

MINUTES BOOKTOWN OF COEYMANS**
February 25, 2020 – Special Town Board Meeting – 6:00pm

A Special Town Board Meeting was held Tuesday, February 25th, 2020 at 6:00pm at Town Hall, 18 Russell Avenue, Ravena, New York

PRESENT: George D. McHugh, Supervisor
Daniel D. Baker, Councilman
Kenneth C. Burns, Councilman
Zachary S. Collins, Councilman
Brandon L. LeFevre, Councilman

ALSO PRESENT: Cindy L. Rowzee, Town Clerk
Andrew Brick, ZBA Attorney
John Cashin, Code Enforcement Officer

Supervisor McHugh opened the meeting and asked Bill Tryon to lead the Pledge of Allegiance. He then stated that all Board members were present. He stated that this was a continuation of the Public Hearings from January on Local Laws 1 and 2 of 2020. He then asked Town Clerk Rowzee to read the notice of the Special Meeting.

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 Proposed Local Laws 1 of 2020 and 2 of 2020. The Special Meeting will be held at 6:00pm on Tuesday, February 25, 2020 at Town Hall, 18 Russell Avenue, Ravena, New York.

By Order of the Town of
Coeymans Town Board
Cindy L. Rowzee
Town Clerk

Public Comment

Supervisor McHugh briefly went over the purposes of Local Laws 1 and 2 and then asked if there were any additional comments on either law.

Mr. Bill Tryon of Coeymans stood and stated that he feels it is a great idea to streamline government.

As there were no other comments Supervisor McHugh asked Attorney Andrew Brick if we could continue with the SEQRA while leaving the Public Hearing open. Mr. Brick stated that we could,

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with the caveat that if something came up while the Public Hearing remained open they would revisit the SEQRA analysis.

Public Announcements

Albany County Planning Board - Supervisor McHugh stated that he had attended the Albany County Planning Board Meeting that afternoon to hear their comments on proposed Local Laws 1 and 2. They approved both Local Laws on motion. They had stated that by abolishing the Planning Board there was nothing illegal and it was not improper to do so. They did recommend that the Town and Village combine their Zoning/Planning Boards and will put that in their recommendation that they send to the Town. Supervisor McHugh stated that they had passed everything and there was nothing to stop the Town from moving forward with either of these local laws.

SEQRA

Mr. Brick stated that with these local laws it would be very difficult to find anything that would have an impact on the environment. He stated that Local Law 1 was changing the administrative structure and Local Law 2 was allowing for the creation of escrow accounts.

Mr. Brick then went over the SEQRA review, question by question with the Town Board. The Town Board was in agreement that the answer was no for all questions for both Local Laws 1 & 2.

Supervisor McHugh then asked if there were any other comments. Hearing none he asked for a motion of negative declaration on Local Law 1.

Motion of Negative Declaration of Environmental Impact on Local Law 1 of 2020

Councilman Baker made a motion for a negative declaration of environmental impact of Local Law 1 of 2020, seconded by Councilman Collins.

APPROVED – VOTE – AYES 5 – NAYS 0 – ABSENT – SO MOVED

Supervisor McHugh then asked for a Motion for Local Law 2.

Motion of Negative Declaration of Environmental Impact on Local Law 2 of 2020

Councilman Baker made a motion for a negative declaration of environmental impact of Local Law 2 of 2020, seconded by Councilman Burns.

APPROVED – VOTE – AYES 5 – NAYS 0 – ABSENT – SO MOVED

At this point Supervisor McHugh opened the floor again for any last comments.

Mr. Peter Masti of Coeymans stood and thanked the Town Board for doing what they said they were going to do.

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Hearing no other comments Supervisor McHugh then asked for a motion to close the Public Hearing on recommendation of Mr. Brick.

Motion to Close Public Hearings on Local Laws 1 and 2 of 2020

Councilman Baker made a motion to close the Public Hearings on Local Laws 1 and 2 of 2020, seconded by Councilman LeFevre.

APPROVED – VOTE – AYES 5 – NAYS 0 – ABSENT – SO MOVED

Resolutions

Resolution #058-20 – Local Law 1 of 2020

On motion of Councilman Baker, seconded by Councilman LeFevre, the following resolution was: APPROVED – VOTE – AYES 5 – NAYS 0 – ABSENT – SO MOVED

WHEREAS the Town Board of the Town of Coeymans has introduced a proposed Local Law to: 1) Abolish the Town Planning Board, 2) Transfer all Planning Board functions and duties to the existing Zoning Board of Appeals, 3) Rename the Zoning Board of Appeals to the ‘Planning Board/Zoning Board of Appeals’, and 4) Amend the Town of Coeymans Code where necessary to effectuate these changes, and

WHEREAS a public hearing upon proper notice was held on January 23, 2020, and extended through February 25, 2020, and

WHEREAS The Town Board acting as Lead Agency pursuant to the NYS Environmental Quality Review ACT (SEQRA) has determined that enactment of the proposed Local Law will not create the potential for any adverse environmental impacts and has adopted a Negative Declaration pursuant to SEQRA and its accompanying regulations,

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby enact the proposed Local Law attached hereto and made a part hereof which shall be numbered Local Law #1 of the year 2020.

Resolution #059-20 – Local Law 2 of 2020

On motion of Councilman LeFevre, seconded by Supervisor McHugh, the following resolution was: APPROVED – VOTE – AYES 5 – NAYS 0 – ABSENT – SO MOVED

WHEREAS the Town Board of the Town of Coeymans has introduced a proposed Local Law to authorize the establishment of an escrow account to be funded by an Applicant when the Planning Board/Zoning Board of Appeals determines that professional services are necessary to properly review a submitted application, and

WHEREAS a public hearing upon proper notice was held on January 23, 2020 and extended through February 25, 2020, and

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WHEREAS The Town Board acting as Lead Agency pursuant to the NYS Environmental Quality Review ACT (SEQRA) has determined that enactment of the proposed Local Law will not create the potential for any adverse environmental impacts and has adopted a Negative Declaration pursuant to SEQRA and its accompanying regulations,

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby enact the proposed Local Law attached hereto and made a part hereof which shall be numbered Local Law #2 of the year 2020.

Resolution #060-20 – Appoint Members & Alternate to Planning Board/ZBA

On motion of Supervisor McHugh, seconded by Councilman Collins, the following resolution was: APPROVED – VOTE – AYES 5 – NAYS 0 – ABSENT – SO MOVED

WHEREAS the Town Board of the Town of Coeymans has established by Local Law a Planning Board/Zoning Board of Appeals allowing the appointment of seven (7) members and one (1) alternate member, and

WHEREAS the Town Board desires to appoint members to the Planning Board/Zoning Board of Appeals,

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Coeymans, does hereby make the following appointments to the Planning Board/Zoning Board of Appeals:

Stephen Schmitt, Chairman – Term to Expire December 31, 2020

Bernice Hopkins, Member – Term to Expire December 31, 2021

Daniel Harris, Member – Term to Expire December 31, 2023

Robert Nolan, Member – Term to Expire December 31, 2025

Albert Collins, Member – Term to Expire December 31, 2026

Cynthia Kunz, Member – Term to Expire December 31, 2022

Adalberto Gonzalez, Member – Term to Expire December 31, 2024

Marisa Tutay, Alternate Member – Term to Expire December 31, 2020

BE IT FURTHER RESOLVED, that the Chairman shall be paid \$130.00 per meeting attended, and the Members shall each be paid \$80.00 per meeting attended.

Supervisor McHugh congratulated all of people whose names he had just read.

Resolution #061-20 – Set Planning Board/ZBA Meeting Dates

On motion of Supervisor Collins, seconded by Councilman Burns, the following resolution was: APPROVED – VOTE – AYES 5 – NAYS 0 – ABSENT – SO MOVED

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WHEREAS the Town Board of the Town of Coeymans has established by Local Law a Planning Board/Zoning Board of Appeals allowing the appointment of seven (7) members and one (1) alternate member, and

WHEREAS the Town Board desires to establish a meeting schedule for the Planning Board/Zoning Board of Appeals,

BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby set the following dates for the Planning Board/Zoning Board of Appeals Meetings for 2020. Please note that the meetings will commence at 7:00 PM.

| | |
|---|---|
| February 26 th | July 13 th & 22 nd |
| March 9 th & 25 th | August 10 th & August 26 th |
| April 13 th & 22 nd | September 14 th & 23 rd |
| May 11 th & 27 th | October 12 th & 18 th |
| June 8 th & 24 th | November 9 th & 15 th |
| | December 14 th & 23 rd |

*Second Monday and Fourth Wednesday of every month

BE IT FURTHER RESOLVED, that the Chairman shall be paid \$130.00 per meeting attended, and the Members shall each be paid \$80.00 per meeting attended.

Supervisor McHugh made the comment that if one of the meetings was not needed they would cancel it. It is easier to cancel a meeting rather than add one. The two meetings a month would be more business and applicant friendly so that you can get things done twice as fast. Also, the Alternate Member is being asked to attend every meeting and be paid. This way, if they are needed they will be up to speed.

Resolution #062-20 – Appoint Planning Board/ZBA Engineer

On motion of Supervisor Burns, seconded by Councilman Baker for discussion, the following resolution was: APPROVED – VOTE – AYES 5 – NAYS 0 – ABSENT – SO MOVED

WHEREAS the Town Board of the Town of Coeymans has established by Local Law a Planning Board/Zoning Board of Appeals, and

WHEREAS the Town Board desires to appoint an Engineering firm on a per project basis, to assist the Planning Board/Zoning Board of Appeals and render professional advice and review services as needed,

NOW, THEREFORE, BE IT RESOLVED, that MJ Engineering and Land Surveying, P.C. is hereby appointed as the Town’s Engineering Consultants, effective immediately, and

BE IT FURTHER RESOLVED, that for their services, MJ Engineering and Land Surveying, P.C. shall be paid on a per project basis as established in advance by the Planning Board/Zoning

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Board of Appeals, with consultation with their attorney Andrew Brick, Esq. and the consent of the applicant.

Councilman Baker stated that representatives from this firm had come to the Town Board Workshop and they are very professional. They are based out of Clifton Park and it is a very good thing that we have them on board.

Andrew Brick stated that he has worked with them before in other jurisdictions and has worked for years with the engineer that heads up their TDE work and he is good to work with. He then stated that he feels the Town has made a good choice. He also stated that this resolution ties back to the resolution adopting Local Law 2 allowing fees to be placed in escrow and the fees charged by this firm would be paid by the applicant, not the Town.

Supervisor McHugh stated that they would be a huge asset for our Planning Board/Zoning Board of Appeals.

Councilman Collins stated that they also work on Comprehensive Plans.

Upcoming Meetings and Workshops

- Town PB/ZBA Meeting – Feb. 26th – 7pm – Town Hall
- Town Board Meeting – Feb. 27th – 7pm – Town Hall
- RCSCBA Breakfast Meeting – Feb. 27th – 7:30am – Coeymans Hollow Volunteer Fire Dept.
- Village Meeting – March 3rd – 6pm – Village Hall

Before closing he asked if there were any other comments or concerns. When there was none he stated that this was a historical event for the Town of Coeymans and would be more business and applicant friendly. It would mean less government and would be more streamlined. He stated that we have a great Attorney in Andrew Brick and a great engineering firm to help guide the Planning Board/Zoning Board of Appeals through the process. Supervisor McHugh then asked about the Oaths of Office for the new members.

Mr. Brick stated that Town Clerk Rowzee would be at the Planning Board/ZBA meeting the following night in order to have all members sign a new oath of office since they were a newly formed Board. He stated that it would be better to have them sign the oaths after the Local Law is filed with the Secretary of State's Office the following day as it does not become valid until that point.

Supervisor McHugh asked if there were any other comments.

Mr. Daniel Boomer asked for clarification on the time for the Feb. 27th meeting. Supervisor McHugh stated that the Public Hearing would be at 6:30 and the official meeting would start at 7.

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Motion to Adjourn

On motion of Councilman Baker, seconded by Councilman LeFevre, the Town Board Meeting was adjourned.

APPROVED – VOTE – AYES 5 – NAYS 0 – ABSENT – SO MOVED

Time – 6:26pm

Respectfully Submitted,



Cindy L. Rowzee, Town Clerk