



# The Town of East Greenbush

225 Columbia Turnpike, Rensselaer, New York 12144

## TOWN BOARD MEETING AGENDA

**Wednesday, May 15, 2013**

**Call to Order  
Pledge to the Flag  
Town Board Meeting:**

7:00 PM

### Members of Town Board

Present	Absent	
<input type="checkbox"/>	<input type="checkbox"/>	Supervisor Langley
<input type="checkbox"/>	<input type="checkbox"/>	Councilperson Matters
<input type="checkbox"/>	<input type="checkbox"/>	Councilperson O'Brien
<input type="checkbox"/>	<input type="checkbox"/>	Councilperson Mangold
<input type="checkbox"/>	<input type="checkbox"/>	Councilperson Malone

### 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:

#### 64-2013 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 17, 2013; 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 17, 2013; 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 O'Brien	VOTED
Councilperson Mangold	VOTED
Councilperson Malone	VOTED

**65-2013 Appointment of Angelina Cadena to the Position of Town Comptroller**

**WHEREAS**, the position of Town Comptroller was resigned by Jim Breig effective COB March 15, 2013; and

**WHEREAS**, the East Greenbush Town Board (hereinafter, "Board"), in recognizing the importance of one of the key positions in Town Government, has overseen efforts to recruit a replacement for the position of Town Comptroller, including the interviewing of several highly qualified candidates for the subject position; and

**WHEREAS**, the Board, having considered her experience with the Department and the Town, finds Angelina Cadena, a Town resident and Town employee, to be the most suitable candidate for the subject position; and

**WHEREAS**, that this Resolution results in no adverse financial impact to the Town inasmuch as funding for the subject position was provided in the 2013 Annual Budget; now, therefore, be it

**RESOLVED**, that, effective beginning of business May 16, 2013, Angelina Cadena be, and the same hereby is, appointed to the position of Town Comptroller at a salary of \$50,000.00; and be it further

**RESOLVED**, that the Director of Finance shall take all the necessary steps to process the personnel transaction authorized in this resolution

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 O'Brien	VOTED
Councilperson Mangold	VOTED
Councilperson Malone	VOTED

**66-2013 Appointments to Board of Assessment Review**

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

**RESOLVED**, that effective immediately, the following individuals are appointed as regular/temporary members of the East Greenbush Board of Assessment Review for the term listed:

<u>Name</u>	<u>Term Start</u>	<u>Term End</u>
Cassandra Malloy	10/01/2012	09/30/2017
Mary Anne Farrell	10/01/2012	09/30/2013

**RESOLVED**, that the compensation of the appointees will be set at \$25 per hour, with a total compensation not to exceed \$500 with the exception of the Chairperson of the Board whose compensation will not exceed \$1,255; and be it

**RESOLVED**, that this Resolution has been planned for in the 2012 budget and results in no adverse financial impact to the Town; 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 Councilperson Mangold and seconded by Councilperson O'Brien and brought to a vote resulting as follows:

Councilperson Mangold	VOTED
Councilperson O'Brien	VOTED
Supervisor Langley	VOTED
Councilperson Matters	VOTED
Councilperson Malone	VOTED

**67-2013 A Resolution to Retain Wojeski & Company CPAs, P.C. as Independent Accountants to the Town of East Greenbush at an Agreed Upon Hourly Rate**

**WHEREAS**, the Town of East Greenbush requires from time to time the services of an independent accountant to accumulate and summarize information from the Town's books and records, and the assistance in an audit being prepared by Toski, Schaefer & Co., PC for the year ending December 31, 2010; and

**WHEREAS**, Wojeski & Company, CPAs, PC, a local accounting firm maintaining the highest level of peer reviews under AICPA standards has proposed to provide the Town these services at 80% of their standard rate, indicating that Judith Soro, CPA will perform the majority of services at an hourly rate of \$104; now be it

**RESOLVED**, that the Supervisor is hereby authorized to enter into a retainer agreement with Wojeski & Company CPAs, P.C. for independent accountant series at the hourly rate set forth in the agreement upon review and approval by the Town Attorney.

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

Supervisor Langley	VOTED
Councilperson Matters	VOTED
Councilperson O'Brien	VOTED
Councilperson Mangold	VOTED
Councilperson Malone	VOTED

**68-2013 A Resolution Creating the Position of Deputy Director of Community and Recreation Services and to Authorize a Budget Transfer to Fund the Position**

**WHEREAS**, the Town Board has identified the need for additional help in the Community and Recreation Services Department and the need can be fulfilled by adding the position of Deputy Director; and

**WHEREAS**, the Town Board has received a request for approval of the following Budget Transfers to fund the position of Deputy Director of Community and Recreation Services; and

Account Name	Budget Code	Current Budget	Change	Amended Budget	Justification
Contingency	19904.01	110,000.00	(6,500.00)	103,500.00	Deputy Director Salary
Playgrounds & Recreations PS	71401.01	49,624.00	6,500.00	56,124.00	Deputy Director Salary

**WHEREAS**, the Town Board is required to approve all Budget Transfers; now therefore be it **RESOLVED**, that the position of Deputy Director is hereby created and that this resolution results in no adverse financial impact to the Town.

The foregoing Resolution was duly moved by Councilperson O'Brien and seconded by Councilperson Mangold and brought to a vote resulting as follows:

Councilperson O'Brien	VOTED
Councilperson Mangold	VOTED
Supervisor Langley	VOTED
Councilperson Matters	VOTED
Councilperson Malone	VOTED

**69-2013 Appointment of Part-time Deputy Director of Community & Recreation Services**

**WHEREAS**, the Town Board of the Town of East Greenbush seeks to acquire the services of a part-time deputy director in the Town's Community & Recreation Department; and therefore be it

**RESOLVED**, that Lori Behm, be and hereby is appointed to the position of part-time Deputy Director, consistent with all the 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; now therefore, be it further

**RESOLVED**, that the salary of said part-time Deputy Director be set at an amount not to exceed \$10,000 (pro-rated at \$6,500 for the remainder of the year) for the year 2013.

The foregoing Resolution was duly moved by Councilperson O'Brien and seconded by Councilperson Mangold and brought to a vote resulting as follows:

Councilperson O'Brien	VOTED
Councilperson Mangold	VOTED
Supervisor Langley	VOTED
Councilperson Matters	VOTED
Councilperson Malone	VOTED

**70-2013 Approval of 2012 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 2012 (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**, this Town Board's action has been planned for in the 2012 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 Mangold and seconded by Councilperson O'Brien and brought to a vote resulting as follows:

Councilperson Mangold	VOTED
Councilperson O'Brien	VOTED
Supervisor Langley	VOTED
Councilperson Matters	VOTED
Councilperson Malone	VOTED

**71-2013 Approval to become a member of the New York State Park and Recreation Society**

**WHEREAS**, the Town Board of the Town of East Greenbush seeks to have a representative of the Community & Recreation Department become a member of The New York State Park & Recreation Society; and

**WHEREAS**, the Town Board deems Stephen Shea, Director of Community & Recreation Services fit to represent the Town of East Greenbush in said society; and

**WHEREAS**, the financial impact to the Town would be \$125 for membership to The New York Park and Recreation Society, now therefore; be it,

**RESOLVED**, that the Community & Recreation Department file the proper paper work to become a member of New York State Park and Recreation Society.

The foregoing Resolution was duly moved by Councilperson O'Brien and seconded by Councilperson Mangold and brought to a vote resulting as follows:

Councilperson O'Brien	VOTED
Councilperson Mangold	VOTED
Supervisor Langley	VOTED
Councilperson Matters	VOTED
Councilperson Malone	VOTED

**72-2013 A Resolution Authorizing the Payment by the Town Supervisor of Certain Charges Pursuant to a Warrant, Order or Draft of the Town Clerk**

**WHEREAS**, the Town of East Greenbush has been without a Comptroller since March 18, 2013, and

**WHEREAS**, Town Law in the absence of a Comptroller provides certain expenses may be paid by the Supervisor only upon the warrant, order or draft of the Town Clerk after audit and allowance by the Town Board, it is now hereby

**RESOLVED**, that the following charges and expenses annexed hereto as "Exhibit A" which is incorporated herein by reference are hereby authorized nunc pro func for payment by the Supervisor, and it is further,

**RESOLVED**, that the Town Clerk is hereby authorized and directed to issue the appropriate warrant, order or draft to the Supervisor authorizing the payment of those charges set forth in Exhibit A, and it is further

**RESOLVED**, that this Resolution results in no adverse financial impact to the Town.

The foregoing Resolution was duly moved by Supervisor Langley and duly seconded by Councilperson Matters

Supervisor Langley	VOTED
Councilperson Matters	VOTED
Councilperson O'Brien	VOTED
Councilperson Mangold	VOTED
Councilperson Malone	VOTED

**73-2013 Resolution to Enter into an Agreement to Perform Administrative and Construction Inspection Services**

**WHEREAS**, the Town Board of the Town of East Greenbush wishes to retain the services of a qualified consultant for purposes of conducting inspections of the construction of the Mannix Road/Route 4 Roundabout; and

**WHEREAS**, the firm of Creighton Manning Engineering, LLP (hereinafter CME) has been chosen to perform the consulting services; and

**WHEREAS**, the cost of the foregoing resolution has been accounted for in the Mannix Road/Route 4 Roundabout Project Estimates and will not have a negative impact on the Town's finances; 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:

Supervisor Langley	VOTED
Councilperson Matters	VOTED
Councilperson O'Brien	VOTED
Councilperson Mangold	VOTED
Councilperson Malone	VOTED

**74-2013 A Resolution to Appoint a Planning Department Intern**

**WHEREAS**, the Town Engineer is recommending the Town hire an intern to perform certain duties related to MS4 compliance, GIS mapping & outfall location. This individual has had a previous summer internship with the Town and will be working on prior projects; and

**WHEREAS**, Matthew Mullen has been identified to be a well qualified candidate, has been recommended for the position by the Town Engineer; and

**WHEREAS**, Mr. Mullen's rate of pay is \$10.50 per hour, for 35 hours per week for a total of no more than 15 weeks; and

**WHEREAS**, \$5,000 has been budgeted for this position in the Planning Department; and will have no adverse impacts on the Town Finances; now, therefore, be it

**RESOLVED**, that Matthew Mullen be appointed as Planning Department Intern for the summer of 2013 the effective date being May 15, 2013

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 O'Brien	VOTED
Councilperson Mangold	VOTED
Councilperson Malone	VOTED

**75-2013 A Resolution Defining Building Department Off Hours Compensation**

**WHEREAS**, the Building Department is frequently asked to perform inspections, attend meetings and train outside of normal hours without compensations; and

**WHEREAS**, the Town established a fee of \$200 per inspection, and  
**WHEREAS**, there will be no significant impact to the budget; and be it  
**RESOLVED**, the Building Department employees are to be compensated \$75 for each instance of an off hours inspection, meeting or training, added to the payroll. The Town Building Inspector must authorize the scheduling of off hours inspections, meetings and training, and subsequent payment

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 O'Brien	VOTED
Councilperson Mangold	VOTED
Councilperson Malone	VOTED

**76-2013 A Resolution to Approve the Appointment of Community and Recreation Staff for the Summer of 2013**

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

**WHEREAS**, this proposed Town Board action has been planned for in the 2013 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, 2013, for the Department of Community and Recreational Services.

Eve Huska - \$13.50 ó Camp Director	Alison Hernandez - \$8.00 ó Counselor
Brittany Slagen - \$10.50 ó Asst. Director	Casey Frankoski - \$8.00 ó Counselor
Drew Pintus - \$8.00 ó Counselor	Nick Couse - \$8.00 ó Counselor
Jessica Halpin - \$8.00 ó Counselor	Tyler VanCour-Bryant - \$8.00 ó Counselor
Kaitlin Halpin - \$8.00 ó Counselor	Andrew Jaromin - \$8.00 ó Counselor
Sara Adams - \$8.00 ó Counselor	Daniel Jaromin - \$8.00 ó Counselor
Matthew Elliott - \$8.00 ó Counselor	Julia Verdon - \$8.00 - Counselor
Michael Woods - \$8.00 ó Counselor	
Eric Byerwalters - \$8.00ó Counselor	

The foregoing Resolution was duly moved by Councilperson O'Brien and seconded by Councilperson Mangold and brought to a vote resulting as follows:

Councilperson O'Brien	VOTED
Councilperson Mangold	VOTED
Supervisor Langley	VOTED
Councilperson Matters	VOTED
Councilperson Malone	VOTED

**XX-2013 A Resolution Designating Portion of Lakeshore Drive from Onderdonk Park to Hampton Lake Park as One-Way from the period of May 27, 2013 through September 28, 2013, the installation of necessary signage and traffic control devices to safely and appropriately accomplish the same, and the review by the Town Attorney and Police Department of the traffic control devices that would be necessary to mark Lake Shore Drive around the entire circumference of Hampton Manor Lake a permanent one-way roadway in a clockwise direction.**

**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; and

**WHEREAS**, there has been recent input and interest in designating the entire Lake Shore Drive one-way around the circumference of Hampton Manor Lake on a permanent basis; now, be it

**RESOLVED**, that Lake Shore Drive from Onderdonk Park to Hampton Lake Park shall be designated one-way during the period from May 27, 2013 through September 28, 2013, the Commissioner of Public Works is to erect and install the appropriate signage to advise users of this designation; and, be it further

**RESOLVED**, that the Town Attorney and the Police Department shall evaluate the necessary traffic control devices that would be required to permanently designate Lake Shore Drive as one-way in its entirety around the entire circumference of Hampton Manor Lake, in a clockwise direction, and report the same to the Town Board for further consideration.

The foregoing Resolution was duly moved by Councilperson O'Brien and seconded by Councilperson Mangold and brought to a vote resulting as follows:

Councilperson O'Brien	VOTED
Councilperson Mangold	VOTED
Supervisor Langley	VOTED
Councilperson Matters	VOTED
Councilperson Malone	VOTED

**XX-2013 A Resolution Authorizing the Execution of a Contract for the Removal of Two (2) Underground Fuel Storage Tanks at the Town Highway Garage Facility on Gilligan Road and the formulation of a procurement policy for the use of fuel cards to purchase fuel for Town Vehicles at Retail Fuel Locations**

**WHEREAS**, the Town of East Greenbush is under an Order of Consent with the New York State Department of Environmental Conservation for violations arising out of the ownership and use by the Town of certain underground fuel storage tanks at the Town Highway Garage facility at 69 Gilligan Road, and

**WHEREAS**, the Consent Order requires a work plan for the removal of one tank by May 23, 2013, and

**WHEREAS**, it is the advice of the Town Engineer and Commissioner of Public Works that both tanks be removed in a timely manner to minimize the potential for soil contamination and the cost to remediate, and

**WHEREAS**, it has further been determined that the purchase of fuel at retail fuel locations is a desirable alternative which the Town should have available for the purchase of fuel when necessary; now, be it

**RESOLVED**, that the Commissioner of Public Works shall solicit three (3) proposals for the removal of the two (2) underground tanks and upon receipt thereof, the Supervisor shall forthwith enter into a contract with the lowest responsible bidder for the prompt and timely removal of said tanks, and be it further

**RESOLVED**, that the Town Purchasing Agent shall develop and formulate a procurement policy for the use of fuel cards to purchase fuel at retail fuel locations for Town Vehicles, be it further

**RESOLVED**, that the cost and expense to the Town of work and material arising out of this resolution is yet to be determined, depending upon the bid prices selected and the cost to remedy contamination, if any.

The foregoing Resolution was duly moved by Councilperson Mangold and seconded by Councilperson O'Brien and brought to a vote resulting as follows:

Councilperson O'Brien	VOTED
Councilperson Mangold	VOTED
Supervisor Langley	VOTED
Councilperson Matters	VOTED
Councilperson Malone	VOTED

**XX-2013      A Resolution Appointing William Sauer as a Laborer to the Department of Public Works**

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

Councilperson Malone	VOTED
Councilperson Mangold	VOTED
Supervisor Langley	VOTED
Councilperson Matters	VOTED
Councilperson O'Brien	VOTED