

**MINUTES BOOK\*\*TOWN OF COEYMANS  
December 4, 2023 – Special Town Board Meeting – 4:45pm**

**A Town Board Meeting was held Wednesday December 4, 2023 at 4:45pm at Town Hall, 18 Russell Avenue, Ravena, New York**

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

**Absent:**

**ALSO PRESENT:** Sherle Slingerland, Deputy 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.

**Resolution #151-23 Authorize Execution of Retainer**

|                    |                                     | <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 type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Stephen J. Schmitt | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <i>Total</i>       | <u>5</u>                            |                          | <u>3</u>                            | <u>2</u>                            |                          |

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

**WHEREAS**, by Decision, Order and Judgment dated November 27, 2023, the Albany County Supreme Court (Index No. 904639-23) annulled the April 26, 2023 determination by the Town’s planning board regarding an application by Marebo, LLC for site plan approval and a special use permit; and

**WHEREAS**, the Town Board previously retained the law firm of Dreyer Boyajian LLP as counsel in said action; and

**WHEREAS**, after discussion among the Town Board members and consultation with the Town Supervisor, the Town’s counsel on December 1, 2023 filed a Notice of Appeal from said decision, order and judgment; and

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**WHEREAS**, the Town’s counsel has submitted a proposed retainer agreement to prosecute said appeal; and

**WHEREAS**, the Town Board has reviewed the foregoing decision, order and judgment; notice of appeal; and counsel’s proposed retainer agreement.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Coeymans hereby authorizes, approves, and ratifies the filing of said Notice of Appeal, and further authorizes the Town Supervisor to enter into the retainer agreement with Dreyer Boyajian LLP and to advance the retainer deposit of \$15,000 as provided therein.

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

**Discussion:** Council member Schmitt stated he is not in favor of filing an appeal and had made that clear to the board. He asked what the pros and cons of filing the appeal are as did Council member Tutay. Supervisor McHugh stated this is ratifying a decision the board already agreed upon and recommended bringing any questions to counsel.

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**Motion to Adjourn** was made by Supervisor McHugh and Seconded by Council member Bruno-  
APPROVED – VOTE – AYES 5 – NAYS 0 – ABSENT 0 – SO MOVED

*Respectfully Submitted,*

  
*Candace McHugh, Town Clerk*