

MINUTES BOOKTOWN OF COEYMANS
February 24, 2014 – Town Board Meeting – 7:00pm**

**A Town Board Meeting was held Monday, February 24, 2014, at 7:00pm at Town Hall, 18
Russell Avenue, Ravena, New York**

PRESENT: Stephen D. Fläch, Supervisor
Peter E. Masti, Councilman
Thomas E. Dolan, Councilman
George E. Langdon, IV, Councilman
Kenneth A. Burns, Sr., Councilman

ALSO PRESENT: Diane L. Millious, Town Clerk
Highway Superintendent Searles
Attorney for the Town Wukitsch
WWTP Chief Operator, Kerr
Chief of Police, Darlington

Supervisor Flach opened the meeting and led the Pledge of Allegiance.

OPENING COMMENT

Supervisor Flach stated that the records should reflect the presence of a full Town Board.

AGENDA

- Presentations
 - Present Fire Department Real Property Tax Checks
- Public Announcement
 - Assessor's Office Closed
- Public Comment
- Approval of Minutes
 - Town Board Meeting, January 27, 2014
- Supervisor's Report
- Department Report Review
 - Building Department, January 2014
 - Sewer Department, January 2014
 - Town Clerk, January 2014
- New Business
 - Town Vehicle Use Policy
- Resolutions
 - Accept Resignation of Part-Time Police Officer
 - Accept Resignation of Town Justice
 - Appoint Full-Time Auto Mechanic
 - Amend 2013 Adopted Budget, H38 Capital Project
 - Close Capital Project H31
 - Authorize Supervisor to Execute Contract for Cleaning Services
 - Close Capital Project H37
 - Close Capital Project H38
 - Close Capital Project H36
 - Close Capital Project H35
 - Amend 2013 Adopted Budget, Sewer Billings
 - Amend 2013 Adopted Budget, Sewer Fund
 - Amend 2013 Adopted Budget, Sewer Fund Overspending
 - Authorize Supervisor to Execute Stop DWI Contract with Albany County
 - Approval of Abstract

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- Correspondence
 - Village of Ravena 100th Anniversary
- Town Board Workshops/Meetings
 - Planning Board Meeting, March 3, 2014, 7:00pm
 - Town Board Meeting, March 10, 2014, 7:00pm
 - Town Board Workshop, March 18, 2014, 6:00pm
 - Town Board Meeting, March 24, 2014, 7:00pm
- Executive Session
 - Personnel Matter

PRESENTATION

Present Fire Department Real Property Tax Checks

Supervisor Flach stated that he had the annual tax checks to present to the Coeymans Fire Department and Coeymans Hollow Fire Department and invited members to come forward for the presentation and added that he thanks them for their service to the community.

Supervisor Flach presented the Coeymans Fire Department check to Mr. John Frangella and noted that no one was present from Coeymans Hollow Fire Department because they were holding their own meeting.

PUBLIC ANNOUNCEMENTS

Assessor's Office Closed

Supervisor Flach stated that the Assessor's Office will be closed on March 12, 2014.

PUBLIC COMMENT

Supervisor Flach invited the public to comment at this time.

Ms. Regina Palmer asked if the meeting with Lafarge that was supposed to happen actually happened because there was a big snow storm, and if so, were there any notes from the meeting.

Supervisor Flach stated that it did and it was actually the IDA's (Industrial Development Agency) Meeting, which was held in Town Hall and added that he believes that he could get the minutes for her because there was a stenographer present.

Ms. Palmer thanked Supervisor Flach.

Supervisor Flach asked if anyone else wished to comment.

Mr. Richard Devries stated that he had a prepared statement and continued by reading the following:

My name is Richard Devries I live on Stanton Road in Coeymans Hollow. I'm here tonight to request a specific enforceable policy relevant to the discharge of firearms in the shale pit on Mud Hill Road, which is on Town property. I would request that this policy be in the form of a Town Ordinance if possible. This has been a very long-standing problem, I have lived on Stanton Road for over 20 years and it has progressively, yearly, gotten worse. I am not talking about an occasional gun shot or the sighting-in of a hunting rifle, but for hours on end the frequent discharge of dozens to hundreds of rounds of small arm and large caliber ammunition. There are frequent times when it sounds like there is an active fire fight going on. Over the past several years I have sought to remedy the situation by requesting local police to intercede, two years ago I spoke directly to Chief of Police Darlington about the matter and he assured me that it was not

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policy to allow the use of the shale pit for public firearm discharge. At that time he advised me to call the Police Department when I noted an on-going problem. My multiple calls over the subsequent two years have been met with varied responses, on one occasion a police car was dispatched and the shooting ceased, on several subsequent calls I was told by responding officers that there was not an official, specific prohibition against shooting in the shale pit and consequently those involved could not be forced to desist. There are three specific issues that have provoked my request: 1. As a Town resident I cannot believe that the Town would willingly assume the liability involved in allowing public shooting at that location. I cannot believe that the Town Council would knowingly condone this. 2. It has become a massive disturbance of the peace and quiet of the local community having the Battle of Paluja relived several times weekly. 3. The total environmental disregard by the shooters characterized by mountains of discarded brass and shotgun shells on the premises. As a long-time hunter and a previous competitive pistol shooter, I understand and appreciate the need to have a legal and safe place to fire my weapons. To that end I would suggest that there already exists within the Town a Gun Club where hand gun and long gun shooting can be legally and safely done. Thank you for your time and consideration.

Supervisor Flach thanked Mr. Devries and then asked Chief Darlington if that is what they do when someone complains.

Chief Darlington stated that as far as his Department is concerned, there is no policy and if it is the Town's property and not desirous of it, obviously they should be advised to cease and if that is the Board's wishes he will put out a memorandum advising all officer's that it is to be enforced and continued by suggesting that they put up No Trespassing signs.

Councilman Langdon stated that he has been up there and it is actually pretty steady and he does not know the legalities but if there is a liability concern they need to address it.

Attorney for the Town Wukitsch stated that if it is Town property, they can limit the use of firearms on it.

Mr. Devries interjected that he had it looked into and it is definitely Town property.

Supervisor Flach asked if there is liability.

Attorney for the Town Wukitsch stated that if someone discharges a weapon and is injured or something happens, there is a liability because if the Town is the property owner, they are responsible for safe use of the property. He added that if it is going to be used for discharge of firearms, they have to insure that it is done safely and he does not think that they would want to take on that responsibility.

Councilman Langdon stated that when he spoke with the group of guys shooting the day he was there, they were actually not even Town residents but had lived in the Town in the past and they knew of it and they come down to shoot on a regular basis so it is not local taxpayers that are doing it.

Chief Darlington stated that he does not know if in fact it is Town property.

Attorney for the Town Wukitsch stated that he would have to look at a map to see what they are talking about.

Mr. Devries reiterated that it is Town property; he came down to the Clerk's Office and was advised that it is definitely Town property.

Supervisor Flach stated that they will double check it and then discuss whether they want to do an Ordinance and put up No Trespassing signs.

Attorney for the Town Wukitsch interjected that they don't need an Ordinance and they can simply pass a motion or resolution stating that they are going to ban the use of firearms on that property and added that if you live in the country you are going to hear guns going off.

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Mr. Devries stated that the issue is not the occasional gun shot.

Attorney for the Town Wukitsch stated that he lives in the country and it is more than occasional gun shot and in the fall it is non-stop during hunting season. He added that they can deal with the issue that he raised to the extent that it is Town property and it is a reasonable request and reiterated that the idea of living in the country and not hearing gun shots is not going to happen.

Chief Darlington stated that if Mr. Devries has an issue where it is not enforced, he should let him know and he will speak with the officers to make sure that they are aware of what the expectation is.

Mr. Devries stated that the last time that he and Mr. Richard Miller came to the Police Department; they were told that it is not enforceable because there is not a specific regulation banning it and that people could just refuse to leave because it is public property.

Chief Darlington stated that they can't refuse to leave and the issue that he came up with is whether or not it is prohibited.

Attorney for the Town Wukitsch stated that if the Town owns it, the Town can place reasonable restrictions on the use of the property.

Chief Darlington stated that for years it has been used for that and it has not been an issue for anyone in the past and the Police Department used to use it at one point for a firing range but now they have another location that is more secluded. He continued by saying that if the Board is desirous to say that they don't want it going on there, that is what they will do and it won't necessarily have to be a policy, it just has to be something that the Board has to say. He added that hunting used to be allowed in Joralemon Park and when Frisbee Golf came to the park and the players complained when they encountered hunters, they made it so no hunting is allowed and if he is directed to disallow firearms, they will put up the necessary signage and reiterated that if he does not get the appropriate responses from his officers, he should let him know.

Supervisor Flach asked if anyone else wished to comment, hearing none he moved to the next item on the agenda.

APPROVAL OF MINUTES

Supervisor Flach stated that there was one set of Town Board Minutes that needed approval a Town Board Meeting on January 27, 2014 and then asked for a motion.

MOTION

On motion of Councilman Burns, seconded by Councilman Masti, the Town Board minutes were approved as presented and read.

VOTE – AYES 5 – NAYS 0 – SO MOVED

SUPERVISOR'S REPORT

January 2014

FUND	BALANCE	RECEIPTS	DISBURSE.	BALANCE
General	\$299,458.35	\$1,907,903.82	\$685,355.95	\$1,522,006.22
Part-Town	\$ 12,376.41	\$ 433,922.57	\$193,380.02	\$ 252,918.96
Highway	\$ 86,219.49	\$ 156,923.22	\$148,876.66	\$ 94,266.05
Bridge Construction	\$ 28,997.70	\$ 10.22	-0-	\$ 29,007.92

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Sewer	\$ 44,039.30	\$ 65,517.83	\$ 73,930.23	\$ 35,626.90
Special Water	\$ 12,060.75	\$.51	\$254,206.12	\$ 12,061.26
Police Forfeiture	\$ 7,440.33	\$ 4,141.35	\$ 1,334.21	\$ 10,247.47
Trust & Agency	\$ 17,127.44	\$ 254,206.12	\$256,145.30	\$ 15,188.26
Capital Projects	\$180,322.18	\$ 324,519.11	\$430,439.16	\$ 74,402.13
Section 8 HUD 76 Units	\$ 17,788.79	\$ 44,373.66	\$ 45,249.52	\$ 16,912.93
			Total Rec. Bal.	\$2,062,638.10

SAVINGS ACCOUNTS

Unemployment	\$ 703.16
Grove Cemetery	\$40,929.41
Coey. Hollow Cem.	\$13,426.57
Sewer-Dedicated	\$.24
Total	\$55,059.38

**COLLATERAL
COVERAGE**

Bank of Greene	\$250,000.00	\$2,631,526.95
National Bank	\$250,000.00	\$ 964,379.66

FDIC

COLLATERALIZED

Supervisor Flach asked for a motion to approve the report.

MOTION

On motion of Councilman Langdon, seconded by Councilman Masti, the Supervisor's Report was approved as presented and read.

VOTE – AYES 5 – NAYS 0 – SO MOVED

DEPARTMENT REPORT REVIEWS

Building Department – January 2014

Supervisor Flach asked that Councilman Dolan give the Building Department Monthly Report.

Councilman Dolan continued by reading the report.

Sewer Department – January 2014

Supervisor Flach asked that Chief Operator Kerr give the Sewer Department Monthly Report.

Mr. Kerr continued by giving the report.

Town Clerk – January 2014

Supervisor Flach asked that Town Clerk Millious give the Town Clerk Report.

Town Clerk Millious continued by giving the report.

Supervisor Flach offered a motion to approve the reports

MOTION

On motion of Supervisor Flach, seconded by Councilman Burns, the Monthly Reports were approved as presented and read.

VOTE – AYES 5 – NAYS 0 – SO MOVED

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NEW BUSINESS

Town Vehicle Use Policy

Supervisor Flach stated that he wanted to table the Town Vehicle Use Policy and then offered a motion.

MOTION

On motion of Supervisor Flach, seconded by Councilman Masti, the New Business topic Town Vehicle Use Policy was tabled.

VOTE – AYES 5 – NAYS 0 – SO MOVED

Councilman Dolan interjected that he would refer to read it before they discuss it.

RESOLUTIONS

RES. #59-14 ACCEPT RESIGNATION OF PART-TIME OFFICER

On motion of Councilman Masti, seconded by Supervisor Flach, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, David Card has submitted his letter of resignation as Part-Time Police Officer for the Town of Coeymans Police Department,

NOW, THEREFORE, BE IT RESOLVED, that the resignation of David Card as Part-Time Police Officer be accepted effective February 11, 2014.

To: Chief Darlington
From: David Carr

Subject: Resignation

Thank you for the opportunity you have given me with the Town of Coeymans Police Department. It was a good learning experience to work with the Coeymans Police Department for the time that I have. However, at this time I feel it is best for me to part ways and resign from my position as a Police Officer for the Town of Coeymans. I have come to this conclusion through much thought and consideration of my own interests as well as the interests of your department. Through the few months I've been here, my availability has been very thin and I do not anticipate that changing in the future. I feel that for this reason it is best to part ways with the department. Again, I appreciate the opportunity you have given me.

David Card

RES. #60-14 ACCEPT RESIGNATION OF TOWN JUSTICE

On motion of Councilman Langdon, seconded by Councilman Dolan, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, Philip A. Crandall has submitted his letter of resignation as Town Justice to the Town of Coeymans; and

WHEREAS, the Town Board of the Town of Coeymans regretfully accepts this resignation;

NOW, THEREFORE, BE IT RESOLVED, that the resignation of Philip A. Crandall as Town Justice be accepted effective February 28, 2014. The Town Board of the Town of Coeymans wished Philip A. Crandall the best in his endeavors.

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Councilman Dolan stated that he wanted to read the letter of resignation into the record.

Town Supervisor's Office
18 Russell Avenue
Ravena, NY 12143

RE: Resignation

Town Supervisor Flach and Town Board Members

This is my notification that I am resigning as Town Justice as of February 28, 2014. I am stepping down for personal reasons. It has been my privilege to serve the people of the Town of Coeymans. I appreciate the opportunities I have been given here and wish you all the best.

Sincerely,

Philip Crandall

Supervisor Flach stated that he wanted to thank him for his service to the Town and added that any elected position is not always an easy one to fulfill and Mr. Crandall had some personal issues that he was dealing with and felt as though he needed to resign. He continued by saying that he spoke with him on the phone and thanked him for his service to the Town and added that he's sorry to see him go.

Councilman Dolan stated that he also wanted to wish him the best in his future endeavors.

Supervisor Flach stated that he also thanks David Card for his time as a part-time Police Officer to the Town and asked that Chief Darlington convey that to him.

RES. #61-14 APPOINT FULL-TIME AUTO MECHANIC HIGHWAY

On motion of Supervisor Flach, seconded by Councilman Dolan, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the Superintendent of Highways is desirous of filling the full-time Automotive Mechanic position at the Highway Department, and

WHEREAS, the Highway Superintendent has advertised and interviewed a number of applicants for the position and found a candidate who meets the minimum qualifications; and

WHEREAS, the Superintendent of Highways has confirmed the candidate meets minimum qualifications; and

WHEREAS, the position is pending the Albany County Department of Civil Service review and approval of the candidate's qualifications;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby authorize the appointment of Jason Rauf to the position of full-time Automotive Mechanic at the rate in effect in the current Bargaining Agreement (\$18.33 per hour) and contingent upon a successful drug screening report, effective March 10, 2014.

Councilman Dolan stated that his recollection of the discussion was that Chief Darlington was going to have some input on this because some police cars were going to be involved.

Highway Superintendent Searles stated that eventually they are going to get him into doing police cars but not right away.

Councilman Dolan asked if his recollection was faulty that the Chief was going to have some input.

Highway Superintendent Searles stated that Chief Darlington did ask to have some input.

Councilman Dolan asked if he had any input.

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Highway Superintendent Searles stated that he didn't.

Councilman Dolan asked if there was a reason for that.

Highway Superintendent Searles stated that there is no reason.

Supervisor Flach asked if Chief Darlington had anything to add.

Chief Darlington stated that he realized it when he saw the resolution was on the agenda and his last conversation with Highway Superintendent Searles was just after the posting for the 10 days when they did not have anyone in-house interested. He continued by saying that he does not know this person and before he starts working on the police cars he would like to have some information into his background.

Supervisor Flach asked Highway Superintendent Searles to give Chief Darlington his information.

Highway Superintendent Searles stated that due to the storms and going away for the Association of Towns Annual Meeting, Chief Darlington was not involved.

Councilman Dolan stated that in looking at his resume it does look like he is qualified but he would rather that it be someone in Town.

Highway Superintendent Searles interjected that right now he is an Albany County DPW mechanic.

Councilman Dolan stated that he is not faulting him for that and was only stating that he would like someone in Town and reiterated that it looks like he is qualified.

Highway Superintendent Searles stated that of all the applicants, he was the most qualified.

Councilman Dolan stated that he thinks before it gets approval, under certain circumstances they should try to meet those conditions because it was pitched to them that he was going to work on police vehicles.

RES. #62-14 AMEND 2013 ADOPTED BUDGET – H38 CAPITAL PROJECT

On motion of Councilman Burns, seconded by Supervisor Flach, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 1 (Dolan) – SO MOVED

WHEREAS, the Town of Coeymans is in need of amending the 2013 Budget; and

WHEREAS, the Town of Coeymans has paid off a BAN for Capital Projects H38 using funds from the Part-Town Fund. These funds were paid to the National Bank of Coxsackie in December 2013; and

WHEREAS, the Town of Coeymans did not budget for such expense in the 2013 Adopted Budget,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans amends the 2013 Adopted Budget as follows:

Increase B599 Appropriated Fund Balance	\$135,800.00
Increase B9730.6 BAN – Principal H38	\$134,000.00
Increase B9730.7 BAN – Interest H38	\$ 1,800.00

Supervisor Flach stated that this was a Storm Water Capital Project and there was no money to pay off the BAN after the budget was put out so they had to do an amendment to the budget.

RES. #63-14 CLOSE CAPITAL PROJECT H31

On motion of Supervisor Flach, seconded by Councilman Dolan, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 1 (Dolan) – SO MOVED

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WHEREAS, the Town of Coeymans, pursuant to Highway Law Section 10(27) entered into a Betterment Agreement on January 14, 2008; and

WHEREAS, the Town of Coeymans created H31 Capital Project on January 14, 2008; and

WHEREAS, the purpose of this Capital Project was to create a Water and Sewer District for Martin's Hill; and

WHEREAS, the Town of Coeymans made application to NYS to create such Water District in an effort to recoup money expended on such project in the form of Water Rents. Said application was denied by NYS; and

WHEREAS, the H31 Capital Project has been completed and the Town of Coeymans does not expect any further receivables; and

WHEREAS, the H31 Capital Project has a deficit in the amount of \$45,284.50 with no further receivables to pay the indebtedness,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans will close the H31 Capital Project and forego the deficit effective December 31, 2103.

Councilman Dolan stated that this came up last year when the State Comptroller's Office recommended that they close some H Projects and he spoke specifically with the auditors that were auditing the Town at the time and they told him that they should close out projects by the end of each year whenever possible and if it seems likely that they will not be receiving any additional funds, and they also advised that the cost of the project should be borne by any future users in the Water and Sewer District. He continued by saying that they have competing suggestions from the Comptroller's Office and he is of the opinion that because it was funds that were spent to create a Water and Sewer District, any future Water and Sewer District users should bear the cost of that and not the general taxpayer.

Supervisor Flach stated that there are no future receivables and back when it was done the Board could have taken debt and if they had, A Fund would be paying the debt anyway and basically A Fund would be paying back A Fund. He continued by saying that A Fund has already paid for the cost of the improvements because it is an A Fund Project and they can't create a Water District because there are not enough people and it was denied because they would not allow the Town to charge those amount of users that much money. He concluded by saying that the Accountant for the Town and Comptroller said, especially with the AFR coming up, that because it is A Fund to A Fund they should forgo the deficit.

Councilman Langdon stated that his understanding is that the likelihood of getting a Water District is slim to none.

Councilman Dolan stated that it is both water and sewer.

Supervisor Flach stated that they have to create a Sewer District at some point in time because of the State denying the application for those few users because of water rents and added that it needs to be cleaned up.

Councilman Langdon asked if there is a reason why they ran sewer up there if they didn't know whether they would be able to set something up.

Councilman Dolan interjected that they do have sewer there and people are using it.

Councilman Burns stated that Martin's Hill is a very tough place to get water, everyone has wells but no one has good water, so they were really pushing to get water up Martin's Hill.

Councilman Dolan stated that NYS DOT was doing work on Martin's Hill and it was easier to do it then.

Councilman Langdon stated that the crux of it is that it will be stuck on the books for years if they don't do something about it now.

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**RES. #64-14 AUTHORIZE SUPERVISOR TO EXECUTE CONTRACT FOR
CLEANING SERVICES**

On motion of Councilman Dolan, seconded by Supervisor Flach, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the Town Board of the Town of Coeymans is desirous of hiring an individual to clean the Town Hall Offices; and

WHEREAS, the Town has accepted a proposal from Donna Alberts for the purposes of cleaning the Town Hall Offices and Police Department,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby authorize Supervisor Stephen D. Flach to execute the necessary contract with Donna Alberts for cleaning services at a rate of \$145.00 per week, payable on a monthly basis upon submission of voucher.

Supervisor Flach stated that this amount is in the budget and she will be cleaning Town Hall as well as the Police Department and because of the sensitivity in the Police Department, Chief Darlington knows Mrs. Alberts and is comfortable with her.

Chief Darlington stated that Mrs. Alberts came to him earlier in the day because she was told that he would be telling her exactly what she was supposed to do and she had a voucher and said that cleaning the Highway Department was mentioned. He added that he was not aware that this was officially moving forward and then asked who she should report to if she has questions about anything other than cleaning the Police Department.

Supervisor Flach stated that she should report to his office and as far as the Highway Department, they did not put it in her scope of duties.

Chief Darlington stated that he didn't know what they were doing and his Secretary Dawn LaMountain didn't know either.

Supervisor Flach stated that he will meet with him and Mrs. Alberts to discuss exactly what they want her to do and how many hours they want her.

Councilman Langdon asked why the number of hours were not spelled out.

Supervisor Flach stated that they figured out hourly and she felt as though \$145.00 was a fair amount based on the number of hours it would take her.

Chief Darlington stated that she realizes in the beginning she will be putting in far more hours because the Police Department has not been cleaned in quite some time and they operate 24/7 and added that he has faith that she will do a good job.

Councilman Dolan asked if they advertised for this position.

Supervisor Flach stated that they had spoken to a couple other people and basically it came down to the Police Department doing background checks.

Chief Darlington stated that some of the applicants would not be authorized to roam his department.

Councilman Dolan inquired how it was decided that they would do it on a voucher basis as opposed to a salary basis and whether or not it was her proposal.

Supervisor Flach stated that he does not know why they decided on a voucher.

Attorney for the Town Wukitsch stated that it is in her contract.

Councilman Dolan stated that he was wondering how it was decided to do it that way.

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Councilman Langdon stated that they run into issues paying by the hour with things like Worker's Compensation if she is considered an employee as opposed to a contractor.

Attorney for the Town Wukitsch stated that it goes back to the old question of employee vs. independent contractor and if the Town is exercising supervision and control over her job, the Town is her employer, even if they try to call her a 1099 or independent contractor. He added that they would treat her as a voucher 1099 and basically they have say that they want her to clean and give her general parameters and let her do her job without a supervisor, which would be like a painter who you tell what to do and then leave alone to do their job.

Councilman Langdon stated that if they tell her how many hours she has to report, it increases their liability with the State deciding that they are an employee and no longer a contractor.

Attorney for the Town Wukitsch stated that the more they control her duties, the more she would be considered an employee.

Supervisor Flach stated that they basically told her that they wanted her to come in a few days a week and this way she is a contractor.

Attorney for the Town Wukitsch stated that they should keep it at that and then they can legitimately say she is a 1099 contractor and they can establish that it is a weekly project at \$145.00 a week so they don't have to pay her on an hourly basis and they would have to give her a scope of work.

Councilman Dolan stated that there is a general list of cleaning duties attached to the contract and added that she will actually be a 1099.

RES. #65-14 CLOSE CAPITAL PROJECT H37

On motion of Councilman Masti, seconded by Councilman Langdon, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, Capital Project H37 was designated as a Town Only Collection System Project to repair and replace sewer lines at Colvin Avenue, Church Street and Route 9W north and south; and

WHEREAS, this Capital Project was completed in the year 2012,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby close Capital Project H37 with the understanding that the Bond Note for the debt taken in 2011 will continue to be paid as per the terms and conditions of the Bond Note.

Councilman Dolan asked that Supervisor Flach explain what the H37 Capital Project was.

Supervisor Flach stated that it was an H37 Capital Project for the Collection System Project, which has been completed and they have to continue to pay for the BAN but they can close the H37 Account.

RES. #66-14 CLOSE CAPITAL PROJECT H38

On motion of Councilman Langdon, seconded by Supervisor Flach, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, Capital Projects H38 was established as a Part-Town Capital Project to make repairs to the storm water drainage pipes in the Hamlet of the Town of Coeymans; and

WHEREAS, this Capital Project was completed in the year 2013 and debt which was taken in the form of a BAN was paid in full December 2013,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby wish to close Capital Project H38.

Supervisor Flach stated that this was a Capital Project for storm water from Colvin to Blaisdell and the Highway did the work and did a great job.

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RES. #67-14 CLOSE CAPITAL PROJECT H36

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

WHEREAS, Capital Project H36, which was a shared Sewer Project to install new meters for the sewer reading to aid in determining the Town Vs. Village flows; and

WHEREAS, this Capital Project was completed in the year 2012,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans wishes to close Capital Project H36 with the understanding that the debt taken per a Bond Note will continue to be paid as per the terms and conditions of the Bond Note.

Supervisor Flach stated that this was for the three meters that were installed, one at the point by Pieter B. Coeymans, one by Dunkin' Donuts and one by First Niagara Bank on Rte. 9W and they were installed because the Town has sewer pipes that come into the Village via those meters and they needed to know how much flow is going from the Town to the Village so they can determine the percentage of the flows.

RES. #68-14 CLOSE CAPITAL PROJECT H35

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

WHEREAS, Capital Project H35 was established to make repairs at the Town of Coeymans Waste Water Treatment Plant; and

WHEREAS, this Capital Project was a shared project with the Village of Ravena and said Capital Project was completed in the year 2012,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby wish to close Capital Project H35 with the understanding that the Bond Note for the debt taken will continue to be paid as per the terms and conditions of the Bond Note.

Supervisor Flach stated that this was for repairs made to the Waste Water Treatment Plant for a generator, roof replacement, heater, etc. and added that the plant is 40 years old and needed some updating.

RES. #69-14 AMEND 2013 ADOPTED BUDGET – SEWER BILLINGS

On motion of Councilman Dolan, seconded by Supervisor Flach, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the Town of Coeymans has billed the Village of Ravena for year-end adjustments to the 2013 Sewer Billings, and

WHEREAS, the Town of Coeymans is in need of amending the 2013 Adopted Budget for such increase in revenue,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans hereby amends the 2013 Adopted Budget as follows:

Increase Sewer Services – other Govt's	SS2374	\$9,980.35
Increase Sewer Contractual	SS8130.4	\$9,980.35

Supervisor Flach stated that at the end of the year they did some calculating with the percentages and they estimated \$264,000.00 but it was actually 274,000.00 that the Village owed.

Councilman Dolan asked if it is unusual that the Village had to pay more.

Supervisor Flach stated that it is not and this year it may have been a little different because they went from 65/35 – 60/40.

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RES. #70-14 AMEND 2013 ADOPTED BUDGET – SEWER FUND

On motion of Councilman Masti, seconded by Supervisor Flach, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the Town of Coeymans has transferred monies from the Sewer Dedicated account to Sewer Fund in December 2013; and

WHEREAS, the Town of Coeymans did not budget to use such funds to pay down on a BAN – Principal Capital Project H37; and

WHEREAS, the Town of Coeymans is in need to amend the 2013 Adopted Budget,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans hereby amends the 2013 Adopted Budget as follows:

Increase SS511 Appropriated Reserved Fund Balance	\$10,145.00
Increase 9730.6 BAN – Principal (Town Only)	\$10,145.00

Supervisor Flach stated that there was a BAN taken out for \$320,000.00 and they budgeted \$22,000.00 to pay the principal but they actually paid \$36,000.00 because they had that little bit extra in the Dedicated Sewer so they paid it on the principal and added that they moved the excess.

RES. #71-14 AMEND 2013 ADOPTED BUDGET – SEWER FUND OVERSPENDING

On motion of Councilman Langdon, seconded by Supervisor Flach, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the Town of Coeymans Sewer Fund has overspent in 2013; and

WHEREAS, the Town of Coeymans is in need to correct the overspending of the 2013 Adopted Budget,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town Coeymans does hereby authorize Supervisor Stephen D. Flach to transfer the following amounts to the respective accounts:

Amount	From Account	To Account
\$2,906.75	SS8120.4 Collection System	SS9730.6 (H27) BAN – Principal
\$ 281.25	SS8110.4 Administrative Fees	SS9730.6 (H27) BAN – Principal
\$2,182.98	SS9060.8 Health Insurance	SS9040.8 Worker’s Compensation

Supervisor Flach stated that the From Account were monies that were appropriated to those funds and it was not necessary to spend all of the money and the To Accounts overspent so they transferred the money.

RES. #72-14 AUTHORIZE SUPERVISOR TO EXECUTE STOP-DWI CONTRACT WITH ALBANY COUNTY

On motion of Supervisor Flach, seconded by Councilman Langdon, the following resolution was APPROVED – VOTE – AYES 5 – NAYS 0 – SO MOVED

WHEREAS, the County of Albany requires a Service Agreement with a qualified contractor regarding the expenditure of STOP-DWI Program Funds, under circumstances to expand the STOP-DWI effort in accordance with the spending plan approved by the New York State Department of Motor Vehicles; and

WHEREAS, the Town of Coeymans (contractor) is able to provide the services to ensure that the aforementioned requirements are met efficiently and effectively,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans hereby authorizes Supervisor Stephen D. Flach to execute a contract with the County of Albany.

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Supervisor Flach asked Chief Darlington if he had anything to add.

Chief Darlington stated that it is for last year because the County is a year behind and basically you sign it after you do the work but they do give them the money on time.

RES. #73-14 APPROVAL OF ABSTRACT

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

BE IT RESOLVED, that the Town Board, of the Town of Coeymans, does hereby approve the following claims of vouchers for the February 2014 Abstract.

FUND	VOUCHER #	AMOUNT
GENERAL (A)		
General Pre-Pay	309-362,427-428	\$1,259,212.44
General	422-426,429-473,526	\$ 148,205.19
	General Total	\$1,407,417.63
POLICE FORFEITURE		
Police Forfeiture Pre-Pay	363-364	\$ 326.45
	Police Forfeiture Total	\$ 326.45
PART-TOWN (B)		
Part-Town Pre-Pay	365-385	\$ 197,588.44
Part-Town	474-478	\$ 143.66
	Part Town Total	\$ 197,732.10
HIGHWAY (DB)		
Highway Pre-pay	386-398	\$ 132,243.68
Highway	479-507	\$ 14,886.13
	Highway Total	\$ 147,129.81
SEWER (SS)		
Sewer Pre-Pay	399-414	\$ 56,315.64
Sewer	508-525,527,529	\$ 3,666.53
	Sewer Total	\$ 59,982.17
CAPITAL PROJECTS (H39)		
Capital Projects	528	\$ 28,856.00
	Capital Projects Total	\$ 28,856.00
	Total for all Funds	\$1,841,444.16
TRUST & AGENCY (TA)		
Trust & Agency Pre-Pay	415-421	\$252,440.45
	Trust & Agcy. Total	\$252,440.45

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CORRESPONDENCE

Village of Ravena 100th Anniversary

Supervisor Flach stated that he was in receipt of a correspondence from the Village of Ravena and continued by reading the following:

The Village of Ravena will mark the 100th Anniversary of its incorporation this year. To commemorate this momentous occasion, the Village of Ravena has established a Centennial Celebration Committee to develop and plan a yearlong series of activities and anniversary celebration events.

Among the numerous events being planned is a community parade and antique car show, which will take place on Saturday, May 17th, and old fashion baseball game on July 19th, a birthday celebration on October 11th, a Century Gala on October 12th featuring the Georgie Wonder Orchestra and a Christmas Parade and Christmas Tree Lighting on December 5th.

As you can imagine, planning and coordinating all of these activities require a lot of effort on the part of a number of volunteers. In addition to the effort needed to provide these activities it also requires that some additional money is spent to bring this celebration to our community. The Village Board has made provision in its budget to meet some of these costs, but we cannot let all of the money fall to the taxpayers. Some of the events, such as the Gala will allow us to charge a ticket fee to attend. However, others such as the parade are true community events and no fee can be or will be charged. With this in mind, we are seeking sponsors to assist us in meeting the costs of this once in a lifetime celebration.

I have included a flyer listing all of our Anniversary events. We would welcome your assistance by becoming a Ravena Centennial Sponsor. If you are interested in becoming a sponsor, please contact me at the Village Hall at 756-8233. All of our sponsors will be appropriately recognized and thanked at each of our events.

For additional information on the events or if you are interested in working with the Committee on any of the other events, please contact Committee Chair Cathy DeLuca at the Ravena Health and Fitness Center at Village Hall, 15 Mountain Road, Ravena, NY 12143, (518) 756-5544 or ravhf@mhccable.com.

Sincerely,

John Bruno, Mayor
Village of Ravena

TOWN BOARD WORKSHOPS/MEETINGS

- Planning Board Meeting, March 3, 2014, 7:00pm
- Town Board Meeting, March 10, 2014, 7:00pm
- Town Board Workshop, March 18, 2014, 6:00pm
- Town Board Meeting, March 24, 2014, 7:00pm

ADDITIONAL COMMENTS

Supervisor Flach asked if there were any additional comments.

Highway Superintendent Searles stated that he wanted to thank the Highway crew for all that they have done in the past weeks with the snowstorms, trying to remove the snow and keeping everyone happy, which he knows they can't, but they have been trying. He added that bringing the Beautification Department to the Highway Garage was a good move, it has been a smooth transition and everyone is happy and getting along. He concluded by saying that he has prices for a salt shed when the Board is interested in discussing it.

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Councilman Dolan suggested that they discuss it at the Workshop on the 18th.

Supervisor Flach stated that there have been some issues with getting salt, which has been in short supply and they may need to get their own salt shed at some point.

Highway Superintendent Searles stated that all of the salt has been bought and paid for and no one else can get it.

Councilman Dolan asked if residents are cooperating with the snow plowing.

Highway Superintendent Searles stated that they have been and there have been a couple of complaints. He added that there were quite a few mailboxes taken down by the plow because of the heavy snow and they are starting to replace them.

Supervisor Flach asked if there were any other comments.

Chief Darlington stated that he wanted to thank the public for cooperating with the No Parking during the major storms and they only towed 1-2 vehicles and people are catching on. He added that he has four vehicles that he would like to surplus on Auction International, a 2008 Dodge Durango Unit 924, 2003 Pilot used by the investigators for years that now has 210,649 miles and was a drug seizure vehicle, a 2007 Ford Edge that was also a drug seizure vehicle and a 2004 Honda Accord that was a drug seizure vehicle.

Supervisor Flach stated that he would offer a motion authorizing him to surplus the vehicles.

MOTION

On motion of Supervisor Flach, seconded by Councilman Burns, authorizing Chief Darlington to surplus the police vehicles on Auctions International.

VOTE – AYES 5 – NAYS 0 – SO MOVED

Chief Darlington stated that he wanted to congratulate Officer Crosier who successfully completed her School Resource Officer certified training as well as D.A.R.E. Officer training and hopefully they will be starting the D.A.R.E. Program back up again soon. He continued by saying that they now have four certified Car Seat Inspectors and anyone wishing to have one installed or to see if it is installed properly can stop Monday-Friday 8:00am – 4:00pm, Tuesday-Saturday 4:00pm – 12:00am and anyone wishing to stop in should call first to make sure that someone is available and there is no charge for the inspection. He added that he has received some complaints about parking on Westerlo Street and recently a vehicle was about to be towed when the owner came and moved it and he along with Highway Deputy Searles had some discussions and new signs and in turn No Parking signs were made and installed because the old signs disappeared. He went on by saying that he would like to request authorization to canvas for three part-time Telecommunicators to replace Williams and Turek and the potential of losing LaMountain once he completes the Academy for Law Enforcement as well as moving forward with replacements for DeLuca and Card.

Supervisor Flach stated that they need a motion to canvas for those positions.

Chief Darlington stated that he does not need a motion and that he needs direction from the Board as far as what they want him to do.

Attorney for the Town Wukitsch agreed and continued by saying that he thinks that it should be a resolution to surplus vehicles and added that he could state one and then someone could offer it.

RES. #74-14 AUTHORIZE CHIEF DARLINTON TO SURPLUS VEHICLES THROUGH AUCTIONS INTERNATIONAL

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

WHEREAS, Chief Darlington has requested that certain Police vehicles be categorized as surplus vehicles, and

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WHEREAS, the Town will auction the vehicles off with Auctions International,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes that the vehicles listed on the attached, be placed in a surplus category and auctioned off as soon as possible through Auctions International.

Attorney for the Town Wukitsch stated that the Comptroller, in looking at this type of thing, would probably want a resolution.

Chief Darlington stated that he has been receiving complaints about the truck traffic on Rte.144, Main Street, Coeymans for speeding vehicles and on separate dates they did traffic surveys with unmarked Police cars and on one date in particular they were there for 1 hour, 50 vehicles were observed and of the 50, 7 were trucks and the average speed was 28 MPH in a 30 MPH zone, there were 43 passenger cars with the average speed of 34, some tickets were issued but none of the trucks were in violation. He added that they went down and spoke with the companies that were hauling out of the Port and they politely agreed to go up Church Street to Main Street and down Rte. 9W as opposed to that tight corridor and hopefully it helped solve those perceived issues.

Supervisor Flach asked if there were any other comments.

Councilman Masti asked Chief Darlington if he had anything to report on the Hannacroix Creek Project.

Chief Darlington stated that he met with Councilman Burns and gave him a copy of the plans and they have heard nothing from the Federal Government as to if they are approving the time extension, which they are beyond, as well as F.X. Browne e-mailing him back in reference to the questions that the Corp of Engineers had. He added that John Do, the Engineer that they were working with is no longer with F.X. Browne so they are assigning a new one but have addressed the questions and are waiting to hear back from the Corp of Engineers and ENCON as far as if the permits are going to be approved.

Councilman Langdon asked if there was any indication from them as to what they think as far as the approval or not.

Chief Darlington asked if he was asking about the time extension or permits.

Councilman Langdon stated that he was referring to either/or.

Chief Darlington stated that they met with the Corp of Engineers and ENCON prior to the application and went over what they wanted so he is confident that they are going to get the permits he added that for a brief time he was getting a lot of calls from the FEMA representatives, which he thinks was because some pressure got put on them but it has all faded away and he is just waiting to hear.

Councilman Langdon asked if more pressure is now warranted because of the effect it had before.

Chief Darlington stated that he can't see that it would hurt and it would come from the Town Board.

Supervisor Flach asked if anyone else wished to comment.

Councilman Burns stated that the Hannacroix Creek Project has gotten far too complicated for what really needs to be done out there and they are trying to go with the common sense answer for the problem, which gives him great hope. He continued by saying that he did not want to say any more about it at this time and it was not a big issue, but the Federal Government turned it into a big issue and there is only a certain amount of money that you can spend out there and there is probably not going to be any FEMA money that they can depend on and reiterated that there is a simple solution to the whole thing, they just have to jump through some hoops to be able to get it, which looks very promising. He concluded by saying that with Highway

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Superintendent Searles and the Police out there he is really impressed for taking what they have gotten and making it work and they are doing a great job and it is only going to get better.

Supervisor Flach asked if there were any other comments.

Councilman Dolan stated that he had a question and then asked if the work that was going on just north of the Hamlet Bridge was Carver Laraway's work and if it is where the new bridge is going.

Supervisor Flach stated that his understanding is that he had to clear it for the new power lines that are going through there.

Councilman Dolan asked if the power lines were part of the bridge project.

Supervisor Flach stated that he does not believe he has the permit yet for the bridge.

Councilman Dolan asked if it is where the bridge is going or if it is going to be further north.

Supervisor Flach stated that it is the location if and when it happens.

Councilman Dolan stated that he thought the location had been moved further north.

Supervisor Flach stated that it is just a corner of the property of JAT at the northern most part where the trees were cleared.

Supervisor Flach asked if there were any other comments, hearing none he asked for a motion to adjourn to Executive Session to discuss personnel matters.

ADJOURNMENT TO EXECUTIVE SESSION

On motion of Councilman Langdon, seconded by Councilman Burns, the Town Board Meeting was adjourned to Executive Session.

VOTE – AYES 5 – NAYS 0 – SO MOVED

Time – 8:21pm

EXECUTIVE SESSION

Executive Session convened in the Supervisor's Office immediately following adjournment from the Town Board Meeting. The entire Town Board was present in addition to Chief Darlington and Attorney for the Town Wukitsch. Discussion ensued regarding a personnel matter, no decisions were made.

RECONVENE MEETING AND ADJOURN

Supervisor Flach called the meeting back to order and asked for a motion to formally adjourn.

MOTION

On motion of Councilman Dolan, seconded by Councilman Masti, the Town Board Meeting was adjourned.

VOTE – AYES 5 – NAYS 0 – SO MOVED

Time – 9:25pm

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Respectfully Submitted,

APPROVED – As Read March 24, 2014



Diane L. Millious, Town Clerk