

MINUTES BOOKTOWN OF COEYMANS
October 22, 2020 –Town Board Meeting – 7:00pm**

A Town Board Meeting was held Thursday, October 22nd, 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
James Peluso, Attorney to the Town

PRESENT BY CONFERENCE CALL:
Daniel Contento, Chief of Police
John Cashin, Code Enforcement Officer
Keith Geraldson, Chief WWTP Operator

Supervisor McHugh opened the meeting and led the Pledge of Allegiance. He stated that all Town Board members were present.

Public Announcements

Town Hall Closed – Supervisor McHugh stated that Town Hall would be closed on November 3rd for Election Day and November 11th in honor of Veteran’s Day.

Blue Star Mothers Freedom Box Challenge – Supervisor McHugh stated that the Village had challenged the Town to collect items to donate for the Blue Star Mothers to send boxes to the active military serving overseas. He read a list of items that were needed and stated that people could drop items off at Town Hall and at the Sheriff Substation. The Town would also try and get donations from local businesses.

CPD/DEA Prescription Drug Take Back– Supervisor McHugh stated that on October 24th the Police Department would be participating in the National Prescription Drug Take Back Day. Residents can drop unused or unwanted prescription drugs off at the Police Station from 10am – 2pm that day.

Approval of Minutes

Motion to Approve Minutes

Councilman LeFevre made a motion to accept the minutes as presented from the September 24, 2020 Public Hearing, September 24, 2020 Town Board Meeting, October 1, 2020 Special Town Board Meeting, October 8, 2020 Public Hearing, October 8, 2020 Town Board Meeting, October 10, Budget Workshop and October 15, 2020 Town Board Workshop, seconded by Supervisor McHugh. APPROVED – VOTE – AYES 5 – NAYS 0 – ABSENT – SO MOVED

MINUTES BOOKTOWN OF COEYMANS
October 22, 2020 –Town Board Meeting – 7:00pm**

Supervisor Report

Supervisor McHugh read the September 2020 Supervisor’s Report.

Motion to Accept Report

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

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

Department Reports

Town Clerk Report –

September 2020 Report read by Town Clerk Rowzee

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

Police Department Report – September 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

Building Department Report – September 2020 Report read by John Cashin by conference call.

Motion to Accept Report

Councilman Collins made a motion to accept the report as presented, seconded by Supervisor

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

There was discussion regarding a dumpster on 4th Street. Mr. Cashin stated that he had sent a letter to them and will follow up on it.

Sewer Department Report – September 2020 Report read by Keith Geraldson by conference call. Mr. Geraldson also spoke of many of the projects that the Sewer Department is currently working on including new pumps, windows, doors and air conditioning. He also spoke about projects at the Leachate facility.

Motion to Accept Report

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

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

MINUTES BOOKTOWN OF COEYMANS
October 22, 2020 –Town Board Meeting – 7:00pm**

Old Business

RK Property Cleanup – Supervisor McHugh spoke about the progress on the RK property on Route 143. He stated that we still had not received the asbestos sampling results but that we would hopefully have them in the next week. As soon as those were received the demolition could move forward. He stated that this was accounted for in the bid but if there is a greater amount than anticipated there would be an add-on for any environmental issues.

Town Hall Construction – Supervisor McHugh stated that there was currently some construction going on outside Town Hall and the front door is currently closed. He asked that residents use the south entrance until the concrete gets poured.

New Business

Proposed Amendments to Chapter 80 – Supervisor McHugh spoke of the Clean Air Law and how a very similar law had been struck down in Baltimore, Maryland. He stated that it was not feasible for our local government to track the law as it is currently written. He then stated that the Albany County Clean Air Law will be challenged in court and that he is in favor of amending ours so that we will not have to go through a court battle. Supervisor McHugh stated that one of the changes was to change the maximum of 25 tons of waste to no waste, absent a permit from DEC and/or EPA. The proposed amendments place the burden of monitoring and enforcing on DEC and EPA. This was done under advice from our attorneys and can be revisited after Albany County has spent the money to defend their Clean Air Law in court.

The rest of the Town Board was in agreement. All Town Board members stated that we should defer to the DEC and EPA in regards to monitoring clean air and wanted to keep the Town from getting sued. Councilman Collins added that the Clean Air Law, as written, could be looked at as a pointed attack on Lafarge.

The amendments would be available to everyone for review and had been sent to all surrounding municipalities and different agencies. Supervisor McHugh asked that if anyone has a better idea on how to insulate the Town from a lawsuit to bring it to the Town Board. He reiterated that these amendments do not allow for Tire Derived Fuel unless you have a permit.

Resolutions

Resolution #166-20 – Propose Local Law – Amend Chapter 80 – Clean Air Law

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

The Town Board is considering adoption of a proposed local law entitled “Amendments to Chapter 80 of the Coeymans Town Code” a/k/a “Clean Air Law” for the Year 2020, which amends various sections of Chapter 80, including but not limited to §80-4, §80-5, §80-6(B),

MINUTES BOOKTOWN OF COEYMANS
October 22, 2020 –Town Board Meeting – 7:00pm**

§80-7(B), §80-9(B) and §80-12. Among other provisions, the proposed amendments provide that no amount of hazardous or medical waste shall be processed within the Town of Coeymans, and that no amount of waste shall be considered a fuel source unless approved and permitted by the New York State Department of Environmental Conservation (NYS DEC) and/or the US Environmental Protection Agency (EPA), so as to protect the residents of the Town of Coeymans; and

A public hearing upon such proposed Local Laws shall be held on November 19, 2020, at 6:00pm at Coeymans Town Hall, 18 Russell Ave., Ravena, NY 12143, and

The Town Clerk shall publish notice of the Public Hearing upon the proposed Local Laws with a summary thereof in the official newspaper at least five (5) days in advance of the Public Hearing.

BY ORDER OF THE COEYMANS TOWN BOARD

Dated: October 22, 2020

Motion to Declare Lead Agency

Supervisor McHugh made a motion to declare the Town Board as Lead Agency for the project, seconded by Councilman LeFevre.

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

Motion to Direct Distribution of Lead Agency Notices/Send to Albany County PB

Supervisor McHugh made a motion to direct John Cashin to send out lead agency notices and to forward the amendments to Albany County Planning Board, seconded by Councilman Collins.

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

Resolution #167-20 – Municipal Consent for Champlain Hudson Power Express

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

WHEREAS, Champlain Hudson Power Express, Inc. and CHPE Properties, Inc. (including their successors and/or assigns, “CHPE”) is developing the Champlain Hudson Power Express Project (the “Project”), an approximately 1,000 megawatt underground and underwater high voltage, direct current electric transmission facility extending from the United States’ border with Canada to Queens, New York; and

WHEREAS, the New York State Public Service Commission (the “PSC”) has ruled that the Project will supply clean, renewable hydroelectricity to New York State and has issued a Certificate of Environmental Compatibility and Public Need authorizing the construction and operation of the Project (including any amendments thereto, the “Certificate”); and

WHEREAS, CHPE has discussed the Project with the Town of Coeymans (the “Municipality”), as a portion of the Project will be located within the Municipality and will occupy certain privately and/or publicly-owned land; and

MINUTES BOOKTOWN OF COEYMANS
October 22, 2020 –Town Board Meeting – 7:00pm**

WHEREAS, the Project will provide significant economic and environmental benefits to New York State and the Municipality in the form of lower electric rates, a reduction in greenhouse gas emissions and increased jobs, including local jobs during the Project’s construction; and

WHEREAS, the Project will provide significant tax (or payment in lieu of tax) revenue to the Village of Ravena, Town of Coeymans, County of Albany and School District of Ravena-Coeymans-Selkirk during the course of its expected 40-60 year operating life; and

WHEREAS, prior to construction within the Municipality, CHPE will require a Road Crossing Agreement with the Municipality that will include, at a minimum, construction responsibilities and plans, restoration and repair of damage, dispute resolution, bonding, insurance and indemnification provisions; and

WHEREAS, once the Project commences operation, it is not expected to require any services from the Municipality;

NOW, THEREFORE, BE IT RESOLVED,

1. That the Coeymans Town Board (the “Board”) is fully familiar with and supportive of the Project, including the use and occupancy of privately and/or publicly-owned land in the Municipality.

2. That the Board hereby grants its consent to CHPE, in accordance with section 11(3) of the New York State Transportation Corporations Law, to lay down, construct and maintain its wires, conductors, conduits and other fixtures in and under the streets, avenues, public parks and all other publicly-owned places in the Municipality in accordance with the provisions of the Certificate.

3. That the Board commits the Municipality to the taking of such further actions, if and when reasonably requested by CHPE and consistent with applicable law, as may facilitate the successful achievement of the Project, including, without limitation, executing a Crossing Agreement substantially in the form annexed hereto.

4. That the Town Supervisor is hereby authorized and directed to take all appropriate measures to implement the intent of this Resolution and the Town Clerk is hereby directed to forward a certified copy hereof to CHPE at the Pieter Schuyler Building, 600 Broadway, Albany, NY 12207.

5. That the Board approves the inclusion of a copy of this Resolution as a part of any filing made by CHPE with any governmental bodies when and as required or requested by the same and the use of this Resolution in public statements made by CHPE regarding host community support for the Project.

6. That this Resolution shall take effect immediately.

George D. McHugh
Kenneth A. Burns
Daniel D. Baker

VOTING - Aye
VOTING - Aye
VOTING - Aye

MINUTES BOOKTOWN OF COEYMANS
October 22, 2020 –Town Board Meeting – 7:00pm**

Zachary S. Collins
Brandon L. LeFevre

VOTING - Aye
VOTING - Aye

Resolution #168-20 – October Abstract of Claims Penalties

On motion of Supervisor McHugh, seconded by Councilman Collins, 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 October 2020, as follows:

PRE-PAID VOUCHERS –181522 thru 181611, & 2020-067 thru 2020-075 from the following funds:

General	\$150,360.74
Part Town	\$14,228.75
Highway - Part Town	\$46,917.49
Sewer	\$25,809.71
Trust & Agency	\$42,673.55
Payroll Deductions	\$6,553.82

VOUCHER NUMBERS –181617 thru 181709 from the following funds:

General	\$30,496.18
Part Town	\$4,520.96
Highway -Town Wide	\$5,361.75
Highway – Part Town	\$9,907.23
Sewer	\$42,788.27

TOTAL FOR ALL FUNDS – \$379,618.45

Resolution #169-20 – Waive Sewer Fees on Exempt Property

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

WHEREAS, the Albany County Land Bank took ownership of a vacant parcel, Tax Map Number 168.12-2-12 within the Town of Coeymans in December of 2019 and the Town was not notified until after the first Sewer billing went out; and

WHEREAS, The Town of Coeymans has recently been notified that due to an amendment to New York State Law §1608(a) of the Land Bank Act, the Albany County Land Bank is exempt from paying Sewer bills unless they are collecting rent on a property; and

WHEREAS, the fees and penalties totaling \$110.00 for Sewer Account number 177 must be waived according to New York State Law §1608(a) of the Land Bank Act.

MINUTES BOOKTOWN OF COEYMANS
October 22, 2020 –Town Board Meeting – 7:00pm**

NOW, THEREFORE, BE IT RESOLVED, the Town Board of the Town of Coeymans does hereby authorize the waiving of Sewer fees and penalties for Sewer Account Number 177 in the amount of \$110.00.

Resolution #170-20 – Appoint Assessment Aide - Keyer

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

WHEREAS, The Town of Coeymans is desirous of hiring an Assessment Aide to help collect data for the Assessor on a part time, as needed basis; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby appoint Douglas Keyer as part time Assessment Aide effective October 22, 2020 at an hourly rate of \$15.00 per hour on an as needed basis.

Supervisor McHugh stated that this was to fill the position that Roger Sevilla had retired from and that we were lucky to have Mr. Keyer fill the position.

Resolution #171-20 – Budget Amendment

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

WHEREAS, the Chief Fiscal Officer has determined that in order to maintain proper accounting of the 2020 Budget the following budget amendment is in order.

General Fund (A)

Increase Appropriations

(A)7550.4	Celebrations Contractual	\$1,225.00
-----------	--------------------------	------------

Increase Revenue

(A)2705	Gifts and Donations	\$1,225.00
---------	---------------------	------------

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby authorize Supervisor George D. McHugh to amend the budget for the year 2020 as reflected above in this resolution.

Supervisor McHugh pointed out these are celebrations monies and are not taxpayer funds but are all donations.

Resolution #172-20 – Budget Transfers

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

MINUTES BOOKTOWN OF COEYMANS
October 22, 2020 –Town Board Meeting – 7:00pm**

WHEREAS, the Chief Fiscal Officer has determined that in order to maintain proper balances within various accounts the following transfers are necessary for the Budget Year 2020.

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby authorize Supervisor George D. McHugh to transfer the following funds:

General Fund (A)

<u>Amount</u>	<u>From Account</u>	<u>To Account</u>
\$.18	A1410.4 Town Clerk Contractual	A1410.2 Town Clerk Equipment
\$1,803.50	A1990.4 Contingency	A1450.4 Elections Contractual
\$3,464.53	A1990.4 Contingency	A1620.4 Town Hall Contractual
\$ 59.99	A1990.4 Contingency	A3640.4 Civil Defense Contractual
\$ 46.46	A1990.4 Contingency	A5010.4 Highway Administrative Contractual
\$1,377.20	A1990.4 Contingency	A6410.4 Publicity Contractual

Part Town Fund (B)

<u>Amount</u>	<u>From Account</u>	<u>To Account</u>
\$1,335.00	B1680.1 Shared Services Personal Services	B8020.1 Planning Board Personal Services

Highway Fund (DB)

<u>Amount</u>	<u>From Account</u>	<u>To Account</u>
\$ 92.70	DB5112.4 Special Improvements Contractual	DB6410.4 Publicity Contractual

Sewer Fund SS

<u>Amount</u>	<u>From Account</u>	<u>To Account</u>
\$7,587.50	SS8130.4 Contractual (Joint)	SS8130.2 Equipment

Upcoming Meetings

Planning Board/Zoning Board of Appeals Meeting – October 28, 2020 at 7pm
 Planning Board/Zoning Board of Appeals Meeting Comprehensive Plan Workshop – Nov. 4, 2020 at 7pm
 Town Board 2021 Preliminary Budget Public Hearing – November 5, 2020 at 6pm

MINUTES BOOKTOWN OF COEYMANS**
October 22, 2020 –Town Board Meeting – 7:00pm

Planning Board/Zoning Board of Appeals Meeting – November 9, 2020 at 7pm
Town Board Meeting – November 12, 2020 at 7pm
Public Hearing on Proposed Local Law – November 19, 2020 at 6pm

Additional Comments

Supervisor McHugh stated that the Town was thinking of Assessment Clerk, Allison Dooley as she had recently been injured in an accident at work.

Councilman Baker stated that he thought it would be a great idea if the Holiday parade were to go down the hill instead of up it and end with the lighting of the Coeymans tree. Supervisor McHugh stated that he thought as this was a Town/Village joint parade they could possibly change it every other year.

Councilman LeFevre spoke about the issue that had been brought to his attention of the illegal dumping on N. Jarvis. He requested that the Supervisor send a formal request to Callanan's to block off the road in order to deter the dumping.

Motion to Adjourn

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

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

Time – 8:29pm

Respectfully Submitted,



Cindy L. Rowzee, Town Clerk