



# The Town of East Greenbush

225 Columbia Turnpike, Rensselaer, New York 12144

## TOWN BOARD AGENDA

July 16, 2014

Call to Order  
Pledge to the Flag  
Town Board Meeting:

7:00 PM

### Members of Town Board

Present

Absent

Supervisor Langley  
Councilperson Mangold  
Councilperson Malone  
Councilperson DiMartino  
Councilperson Matters

### Communications/Announcements/Reports

**Open Public Privilege:** NOTE: Each speaker shall state name and address prior to addressing the Board and shall be granted the floor for up to five minutes. The Board thanks everyone in attendance for their understanding and also for their desire to actively participate in the decision making process locally.

### Resolutions and Proposals by Town Board Members:

#### 93-2014 A Resolution to Approve Meeting Minutes

**WHEREAS**, the minutes of Town Board meetings, as provided in § 106 of Article 7 of the New York Public Officers Law, shall be approved by the Board prior to them being finalized, deemed official and disseminated to the public by the Town Clerk; and

**WHEREAS**, that the minutes of the regular Town Board Meeting held on June 18, 2014; and

**WHEREAS**, the Town Board has reviewed these minutes and any necessary corrections have been made; now, therefore, be it

**RESOLVED**, that the minutes of the regular Town Board Meeting held on June 18, 2014, are hereby approved as submitted.

The foregoing Resolution was duly moved by Supervisor Langley and seconded by Councilperson Matters and brought to a vote resulting as follows:

Supervisor Langley	VOTED
Councilperson Matters	VOTED
Councilperson Mangold	VOTED
Councilperson Malone	VOTED
Councilperson DiMartino Matters	VOTED

**94-2014      A Resolution to Approve Special Meeting Minutes**

**WHEREAS**, the minutes of Town Board meetings, as provided in § 106 of Article 7 of the New York Public Officers Law, shall be approved by the Board prior to them being finalized, deemed official and disseminated to the public by the Town Clerk; and

**WHEREAS**, that the minutes of the Special Town Board Meeting held on June 12, 2014, which was to consider a site specific resolution for a casino in the Town of East Greenbush, have been presented; and

**WHEREAS**, the Town Board has reviewed these minutes and any necessary corrections have been made; now, therefore, be it

**RESOLVED**, that the minutes of the Special Town Board Meeting held on June 12, 2014, are hereby approved as submitted.

The foregoing Resolution was duly moved by Supervisor Langley, seconded by Councilperson DiMartino and brought to a vote resulting as follows:

Supervisor Langley	VOTED
Councilperson DiMartino	VOTED
Councilperson Mangold	VOTED
Councilperson Malone	VOTED
Councilperson Matters	VOTED

**95-2014      A Resolution to Authorize a Public Auction of Surplus Equipment**

**WHEREAS**, the Town Board of the Town of East Greenbush, County of Rensselaer, State of New York has received a request from the Chief of Police to declare the following equipment as surplus; and

**WHEREAS**, said equipment includes one vehicle:

**2007 Ford Expedition 1FMFU16537LA93771**

**WHEREAS**, said equipment is not suited for other departments in Town; and

**WHEREAS**, the Town Comptroller has certified that there is no adverse impact to the Town finances; now therefore, be it

**RESOLVED** that the equipment listed is hereby declared as surplus; and be it further

**RESOLVED** that the Purchasing Agent is authorized to conduct a public auction, sale or dispose of said surplus equipment now owned by and in the custody of the East Greenbush Police Department.

The foregoing Resolution was duly moved by Councilperson Matters, seconded by Councilperson DiMartino and brought to a vote resulting as follows:

Councilperson Matters	VOTED
Councilperson DiMartino	VOTED
Supervisor Langley	VOTED
Councilperson Mangold	VOTED
Councilperson Malone	VOTED

**96-2014      A Resolution to Approve the Pay Rate Adjustments of Community and Recreation Staff for the Summer of 2014**

**WHEREAS**, the Community and Recreation Department has been advised by the Rensselaer County Health Department that an additional on-site Assistant Medical Director, as well as new Lifeguard certifications are now required; and

**WHEREAS**, Andrew Jaromin, Camp Counselor, and Erika Fiacco, Camp Counselor, have agreed to and have acquired proper certifications for these foresaid positions; and

**WHEREAS**, the Town Comptroller has certified that this proposed Town Board action shall pose no adverse impact to the Town's finances; now therefore, be it

**RESOLVED**, that the summer staff listed below have adjustments made to their current hourly rate to be within pay rates for stated job titles.

Andrew Jaromin	Assistant on-site Medical Director	\$9.50/hour
Erika Fiacco	Lifeguard	\$9.50/hour
<i>(Erika - 2 days per wk &amp; field trips only)</i>		

The foregoing Resolution was duly moved by Councilperson DiMartino, seconded by Supervisor Langley and brought to a vote resulting as follows:

Councilperson DiMartino	VOTED
Supervisor Langley	VOTED
Councilperson Mangold	VOTED
Councilperson Malone	VOTED
Councilperson Matters	VOTED

#### **97-2014 A Resolution to Authorize Certain Paving Expenses**

**WHEREAS**, in accordance with Town Policy and General Municipal Law, all Town expenses of more than \$10,000 require Town Board approval, and

**WHEREAS**, the Commissioner of Public Works and the Town Supervisor have reviewed the needs of the Town and determined the following pavement preservation projects will be completed this year:

- Cobblers Lane - Hot mix overlay
- Fiddlers Lane - Single chip seal
- Tanners Lane - Single chip seal
- Jefferson Avenue - Hot mix overlay
- Washington Avenue East - Hot mix overlay
- Dailey Place - Hot mix overlay
- Meadow Street - Hot mix overlay
- Portion of Forest Drive - Hot mix overlay

**WHEREAS**, the Commissioner of Public Works states that the estimates for the work, at State rate, will not exceed \$147,226.79. This amount of the accumulative of 2014 CHIPS funding, extreme winter recovery and the remaining 2013 balance.

**WHEREAS**, the Town Comptroller certifies that all expenses are made utilizing Rensselaer County Contract pricing and are in the 2014 budget as stated; now therefore, be it

**RESOLVED**, that the Commissioner of Public Works is hereby authorized to approve paving expenses not to exceed \$147,226.79 for pavement preservation of the aforementioned Town roads.

The foregoing Resolution was duly moved by Supervisor Langley, seconded by Councilperson Matters and brought to a vote resulting as follows:

Supervisor Langley	VOTED
Councilperson Matters	VOTED
Councilperson Mangold	VOTED
Councilperson Malone	VOTED
Councilperson DiMartino	VOTED

**98-2014 A Resolution Approving and Authorizing the Settlement of Tax Certiorari Proceeding entitled KEYBANK NATIONAL ASSOCIATION v. TOWN OF EAST GREENBUSH**

**WHEREAS**, KeyBank National Association has brought an Article 7 RPTL Tax Certiorari proceeding against the Town of East Greenbush in Rensselaer County Supreme Court, Index No. 243813-2013 now pending for the year 2013, regarding property located at Troy Road Walmart Plaza, as hereinafter set forth, and

**WHEREAS**, after considerable discovery, inspection, site evaluation of the premises, current lease, income and expense review and negotiation with Petitioners counsel, the Town's certiorari counsel and the Assessor's Office have recommended a settlement agreement to the following value for the year 2013, as follows:

<b>Tax Identification Number</b>	<b>Current Assessed Value</b>	<b>Reduced Assessment</b>	<b>Total Reduction</b>
<b>144.00-4-42.13</b>	<b>\$734,400.00</b>	<b>\$700,000.00</b>	<b>\$34,400.00</b>

**WHEREAS**, the settlement will have no impact on the finances of the Town, as the Petitioner is waiving any refund, it is now

**RESOLVED**, that the above captioned tax certiorari proceeding be settled in the amounts and for the year set forth above, and that the tax certiorari counsel be and is hereby authorized to execute all documents necessary to effectuate said settlement.

The foregoing Resolution was duly moved by Councilperson Matters, seconded by Councilperson DiMartino and brought to a vote resulting as follows:

Councilperson Matters	VOTED
Councilperson DiMartino	VOTED
Supervisor Langley	VOTED
Councilperson Mangold	VOTED
Councilperson Malone	VOTED

**XX-2014 Resolution Authorizing the Signing of a Stipulation of Agreement with Capital View Casino and Resort, LLC Extending the Application Deadline for the PDD to August 20<sup>th</sup> 2014**

*The applicant has withdrawn their application*

**ADJOURNMENT**

Motion to adjourn by Supervisor Langley seconded by Councilperson Matters and brought to a vote as follows:

Supervisor Langley	VOTED
Councilperson Matters	VOTED
Councilperson DiMartino	VOTED
Councilperson Mangold	VOTED
Councilperson Malone	VOTED