

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

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

PRESENT: Stephen D. Flach, 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
Peter McKenna, Chief of Police
David Wukitsch, Attorney for the Town

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

OPENING COMMENT

Supervisor Flach stated that the record should reflect a full Town Board.

AGENDA

- Public Announcements
 - Zoning Board of Appeals Meeting 11-25-14 - Cancelled
 - Town Offices Closed, November 27, 28, 2014 – Thanksgiving
 - 2015 Budget
- Public Comment Period
- Approval of Minutes of Meeting
 - Special Budget Workshop, October 23, 2014
 - Town Board Meeting, October 27, 2014
- Supervisors Report – October 2014
- Department Report Review
 - Town Clerk – October 2014
 - Building Department – October 2014
- New Business
 - SEQRA Review on Flood Plain Law
- Resolutions
 - Authorize Employee to Attend Seminar
 - Establish Public Hearing for LL#5-14 – Flood Plain Management
 - Approve Abstract
- Correspondence
 - The Matthew Project (2014)
 - Half Moon Ship
- Town Board Workshops/Meetings
 - Planning Board Meeting, December 1, 2014 – 7:00 PM
 - Town Board Meeting, December 8, 2014 – 7:00 PM
 - Town Board Workshop, December 16, 2014 – 6:00 PM
 - Town Board Meeting, December 22, 2014 – 7:00 PM
 - ZBA Meeting, December 23, 2014 – 7:00 PM

PUBLIC ANNOUNCEMENTS

Zoning Board of Appeals Meeting Cancelled

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Supervisor Flach stated that the Zoning Board of Appeals Meeting scheduled for 11-25-14 is cancelled.

Town Offices Closed

Supervisor Flach stated the Town Offices will be closed November 27th & 28th for Thanksgiving.

2015 Budget

Supervisor Flach stated that he would like to talk about the 2015 Budget and continued by reading the following:

I received a couple of calls before the meeting tonight about some questions with the 2015 Budget and some current budget overages for 2014.

First, I would like to let the townsfolk know about our budget shortfalls that we are having and will have by the end of the year. The Police Department is over by \$30,000.00 in their Personal Services, \$25,000.00 in their Contractual costs, we had unexpected payouts of \$65,000.00 for accrued time due to unexpected retirements and resignations. Dispatch will be over approximately \$45,000.00 in their Personal Services and are expecting that \$50,000.00 from Police Forfeiture in revenue is not going to happen and School Resource Officer Revenue in the amount of \$20,000.00 that was anticipated is a Revenue loss. Our Court Revenue is down \$25,000.00 unexpectedly and we are over in attorney's fees for unexpected litigation costs. This is a total of about \$275,000.00 in overages.

Also the CHIPS money for Highway roads, which are State Funds, are not going to be here until January/February because of the way it has to be processed now. It used to come in November; it is an approximate late Revenue of \$112,000.00. Also our sales tax money that comes in January for the 4th quarter usually covers some of what the Highway spends, but these overages have put us too far passed that.

We are taking a Tax Anticipation Note out, which will cover these overages as Revenue losses.

Because of the time it takes to do a Tax Anticipation Note, we borrowed money from the Sewer Fund at 2% to cover A-Fund expenses. We wanted to make sure that all of our employees and bills would be covered. The Town did do the same thing in September 2009 with the Sewer and B-Fund.

We thought that it would take a few weeks to get the money, but it will not take as long because with a Tax Anticipation Note there is not a 25 day wait.

I anticipate sometime next week to get the funds from the note at which time I may need to call an emergency meeting, as our following meeting is not until December 8th.

After taxes come in early next year, we will pay off this Tax Anticipation Note. Because of the total amount of overages, the plan is to be able to pay them off in 2015 and 2016.

I originally planned the Budget Adoption for last Tuesday, November 18th and moved it to Wednesday, November 19th and told all who were there at that Tuesday evening, moving it to Wednesday. Also, we added more money to Contingency and Police, some of which came from their benefits, which unfortunately put our Property Taxes from a -1.57% decrease to a 1.37% increase in our Town Budget.

Supervisor Flach stated that he would open the meeting to public comment.

PUBLIC COMMENT

Supervisor Flach invited the public to comment at this time.

Mr. James Youmans read the following:

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Good evening and thank you for allowing me to speak. My name is Jim Youmans and I live at 10 Deans Mill Road. I'm here tonight to remind you that as a Town Board, your number one responsibility is to manage the finances of the town and to point out that most of you have failed miserably at your jobs. I'm shocked to learn that you spent \$111,000.00 of Sewer District funds to fund last week's payroll. And I'm outraged to learn that you are in the process of attempting to borrow \$500,000.00 (as per this resolution you passed last week) to fund operations through the rest of the year. I'm sure you all understand that a Tax Anticipation Note you authorized the Supervisor to take, must be paid back with the very next tax revenue you receive. There's no provision in the 2015 Budget to pay any of this money back even though you passed the resolution authorizing it on the same day you passed the Budget, and your answer has been that you would borrow money next year to pay it back. Your plan is actually to borrow money to pay back the money you borrowed. If you don't see the flaw in that plan you really have to ask yourselves what you're doing here. So now you borrowed from the Sewer Fund and you are going to pay it back with interest? You're really planning on borrowing money from the members of that District and then paying them back with their own tax dollars? You can't do that. You can call it a Ponzi scheme, a shell game, or financial sleight of hand. I call it a total lack of leadership and critical thinking.

The very fact that any person on that Board was surprised to learn that you didn't have money to make payroll, and that you are scrambling now to cover expenses means that you haven't done your jobs, plain and simple. Who is managing the budget? Who is looking ahead and forecasting expenditures and revenues? When I served on that Board as Councilman, with 2 different Supervisors, and as Supervisor, there were 5 people doing that. No, we didn't get on the front page of the paper, with Carver, talking about the Half Moon Ship coming here, but we made payroll, we paid our bills, we managed the budget and made sure the Town's obligations were met. I've seen spending freezes, hiring freezes and departments asked to give back percentages of their budgets. This Board's solution is to borrow more money to spend, hire more people, most of them family and increase spending. I'm willing to bet that there is not a piece of paper or a spreadsheet in this building with cash flow projections out any farther than 2 weeks, if you have that. If you don't have that projected out 90 days you have absolutely no control over this town's finances and every aspect of budget and cash management is left to fate.

When I was Town Supervisor this building needed a roof, Nelson Perry went about collecting quotes and as it happened, my brother in law Pieter Wolfe, owner of the very reputable Wolfe Builders submitted a quote that was \$4,000.00 lower than the next lowest bid, and he did a great job. I'm not sure that Nelson was even aware of my family relationship to the Wolfe's. It was at a time leading up to election and I was called a liar and a thief because my brother-in-law saved you, the taxpayers of this town \$4,000.00. Funny thing is, this Town Supervisor made his brother-in-law, a guy with absolutely no experience in highway maintenance and who lives in another town the Deputy Highway Superintendent and pays him almost \$50,000 per year. He and the Superintendent have done such a great job that the highway fund is in the hole by \$172,000.00 and we need to borrow money to pay employees, yet the epic failure is being rewarded with a 10% raise for each of them in the budget you passed. Why at this point is there even a need for a Deputy Highway Superintendent? What are there 6 employees? It's become apparent that math is a struggle for some of you so I'll go ahead and point out that's one manager for every 2 employees. This Board gave the Supervisor a \$15,000.00 a year raise to act as budget officer in 2014.

Now that we can see the level to which this year's Budget has been mismanaged it looks like you got a pretty lousy return on that investment.

I want to thank Councilman Dolan for voting no on that Budget. Without major structural changes, and sound management practices, that Budget will put our Town much further behind the 8 ball.

Tonight this Board needs to institute a spending freeze, a hiring freeze and a borrowing freeze. You should probably consider a temporary government shutdown and you need to amend this Budget in a big way. It's November and you have run out of money, you don't even know how you are going to pay the town employees, yet your budget gives those very people raises as much as 10%. Mark your calendars, it's Monday November 24, 2014 and I'm telling you that 4 of you on that Board are leading our town into a financial crisis that we may not be able to recover

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from. Town employees have a reason to be very nervous, because this Board doesn't even know how they are going to pay you next week. Please come to your senses.

Supervisor Flach asked if anyone else wished to comment.

Ms. Sylvia Lawler stated that she lives in the Town of Coeymans and on November 20th she called the Committee on Open Government and Robert Freeman quoted a section of New York Town Law, which applies to all towns, it is not town specific, it is all municipalities in the State. She continued by saying that it is Section 62, subdivision 2 and they had a Town Board Workshop on November 18th at 6:00pm in the evening and in order to call a Special Meeting of the Town Board, which they did for November 19th, the Supervisor has to inform the Board Members in writing two days in advance, if the meeting is to be held in less than a week, the information must be given to the news media and posted in one or more public places. She added that this was not done, Attorney for the Town Wukitsch did speak to this but she would think that they were in violation of the Open Meetings Law, so their meeting according to Mr. Freeman was an illegal meeting.

Supervisor Flach asked if anyone else wished to comment.

Ms. Nancy Warner stated that she didn't intend to speak, she came to observe but after hearing a lot of the information, she guesses it has pushed her to ask some questions and she is hoping that maybe some answers will be given to some of the items that were brought up with Mr. Youmans. She continued by saying that some of it she did know about and some of it she was not aware of and she really thinks that they owe them here some answers to those questions and what the plans may be. She added that they have heard a spending freeze, a hiring freeze and raises when there is a giant shortfall and then asked what the plans are and if they are going forward with all of that.

Supervisor Flach stated that they adopted the Budget last week.

Councilman Dolan interjected that they adopted the Budget without any change to raises that had previously been scheduled without any significant cuts in the A-Fund, without looking at a freeze on hiring or a freeze on spending. He added that there was a memo issued on November 17th for Department Heads to watch their spending and to contact the Supervisor's Office if they were going to make purchases or spend money.

Ms. Warner interjected that she understands that the Budget is passed and even though the money is on paper and not in their hands, when you have a budget at home and you don't have money you can put all the money you want on paper but if it's not there they can't spend it and then asked if it means they are still going to have a spending freeze except for possibly repairs and things that need to keep the day to day operations or a suspension of the raises because there is no money and it's not because they don't deserve them, it is because there is no money. She continued by saying that they are things that they give when they have money, it is a luxury and not a necessity and she is wondering if any of it is going to change possibly the way that they approach the next year.

Supervisor Flach stated that it is definitely going to change for next year, a lot were unexpected costs, there was a Police Chief who went over budget and he has gone over it in detail and most of the shortfalls were in that department and that department has actually gone over budget in the last 3-4 years and they are trying to rectify the problem. He added that some Anticipated Revenues for approximately \$100,000.00 didn't come in so for next year's Budget they have put them in, there have been unexpected litigation costs, which do come up and maybe he should have put more in the budget last year for this or for that to not have the budget right at zero for a plan at the end of the year. He concluded by saying that they will continue to work on it.

Ms. Warner stated that she can understand shortfalls; they happen to all of them, things happen, things break like cars and machinery and unexpected litigation is all totally understandable.

Supervisor Flach stated that they have money coming in that isn't going to be here in time that they put in the budget in Contingency to try and make up for some of the shortfalls that they have had and their budget is a year to year thing and if there is a shortfall one year, then the

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following year they have to plan for it and now they have to come up with \$275,000.00 and make it work.

Ms. Warner stated that Attorney for the Town Wukitsch may have to answer and then asked if it is actually okay to borrow money from the Sewer Fund.

Attorney for the Town Wukitsch stated that they have Bond Counsel that they have retained and all of the issues have been vetted through their Bond Counsel.

Councilman Dolan interjected that it is okay to borrow from the Sewer Fund provided the Town Board takes that action and it is supposed to be repaid within the same year that it is borrowed.

Ms. Warner stated that it is not going to happen.

Supervisor Flach and Councilman Langdon collectively stated that it is going to happen.

Ms. Warner stated that she thought he said that it was going to be spread out in 2015 and 2016.

Supervisor Flach stated that was for the Tax Anticipation Note, they borrowed from the Sewer Fund until they can get the TAN.

Attorney for the Town Wukitsch interjected that there is a 21 day waiting period before you get the funds.

Supervisor Flach stated that it should be the end of next week.

Councilman Dolan stated that with the TAN, it needs to be paid back the very next time the Town receives tax money of any kind.

Ms. Warner stated that she understands that and they are going to get tax money and need to pay it back and then asked what is going to happen to the bills that they were supposed to pay with that money.

Supervisor Flach stated that they have half to pay that and in 2016 they can pay the other half of what they borrowed and that is the plan.

Councilman Dolan stated that they actually have to pay that full amount whenever they borrow back immediately.

Ms. Warner stated that it makes her very nervous not only as a taxpayer but also as a Village Board Member because she knows how the budget's work and all the borrowing makes her very nervous when they are borrowing to pay borrowed and she does not think that it is good practice.

Supervisor Flach asked if anyone else wished to comment.

Mr. Bill Bailey stated that that in Part-Town B Revenues, there is a Fund Balance of \$196,000.00 and they are anticipating ending this year with \$196,000.00 but yet they ended up borrowing money from the Sewer Fund and then asked that if in a month the \$196,000.00 will still be there.

Supervisor Flach that unfortunately they inherited a negative Fund Balance of approximately \$400,000.00 that they dwindled away at and they have got it down to that far and all they can do is continue to whittle away at it.

Mr. Bailey stated that the Budget that they just adopted says that they are going to use \$196,000.00 of the Part Town B Fund Balance to balance the budget so as of December 31st, they should have \$196,000.00 in the Part B Fund to meet their obligation for this budget and he would be surprised if they haven't and are facing this type of cash-flow problem because that would probably be enough to get them through the year. He continued by saying that besides the \$100,000.00 that they borrowed from the Sewer Fund and the Tax Anticipation Note, they are probably starting the year without the \$196,000.00 Fund Balance and then asked if he was correct.

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Supervisor Flach stated that it is pretty much because he started with more than a \$400,000.00 Fund Balance and he can go back in the budgets and explain it all to him but he can't explain it all to him right now.

Mr. Bailey stated that he understands how complicated it is but last Wednesday they adopted a Budget and to balance the budget he anticipated \$196,000.00 to be the Fund Balance so that he could have a balanced budget. He continued by saying that the \$196,000.00 does not appear to exist and somehow there isn't the cash, there is \$100,000.00 that they have to pay back to the Sewer Fund, as well as a Tax Anticipation Note for \$377,000.00.

Councilman Langdon interjected that the \$377,000.00 is paying back the Sewer Fund.

Mr. Bailey stated that they have to come up with another \$196,000.00 to make their budget work.

Councilman Dolan stated that the B Fund was the only fund that they had that had a Fund Balance; the A Fund has a zero Fund Balance.

Mr. Bailey stated that he thinks they need to look at their Budget very closely because it is a \$196,000.00 shortfall starting January 1st.

Supervisor Flach asked if anyone else wished to comment.

Ms. Andrea Grutza stated that she lives in the Hamlet of Coeymans, pays taxes, pays a sewer rent and she votes and added that part of the money that they are mishandling is hers, she didn't get a 10% raise this year, as a matter of fact she got a 2% raise after going through three years of zero raises because she works for the State and not the Town. She continued by saying that she does not see where the money is going, she does not understand how they can lose the money and then asked where it went and added that it is very discerning to her because now she is thinking that they are going to raise her taxes because they mishandled the funds that she paid them. She added that a lot of people asked them questions and they don't have answers, they came unprepared and she would like to know when they are up for re-election.

Supervisor Flach stated that he is up next fall and then 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 are two sets of minutes for Town Board approval, a Special Budget Workshop Meeting on October 23rd and a Town Board Meeting on October 27th and then offered a motion to approve them.

MOTION

On motion of Supervisor Flach, seconded by Councilman Langdon, the Town Board Minutes were approved as presented and read.

VOTE – AYES 5 – NAYS 0 – SO MOVED

SUPERVISOR'S REPORT

October 2014

Supervisor Flach read the Supervisor's Report for October as follows:

FUND	BALANCE FWD.	RECEIPTS	DISBURSEMENTS	BALANCE
GENERAL	\$175,777.24	\$355,110.32	\$354,585.77	\$176,301.79

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PART-TOWN	\$ 85,786.08	\$453,577.10	\$282,202.45	\$257,160.73
HIGHWAY	\$ 84,591.39	\$ 612.79	\$ 56,743.86	\$ 28,460.32
BRIDGE CONST.	\$ 29,094.57	\$ 2.79	-0-	\$ 29,097.36
SEWER	\$154,906.37	\$ 35,099.34	\$ 28,541.46	\$161,464.25
SPECIAL WATER	\$ 57,261.17	\$ 42,363.48	\$ 83,075.96	\$ 16,548.69
POLICE FORF.	\$ 39,945.10	\$ 1.69	\$ 285.80	\$ 39,660.99
TRUST & AGENCY	\$ 14,232.94	\$363,237.61	\$363,545.85	\$ 13,924.70
CAP. PROJ.	\$550,716.59	\$ 6,094.46	\$ 6,226.91	\$550,584.14
SECTION 8 HUD	\$ 18,976.31	\$ 42,649.06	\$ 40,889.57	\$ 20,735.80
			Total Rec. Bal.	\$1,293,938.77

CERTIFICATES OF DEPOSIT

SAVINGS ACCOUNTS

Unemployment	\$ 703.43
Grove Cem.	\$40,944.72
C.H. Cem.	\$13,431.58
Sewer Ded.	\$ 0.24
Total	\$55,079.97

COLLATERAL FDIC COV. COLLATERALIZED COVERAGE

Greene County	\$250,000.00	\$2,052,086.66
National Bank	\$250,000.00	\$ 0.00

MOTION

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

VOTE – AYES 5 – NAYS 0 – SO MOVED

DEPARTMENT REPORTS

Town Clerk – October

Supervisor Flach asked that Town Clerk Millious give the Town Clerk Monthly Report for October.

Town Clerk Millious continued by giving the report.

Supervisor Flach asked offered a motion to approve the report.

MOTION

On motion of Supervisor Flach, seconded by Councilman Masti, the report was accepted as presented and read.

VOTE – AYES – 5 – NAYS 0 – SO MOVED

Building Department – October

Supervisor Flach asked that Councilman Masti give the Building Department Report for October.

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Councilman Masti continued by giving the report.

Supervisor Flach offered a motion to approve the report.

MOTION

On motion of Councilman Langdon, seconded by Supervisor Flach, the report was accepted as presented and read.

VOTE – AYES – 5 – NAYS 0 – SO MOVED

NEW BUSINESS

SEQRA Review on Flood Plain Law

Supervisor Flach asked that Attorney for the Town Wukitsch discuss the SEQRA Review on the Flood Plain Law.

Attorney for the Town Wukitsch stated that last month the Town Board took up the model Local Law that DEC has promulgated so that the Town is in compliance with Flood Plain Management Requirements of the National Flood Insurance Program and various parts of the law were discussed last month. He continued by saying that in compliance with the SEQRA (State Environmental Quality Review Act) it is necessary for the Town Board to complete a review of part 2 and in summary the law in question is designed to reduce the risk of flood damage within the Town of Coeymans through the destruction or loss of private or public housing, damage public facilities and privately owned property as well. He added that the Local Law is designed for that purpose and to that end it basically sets up a Flood Insurance Rate Map under Section 3.2 and identifies a number of parcels on the map of being at higher risk for flood damage and it establishes a local administrator who in this case is the Code Enforcement Official of the Town. He went on by saying that for those who intend to build in an area where there is a higher risk, it establishes a permit procedure that the applicant must follow and also a permit review procedure and provisions that will apply during any construction stage and inspection and also establishes a Certificate of Compliance. He continued by saying that Section 5.0 of the Law establishes construction standards applicable to new development within the zone as set forth on the Flood Insurance Rate Map as well as a section dealing with encroachments, construction materials and methods, required elevations for residential structures in manufactured and recreational housing. He added that there was a permit procedure, Section 6 deals with variances from the permit procedure that are going to be administered by the Zoning Board of Appeals and conditions for any variances that will be applicable and that basically there is a net environmental benefit to the law but they are still required to complete Part II and he would lead the Town Board through that section of the Law.

Councilman Dolan asked if he could ask a question and continued by saying that from what he has seen, there are new flood plains and then asked if people who live in those areas know that they have been reclassified and if there was a notification process.

Attorney for the Town Wukitsch stated that he does not know what or if anything came from the Federal Emergency Management Agency (FEMA), who are the lead agency and he is not sure if they issued any form of notification and he does not believe that the DEC has.

Supervisor Flach stated that when it first came about, which was a little more than a year ago, he along with Code Enforcement Officer Conrad went to where they were redoing the maps and gave their input and then the maps came out and in turn they encouraged people to come down to the Building Department to look at the maps and it was announced at quite a few meetings because they were concerned.

Councilman Dolan interjected that the maps were also on display.

Supervisor Flach stated that other than that, he does not think if there was any other notification.

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Attorney for the Town Wukitsch reiterated that the Local Law is designed to reduce flood risk in the Town and it is the purpose of the law to set up the procedures.

Councilman Dolan interjected that the flood control measures are really building related measures like a permit process for applying for buildings and compliance with building.

Attorney for the Town Wukitsch stated that it is not just for new buildings, it is also for any enlargement or major alteration to an existing structure. He continued by going over Part 2 – Identification of Potential Project Impacts of the Full Environmental Assessment Form as follows:

1. Impact on Land	No	10. Impact on Historic and Archeological Res.	No
2. Impact on Geological Features	No	11. Impact on Open Space and Recreation	No
3. Impacts on Surface Water	No	12. Impact on Critical Environmental Areas	No
4. Impact on Groundwater	No	13. Impact on Transportation	No
5. Impact on Flooding	No	14. Impact on Energy	No
6. Impacts on Air	No	15. Impact on Noise, Odor, Light	No
7. Impact on Plants and Animals	No	16. Impact on Human Health	No
8. Impact on Agricultural Resources	No	17. Consistency with Community Plans	No
9. Impact on Aesthetic Resources	No	18. Consistency with Community Character	No

Attorney for the Town Wukitsch stated that it would be fair to say that they can answer all 18 questions no and there is a resolution in their packet scheduling it for a Public Hearing next month at which time they will take up a proposed Negative Declaration that would be passed in conjunction with passage of the law. He then asked if there were any questions.

Councilman Dolan asked when it would take effect if it was passed.

Attorney for the Town Wukitsch advised that it would be as soon as it is filed with the Secretary of State, which would be within a week when they would get back a Local Law Acknowledgment Filing Notification with a letter and DEC wants a copy of the letter.

Supervisor Flach stated that under New Business he would offer a motion to move forward and negotiate a contract to transfer responsibilities of the Town's Dispatch to Albany County's 911 Center with a target date of June 1st.

Councilman Dolan interjected that he does not have a copy of that.

Supervisor Flach stated that he just added it under new business.

MOTION

On motion of Supervisor Flach, seconded by Councilman Dolan to move forward and negotiate a contract to transfer responsibilities of the Town's Dispatch to Albany County's 911 Center with a target date of June 1st.

Supervisor Flach stated that in order to move forward with having Albany County taking over the Town's Dispatch Center, he felt the need to make a motion to do so as Councilman Dolan stated last week, they hadn't done it as a Board.

Attorney for the Town Wukitsch stated that they will need some form of formal contract with the County if they are going to go in that direction but his understanding is that he is just asking for authority to move forward with negotiations.

Supervisor Flach stated that was correct and once they get a contract; it will come before the Board along with a resolution to sign the contract.

Councilman Dolan asked if they have a plan for addressing it.

Supervisor Flach stated that Albany County has met with the Town's Chief of Police and some Fire Chiefs and more this week, and Chief of the Ambulance Service and they will continue to discuss what needs to be done to bring this to fruition.

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Councilman Dolan stated that he does not believe that it qualifies as a definition of a plan and it is some actions that he has taken to try to gather some information.

Supervisor Flach stated that the plan is to talk to the people involved and to look at a contract with Albany County.

Councilman Dolan stated that during his face to face conversation with the Sheriff on Thursday evening, he said that he had asked for a plan and they have yet to supply him with one and he refuses to move any further until the Town supplies him with a detailed plan about he expects them to do with all the stakeholders who should voice their pros and cons and he believes it is still work that need to be done.

Supervisor Flach stated that this is why he feels as though they need to move forward.

Councilman Langdon interjected that the plan is coming largely from the Sheriff's people.

Councilman Dolan stated that the Sheriff told him face to face that he has asked the Town for a plan and they have not yet submitted a plan and no matter who they meet with who is under him, he will not consider moving Dispatch until the Town submits a plan to him and reiterated that it was last Thursday in a face to face conversation. He continued by saying that the Sheriff had spoken to Supervisor Flach on several occasions and asked for a plan, which has not been produced and if it is something that they want to move forward with, they should develop a plan, which includes pros and cons of it and cost and shouldn't just have anecdotal information about what various Chief's had to say or Emergency Personnel, they should get them to tell the Board on the record what they want and the Town Board should be fully informed on what everyone has to say.

Ms. Nancy Warner asked that the Village be a part of those discussions and added that she thinks they are a very important part of the discussions and she does not believe that they have been invited. She continued by saying that they have fire, water and many other things hooked into Dispatch and if they move on a plan, all the parties need to be in the room at the same time.

Councilman Dolan interjected that he agrees and added that he is not necessarily against doing it, if they have a plan and see all of the information laid out in front of them that has been compiled and put together at one time and look at it, look at the costs savings as well as the pros and cons as well as investigate the other municipalities that have gone with Albany County Dispatch for the good and the bad and then put it all together on the record and invite the Village to share in it and take a look at it. He continued by saying that he does not know what the harm is and if they started doing it back when the idea first came up, maybe they would be in a position to make an intelligent decision instead of just going into it with a preconceived notion that they want to close Dispatch and then try to find backfill information to support the conclusion.

Supervisor Flach stated that he thinks part of the process is to have everyone come together and he is not disagreeing with that and then asked if anyone else wished to comment.

Councilman Langdon stated that a lot of the plan and structure comes under the guidance of what they have done in the past with other municipalities and the process is what they have begun doing where they have already met with several Fire Departments and Police Chief. He continued by saying that he does not think that it is going to be a one-time meeting, there are a number of issues and he is getting an education as far as who all is involved. He continued by saying that there are pagers they are dealing with, different radio frequencies and it is all part of the process.

Councilman Dolan interjected that they met with the Police Chief and Fire Chief's and then asked what the result of that was and what the report back is because they have not gotten any information on it.

Supervisor Flach stated that he does not have a report on it yet, he met with the Police Chief earlier in the day and he is meeting with the Fire Chiefs tomorrow and it will be forthcoming.

Councilman Dolan stated that he mentioned a whole slew of people that they have met with and then asked where there is a report of what was said, who said what and what concerns were

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raised and added it would be more helpful to make a decision and maybe he wouldn't be seen as dragging his feet and being against it if he was given the proper information to make a decision.

Supervisor Flach reiterated that he does not have that information to give to him and he is not asking him to make a decision on signing a contract, he is asking that they move forward with discussions and negotiations to get it all together. He continued by saying that there is a motion on the table and then asked if there were any other comments, hearing none he asked for a vote on the motion previously stated to move forward.

VOTE – AYES 4 – NAYS 1 – SO MOVED

RESOLUTIONS

RES. # 162-14 AUTHORIZE EMPLOYEE TO ATTEND SEMINAR

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

WHEREAS, the New York Rural Water Association will be holding a Water/Wastewater Coagulation & Flocculation Training seminar in Ilion, New York on December 11, 2014; and

WHEREAS, John Kerr, Chief Sewer treatment Plant Operator is desirous of attending this training which will provide credit hours required by NYS DEC to maintain licensing; and

WHEREAS, a prepaid registration fee of \$31.00 for this seminar is required,

NOW, THEREFORE, BE IT RESOLVED, that John Kerr is hereby authorized to attend this Seminar in Ilion, New York, December 11, 2014 with mileage to and from the seminar being reimbursed at the current mileage rate upon submission of voucher should Mr. Kerr use his personal vehicle.

RES. #163-14 ESTABLISH PUBLIC HEARING FOR LOCAL LAW #05-14 FLOOD PLAIN MANAGEMENT

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

WHEREAS, the Town Board of the Town of Coeymans intends to consider a Local Law entitled "Flood Plain Law" of 2014 (Local Law No 5) which deals with flood plain management and provides environmental benefits for the Town; and

WHEREAS, proposed Local Law No 5 of 2014 has been distributed to members of the Town Board; and

WHEREAS, the Town Board has been designated as Lead Agency under the provision of the State Environmental Quality Review Act (SEQRA); and

WHEREAS, the Town Board wishes to set a Public Hearing date to provide members of the community with an opportunity to express their views on the proposed local law;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans hereby sets December 8, 2014 at 6:00 PM as the date for a Public Hearing and directs the Town Clerk to issue a Notice of Public Hearing to be published in accordance with law for that date.

RES. #164-14 APPROVE NOVEMBER ABSTRACT

On motion of Supervisor Flach, seconded by Councilman Langdon, 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 and allow the following claims of vouchers for the November 2014, Abstract.

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FUND	VOUCHER #	AMOUNT
GENERAL (A)		
General Pre-Pay	2151-2183	\$ 213,271.41
General	2227-2259, 2311	\$ 37,222.93
	General Total	\$ 250,494.34
POLICE FORFEITURE (A)		
Police Forfeiture Pre-Pay	2184	\$ 130.41
	Police Forfeit. Total	\$ 130.41
POLICE FORFEITURE FEDERAL (A)		
Police Forfeiture Federal PP	2185	\$ 4,406.19
	Police Forfeit. Fed Total	\$ 4,406.19
PART-TOWN (B)		
Part-Town Pre-Pay	2186 - 2193	\$ 385,480.33
Part-Town	2260	\$ 317.81
	Part Town Total	\$ 385,798.14
HIGHWAY (D)		
Highway Pre-Pay	2194 - 2199	\$ 44,932.07
Highway	2261 – 2281, 2310	\$ 191,518.28
	Highway Total	\$ 236,450.35
SEWER (SS)		
Sewer Pre-Pay	2200 - 2216	\$ 35,865.20
Sewer	2282 – 2305,2312	\$ 18,877.79
	Sewer Total	\$ 54,742.99
SPECIAL WATER (SW)		
Special Water Pre-Pay	2217	\$ 83,075.96
	Special Water Total	\$ 83,075.96
CAPITAL PROJ. (H30)		
Capital Projects	2306	\$ 7,558.10
	Capital Proj. (H30)Total	\$ 7,558.10
CAPITAL PROJ. (H42)		
Capital Projects	2307 - 2308	\$ 17,030.00
	Capital Proj. (H42) Total	\$ 17,030.00
	Total For All Funds	\$1,039,676.48
TRUST & AGENCY PAYPAL (TA)		
Trust & Agency Pay Pal PP	2218	\$ 195.00
	Trust & Agcy. PayPal Total	\$ 195.00
TRUST & AGENCY (TA)		
Trust & Agency Pre-Pay	2219 - 2226	\$ 311,067.59

	Trust & Agcy. Total	\$ 311,067.59
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CORRESPONDENCE

Half Moon Ship

Supervisor Flach read the following:

A couple of months ago the Port of Coeymans reached out to the Town regarding potential placement of the Half Moon Ship in the Town of Coeymans. The Town Board accepted the concept and proposed that the Half Moon would be welcomed as a permanent home in the Town's Riverside Park. The Town Board and the Port of Coeymans has reached out to the ship's Captain and the owner about this proposal the captain said that he would be interested but the owner is pursuing other options. I want to ask the residents if they are interested in this concept, which in the Town Board's opinion would be a Tourist Attraction and educational opportunity, to contact the Half Moon via Facebook. We would like to get the word out to as many people as possible and we would love to keep the Half Moon in the United States.

Supervisor Flach stated that it is something to consider and think about and when they talked about it before, they agreed that it would be a great thing for the Town.

The Matthew Project Report for 2014

Supervisor Flach asked that Councilman Masti give The Matthew Project Report for 2014.

Councilman Masti stated that is the 5th year of doing The Matthew Project for school aged children during the summer months when there is no school. Key points were addressed as follows:

- Expenditures went up approximately \$1,000.00 for this year, which are all contributions:
 - 64% comes from church donations, 24% from corporate donations and 12% from local community support.
- The expense breakdown is 86% for food items, 11% for food preparation and cleaning and 3% for packaging supplies.
- Their mission and purpose is faith in action and to provide lunches Monday-Friday to children ages 1-18, that are in need of a nutritious meal during the months of July and August.
- Deliveries by location were:

- Oakbrook Manor	1098 lunches
- Coeymans Gazebo	892 lunches
- Flemings Trailer Park	593 lunches
- Mosher Park Pool	290 lunches
- Mosher Park Rec.	739 lunches
- Food for Thought	606 lunches
- Rolling Hills Trailer Park	450 lunches
- Shady Grove Trailer Park	<u>375 lunches</u>
	Total 5,043 lunches
- 2014 Highlights were:
 - 5,043 lunches were delivered.
 - Lunches were distributed to 8 sites.
 - Average of 130 lunches per day.
 - Cost per lunch was \$1.25 (reduced by 11.3% from 2013).
 - 93 volunteers provided all labor to prepare & deliver lunches.
 - Children actively participated in community service by helping to serve lunches at their distribution site.
 - 21,293 lunches have been served in 5 years.

Councilman Masti stated that this was many hands coming together for a Community Project and that is what it is all about, community serving community at no cost to the community.

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WORKSHOPS/MEETINGS

- Planning Board Meeting, December 1, 2014, 7:00pm
- Town Board Meeting, December 8, 2014, 7:00pm
- Town Board Workshop, December 16, 2014, 6:00pm
- Town Board Meeting, December 22, 2014, 7:00pm
- ZBA Meeting, December 23, 2014, 7:00pm

ADDITIONAL COMMENTS

Supervisor Flach asked if there were any additional comments.

Town Clerk Millious wished everyone a Happy Thanksgiving and for everyone to be well and enjoy the company of family and friends.

Supervisor Flach asked if there were any other comments.

Councilman Dolan asked Chief McKenna what happened in the meeting with the County.

Chief McKenna stated that he was there for only 5 minutes because there was an incident and he had to go downstairs to put out a fire due to a crisis with an emotionally disturbed person followed by an arrest. He added that they were short-handed and he apologized to the Supervisor and the two people from the Sheriff's Office that came in and he will be calling them to set up another meeting. He continued by saying that he intends on reaching out to other agencies as well to see where the burps are and he will give an informative opinion when he can.

Supervisor Flach asked if there were any other comments.

Councilman Dolan wished everyone a Happy Thanksgiving and a great day with family and friends. He continued by saying that he was disappointed with the budget process this year, they started the budget year with \$350,000.00 in the black, which was community development money from Lafarge that went back several Town Boards and his thought was to use it for just what it says, community development and making money available to businesses that wanted to relocate into town, maybe operate a small business loan fund through the Chamber of Commerce and to hopefully give a tax break to taxpayers, which would put money in people's pockets and not paying taxes. He continued by saying that when faced with the budget shortfalls as they come to the end of the year, all of those would have been out of the window and the reason why he voted no about borrowing money from the Sewer Department, the TAN and a Bond for \$45,000.00 for a highway truck is because they didn't have money in their budget to pay for it, he never saw a plan to pay back the money. He added that his question as to what was in the Sewer Fund was never answered, exactly when the Sewer Department would be paid back was never answered and it didn't occur to him until he saw two Village Board Members, that the money they lend, might be their money and was lent without their notification or approval. He went on by saying that some of the things that he would have done, particularly to pay the TAN back, is that he would eliminate raises or put them off until the Town Budget was settled and the money was paid back, he would do a spending freeze, hiring freeze, overtime freeze, making Department Heads unable to spend money without Town Board approval and asking Department Heads to look at their budget's again and cut between 5-10% of their budgets. He went on by saying that it is unfortunate that they are in this situation and as Supervisor Flach said, they were unforeseen and they didn't know these things were coming and they went into the budget process not knowing that there would be these shortfalls and because they are Town funds, they are all in this together and they should all try to contribute to overcome the deficit and overcome it as close as they can to the time that it happened and pay it off in 2015 as early as possible. He continued by saying that now they are looking at paying people's salaries last week from taxes that are going to be levied in 2016 and some of them may not even be on the Board in 2016 and they will be overseeing paying back last week's payroll. He added that his conversation with the Comptroller's Office is that they should be able to walk in to the Bookkeeper's Office and see a cash-flow projection for the next 90 days anytime of the year and whenever he asks questions, most recently at the emergency meeting last Wednesday, there are no projections about where the money would be and when he raised a question, which Councilman Burns followed up on

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and it was, if there are shortfalls this year, what is in place to make sure that this does not happen again and if they are spending \$377,000.00 out of the first sales tax money, what would replace that money in the budget, there is no planning in trying to make up for the shortfalls in next year's budget. He continued by saying that in moving forward he hopes things are a little more transparent, there was a meeting last Wednesday to discuss the Town Budget, which they were handed 45 minutes into the meeting and it was the first time as far as he knows that anyone but the Supervisor had seen it, one of the Board Members made a motion to pass the Budget without having seen some changes and he thinks that is the way these things can happen because things are just handed to you at the last minute such as earlier in the Meeting when something was handed to them and they are expected to make a decision without having all of the facts given to you and without all of the options laid out on the table for you. He concluded by saying that he hopes that things improve and he hopes that everyone has a Happy Thanksgiving.

Supervisor Flach asked if there were any other comments.

Councilman Burns stated that every day he is learning and with a lot of things that happened this year, they were trying to handle it like gentlemen instead of throwing certain people under the bus, they tried to handle it with some integrity, which cost them a lot of money but he feels like they did the right thing and it is a big reason for a lot of the shortfalls with the budget. He continued by saying that he does see a plan in place for repaying the money, TCI is going to be paying tax dollars shortly as well as other businesses that may be coming in down below, there are people looking at houses and buying houses and he does foresee their revenue coming back up and they will be able to pay the shortfalls. He added that the Police Department right now, with no disrespect to anyone, is being run awesome and it is incredible, they are talking about people cutting back on their budgets and Highway Superintendent Searles is doing an awesome job with what he has and he feels as though he is asking for things that he really has to have and he is looking forward to 4-5 years down the road by replacing equipment now and in another 4-5 years they can replace it again and actually get something back for what they just bought and hopefully he can keep rolling it over and keep doing it. He went on by saying that the Sewer Department, which goes without saying, is run as tight as any ship that he has ever seen and the things that happened this year were unforeseen and reiterated that they were trying to be gentlemen right to the end with the end being late September, early October so they had a short period of time to try and figure all of it out. He continued by saying that as far as Dispatch, they haven't and he hasn't just sat back and accepted that Albany County is going to take them over, they have all put up with him and pretty much everyone who he has talked to and asked have sympathized and wished they could keep the Dispatch the way that it is now but financially in 2-3 years it is impossible, they don't have the money now and in 3-4 years they really are not going to have the money to maintain it and keep it going unless they do something now. He added that there are so many opinions on both sides of every issue with two opinions and then the truth somewhere in the middle, which they are trying to figure out and there is a meeting scheduled with the Sheriff and Fire Departments and hopefully they will learn something from that and for this coming year there is money to go to the end of the year with Dispatch if they need to so if something happens and it does not work out, they have something to fall back on. He continued by saying that everyone is saying to take more time and not rush into anything, they are giving Albany County a trial basis and if things don't work out, they will do what they have to do to bring Dispatch up to par. He concluded by saying that they are trying to do the best they can do with what they have and they really are looking out for the 7,000 people in the Town and Village and he is sorry if they have not included the Village enough, he has tried to reach out, he will try harder because they don't mean to exclude anyone and they are trying to get as much information as they can before they even give everyone the headache with what they are trying to do.

Supervisor Flach asked if there were any other comments.

Councilman Langdon stated that he is new to it as well he is learning a lot and has a real heart to see it done right. He added that he is not thrilled with how the finances played out but he was looking at it regularly and with the department that ran over, he spent a lot of time with them and was constantly told that they were under budget right up through August and in fact in August they were in a meeting and he was told that they were going to have an extra \$10,000.00 that they had to figure out how to spend or they would lose it, which irritated him and he asked why they had to spend something that they didn't need to spend and this is the feedback that they were getting when they asked questions in trying to find out, he was down there several times a

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month and found out that it was not where they were. He continued by saying that he is very optimistic and excited about the fact that they are finally bringing the Town into a computerized software bookkeeping system that he believes will make it a lot easier to keep on top of these things, he has worked with software bookkeeping since the 80's and he was shocked that they were still on paper ledgers and now it will be easy to pull up reports to see where things are and with stacks of boxes or books, it is difficult and anything can be hidden in there. He went on by saying that he sees where they are doing things to change the way things are going as well as seeing that they have turned around and have a very confident individual in charge of the Police Department at this point who he has a lot of faith in and he is very pleased with what he has accomplished in the short period of time that he has been there and he believes that he will change the face of the Department. He added that they are looking at Dispatch and quite honestly he began to look at the concept because of financial concerns that were thrown at them and it is the initial reason why he thought they ought to review as to whether it is a feasible, financial, smart thing to do with taxpayer money and the move they have dived into it, and he has been here a lot trying to understand, learn and get to every meeting that he can, he has learned that it is more than a money issue, there is a much safer way to run Dispatch and it's no longer as much of a money situation to him as much as it is a better way with the technology available and the things that can be done. He continued by saying that he has gotten feedback from the Fire Companies and it has been back and forth with the County to the Town's Dispatch and back to the County and there has been a whole lot of extra activity going on and the longer he digs into it, the more confident he is that this is a very smart thing for the Town to do and they are attempting to do it right and feel as though June 1st is a realistic timeframe in talking to the two people that run the Sheriff Department Dispatch and oversees all of their radio communications.

Councilman Dolan interjected that he is pretty sure that it is the Sheriff that runs the Sheriff's Department.

Councilman Langdon stated that he had numerous conversations and he personally went up and saw the Sheriff and he didn't seem to see any problem with this when he sat in front of him and he does not know what he is telling Councilman Dolan that he is not telling them. He continued by saying that in talking to the guys that actually manage and are in charge of the transition, he has been very assured that a June 1st deadline is very feasible and they are anticipating a 2-4 week dual Dispatch just to see how things go for a month or so and he thinks that it is a good plan. He added that they are in the process of gathering the information, gathering the details and working to find out who the players are and what the issues are with everything involved. He added that it is a process, people have raised concerns such as what happens if it doesn't work out, which is a legitimate question and he thinks that it was wise to put money in Contingency just in case they have to keep the Town's Dispatch going all year long and they put the money in there to do that. He went on by saying that he has been working to make good decisions for the Town, he realizes that not everything is popular but he will tell them that the vast majority of the feedback that he is getting is very positive and he doesn't know what to tell those who are not happy with it, he will gladly sit and listen when people express concerns and he will review them, think about them, consider them and do what he can to find out. He continued by saying that they have to make decisions and he is sorry that not everyone is happy with them, he is not happy where the budget is but he does see how they are going to be able to take and correct the problem as well as put some measures in place. He added that in watching the budget process last year when he was really a spectator, the Police Department went over budget \$60,000.00 last year and it was just added in the budget and they still went over, the problem is control and the person running the department has to control their own budget. He concluded by saying that this is where they are at, they do have a plan to put it back together and he believes that they are going to see it all balanced out by 2016 and then wished everyone a great time with their families on Thanksgiving.

Supervisor Flach asked if there were any other comments.

Councilman Masti stated that if everyone remembers correctly they will recall that for the past 3 ½ years was his famous ending quote when he asked "Chief, have you heard anything on the Hannacroix Creek" and the current Chief, who is very wise, said that he has to get the Department in shape first and bow out of it and turned everything over to Confidential Secretary Cirillo and in turn she has made some calls to F.X. Browne and FEMA and as of the 19th of November, she heard back from Marlene at F.X. Browne, who they paid \$100,000.00 in engineering costs and found out that D.E.C and the Army Corp of Engineers are happy with the

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most of the upper but in the lower part there are trees in the middle of the channel that they had originally designed to deepen and it makes them think that it is probably not where the creek started out since there are trees that big there and they want it reworked a little bit and then they think they will be fine with it. He continued by saying that the good thing about that according to Marlene, is that if they rework it, it will cost less money to have the project done than originally thought because there will be less manipulation of the soil and trees and in talking to F.E.M.A., Lisa found out that, they are still earmarked for a total of \$278,243.04 and they are working on getting the paperwork together to send to F.E.M.A. with the plans that they've already gotten from F.X. Browne and hopefully get about \$100,000.00 back on what they spend on engineering costs, which would be great. He added that they are wondering about them doing more planning on it and he talked to Councilman Burns about it and then they talked to Albany County Soil and Water and they are willing to do a lot of the same kind of work free so they are looking to get the plans to them and see what they can do and talk to Army Corp of Engineers to see what they would suggest in working with Albany County Soil and Water in getting plans together that would be approved so they can move ahead. He went on by saying that the lowest bidder from when they bid it last year has been in contact with F.X. Browne a couple of times wondering how things are going and he spoke with Attorney for the Town Wukitsch who advised that since it has been a year they would have to put it out to bid again and hopefully this gentleman will come in low again because he is willing to work with the Town and the only one that has actually been following up on it. He concluded by saying that they could then get a price and see what it would actually cost or maybe find someone who would work with the Highway Department and save some money by doing it themselves because when they pay F.X. Browne off with what they have right now, that leaves them with approximately \$175,000.00 for the work project and last year it was around \$400,000.00.

Ms. Lawler interjected that about once a month she meets with the Albany County Water Quality Coordinating Committee and there are people from Albany Storm Water Coalition, Albany County Soil and Water and Albany County Planning and they are going to be dissolving the Onesquethaw Coeymans Watershed Council because it is going to be absorbed by that group and suggested that Councilman Masti get added to their agenda because they are always putting together work teams, there are a lot of people interested and the Hannacroix Creek Project comes up now and then at their meetings and Susan Lewis in Voorheesville is the head of it.

Councilman Masti asked that she get the information for him. He added that Confidential Secretary Cirillo has done a lot within the last couple of weeks and they are still some interesting items in the Chief's office that were cubby-holed away. He continued by saying that the Archeology Study has been done and a lot of things are out of the way, this is the last hoop and the Army Corps of Engineers can be sticklers. He added that they are making some progress finally and if they can get some money back, it would be great and even though they may not have enough money, hopefully they can get a better part of it cleaned up so there aren't so many problems with flooding and he is happy that he has been getting some answers. He concluded by wishing everyone a Happy Thanksgiving and to think about those who work on Thanksgiving Day who won't be home with their families.

Supervisor Flach asked if there were any other comments, hearing none he wished everyone a Happy Thanksgiving with their families and then asked for a motion to adjourn.

ADJOURNMENT

MOTION

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

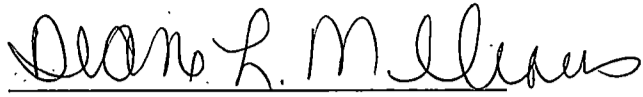
VOTE – AYES 5 – NAYS 0 – SO MOVED

Time – 8:26pm

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Respectfully Submitted,

APPROVED – As Read February 9, 2015.



Diane L. Millious, Town Clerk