



The Town of East Greenbush

225 Columbia Turnpike, Rensselaer, New York 12144

TOWN BOARD AGENDA May 21, 2014

Call to Order 7:00 PM
Pledge to the Flag
Town Board Meeting:

Members of Town Board

Present	Absent	
<input type="checkbox"/>	<input type="checkbox"/>	Supervisor Langley
<input type="checkbox"/>	<input type="checkbox"/>	Councilperson Mangold
<input type="checkbox"/>	<input type="checkbox"/>	Councilperson Malone
<input type="checkbox"/>	<input type="checkbox"/>	Councilperson DiMartino
<input type="checkbox"/>	<input type="checkbox"/>	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:

70-2014 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 April 16, 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 April 16, 2014, are hereby approved as submitted.

The foregoing Resolution was duly moved by Supervisor Langley and 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

71-2014 Appointment to Board of Assessment Review

WHEREAS, the Town of East Greenbush has a need to fill a vacancy on the Board of Assessment Review for the convenience of taxpayers; now therefore, be it

RESOLVED, that effective immediately, the following individual is appointed as a regular/temporary member of the East Greenbush Board of Assessment Review for the term listed:

<u>Name</u>	<u>Term Start</u>	<u>Term End</u>
Carol Orvis	05/22/2014	09/30/2019

and,

WHEREAS, that the compensation of the appointee will be set at \$25 per hour, with a total compensation not to exceed \$500; and

WHEREAS, the Town Comptroller has heretofore certified that none of the provisions of this resolution shall pose an adverse impact to the Town’s finances; and be it further

RESOLVED, that the Town Clerk is directed to send a copy of this resolution to the Office of Real Properties and to the County Director.

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	VOTED

72-2014 A Resolution to Approve the Appointment of Community and Recreation Staff for the Summer of 2014

WHEREAS, the Community and Recreation Department has presented the Town Board of the Town of East Greenbush with of a listing of the individuals who seek employment in the Summer Program for the Department of Community and Recreational Services; and

WHEREAS, the Town Comptroller has certified that this proposed Town Board action has been planned for in the 2014 Budget and shall pose no adverse impact to the Town’s finances; now therefore

BE IT RESOLVED, that the candidates listed below are appointed to serve as Summer Staff, 2014, for the Department of Community and Recreational Services.

1. Alison Hernandez	Co- Assistant Director	\$9.00/hr.
2. Kaitlin Halpin	Co-Assistant Director	\$9.00/hr.
3. Tyler VanCour-Bryant	Counselor/CIT Supervisor	\$8.25/hr.
4. Julia Verdon	Counselor	\$8.00/hr.
5. Nick Couse	Counselor	\$8.00/hr.
6. Francis Lovely	Counselor	\$8.00/hr.
7. Casey Frankoski	Counselor	\$8.00/hr.
8. Katherine DeBell-Donnelly	Counselor	\$8.00/hr.
9. Samantha Gladd	Counselor	\$8.00/hr.
10. Courtney Ackerman	Counselor	\$8.00/hr.
11. Jessica Hernandez	Counselor	\$8.00/hr.

12. Jessica Halpin	Counselor	\$8.00/hr.
13. Bailey Caruso	Counselor	\$8.00/hr.
14. Dagmar Erika Fiacco	Counselor	\$8.00/hr.
15. Elizabeth Miller	Counselor	\$8.00/hr.
16. Joshua Lansing	Counselor	\$8.00/hr.
17. Mary Kate Jaromin	Counselor	\$8.00/hr.
18. Daniel Jaromin	Counselor	\$8.00/hr.
19. Andrew Jaromin	Counselor	\$8.00/hr.
20. Elgin Scalzi	Counselor	\$8.00/hr.
21. Joseph Donahue	Counselor	\$8.00/hr.
22. Nicole Kirby	Counselor	\$8.00/hr.
23. Nicole Gerber	On-Call Counselor	\$8.00/hr.

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

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

73-2014 Approval to Rent the Hampton Manor Lake House

WHEREAS, the Town Board of the Town of East Greenbush seeks to utilize the Hampton Manor Lake House for birthday party rentals and meeting use rentals to residents and private organizations during the summer months, and

WHEREAS, the Town of East Greenbush would rent this named space for \$100.00 to residents and \$125.00 for non-residents for a total of 4 hours per rental. A \$25.00 non-refundable reservation deposit would be required. The rental agreement would include use of the Lake House, chairs, tables, refrigerator, microwave, grill, picnic tables, ping pong table, pool table, foosball table, and bathrooms with access to Hampton Manor Park, and

WHEREAS, the Town Board would follow the same policies and procedures as they are listed in rental agreements of all other Town Park rentals, and be it

RESOLVED, the Town Comptroller hereby attests that none of the provisions of the foregoing resolution shall pose an adverse impact to the Town’s finances; now therefore, be it

RESOLVED, that The Department of Public Works will produce a rental agreement and along with the Community and Recreational Services Department will begin to advertise The Hampton Manor Lake House

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

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

74-2014 Approval to Form a Committee for Saturday in the Park

WHEREAS, the Town Board of the Town of East Greenbush seeks to form a committee of volunteers to plan and execute the annual Saturday in The Park event in the fall and

WHEREAS, the Saturday in the Park Committee would be led and chaired by the Director of Community and Recreational Services and

WHEREAS, the Town Comptroller hereby attests that none of the provisions of the foregoing resolution shall pose an adverse impact to the Town's finances; now therefore, be it

RESOLVED, that the Director of Community and Recreational Services be charged with the task of forming a Saturday in The Park Committee

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

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

75-2014 Approval to Sell Town of East Greenbush Sportswear

WHEREAS, the Town of East Greenbush has identified a dual opportunity to promote community pride and raise funds for youth and community programs through the sale of the Town of East Greenbush Sportswear, and

WHEREAS, the Community and Recreational Services Department will plan and execute the sale of East Greenbush sportswear at all events and through the office, and

WHEREAS, the Community and Recreational Services Department will charge a slight mark up of product to off-set cost of time and put back into community and youth programs, and be it

RESOLVED, the Town Comptroller hereby attests that none of the provisions of the foregoing resolution shall pose an adverse impact to the Town's finances; now therefore, be it

RESOLVED, the Town Board authorizes the Community and Recreational Services Department to purchase and sell the Town of East Greenbush Sportswear.

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

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

76-2014 Approval of 2013 Service Credit for Volunteers of the W. F. Bruen Emergency Squad, Inc.

WHEREAS, the Town of East Greenbush in the County of Rensselaer, State of New York (hereinafter, the "Town"), is the sponsor of a service award program (hereinafter, "Program") for the volunteer ambulance workers of W. F. Bruen Emergency Squad, Inc. (hereinafter, "Bruen"), the Town's contracted provider of emergency medical service for the East Greenbush Ambulance District, pursuant to New York General Municipal Law (hereinafter, "GML") article 11-AAA; and

WHEREAS, in accordance with GML §219-m, subdivision 9, the president, secretary, and chief of Bruen have duly certified to the East Greenbush Town Board (hereinafter, the "Board") a list

containing those volunteer ambulance workers designated as Program participants who qualify for service credit for fiscal year 2013 (hereinafter, the "List"); and

WHEREAS, the Board, having received and reviewed the List (a copy of which is attached hereto and made a part hereof), has not received any information contrary thereto; and

WHEREAS, no volunteer worker has requested deletion as a participant from said list; and

WHEREAS, Town Comptroller has certified this Town Board's action has been planned for in the 2014 budget and will have no adverse impact on the Town Finances; now, therefore; be it

RESOLVED, that the Board, pursuant to GML §219-m, subdivisions 10 and 11, hereby: (1) approves the List and (2) authorizes the Town Clerk to: (a) execute all necessary documentation on behalf of the Board relative to such approved List, (b) return the approved List and any other relevant documentation to Bruen for further processing, and c) return a copy of approved List to Bruen with instructions that the List be posted at Bruen's principle headquarters for not less than 30 days.

The foregoing Resolution was duly moved by Councilperson Councilperson Matters seconded by Councilperson 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

77-2014 A Resolution Designating a Portion of Lakeshore Drive from Onderdonk Park to Hampton Lake Park as One-Way for the Period of May 23, 2014 through September 26, 2014, the Installation of Necessary Signage and Traffic Control Devices to Safely and Appropriately Accomplish the Same

WHEREAS, the Town has traditionally designated Lake Shore Drive from Onderdonk Park to Hampton Lake Park as a one-way roadway for that section during the summer months; and

WHEREAS, this action has generated positive feedback from the residents using the roadway as it facilitates walking, bicycling and fishing along that portion of the roadway; now, therefore be it

RESOLVED, that Lake Shore Drive from Onderdonk Park to Hampton Manor Lake Park shall be designated one-way during the period from May 23, 2014 through September 26, 2014, with the Commissioner of Public Works installing the appropriate signage to advise users of this designation.

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

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

78-2014 Resolution Authorizing the Supervisor to Sign a Second Amendment to the Joint Water Agreement with Rensselaer

WHEREAS, the Town and the City of Rensselaer executed a certain Agreement of Municipal Cooperation on October 28, 1964, for the operation of a joint water district; and

WHEREAS, on or about June 20, 2008, the Rensselaer County Water and Sewer Authority issued Eight Million Five Thousand 00/100 (\$8,005,000.00) Dollars in bonds to finance certain

improvements to the joint water district facilities, a portion of which the City of Rensselaer is responsible to pay to the Town; and

WHEREAS, the City now seeks to refinance its share of said bonds through the Environmental Facilities Corporation; and pay off its share of the bonds issued by the authority; and

WHEREAS, the provisions of this second amendment provide that the City shall be responsible for all costs of this refinancing transaction, and shall hold the Town harmless from any costs incurred in that transaction; now, therefore, be it

RESOLVED, that the Supervisor is hereby authorized to sign on behalf of the Town said second amendment to Joint Water Agreement

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

79-2014 Resolution Approving and Authorizing the Settlement of Tax Certiorari Proceeding entitled 284 TROY ROAD LLC v. TOWN OF EAST GREENBUSH

WHEREAS, 284 Troy Road LLC has brought an Article 7 RPTL Tax Certiorari proceeding against the Town of East Greenbush in Rensselaer County Supreme Court, Index No. 244032 now pending for the year 2013/2014, regarding property known as 284 Troy Road, as hereinafter set forth, and

WHEREAS, after considerable discovery, inspection, site evaluation of the premises, 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 values for the year 2013/2014, as follows:

Tax Identification Number	Current Assessed Value	Reduced Assessment	Total Reduction
144.-4-24	\$3,438,500.00	\$3,200,000.00	\$238,500.00

WHEREAS, the settlement will have no immediate impact on the finances of the Town, as the County shall pay the Town's portion of any refund and charge back to the Town on the next year's tax levy.

RESOLVED, that the above captioned tax certiorari proceeding be settled in the amounts and for the years 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 as follows:

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

80-2014 Resolution Approving and Authorizing the Settlement of Tax Certiorari Proceeding entitled GEORGE WITBECK v. TOWN OF EAST GREENBUSH

WHEREAS, George Witbeck has brought an Article 7 RPTL Tax Certiorari proceeding against the Town of East Greenbush in Rensselaer County Supreme Court, Index No. 243998 now pending for the year 2013/2014, regarding property known as 589 Columbia Turnpike (Funplex), 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 values for the year 2013/2014, as follows:

Tax Identification Number	Current Assessed Value	Reduced Assessment	Total Reduction
166.-7-6.7	\$668,600.00	\$530,000.00	\$138,600.00

WHEREAS, the settlement will have no immediate impact on the finances of the Town, as the County shall pay the Town’s portion of any refund and charge back to the Town on the next year’s tax levy.

RESOLVED, that the above captioned tax certiorari proceeding be settled in the amounts and for the years 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 as follows:

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

81-2014 Authorization to Conduct 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 Department of Public Works to declare the following equipment as surplus; and

WHEREAS, said equipment includes:

1997 Ford Three Quarter Ton Pickup	(1FTHF26H8VEB96628)
1997 Dodge 1500 Pickup	(1B7HF16Z8VJ596988)
1998 Chevrolet Dump Truck	(1GBJK34F9WF070296)

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 and in the custody of the East Greenbush Department of Public Works

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

82-2014 A Resolution for SEQRA Determination for Integrated Liner Technologies Warehouse Addition

WHEREAS, the Town of East Greenbush received an application for the site plan review known as the 45 Discovery Drive Warehouse Addition from Integrated Liner Technologies located at 45 Discovery Drive, identified on the Town's Tax Roll as Tax Parcel No. 155.-1-4.24, prepared by ABD Engineering; and

WHEREAS, the application was accompanied by a proposed site plan, Part 1 of a Full Environmental Assessment Form ("EAF") and other supporting information; and

WHEREAS, upon the recommendation of the Town Planning Board the Town Board determined the proposed project was an Unlisted Action and conducted a coordinated SEQRA review for the Project; and

WHEREAS, the Town Planning Board, after considering the comments and opinions of the Project Review Team and Planning Board's Designated Engineer, "The Chazen Companies"; and after reviewing the proposed site plan, took a "hard look" at the potential environmental impacts of this project by carefully considering and reviewing the Full Environmental Assessment Form, considering all the Applicant's proposed mitigation measures as they relate to environmental issues and more particularly to traffic, fire, rescue and MS-4 storm water detention and recommended the Town Board issue a Negative Declaration under SEQRA; and

WHEREAS, the Town Board has determined that the action will not result in any large or important impacts and, any potential impacts can be mitigated;

WHEREAS, as the Town Comptroller has heretofore certified that none of the provisions of this proposed Board action shall pose an adverse impact to the Town's finances, now, therefore, be it

RESOLVED, that the Town Board hereby finds that the Project will not have a significant impact on the environment and issues a Negative Declaration for the Project.

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

83-2014 Site Plan Approval Integrated Liner Technologies Warehouse Addition

WHEREAS, the Town has received an application for a project known as the 45 Discovery Drive Warehouse Addition from Integrated Liner Technologies located at 45 Discovery Drive, identified on the Town's Tax Roll as Tax Parcel No. 155.-1-4.24, prepared by ABD Engineering; and

WHEREAS, the application was accompanied by a site plan, a full Environmental Assessment Form (“EAF”) and other supporting information; and

WHEREAS, the Town Board as Lead Agency issued a Negative Declaration for the project on May 21, 2014; Resolution #XX-2014 and

WHEREAS, the Town Planning Board has reviewed the application materials and submitted the application materials to the Project Review Team and the Planning Board’s Designated Engineer, “The Chazen Companies”; for technical review, and the site plan has been revised in response to various concerns raised by the Town Planning Board, the Project Review Team, and the Town’s Designated Engineer; and

WHEREAS, based on its review, the recommendations of the Project Review Team and Town’s Designated Engineer and the revisions made to the site plan, the Town Planning Board has recommended approval of the site plan with certain conditions; and

WHEREAS, the Town Board has reviewed the site plan application materials and the recommendation of the Town Planning Board; now therefore, be it

RESOLVED, that the Town Board hereby approves the final Site Plan of the Project subject to the following conditions:

- Satisfying any technical details from the Town Planning Board and the Town’s Consulting Engineer, the Chazen Company &
- All remaining fees and escrow are paid to the Town.

The foregoing Resolution was duly moved by Supervisor Langley and 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

ADJOURNMENT

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

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