

MINUTES BOOKTOWN OF COEYMANS
December 22, 2014 – Town Board Meeting – 7:00pm**

A Town Board Meeting was held Monday December 22, 2014, at 7:00pm at Town Hall, 18 Russell Avenue, Ravena, New York

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

ABSENT: Stephen D. Flach, Supervisor

ALSO PRESENT: Diane L. Millious, Town Clerk
David Wukitsch, Attorney for the Town
Chief of Police, Peter J. McKenna

Deputy Supervisor Masti opened the meeting and led the Pledge of Allegiance.

OPENING COMMENT

Deputy Supervisor Masti stated that there was a full Town Board with the exception of Supervisor Flach.

AGENDA

- Public Announcements
 - Town Offices Closing Early, December 24th
 - Town Offices Closed, December 25th
 - Public Hearing, December 29th
 - Organizational Meeting, January 5th
- Public Comments
- Department Report Review
 - Sewer Department, November & December 2014
 - Town Clerk, November 2014
- Old Business
 - Attorney to the Town Legal Services
- Resolutions
 - Transfer of Valley Paper Mill Park
 - Accept Resignation of Part-Time Mechanic
 - Approval of Abstract
- Correspondence
 - DOT Letter to Janet Kessler
- Upcoming Workshops/Meetings
 - Public Hearing – December 29, 2014 – 6:00 PM
 - Organizational Meeting – January 5, 2014 – 9:00 AM

PUBLIC ANNOUNCEMENTS

Town Offices Closed

Deputy Supervisor Masti stated the Town Offices will be closing early, at 12 noon on December 24th, for Christmas Eve, and December 25th, for Christmas Day.

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Meetings

Deputy Supervisor Masti stated that there will be a Public Hearing on December 29th for Sewer Rates and an Organizational Meeting on January 5, 2015 at 9:00am.

PUBLIC COMMENT

Councilman Masti invited the public to comment at this time.

Ms. Sylvia Lawler stated that she lives in the Town of Coeymans and at the end of the last Board Meeting during the Good to the Order, Supervisor Flach read a lengthy statement and in that statement he was explaining some of the reasons for the budget shortfalls and said that there had been unexpected legal costs as well as saying that it was a shame that a few individuals so disliked another individual that they filed a lawsuit. She continued by saying that she wanted to clarify that and Article 78 simply allows a citizen or a group of citizens to appeal a legislative decision by their Town to the New York Courts and a group of citizens does not dislike an individual, a group of citizens disagrees with their assessment in completing the SEQRA (State Environmental Quality Review Act). She reiterated that she just wanted to clarify that by saying that it has nothing to do with the dislike of an individual but it has to do with the difference of opinion and on that same note, when they started litigation, and this is the second lawsuit, with the first they made overtures for the Town and their Attorney was hopeful that it didn't have to go to litigation and he knows that he wrote to Attorney for the Town Wukitsch who in turn forwarded it to the Board. She continued by saying that their Attorney had suggested that they get all the stakeholders together with the Town Board, citizens, and representative from business and industry to try and hammer something out on the zoning that would be palatable to all and she has a response saying that the Town Board was not interested. She added that she is sorry for the Town's legal costs but she thinks they created their own hardship and it could have been solved without ever go through a court of law because she believes everyone wants to walk in concert with this Town and not be opposed to them.

Councilman Dolan stated that he would like to add that the record would support that the second lawsuit was not entirely unexpected and there are probably ½ dozen instances where Judge Lynch offered his opinion, which he thought should have guided them in completing the SEQRA the second time but the Board chose to ignore his guidance and ruling from his first decision.

Deputy Supervisor Masti asked if anyone else wished to comment.

Mr. Laszlo Polyak stated that he lives in Ravena and firstly wanted to say Happy Holidays to those who aren't Christians and Merry Christmas to those who are. He added that he is there for a similar reason that Ms. Lawler was there for and in watching the last Board Meeting, he was a little upset in the sense that Supervisor Flach read the letter and then closed the meeting so quickly. He continued by saying that once they are elected, they become representatives to everyone and they can't make statements where 1-2 or 3 people are causing a problem because they do have due process rights if they feel they want to go forward with something. He went on by saying that in this particular case, he is not on board with the people that generated the lawsuit, he likes what Carver is doing and a lot of other things down there and it is dangerous to have the pendulum swing from where they went from totally democrat control to republican control and then start doing the same thing where they are locking up people's voices. He added that in American history, in over 200 years they have tripped over a lot of solutions looking for a solution to another problem and when a handful of people say they have issue with something and want to exercise their ability to go forward, you let them, because in 9 out of 10 chances you might find a solution to 10 other things, which has happened. He continued by saying that the worse that can happen when people are on the end of an issue is that you suffer from foot and mouth disease, which they all do. He went on by saying that he wanted to send his condolences to the two officers and their families who were executed the other day, brought on by lack of leadership, both republican and democrats nationally and in the city and we exist despite ourselves and cannot find solutions if we are constantly divided because united we stand, divided we fall. He added that people say to tax the wealthy but what happens when there are no millionaires would be who then would they tax to get things done and this community and this Town Board has to work with the Village Board on the water and sewer issues and the

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infrastructure that needs to be done and he does not understand why the rates are not equal for everyone in every category for both the Village and Town for sewer and water because when our ancestors built the infrastructure, it was and still is a necessity and the life blood of any community is your infrastructure and beyond that the Police and Fire Departments, who they all generically pay their taxes for. He continued by saying that if anything is left then they do the parks and other things like that and sometimes they don't have the money and this is when you ask the private and public sector if there is anyone that can help through donations for picnic tables, benches, excavation, etc. He went on by saying that the Town has 15 miles of the Hudson River, they can have it all, industry, private property, town houses, senior facilities and small business but you have to work together to have the affiance. He concluded by wishing everyone a Happy New Year.

Deputy Supervisor Masti asked if anyone else wished to comment.

Mr. Jim Youmans stated that he just got a text message from his house and they said that they cannot hear what is being said.

Mr. Bill Horton interjected that it had been straightened out.

Mr. Youmans continued by saying Merry Christmas, Happy New Year and Happy Hanukah. He added that he read, and he is sorry that Supervisor Flach is not here to answer to it, in the News Herald in the Supervisor's Report where he said that the Fund Balance is nonexistent and he was a little shocked when he was at the last meeting and someone said something about the Fund Balance, then he smiled and said that he was left with \$400,000.00 and was happy that he has whittled away at it and it's almost gone. He continued by saying that he then read that he said that the Fund Balance did not really exist and is imaginary and then asked if anyone can shed any light on it for him.

Councilman Langdon stated that he could and after that meeting when he said that, he asked Supervisor Flach if he realized how it sounded in saying that he just spent away the money, which is not what he was trying to say. He added that apparently what had happened in the past, and here again is one of his big components of wanting to see them get on a real bookkeeping system software, is apparently from talking to the accountant, bookkeepers and also brought up by the Comptroller, is that there have been times when fund balances were reported as a balance but when you actually look at how that number came up, you will see one department owed \$210,000.00 to another department and the department that loaned the money had also borrowed \$220,000.00 in the other direction within the same two departments. He continued by saying that with basic math he looks at it and sees that there is really only a \$10,000.00 balance but what was actually being reported in the fund balance was \$220,000.00 in one and \$210,000.00 in another so the receivable have been reported but the payables were not so consequently when you just show your receivables and don't show your payables, you end up with balances that don't really exist, which is what he understands to be the problem and how it seems to show up on paper.

Mr. Youmans stated that the hard part about that for him and what he finds to be confusing is on page 16 of the budget they use \$196,551.00 worth of fund balances of revenue and then asked if it's not there what does that mean.

Councilman Langdon stated that he is new at this and he can't tell him he is 100% with his explanation but it is the way that it was explained to him and it is was what the Comptroller had said after auditing the Town for a number of times and they kept explaining that the numbers can't keep being reported the way they are but apparently you can't just turn it off, they have to be adjusted over time, which in essence is what Supervisor Flach was referring to when he said he whittled it down. He added that supposedly they have been moving the fund balances to make them more accurate and accountable and it is the explanation that he got because it didn't make any sense to him either.

Mr. Youmans stated that he would say to his knowledge, the Comptroller's Office has never criticized the way that the fund balance was figured.

Councilman Langdon stated that whomever it was, they came in complaining every year when they looked at it and he even sat down with the accountant that they hired a month or two ago

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when they discovered they had this big financial problem and he was concerned with where it was so he came in on a Saturday morning and it is the explanation that he got, which does not totally make sense to him.

Mr. Youmans stated that he has read every Comptroller's Report since 2008 and he can tell them what has been criticized is the use of fund balance to balance the budget and it was said that the budget depends too much on fund balance to balance out and never once had he seen any criticism.

Councilman Langdon stated that he can't say that he has sat down with the Comptroller's Office and he can't confirm or deny what he is saying.

Mr. Youmans stated that he did vote yes on \$196,000.00 of it, so he would expect him to have an explanation for that.

Councilman Dolan stated that fund balances are at least two things, which is unexpended money in each of the departments that are not in a reserved fund that can be carried over, so in that sense it is as real as any money is real and the other function of a fund balance is your assets minus your liabilities so if there is \$200,000.00 owed and \$200,000.00 lent it would in essence cancel each other out except they may be in different funds so one might have a \$200,000.00 deficit and one might have a \$200,000.00 surplus. He continued by saying that it is very real just like if you have a home equity loan, that number in the bank is just as real as any other money is that is in the bank.

Mr. Youmans stated that the last thing, and it is another topic, is that it was a month ago when he sat there are there was talk about closing the Dispatch Center and he wonders if anyone since then has come up with some hard numbers or 5-10 year projections of what it is going to actually look like on paper and if there is something on paper that explains what it means going forward.

Councilman Langdon stated that if you look at 2014, Dispatch spent about \$300,000.00 and in evaluating the situation and working with the Sheriff, they are looking at negotiating two years of paying them for 2 people, which is equivalent to about \$100,000.00 and after two years, the Town stops paying. He added that if they look at it from that perspective of what they spent this past year, which was way over what the budget was scheduled for, even on a good year the Dispatch runs around \$220,000.00 so if they are going to take and back it down to \$100,000.00 and after 2 years it goes away, it is a pretty significant savings.

Mr. Youmans stated that it is way different from any numbers that he has heard to date.

Councilman Langdon stated that it is the numbers that he knows.

Councilman Dolan stated that he wanted to correct him in saying that he has been talking with the Sheriff because he has not been talking with the Sheriff.

Councilman Langdon stated that it is the Sheriff's people.

Councilman Dolan stated that he spoke with the Sheriff last week and he said as of then he still has not received a plan from the Town of Coeymans and people on the Town Board can talk to anyone that they want but he is the Sheriff and the one that makes the decisions and he is not about to move forward at all in taking over the Dispatch Center until they submit him a plan, which they have not done. He added that people on the Board, including the Supervisor, can say that they have talked to the Sheriff all they want but he has asked for a plan and still hasn't gotten it.

Councilman Langdon stated that he knows there is a plan being developed and he believes the Chief was meeting with the Sheriff's people earlier in the day.

Chief McKenna interjected that he actually hadn't reached out to Mr. Ralph Marianni regarding moving Dispatch members to Albany County Dispatch and it will be difficult during the holiday season because he is off for the next week and added that he hopes to speak with him and find out what their plan is for the Town by January 1st.

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Mr. Youmans stated that if they are going to do it for \$200,000.00 for two years and then do it for free after that, it would be hard to say no to, he would guess. He added that he would also say that if the Department was going over budget, there are only 5 people that can be blamed for it and one of them isn't there tonight but the others are sitting there because the last he checked, there is no one in Dispatch that can sign checks or spend money without Town Board approval. He concluded by saying that his concern is this, and he does not want to get into real negatives but he thinks it is something pretty impressive that they have in the Dispatch Center and it is something that a lot of people that came before any of them saw a need for and worked really hard to create and he thinks it is something that a lot of his tax dollars have gone to at this point and he just doesn't want to see it going away without any hard numbers and he would like to see it on paper.

Councilman Langdon interjected that it is why they put in a contingency for a full year and there is enough money to keep it running in 2015 in case the negotiations with the Sheriff don't go as planned.

Mr. Polyak stated that he has an addendum on that and continued by saying that the Chief just said that they are negotiating getting Town employees moved over to County and then asked what due diligence the Town Board is doing to help the other members find jobs elsewhere if they are going to whittle it down and then make it go away.

Councilman Langdon interjected that there are only two full-time employees down there.

Mr. Polyak asked about the part-time employees.

Councilman Langdon stated that from what he understands, it is not uncommon to have part-time opportunities at Dispatch also and it is not a full-time job and as a Town Board Member his job isn't necessarily to provide employment for people, if they need people, they will hire people, and if it is an expense that they don't have to carry, why would they ask the taxpayers to pay it.

Mr. Polyak interjected that he is neutral with that entire issue and is just trying to clarify things that are being said and he has been taught that you don't put someone up against the wall where they have to come out on top of you to fight for their jobs and if that's the case, they can assist them in finding another job or transplanting them elsewhere in the Town and then through attrition.

Councilman Langdon stated that some of the Dispatchers are considering moving into the Police Force directly.

Mr. Polyak reiterated that he wanted to have a clarification on that and continued by saying that he wanted another clarification on another minor issue. He added that the Sewer Public Hearing is going to be on Monday, December 29th at 6:00 and then asked what it entails and why they are holding a Public Hearing for it.

Councilman Dolan interjected that it is a requirement of the law.

Mr. Polyak asked why a Public Hearing and if it is because the rates are going up or down.

Councilman Langdon stated that they have to set rates every year from what he understands.

Deputy Supervisor Masti stated that they do have to be set every year and it is routine.

Mr. Polyak asked if it will affect his rates for property in the Village.

Councilman Langdon stated that Trustee Bailey had said that the Village will be setting their own rates.

Mr. Polyak stated that he is confused a bit because he knows that there are main meters and contracts between the Town and Village, the last one was 60/40 based on the meters and years ago it was 70/30 and now he is hearing that the actual meter readings are 10-15% in flows. He then asked if the split is going to be 85/15 split because the houses in the Hamlet are half empty. He went on by saying that even if they go from 40 to 20 or 40 down to 15 or 10 he is a little

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concerned because you have to make up the money somehow, which means that the Village rate would go up.

Councilman Dolan interjected that Mr. Polyak identified that he wished everyone paid the same and because he is not part of the Hamlet Sewer District, his rates are set by the Village Board and it's not necessarily dependent on what the Hamlet is paying, even though the share might change. He added that it is based on how much money the Village has to raise divided by the number of users.

Mr. Polyak asked how individuals find out what the money is being spent on right down to for instance the postage and then asked if there are going to be records for people to review because the last time the rates went up, the room was packed because the rates were so high. He continued by saying that he would like to see a breakdown in both water and sewer so he can see what they are getting for the money they are paying. He continued by asking for instance if 10% is going toward the infrastructure or if 15% is for administrative costs to make up the bills and 25% for labor costs for people who work at the plant or what percent is to move the sludge or for purification chemicals.

Deputy Supervisor Masti stated that Chief Operator Kerr has done a very nice job of breaking down costs in his report.

Mr. Polyak asked if they were going to be available at the Public Hearing.

Deputy Supervisor Masti stated that he can give him a copy.

Mr. Polyak stated that he would suggest that they have it available so you can debate back and forth.

Councilman Langdon interjected that they are published every month for everyone to see.

Mr. Polyak asked where they are available.

Councilman Langdon stated that he believes he can get a copy from the Town Clerk.

Mr. Polyak asked if it breaks down the actual costs.

Deputy Supervisor Masti stated that it does with the exception of wages of the workers.

Mr. Polyak asked if it is also available for the water.

Collectively the Board responded that they don't have anything to do with the water.

Mr. Polyak asked if there is anything for the constituents of the Hamlet to see as to what the Town is responsible for.

Councilman Langdon stated that the Town is not responsible for anything with the water and they have no say in anything.

Mr. Polyak asked how it is that the Water District has no say.

Councilman Langdon stated that the Village owns all the water and the only ones that have any say over the water from what he has been told.

Mr. Polyak asked if the Village can just change the numbers to whatever and whenever they want.

Deputy Supervisor Masti advised that he attend a Village Meeting the first Tuesday in January.

Mr. Polyak stated that he is wondering if the Hamlet is being held hostage.

Councilman Langdon stated that he is in agreement with him and he thinks the water and sewer should just become its own municipality with its own Board and government.

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Mr. Polyak stated that it could be 1 district or 10 districts, it does not matter and the rates should be the same for everyone.

Councilman Langdon reiterated that he agrees.

Deputy Supervisor Masti interjected that this is why they have meetings.

Councilman Dolan stated that they will have the numbers for him next week.

Mr. Polyak stated that he is thinking about sitting down and doing an Article 78 and push the issue.

Deputy Supervisor Masti asked if there were any other comments.

Ms. Regina Palmer stated that it is the last public meeting for the year and she wanted to say that they are all doing a great job and especially Councilman Langdon and Councilman Burns with this being their first full year and they have really stepped up and dove into their positions. He continued by saying that she wants everyone to realize that they are not politicians, they are working citizens.

Councilman Dolan interjected that they are politicians now.

Ms. Palmer stated that it was not their goal, they were asked to come forward and do it and she thinks they are doing their best and when people come up to the microphone, sometimes tensions are high and they all have to think about what they say. She added that if they made a mistake, it probably is not intentional and rather than ripping into them, they should offer suggestions and ask that they look into doing it another way instead of thinking there is some kind of master plan behind it. She continued by saying that she has spoken with all of them individually as general people and it has never been her opinion of what they are doing because they are really try to do the best for what they think is in everyone's best interest. She concluded by thanking the Board and wished them a Merry Christmas.

Deputy Supervisor Masti asked if anyone else wished to comment, hearing none he continued by saying that Supervisor Flach regrets that he cannot be there and he asked that he read a response to Mr. Touchette's letter and continued by reading the following:

Good day, I received a copy of the letter Mr. Touchette has sent to the NYS Comptroller's office. On Monday, December 1st, I sent an email to Councilman Tom Dolan saying that we did not have to do an interfund loan from the sewer fund. In the letter dated Dec. 3rd, Mr. Touchette tells the comptroller that I "raided" the sewer fund, which by the way, is legal according to the comptroller. We did not take an interfund loan from sewer, which is a lie to the Comptroller. We also voted to float a "not to exceed" \$500,000.00 loan, and only took \$310,000.00 another lie by omission. Also, this will be paid back by revenues from this year 2014, not received until 2015. In 2012, the Comptroller came and did an audit because the Annual Financial Report was showing there to be many interfund loans from 2009 to 2011. In 2009 and 2011, the former Board had, according to the Comptroller's Audit, "substantial" interfund advances to finance revenue shortfall and capital expenditures. It also states that, "four of the Town's operating funds had interfund loans outstanding on December 31, 2011". I am not criticizing former Boards, just pointing out that these types of things happen, and we should all work to make things right. There are many fixes from 2009 – 2011 that have had to be made in the Town's books. Since I came into office, we have fixed many of them. We have been working on regaining fiscal integrity from those years. There are many bookkeeping issues that we are working on. I have not gone to the paper, news media, sent letters or tried to throw anyone "under the bus". I am trying with the knowledge that I have, to help make our community the best it can be. I am certainly not perfect and no doubt make my share of mistakes, but this is just a tactic to make me look bad, and I will certainly defend myself. I am disappointed that someone would sign a letter to the NYS Comptroller, which contains lies, inaccurate facts, not to mention; not knowing the whole story. This especially applies to Councilman Dolan, who knew two days before the letter was sent, that this was untrue. I urge you to come in and know all the facts.

Thank You,
Stephen Flach

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Deputy Supervisor Masti moved to the next item on the agenda.

DEPARTMENT REPORTS

Sewer Department – November & December

Councilman Masti asked that Councilman Langdon give the Sewer Department Reports for November and December.

Councilman Langdon continued by giving the reports.

Deputy Supervisor Masti offered a motion to approve the report.

MOTION

On motion of Deputy Supervisor Masti, seconded by Councilman Dolan, the reports were accepted as presented and read.

VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Flach) – SO MOVED

Town Clerk – November

Deputy Supervisor Masti asked that Town Clerk Millious give the Town Clerk Monthly Report for November.

Town Clerk Millious continued by giving the report.

Deputy Supervisor Masti asked for a motion to approve the report.

MOTION

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

VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Flach) – SO MOVED

OLD BUSINESS

Attorney to the Town Legal Services

Deputy Supervisor Masti asked if he should read the proposal from Attorney for the Town Wukitsch into the record.

Attorney for the Town Wukitsch stated that he doesn't have to and the proposal is the same as last year, to perform legal services to the Town including general advice and counsel and the services are described in the proposal charged and it's at the same rate without an increase.

Deputy Supervisor Masti asked if anyone had any questions, hearing none he offered a motion to accept the proposal.

MOTION

On motion of Deputy Supervisor Masti, seconded by Councilman Langdon to accept the proposal from Attorney for the Town Wukitsch for his services in 2015.

VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Flach) – SO MOVED

Attorney for the Town Wukitsch thanked the Town Board.

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RESOLUTIONS

Councilman Masti asked if they finally got the deed for the Valley Paper Mill Park.

Attorney for the Town Wukitsch stated that they have the original deed and all the paperwork has been completed, the Management Agreement was approved by the Attorney General because it is a transfer of not-for-profit. He added that once the resolution is in place, the Supervisor can execute the relevant papers, the deed will be filed, both parties will receive the Management Agreement and they will be done.

Councilman Langdon asked if he was satisfied with the Management Agreement.

Attorney for the Town Wukitsch stated that he was.

RES. #169-14 TRANSFER OF VALLEY PAPER MILL PARK

On motion of Councilman Dolan, seconded by Councilman Burns, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Flach)

WHEREAS, the Valley Paper Mill Park (the “Park”) is located on east side of County Route 111, just south of the intersection with State Route 143; and

WHEREAS, the existing site layout of the Park is shown on a portion of the property survey prepared by Charles Hite, Surveyor, dated November 18, 2003, and entitled “Map of Chimney Top, County Route 111”; and

WHEREAS, the directors of Alcove Preservation Association Inc. have proposed to convey the Park to the Town of Coeymans; and

WHEREAS, the Town of Coeymans believes it is in the best historical, recreational and cultural interests of the Town to accept the transfer of the Park property and to enter into a Management Plan which provides for the upkeep and maintenance of the Park property.

NOW, THEREFORE, BE IT RESOLVED, that the Town Supervisor of the Town of Coeymans is hereby authorized to enter in to a certain Management Plan with the Alcove Preservation Association Inc. bearing a date of April 2, 2014, and it is

FURTHER RESOLVED, that the Town Board hereby accepts the transfer of the Park property by Deed dated December 22, 2014

RES. #170-14 ACCEPT RESIGNATION OF PART TIME MECHANIC

On motion of Councilman Masti, seconded by Councilman Langdon, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Flach)

WHEREAS, Terry Maddage has submitted his letter of resignation as Part-Time Mechanic,

NOW, THEREFORE, BE IT RESOLVED, that the resignation of Terry Maddage as Part-Time Mechanic be accepted effective January 1, 2015.

Chief McKenna,

This letter is to inform you that I am resigning my position as the Department Mechanic, effective January 1, 2015. It has been a pleasure to work for the Department.

Respectfully,
Terry Maddage

RES. #171-14 APPROVE DECEMBER ABSTRACT

On motion of Councilman Burns, seconded by Councilman Langdon, the following resolution was APPROVED – VOTE – AYES 4 – NAYS 0 – ABSENT 1 (Flach)

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BE IT RESOLVED, that the Town Board, of the Town of Coeymans, does hereby approve and allow the following claims of vouchers for the December, 2014, Abstract

FUND	VOUCHER #	AMOUNT
GENERAL (A)		
General Pre-Pay	2313-2368	\$ 177,440.10
General	2418-2445, 2488	\$ 34,465.70
	General Total	\$ 211,905.80
POLICE FORFEITURE LOCAL (A)		
Police Forfeiture Local Pre-Pay	2369	\$ 1,500.00
	Police Forfeit. Loc. Total	\$ 1,500.00
POLICE FORFEITURE (A)		
Police Forfeiture Pre-Pay	2370-2372	\$ 355.62
	Police Forfeit. Total	\$ 355.62
PART-TOWN (B)		
Part-Town Pre-Pay	2373-2386	\$ 118,655.36
Part-Town	2446-2449	\$ 49.71
	Part Town Total	\$ 118,705.07
HIGHWAY (D)		
Highway Pre-Pay	2387-2397	\$ 58,103.97
Highway	2450-2470	\$ 8,663.34
	Highway Total	\$ 66,767.31
SEWER (SS)		
Sewer Pre-Pay	2398-2410, 2489- 2491	\$ 75,882.60
Sewer	2471-2479,2481,2484,2492	\$ 7,814.54
	Sewer Total	\$ 83,697.14
CAPITAL PROJ. (H38)		
Capital Projects	2411	\$ 41,132.08
	Capital Proj. (H38)Total	\$ 41,132.08
CAPITAL PROJ. (H41)		
Capital Projects	2480, 2485-2486	\$ 34,901.50
	Capital Proj. (H41) Total	\$ 34,901.50
CAPITAL PROJ. (H42)		
Capital Projects	2487	\$ 390.00
	Capital Proj. (H42) Total	\$ 390.00
	Total For All Funds	\$ 559,354.52
TRUST & AGENCY PAYPAL (TA)		
Trust & Agency PayPal PP	2412	\$ 168.32
	Trust & Agy. PayPal Total	\$ 168.32

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TRUST & AGENCY (TA)		
Trust & Agency Pre-Pay	2413-2417	\$ 231,943.40
	Trust & Agcy. Total	\$ 232,111.73

CORRESPONDENCE

DOT Letter to Janet Kessler

Deputy Supervisor Masti stated that there is a copy of a letter to Janet Kessler from the New York State Department of Transportation regarding a speed limit request on Route 144 in the Town of Coeymans. He continued by reading the following:

Dear Ms. Kessler;

This is in response to your September 18, 2014 phone call to our office requesting a speed limit reduction to 40 mph on Route 144 in the Town of Coeymans.

The NYS Department of Transportation follows nationally accepted standards when establishing a speed limit. Speed limits are established as the maximum safe speed motorists may travel through a corridor under ideal conditions. When it is determined that a speed limit may be warranted, the speed limit is set at what is called the “85th percentile speed”. That is the speed at which 85 percent of motorists are traveling at or less than.

We conducted a review of Route 144 between the 30 mph zone just north of the Hamlet of Coeymans and Route 396. Currently the 3.2 mile section of Route 144 is governed by the statewide 55 mph speed limit. Our study included a review of roadside development, roadway characteristics, traffic volumes and operating speeds. Based on our investigation, we have determined that a reduction is not warranted at this time.

Radar measurements were collected at two locations within this corridor. We found that 85th percentile of passenger cars to be 56 and 58 mph. We also recorded speeds of truck traffic at these same locations and found the 85th percentile speed to be 54 mph at both locations. Based on the information gathered, we would anticipate over 95% of motorists would be exceeding a 40 mph speed limit, as you proposed.

In addition to our field investigation, we reviewed the accident records for the 3 year 3 month period from January 1, 2011 to March 31, 2014. During this period, there were a total of 33 reported accidents thru the 3.2 mile corridor. This results in an accident rate of 2.08 accidents per million vehicle miles. The most predominant accidents were vehicle/deer collisions (14) and accidents attributed to slippery pavement (7). All but one of the vehicle/deer collisions occurred at night or during low light conditions. During low visibility and/or at times of poor pavement conditions, motorists are responsible to reduce their travel speeds based on those conditions. A lower speed limit is not justified for these situations.

Thank you for bringing your concerns about this location to our attention. If you have any questions concerning this investigation, please call Jim Corbett of this office at 457-5283.

Sincerely,

Mark J. Kennedy
Regional Traffic Engineer

Councilman Dolan stated that when the study was done that was true but he thinks that the road conditions have changed and he likes to go as fast as the next guy, which is slightly over the speed limit, but he can guarantee that you can't go the speed limit on at least the lower part of Route 144 because of truck traffic. He added that he is not blaming the trucks, he is just saying that it is physically impossible because it takes trucks a little bit longer to get up to full speed and he thinks that the differential between the normal truck traffic, particularly going north, and with cars that are used to going on that road without the road speed being changed, it will potentially

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cause accidents and it is not necessarily how fast people are going within reason but the differential between the fastest cars and the slowest cars. He continued by saying that when trucks are going slower, people have the urge to want to try and pass them and there are some dangerous spots where you run out of passing zones pretty quickly. He then asked that the Police Chief check that out for them.

Chief McKenna asked if he meant for the truck traffic and the change in the flow pattern.

Councilman Dolan stated that it is what he meant and added that he believes the report was true when it was prepared, which was January 2011 – March 2014.

Chief McKenna stated that the purpose of Ms. Kessler's letter to DOT was to reduce the speed limit along that stretch, particularly up more toward Bennett at that end of town and he knows that there were a lot of concerns initially regarding the potential for vehicular traffic in what he would describe as southbound with potential for traffic and larger trucks coming in on the new roadways. He added that he will make a notation to see if there have been any variances in accidents, tickets and calls for service in the stretch of roadway from two miles from the entrance way out to see what they have there and then asked if that is what he is looking for.

Councilman Dolan stated that it is what he is looking for.

Councilman Langdon stated that he agrees with Councilman Dolan as far as the differential in speed but most DOT's don't care about that because as you go out west they constantly post a ten mile an hour slower speed limit for trucks than they do cars so it's like they want you to have the differential, which he does not really understand but as a truck driver he always hated it.

Councilman Dolan stated that it is more of near the northern entrance when a car is already up to 55 mph and they pull out in front of you and maybe the speed could be slightly lower there and reiterated that he would like to have them look at it.

WORKSHOPS/MEETINGS

- Public Hearing, December 29, 2014, 6:00pm
- Organizational Meeting, January 5, 2014, 9:00am

ADDITIONAL COMMENTS

Deputy Supervisor Masti asked if there were any other comments.

Chief McKenna wished everyone a Happy Holiday.

Deputy Supervisor Masti asked if anyone else wished to comment.

Town Clerk Millious stated that her office is getting ready for the property taxes and they should be working on them by the end of this week and they will get them out on time and that she takes credit cards now and there is a 3% charge for that. She went on by saying that she wanted to express her deepest sympathy to her Deputy Cindy on the loss of her grandchild at this holiday time and her prayers go out to them for strength and comfort. She concluded by wishing everyone a Merry Christmas and Happy New Year and she will post the notice for the January 5th, 9:00am meeting and have it put on the web.

Deputy Supervisor Masti asked if there were any other comments.

Councilman Dolan stated that he wanted to offer his condolences and express his sympathy to the people in Knox that were traumatized at the end of last week and also wanted to thank Sheriff Apple for the quick response, which helped with at least one of the fears that there were gunmen going out and snatching children. He added that there will be a candlelight vigil at Berne-Knox Westerlo School and he wanted to express his solidarity with them. He continued by saying that

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as to Supervisor Flach's letter, he would say that it was nice theater and he didn't respond at first because he wanted to check something and he actually signed that letter on November 29th, which was two or three days before he told him that they were not borrowing the money. He added that he had asked for the balance that was in the Sewer Fund and was told that the balance was unknown by the Supervisor and Bookkeeper and he certainly has the right, just like everyone else on the Board, to sign a letter to anyone he chooses based on the facts that he had at the time that he agreed to sign it. He continued by saying that it is also quite a cheap shot to pass off a letter to have someone else read on your behalf and not say anything to him personally when he could have. He concluded by wishing everyone a Merry Christmas.

Deputy Supervisor Masti asked if there were any other comments.

Councilman Burns stated that tragedies happen but it is still Christmas and he prays that everyone's family gets together and has a great Christmas Season and he hopes that everyone remembers what it is really supposed to be about. He continued by saying that his heart goes out to the Vatalaro family and continued by reading the following:

To: All Department Heads
From: Town Clerk Millious

12-22-14

RE: Julianna Vatalaro Memorial Donation

Anyone interested in contributing to the Children's Hospital in memory of Julianna Vatalaro can bring their donation to the Town Clerk's Office by January 2nd 2015. A donation will be made from the Town of Coeymans employees.

Councilman Burns continued by saying that he wanted to read her obituary because it is a great attitude in a terrible situation and continued by reading the following:

Julianna M'Kenna Vatalaro – Cherished infant daughter and sweet angel of Taylor Vatalaro and Frances Carter celebrated her first birthday December 6, 2014 and left our arms to fly with the angels in Heaven on December 19, 2014. She was planted here on earth to grown and to bloom in Heaven. In her brief stay, she brought a lifetime of joy and happiness to all who loved her. Julianna filled the empty spaces in our hearts and her smile brought light into our stormy, cloudy days. The loss we feel is beyond words. In addition to her parents our precious baby is survived by her brothers Joshua, Donovan, Xander, Giovanni, her loving paternal Grammy and Grampy Mike and Cindy Vatalaro, maternal grandparents Mary Van Fonda and Malcolm Carter. She is also survived by her Godmother Jackie St. Pierre who loved her as her own as well as numerous Aunts, Uncles and cousins. Each day without her will be a day closer to having her back in our arms. Sleep in heavenly peace sweet angel baby. Friends may call at Babcock Funeral Home, Ravena, on Tuesday, December 23rd from 4-7pm; the funeral service will be immediately followed at 7:00. Contributions in memory of Julianna may be made to Children's Hospital, c/o NICU, 43 New Scotland Avenue, MC73, Albany, NY 12208.

Councilman Burns offered his condolences and added that he does not know what to say in a time like this other than he truly believes that she is resting with our Lord right now, she is not afraid and her parents can feel at ease that they will see her at the end of the day.

Deputy Supervisor Masti asked if there were any other comments.

Councilman Langdon stated that he also wanted to express his condolences to Cindy and her family; it is a hard thing to go through, especially this time of year. He continued by saying that he also wanted to express his condolences to the family in Knox for the loss of their 5 year old as well as the families of the two officers that were killed this past weekend. He asked that everyone keep those families in their prayers and then wished everyone a Merry Christmas and Happy New Year.

Deputy Supervisor Masti stated that he wanted to thank everyone present who discussed the sewer issues and he looks forward to more cooperative discussion and he thinks that the most important thing is that the things they approach in life, there is open communications and for

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them not to judge others too harshly. He continued by saying that as far as the families, he is a nurse and sees it up close and personal way too often and there are no words that you can express but a hug goes a long way and when he sees Cindy he will give her one. He added that they were having a Town Christmas Party that day and it wasn't 10 minutes before that she was showing a picture of her little granddaughter sitting on Santa's knee. He concluded by saying that everyone should remember that life is precious, every moment is precious and he too wishes everyone a Merry Christmas and Happy Hanukah and the spirit of the holiday brings warmth and love and he wishes it was year round. He then offered a motion to adjourn.

ADJOURNMENT

MOTION

On motion of Deputy Supervisor Masti, seconded by Councilman Langdon, the meeting was adjourned.

Time – 8:08pm

Respectfully Submitted,

APPROVED – As Read February 23, 2015



Diane L. Millious, Town Clerk