

**TOWN BOARD
OF THE
TOWN OF COEYMANS
March 14, 2024**

Town Board Meeting 6:00 p.m.

(PLEASE SILENCE CELL PHONES WHILE MEETING IS IN PROGRESS)

- 1. Call to Order – Pledge of Allegiance**
- 2. Members Present and Overview of Agenda Topics**
- 3. Public Announcements**
 - 3.1. Ravena Grange Hall Hosts Roast Beef Dinner – Saturday, March 23rd @ 4PM
- 4. Approval of Minutes**
 - 4.1. February 22, 2024 – Town Board Meeting Minutes
- 5. Old Business**
 - 5.1. 16 Hillcrest Withdrawal
 - 5.2. Appeal Withdrawal
 - 5.3. Escrow Agreement
 - 5.4. Amend Resolution #019-24
- 6. New Business**
 - 6.1. Ambulance District/Creation of Committee
- 7. Resolutions**
 - 7.1. Authorize Budget Transfer
 - 7.2. Authorize Withdrawal of 16 Hillcrest Contract
 - 7.3. Authorize Withdrawal of Appeal
 - 7.4. Authorize Escrow Agreement
 - 7.5. Appoint Alternate BAR Member
 - 7.6. Authorize Clerk to Attend Annual Conference
 - 7.7. Completion of Justice Audit (Frese)
 - 7.8. Completion of Justice Audit (Eissing)
 - 7.9. Accept Resignation of Part-Time Police Officer
- 8. Upcoming Meetings**
 - 8.1. March 27th, 2024 – PB/ZBA Meeting @ 7:00PM
 - 8.2. March 28th, 2024 – Town Board Meeting @ 6:00PM
- 9. Public Comment**
- 10. Adjourn**

At a Meeting of the Town Board of
the Town of Coeymans, at Town Hall,
18 Russell Avenue, Ravena, New York,
on March 14th, 2024 there were:

	<i>Present</i>	<i>Absent</i>	<i>Aye</i>	<i>Nay</i>	<i>Abstain</i>
Stephen Donnelly	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Linda S. Bruno	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen J. Schmitt	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ronald J. Hotaling	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Michael J. Stott	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Total</i>					

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

WHEREAS, the Town Board previously appointed Nicole Ambrosio as Town Grant Writer, for the period of January 1, 2024 through December 31, 2024; and

WHEREAS, the Town Board has since further considered whether to retain Ms. Ambrosio as a Town employee or as an independent; as well as the appropriate rate of compensation for the services that are to be rendered.

NOW, THEREFORE, BE IT RESOLVED, the Town Board ratifies its appointment of Nicole Ambrosio as Town Grant Writer, and determines that effective March 1st, 2024 through December 31st, 2024 Ms. Ambrosio shall be retained as an independent contractor and paid \$1,000.00 per month, via voucher.

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

At a Meeting of the Town Board of
the Town of Coeymans, at Town Hall,
18 Russell Avenue, Ravena, New York,
on March 14th , 2024 there were:

	<i>Present</i>	<i>Absent</i>	<i>Aye</i>	<i>Nay</i>	<i>Abstain</i>
Stephen Donnelly	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Linda S. Bruno	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen J. Schmitt	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ronald J. Hotaling	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Michael J. Stott	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Total</i>					

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

WHEREAS, the Chief Fiscal officer has determined that in order to maintain a proper balance within an account an inter-fund transfer is necessary; and

WHEREAS, in order to allocate proper funds to support our 2024 Summer Youth Employment Program, \$17,680.00 needs to be transferred from Budget line (A) 1990.4 Contingency to (A) 7310.1 Youth Services; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby authorize Supervisor Stephen Donnelly to transfer the funds as depicted below for the Budget Year 2024:

General Fund (A)

<u>Amount</u>	<u>From Account</u>	<u>To Account</u>
\$ 17,680.00	(A) 1990.4 Contingency	(A) 7310.1 Youth Services

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

At a Meeting of the Town Board of the Town of Coeymans, at Town Hall, 18 Russell Avenue, Ravena, New York, on March 14, 2024 there were:

	<i>Present</i>	<i>Absent</i>	<i>Aye</i>	<i>Nay</i>	<i>Abstain</i>
Stephen Donnelly	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Linda S. Bruno	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen J. Schmitt	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ronald J. Hotaling	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Michael J. Stott	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Total

I, Council member _____ offer the following Resolution and move its adoption:

WHEREAS, the Town of Coeymans (“Purchaser”), previously entered into a Standard Form Contract for Purchase and Sale of Real Estate, dated November 20, 2023 (the “Contract”), with the Grace United Methodist Church (“Seller”), for the purchase of a portion of property known as 16 Hillcrest Drive, in the Town of Coeymans, New York; and

WHEREAS, the Purchaser and Seller have mutually agreed to cancel the Contract and sign a Cancellation and Release, in substantially the form attached hereto.

NOW, THEREFORE, BE IT RESOLVED, that Stephen Donnelly, as Town Supervisor be and hereby is authorized to execute the Cancellation and Release, as well as any other documents necessary for the cancellation of the Contract, and to transmit said document(s) to the listing broker for transmittal to the Seller.

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

At a Meeting of the Town Board of the Town of Coeymans, at Town Hall, 18 Russell Avenue, Ravena, New York, on March 14, 2024 there were:

	<i>Present</i>	<i>Absent</i>	<i>Aye</i>	<i>Nay</i>	<i>Abstain</i>
Stephen Donnelly	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Linda S. Bruno	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen J. Schmitt	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ronald J. Hotaling	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Michael J. Stott	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Total</i>					

I, Board Member _____ offer the following Resolution and move its adoption:

WHEREAS, the Town of Coeymans and the Town Board of the Town of Coeymans were named as Respondents-Defendants in the matter of:

Marebo, LLC v. Robert Nolan, Town of Coeymans, Town of Coeymans Planning Board and Zoning Board of Appeals, Town of Coeymans Town Board, et al., For a Judgment Pursuant to CPLR Article 78 and CPLR 3001 (Sup. Ct., Albany Co., Index No. 904639-23)

(hereinafter the “Marebo Matter”); and

WHEREAS, the Supervisor and Town Clerk of the Town of Coeymans were also named as Respondents-Defendants in the Marebo Matter—in their respective capacities as “Records Appeal Officer” and “Records Access Officer” for the Town of Coeymans; and

WHEREAS, on November 27, 2023, the Supreme Court, Albany County issued a Decision, Order and Judgment (the “Decision and Order”) in connection with the Marebo Matter; and

WHEREAS, a prior Town Board appealed from the Decision and Order (the “Appeal”); filing a Notice of Appeal on December 1, 2023; and perfecting the Appeal on December 29, 2023; and

WHEREAS, the prior Town Board caused the Appeal to be taken on behalf of all of the named Respondent-Defendants; and

WHEREAS, the Appeal of the Decision and Order as it relates to the Town Supervisor and Town Clerk has been rendered moot in that the records sought have been produced; and

WHEREAS, the current Town Board now seeks to withdraw the Appeal, in so much as it is an Appeal on behalf of the Town of Coeymans and the Town Board of the Town of Coeymans.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Town Board of the Town of Coeymans determines to withdraw, on behalf of itself and the Town of Coeymans, the Appeal from the Decision and Order.

2. The Town Board directs the Town Supervisor to take such actions, and sign such papers, as are necessary to withdraw the Appeal on behalf of the Town of Coeymans and the Town Board of the Town of Coeymans, including communicating the Town Board's desire to withdraw the appeal to the Respondents-Defendants' current attorneys-of-records (Dreyer Boyajian); and communicating the Town Board's desire to withdraw the appeal to the Appellate Division, Third Department.

3. The Town Board directs its current Town Attorneys (Gleason, Dunn, Walsh & O'Shea) to take such actions, and sign such papers, as are necessary to withdraw the Appeal on behalf of the Town of Coeymans and the Town Board of the Town of Coeymans, including communicating the Town Board's desire to withdraw the appeal to the Respondents-Defendants' current attorneys-of-records (Dreyer Boyajian); communicating the Town Board's desire to withdraw the appeal to the Appellate Division, Third Department; and/or appearing on the Town of Coeymans and Town Board's behalf in connection with the Marebo Matter.

4. The Town Board directs the Respondents-Defendants current attorneys (Dreyer Boyajian) to take such action as are necessary to achieve the purposes of this Resolution.

Seconded by Board Member _____, offered for discussion and duly put to a vote, the results of which appear above.

At a Meeting of the Town Board of the Town of Coeymans, at Town Hall, 18 Russell Avenue, Ravena, New York, on March 14, 2024 there were:

	<i>Present</i>	<i>Absent</i>	<i>Aye</i>	<i>Nay</i>	<i>Abstain</i>
Stephen Donnelly	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Linda S. Bruno	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Michael J. Stott	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Total</i>					

I, Board Member _____ offer the following Resolution and move its adoption:

WHEREAS, pursuant to Local Law Number 2 for 2020, the Town of Coeymans authorized the establishment of an escrow account to be funded by an Applicant when the Planning/Zoning Board of Appeals determines that professional services are necessary to properly review a submitted project; and

WHEREAS, implementing regulations (6 N.Y.C.R.R. 617.13) for the New York State Environmental Quality Review Act (“SEQRA”) further allow for the charging of certain fees relating to the cost of an environmental review of a project; and

WHEREAS, counsel to the Planning Board/Zoning Board of Appeals recommends that the Town have in place a standard Escrow Agreement, further detailing the Town’s and an Applicant’s respective rights and obligations in the event escrow funds are required.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Town board hereby authorizes and approves the standard form Escrow Agreement annexed hereto.
2. The Town Board authorizes the Town Supervisor to execute the Escrow Agreement on the Town’s behalf in the event the Planning Board/Zoning Board of Appeals determines escrow funds are necessary for the professional services related to the review of an Application.

Seconded by Board Member _____, offered for discussion and duly put to a vote, the results of which appear above.

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Michael J. Stott	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Total</i>					

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

WHEREAS, Chapter 69 § 2 of the Coeymans Town Code states an alternate member may be appointed to the Board of Assessment Review at the discretion of the Town Board for a term not to exceed one (1) year; and

WHEREAS, the alternate shall only participate and vote in the absence of a regular member; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby appoint Neil Porlier as an alternate member of the Board of Assessment Review effective immediately with a term to expire September 30, 2024.

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

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Michael J. Stott	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Total

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

WHEREAS, the New York State Town Clerk’s Association Annual Conference will be held in Albany on April 21- April 24, 2024; and

WHEREAS, the Town Clerk is desirous of attending the Town Clerk’s Conference to attend classes and receive the training opportunities this conference offers; and

WHEREAS, the conference registration fee must be paid no later than April 15, 2024;

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk is hereby authorized to attend the New York State Town Clerk’s Association Annual Conference in Albany, New York on April 23- April 26, 2023, and to submit a voucher for the registration fee, mileage, any other related expenses.

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

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Michael J. Stott	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Total</i>					

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

WHEREAS, the Town Board must complete or have completed an audit, in accordance with Town Law Section 123 and Section 2019-a of the Uniform Justice Court Act, of all Town Justices; and

WHEREAS, the Town Board has adopted an audit procedure, based on the Local Management Guide, Fiscal Oversight Responsibilities, published by the State of New York Office of the State Comptroller on May 14, 2007, to be applied to the records of each Town Justice; and

WHEREAS, the Town Board has completed the Audit on February 29, 2024;

NOW THEREFORE, BE IT RESOLVED, The records of Town Justice Thomas Frese have been reviewed by the following reviewers and have concluded as follows:

<u>Board Member</u>	<u>Conclusion</u>
Stephen Donnelly	See attached checklist/comments
Linda S. Bruno	See attached checklist/comments
Stephen J. Schmitt	See attached checklist/comments
Ronald J. Hotaling	See attached checklist/comments
Michael J. Stott	See attached checklist/comments

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

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WHEREAS, the Town Board has adopted an audit procedure, based on the Local Management Guide, Fiscal Oversight Responsibilities, published by the State of New York Office of the State Comptroller on May 14, 2007, to be applied to the records of each Town Justice; and

WHEREAS, the Town Board has completed the Audit on February 29, 2024;

NOW THEREFORE, BE IT RESOLVED, The records of Town Justice Tammy Eissing have been reviewed by the following reviewers and have concluded as follows:

<u>Board Member</u>	<u>Conclusion</u>
Stephen Donnelly	See attached checklist/comments
Linda S. Bruno	See attached checklist/comments
Stephen J. Schmitt	See attached checklist/comments
Ronald J. Hotaling	See attached checklist/comments
Michael J. Stott	See attached checklist/comments

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

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Michael J. Stott	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Total</i>					

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

WHEREAS: the Town of Coeymans Police Department has received a letter of resignation from Part Time Officer Jeffrey LaChappelle; and

WHEREAS: Officer LaChappelle has performed as a Police Officer service for the Town for approximately 1 and ½ years; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby accept the resignation of Jeffrey LaChappelle.

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