

MINUTES BOOKTOWN OF COEYMANS**
November 22, 2021 – Town Board Meeting – 6:30pm

A Town Board Meeting was held Thursday, November 22nd, 2021 at 6:30pm at Town Hall, 18 Russell Avenue, Ravena, New York

PRESENT: George D. McHugh, Supervisor
Daniel D. Baker, Councilmember
Linda S. Bruno, Councilmember
Zachary S. Collins, Councilmember
Brandon L. LeFevre, Councilmember

ALSO PRESENT: Cindy L. Rowzee, Town Clerk
John Cashin, Code Enforcement Officer
Douglas Keyer, Chief of Police
Tyler Searles, WWTP Operator
James Peluso, Attorney to the Town

Supervisor McHugh continued the meeting from the Public Hearing.

Public Announcements

COVID-19 – Supervisor McHugh gave an update on the current numbers for the County and school district. He then encouraged people to get vaccinated and to get their booster.

Town Hall Closed in observance of Thanksgiving, November 25th – 26th - Supervisor McHugh stated that Town Hall would be closed on November 25th and 26th for Thanksgiving.

RCS Football Team – Supervisor McHugh stated that the RCS Varsity Football Team had won the Class B Regional Title and would be moving on to the State semi-finals that Saturday. He stated how proud they were of the team.

Lafarge Dusting Complaints – Supervisor McHugh read two statements from Lafarge regarding the dusting complaints from earlier in the month. These letters stated that there had been no irregular operations or permit exceedances that correspond with the dates of complaints. They stated that they were implementing new measures to track and address complaints to improve the quality of their responses. They also stated their willingness to help with limited vehicle cleaning regardless if the material in question was theirs. Supervisor McHugh stated that most complaints had stemmed from residents in the Village of Ravena. He stated that he had gotten the first complaint on 10/29 at 12:40pm and had turned it over Lafarge and contacted DEC. He stated that Ben Potter from DEC had stated the results from the taken samples were inconclusive and many other sources could have been the origin and there have been no alerts or events from the Lafarge plant. He stated that for much of this time the Lafarge kiln was not operational. Supervisor McHugh stated that in the future DEC should be notified immediately and they will take samples within 24 hours. The number for the DEC tip-line is 1-844-332-3267.

Approval of Minutes

MINUTES BOOKTOWN OF COEYMANS**
November 22, 2021 – Town Board Meeting – 6:30pm

Motion to Approve Minutes

Councilmember Collins made a motion to accept the minutes as presented from the October 14, 2021 Town Board Meeting, October 28, 2021 Town Board Meeting, and the November 4, 2021 Public Hearing and Town Board Meeting, seconded by Councilmember Bruno.

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

Proposed Local Law – Cannabis Law – Supervisor McHugh stated that they would like to move the adoption of the Cannabis Law to this point in the meeting in case the Attorney had to leave before the meeting ended. The Town Board closed the public hearing and moved on with the following resolution:

Resolution #183-21 – Adopt Local Law 2 of 2021 – “Cannabis Law”

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

WHEREAS, the Town Board of the Town of Coeymans has introduced proposed Local Law No. 2 of the Year 2021 to opt-out of the licensing of on-site cannabis consumption sites pursuant to the Marihuana Regulation and Taxation Act and subject to a permissive referendum pursuant to New York State Cannabis Law § 131; and

WHEREAS, the Town Board duly noticed and held a public hearing on the proposed local law on November 22, 2021; and

WHEREAS, the enactment of this local law is a Type II action pursuant to the New York State Environmental Quality Review Act, 6, N.Y.C.R.R. 617.5 as it involves agency administration, management and legislative decision making that does not affect the environment or commit the Town to a future decision on a project, and therefore is exempt from environmental review; and

NOW, THEREFORE BE IT RESOLVED that the Town Board hereby approves and adopts Local Law No. 2 of 2021 of the Town of Coeymans to opt-out of the licensing of on-site cannabis consumption sites pursuant to the Marihuana Regulation and Taxation Act and subject to a permissive referendum pursuant to New York State Cannabis Law § 131 and the procedure outlined in New York Municipal Home Rule Law § 24.

IT IS FURHER RESOLVED that pursuant to Town Law § 90, within ten (10) days from the date of this resolution, the Town Clerk, in the same manner as provided for notice of a special election, shall post and publish a notice which shall set forth the date of adoption of this resolution, contain an abstract of such resolution concisely stating the purpose and effect thereof, and specify that this resolution was adopted subject to permissive referendum. The Town Clerk shall also, within said ten (10) day period, publish such notice in the official Town newspaper and further post such notice on the Clerk’s bulletin board and the Town’s website. This resolution shall take effect 45 days after its adoption unless the Town Clerk receives a signed and authenticated petition protesting said local law within 45 days after its adoption pursuant to New York State Municipal Home Rule § 24.

MINUTES BOOKTOWN OF COEYMANS**
November 22, 2021 – Town Board Meeting – 6:30pm

A local law adopted pursuant to the Marijuana Regulation and Taxation Act and specifically Cannabis Law § 131 opting out of licensing and establishing on-site cannabis consumption establishments within the Town of Coeymans outside of the Village of Ravena.

Be it enacted by the Town Board of the Town of Coeymans as follows:

Section 1. Legislative Intent

It is the intent of this local law to opt the Town of Coeymans out of hosting on-site cannabis consumption establishments within its boundaries and outside the boundaries of the Village of Ravena.

Section 2. Authority

This local law is adopted pursuant to the terms of the Marijuana Regulation and Taxation Act and specifically Cannabis Law § 131, which expressly authorizes cities, towns and villages to opt-out of allowing retail cannabis dispensaries and/or on-site cannabis consumption establishments to locate and operate within their boundaries.

Section 3. Local Cannabis On-Site Consumption Opt-Out

The Town Board of the Town of Coeymans, County of Albany, hereby opts-out of licensing and establishing cannabis on-site consumption establishments within its boundaries outside of the Village of Ravena.

Section 4. Severability

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective date

This local law shall take effect immediately upon filing with the Secretary of State. Pursuant to the Marijuana Regulation and Taxation Act and Cannabis Law § 131, this local law is subject to a permissive referendum and thus may not be filed with the Secretary of State until the applicable time period has elapsed to file a petition or a referendum has been conducted approving this local law.

Supervisor Report

Supervisor McHugh read the October 2021 Supervisor's Report.

MINUTES BOOKTOWN OF COEYMANS**
November 22, 2021 – Town Board Meeting – 6:30pm

Motion to Accept Report

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

Department Reports

Town Clerk Report – October 2021 Report read by Town Clerk Rowzee

Motion to Accept Report

Supervisor McHugh made a motion to accept the report as read, seconded by Councilmember Bruno. APPROVED – VOTE – AYES 5 – NAYS 0 – ABSENT – SO MOVED

Police Department Report – October 2021 Report read by Chief Keyer

Motion to Accept Report

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

Chief Keyer spoke about working with the grant writer on the grant they were applying for. He stated that with the resolution slated for this evening they would be able to move forward and complete the application for the grant. He also spoke about training for him and the Officers. He also spoke of a presentation regarding current scams that would be given for the seniors on December 9th.

Building Department Report – October 2021 Report read by John Cashin

Motion to Accept Report

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

Supervisor McHugh asked about the solar farm. Mr. Cashin stated that they had hoped to start in January and the permit fee would likely be paid next year.

Sewer Department Report – October 2021 Report read by Tyler Searles

Motion to Accept Report

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

Supervisor McHugh asked for status on the pump. Mr. Searles stated that they were waiting for it to be delivered and were expecting it in the next week.

Old Business

MINUTES BOOKTOWN OF COEYMANS**
November 22, 2021 – Town Board Meeting – 6:30pm

Park Improvements Update – Supervisor McHugh stated that the basket poles were in and the second backboard could be installed, after that Copeland would complete the coating on the court. The tennis courts were complete. He stated that the playground equipment was still in construction and would likely not be delivered before December. It would then be installed in early Spring.

Broadband Update – Supervisor McHugh stated that he does not have the estimates yet and is hoping to have them in the next week or so.

New Business

Kennel Fees – Supervisor McHugh asked Chief Keyer to speak about this. Chief Keyer stated that the current dog kennel fee schedules charges the same if we have the dog for a few minutes or a couple of days and that often they waive the fee if the dog doesn't go to the kennel. He stated that he feels having a tiered fee schedule would be fairer to the town residents and would still help deter them from making sure their dogs do not get loose and encourage them to get their dogs licensed. He suggested a standard \$50 fee if we pick up a stray dog and \$100 if we have it more than 24 hours. It was discussed that this would need to be changed by Local Law and Supervisor McHugh stated that they could build in to the local law the ability to change the fees by resolution.

Supervisor McHugh asked about issuing a ticket to the owner. Chief Keyer stated that if they were consistently catching the same dog it would get to that or if it was a dangerous dog.

Auctions International – Chief Keyer stated that the Police Department had an older vehicle that is used by the Dog Control Officer that they wanted to get rid of on Auctions International.

Motion to Authorize Chief to Sell Vehicle on Auctions International

Supervisor McHugh made a motion to allow Chief Keyer to sell the 2008 Crown Victoria on Auctions International, seconded by Councilmember Collins.

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

2022 Sewer Fees – Supervisor McHugh stated that a public hearing was needed to establish the rates for the Hamlet, Village and Stonehouse Hill Extension for the 2022 Sewer billing.

Motion to Set Public Hearing on Sewer Rates & Authorize Town Clerk to Publish Notice

Supervisor McHugh made a motion to set the Public Hearing on the Sewer rates for December 9th at 6:30pm and authorized the Town Clerk to publish the notice, seconded by Councilmember Baker. APPROVED – VOTE – AYES 5 – NAYS 0 – ABSENT – SO MOVED

Resolutions

Resolution #184-21 – Abstract of Claims - November

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

MINUTES BOOKTOWN OF COEYMANS**
November 22, 2021 – Town Board Meeting – 6:30pm

BE IT RESOLVED, that the Town Board has approved the payment of bills as presented in the Abstract for November 2021, as follows:

PRE-PAID VOUCHERS –21-01045 to 21-01111 and P21-072 to P21-078 from the following funds:

General	\$105,358.88
Part Town	\$16,209.26
Highway - Part Town	\$50,495.40
Sewer	\$40,453.63
Trust & Agency	\$42,279.48
Payroll Deductions	\$4,023.59
Special Water	\$101,758.82

VOUCHER NUMBERS –21-01112 to 21-01162 from the following funds:

General	\$27,195.39
Part Town	\$728.97
Highway -Town Wide	\$665.51
Highway – Part Town	\$3,187.64
Sewer	\$8,613.09

TOTAL FOR ALL FUNDS – \$ 400,996.66

Resolution #185-21 – Appoint PT Clerk in Assessor’s Office - Billetts

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

WHEREAS, the Town of Coeymans is desirous of filling the position of part time Clerk in the Assessor’s Office; and

WHEREAS, the Assessor has interviewed all interested candidates to find the most suitable fit for the position; and

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby appoint Joyce Billetts to the position of part time Clerk in the Assessor’s Office at a rate of \$15.60 per hour, effective November 15th, 2021.

Resolution #186-21 – Appoint Building Inspector/Code Enforcement Officer - Chmielewski

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

WHEREAS, The Town of Coeymans is desirous of hiring a full time Building Inspector and Code Enforcement Officer; and

MINUTES BOOKTOWN OF COEYMANS**
November 22, 2021 – Town Board Meeting – 6:30pm

WHEREAS, all potential candidates were vetted by the Town of Coeymans Town Board, and current Building Department staff; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby Authorize the hiring of Jason Chmielewski to the position of Building Inspector and Code Enforcement Officer on a provisional basis pending civil service certification effective November 29th, 2021 at a rate of \$24.40 per hour.

Resolution #187-21 – Authorize Grant Writer to Submit CRISI Grant

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

WHEREAS, the Town of Coeymans grant writer Nicole Ambrosio is desirous of pursuing the Consolidated Rail Infrastructure and Safety Improvements (CRISI) grant for the Town of Coeymans Police Department; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby authorize Nicole Ambrosio to pursue and submit applications for the aforementioned grant opportunity.

Resolution #188-21 – Terminate Data Collector - Contento

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

Be It Resolved that the Town Board of the Town of Coeymans does hereby terminate Daniel Contento from the position of Data Collector effective November 10th, 2021.

Resolution #189-21 – Appoint Data Collector - LaMountain

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

WHEREAS, the Town of Coeymans is desirous of hiring a Data Collector 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 Nick LaMountain to the position of part time Data Collector effective November 11, 2021 at an hourly rate of \$15.60 per hour on an as needed basis.

Resolution #190-21 – Rescind Water Relevy Resolution

On motion of Councilmember 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 is desirous of rescinding resolution 181-21 which was passed on November 4th, 2021.

MINUTES BOOKTOWN OF COEYMANS
November 22, 2021 – Town Board Meeting – 6:30pm**

NOW, THEREFORE, BE IT RESLOVED, that the Town Board of the Town of Coeymans does hereby rescind the resolution stated above.

Supervisor McHugh asked Town Clerk Rowzee to speak about this. Town Clerk Rowzee stated that there was an executive order issued by the state that we had to give special notice to people that they had a chance to apply for a hardship for their water bill before relevying. A letter was sent out the following day and the relevy would need to be done again after the 30 day notice.

Resolution #191-21 – Budget Transfers

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

WHEREAS, the Town Board of the Town of Coeymans has had unforeseen expenditures in the following 2021 accounts; and

WHEREAS, the Chief Fiscal Officer is desirous of transferring funds to those accounts to maintain proper accounting.

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>
\$ 191.58	(A)1990.4 Contingency	(A) 1430.4 Human Resource Contractual
\$ 8,985.17	(A)1990.4 Contingency	(A)1650.4 Central Communication Contractual
\$ 71.46	(A)1990.4 Contingency	(A)5010.4 Highway Superintendent Contractual
\$ 977.15	(A)1990.4 Contingency	(A)8090.4 Environmental Control-Leachate
\$ 78.12	(A)1990.4 Contingency	(A)9089.8 Other Employee Benefits
\$ 998.80	(A)1990.4 Contingency	(A)7110.4 Parks Contractual

PART TOWN FUND (B)

<u>AMOUNT</u>	<u>FROM ACCOUNT</u>	<u>TO ACCOUNT</u>
\$ 10.35	(B)8140.4 Storm Water Contractual	(B)8020.4 Planning Board Contractual
\$ 6.41	(B)8140.4 Storm Water Contractual	(B)9045.8 Life Insurance Contractual

SEWER FUND (SS)

MINUTES BOOKTOWN OF COEYMANS**
November 22, 2021 – Town Board Meeting – 6:30pm

<u>AMOUNT</u>	<u>FROM ACCOUNT</u>	<u>TO ACCOUNT</u>	
\$ 104.06	(SS)8130.4 Contractual	(SS)1910.4 Contractual	Insurance

Public Comment

Carol McDonald of Coeymans stood and spoke of vaccines that were available at the Albany County Department of Health and stated that they also had rides available. She also spoke of invasive species in the area and was hoping to speak with the person in charge of the common public property about remediation and education. Supervisor McHugh directed her to Scott Searles. She stated that she had emailed him and had not heard back from him. Supervisor McHugh stated that he would have him call her. She mentioned an infestation of the hemlocks in the area.

Upcoming Meetings/Workshops

PB/ZBA Meeting – November 23, 2021 - 7pm
Public Hearing on Sewer Rates – December 9, 2021 – 6:30pm
Town Board Meeting – December 9, 2021 – 6:30pm
PB/ZBA Meeting – December 13, 2021, 2021 - 7pm
PB/ZBA Meeting – December 22, 2021, 2021 - 7pm
Town Board Meeting – December 23, 2021 – 6:30pm

Additional Comments

Councilmember LeFevre encouraged dog owners to get their dogs licensed and wished everyone a Happy Thanksgiving.

Supervisor McHugh wished everyone a Happy Thanksgiving on behalf of the Board and reminded everyone about the Village Christmas Parade that would be starting at Coeymans Landing on December 4th with the Town Tree Lighting at 5:30.


Motion to Adjourn

On motion of Councilmember Baker, seconded by Councilmember Bruno, the Town Board Meeting was adjourned.

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

Time – 7:37pm

Respectfully Submitted,



Cindy L. Rowzee, Town Clerk