



The Town of East Greenbush

225 Columbia Turnpike, Rensselaer, New York 12144

TOWN BOARD AGENDA

October 15, 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: Any member of the public wishing to speak today shall not be required to disclose his/her name, address, or any other contact-related information 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

Resolutions and Proposals by Town Board Members:

125-2014 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 September 17, 2014 have been submitted to the Town Board by the Town Clerk 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 September 17, 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 |

126-2014 Resolution Recognizing October as Breast Cancer Awareness Month and Monday, October 20, 2014 as East Greenbush Goes “Pink” Day

WHEREAS, a woman receives a diagnosis of breast cancer every two minutes, making this disease the most frequently diagnosed cancer among women in the U.S., other than skin cancers;

WHEREAS, through research and advocacy, significant advances have been made in the fight against breast cancer, including an increase in five-year relative survival rates for localized breast cancer from 74 percent to 98 percent;

WHEREAS, the 2.5 million breast cancer survivors living in the U.S. today are a testament to courage, as well as to the importance of promoting awareness about breast cancer, providing information, funding research, following recommended screening guidelines, and offering treatment to those who are affected;

WHEREAS, the efforts of various organizations have made a major contribution to spreading breast cancer awareness to both women and men in all communities in this State through outreach, education, and screening programs, and have empowered women with the life-saving message of early detection and the importance of having annual mammograms;

WHEREAS, screening rates are declining and a recent study reveals that among the 1.5 million women studied over the age of 40 with health insurance, less than fifty percent received the recommended annual screening;

WHEREAS, throughout the month of October, organizations and health practitioners in this State are encouraged to use this opportunity to promote awareness about breast cancer and proper breast health, and to encourage annual mammograms;

WHEREAS, public officials and citizens of this State are urged to observe this month with appropriate activities and programs that encourage annual mammograms;

WHEREAS, the Town of East Greenbush recognizes the importance of working together and supporting events such as Breast Cancer Awareness Month; now, be it

RESOLVED, that the Town of East Greenbush does hereby recognize October as Breast Cancer Awareness Month and will go “Pink” on Monday, October 20, 2014.

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

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

127-2014 Resolution Designating a Board Member for the Purpose of Determining Terms for Members of the Board of Ethics

WHEREAS, by Resolution 37-2014 the Town Board designated five members of the Board of Ethics pursuant to Section 19(a)(2) of the Code of Ethics; and

WHEREAS, Section 19(a)(2) provides that the terms of the first appointed members of the Board shall be determined by lot drawn by the Town Clerk in the presence of the Supervisor and one Town Board member selected by the Town Board; and

WHEREAS, it appears that the process of determining the terms of the first appointed members has not yet been completed; and

WHEREAS, it appears the Berthlyn Terry, one of the first of said appointees, has resigned from the Board and has been replaced by Cheryl Vallee by Resolution 123-2014; now, therefore, be it

RESOLVED, that Councilperson Mangold is hereby selected by the Town Board to participate in that process; and it is further

RESOLVED, that Cheryl Vallee shall be included in said drawing to determine her term
The foregoing Resolution was duly moved by Supervisor Langley and seconded by
Councilperson DiMartino and brought to a vote resulting as follows:

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

128-2014 Appointment of a Part-time Police Dispatcher

WHEREAS, the Town Board of the Town of East Greenbush seeks to maintain an adequate reserve of part-time police dispatchers to support operations in the Town's Emergency Communications Center; and

WHEREAS, the Chief of Police has recommended Mr. David DeBacco to be a suitable applicant; and the Town Comptroller has certified that the provisions of this resolution were planned for in the 2014 Budget and will have no adverse impacts on the Town Finances; now therefore be it

RESOLVED, that David DeBacco be, and the same hereby is, appointed to the position of part-time police dispatcher, consistent with all terms and conditions of this position as previously set forth by the Town Board, for a term to expire at the Town's next organizational meeting, or otherwise at the pleasure of the Town Board, and be it further

RESOLVED, that said part-time position be compensated at the rate set forth in the appropriate labor agreement.

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

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

129-2014 Resolution to Authorize the Supervisor to Sign the Memorandum of Agreement with the East Greenbush Emergency Communications Union

WHEREAS, negotiations have been conducted between the Town and the East Greenbush Emergency Communications Association of Security and Law Enforcement Employees, Council 82, American Federation of State, County and Municipal Employees, AFL-CIO, the union representing Police Dispatchers for the Town; and

WHEREAS, the parties have agreed on a three year term covering the years 2014, 2015 and 2016; and

WHEREAS, the Town Comptroller certifies that the agreement will result in no increases in 2014; now therefore, be it

RESOLVED, that the Supervisor, pending approval from the Town Attorney, be authorized to execute said Agreement on behalf of the members of the Town Board. A copy of which will be filed with the Town Clerk.

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

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

130-2014 Resolution in Support of Kinderhook Trails

WHEREAS, the Town of Kinderhook and the Friends of Kinderhook Trails are seeking to reach agreement with National Grid to develop the Albany-Hudson Electric Trail in Kinderhook, and

WHEREAS, the Town of East Greenbush supports recreational amenities for its citizens, both within the Town of East Greenbush and in nearby towns, and

WHEREAS, the Albany-Hudson Electric Trail has the potential to create a recreational rail trail from the City of Hudson to the City of Albany using the rail bed of the former Albany Hudson Electric trolley line, and

WHEREAS, the Town of East Greenbush previously completed a feasibility study to examine the possibility of developing the Albany-Hudson Electric Trail as a recreational trail for East Greenbush residents, and

WHEREAS, the Town of East Greenbush may wish to consider in the future use of portions of the Albany-Hudson Electric trolley line, which is currently owned by National Grid, to provide recreational opportunities for Town residents , now, therefore be it

RESOLVED, The Town of East Greenbush encourages National Grid to reach agreement with the Town of Kinderhook to provide for the development of the Albany-Hudson Electric trail in the Town of Kinderhook.

The foregoing resolution is duly moved by Councilperson Phil Malone and seconded by Councilperson Sue Mangold and brought to a result as follows:

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

131-2014 A Resolution Authorizing the Town of East Greenbush to issue a refund from the Planning Department

WHEREAS, the Town has received a request for a refund from the Planning Department, and

WHEREAS, Vicki Ayers, appeared before the Project Review Team on September 17, 2014 to request a minor subdivision at 11 Morgan Road, East Greenbush, and was referred to the Planning Board meeting on September 24, 2014, and

WHEREAS, at the Planning Board Meeting, Planning Board Attorney Danaher stated that a separation of deeds was all that was needed, and no Planning Board action was necessary, therefore, be it

RESOLVED, that the \$200 application fee submitted should be refunded to:

Vicki Ayers
63 New Road
East Greenbush, NY 12061

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

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

132-2014 Scheduling of Public Hearing on the Preliminary Budget for 2014

WHEREAS, the Town Board of the Town of East Greenbush, County of Rensselaer, State of New York, has been presented with a copy of the proposed Tentative Town Budget for the fiscal year 2015; and

WHEREAS, the Town Board is required to review the Tentative Budget and make any changes, alterations and revisions it considers advisable; and

WHEREAS, upon completion of the review, the Tentative Budget as modified by the Town Board becomes the Preliminary Budget and must be filed in the Town Clerk's Office, and

WHEREAS, said review and filing should be completed prior to conducting a Public Hearing; and

WHEREAS, the Town Board is required to conduct a Public Hearing on the Preliminary Budget, including all Special Districts and the Water and Sewer rates contained therein, and said Hearing must be conducted on or before the Thursday following the November general election; and

WHEREAS, passage of this Resolution by the Town Board is not a statement of agreeing or disagreeing with any of the numbers nor tax rates contained therein, and binds no Board Member to vote for or against it, that changes affecting any rates can occur after said Public Hearing is held; 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 Town Board shall conduct a Public Hearing at 6:00 PM on November 6th, 2014 at the East Greenbush Town Hall, located at 225 Columbia Turnpike, Rensselaer, New York 12144, for the purpose of receiving public input on the proposed Preliminary Budget for the fiscal year 2015, including all Special Districts contained therein and, be it further

RESOLVED, that if the Town Board does not meet and approve modifications by October 29, 2014, the 2015 Tentative Budget shall be accepted as the 2015 Preliminary Budget for the Public Hearing at 6:00 PM on November 6th, 2014.

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

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

133-2014 A Resolution Ratifying Appointment of Temporary Court Clerk, and Approving the Appointment of a Temporary Court Clerk as a Substitute for an East Greenbush Town Justice Court Clerk

WHEREAS, Town Justice, Kevin Engel, has advised the Board that a Court Clerk was unable to provide coverage for the Court's evening session on October 2, 2014; and

WHEREAS, Town Justice, Kevin Engel, has also advised that a Court Clerk will be unavailable to provide services for the Court from October 24, 2014 until November 14, 2014; and

WHEREAS, Barbara Agans, an experienced Court Clerk, substituted for the Court Clerk on the evening of October 2, 2014; and

WHEREAS, the Town Comptroller has certified that none of the provisions of this proposed Board action shall pose any significant impacts to the Town's finances, now therefore, be it

RESOLVED, that the Town Board hereby ratifies and confirms the Barbara Agans for the Court Session on the evening of October 2, 2014, and authorizes payment to her of the normal set fee of \$75 for the first three hours and \$12.50 for each additional half hour; and be it further

RESOLVED, that the Court is authorized to obtain and hire an appropriate temporary replacement for the Court Clerk for the period of October 24 to November 14, 2014, subject to the approval by the Town Supervisor and the availability of adequate funds for the compensation of that individual.

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

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

ADJOURNMENT

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

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