

MINUTES BOOKTOWN OF COEYMANS
May 28, 2020 – Town Board Meeting – 7:00pm**

A Town Board Meeting was held Thursday, May 28th, 2020 at 7:00pm 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

PRESENT BY CONFERENCE CALL:

John Cashin, Code Enforcement Officer
Daniel Contento, Chief of Police
Keith Geraldson, Chief WWTP Operator
James Peluso, Attorney to the Town

Public Comment - During the Public Hearing portion of the meeting there was one phone call from Pat Farrell in the Hamlet of Coeymans. He discussed issues regarding a property in Coeymans that is very disruptive to the community. He mentioned large fires with black smoke, a large number of people possibly with the coronavirus, and loud noise.

Supervisor McHugh stated that DEC police had been called regarding the fires. He was not sure of the outcome of that call. There was discussion by the Town Board about needing to update some of the Town Code in order to handle these situations, such as dealing with fires and a possible noise ordinance. Supervisor McHugh stated that they had been working on this before the pandemic stalled things.

Supervisor McHugh continued the meeting from the Public Hearings. He stated that both public hearings would remain open and if anyone wanted to call in the Town Board would stop and take the call.

Public Announcements

COVID-19 Update, Phase 2 – Supervisor McHugh stated that we had made it through the first week of Phase 1 and that if the health metrics continue on the right track the region would hopefully enter Phase 2 later the next week. He stated that the guidelines for this were on the internet. He also stated that the cases of virus were on the decline but that we must remain diligent in efforts to social distance.

There was discussion about the contribution of our Fire, Police, Sheriff, store workers and healthcare workers. The Town Board thanked the Fire Departments and Sheriff's for handing out masks. There was also discussion about how masks help to flatten the curve and stop the spread.

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Public Comment - There was a phone call from resident, Kay Kilmer who asked how she can wear a mask with oxygen.

Supervisor McHugh stated that it was his understanding if you have a medical condition where you can't wear a mask then you don't have to wear a mask. He stated that he would make sure that the Sheriff's and any businesses in Coeymans are notified of that.

Town of Coeymans Recycle Day and Lafarge Food Drive – Supervisor McHugh announced that the Town of Coeymans Recycle Day would be held on May 30th at 8am and that it would be open to all residents in the Town and Village. There would be two locations, one at the Highway Garage and the other on Biers property on State Route 144. They went over the things that would be allowed or not allowed. Supervisor McHugh stated that employees from Lafarge would be there collecting food to deliver to the local food pantries. There was discussion about what items would be allowed and not allowed. Collins and Son and WM Biers were thanked for providing this service.

Approval of Minutes

Motion to Approve Minutes

Councilman Baker made a motion to accept the minutes as presented from the May 14, 2020 Town Board Meeting, seconded by Councilman LeFevre.

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

Public Comment – Belinda from Van Burn Ave. called and spoke about an issue with vehicles racing up and down the street. She stated that the cars are gone long before the Police can get there. Councilman Baker stated that he would speak with the Chief of Police that evening and the Council members would speak about it and get back to her. The best they could probably do is beef up patrols in that area. There was discussion about bringing the Village of Ravena into the conversation since Van Buren Ave. is in the Village.

Supervisor Report

Supervisor McHugh read the April 2020 Supervisor's Report.

Motion to Accept Report

Councilman Collins made a motion to accept the report, seconded by Councilman Burns.

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

Department Reports

Town Clerk Report – April 2020 Report read by Town Clerk Rowzee

Motion to Accept Report

Councilman Burns made a motion to accept the report as read, seconded by Councilman Baker.

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

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Police Department Report – April 2020 Report read by Chief Contento by conference call

Motion to Accept Report

Councilman LeFevre made a motion to accept the report as read, seconded by Councilman Collins. APPROVED – VOTE – AYES 5 – NAYS 0 – ABSENT – SO MOVED

Chief Contento stated that if there are any problems in the Hamlet that all people need to do is call the Police and they will send some officer's to respond to take care of the situation at the time. He stated he plans to have his guys divide their time up with other speed problems and spend more time on Van Buren to address that issue. If there were times during the day that the issue is more prevalent, that information would be helpful. Councilman Baker suggested having officer's ride the bike through that area.

Building Department Report – April 2020 Report read by John Cashin by conference call

Motion to Accept Report

Councilman Collins made a motion to accept the report as read, seconded by Councilman Burns. APPROVED – VOTE – AYES 5 – NAYS 0 – ABSENT – SO MOVED

There was discussion regarding the Summit Ridge Solar escrow. Mr. Cashin stated that they had asked for the figure but had not sent the amount yet.

There was discussion regarding property maintenance laws. Supervise McHugh stated that a municipality could have more restrictive laws than the state.

Sewer Department Report – April 2020 Report read by Keith Geraldson by conference call

Motion to Accept Report

Councilman Baker made a motion to accept the report as read, seconded by Councilman LeFevre. APPROVED – VOTE – AYES 5 – NAYS 0 – ABSENT – SO MOVED

Mr. Geraldson stated that the new check valves had been installed at the Waste Water Treatment Plant. The UV system had gone on-line May 1st. The Sewer Department had also received the skid-steer and it was working well. They had used it to pull down the fence and were having an electrician come to look at the wiring for the gate. He also stated that he was waiting to hear back from some contractors about the Leachate roof.

Public Comment – Angel Rosa called and asked if the Town was going to do a pet drive for rabies vaccination.

Town Clerk Rowzee stated that Albany County ran those from different locations each year. Supervisor McHugh stated that he would reach out to the County to see if they could have one here.

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Old Business

Food for Thought & Summer Rec Programs – Supervisor McHugh stated that he had spoken with Dr. Bailey from the school and Danyell Crowley, the Food for Thought Coordinator, and all were in agreement that it would be too difficult to make this happen this year. They would have to compromise the quality of the program and risk the health of Town residents. He stated that the liability issue was also a factor. The Town Board members were in agreement.

Town-wide Broadband Update – Councilman LeFevre stated that Congressman Tonko, who has been a supporter of the Town of Coeymans, has been very active in trying to get broadband made essential and has taken on the FCC. Congressman Tonko has introduced several bills fighting for broadband and will continue to fight. Councilman LeFevre stated that he has spoken with Kevin Egan of Charter Communications and they will be providing a list of addresses that Spectrum services. Supervisor McHugh helped in speaking with Mid-Hudson Cable and they expect that cable will be available on Gedney Hill within the next 5-6 months. Supervisor McHugh stated that Mid-Hudson is also looking at other areas in the Town. With the growth on Lindskoog Rd. that may be a good fit and they are going to look into it. He stated that he feels that the pandemic has opened everybody's eyes to how important broadband is.

New Business

River Fest 2020 – Rosemary McHugh spoke about the plans for River Fest 2020. They are building a committee to try and put on a 2 day event in September. They are putting together ideas where people will be able to stay safe. There will be no rides but there will be vendors, music and a parade, all done with a patriotic theme. They want this to be a positive experience with all of the negative news going on. They plan on moving ahead unless they are told that it can't happen.

Supervisor McHugh stated that it is September 11th and 12th, a Friday and Saturday. Lafarge-Holcim has committed to being a sponsor as well as Carver Companies and WM Biers. There are people donating signs and banners. Feliciano's will be doing a Car show. Rosemary McHugh stated that they had a great committee on board and were trying to make it a spectacular, patriotic event for the family. There is a Facebook page that will put out updates each week. If there are any health or safety issues the plans will change.

Evenings on the Green and Farmer's Market – Supervisor McHugh read the schedule for Evening on the Green. He stated that there would be plenty of room for social distancing and that it was typically adults who attend the concert series.

Rosemary McHugh stated that there would also be a Farmer's Market coming to Coeymans that she will create an event page on Facebook for. There will be hot dogs, hamburgers, fresh bread, crafts, Eck farms, Meadowbrook milk, etc. It was stated that we would not charge the vendors money, it would be helping them to make money and keep things local. They have gotten about 8 vendors in just a weeks' time. She stated that there was plenty of room.

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Councilman Baker thanked Rosemary and Candace McHugh for their work on the Farmer’s Market and setting up Evening on the Green.

Cemeteries – Supervisor McHugh discussed cemeteries upkeep and stated that there is some money available in the cemetery savings accounts available for use. He stated he had found a letter in the file from former Town Attorney Wukitsch stating this. He verified with Town Clerk Rowzee that the amount collected for perpetual care was off limits. There was discussion relating to use the remaining funds to fix and maintain the cemeteries, such as replacing the flag pole or buying a mower for the cemetery. There was discussion about the Colvin Vault at Grove Cemetery and needing family permission to deal with its hazardous conditions. Town Clerk Rowzee stated that she had records for the Cemetery going back to 1910 but the earlier records are sparse. She stated that if the vault was officially turned over to the cemetery then the Town would be able to make changes without permission. There was discussion about possibly rebuilding it.

Supervisor McHugh stated that people could feel free to call into Town Hall for any questions or comments on the Public Hearings or for any other issue.

Resolutions

Resolution #112-20 – Cancellation of Summer Programs

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

NOW THEREFORE BE IT RESOLVED, that due to the COVID-19 pandemic and a great concern for the health, welfare, and safety of our community’s children and families, the Food For Thought and Summer Recreation programs will be cancelled for the 2020 season.

Resolution #113-20 – Authorize Supervisor to Sign Non-Disclosure Agreement with Charter Communications

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

WHEREAS, Charter Communications plans to expand their broadband network capabilities in Coeymans; and

WHEREAS, build out plans filed with the New York State Public Service Commission are subject to strict confidentiality, requiring Charter Communications and the Town of Coeymans to enter into a Nondisclosure Agreement;

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby authorize Supervisor, George D. McHugh, to sign the Nondisclosure agreement on behalf of the Town of Coeymans with Charter Communications.

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Council member LeFevre stated that this was mentioned earlier. By signing this, the Town would be eligible to see a list of homes. This is one step closer to identifying the areas that do not have broadband.

Resolution #114-20 – Authorize Sewer Account Changes

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

WHEREAS, due to changes in occupancy status, the following town sewer account changes are warranted:

Sewer account 312 at 34 Coeymans Industrial Park Lane will be changed to a 1 unit rate;

Sewer Account 070 at 2477 US 9W will be changed to a vacant parcel rate;

A new 1 unit sewer account shall be established for Baroni Recycling at 48 Village Industrial Park Lane; and

A new 1 unit sewer account shall be established for Marina Boat Repairs at 16-20 Marina Dr.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Coeymans Authorizes these changes to the Town Sewer Accounts effective July 1, 2020.

Supervisor McHugh stated that this is just for changes that happen periodically.

Resolution #115-20 – Waive Facility Use Fees and Requirements for Crystal Image

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

WHEREAS, the band “Crystal Image” would like to hold their annual reunion concert at Coeymans Landing on Friday, July 24th, 2020 at 6:00pm, free of charge to the public;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby waive all park fees and administrative requirements.

There was discussion about Crystal Image and their history in Town.

Supervisor McHugh asked for a motion to close the public hearing on the Monroe Analysis at this point. This is recorded in the minutes of the Public Hearing.

Resolution #116-20 – Exempt Beautification Garage from Zoning Code

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 of Coeymans will be constructing a new Garage at the Town Highway Department, to be located within the Town of Coeymans, and

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WHEREAS, the Town Board must determine whether it is in the best interests of the Town to apply its Town Zoning Code when constructing a Town project on Town owned land within the Town of Coeymans as required by Matter of County of Monroe v. City of Rochester, 72 N.Y.2d 338 (1988), and

WHEREAS, the Town Board of the Town of Coeymans has conducted a properly noticed and convened public hearing on May 28, 2020 to solicit public input as to whether or not to apply the Town Zoning Code to the construction of the new Highway Department Garage, and

WHEREAS, all comment at said public hearing has been taken into consideration, and

WHEREAS, the Town Board has deliberated upon the following factors:

The nature and scope of the project involved and the Town’s interest in constructing a new Highway garage,

The Town’s legislative grant of authority to pursue such projects as well as the nature and scope of the legislative grant of zoning authority,

The nature and function of the proposed project and the land use involved,

The effect that application of Town Zoning regulations would have upon the project,

The possibility of alternative locations for the project,

The impact upon local interests,

Alternative methods of providing the proposed improvement,

The extent of public interest to be served by the proposed improvement, and

The extent of intergovernmental participation in the project development process and the opportunity to be heard.

NOW, THEREFORE BE IT RESOLVED, based upon all testimony heard and information provided to the Town Board regarding the proposed construction of a new Garage at the Town Highway Department, and upon consideration of the above referenced factors, the Town Board hereby determines that the public interest is best served by exempting the proposed Town Highway Garage construction project from any applicable requirements of the Town Zoning Code and that such project shall forthwith be exempt from any and all requirements contained within Chapter 165 of the Town’s Zoning Code.

Supervisor McHugh stated that he would be in close contact with Mr. O’Brien about drainage.

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

BE IT RESOLVED, that the Town Board has approved the payment of bills as presented in the Abstract for May 2020, as follows:

PRE-PAID VOUCHERS –180624 – 180708 & 2020-028 - 2020-035 for a total of
\$ 252,673.06

VOUCHER NUMBERS –180709– 180806 for a total of **\$ 154,771.41**

TOTAL FOR ALL FUNDS – \$407,444.47

Resolution #118-20 – Authorize Supervisor to Sign Agreement with Celco Partnership

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

WHEREAS, Celco Partnership d/b/a Verizon Wireless, is desirous of installing, operating and maintaining certain equipment at the Gedney Hill communications tower, on the lands of P&M Brick, LLC, and maintained by Crown Castle; and

WHEREAS, a Short Form Tower License Agreement has been presented to the Town by its agent, Crown Castle to memorialize a ten (10) year lease with Celco Partnership d/b/a Verizon Wireless;

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby authorize Supervisor, George D. McHugh to sign the Short Form Tower License agreement with Celco Partnership d/b/a Verizon Wireless.

Supervisor McHugh and Attorney to the Town Peluso discussed a follow-on motion to authorize himself and the Town Attorney to review the existing agreement with Crown Castle to see if it needs to be negotiated.

Motion to Authorize Supervisor & Town Attorney to Review Crown Castle Agreement

Supervisor McHugh made a motion to authorize the Supervisor and Attorney for the Town to review the existing Crown Castle Agreement and if appropriate to enter into negotiations regarding the mater agreement on the cell tower, seconded by Councilman Collins.
APPROVED – VOTE – AYES 5 – NAYS 0 – ABSENT – SO MOVED

Resolution #119-20 – Authorize Supervisor to Cancel Insurance/Enter into New Policy

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 of Coeymans has received an insurance quote from New York Municipal Insurance Reciprocal (NYMIR) comparable to our current liability policies; and

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WHEREAS, the NYMIR insurance quote costs the Town of Coeymans \$5,039.75 per year less than the current insurance policy;

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby authorizes the Town Supervisor to cancel the current insurance policy with Trident effective June 1, 2020; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Coeymans does hereby authorize Supervisor, George D. McHugh, to enter into new insurance policies with NYMIR effective June 1, 2020.

Supervisor McHugh stated that his Secretary had been working on this. This year the Town's insurance went up 7% and we were doing business out of Town because it was cheaper. He stated that he had asked several insurance companies in Ravenna specifically to look at the Town's current policy. They looked at the policy and gave us their quotes. Stolz came in over \$5,000 less for the same coverage.

Councilman Baker stated that at the time the Town Board went with the other policy because it saved the Town money.

Other Business

Proposed Local Law 4 of 2020 - At this time Supervisor McHugh asked for a motion to adjourn the Public Hearing on Proposed Local Law 4 of 2020. This motion is recorded in the minutes from the Public Hearing. He stated that the hearing would remain open and for people to feel free to contact Town Hall with their comments.

Upcoming Workshops and Meetings

Village of Ravenna Meeting – June 2, 2020 at 6pm
Town of Coeymans Planning Board/ZBA Meeting – June 8, 2020 at 7pm
Town of Coeymans Workshop Meeting – June 11, 2020 at 7pm

Additional Comments

Councilman Baker stated that he had reached out to Village Trustee Warner to see if they could do Facebook Live and they are looking into YouTube. He also offered his condolences to some local families who recently lost family members.

Supervisor McHugh thanked Johnny Vasto for taking the time to come to Town Hall and do an evaluation of the audio and recording equipment to see about upgrading it with the possibility to have our own YouTube feed. He stated that he should be receiving the quotes in the next week or so.

Motion to Adjourn

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On motion of Councilman Baker, seconded by Councilman Burns, the Town Board meeting was adjourned.

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

Time – 8:28pm

Respectfully Submitted,



Cindy L. Rowzee, Town Clerk