

MINUTES BOOK**TOWN OF COEYMANS

June 8 2023 – Town Board Meeting – 6:00pm

A Town Board Meeting was held Thursday June 8, 2023 at 6:00pm at Town Hall, 18 Russell Avenue, Ravena, New York

PRESENT: George D. McHugh, Supervisor
Brandon L. LeFevre, Council Member
Stephen J. Schmitt, Council Member
Marisa Tutay, Council Member
Linda S. Bruno, Council Member

Absent:

ALSO PRESENT: Candace McHugh, Town Clerk

Supervisor McHugh called the meeting to order and led the audience in the Pledge of Allegiance. Council member Bruno led the audience in prayer. Supervisor McHugh asked that the record reflect that all members were present.

Announcements:

Evening on the Green: The upcoming Evening on the Green performance will be on June 14th with live music from Dusk Til Dawn from 6-8 pm! M&R Snacks and Smokin Pig Deli will be cooking up some delicious food and New Scotland Spirits will have their booth up, offering some of their handcrafted infused whiskey from 4:30-7:30 pm!

Feliciano Body Works Car Show: Feliciano Body Works will be hosting a car show on July 8th at the Special Olympics NY Headquarters, 94 New Karner Rd, Albany from 11-3 pm. Car registration will begin at 9 am at \$25 and awards will be given at 2 pm, there will be many food trucks and raffles to enjoy.

All proceeds from this event will go directly to the Capital Region Special Olympics NY Athletes!

First Robotics Expo: is being held tonight 6-8pm at the RCS High School.

Motion to Approve Minutes

Minutes were approved for the following Town Board meetings:

- May 25, 2023 Town Board Meeting
- May 25, 2023 Public Hearing – Dog Control
- May 25, 2023 Public Hearing – Lot line & Mergers

Council member Tutay made a motion to accept the minutes and Council member LeFevre seconded the motion.

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

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New Business:

N/A

Old Business:

350th Celebration: Council Members Tutay and LeFevre discussed the schedule of events for the Celebration which will take place on June 9th & 10th. A full list of events can be found on the Town of Coeymans Website.

Resolutions

Resolution #086-23 Reinstatement of Detective Loran

	<i>Present</i>	<i>Absent</i>	<i>Aye</i>	<i>Nay</i>	<i>Abstain</i>
George D. McHugh	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Brandon L. LeFevre	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Linda S. Bruno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marisa J. Tutay	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen J. Schmitt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Total</i>	<u>5</u>		<u>5</u>		

I, Council member Tutay offer the following resolution and move its adoption:

WHEREAS, the Town of Coeymans Police Department received a notice of resignation from part-time Detective Roger Loran effective May 19th, 2023.

WHEREAS, Detective Loran has fulfilled the requirement for separation of service necessary to continue in the Police and Fire retirement system.

WHEREAS, Detective Loran is now able to return to his previous position and is reinstated to his previous position as Part Time Detective for the Town of Coeymans Police Department.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby reappoint Roger Loran to his previous position as Part Time police officer.

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Seconded by Council member LeFevre, offered for discussion and duly put to a vote, the results of which appear above.

Resolution # 087-23 Adoption of Local Law #5 – Dog Control

	<i>Present</i>	<i>Absent</i>	<i>Aye</i>	<i>Nay</i>	<i>Abstain</i>
George D. McHugh	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Brandon L. LeFevre	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Linda S. Bruno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marisa J. Tutay	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Steven Schmitt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Total</i>	<u>5</u>		<u>5</u>		

**Resolution Adopting Local Law Amending
Town Code Chapter 60 - Dog Control**

I, Council member LeFevre offer the following resolution and move its adoption:

WHEREAS the Town Board of the Town of Coeymans has introduced a proposed Local Law to amend Sections 60-1; 60-2; and 60-3 of Chapter 60 of the Town Code, entitled “Dog Control”; and

WHEREAS the Town Board duly noticed and held a public hearing on the proposed local law on May 25, 2023; 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 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 No. 5 of the year 2023.

Seconded by Council member McHugh, offered for discussion and duly put to a vote, the results of which appear above.

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LOCAL LAW NO. 5 OF 2023

I. Sections 60-1; 60-2; and 60-3 of Chapter 60 of the Town Code, entitled "Dog Control" is hereby amended and restated to read as follows:

§ 60-1 Findings; Purpose.

A.

The Town of Coeymans, Albany County, New York, finds that the running at large and other uncontrolled behavior of dogs has caused physical harm to persons, damage to property and created nuisances within the town.

B.

The purpose of this article is to protect the health, safety and well-being of persons and property by imposing restrictions and regulations upon the keeping or running at large of dogs and the seizure thereof within the Town of Coeymans

§ 60-2 Prohibited Acts.

It shall be unlawful for any owner of or any person harboring any dog in the Town of Coeymans as described in § **60-1** above to permit or allow such dog to:

A.

Run at large unless said dog is restrained by a leash or unless accompanied by its owner or a responsible person able to control the animal.

B.

Engage in habitual loud howling or barking or to conduct itself in such manner so as to habitually annoy any person other than the owner or person harboring such dog.

C.

Cause damage or destruction to property, or commit a nuisance by defecating or urinating upon the premises of a person other than the owner or person harboring such a dog.

D.

Chase or otherwise harass any person in such a manner as reasonably to cause intimidation or to put such person in reasonable apprehension of bodily harm or injury.

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E.

Habitually chase or bark at motor vehicles, motorcycles or bicycles.

§ 60-3 Dogs in heat.

It shall be unlawful for a person harboring a female dog in said Town of Coeymans as described in § **60-1** above to permit such dog to run at large when in heat, and such dog shall be confined to the premises of such person during such period.

[All remaining Sections of Chapter 60 shall remain in full force and effect].

Resolution # 088-23 Adoption of Local Law # 6 – Lot Lines and Mergers

	<i>Present</i>	<i>Absent</i>	<i>Aye</i>	<i>Nay</i>	<i>Abstain</i>
George D. McHugh	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Brandon L. LeFevre	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Linda S. Bruno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marisa J. Tutay	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Steven Schmitt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Total</i>	<u>5</u>		<u>5</u>		

**Resolution Adopting Local Law on
Lot Line Adjustments and Lot Mergers**

I, Council member McHugh offer the following resolution and move its adoption:

WHEREAS the Town Board of the Town of Coeymans has introduced a proposed Local Law entitled “Lot Line Adjustments and Lot Mergers Law of the Town of Coeymans”; and

WHEREAS the Town Board duly noticed and held a public hearing on the proposed local law on May 25, 2023; 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 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 No. 6 of the year 2023.

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Seconded by Council member Bruno, offered for discussion and duly put to a vote, the results of which appear above.

Local Law No. 6 of 2023

Lot Lines Adjustments and Lot Mergers

144-1. Title

Short title. This article shall be known as the “Lot Line Adjustments and Lot Mergers Law of the Town of Coeymans.”

144-2. Purpose.

- A. The purpose of this local law is to establish a new chapter in the Town of Coeymans Code, such that lot line adjustments and lot mergers are considered separately from site plan review and the subdivision of land.

- B. Where this article conflicts or is inconsistent with Chapter 145 of the Town of Coeymans Code (Subdivision of Land), this article shall supersede said regulations.

144-3. Definitions.

As used in this article, the following terms shall have the meaning indicated:

LOT LINE ADJUSTMENT – The process whereby land taken from one parcel is added to an adjoining parcel to adjust the property boundary lines merely for purposes of increasing the size of the lot to without creating a new lot. If a new lot would be created by the proposed lot line adjustment, then the applicant must submit a full minor or major subdivision application, as the case may be.

LOT MERGER – The process whereby two or more parcels of land are merged to create a single parcel of land.

144-4. Title Matters.

The Town of Coeymans is not liable for any title matters that may arise due to the approval of lot line adjustments or lot mergers, where the parcels are subject to prior record liens or restrictions (i.e., deeds of trust, mortgages, money judgments, etc.).

144-5. Application and procedure.

All applications for lot line adjustments and mergers shall be made to the Town Planning Board/Zoning Board of Appeals and include the following:

- A. All applicable filing fees and escrow fees for professional review of the application.

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- B. A map or survey showing the parcels of land to be adjusted or merged, together with all existing and proposed boundaries lines, buildings and features.
- C. All existing and proposed deeds for the affected parcels.
- D. Any other information as may be requested by the Planning Board/Zoning Board of Appeals.
- E.

144-6. Review and approval.

- A. A public hearing shall not be mandatory, however the Planning Board/Zoning Board of Appeals may, in its discretion, require a public hearing on the application.
- B. Upon approving a lot line adjustment or lot merger, the Planning Board/Zoning Board of Appeals shall mark the survey map “accepted for filing by the Town of Coeymans Planning Board/Zoning Board of Appeals,” and it shall be properly signed and dated by the duly designated officer of the Planning Board/Zoning Board of Appeals.
- C. In the event the approved survey map and the applicable deeds are not filed in the office of the Albany County Clerk within thirty (30) days of the date upon which they are approved, the lot line adjustment or lot merger shall become null and void as though it had never been approved. The thirty-day time period, however, may be extended upon request of the applicant or adjoining landowner and upon approval of the Planning Board/Zoning Board of Appeals.
- D. Unless a variance is granted, a lot line adjustment or lot merger shall not be approved where such conveyance would cause a parcel to fail to meet any applicable zoning or land use laws or regulations of the Town, including minimum lot size or setbacks.
- E. The decision of the Planning Board/Zoning Board of Appeals shall be rendered in writing within sixty-two (62) days of the date that the application is deemed complete by the Planning Board/Zoning Board of Appeals and any required public hearing is completed.
- F. The Planning Board/Zoning Board of Appeals shall deny any application that violates existing Town of Coeymans local law or regulation or is inconsistent with the stated purpose of such law or regulation.

144-7. Filing fees.

Filing fees for lot line adjustment or lot merger applications may be established or amended by resolution of the Town Board.

Public Comments:

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Motion to Adjourn and enter into executive session to discuss a pending litigation was made by Council member McHugh and Seconded by Council member Bruno- APPROVED – VOTE – AYES 5 – NAYS 0 – ABSENT 0 – SO MOVED

A motion was made by Supervisor McHugh to authorize the Supervisor to sign a letter of engagement which was seconded by Council member LeFevre, all were in favor.

A motion to Adjourn Executive Session was made by Supervisor McHugh and seconded by Council member LeFevre- APPROVED – VOTE – AYES 5 – NAYS 0 – ABSENT 0 – SO MOVED

6:23 pm

Respectfully Submitted,

Candace McHugh, Town Clerk