

MINUTES BOOKTOWN OF COEYMANS
November 17, 2015 – Town Board Workshop – 6:00pm**

**A Town Board Workshop was held Tuesday, November 17, 2015, at 6:00pm at Town Hall,
18 Russell Avenue, Ravena, New York**

PRESENT: Stephen D. Flach, Supervisor
Thomas E. Dolan, Councilman
Kenneth A. Burns, Councilman
George E. Langdon, IV, Councilman

ABSENT: Peter Masti, Councilman

ALSO PRESENT: Diane L. Millious, Town Clerk

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

OPENING COMMENT

Supervisor Flach stated that the record should reflect the presence of a full Town Board with the exception of Councilman Masti.

AGENDA

- Resolutions
 - Approve Sale of 78 Main Street
 - Re-Appoint Position of Zoning Board of Appeals Member
 - Appoint Zoning Board of Appeals Member
 - Appoint Zoning Board of Appeals Member
 - Authorize \$36,154.79 Water Rents Levy
 - Authorize \$49,838.80 Sewer Rents Levy
- New Business
 - Discuss In God we Trust
 - Adopt 2016 Budget

RESOLUTIONS

RES. #120-15 APPROVE SALE OF 78 MAIN STREET

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

WHEREAS, the Town of Coeymans own surplus real property located at 78 Main Street in the Town of Coeymans; and

WHEREAS, the Town seeks to dispose of this property for value in accordance with applicable law; and

WHEREAS, the transfer of surplus real estate is not subject to competitive bidding requirements under applicable law; and

WHEREAS, to avoid any claim of favoritism, the Town of Coeymans advertised for bids for the transfer of 78 Main Street, to be opened on September 24, 2015; and

WHEREAS, the Town received two bids, one from Coeymans Industrial Park and one from Jerome and Rose Gladney; and

MINUTES BOOKTOWN OF COEYMANS**
November 17, 2015 – Town Board Workshop – 6:00pm

WHEREAS, an inquiry was raised and an investigation was conducted to determine whether or not the bidding process was conducted in a fair and impartial manner; and

NOW, THEREFORE, BE IT RESOLVED, in order to avoid any appearance of impropriety, the Town Board hereby rejects the bid of Coeymans Industrial Park for the subject property; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Coeymans hereby selects Jerome and Rose Gladney as the successful bidder based on their bid amount of \$6,000.00, and

BE IT FURTHER RESOLVED, that the Attorney for the Town is hereby directed to prepare documents transferring 78 Main Street for the Town of Coeymans to Jerome and Rose Gladney for \$6,000.00 after the conditions of the bid have been met.

Supervisor Flach stated that he spoke with Mr. Laraway about this and he was fine with the other bidders as someone who is going to fix-up the house and live in it and that he spoke with Rose & Jerome, who are working on getting the money for their bid, which is part of the condition for the bid as well as improvements that have to be made before there is a transfer of deed.

Councilman Langdon asked if there is a time-frame for the improvements.

Councilman Burns interjected that it is 90-days.

Town Clerk Millious stated that once she receives the money, she will advise the Attorney to the Town.

Councilman Langdon stated that in turn the Attorney to the Town will prepare the documents but they don't get the deed until the work is done.

Supervisor Flach stated that regarding the next resolution they have tried for over 9 months to contact a Zoning Board of Appeals member via cell, home phone and e-mail who has not attended any meetings and in talking with the Attorney for the Town, they can re-appoint the position due to lack of communication and continued by reading the following:

RES. # 121-15 DISMISS ZONING BOARD MEMBER

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

WHEREAS, Daniel T. Harris' Zoning Board of Appeals position will be re-appointed due to consecutive absentees of Zoning Board Meetings.

NOW, THEREFORE, BE IT RESOLVED, that the re-appointment of Daniel T. Harris position as Town of Coeymans Zoning Board of Appeals Member Member be accepted effective November 17, 2015.

Supervisor Flach stated that two years ago Mr. Harris came to them and was appointed to the Zoning Board of Appeals, the first year he was present but has missed every meeting this year and they have tried to get a hold of him.

Councilman Dolan asked if there is a certain number for missing the meetings.

Supervisor Flach stated that there isn't and the Zoning Board tries to meet once a month if they have any business to discuss.

Town Clerk Millious interjected that they have cancelled 3-4 during the year.

Supervisor Flach stated that they sent a letter out. He continued by saying that the following two resolutions are appointments that need to be made, one due to Mr. Harris' absence and one due to Michelle Maddage's move to Texas.

RES. #122-15 APPOINT ZONING BOARD OF APPEALS MEMBER

MINUTES BOOKTOWN OF COEYMANS**

November 17, 2015 – Town Board Workshop – 6:00pm

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

WHEREAS, the Zoning Board of Appeals has a vacancy due to the resignation of Board Member Michelle Maddage; and

WHEREAS, the Town Board is desirous of filling this vacancy and completing the term of office left by Ms. Maddage's departure.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby appoint Adalberto Gonzalez to the Zoning Board of Appeals for a term to expire December 31, 2018.

Supervisor Flach stated that Mr. Gonzalez is a gentleman that he knows fairly well as does Councilmen Langdon and Burns and he is excited to do some work in the Town and be more involved in the community. He added that at one time he thought about running for Town Board so they talked to him about the Zoning Board.

RES. #123-15 APPOINT ZONING BOARD OF APPEALS MEMBER

On motion of Councilman Dolan, seconded by Councilman Burns, the following resolution was APPROVED – VOTE – AYES 3 – NAYS – 1 – ABSENT 1 (Masti) – SO MOVED

WHEREAS, the Zoning Board of Appeals has a vacancy due to the re-appointment of Board Member Daniel T. Harris'; and

WHEREAS, the Town Board is desirous of filling this vacancy to complete the term of office left by Mr. Harris' departure.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby appoint David L. Flach to the Zoning Board of Appeals for a term to expire December 31, 2018.

Supervisor Flach stated that Mr. Flach is his father but he will not be here after December 31st so it will not be a conflict for him and in speaking on his father's behalf, he is a businessman who owns property in the Town.

Councilman Langdon interjected that he thinks it is a great addition to the Board.

Councilman Burns agreed.

RES. #124-15 AUTHORIZE \$36,154.79 WATER LEVY TO 2016 PROPERTY TAXES

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

WHEREAS, the last day to collect for Water Rents was 11/01/15, any rents unpaid are to be levied on the 2016 Property Taxes, and

WHEREAS, the Albany County Director of Finance has requested verification of unpaid water rents from the Town Board insuring the correct amount to be placed on the Tax Warrant.

NOW, THEREFORE, BE IT RESOLVED, the total amount of uncollected Water Rents to be levied to the **2016 Property Tax Warrant is \$36,154.79**, which is a base amount of \$33,565.08 plus \$2,589.71 in penalty.

Supervisor Flach asked that Town Clerk Millious give an explanation.

Town Clerk Millious stated that she spoke with Anthony DiLella, the Tax Levy Specialist and he is requiring that in order to accept the unpaid Water and Sewer listing, the Town Board has to pass a resolution by November 23rd.

MINUTES BOOKTOWN OF COEYMANS**

November 17, 2015 – Town Board Workshop – 6:00pm

Supervisor Flach stated that the County wants assurance from all the Towns and Villages that they are doing due diligence to collect the rents and have done everything that they can to collect.

Town Clerk Millious stated that there will be one from the Town of Bethlehem because the person's water is in the Town of Coeymans and it will be a separate levy.

RES. #125-15 AUTHORIZE \$49,838.80 SEWER LEVY TO 2016 PROPERTY TAXES

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

WHEREAS, the last day to collect for Sewer Rents was 11/01/15, any rents unpaid are to be levied on the 2016 Property Taxes, and

WHEREAS, the Albany County Director of Finance has requested verification of unpaid sewer rents from the Town Board insuring the correct amount to be placed on the Tax Warrant.

NOW, THEREFORE, BE IT RESOLVED, the total amount of uncollected Sewer Rents to be levied to the **2016 Property Tax Warrant is \$49,838.80**, which is a base amount of \$45,308.00 plus \$4,530.80 in penalty.

NEW BUSINESS

Discuss In God We Trust

Supervisor Flach read the following:

In God We Trust's mission is to promote patriotism by encouraging Elected Officials to vote yes to legally display our Congressionally approved national motto in every city, county chamber and state capital in America. Will you be part of the patriotic campaign?

Dear Honorable Elected Official,

This is an invitation to join the growing list of cities and counties across America that are voting yes to proudly and prominently display our nation motto, In God We Trust, in the chamber where we conduct the people's business.

Supervisor Flach stated that there is a young man taking this to the cities, villages and towns in our local area wanting them to adopt this and if they did, they would do is put In God We Trust on the wall in Town Hall. He added that he will have the Board Members look at it and vote whether or not to do it next week at the Town Board Meeting and added that there is a list of those who have chosen to do it.

Brian Rowzee from the News Herald asked about it being done with the room also being used for the Town Justice.

Supervisor Flach stated that he didn't know and would try to find out the answer.

Councilman Dolan interjected that there are legal opinions attached with links to websites if Mr. Rowzee wanted a copy.

Adopt 2016 Budget

Supervisor Flach asked that Clerk to the Supervisor Weidman to go over the changes that were made in the Preliminary Budget and added that there was a Public Hearing last week to hear comments on the budget and in turn they couldn't adopt it because there was not a meeting following it but will adopt it now because it has to be done by November 20th. He concluded by saying that they discussed some of the changes at the Public Hearing.

MINUTES BOOKTOWN OF COEYMANS
November 17, 2015 – Town Board Workshop – 6:00pm**

Clerk to the Supervisor Weidman stated the following changes were made from the Tentative Budget:

- Page 1 – Court Officer was added to the Justice Department.
- Page 3 – Assessor Part-Time position as well as 10 hour a week administration position was combined in to one full-time person, the Assessor is going to have the Clerk for three days a week and Highway will have her for 2 days a week.
- Page 7 – Contingency decreased, which reflects the change of part-time to full-time as well as adding a Court Officer.
- Page 10 – Highway Administrative shows the two days for the Clerk.
- Page 10 – Highway Garage went down \$6,000.00 based on 2015 spent to date.
- Page 16 – Contingency was taken out of B Fund and moved to page 18 into the Storm Water in the amount of \$20,000.00.
- Page 21 – Central Garage was decreased from \$50,000.00 to \$38,000.00 for diesel fuel based on 2015 spent to date.
- Page 22 – Machinery Contractual went down to \$70,000.00 based on 2015 spent to date.
- Page 22 & 23 – Personnel Services, an Operator I was added, which reflects what was there this year.
- Page 25 – DB Sales Tax Revenue went up \$47,000.00, with \$30,000.00 coming from A Fund.

Supervisor Flach stated that the tax rate remains at a 2.5 % decrease.

Clerk to the Supervisor Weidman stated that they will see in the Budget the 2014 Modified Budget, 2015 Adopted Budget and 2015 Modified Budget as well as the Adopted for this year, which will make for the first actual legal budget that has been done.

Supervisor Flach stated that it was discussed in the “famous” draft, which was sent by the Comptroller and it said that the budgets for the past umpteen years have been illegal, which has been the same format for every one that he has looked at going back to 2007. He added that basically the Comptroller asked them to put in the Modified Budget of 2015 to show what their expenses are and then asked Clerk to the Supervisor Weidman what the others things were.

Clerk to the Supervisor Weidman stated that there should be a cover page stating the changes for the following year and the other change was adding in both year’s expenses year-to-date for 2015 and final expenses for 2014, which they have added in as well as adding the summary for the fund balances.

Supervisor Flach stated that so it’s on the record, they did have their exit meeting with the Comptroller and then asked if Councilman Langdon wanted to speak to that.

Councilman Langdon asked if he wanted him to address some of the challenges that he had to it.

Supervisor Flach stated that the one thing that they admitted was that there were no figures in 2015 because they didn’t have figures for 2015 and it is one of the things that they are writing in their report, which will probably be revised. He added that the other thing was the timing of when they put it out and they asked why they didn’t release it a month earlier to give them an opportunity to answer to it.

Councilman Langdon interjected that his thought with them was that it was finished in June, they had the exit interview, all of the summer went by, so his question was why they didn’t get the draft a month earlier, which would have given them an opportunity to respond and it would have been better to have a completed final copy published before the election. He continued by saying that they admitted they were showing it through May 31, 2105 but it was actually through the end of 2104.

Supervisor Flach stated that their report is due back to them by the 23rd of this month and they will show them the changes in the budget they made that the Comptroller’s Office said they need to have a legal budget, which is a little confusing because they had been in previously and never once said that the budgets were illegal. He continued by saying the hopefully the budget will

MINUTES BOOKTOWN OF COEYMANS
November 17, 2015 – Town Board Workshop – 6:00pm**

make life easier for every Board here on out, it looks good, they still have \$120,000.00 in Contingency and even though he won't be in office for the budget, he is excited that the taxes are going to be lowered 2.5% and they paid off all the negative fund balances. He added that he wishes the next Board well and he thinks they are going to be happy when they go through things. He concluded by saying that copies of the Adopted Budget will be available.

Town Clerk Millious stated that she has to send two certified copies to Albany County by November 20th.

Supervisor Flach stated that his Budget Message will be in it and then asked if there were any questions.

Councilman Dolan asked Clerk to the Supervisor Weidman for clarification and if there is roughly \$30,000.00 from the A Fund to the DB Fund and if the sales tax going into the A Fund is now going in the DB Fund.

Clerk to the Supervisor Weidman stated that it was correct.

Supervisor Flach stated that every year they split the sales tax accordingly and it is what really funds the DB Fund as well as the CHIPS money. He then asked for a motion to adopt the 2016 Budget.

MOTION

On motion of Councilman Langdon, seconded by Councilman Burns, approving the 2016 Town of Coeymans Budget.

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

Supervisor Flach interjected that he thinks 2016 is going to be a great year for the Town.

Town Clerk Millious asked if they wanted to set a date for a Public Hearing for the Sewer Rates.

Supervisor Flach stated that he wanted to set the date of the Public Hearing for December 14th at 6:30pm and it will be Sewer Rates for the Hamlet, he then asked if everyone is alright with that.

Collectively the Board agreed that they were.

Supervisor Flach offered a motion.

MOTION

On motion of Supervisor Flach, seconded by Councilman Burns, setting the date for the Public Hearing for December 14th at 6:30pm

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

ADDITIONAL COMMENTS

Supervisor Flach asked that the Board look over the In God We Trust information and then asked if there were any other comments, hearing none he offered a motion to adjourn.

ADJOURNMENT

MOTION

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


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

MINUTES BOOKTOWN OF COEYMANS
November 17, 2015 – Town Board Workshop – 6:00pm**

Time – 6:39pm

Respectfully Submitted,

APPROVED – As Read November 23, 2015


Diane L. Millious, Town Clerk