.56
Sewer Ded.	$ 6,307.39			
Total	$51,151.64			

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

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DEPARTMENT REPORTS

Building Department – September 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

Sewer Department – September 2010

Supervisor Youmans asked that Councilman Touchette give the Building Department Monthly Report.

Councilman Touchette continued by giving the report.

Police Department – August & September

Supervisor Youmans stated that the Chief called earlier and advised that he had a situation that prevented his attendance and continued by saying that he would ask that the Police Department Report be tabled until the next meeting.

Town Clerk – September 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 Dolan, the Town Clerk Report was accepted as presented.
VOTE – AYES 5 – NAYS 0 – SO MOVED

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OLD BUSINESS

CDPHP Contract

Supervisor Youmans stated that the CDPHP Contract needs to be signed for 2010-2011 and it is an item that was already approved. He continued by asking for a motion authorizing the Supervisor to execute the contract.

MOTION

On motion of Councilman Boehm, seconded by Councilman Dolan authorizing Supervisor James C. Youmans to sign the CDPHP Contract for 2010-2011.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Contracts for Construction Improvements at W.W.T.P.

Supervisor Youmans stated that there are contracts for the electrical work, which is the backup generator, the plumbing, which is the new boiler and the general construction, which is for the new roof at the WWTP. He added that Attorney for the Town Wukitsch has reviewed the contracts and has given the go-ahead to execute them and continued by asking for a motion from the Board to execute the contracts.

MOTION

On motion of Councilman Touchette, seconded by Councilwoman Rogers, authorizing Supervisor Youmans to sign the three contracts.
VOTE – AYES 5 – NAYS 0 – SO MOVED

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NEW BUSINESS

Establish Public Hearing Date – 2011 Budget

Supervisor Youmans stated that they need to establish a Public Hearing date for the 2011 Preliminary Budget and as he had said earlier the law requires that it take place no later than the Thursday after Election Day, which brings them to November 4th. He continued by saying that they are still working on the Budget and Town Law says that the Public Hearing may be adjourned day-to-day if that time is needed, which it may or may not at this point. He added that the law also states that when they put the Notice in for the Public Hearing it must state that a copy of the Preliminary Budget is ready for view by the public and the Notice is going to come out Wednesday in the News Herald with the official day being Thursday and he is sure that the Preliminary Budget will not be ready at that time given the circumstances. He went on by saying that he would expect by the weekend that it will be and he has instructed and asked Town Clerk Millious that if someone comes in looking for it on Thursday, she will take their name and number and

call them as soon as it is ready and then asked Attorney for the Town Wukitsch if there is a problem with doing that.

Attorney for the Town Wukitsch stated that he does not think that there is a problem and added that under these circumstances he does not think that there is any other way to do it.

Supervisor Youmans stated that they need to set a Public Hearing date on November 4th.

Councilwoman Rogers inquired as to the time.

Supervisor Youmans stated that he would make it at 7:00pm and added that he would offer the motion.

MOTION

On motion of Supervisor Youmans, seconded by Councilwoman Rogers, to authorize a Public Hearing on November 4, 2010 at 7:00pm.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Councilman Boehm interjected that the sole purpose of the Public Hearing will be to hear comments on the budget.

Establish Public Hearing Date – Proposed Local Law, Dog Licensing

Supervisor Youmans stated that they need to establish a Public Hearing date for Proposed Local Law #4, Amending the Code of the Town of Coeymans, Chapter 60, Animals to establish a Local Dog Licensing Law. He continued by saying that very recently the NYS Department of Agriculture and Markets decided to get out of the business of dog licensing and have passed that responsibility on to the Town and in turn the Town has to enact a law, which will give the Town Clerk the authority and ability to license dogs and collect fees and added that this brings about the amendment of Chapter 60 and he would propose that they set the Public Hearing.

MOTION

On motion of Supervisor Youmans, seconded by Councilman Touchette, to authorize a Public Hearing at 6:30pm, on Monday, November 22, 2010 for the purpose of hearing comments on Proposed Local Law #4.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Supervisor Youmans asked that a Board Member read the Proposed Local Law into the record.

Councilman Boehm continued by reading the following:

A LOCAL LAW AMENDING THE CODE OF THE TOWN OF COEYMANS CHAPTER 60 (ANIMALS)

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

Section I – 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 II – 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. Age 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 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 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 III - All provisions of Chapter 60 not expressly amended, hereby shall remain the same.

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

Councilman Boehm stated that he had one question and continued by inquiring as to whether service dogs had to be licensed but not charged.

Attorney for the Town Wukitsch stated that was correct.

Councilman Boehm stated that he does not think that it is accurately reflected in that section that they require a license but there is no charge.

Attorney for the Town Wukitsch stated that the only place a service dog is mentioned is Section 60-23.

Supervisor Youmans suggested that they just add the word fee after the word license and will read: "will not require a license fee for any guide dog, service dog, hearing dog or detection dog."

Attorney for the Town Wukitsch stated that it would work.

Supervisor Youmans stated that he would point out that there are some pretty good reasons to have your dog licensed and one is that you get a tag to put on your dog with a number on it and if your dog is ever picked up by dog control, they have a list of the numbers and who owns the dog in addition to it being proof that your dog has had a rabies vaccination so if the dog bites someone you know that rabies is not a threat. He concluded by saying that there are some benefits to the dog owner and to the dog for having your dog licensed.

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RESOLUTIONS

RES. #96-10 AUTHORIZE AMENDMENT OF INTEREST RATE ON SEWER DEPARMENT LOANS
On motion of Councilman Touchette, seconded by Councilman Dolan, the following resolution was APPROVED – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the Town Board has made multiple loans to the Waste Water Treatment Plant Fund, and

WHEREAS, the Waste Water Treatment Plant Fund is responsible for repaying these loans to the Part Town (B) Fund with a 2 percent (2%) interest rate, and

WHEREAS, the Waste Water Treatment Plant Fund is now desirous of repaying several of these loans to the Part Town (B) Fund with interest, and

WHEREAS, the Town Board has received an interest rate of point seventy-five percent (.75%) in the Part Town (B) Fund,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby authorize the Waste Water Treatment Plant Fund to repay loans to the Part Town (B) Fund at the interest rate of point seventy-five percent (.75%)

RES. #97-10 AMEND BUDGET FOR CONSTRUCTION IMPROVEMENTS AT WASTE WATER TREATMENT PLANT

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

WHEREAS, the Town Board passed a motion on February 22, 2010 freezing the point two (.2) Equipment and Capital Accounts, and

WHEREAS, the Town Supervisor was directed by the Town Board to prepare the necessary budget amendments for the resolution, and

WHEREAS, the Town Board adopted Budget Amendment Resolution #41-10 on March 22, 2010, and

WHEREAS, the Town Board is now desirous of restoring the following point two (.2) accounts,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby authorize the following budget amendment:

General Fund Town Wide (A)

Increase the following accounts:

A3020.2	Communications	$ 2,000.00
A3120.2	Law Enforcement	$44,000.00
A5031	Interfund Transfers	$46,000.00

General Fund Part Town (B)

Increase the following accounts:

B99901	Transfer to General (A)	$46,000.00
B1120	Non-Property Taxes	$46,000.00

RES. #98-10 APPROVE OCTOBER ABSTRACT

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

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

FUND	VOUCHER #	AMOUNT
GENERAL (A)		
General Pre-Pay	1888-1896	$ 172,936.46
General	1926-1984	$ 18,861.70

	General Total	**$ 191,798.16**
PART-TOWN (B)		
Part-Town Pre-Pay	1897-1904	$ 212,554.03
Part-Town	1985-1987	$ 601.00
	Part Town Total	**$ 213,155.03**
HIGHWAY (D)		
Highway Pre-Pay	1905-1911	$ 39,336.58
Highway	1988-2033	$ 12,420.31
	Highway Total	**$ 51,786.89**
SEWER (SS)		
Sewer Pre-Pay	1912-1918	$ 17,147.27
Sewer	2034-2054	$ 10,430.42
	Sewer Total	**$ 27,577.69**
	Total for all Funds	**$ 484,317.77**
TRUST & AGENCY (TA)		
Trust & Agency Pre-Pay	1919-1925	$250,270.20
	Trust & Agcy. Total	**$ 250,270.20**

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ADDITIONAL COMMENTS

Town Clerk Millious stated that she wanted to remind everyone that she collects Sewer and Water until November 1st either in person or has to be postmarked for that day and if not paid it gets re-levied on the Property Tax Bill.

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WORKSHOPS/MEETINGS

- Town Board Budget Workshop, October 20, 2010, 9:00am
- Town Board Budget Workshop, November 6, 2010, 9:00am
- Town Board Meeting, November 8, 2010, 7:00pm
- Town Board Workshop, November 16, 2010, 6:00pm
- Town Board Meeting, November 22, 2010, 7:00pm

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ADJOURNMENT TO EXECUTIVE SESSION

Supervisor Youmans asked for a motion to adjourn to Executive Session.

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers to adjourn to Executive Session for the purpose of discussing possible litigation with Section 8 Housing.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Supervisor Youmans stated that they will be returning to formally adjourn.

Time – 7:35pm

EXECUTIVE SESSION

Executive Session immediately convened in the Supervisor's Office with all Town Board Members and Attorney for the Town Wukitsch present and possible litigation with Section 8 Housing was discussed with no action being taken.

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RECONVENE MEETING AND ADJOURNMENT

Supervisor Youmans called the meeting back to order immediately following Executive Session and asked for a motion to formally adjourn.

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers the Town Board Meeting was adjourned.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time 7:55pm

Respectfully Submitted, **APPROVED:**

_____
Diane L. Millious, Town Clerk

MINUTES BOOKTOWN OF COEYMANS**
October 30, 2010 – SPECIAL BUDGET WORKSHOP – 9:00AM

A Special Budget Workshop was held Saturday, October 30, 2010, at 9:00am at Town Hall, 18 Russell Avenue, Ravena, New York

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

ALSO PRESENT: Diane L. Millious, Town Clerk
Larry Conrad, Code Enforcement Officer
Laura VanValkenburg, Assessor
Greg Darlington, Chief of Police

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

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NOTICE
SPECIAL TOWN OF COEYMANS
TOWN BOARD BUDGET WORKSHOP

Pursuant to Section 123 of Town Law, please take notice that the Town Board of the Town of Coeymans has scheduled Special Town Board Budget Workshops for Saturday mornings at 9:00am on October 23rd, October 30th, and November 6th. The Workshop will be held at Town of 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

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AGENDA

- Building Department – Larry Conrad
- Assessor – Laura VanValkenburg
- Police Department – Greg Darlington
- Justice Court – Justices Dardani & Reilly

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ADJOURNMENT

Supervisor Youmans asked for a motion to adjourn the Workshop.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Boehm, the Town Board Workshop was adjourned.
VOTE – AYES 5 – NAYS – 0 – SO MOVED

Time – 12:50pm

***Respectfully Submitted*,** **APPROVED:**

_____
Diane L. Millious, Town Clerk

A Public Hearing was held Thursday, November 4, 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
Thomas E. Dolan, Councilman

ABSENT: Richard N. Touchette, Councilman

ALSO PRESENT: Diane L. Millious, Town Clerk
Greg Darlington, Chief of Police
Albert Deering, Highway Superintendent

****

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

****

NOTICE
OF
PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Coeymans will meet and hold a Public Hearing at Town Hall, 18 Russell Avenue, Ravena, New York, at 7:00pm on Thursday, the 4th day of November 2010 for purpose of hearing comments on the budget.

Pursuant to Section 108 of Town Law, listed below are the proposed salaries of Elected Officials.

Supervisor	(1)	$30,000.00
Councilman	(4)	$12,000.00 each
Justice	(2)	$17,500.00 each
Highway Supt.	(1)	$50,000.00
Town Clerk	(1)	$40,500.00

A copy of the Preliminary Budget will be available at the Town Clerk's Office, 18 Russell Avenue, Ravena, New York, where it may be viewed and a copy can be obtained regular business hour.

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

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OPENING COMMENT

Supervisor Youmans stated that the purpose of the hearing is to hear Public Comment and not particularly a time to insist on answers to any questions but they will hear all comments and may or may not answer questions that are presented.

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AGENDA

- Public Comment on the Preliminary Budget

PUBLIC COMMENT

Supervisor Youmans invited the public to comment at this time and added that anyone wishing to speak should come to the microphone and state their name and where they live.

Donna Pasquini stated that she lives at 29 Westerlo Street in Coeymans and she had a question, which was answered by seeing the Notice for the Public Hearing, and added that there were no salaries listed in the back of the budget.

Supervisor Youmans thanked her for pointing it out and added that back by the copies of the budget that are available there are also copies of the Public Notice that was posted, which includes the salaries of Elected Officials. He continued by saying that it was an oversight and he is not an expert with the XL Spreadsheet Program and it was inadvertently omitted.

Ms. Pasquini stated that her next question is on page 24 regarding the estimated revenues for sewer rents and added that there is no revenue listed.

Supervisor Youmans stated that he is sure that there is an answer to that and added that he will have to take a look at that. He continued by saying that if she looks at SS2375, Sewer Services other Governments (CP), he thinks that it should say Sewer Rents but he will have to verify it.

Ms. Pasquini continued by saying that the other question that she has is on page 18 where there is Misc. Storm Sewer Repair, which continues onto page 19 and there is no money in DB5140.4 allocated to repair the storm sewers and they all know that there are major problems with that. She continued by saying that she has one more question, which is whether they are on track with last year in not knowing where they stood financially and if there is any deficit going into it or revenue that is leftover going into it.

Supervisor Youmans stated that he would say that they are present for the purpose of hearing comments on the Preliminary Budget and if she wants further information about the current state of the Town's finances, she can stop by tomorrow because he will be in for the entire day and will be glad to share it with her.

Ms. Pasquini stated that she was thinking that it might affect the Preliminary Budget.

Supervisor Youmans stated that it has been thought out and continued by asking if anyone else who wanted to comment.

Mr. Henry Traver stated that he lives in the Village of Ravena in Oak Brook Manor and added that he wanted to defend himself on a couple of comments that were made last week by Supervisor Youmans in saying that there was no money for paper clips and added that he did put money in for the paper clips and it was in the storeroom. He went on by saying that in regard to salaries, they did not have time to sit down before this process and in his defense on the reason for the raises that he gave, he does not want to see the Town do what they did last year with Council 82 where Councilman Touchette and the Board, with him abstaining from the vote, had to pay out $28,000.00 in salaries that were not budgeted for. He continued by saying that the reason that he put it in was because of contract negotiations coming up with Council 82 and CSEA and this is why he put in the money for a 3% raise across the board so they would have it and not have a shortfall coming into the budget cycle for next year and he did not want to see the Board pass something without having no money in there for salaries and this would be to prepare themselves for any anticipated raises. He added that if they plan on not having a raise at all, he personally thinks they should put something in there just in case because contract negotiations have not even started yet and there should be something there so there it does not show a shortfall in personal services. He continued by saying that in regard to the .2 line item, for the past two years the Town Board has taken the .2 out and the reason he took it out was under the advisement of Internal Control Officer Purinton and for any major purchases as the Supervisor's Budget it was his intention to BAN them and this was the reason for the .2 being eliminated from the budget at this time. He

concluded by saying that he wanted to thank the Board for putting the budget together and with the situation that is going on he is glad that it looks like it is being passed and then asked what the percentage of the tax increase is right now.

Supervisor Youmans stated that the budget reflects a 2.5% increase, which means .08 cents for every thousand dollars of assessed dollar and for a $100,000.00 house it would be $8.00.

Mr. Traver stated that he had a zero percent tax increase.

Supervisor Youmans stated that in fairness when he says a zero percent tax increase, he also projected a $30,000.00 decrease in health insurance cost and projected a $600,000.00 fund balance in the B Fund and added that he could go on and it is not fair for him to stand there and say that and it is self serving for him to say that there was a zero percent increase because he did not have a budget either.

Ms. Virginia Pearson stated that on page 10 it says Other Employee Benefits and continued by asking what it is and added that she believes that it should be itemized for $62,892.00.

Supervisor Youmans stated they probably should be itemized and added that he has a book inside that has them listed and he would be glad to share it with her later.

Ms. Pearson stated that she wishes he would because it is a lot of money and it is reflected on page 15 for $2,788.00, which brings it up over $70,000.00 and she would like to know what they are.

Supervisor Youmans asked if anyone else wished to comment.

Mr. Bill Bailey stated that he lives in the Village of Ravena and added that his questions are on the sewer and continued by asking what the administrative fees are because on page 22 there is $25,000.00 and half way down the page there is $61,250.00.

Supervisor Youmans stated that the $61,250.00 is for Town only and added that he believes that it is money that was set aside for Town only for engineering and repairs and added that he was not prepared to dissect it now but he would be glad to cover it with him at another time.

Mr. Bailey reiterated that there is also $25,000.00 under SS1220 for administrative fees and continued by saying that he is confused and he might be looking in the wrong place but he is looking at the Town only and Village only and he believes that even though it is under tentative, it is a breakdown of the whole and what is planned.

Supervisor Youmans stated that with what he is looking at on page 23, he can't really tell him what it is because he didn't do it and it is the Tentative Budget and the budget that he constructed is on page 22 and 24.

Mr. Bailey stated that on page 22 and 23 it says Town and Village only and added that he thought they corresponded to the totals on the Preliminary Budget and this was his way of breaking them out.

Supervisor Youmans stated that was not true and added that if he looks down the column it shows the Tentative Budget and in the Preliminary Budget there is not much broken down between Town only and Village only because he could not make heads or tails of it and why it was done.

Mr. Bailey inquired as to if he was going by the numbers at all in the Tentative Budget.

Supervisor Youmans stated that he was not.

Mr. Bailey inquired if he should only be looking at the Preliminary Budget on page 22 on the top.

Supervisor Youmans stated that was correct.

Mr. Bailey stated that he was really confused and added that he liked the Tentative Budget breakdown and could follow it and continued by saying that it indicates that $140,000.00 jointly is what he believes they are going to share between Village and Town on contracts for next year.

Supervisor Youmans stated that he will be available all day tomorrow with the exception of a couple of hours in the morning if he would like to sit down and go over it line by line he would be happy to do it.

Mr. Bailey stated that when he looked at the Tentative Budget he knew there was a slight difference but he was able to follow how it was broken down and what the differences were and that made it easier from the Village's end. He continued by saying that he wanted to comment on the bills that he just received for July, August and September and based on what he has seen so far, and he needs to review them in detail, they are looking as of right now that as of the end of October the Village will have a credit of between $35,000.00 to $37,000.00 from January and if the spending in the last two months continues like the last four, it will be $45,000.00. He added that he is not sure how they are going to reflect that in the budget but it is a new item that needs to be reflected in next year's budget somehow because there is going to be income expected from the Village and they will be subtracting that amount of money per their contract.

Supervisor Youmans stated that he understands that and it is how the contract reads and added that he would caution him that there are some engineering costs that date back some time that the Village has not been billed for yet and he will go through them with him shortly and it has to do with the H35 project. He continued by saying that they talked about bonding the entire project and the money has already been paid and some of that is prior to the Contract Agreement and some of it the Village is only going to be responsible for 50% of, so if they try to go into a Bond it would muddy the waters in a big way so it is something that they have to sit down and go through. He concluded by saying that he will break it out for him and show him what it is and he understands his concerns and it makes sense but there is the other issue that they need to address and discuss before the end of the year.

Mr. Bailey stated that they are going to adopt a budget very soon and it has to be reflected in the budget too in some way no matter what decision is worked out between the two parties.

Supervisor Youmans asked if anyone else wished to comment.

Ms. Starr Ross inquired as to if Supervisor Youmans was going to be available all day tomorrow and asked if he would prefer to talk then.

Supervisor Youmans stated that if she wants detailed answers it would be more appropriate to talk then and added that when he said he was going to be available all day, he expects to be in a meeting from roughly 10:00am to 12:00 and then suggested that she call and make an appointment so he makes sure he is available. He continued by saying that the meeting was for public comment and added that if Highway Superintendent Deering wanted to discuss his budget and items in his budget he did not think that this was the appropriate forum for it.

Highway Superintendent Deering stated that sidewalks is always put somewhere else and it is not in the budget and there is no money for it and he wanted to let him know.

Supervisor Youmans stated that he took it out.

Highway Superintendent Deering inquired as to if they are going to do sidewalks next year.

Supervisor Youmans stated that he does not think that they are.

Highway Superintendent Deering stated that they had a good start.

Supervisor Youmans asked if there were any other comments.

Ms. Virginia Pearson inquired as to if the salaries in the Tentative Budget are reflected in the Preliminary Budget.

Supervisor Youmans stated that the correct salaries are in the Notice that was posted and it reflected the salaries of the Elected Officials. He continued by saying that with no further public comment at this time he would ask that Mr. Horton take the sound down and they will give it another 5 minutes in case anyone else wishes to speak.

Supervisor Youmans asked that Mr. Horton bring the sound back up and added that with no further members of the public desiring to speak at this Public Hearing, he would thank those who spoke for their participation and will insure that all questions and comments were taken seriously by himself and the Board and then asked if there were any comments from the Board.

Councilman Boehm stated that he would offer a motion to adjourn.

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MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, the Public Hearing was adjourned.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Touchette) – SO MOVED

Time – 7:25pm

Respectfully Submitted, **APPROVED:**

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Diane L. Millious, Town Clerk

A Town Board Meeting was held Monday, November 08, 2010, at 7:00pm at Town Hall, 18 Russell Avenue, Ravena, New York

PRESENT: Dawn Rogers, Councilwoman
Thomas A. Boehm, Councilman
Richard N. Touchette, Deputy Supervisor/Councilman
Thomas E. Dolan, Councilman

ABSENT: James C. Youmans, Supervisor

ALSO PRESENT: Diane L. Millious, Town Clerk
Albert Deering, Highway Superintendent
Greg Darlington, Chief of Police

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Deputy Supervisor Touchette opened the meeting and led the Pledge of Allegiance.

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OPENING COMMENT

Deputy Supervisor Touchette stated that he wanted to note that there was a full Town Board present with the exception of Supervisor Youmans who is out of town on business and added that there is a fairly light agenda.

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AGENDA

- Public Announcement
  - Offices Closed Veteran's Day, November 11, 2010
  - Albany County Soil & Water Conservation, Water Analysis Kit
  - R-C-S Community Library
- Public Comment
- Approval of Minutes
  - Special Town Board Meeting, October 5, 2010
  - Town Board Workshop, October 19, 2010
  - Special Budget Workshop, October 23, 2010
  - Town Board Meeting, October 25, 2010
  - Special Budget Workshop, October 30, 2010
- Department Report Review
  - Police Department, August & September
  - Summer Recreation Program, 2010
- Old Business
  - Lease Addendum with P&M for Tower Construction
- New Business
  - Special Town Board Meeting for 2011 Budget Adoption
  - Capital District Titans Baseball Club
- Town Board Workshops/Meetings
  - Town Board Workshop, November 16, 2010, 6:00pm
  - Public Hearing, November 22, 2010, 6:30pm
  - Town Board Meeting, November 22, 2010, 7:00pm

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PUBLIC ANNOUNCEMENT

Office Closed – Veteran's Day

Deputy Supervisor Touchette stated that on Thursday, November 11, 2010 all Town Offices will be closed in observance of Veteran's Day with the exception of the Police Department, which is a 24/7 operation.

Albany County Soil & Water Conservation – Water Analysis Kit

Deputy Supervisor Touchette read the following:

The Albany County Soil and Water Conservation have asked the Town's assistance in notifying residents of the availability of a free Home Water Analysis Kit to residents whose water is supplied from a private well. Kits include tests for: bacteria, nitrates, chlorine, copper, alkalinity, lead, iron, ph, hardness and pesticide. Residents may pick up their free Home Water Analysis Kits at Albany County Soil & Water Conservation District, 24 Martin Road, Room #2, Voorheesville, NY. Any questions call Albany County SWCD Office at (518) 765-7923.

R-C-S- Community Library

Deputy Supervisor Touchette stated that the R-C-S Community Library will be closed this week, November 9th to Thursday November 11th to move back to Village Hall with limited services on Friday and Saturday.

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PUBLIC COMMENT

Deputy Supervisor Touchette invited the public to comment.

Ms. Donna Pasquini stated that she lives at 29 Westerlo Street in the Hamlet and continued by reading the following:

Since March of this year the Town's storm sewer behind my home has been on Workshop agendas, has been tabled on Town Board Meeting agendas but has never been put on Meeting agendas. I would like to know when the Town is going to fill the storm sewer in that you abandoned this spring, which is still causing more damage to my home. I am tired of getting the run-around. I am disappointed that this Board by its inaction would allow continuing damage to be suffered by a taxpayer. We are now into November and I would like an answer and some positive action taken to remedy this problem.

Deputy Supervisor Touchette stated that he does not have an answer for her this evening but will discuss it with other Town employees and get back to her within a week or two.

Ms. Pasquini stated that she hopes so because she has been waiting since March for answers and she looks forward to hearing from him.

Deputy Supervisor Touchette asked if anyone else wished to speak.

Mr. John Allen stated that he lives at 37 Westerlo Street and continued by apologizing for not being at the Budget Public Hearing but he has a couple of questions in looking at and trying to understand the budget and added that unfortunately he was out of town traveling. He continued by saying that overall it looks like the Town did a pretty decent job of managing and controlling costs in the budget but there a couple of areas that it didn't seem that the Town either was making sense or maybe there were people given favors because there was a huge increase overall in retirement benefits of 50% across the board. He added that at the same time it looks like they reduced overall personnel services, which doesn't seem reasonable unless they are all of the sudden going to be contributing more for retirement for one or more individuals when hopefully those agreements have been fairly static. He went on by saying that there is a 300% increase in other employee benefits across the board in several of the accounts with one going from $19,000.00 to $60,000.00 and in the times of prudence and where they are budgetarily, it does not make sense that there should be that dramatic of an increase in a single line item. He continued by saying that there are a couple of expenses that generally don't make

sense and the ambulance, which he understands is a volunteer service, the Town Board rightfully so held the line on Town expenditures for all other employees yet provided a 15% increase for ambulance services across the board, which looks like the only real area where direct service was increased. He added that he didn't realize how much the Town pays the Town Attorney to sit and answer questions and from what he has heard at Town Meetings, $41,200.00 to hear "I'll have to get back to you" as an answer, it might be more efficient to call him when there is a question rather than having $41,200.00 of expenses when he has to go research it anyway. He continued by saying that he applauds the Board for holding the expenses in the areas that they did but he questions why some of the anomalies are there as well as why there is very little in the Sewer Budget, with no debt service at all for sewer and his understanding is that they BAN'd as an expense yet there is no interest for the BAN, no expenses, no service for the debt, which would be a pretty good wave of the magic wand for financing if they can do it and no one is going to charge interest on what amounts to a huge set of expenses. He went on by saying that there are no carry forward items on the current budget, which there should be some retained revenues somewhere in the budget from taxpayer collections because they are not going to spend all of them instantly on December 31st. He concluded by saying that at some point before the budget is adopted he hopes that they will share some rational why there are some huge increases in some areas, why they awarded the ambulance service when they are not taking care of their own Police Officers and other departments where they held the line on their expenses, which he thinks is appropriate but to award one to an outside contractor that is a volunteer service makes no sense.

Deputy Supervisor Touchette asked the Town Board if there was any response, hearing none he continued by saying that with the ambulance service, the additional allocation this year or appropriation is for additional shifts, with most shifts being covered by paid EMT's because the volunteers are not available to do that and for a number of years they have been employing paid EMT's. He continued by saying that the additional appropriation is to cover some additional shifts because the volunteers are not there.

Mr. Allen inquired as to whether that would be the Paramedic Service.

Deputy Supervisor Touchette stated this is in addition to and added that Albany County Sheriff's Department provides a paramedic but this is for the EMT's. He continued by saying that in regard to his question about the pension cost, the Town has no control over this because it is mandated by the State and the Law Enforcement pension cost went from a 17% increase last year to a 21% increase this year and it is a number that is given to them by the State Comptroller Office and they have to pay it.

Mr. Allen stated that he absolutely understands that but there is a 50% increase in pensions which is not 8% and went from $143,000.00 to $202,000.00, which is almost exactly a 50% increase and nowhere in the State have pensions gone up that much for any contribution when the overall personnel costs have dropped. He added that pension costs go up when you raise personnel costs because it is a percentage of the personnel cost and not an indiscriminate number and it should have increased 7-8% but it increased 50%. He went on by saying that globally for most companies if they are contributing to pension, it did go up in a varying percentage and some places could be as high as 10-12% but the Town is budgeting a 50% increase from $143,000.00 to $202,000.00, which is not a marginal increase or an increase from the Police Officers or Town personnel and something has changed either in the contributions that the Town is now going to make and reiterated that it is a huge increase and not a marginal increase. He added that pension costs are typically a percentage of the overall personnel line items and across the board they appropriately held the personnel costs to either last year or reduced them in a number of areas but the pension costs as they are showing them have increased 50% with a 300% increase in other employee costs, which went from $9,000.00 to $63,000.00. He continued by saying that the numbers seem out of whack if they are holding the budget down and he is not suggesting that they are because they have been responsible in a lot of areas, but these are areas that people tend to typically hide money in the budget for other projects or hide money for special payments to individuals or other things. He concluded by saying that as a taxpayer he wants to be sure as a taxpayer that they are applying all the due diligence in all the budget accounts and overall he would say that the budget overall looks excellent but these couple of areas clearly calls for some concern as a

taxpayer given the rate of increase and given that there is not an explanation in budget footnotes or other areas where you would find a footnote as to why there is such great discrepancy or disparity.

Deputy Supervisor Touchette stated that he can tell him again that the percentage of payroll that they are mandated to pay for pension has gone up 30-35%, which is not a small amount and that is a number that they have no control over in addition to telling him that they have exercised due diligence and they have examined everything that went into the budget and he stands by it but appreciates his comments. He continued by asking if there were any further comments, hearing none he moved to the next item on the agenda.

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APPROVAL OF MINUTES

Deputy Supervisor Touchette stated that there were five sets of Town Board Minutes for approval, a Special Town Board Meeting on October 5th, a Town Board Workshop on October 19th, a Special Budget Workshop on October 23rd, a Town Board Meeting on October 25th and a Special Budget Workshop on October 30th and continued by asking for a motion to approve the minutes.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Boehm, the Town Board Minutes were approved as presented and read.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Youmans)

Councilman Dolan stated that he wanted to point out that he was not at the October 5th Meeting.

Deputy Supervisor Touchette stated that he was not at the October 23rd Meeting.

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DEPARTMENT REPORTS

Police Department – August & September

Deputy Supervisor Touchette asked that Chief Darlington give the Police Department Reports for August and September, which were tabled from a previous meeting.

Chief Darlington continued by giving the reports.

Deputy Supervisor Touchette asked for a motion to approve the reports.

MOTION

On motion of Councilman Boehm, seconded by Councilman Dolan, the Police Department Reports were accepted as presented.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Youmans) – SO MOVED

Summer Recreation Program 2010

Deputy Supervisor Touchette asked that Councilman Boehm give the 2010 Summer Recreation Program.

Councilman Boehm continued by reporting the following:

- The Summer Recreation Program was held in conjunction with the Village of Ravena and the cost is split with them.

- The average attendance for this year was between 35-60 participants depending on the weather.
- This was the fourth year of the Program and attendance overall has been up each year.

Councilman Boehm continued by saying that he wanted to thank all the counselors who worked very hard, especially Eric Stott who led the Program and a special thanks to the schools for lending equipment and the Village for sharing their park.

Deputy Supervisor Touchette asked for a motion to approve the report.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Dolan, the 2010 Summer Recreation Report was accepted as presented.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Youmans) – SO MOVED

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OLD BUSINESS

Lease Addendum with P&M for Tower Construction

Deputy Supervisor Touchette stated that there is a request to sign a Lease Addendum with P&M Brick for the tower construction, which Chief Darlington has taken the lead on and continued by asking that he give a summary.

Chief Darlington stated that it was approximately 3½ years ago when then Supervisor Hotaling and he entered into a Lease Agreement with P&M Port of Coeymans to build a tower on Gedney Hill for the emergency radios. He continued by saying that since then they were approached by JNS Towers to get involved in a municipally owned Tower Program, which would generate revenue for the Town of Coeymans to operate a tower with cell service on it. He added that there was a carrier that was interested in the site and in order to do that, under the Lease Agreement with P&M, they were only authorized to put up the emergency tower and not allowed to profit from it. He added that with the addendum that they have, P&M has authorized them to move forward with the current carrier JNS and any additional but part of that Agreement is that they will receive part of the revenues that they generate. He went on by saying that he sent a copy of it to Attorney for the Town Wukitsch who reviewed it and in turn gave a copy of the e-mail to the Board showing that he has reviewed it and it looks good to him and as such AT&T was hoping to be up and running by now and gave an ultimatum that if the Town did not start moving forward they were going to go elsewhere. He concluded by saying that it would be based on the net, with the Town's administrative costs coming out first for electric, plowing, and paperwork and then the bottom line would be split 50/50 with the Port of Coeymans.

Deputy Supervisor Touchette stated that he wanted to thank Chief Darlington for his work on it and then asked the Town Board if they had any questions or discussion.

Councilman Boehm stated that it makes sense to take the costs out before they split the profit and he also wanted to thank the Chief for working on it because it will be a revenue source that is important to the Town.

Deputy Supervisor Touchette asked for a motion to authorize Supervisor Youmans to sign the Lease Addendum.

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, authorizing Supervisor Youmans to sign the P&M Lease Addendum.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Youmans) – SO MOVED

NEW BUSINESS

Town Board Meeting for 2011 Budget Adoption

Deputy Supervisor Touchette stated that they need to schedule a Special Town Board Meeting on November 18, 2010, 7:00pm for the purpose of adopting the 2011 Budget and continued by asking for a motion.

MOTION

On motion of Councilman Boehm, seconded by Councilman Dolan, authorizing a Special Town Board Meeting for the adoption of the 2011 Budget.
VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Youmans) – SO MOVED

Capital District Titans Baseball Club

Deputy Supervisor Touchette stated that there is a request from the Capital District Titans Baseball Club and continued by reading the following excerpts:

"The Capital District Titans Baseball Club provides competitive baseball experiences for local players 10 years of age and younger. As a member of the Eastern New York Travel Baseball League, we strive to provide an experience that promotes sportsmanship, teamwork, community service, respect for, and enjoyment of the game of baseball. Our primary goal is to develop the character of the young men who play for us.

I am writing to you because we need your help. Our team is searching for a suitable field within the Town of Coeymans to practice and play our home games during our upcoming 2011 season. Typically, our games will be scheduled for Sundays and we will practice at least once a week. The baseball field located at Coeymans Landing Park could be the perfect place for us to play. However, this field is in need of some repairs and minor modifications in order for our team able to use it."

Deputy Supervisor Touchette continued by saying that these are the enhancements that they would like to see.

- Purchase of an appropriate dirt mixture to add to the infield.
- Purchase and installation of 2 permanent benches for players to use during games.
- Installation of fencing extending beyond both sides of the backstop to protect players from being hit by foul balls.
- Minor repairs to the fencing of the existing backstop.

Deputy Supervisor Touchette stated that the letter goes on to say that they have a number of volunteers from the community who are ready to donate their time and expertise to make this happen and he would like to meet with the Town Board to discuss how this can help improve the field and benefit the town. He continued by saying that the letter was signed by Jeff Sorenson, President of the Capital District Titans Baseball Club and then asked if there was any discussion from the Board.

Councilwoman Rogers stated that the Youth Soccer Club uses the field too and they should get together to make sure that there is not a conflict and added that as far as the dirt, she is sure that they can get the Highway Department to put some down there.

Deputy Supervisor Touchette stated that conceptually he thinks that it is a good idea and added that they have a newly organized and formed Parks Committee and this might be something for them to look at and discuss because there are limited resources and there could be conflicts between soccer and baseball players and the Town does not have a policy on how to allocate and use those resources. He continued by saying that with the Board's permission he would like to forward it to the Parks Committee and in turn come back with a recommendation.

Collectively the Board agreed.

Councilman Dolan inquired as to if the Soccer Club signs up for the field when they want to use it and if there is a process.

Town Clerk Millious stated that they send their whole schedule for when they want to use the field and added that they had said that if other people want to use it, to just let them know.

Councilman Boehm interjected that the school uses it as well.

Town Clerk Millious stated that it is the one that she is talking about.

Chief Darlington stated that one of the issues is that the only thing that is truly reserved in any park is the gazebo or pavilion and added that if everyone is going to start using the parks, it is something that the Parks Committee should look at because the field down there gets used a lot and they might want to look at the possibility of expanding to the other parks.

Mr. Mike Keel asked permission to comment and continued by saying that he was representing Mr. Sorenson and added that he had spoken to Supervisor Youmans in trying to understand what they could do within the Town in keeping the team here. He continued by saying that they are in tough financial times and concerned about whether there is money available for improvements and added that as far as the dirt, the Club has offered to make improvements at no Town expense but the biggest issue is the fence, which is a safety issue and they can't use the field without fencing. He went on by saying that it would be non-obtrusive to the Soccer Field and would be an extension of the backstop that is there and he does not think that it will be a huge expense and as an organization they have talked about raising funds to assist in doing this. He added that the problem is that they are a small organization and they would be making improvement to a Town property, which he is not sure that it makes sense for them to incur the expense when they can have a whole field in Colonie and just pay for a field but they would prefer to have it here because ½ the team is local kids. He concluded by saying that they can build benches and things like that but they are afraid that they will walk away and they are looking for something more permanent, which would be fixture enhancements to Town property that will be there for years.

Councilman Boehm inquired as to if there is a design for the backstop and fencing.

Mr. Keel stated that it is 25 feet long by 8 feet high down the first and third baselines which would protect the kids and if they step it back from where the backstop is now, they could have an entrance for the kids on and off the field.

Deputy Supervisor Touchette stated that an issue that they need to look at first is how they handle the request for use and then they need to develop some sort of policy on how they handle it.

Mr. Keel stated that their practice schedule and season would run until mid July and not so much in the fall.

Councilman Dolan inquired as to when it would begin.

Mr. Keel stated that it would begin in April 2011 and would be April through July and added that once a week they could be very flexible with other programs but the Sunday dates would be a must.

Ms. Donna Pasquini asked to speak and added that she wanted to let the Parks Committee and Town Board know that the storm sewer that runs down through, the Highway Department has dug up along the whole south side of that field and it is at least 10 feet deep. She added that if they are going to put a fence, they will have to fence the whole south side so no one falls in.

Mr. Rodney Krzykowski stated that he wished to comment and continued by saying that a number of years ago a softball field was built at Joralemon Park, which he was part of

and it extended to two fields, which he does not know if they are being used and they might be an option to look at.

Deputy Supervisor Touchette stated that this is something that the Parks Committee will look at.

Mr. Keel stated that he took a look at Joralemon, which Supervisor Youmans stated would be less of a conflict with the Soccer League and added that it is very unimproved and for their level of ball play it would be massive, extensive renovations, which financially would not work for anyone.

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TOWN BOARD WORKSHOPS/MEETINGS

- Town Board Workshop, November 16, 2010, 6:00pm
- Public Hearing, November 22, 2010, 6:30pm
- Town Board Meeting, November 22, 2010, 7:00pm

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ADDITIONAL COMMENTS

Deputy Supervisor Touchette asked if there were any final comments.

Town Clerk Millious stated that there will be a Public Hearing for the Proposed Local Law for Dog Licensing as well as the additional Special Meeting on November 18th that was discussed previously.

Deputy Supervisor Touchette asked if there were any other comments.

Chief of Police Darlington stated that with the tower that is being put up, they talked about the revenue and added that he wanted to bring up what it is going to save the Town of Coeymans. He continued by saying that when he and former Supervisor Hotaling originally went on this venture, they were looking at over a $200,000.00 expense to build a communications tower for emergency services and it is now being built at no expense to the Town and in fact they will generate revenue from it. He added that he has for the Board, scenarios of the breakdown of rents and what the income will look like and at the next Workshop he will have a Master Management Agreement for the Board to review with J&S authorizing them to do this and how it will work and he will forward it to Attorney for the Town Wukitsch as soon as he receives it from J&S. He concluded by saying that hopefully they will move forward and construction will start.

Deputy Supervisor Touchette asked as to the timeframe of when it will be up and running.

Chief Darlington stated that with good weather they said between 3-4 months and added that they have already started that paperwork with AT&T who will be the first carrier going on and AT&T was hoping that it would be up and running by June 2010.

Deputy Supervisor Touchette asked if there were any other comments, hearing none he asked for a motion to adjourn.

****

ADJOURNMENT

MOTION

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

Time: 7:35pm

***Respectfully Submitted*,** **APPROVED:**

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Diane L. Millious, Town Clerk

MINUTES BOOKTOWN OF COEYMANS**
November 16, 2010 – TOWN BOARD WORKSHOP MEETING – 6:00PM

A Town Board Workshop Meeting was held Tuesday, November 16, 2010, at 6:00pm at Town Hall, 18 Russell Avenue, Ravena, New York

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

ABSENT: James C. Youmans, Supervisor

ALSO PRESENT: Diane L. Millious, Town Clerk
Greg Darlington, Chief of Police

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Deputy Supervisor Touchette opened the meeting and led the Pledge of Allegiance.

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AGENDA

- Master Management Agreement Between Town of Coeymans & JNS Towers

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ADJOURNMENT

Deputy Supervisor Touchette asked for a motion to adjourn the Workshop.

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, the Town Board Workshop was adjourned.

Time – 6:15pm

***Respectfully Submitted*,** **APPROVED:**

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Diane L. Millious, Town Clerk

November 18, 2010 – SPECIAL TOWN BOARD MEETING – 7:00PM

A Town Board Workshop Meeting was held Tuesday, November 18, 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, Deputy Supervisor/Councilman
Thomas E. Dolan, Councilman

ALSO PRESENT: Diane L. Millious, Town Clerk

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

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OPENING COMMENT

Supervisor Youmans stated that the purpose of the Special Meeting was to adopt the 2011 Budget and continued by asking that Town Clerk Millious read the Notice of Special Meeting.

NOTICE
SPECIAL
TOWN OF COEYMANS
TOWN BOARD MEETING

Pursuant to Section 123 of Town Law, please take notice that the Town Board of the Town of Coeymans has scheduled a Special Town Board Meeting for Thursday, November 18, 2010 at 7:00pm. The purpose of the Special Meeting will be for the Town Board to adopt the 2011 Budget and it will be held at Town of Coeymans Town Hall, 18 Russell Avenue, Ravena, NY.

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

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ADOPTION OF BUDGET

MOTION

On motion of Councilman Touchette, seconded by Councilman Boehm, the 2011 Budget was adopted as presented.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Supervisor Youmans stated that the Preliminary Budget now becomes the Adopted Budget and added that for the record there have been no changes. He then asked for a motion to close the meeting.

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ADJOURNMENT

On motion of Councilwoman Rogers, seconded by Councilman Dolan, the Special Town Board Meeting was adjourned.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Respectfully Submitted, **APPROVED:**

_____
Diane L. Millious, Town Clerk

2011
SUMMARY OF ADOPTED BUDGET

CODE	FUND	APPROPRIATIONS	LESS ANTICIPATED REVENUES	LESS APPROPRIATED REVENUES	AMOUNT TO BE RAISED BY TAXES
A	General	$ 3,148,654.00	$ 1,340,422.00	$ 20,000.00	$ 1,788,232.00
B	Part Town	$ 2,016,891.00	$ 1,781,663.00	$ 235,228.00	$ -0-
DA	Bridges	$ 237,245.00	$ -0-	$ 237,245.00	$ -0-
DB	Highway	$ 1,124,482.00	$ 1,124,482.00	$ -0-	$ -0-
SS	Special Sewer	$ 403,547.00	$ 403,547.00	$ -0-	$ -0-
SW	Special Water	$ -0-	$ -0-	$ -0-	$ -0-

TOWN OF COEYMANS
2011 ADOPTED BUDGET

		2010 ADOPTED BUDGET	2010 MODIFIED BUDGET	2011 TENTATIVE BUDGET	2011 PRELIMINARY BUDGET	2011 ADOPTED BUDGET
GENERAL (A) APPROPRIATIONS						
TOWN COUNCIL						
A1010.1	PERSONAL SERVICES	$ 48,000.00	$ 48,000.00	$ 49,440.00	$ 48,000.00	$ 48,000.00
A1010.4	CONTRACTUAL	$ 2,500.00	$ 2,500.00	$ 4,000.00	$ 4,000.00	$ 4,000.00
	TOTAL	$ 50,500.00	$ 50,500.00	$ 53,440.00	$ 52,000.00	$ 52,000.00
JUSTICE						
A1110.1	PERSONAL SERVICES	$ 103,901.00	$ 103,901.00	$ 109,250.00	$ 81,753.00	$ 81,753.00
A1110.2	EQUIPMENT & CAP	$ -	$ 17,297.73	$ -	$ -	$ -
A1110.4	CONTRACTUAL	$ 5,950.00	$ 12,377.85	$ 11,000.00	$ 7,050.00	$ 7,050.00
	TOTAL	$ 109,851.00	$ 133,576.58	$ 120,250.00	$ 88,803.00	$ 88,803.00
SUPERVISOR						
A1220.1	PERSONAL SERVICES	$ 75,000.00	$ 75,000.00	$ 72,932.00	$ 68,000.00	$ 68,000.00
A1220.2	EQUIPMENT & CAPITAL OUTLAY	$ 1,100.00	$ -	$ -	$ 1,242.00	$ 1,242.00
A1220.4	CONTRACTUAL	$ 900.00	$ 900.00	$ 900.00	$ 1,000.00	$ 1,000.00
	TOTAL	$ 77,000.00	$ 75,900.00	$ 73,832.00	$ 70,242.00	$ 70,242.00
FINANCE						
A1310.1	PERSONAL SERVICES	$ 66,133.00	$ 66,133.00	$ 65,640.00	$ 66,133.00	$ 66,133.00
A1310.2	EQUIPMENT & CAP	$ 1,500.00	$ -	$ -	$ 720.00	$ 720.00
A1310.4	CONTRACTUAL	$ 500.00	$ 500.00	$ 940.00	$ 400.00	$ 400.00
	TOTAL	$ 68,133.00	$ 66,633.00	$ 66,580.00	$ 67,253.00	$ 67,253.00
ACCOUNTANT						
A1315.4	CONTRACTUAL	$ 10,000.00	$ 10,000.00	$ 4,700.00	$ 7,800.00	$ 7,800.00
	TOTAL	$ 10,000.00	$ 10,000.00	$ 4,700.00	$ 7,800.00	$ 7,800.00

TOWN OF COEYMANS
2011 ADOPTED BUDGET

		2010 ADOPTED BUDGET	2010 MODIFIED BUDGET	2011 TENTATIVE BUDGET	2011 PRELIMINARY BUDGET	2011 ADOPTED BUDGET
TAX COLLECTION						
A1330.4	CONTRACTUAL	$ 5,540.00	$ 5,540.00	$ 5,540.00	$ 5,540.00	$ 5,540.00
	TOTAL	$ 5,540.00	$ 5,540.00	$ 5,540.00	$ 5,540.00	$ 5,540.00
ASSESSOR						
A1355.1	PERSONAL SERVICES	$ 53,508.00	$ 53,508.00	$ 55,113.00	$ 53,508.00	$ 53,508.00
A1355.2	EQUIPMENT & CAP	$ 1,000.00	$ -	$ -	$ 500.00	$ 500.00
A1355.4	CONTRACTUAL	$ 8,500.00	$ 8,500.00	$ 9,000.00	$ 6,700.00	$ 6,700.00
	TOTAL	$ 63,008.00	$ 62,008.00	$ 64,113.00	$ 60,708.00	$ 60,708.00
TOWN CLERK						
A1410.1	PERSONAL SERVICES	$ 96,749.00	$ 96,749.00	$ 105,692.00	$ 96,749.00	$ 96,749.00
A1410.2	EQUIPMENT & CAP	$ 1,000.00	$ 300.00	$ -	$ 1,000.00	$ 1,000.00
A1410.4	CONTRACTUAL	$ 3,300.00	$ 3,300.00	$ 3,300.00	$ 3,300.00	$ 3,300.00
	TOTAL	$ 101,049.00	$ 100,349.00	$ 108,992.00	$ 101,049.00	$ 101,049.00
ATTORNEY						
A1420.1	PERSONAL SERVICES	$ -	$ -	$ -	$ -	$ -
A1420.4	CONTRACTUAL	$ 44,400.00	$ 44,400.00	$ 44,400.00	$ 41,200.00	$ 41,200.00
	TOTAL	$ 44,400.00	$ 44,400.00	$ 44,400.00	$ 41,200.00	$ 41,200.00
HUMAN RESOURCES						
A1430.1	PERSONAL SERVICES	$ 41,434.00	$ 41,434.00	$ 46,200.00	$ 41,434.00	$ 41,434.00
A1430.2	EQUIPMENT & CAP	$ 1,500.00	$ -	$ -	$ 2,000.00	$ 2,000.00
A1430.4	CONTRACTUAL	$ 21,000.00	$ 21,000.00	$ 20,700.00	$ 15,700.00	$ 15,700.00
	TOTAL	$ 63,934.00	$ 62,434.00	$ 66,900.00	$ 59,134.00	$ 59,134.00

TOWN OF COEYMANS
2011 ADOPTED BUDGET

		2010 ADOPTED BUDGET	2010 MODIFIED BUDGET	2011 TENTATIVE BUDGET	2011 PRELIMINARY BUDGET	2011 ADOPTED BUDGET
ELECTIONS						
A1450.4	CONTRACTUAL	$ 15,000.00	$ 15,000.00	$ 19,000.00	$ 15,000.00	$ 15,000.00
	TOTAL	$ 15,000.00	$ 15,000.00	$ 19,000.00	$ 15,000.00	$ 15,000.00
RECORDS MANAGEMENT						
A1460.4	CONTRACTUAL	$ 4,000.00	$ 4,000.00	$ 4,000.00	$ 4,000.00	$ 4,000.00
	TOTAL	$ 4,000.00	$ 4,000.00	$ 4,000.00	$ 4,000.00	$ 4,000.00
TOWN HALL						
A1620.1	PERSONAL SERVICES	$ 22,000.00	$ 22,000.00	$ 22,000.00	$ 5,000.00	$ 5,000.00
A1620.2	EQUIPMENT & CAP	$ 5,000.00	$ -	$ -	$ 20,000.00	$ 20,000.00
A1620.4	CONTRACTUAL	$ 30,000.00	$ 30,000.00	$ 30,000.00	$ 33,000.00	$ 33,000.00
	TOTAL	$ 57,000.00	$ 52,000.00	$ 52,000.00	$ 58,000.00	$ 58,000.00
CENTRAL GARAGE						
A1640.4	CONTRACTUAL	$ 32,000.00	$ 32,000.00	$ 32,000.00	$ 32,000.00	$ 32,000.00
	TOTAL	$ 32,000.00	$ 32,000.00	$ 32,000.00	$ 32,000.00	$ 32,000.00
CENTRAL COMMUNICATIONS						
A1650.2	EQUIPMENT	$ -	$ -	$ -	$ -	$ -
A1650.4	CONTRACTUAL	$ 20,000.00	$ 20,000.00	$ 20,000.00	$ 25,000.00	$ 25,000.00
	TOTAL	$ 20,000.00	$ 20,000.00	$ 20,000.00	$ 25,000.00	$ 25,000.00
CENTRAL STOREROOM						
A1660.4	CONTRACTUAL	$ 20,000.00	$ 20,000.00	$ 15,000.00	$ 15,000.00	$ 15,000.00
	TOTAL	$ 20,000.00	$ 20,000.00	$ 15,000.00	$ 15,000.00	$ 15,000.00

TOWN OF COEYMANS
2011 ADOPTED BUDGET

		2010 ADOPTED BUDGET	2010 MODIFIED BUDGET	2011 TENTATIVE BUDGET	2011 PRELIMINARY BUDGET	2011 ADOPTED BUDGET
CENTRAL PRINTING AND MAILING						
A1670.4	CONTRACTUAL	$ 12,000.00	$ 12,000.00	$ 12,000.00	$ 8,000.00	$ 8,000.00
	TOTAL	$ 12,000.00	$ 12,000.00	$ 12,000.00	$ 8,000.00	$ 8,000.00
INSURANCE						
A1910.4	CONTRACTUAL	$ 89,510.00	$ 89,510.00	$ 85,000.00	$ 84,065.00	$ 84,065.00
	TOTAL	$ 89,510.00	$ 89,510.00	$ 85,000.00	$ 84,065.00	$ 84,065.00
ASSOCIATION DUES						
A1920.4	CONTRACTUAL	$ 1,200.00	$ 1,200.00	$ 1,200.00	$ 1,200.00	$ 1,200.00
	TOTAL	$ 1,200.00	$ 1,200.00	$ 1,200.00	$ 1,200.00	$ 1,200.00
OTHER GENERAL GOVERNMENT SUPPORT						
A1989.1	PERSONAL SERVICES–Reval Project	$ -	$ -	$ -	$ -	$ -
A1989.4	CONTRACTUAL–Townwide Revaluation Proj.	$ -	$ -	$ -	$ -	$ -
	CONTRACTUAL–Grants Writer	$ -	$ -	$ -	$ -	$ -
	CONTRACTUAL–Zoning/EconDev	$ 7,500.00	$ 7,500.00	$ -	$ -	$ -
	TOTAL	$ 7,500.00	$ 7,500.00	$ -	$ -	$ -
CONTINGENCY						
A1990.4	CONTRACTUAL	$ 50,000.00	$ 50,000.00	$ 10,000.00	$ 25,000.00	$ 25,000.00
	TOTAL	$ 50,000.00	$ 50,000.00	$ 10,000.00	$ 25,000.00	$ 25,000.00
PUBLIC SAFETY ADMINISTRATION						
A3010.4	CONTRACTUAL	$ 3,000.00	$ 3,000.00	$ 3,000.00	$ 3,000.00	$ 3,000.00
	TOTAL	$ 3,000.00	$ 3,000.00	$ 3,000.00	$ 3,000.00	$ 3,000.00

TOWN OF COEYMANS
2011 ADOPTED BUDGET

		2010 ADOPTED BUDGET	2010 MODIFIED BUDGET	2011 TENTATIVE BUDGET	2011 PRELIMINARY BUDGET	2011 ADOPTED BUDGET
COMMUNICATIONS						
A3020.1	PERSONAL SERVICES	$ 211,430.00	$ 211,430.00	$ 296,488.00	$ 194,851.00	$ 194,851.00
A3020.2	EQUIPMENT	$ 2,000.00	$ -	$ -	$ 20,000.00	$ 20,000.00
A3020.4	CONTRACTUAL	$ 25,000.00	$ 25,000.00	$ 36,500.00	$ 25,000.00	$ 25,000.00
	TOTAL	$ 238,430.00	$ 236,430.00	$ 332,988.00	$ 239,851.00	$ 239,851.00
LAW ENFORCEMENT						
A3120.11	CHIEF SALARY	$ 75,689.00	$ 75,689.00	$ 85,697.00	$ 79,768.00	$ 79,768.00
A3120.1	PERSONAL SERVICES	$ 518,149.00	$ 518,149.00	$ 596,356.00	$ 568,484.00	$ 568,484.00
A3120.2	EQUIPMENT & CAP	$ 44,000.00	$ -	$ -	$ 40,000.00	$ 40,000.00
A3120.4	CONTRACTUAL	$ 31,000.00	$ 31,000.00	$ 46,500.00	$ 28,000.00	$ 28,000.00
	TOTAL	$ 668,838.00	$ 624,838.00	$ 728,553.00	$ 716,252.00	$ 716,252.00
BUNY						
A3310.1	PERSONAL SERVICES	$ 1,000.00	$ 1,000.00	$ 1,000.00	$ 1,000.00	$ 1,000.00
A3310.2	EQUIPMENT	$ 500.00	$ 500.00	$ 500.00	$ 500.00	$ 500.00
		$ 1,500.00	$ 1,500.00	$ 1,500.00	$ 1,500.00	$ 1,500.00
STEP						
A3311.1	PERSONAL SERVICES	$ 3,000.00	$ 3,000.00	$ 3,000.00	$ 3,000.00	$ 3,000.00
A3311.2	EQUIPMENT	$ 500.00	$ 500.00	$ 500.00	$ 500.00	$ 500.00
		$ 3,500.00	$ 3,500.00	$ 3,500.00	$ 3,500.00	$ 3,500.00
TRAFFIC SAFETY DETAIL						
A3315.1	PERSONAL SERVICES	$ 3,000.00	$ 3,000.00	$ 3,000.00	$ 3,000.00	$ 3,000.00
A3315.2	EQUIPMENT	$ 2,000.00	$ 2,000.00	$ 2,000.00	$ 2,000.00	$ 2,000.00
	TOTAL	$ 5,000.00	$ 5,000.00	$ 5,000.00	$ 5,000.00	$ 5,000.00

TOWN OF COEYMANS
2011 ADOPTED BUDGET

		2010 ADOPTED BUDGET	2010 MODIFIED BUDGET	2011 TENTATIVE BUDGET	2011 PRELIMINARY BUDGET	2011 ADOPTED BUDGET
DOG CONTROL						
A3510.1	PERSONAL SERVICES	$ 2,000.00	$ 2,000.00	$ 5,000.00	$ 3,000.00	$ 3,000.00
A3510.4	CONTRACTUAL	$ 2,000.00	$ 2,000.00	$ 3,000.00	$ 1,850.00	$ 1,850.00
	TOTAL	$ 4,000.00	$ 4,000.00	$ 8,000.00	$ 4,850.00	$ 4,850.00
CIVIL DEFENSE						
A3640.1	PERSONAL SERVICES	$ 1,500.00	$ 1,500.00	$ 1,500.00	$ 1,500.00	$ 1,500.00
A3640.4	CONTRACTUAL	$ 500.00	$ 500.00	$ 3,000.00	$ 500.00	$ 500.00
	TOTAL	$ 2,000.00	$ 2,000.00	$ 4,500.00	$ 2,000.00	$ 2,000.00
OTHER HEALTH						
A4540.4	CONTRACTUAL--Ambulance	$ 71,000.00	$ 71,000.00	$ 91,000.00	$ 81,000.00	$ 81,000.00
A4589.4	CONTRACTUAL--Paramedic	$ 187,135.00	$ 187,135.00	$ 187,135.00	$ 187,135.00	$ 187,135.00
	TOTAL	$ 258,135.00	$ 258,135.00	$ 278,135.00	$ 268,135.00	$ 268,135.00
HIGHWAY ADMINISTRATIVE						
A5010.1	PERSONAL SERVICES	$ 105,985.00	$ 105,985.00	$ 112,585.00	$ 105,985.00	$ 105,985.00
A5010.4	CONTRACTUAL	$ 1,000.00	$ 1,000.00	$ 1,000.00	$ 1,000.00	$ 1,000.00
	TOTAL	$ 106,985.00	$ 106,985.00	$ 113,585.00	$ 106,985.00	$ 106,985.00
HIGHWAY GARAGE						
A5132.2	EQUIPMENT	$ 10,000.00	$ -	$ -		$ -
A5132.4	CONTRACTUAL	$ 40,000.00	$ 40,000.00	$ 45,000.00	$ 40,000.00	$ 40,000.00
	TOTAL	$ 50,000.00	$ 40,000.00	$ 45,000.00	$ 40,000.00	$ 40,000.00
PUBLICITY						
A6410.4	CONTRACTUAL	$ 1,500.00	$ 1,500.00	$ 1,500.00	$ 1,000.00	$ 1,000.00
	TOTAL	$ 1,500.00	$ 1,500.00	$ 1,500.00	$ 1,000.00	$ 1,000.00

TOWN OF COEYMANS
2011 ADOPTED BUDGET

		2010 ADOPTED BUDGET	2010 MODIFIED BUDGET	2011 TENTATIVE BUDGET	2011 PRELIMINARY BUDGET	2011 ADOPTED BUDGET
VETERANS						
A6510.4	CONTRACTUAL	$ 2,000.00	$ 2,000.00	$ 2,000.00	$ 2,000.00	$ 2,000.00
	TOTAL	$ 2,000.00	$ 2,000.00	$ 2,000.00	$ 2,000.00	$ 2,000.00
PARKS						
A7110.1	PERSONAL SERVICES	$ -	$ -	$ -	$ -	$ -
A7110.4	CONTRACTUAL	$ 10,000.00	$ 33,500.00	$ 10,000.00	$ 10,000.00	$ 10,000.00
	TOTAL	$ 10,000.00	$ 33,500.00	$ 10,000.00	$ 10,000.00	$ 10,000.00
BAND CONCERTS						
A7270.4	CONTRACTUAL	$ 5,000.00	$ 5,000.00	$ 5,000.00	$ 5,000.00	$ 5,000.00
	TOTAL	$ 5,000.00	$ 5,000.00	$ 5,000.00	$ 5,000.00	$ 5,000.00
YOUTH SERVICE						
A7310.1	PERSONAL SERVICES	$ 10,000.00	$ 10,000.00	$ 10,000.00	$ 10,000.00	$ 10,000.00
A7310.4	CONTRACTUAL	$ 1,000.00	$ 1,000.00	$ 1,000.00	$ 1,000.00	$ 1,000.00
	TOTAL	$ 11,000.00	$ 11,000.00	$ 11,000.00	$ 11,000.00	$ 11,000.00
HISTORIAN						
A7510.1	PERSONAL SERVICES	$ 650.00	$ 650.00	$ 650.00	$ 650.00	$ 650.00
A7520.2	EQUIPMENT		$ 384.00			
A7510.4	CONTRACTUAL	$ 500.00	$ 500.00	$ 500.00	$ 500.00	$ 500.00
	TOTAL	$ 1,150.00	$ 1,534.00	$ 1,150.00	$ 1,150.00	$ 1,150.00
CELEBRATIONS						
A7550.4	CONTRACTUAL	$ 1,500.00	$ 1,500.00	$ 1,000.00		$ -
	TOTAL	$ 1,500.00	$ 1,500.00	$ 1,000.00	$ -	$ -

TOWN OF COEYMANS
2011 ADOPTED BUDGET

		2010 ADOPTED BUDGET	2010 MODIFIED BUDGET	2011 TENTATIVE BUDGET	2011 PRELIMINARY BUDGET	2011 ADOPTED BUDGET
ADULT SERVICES						
A7620.4	CONTRACTUAL	$ 7,000.00	$ 7,000.00	$ 7,000.00	$ 7,000.00	$ 7,000.00
	TOTAL	$ 7,000.00	$ 7,000.00	$ 7,000.00	$ 7,000.00	$ 7,000.00
OTHER CULTURE & RECREATION						
A7997.2	EQUIPMENT		$ 200.00			
A7989.4	CONTRACTUAL	$ 4,000.00	$ 4,000.00	$ 3,500.00	$ 3,000.00	$ 3,000.00
	TOTAL	$ 4,000.00	$ 4,200.00	$ 3,500.00	$ 3,000.00	$ 3,000.00
LEACHATE FACILITY						
A8090.1	PERSONAL SERVICES			$ 10,000.00	$ 5,000.00	$ 5,000.00
A8090.2	EQUIPMENT					
A8090.4	CONTRACTUAL			$ 10,000.00	$ 5,000.00	$ 5,000.00
	TOTAL			$ 20,000.00	$ 10,000.00	$ 10,000.00
REFUSE AND GARBAGE						
A8160.1	PERSONAL SERVICES	$ -	$ -	$ -	$ -	$ -
A8160.4	CONTRACTUAL	$ 8,000.00	$ 8,000.00	$ -	$ -	$ -
	TOTAL	$ 8,000.00	$ 8,000.00	$ -	$ -	$ -
COMMUNITY BEAUTIFICATION						
A8510.1	PERSONAL SERVICES	$ 194,341.00	$ 194,341.00	$ 184,872.00	$ 184,530.00	$ 184,530.00
A8510.2	EQUIPMENT & CAP	$ 2,069.00	$ 800.00	$ -	$ 4,045.00	$ 4,045.00
A8510.4	CONTRACTUAL	$ 12,684.00	$ 12,684.00	$ 14,500.00	$ 14,432.00	$ 14,432.00
	TOTAL	$ 209,094.00	$ 207,825.00	$ 199,372.00	$ 203,007.00	$ 203,007.00
CEMETERIES						
A8810.1	PERSONAL SERVICES	$ 2,600.00	$ 2,600.00	$ 2,600.00	$ 2,600.00	$ 2,600.00
A8810.4	CONTRACTUAL	$ 4,000.00	$ 4,000.00	$ 4,000.00	$ 4,000.00	$ 4,000.00
	TOTAL	$ 6,600.00	$ 6,600.00	$ 6,600.00	$ 6,600.00	$ 6,600.00

TOWN OF COEYMANS
2011 ADOPTED BUDGET

		2010 ADOPTED BUDGET	2010 MODIFIED BUDGET	2011 TENTATIVE BUDGET	2011 PRELIMINARY BUDGET	2011 ADOPTED BUDGET
EMPLOYEE BENEFITS						
A9010.8	RETIREMENT	$ 148,530.00	$ 148,530.00	$ 202,537.00	$ 202,537.00	$ 202,537.00
A9030.8	SOCIAL SECURITY	$ 119,654.00	$ 119,654.00	$ 140,684.65	$ 126,009.00	$ 126,009.00
A9040.8	WORKERS COMP	$ 15,472.00	$ 15,472.00	$ 16,183.00	$ 18,897.00	$ 18,897.00
A9045.8	LIFE INSURANCE	$ 3,145.00	$ 3,145.00	$ 1,864.00	$ 2,707.00	$ 2,707.00
A9050.8	UNEMPLOYMENT INS	$ 4,800.00	$ 4,800.00	$ 4,000.00	$ 4,000.00	$ 4,000.00
A9055.8	DISABILITY	$ 7,000.00	$ 7,000.00	$ 6,000.00	$ 7,434.00	$ 7,434.00
A9060.8	HEALTH INSURANCE	$ 232,255.00	$ 232,255.00	$ 207,595.00	$ 231,444.00	$ 231,444.00
A9070.8	DENTAL INSURANCE	$ 22,666.00	$ 22,666.00	$ 17,564.00	$ 20,910.00	$ 20,910.00
A9089.8	OTHER EMPLOYEE BENEFITS	$ 19,232.00	$ 19,232.00	$ -	$ 62,892.00	$ 62,892.00
	TOTAL	$ 572,754.00	$ 572,754.00	$ 596,427.65	$ 676,830.00	$ 676,830.00
DEBT						
A9710.6	SERIAL BONDS	$ -	$ -	$ -	$ -	$ -
A9710.7	SERIAL BONDS, INTEREST	$ -	$ -	$ -	$ -	$ -
A9730.6	B.A.N.S	$ -	$ -	$ -	$ -	$ -
A9730.7	BANS INTEREST	$ -	$ -	$ -	$ -	$ -
	TOTAL	$ -	$ -	$ -	$ -	$ -
Total (A) Fund Appropriations		**$ 3,082,611.00**	**$ 3,062,351.58**	**$ 3,247,257.65**	**$ 3,148,654.00**	**$ 3,148,654.00**

TOWN OF COEYMANS
2011 ADOPTED BUDGET

		2010 ADOPTED BUDGET	2010 MODIFIED BUDGET	2011 TENTATIVE BUDGET	2011 PRELIMINARY BUDGET	2011 ADOPTED BUDGET
GENERAL (A) REVENUES						
	REVENUES					
A0511	Appropriated Reserves				$ 20,000.00	**$ 20,000.00**
A0909	Fund Balance	$ 85,434.00	$ 86,018.00	$ 100,000.00	$ -	$ -
A1001	Money to be Raised by Real Property Taxes	$ 1,740,400.00	$ 1,740,400.00	$ 1,743,187.65	$ 1,788,232.00	$ 1,788,232.00
	LOCAL					
A1081	Civil Housing P.I.L.O.T.	$ 1,600.00	$ 1,600.00	$ -	$ 2,300.00	$ 2,300.00
A1090	Penalties	$ 6,200.00	$ 6,200.00	$ 6,200.00	$ 5,500.00	$ 5,500.00
A1170	Franchise Fees	$ 12,500.00	$ 12,500.00	$ -	$ -	$ -
A1255	Town Clerk Fees	$ 5,000.00	$ 5,000.00	$ 20,570.00	$ 6,012.00	$ 6,012.00
A1520	Police Fees-Subpoenas	$ 100.00	$ 100.00	$ 500.00	$ 100.00	$ 100.00
A1589	TSD (Albany County)	$ 5,000.00	$ 5,000.00	$ 7,000.00	$ 7,000.00	$ 7,000.00
A1689	Ambulance ALS Reimbursement	$ 12,000.00	$ 12,000.00	$ 12,000.00	$ 25,985.00	$ 25,985.00
A2190	Sale of Cemetery Lots	$ 6,000.00	$ 6,000.00	$ 2,500.00	$ 3,000.00	$ 3,000.00
A2192	Charges for Cemetery Services	$ 9,000.00	$ 9,000.00	$ 500.00	$ 5,000.00	$ 5,000.00
A2401	Interest	$ 15,000.00	$ 15,000.00	$ 10,000.00	$ 5,000.00	$ 5,000.00
A2530	Games of Chance	$ 100.00	$ 100.00	$ 100.00	$ 40.00	$ 40.00
A2540	Bingo	$ 800.00	$ 800.00	$ 1,200.00	$ 1,100.00	$ 1,100.00
A2544	Dog License	$ 2,000.00	$ 2,000.00	$ 2,000.00	$ 1,800.00	$ 1,800.00
A2610	Justice Court Fund	$ 200,000.00	$ 200,000.00	$ 200,000.00	$ 200,000.00	$ 200,000.00
A2701	Police Forfeiture	$ 200.00	$ 200.00	$ 300.00	$ -	$ -
A2770	Employee Health Contribution	$ 48,077.00	$ 48,077.00	$ 11,000.00	$ 51,231.00	$ 51,231.00
A2771	E-Z Docks		$ 11,750.00			
	STATE AID					
A3005	Mortgage Tax	$ 120,000.00	$ 120,000.00	$ 25,000.00	$ 40,958.00	$ 40,958.00
A3021	JCAP Grant		$ 23,725.58			
A3040	State Aid-Real Property Tax Admin.	$ -	$ -	$ -	$ -	$ -
A3389	Law Enforcement Vests	$ 3,000.00	$ 3,000.00	$ 3,000.00	$ 3,000.00	$ 3,000.00
A3390	BUNY	$ 1,500.00	$ 1,500.00	$ 1,500.00	$ 1,500.00	$ 1,500.00
A3391	STEP	$ 3,500.00	$ 3,500.00	$ 3,500.00	$ 3,500.00	$ 3,500.00
A3820	Youth Program State Aid	$ 2,200.00	$ 2,200.00	$ 2,200.00	$ 2,200.00	$ 2,200.00
A3897	Culture and Recreation		$ 11,750.00			
	FEDERAL AID					
A4389	Law Enforcement Vests	$ 3,000.00	$ 3,000.00	$ 3,000.00	$ 3,000.00	$ 3,000.00

TOWN OF COEYMANS
2011 ADOPTED BUDGET

		2010 ADOPTED BUDGET	2010 MODIFIED BUDGET	2011 TENTATIVE BUDGET	2011 PRELIMINARY BUDGET	2011 ADOPTED BUDGET
	TRANSFER FROM OTHER FUNDS					
A5031	Transfer in from B Fund	$ 800,000.00	$ 731,931.00	$ 1,092,000.00	$ 962,196.00	$ 962,196.00
	INTERFUND TRANSFER					
	Cemetery Funds				$ 10,000.00	$ 10,000.00
TOTAL	**GENERAL FUND REVENUES**	**$ 3,082,611.00**	**$ 3,062,351.58**	**$ 3,247,257.65**	**$ 3,148,654.00**	**$ 3,148,654.00**

A Public Hearing was held Monday, November 22, 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
Dave Wukitsch, Attorney for the Town
Albert Deering, Highway Superintendent
Greg Darlington, Chief of Police

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

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AGENDA

- Receive Comments from the public on Proposed Local Law #4-2010

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OPENING COMMENT

Supervisor Youmans stated that the Public Hearing is for Proposed Local Law #4-10 for the Town of Coeymans and added that some background would be that as of January 1, 2011, New York State Department of Agriculture and Markets will no longer be involved with dog licensing as they have been historically and therefore it falls on the Town Clerk's Office to handle all issues related to dog licensing. He continued by saying that they did not have the statutory authority to do so previously and the new law will give Town Clerk Millious and the Town Clerk's Office that right and responsibility. He then asked that Town Clerk Millious read the Notice of Public Hearing and Proposed Local Law #4-10.

NOTICE OF PUBLIC HEARING
ON PROPOSED LOCAL LAW #4 OF 2010

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

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Coeymans will hold a Public Hearing on November 22, 2010 beginning at 6:30pm, at Coeymans Town Hall, 18 Russell Avenue, Ravena, NY, concerning Proposed Local Law #4 of 2010 as follows:

PLEASE TAKE FURTHER NOTICE that all interested parties will he heard at this time and place.

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.

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

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PUBLIC COMMENT

Supervisor Youmans invited the public to comment at this time, hearing none he asked that the sound be taken down and added that he would leave the Public Hearing open for approximately 12 minutes in case anyone wished to comment.

Supervisor Youmans stated that no one was interested in commenting on Proposed Local Law #4-2010 and then moved that they close the Public Hearing.

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ADJOURNMENT

MOTION

On motion of Supervisor Youmans, seconded by Councilman Touchette, the Public Hearing was adjourned.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time: 6:50

***Respectfully Submitted*,** **APPROVED:**

_____
Diane L. Millious, Town Clerk

November 22, 2010 – TOWN BOARD MEETING – 7:00PM

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

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

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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.

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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.

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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.

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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

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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.

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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

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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.

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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

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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 is 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**

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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

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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

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

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

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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

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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 Ravena 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 $105.00 in two equal payments and added that it was consistently over $400.00 for the last 7-8 years.

Mr. Moore inquired as to how they came up with the $375.00, which is $187.50 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 Ravena.

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 brining business to Ravena 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.

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ADJOURNMENT

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, the Public Hearing was adjourned.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time – 6:48pm

Respectfully Submitted, APPROVED:

_____
Diane L. Millious, Town Clerk

A Town Board Meeting was held Monday, December 13, 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
Albert Deering, Highway Superintendent (arrived late)

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

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OPENING COMMENT

Supervisor Youmans stated that the record should reflect the presence of a full Town Board in addition to Town Clerk Millious.

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AGENDA

- Public Announcements
  - Snow Emergency Procedures
  - Town Offices Closed, December 24, 2010
- Public Comment
- Presentations
  - Onesquethaw-Coeymans Watershed Management Plan
- Approval of Minutes
  - Special Town Board Meeting, November 18, 2010
  - Public Hearing, November 22, 2010
  - Town Board Meeting, November 22, 2010
- Old Business
  - Tree Lighting Ceremony
- New Business
  - Resignation of Part-Time Building Inspector
  - Resignation of Zoning
  - Request for Sewer Treatment Plant Operator to Attend NYRWA Training
- Resolutions
  - Amend October 2010 Abstract
  - Approve Budget Amendment, General Fund
  - Approve Budget Amendment, Storm Sewer Repair
  - Approve Transfer of Funds
- Correspondence
  - Albany County Legislature
- Town Board Workshops / Meetings
  - Town Board Workshop, December 21, 2010, 6:00pm
  - Town Board Meeting, December 27, 2010, 7:00pm
  - Town Board Organizational Meeting, January 1, 2011, 10:30am

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PUBLIC ANNOUNCEMENT

Snow Emergency

Supervisor Youmans stated that he wanted to remind the public that snow emergency procedures will go into effect whenever snowfall accumulates in excess of 3 inches and there will be no vehicle parking, stopping or standing on any Town of Coeymans street or highway and added that violators will have their vehicle towed.

Town Offices Closed December 24, 2010

Supervisor Youmans stated that on Friday, December 24, 2010, all Town offices will be closed in observance of the Christmas Holiday with the exception of the Police Department which is a 24-7 day operation.

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PUBLIC COMMENT

Supervisor Youmans invited the public to comment at this time, hearing none he moved to the next item on the agenda.

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PRESENTATION

Onesquethaw-Coeymans Creek Watershed Management Plan

Supervisor Youmans stated that representatives were present from the Onesquethaw-Coeymans Creek Watershed and continued by asking that Councilman Touchette give some background on it.

Councilman Touchette stated that approximately a year ago Mr. Roy Lambertson came to the Town Board and told them about the plans for the Watershed Management Plan and asked if the Town of Coeymans wanted to participate. He continued by saying that the Town Board appointed Mark Haffensteiner and Joe Kapusta to be members of that working group and added that the Board would like to thank them for their service to the Town with the Management Plan, which has now been completed. He went on by asking that Mr. Lambertson give the Town Board a brief overview of what the Plan calls for.

Supervisor Youmans asked that he go to the microphone.

Mr. Lambertson stated that in 2006 the Onesquethaw-Coeymans Watershed Council received a grant from the Hudson River Estuary Program to develop a Watershed Management Plan and over the next couple of years a very thorough study of the Watershed was done, with water quality being the primary objective. He continued by saying that the Plan was completed in May 2008 and is 160 pages and it is a total study accumulation of all the data that they could find going back to 1934 about the creek. He added that using that as a base they attempted to get representatives from the five municipalities of which four participated and the Town of Coeymans was represented by Mr. Hafensteiner and Mr. Kapusta. He went on by saying that after a year of reviewing the watershed steady and examples of Management Plans, which also included the involvement of some of the large industries in Bethlehem, Lafarge, CSX and Cogen Selkirk, they developed a 14 page Watershed Management Plan, which essentially focuses on the water quality of the Onesquethaw Creek down through Bethlehem and it then changes its name as it goes into the Town of Coeymans. He added that they characterized the stream and analyzed threats to the stream and identified valuable resources within the stream and there are areas where it would be excellent for recreation and public access. He continued by saying that it is all in the report and they are now going to each town as well as the industries and asking that they review the document and give them recommendations and comments and as a group they will see what they can do to protect the stream and possibly improve it in certain areas. He added that is a wild trout fishery and there is a lot of wildlife along it and the Town of Coeymans lines up with the results of everything that goes on upstream and they are talking in some of the towns about public fishing rights and recreational opportunities that they may have. He reiterated that they want to keep the quality of the creek and improve it and went on by

saying that there are threats to it that are specifically identified, which they are working on right now and concluded by saying that they just got a grant to monitor the upper Coeymans Creek where it comes out of the rail yard but it requires low water and they are not getting any right now.

Supervisor Youmans asked that Councilman Touchette bring them up to speed as far as what the next steps are with the Management Plan.

Councilman Touchette stated that he would propose that they accept the Management Plan for review and forward it to the Planning Board for their comments and recommendations and in turn come back to the Board after they have had time to carefully study it and let the Town Board know what their recommendations for the Town are.

Supervisor Youmans asked if it was a motion.

Supervisor Touchette stated that he so moved the motion.

MOTION

On motion of Councilman Touchette, seconded by Councilman Dolan, to accept the Management Plan for review by the Town Board and Planning Board.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Supervisor Youmans stated that they will forward it to the Planning Board as well as the Town Board to study it and added that he wanted to thank Mr. Hafensteiner, Mr. Kapusta and everyone involved for the time that they put in and the work that they did. He concluded by saying that he thinks it is an important piece of work and then thanked Mr. Lambertson.

Councilman Touchette asked Mr. Hafensteiner and Mr. Kapusta if they had anything that they wanted to add.

Mr. Kapusta stated that he is on the Planning Board and it will be good that he can pass on what they discussed in the Onesquethaw Creek Watershed Meetings and in turn see what they recommend.

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APPROVAL OF MINUTES

Supervisor Youmans stated that there were three sets of minutes for Town Board approval, a Special Town Board Meeting on November 18th, a Public Hearing on November 22nd, and a Town Board Meeting on November 22nd and continued by asking for a motion to accept them.

MOTION

On motion of Councilwoman Rogers, seconded by Supervisor Youmans, the minutes were approved as presented and read.
VOTE – AYES 5 – NAYS 0 – SO MOVED

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OLD BUSINESS

Tree Lighting Ceremony

Supervisor Youmans stated that the Annual Tree Lighting Ceremony for the Town Christmas Tree at the gazebo at Coeymans Landing Park took place on December 3rd and added that prior to the lighting the tree, members of the Riverview Baptist Church sang while the parade participants gathered and children anticipated the visit by Santa Claus.

He added that he wanted to thank the Reverends Roxanne & Antonio Booth and Kimberly Hope for their fine performance and enthusiasm in leading those assembled in song as well as the Historical Coeymans Landing Neighborhood Association who dispensed hot chocolate and cookies to everyone. He continued by expressing his appreciation to Eck Farms for their donation of the beautiful Douglas Fir tree and to Nelson Perry and the Parks crew for the job that they did decorating the tree and gazebo which will be lit throughout the holiday season. He concluded by saying that he would be remiss if he didn't thank Santa Clause and his wife Mrs. Clause for their participation as well and went on by saying that it was a wonderful time.

Councilman Boehm interjected that he also wanted to thank Vanessa Hoyt from the Village Office who did a lot of work for it and added that during the parade he got a chance to walk with the Mayor.

Supervisor Youmans thanked Councilman Boehm for mentioning it and added that Vanessa and the Village crew did put a lot of work in it and reiterated that it was a nice time and a chance for Ravena and Coeymans to walk together as a group. He concluded by saying that he also wanted to thank everyone who came out and supported the event.

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NEW BUSINESS

Resignation of Part-Time Building Inspector

Supervisor Youmans stated that he was in receipt of a resignation from Code Enforcement Officer John Cashin and continued by reading the following:

Coeymans Town Board,

I would like to inform you that I am resigning from my position as Code Enforcement Officer for the Town of Coeymans, effective December 17, 2010.

Thank you for the opportunities for the professional and personal development that you have provided me during the past five years. I have enjoyed working for the Town and appreciate the support provided me during my tenure with the Town.

If I can be of any help during this transition, please let me know.

Sincerely,

John Cashin

Supervisor Youmans continued by offering a motion to accept the resignation.

MOTION

On motion of Supervisor Youmans, seconded by Councilman Boehm, accepting the resignation of John Cashin.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Councilman Boehm stated that he wanted to thank John for his five years of service and added that he has been a valuable asset to the Building Department and he will be missed.

Supervisor Youmans stated that he would echo that and added not only had he been an asset to the Building Department and a professional gentlemen but also a very nice guy and he will be missed around Town Hall.

Resignation of Zoning Board of Appeals Member

Supervisor Youmans stated that he has a letter from Wayne Flach who is resigning from the Zoning Board of Appeals and continued by reading the following:

Dear Mr. Youmans,

Due to personal obligations, it is with regret that I tender my resignation from the Town of Coeymans Zoning Board upon the term renewal.

I am grateful for having the opportunity to serve the community on the Board and I offer my best wishes for its continued success.

Sincerely,

Wayne S. Flach

Supervisor Youmans continued by offering a motion to accept the resignation.

MOTION

On motion of Supervisor Youmans, seconded by Councilman Touchette, accepting the resignation of Wayne Flach.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Councilman Touchette stated that he wanted to thank him for his many years of service.

Supervisor Youmans stated that he is a very nice guy who will be missed in Town government.

Request for WWTP Operator to Attend Training

Supervisor Youmans stated that he was in receipt of a request from Sewer Plant Operator John Lennon requesting authorization to attend a training seminar for laboratory work, which is scheduled for January 26th in Ghent, NY with a cost of $75.00. He continued by saying that the letter states that the seminar will help him get a better control of the plant. He went on by saying that he spoke with Chief Operator Breedlove earlier in the day and he indicated that the class is full and Mr. Lennon is on a waiting list because there are no empty seats and continued by offering a motion authorizing him to attend the seminar.

MOTION

On motion of Supervisor Youmans, seconded by Councilman Boehm, authorizing Mr. Lennon to attend the training at a cost of $75.00 as well as to take a Sewer Plant vehicle or reimburse him for his mileage if one is not available.
VOTE – AYES 5 – NAYS 0 – SO MOVED

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RESOLUTIONS

RES. #104-10 AMEND OCTOBER 2010 ABSTRACT
On motion of Councilman Touchette, seconded by Councilman Dolan, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby amend the October 2010 Abstract as follows and indicated in red.

FUND	VOUCHER #	AMOUNT
GENERAL (A)		
General Pre-Pay	1888-1896	$ 172,936.46
General	1926-1984	$ 18,861.70
	General Total	**$ 191,798.16**

PART-TOWN (B)		
Part-Town Pre-Pay	1897-1904	$ 212,554.03
Part-Town	1985-1987	$ 601.00
	Part Town Total	**$ 213,155.03**
HIGHWAY (D)		
Highway Pre-Pay	1905-1911	$ 39,336.58
Highway	1988-2033	$ 12,420.31
	Highway Total	**$ 51,786.89**
SEWER (SS)		
Sewer Pre-Pay	1912-1918	$ 17,147.27
Sewer	**2034-2051,2053-2054**	**$ 10,267.60**
	Sewer Total	**$ 27,414.87**
	Total for all Funds	**$ 484,154.95**
TRUST & AGENCY (TA)		
Trust & Agency Pre-Pay	1919-1925	$250,270.20
	Trust & Agcy. Total	**$ 250,270.20**

RES. #105-10 APPROVE BUDGET AMENDMENT – GENERAL FUND
On motion of Councilman Boehm, seconded by Councilwoman Rogers, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the Town of Coeymans has adopted the 2010 budget, and

WHEREAS, the Town of Coeymans included line item A1989.4, Other General Government Support in the General Fund, and

WHEREAS, line item A1989.4, Other General Government Support should have been placed in the General Fund Part Town (B) Account,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby authorize the following amendment to the 2010 Adopted Budget as follows:

Decrease Line Item A1989.4	$7,500.00
Decrease Line Item A5031	$7,500.00
Decrease Line Item B9901	$7,500.00
Increase Line Item B1989.4	$7,500.00

RES. #106-10 APPROVE BUDGET AMENDMENT – STORM SEWER REPAIR, COLVIN & WESTERLO
On motion of Councilwoman Rogers, seconded by Supervisor Youmans, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the Town of Coeymans passed a budget amendment on March 22, 2010, authorizing the expenditure of $16,000.00 for the purchase of materials for the repair of a storm sewer in the vicinity of Colvin Avenue and Westerlo Street, and

WHEREAS, the storm sewer work has now been completed, and

WHEREAS, the total expenditures for the purchase of materials for the repair of the storm sewer now totals $23,423.98.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans authorizes that an additional budget amendment be made of the following accounts.

RES. #107-10 APPROVE 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:

Amount	From Account	To Account
GENERAL FUND (A)		
$15,242.50	A1620.1 Town Hall (Personal Services)	A1620.4 Town Hall (Contractual)
$ 2,869.30	A1990.4 Contingency (Contractual)	A1620.4 Town Hall (Contractual)
$ 9,479.44	A1990.4 Contingency (Contractual)	A1650.4 Central Comm. (Contractual)
$10,196.00	A1990.4 Contingency (Contractual)	A1930.4 Judgments (Contractual)
$ 1,872.24	A7270.4 Band Concerts (Contractual)	A3510.1 Dog Control (Personal Services)
$ 9,094.03	A1990.4 Contingency (Contractual)	A7110.4 Parks (Contractual)
$ 2,313.46	A1990.4 Contingency (Contractual)	A8510.4 Refuse & Beaut. (Contractual)
$ 8,299.82	A1990.4 Contingency (Contractual)	A8510.4 Community Beau. (Contractual)
$ 1,380.28	A1990.4 Contingency (Contractual)	A8810.4 Cemeteries (Cemeteries)
$ 275.32	A7270.4 Band Concerts (Contractual)	A9040.8 Employee Benefits (Off Street Parking)
$ 3,698.71	A1990.4 Contingency (Contractual)	A5650.4 Off Street Parking (Contractual)
$ 250.00	A1990.4 Contingency (Contractual)	A3410.4 Fire Protection (Contractual)
HIGHWAY FUND (DB)		
$ 309.94	DB9089.8 Employee Benefits (Other Employee Benefits)	DB9060.8 Employee Ben. (Health Insurance)

CORRESPONDENCE

Albany County Legislature

Supervisor Youmans stated that he was in receipt of a letter from the Albany County Legislature and continued by reading the following:

Dear Supervisor Youmans,

I am pleased to inform you that the Albany County Legislature has submitted a grant application to the New York State Secretary of State for a new project titled "Albany County Alliance for Economic Development (Coordinated Economic Development Program".

The purpose of this program will be to provide countywide economic development services to all municipalities. Services will include business development, grant administration, site development, administrative support for industrial development agencies and serving as an ombudsman for business to local government leaders. This project seeks to coordinate and consolidate more than 50 individual economic development interests in Albany County under one entity to serve as the "front door" for economic development in Albany County.

As part of the application process, we are required to submit letters of interest from each municipality in Albany County. I am sure that you understand that the future of the economic health in our county, and in your municipality, depends on our ability to attract business and to utilize the natural resources that we have to improve our tax base.

I would ask that you send a letter of interest to the above address at your earliest convenience so that we can forward it to the Secretary of State for inclusion in our application. All letters should be received no later than December 20, 2010, and should be mailed to the above address.

I thank you for your time and effort in this matter and look forward to working with you in the very near future.

Sincerely,

Daniel P. McCoy
Chairman

Councilman Boehm stated that he would offer a motion.

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, authorizing Supervisor Youmans to draft a letter of interest in support of the Albany County Alliance for Economic Development.
VOTE – AYES 5 – NAYS 0 – SO MOVED

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TOWN BOARD WORKSHOPS / MEETINGS

- Town Board Workshop, December 21, 2010, 6:00pm
- Town Board Meeting, December 27, 2010, 7:00pm
- Town Board Organizational Meeting, January 1, 2010, 10:30am

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ADDITIONAL COMMENTS

Supervisor Youmans asked if there were any additional comments**.**

Councilwoman Rogers wished everyone a safe and Happy Holiday.

Councilman Dolan wished everyone safe, happy and healthy holidays.

Town Clerk Millious stated that she wanted to remind everyone of the new law regarding dog licensing and that licensing will be done through her office and continued by outlining the following: all dogs 4 months and older must be licensed, in order to get a license all dogs must have a current rabies vaccination, fees are $7.00 for spayed/neutered, $15.00 for unaltered, failure to license a dog will result in an additional charge of $5.00 and a reminder notice will be included with the Property Tax Bill. She added that she wanted to make the announcement during the next couple of meetings because it is a change and different from what it is now.

Councilman Youmans stated that to be clear, residents came to her who live in the Town of Coeymans to register their dogs.

Town Clerk Millious stated that it was for renewals that came from the State or an original license and added that the fees have also changed. She continued by saying that it is a change to her sending the renewals and an additional charge of $5.00 if they don't license and reiterated that she just wanted to let the public know.

Supervisor Youmans stated that he also wanted to add that there are some pretty good reasons to have your dog licensed with the best being that in order to get the license tag you need to prove that the dog is current with the rabies vaccination, which would mean if the dog got loose and bit someone, the Dog Control Officer would check the tag and be able to see that it has had its rabies vaccination.

Town Clerk Millious stated that one other change is that new tags will be issued and it will say Town of Coeymans on them where before it said NYS Department of Agriculture and Markets and every renewal beginning January 1st they will be changing from the old tag to a new tag.

Supervisor Youmans stated that it is his understanding that when the Dog Control Officer finds a dog with a license, he has a list of every license number and who belongs to the dog.

Town Clerk Millious interjected that the Town has its own kennel and anyone missing a dog should call Dispatch at the Police Department or her office because the dog no longer goes to a shelter.

Supervisor Youmans reiterated the snow emergency procedure of no parking on Town Roads if there is 3" of snow or more. He then asked for a motion to adjourn the meeting.

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ADJOURNMENT

Supervisor Youmans asked for a motion to adjourn the meeting.

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, the Town Board Meeting was adjourned.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time – 7:30pm

***Respectfully Submitted*,** **APPROVED:**

_____
Diane L. Millious, Town Clerk

MINUTES BOOKTOWN OF COEYMANS**
December 21, 2010 – TOWN BOARD WORKSHOP MEETING – 6:00PM

A Town Board Workshop Meeting was held Tuesday, December 21, 2010, at 6:00pm at Town Hall, 18 Russell Avenue, Ravena, New York

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

ABSENT: Dawn Rogers, Councilwoman

ALSO PRESENT: Diane L. Millious, Town Clerk

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

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AGENDA

- Request to Transfer Property to the Town
- Lifting Moratorium on Housing Choice Voucher Program Placement at Oakbrook Manor
- Association of Towns Property Tax Cap Supporting Resolution
- Speed Limit on Old Ravena Road
- Town Borrowing Policy
- Surplus Vehicles – Police Department
- Zoning Board of Appeals Vacancy
- Ethics Committee
- Town Park Rules

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ADJOURNMENT

Supervisor Youmans asked for a motion to adjourn the meeting.

MOTION
On motion of Councilman Boehm, seconded by Councilman Dolan, the Town Board Workshop was adjourned.

Time – 8:20pm

***Respectfully Submitted*,** **APPROVED**

_____
Diane L. Millious, Town Clerk

December 27, 2010 – TOWN BOARD MEETING – 7:00PM

A Town Board Meeting was held Monday, December 27, 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
Greg Darlington, Chief of Police
David Wukitsch, Attorney for the Town

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

****

OPENING COMMENT

Supervisor Youmans stated that the record should reflect the presence of a full Town Board as well as Town Clerk Millious, Chief of Police Darlington and Attorney for the Town Wukitsch.

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AGENDA

- Public Announcement
  - Town Offices Closed December 31st
- Public Comment
- Supervisor's Report
  - November 2010
- Department Reports
  - Building Department, November
  - Sewer Department, November
  - Town Clerk
- Old Business
  - Property on Rte. 9W
  - Retainer & Fees for Legal Services by Attorney for the Town
  - Pre-registration for Association of Towns 2011 Training School & Annual Meeting
- Resolutions
  - Appoint Planning Board Member
  - Establish Sewer Rates 2011
  - Authorize Inclusion of Dog Licensing Insert with Tax Bill Mailing
  - Opposition of State Mandated Real Property Tax Caps
  - Approve December Abstract
- Town Board Workshops / Meetings
  - Organizational Meeting, January 1, 2011, 10:30am

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PUBLIC ANNOUNCEMENT

Supervisor Youmans stated that on Friday, December 31, 2010, all Town offices will be closed in observance of the New Year Holiday with the exception of the Police Department, which is a 24/7 operation.

PUBLIC COMMENT

Supervisor Youmans invited the public to comment at this time, hearing none he moved to the next item on the agenda.

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SUPERVISOR'S REPORT

November 2010

Supervisor Youmans read the Supervisor's Report as follows:

Fund	Balance Fwd.	Receipts	Disbursements	Balance
General	$584,397.48	$ 47,315.44	$286,023.11	$345,689.81
Part-Town	$213,070.70	$ 26,207.66	$ 18,819.84	$220,458.52
Highway	$ 92,156.97	$ 253.22	$ 46,748.58	$ 45,661.61
Bridge Const.	$314,441.14	$ 75.37	-0-	$314,516.51
Sewer	$255,290.82	$ 28,938.64	$ 63,217.22	$221,012.24
Special Water	$ 75,791.86	$ 7,471.06	$ 83,236.94	$ 25.98
Police Forfeit.	$ 5,071.50	$ 1.36	-0-	$ 5,072.86
Trust & Agcy.	$ 19,306.86	$208,251.01	$209,209.25	$ 18,348.62
Capital Proj.	$ 35,967.77	$ 8.17	-0-	$ 35,975.94
Section 8 HUD	$129,105.05	$ 38,959.15	$ 40,777.31	$127,286.89
			Total Rec. Bal.	**$1,334,048.98**

SAVINGS ACCOUNTS		**COLLATERAL COVERAGE**	**FDIC COV.**	**COLLATERAL**
Unemployment	$ 4,067.99	Bank of Greene	$250,000.00	$1,842,581.14
Grove Cemetery	$40,801.60	National Bank	$250,000.00	$ 158,986.72
Sewer-Dedicated	$ 6,310.95			
Total	$51,180.54			

Supervisor Youmans asked for a motion to approve the report.

MOTION

On motion of Councilman Touchette, seconded by Councilman Boehm, the Supervisor's Report was accepted as presented and read.
APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

****

DEPARTMENT REPORTS

Building Department – November

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

Councilwoman Rogers continued by giving the report.

Supervisor Youmans offered a motion to approve the report.

MOTION

On motion of Supervisor Youmans, seconded by Councilman Boehm, the Building Department Monthly Report was accepted as presented and read.
APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

Sewer Department – November

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

Councilman Touchette continued by giving the report.

Supervisor Youmans offered a motion to approve the report.

MOTION

On motion of Supervisor Youmans, seconded by Councilwoman Rogers, the Sewer Department Report was accepted as presented and read.
APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

Town Clerk – November

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

Town Clerk Millious continued by reading the report.

Supervisor Youmans asked for a motion to approve the report.

MOTION

On motion of Councilwoman Rogers, seconded by Councilman Dolan, the Town Clerk's Report was accepted as presented and read.
APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

****

OLD BUSINESS

Property on Rte. 9W

Supervisor Youmans stated that at the Workshop last week they discussed a letter that was sent to the Town from a person who owns a vacant parcel on Rte. 9W that they were no longer interested in owning and wanted to transfer ownership to the Town. He continued by saying that it was after discussion at the Workshop, it was left that he would discuss it with Attorney for the Town Wukitsch to see if there were any legal reasons why they should not accept the property. He continued by saying that upon their discussion earlier last week, they discussed that because the property lies within the flood plain and abuts the creek that causes all the flooding on Miller Road, he advised that it would not be wise for the Town to take possession of that property because everyone is aware that when there is flooding it looks like a lake and they have to send people in with boats to get people out of there. He went on by saying that if the Town owned that piece of property they could be facing what they dealt with in Joralemon Park with that creek where they could be taken to court to remediate the flooding. He concluded by saying that the Town Board has a copy of the letter that he sent to the individual stating the Town's intention and then asked if there was any discussion.

Attorney for the Town Wukitsch interjected that there really are three reasons why the Town should not be an owner and added that the first reason is that the property would

come off the tax rolls, the second would be that any land owner, whether it is the Town or a private owner, is required to maintain the property in a safe condition for people who may use it including trespassers under New York law and the third reason is what the Supervisor eluded to which is that the property may contain dangerous conditions, whether they be environmental or other. He concluded by saying that unless the Town has a municipal purpose for owning property such as location of a Town building, public park or some other municipal purpose he does not think that it is a good idea for the Town to become a land owner and this is some substance as to the way that he looks at it.

Councilman Boehm stated that they had discussed the Coeymans Creek during the Watershed Council presentation and continued by asking if they should make them aware of it and see if they might be interested in taking it on.

Councilman Touchette stated that there is also the Open Space Institute who might very well be interested.

Attorney for the Town Wukitsch interjected that they might be interested as well as the Nature Conservancy because this is the business that they are in and it is not the business the Town is in.

Supervisor Youmans stated that even for the Town to act as a pass through in that transaction would not be a good idea because in the interim they would be exposed to liability.

Attorney for the Town Wukitsch agreed.

Supervisor Youmans asked if there was any further discussion, hearing none he moved to the next item on the agenda.

Retainer & Legal Fees for Legal Services by Attorney for the Town

Supervisor Youmans stated that he was in receipt of a proposal for retainer fees for legal services for Attorney for the Town Wukitsch for 2011 and continued by reading the following excerpt:

"Payment of a retainer in the amount of $28,000.00 to be disbursed by the Town in equal quarterly payments of $7,000.00 each, upon submission of a voucher and statement."

Councilman Boehm stated that he would offer a motion.

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, to accept the proposal in the amount of $28,000.00 and authorize the Supervisor to sign the agreement. APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

Councilman Boehm interjected that he wanted to thank Attorney for the Town Wukitsch for his previous services and added that they all use his service and he has been very available.

Attorney for the Town Wukitsch stated that it has been fun and he is looking forward to 2011 and getting a lot accomplished.

Supervisor Youmans stated that he does a great job for them.

Albany County Stop DWI Agreement

Supervisor Youmans stated that he has the contract that needs to be signed for the Albany County Stop DWI Program, which amounts to $6,000.00 and continued by saying that it is the standard contract.

Councilman Touchette stated that he would offer a motion.

MOTION

On motion of Councilman Touchette, seconded by Councilwoman Rogers, authorizing the Supervisor to sign the Agreement between the County of Albany and the Town of Coeymans Police Department.
APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

Pre-Registration for Association of Towns 2011 Training & Annual Meeting

Supervisor Youmans stated that the Association of Towns Training School and Annual Meeting for 2011 will take place February 20-23, 2011 and in previous years a motion has been requested of the Board to permit the pre-registration for those that will be attending. He continued by saying that pre-registration saves a few dollars and it is $100.00 per Town Official before January 21st and after that it is $135.00 and then asked for a motion.

MOTION

On motion of Councilman Boehm, seconded by Councilwoman Rogers, authorizing the Supervisor to engage in pre-registration for the Association of Towns Conference.
APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

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RESOLUTIONS

RES. #108-10 APPOINT PLANNING BOARD MEMBER
On motion of Councilman Touchette, seconded by Councilman Dolan, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the term of Cynthia Kunz on the Planning Board expires on December 31, 2010, and

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

WHEREAS, Ms. Kunz has been contacted and has expressed an interest in retaining a seat on the Planning Board.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby appoint Cynthia Kunz to a seven-year term on the Town of Coeymans Planning Board to expire December 31, 2017.

Councilman Boehm stated that he wanted to thank Ms. Kunz for her service and added that he had an opportunity to work with her when he was on the Planning Board and she is very conscientious and has done a great job and he looks forward to working with her in the future.

Supervisor Youmans stated that he would echo Councilman Boehm's comments.

RES. #109-10 ESTABLISH SEWER RATES FOR 2011
On motion of Councilman Boehm, seconded by Councilman Touchette, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the Town Board of the Town of Coeymans is required to establish Sewer Rates for 2011, and

WHEREAS, the Town Board considers the number of uses per parcel to calculate the parcel billing for operation and maintenance and each use is charged:

- $375.00/ per unit * per year - Residential & Commercial – Coeymans Sewer District
- $375.00/ per unit * per year - Martins Hill Gray Water Sewer

- $100.00 per year - Vacant Lot

* One unit is the equivalent of 80,000 gallons of water or fraction thereof.

WHEREAS, the Town Board has established a late payment penalty of 10 (10) percent to be imposed on all balances thirty (30) days from the due date of the billing.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby authorize the Town Clerk to collect the first and second billing cycle of 2011, pursuant to the above established rules.

RES. #110-10 AUTHORIZE INCLUSION OF NOTICE OF DOG LAW CHANGE WITH 2011 PROPERTY TAX BILLS
On motion of Councilwoman Rogers, seconded by Councilman Touchette the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, effective January 1, 2011, the New York State Department of Agriculture and Markets will no longer be licensing dogs and the Town Clerk will now be responsible for doing this, and

WHEREAS, the most cost effective and efficient way to communicate this to the residents of the Town would be to include a Notice with the 2011 Property Tax Bills, and

WHEREAS, Section 1826 of Property Tax Law permits the Town Board to adopt by resolution, by unanimous vote, authorization to enclose a Notice relating to sewer, water rates and rentals, permit and other fees and charges payable to the Town, and

WHEREAS, Attorney for the Town Wukitsch has advised that such Notice is proper and within the law,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby authorize the Town Clerk / Collector, Diane L. Millious to include a Notice of the dog licensing change with the 2011 Property Tax Bill.

Supervisor Youmans stated that he wanted to comment on the following resolution and added that one of Governor Elect Cuomo's campaign platforms was a property tax cap, which on the surface sounds great and if you are a taxpayer it sounds good to you. He continued by saying that he needs to explain that under the proposal it means that no taxing entity would be able to raise property taxes by more than 2% in any given year, which sounds good on the surface but if you are going to place a property tax cap on a municipality, it would be very important that in going forward, the State mandates that are unfunded would have to be lessened. He went on by saying that there are rising costs in health care, pensions, insurance and a lot of other things beyond the Town's control when it comes to what taxes would have to be raised in any given year and as everyone recalls they did raise taxes by 2.8% and 1% of the tax levy is $17,000.00, which sounds like a lot and it's hard to imagine years where things don't go up by more than $30,000.00. He added that sales tax is unpredictable, the mortgage tax is off and many of the revenues are flat to down and it would affect them in a negative way if they can't raise taxes and with no other income coming in it would mean providing fewer services, which he does not think is feasible either and it is going to be a tremendous burden on them as well as the school district with the Board members saying that a very large portion of their budget is State mandates that they have no control over. He concluded by saying that none of them want to pay any more property taxes but this is a short sighted way to go about it and the Board had discussed it and they came up with a resolution. He then asked that Councilman Dolan read the resolution.

RES. #111-10 AUTHORIZE OPPOSITION OF STATE MANDATED REAL PROPERTY TAX CAP
On motion of Councilman Dolan, seconded by Councilman Touchette, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, towns provide services to more than eight million New Yorkers, yet account for less than 15% of the overall Real Property Tax burden, and

WHEREAS, towns are uniquely dependent upon the Real Property Tax to fund town services, more so than counties, cities and villages in that towns do not have the authority to levy sales taxes, occupancy taxes, gross receipt taxes or income taxes, and

WHEREAS, non-property tax revenues (e.g. mortgage recording taxes fell by $164.00 million from 2006-2008, sales taxes declined by $30 million from 2008-2009, and state/federal aid/grant programs decreased by 5%) are subject to market fluctuations and the ability of the federal, state and county governments to share revenue with towns, and

WHEREAS, the costs to provide town services and to fund town operations continue to increase despite declining revenues such as: health care $279,391.92, pension contributions $263,455.00, and transportation/water/wastewater, which will continue to rise.

WHEREAS, many town expenses are dictated by compliance with Federal and State mandates, most notably: storm water management, prevailing wage, procurement requirements, collective bargaining procedures, and the administration of real property exemptions, and

WHEREAS, New York State has primarily provided Real Property Relief through ad hoc property exemptions rather than comprehensive property tax reform, resulting in a tax shift rather than a tax reduction as well as additional administrative and litigation costs, and

WHEREAS, simply capping property taxes will not reduce the cost of health care, mandate compliance, pension contributions or the public's expectation of governmental services, and

WHEREAS, the Town of Coeymans have taken initiative in lowering property taxes through staff and salary reductions and program cuts,

NOW, THEREFORE, BE IT RESOLVED, that based upon Home Rule principles the Town of Coeymans has traditionally opposed state mandated property tax caps, and

BE IT FURTHER RESOLVED, that the Town of Coeymans calls upon the Governor and members of the State Legislature to fund and/or eliminate state mandates, reform the Real Property Tax System and address cost drivers in the provision of local government services/operations before implementing a property tax cap, and

BE IT FURTHER RESOLVED, that in order for a real property tax cap to lower property taxes while ensuring the delivery of essential services, the program must include at a minimum:

- Exemptions for structured costs such as pension contributions, debt service, contract obligations, reductions in State or Federal aid and emergencies and costs associated with unfunded and under-funded mandates;
- Hardship relief on a case by case basis;
- Mandate relief and reform;
- Increase and predictable State revenue sharing and aid formulas;
- Additional locally generated revenue streams;
- A defined floor of 4% with the possibility of an increased cap based upon a percentage of inflation, and
- Local override by super-majority vote of the Town Board.

Councilman Touchette stated that he wanted to reiterate the fact that many of their costs are fixed costs from their point of view such as pension contributions that they have no control over as well as some of the mandates that they have from the State like the Workplace Violence Prevention Program that they have to do. He continued by saying

that it is unrealistic to be held to those without having some sort of remedy in the revenue side as well.

Supervisor Youmans stated that he would agree.

RES. #112-10 APPROVE DECEMBER ABSTRACT
On motion of Councilman Touchette, seconded by Councilman Boehm, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

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

FUND	VOUCHER #	AMOUNT
GENERAL (A)		
General Pre-Pay	2336-2393, 2449, 2572, 2579,2581	$306,236.72
General	2451-2504	$ 34,950.97
	General Total	**$341,187.69**
POLICE FORFEITURE		
Police Forfeiture	2580	$ 500.00
	Police Forfeiture Total	**$ 500.00**
PART-TOWN (B)		
Part-Town Pre-Pay	2394-2406, 2450, 2573	$ 45,030.18
Part-Town	2505-2506	$ 1,512.22
	Part Town Total	**$ 46,542.40**
HIGHWAY (D)		
Highway Pre-Pay	2407-2417, 2574	$ 54,559.06
Highway	2507-2552	$ 12,223.66
	Highway Total	**$ 66,782.72**
SEWER (SS)		
Sewer Pre-Pay	2418-2438, 2575, 2578	$ 22,787.76
Sewer	2553-2568	$ 10,017.77
	Sewer Total	**$ 32,805.53**
CAPITAL PROJ. (H35)		
Cap. Proj. New Sewer	2569-2571	$ 61,816.79
	Capital Proj. Total	**$ 61,816.79**
	Total For All Funds	**$549,635.13**
TRUST & AGENCY (TA)		
Trust & Agency Pre-Pay	2439-2448, 2576-2577	$328,263.48
	Trust & Agcy. Total	**$328,263.48**

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TOWN BOARD WORKSHOPS / MEETINGS

- Organizational Meeting, January 1, 2011, 10:30am

Supervisor Youmans stated that the schedule of Meetings and Workshops for 2011 will be established and adopted at that time.

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ADDITIONAL COMMENTS

Supervisor Youmans asked if there were any additional comments.

Councilman Touchette stated that he wanted to wish everyone a Happy New Year.

Councilman Boehm also wished everyone a Happy New Year and then asked Chief Darlington how the recent Snow Emergency went.

Chief Darlington stated that it went well and added that he just received a report saying that between the Village and the Town they only had to tow four vehicles.

Councilwoman Rogers wished everyone a safe and Happy New Year.

Councilman Dolan stated that he wished to do the same.

Town Clerk Millious stated that she is currently waiting for the tax bills to mail and then wished everyone well.

Attorney for the Town Wukitsch stated that he sent an e-mail relative to the proposed Lease Agreement for the tower on Gedney Hill Road and added that he received a note from J&S saying that if it does not get done by the end of the year, the proposed tenant, AT&T walks and will not do the deal unless the Town Board gives approval for the lease and they will not be meeting again before January 1st. He continued by saying that he reviewed the Agreement and forwarded some modifications that he requested with the three things that he thinks should be changed which are the term and after the initial ten year term the Town should have some way of terminating the Agreement, which is basically a 25-year lease and the tenant wants it that way. He went on by saying that after the first term he wants the Town to be able to get out and if the tenant does not pay the Town can terminate the lease but cannot terminate if they continue to pay and there are other problems such as failure to maintain the property. He added that the other changes are that he does not believe that the Town should be giving environmental indemnities because they don't really know anything about the condition of the property but an Environmental Assessment Report has been requested at this point in time and the Town isn't in a position to render a warranty on the environmental condition of the property and continued by saying that he also requested a change be made in the assignment paragraph to allow the Town to assign the lease to a third party. He concluded by saying that their options are to either take more time to look at the Agreement and the changes that he proposed or give him approval to close the negotiations and offer a motion to approve it subject to the changes that he has requested if they are concerned that AT&T is going to walk.

Supervisor Youmans stated that he would think that it makes perfect sense.

Councilman Boehm inquired as to if he will communicate directly with the Supervisor so that they won't have to have the Town Board convene.

Supervisor Youmans stated that he believes that he is saying that they could move to authorize him to close it as long as those stipulations are agreed to by the other side.

Councilman Boehm stated that his concern is that there might be something in between that and they might not agree to one, some or all of the suggested modifications.

Attorney for the Town Wukitsch stated that it could happen.

Councilman Boehm suggested that they authorize the Supervisor to work directly with Attorney for the Town Wukitsch on the changes.

Attorney for the Town Wukitsch stated that it should also authorize the Supervisor to sign the Agreement subject to any changes that they deem appropriate.

Chief Darlington interjected that he spoke directly with an AT&T representative the same time the day he got the e-mail and there was some misunderstanding with AT&T thinking that the Town of Coeymans was dragging their feet and had an issue with AT&T's contract. He continued by saying that he had got the e-mail earlier in the day and the AT&T representative was going to go to J&S and express his unhappiness with them because he thought that it was the Town that was doing it.

Supervisor Youmans asked Chief Darlington if he indicated a willingness to walk away after the first of the year.

Chief Darlington stated that he does not want to lose it and he is the one that has been working on it and because of budget and fiscal issues, everything is going to be scrutinized after January 1st and he strongly recommends that they get it signed before January 1st when everything starts to get scrutinized. He added that there would be less of a chance of losing it once it is signed.

Supervisor Youmans asked Attorney for the Town Wukitsch if he believes that AT&T will agree to the terms.

Attorney for the Town Wukitsch stated that he is not sure.

Supervisor Youmans asked if there was a motion on the floor authorizing him to sign the contract.

Councilman Boehm stated that he would offer a motion.

MOTION

On motion of Councilman Boehm, seconded by Councilman Dolan, authorizing the Supervisor to sign the Contract on behalf of the Town Board after conferring with Attorney for the Town Wukitsch.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Supervisor Youmans asked if there were any further comments.

Chief Darlington stated that he wanted to announce to those that might not be aware that the new car arrived and the lights are being put on it and it is being striped the following day. He added that they are waiting for a few more items and the car should be in service shortly after January 1st.

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

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ADJOURNMENT

MOTION

On motion of Supervisor Youmans, seconded by Councilwoman Rogers, the Town Board Meeting was adjourned.
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time – 7:40PM

Respectfully Submitted, **APPROVED:**

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Diane L. Millious, Town Clerk