



# The Town of East Greenbush

225 Columbia Turnpike, Rensselaer, New York 12144

## TOWN BOARD AGENDA

**December 18, 2013**

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

7:00 PM

### Members of Town Board

Present

Absent

Supervisor Langley  
Councilperson Matters  
Councilperson Mangold  
Councilperson Malone

Linda Kennedy, Town Clerk stated that her office has received reports from the following departments and will be on file for review: Town Clerk, Assessor, Receiver of Taxes, Building, Youth and Police.

### Communications / Announcements / Reports

Supervisor Langley introduced Toni Murphy, Toni stated that the Town Offices has adopted a local family who is in need this Christmas they have six children and are considered working poor. The mother has been sick and has been in and out of the hospital. If you wish to donate please see her for a list of ideas.

Councilperson Matters stated that our Assessor Bradley Canning will be leaving and going to be the Assessor in Rotterdam, his last day will be 12/31/13 and wished him well.

Councilperson Malone had nothing to say.

Councilperson Mangold wished everyone a happy holiday. She also thanked DPW for their work during the last two snow storms. Sue also thanked all town employees that are currently working and may not be in the coming new year for their service.

Open portion stated at 7:05

**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.

- 1) Tom Amello was concerned that the zoning can be changed without notifying residents within 1000ft but will contact them for a sign variance.
- 2) Martin Sies read a letter he wrote to the newspaper regarding how our poultry is being sent to china for packaging and it is unknown if it is our chicken that is being returned.
- 3) Mora Ryan stated that she is back on the finance committee and they are down to three members and if anyone knows of someone who would like to serve please contact her or the board. Meetings will be starting up soon.
- 4) Jack Conway wished all a Merry Christmas and stated that he wants everyone to remember that we live in a democracy. Then he told a story of how he met Rick Matters and wished him well and stated that he has always been a gentleman even when times got tough.
- 5) Floyd Hunt as a New Year's resolution we should all work together.

Open portion closed at 7:25 pm

**Resolutions and Proposals by Town Board Members:**

**168-2013 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 November 20, 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 November 20, 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 Mangold	VOTED
Councilperson Malone	VOTED

**169-2013 Town Board Request to act as Lead Agency for the Bergmann Associates Troy Rd (NYS Route4) Hotel Site Plan**

**WHEREAS**, Bergmann Associates on behalf of Visions Hotels LLC., has submitted a major site plan review application for the development of a Hotel located on Troy Road (NYS Rt. 4) , identified on the Town's Tax Roll as Tax Parcel No. 155.00-3-2.11 and 155.00-3-2.12; and

**WHEREAS**, the application was accompanied by a proposed site plan, a Full Environmental Assessment Form and other submittals; and

**WHEREAS**, the Town Comptroller has determined that the adoption of this resolution and the implementation of the provisions contained herein will have no adverse impact on the Town's finances; and

**WHEREAS**, the Town Board wishes to assume lead agency status in connection with coordinated SEQR review of the Project; now, therefore, be it

**RESOLVED AS FOLLOWS:**

1. The Project will require review under the State Environmental Quality Review Act (öSEQRAö)
2. The following are or may be:  
Involved agencies under SEQRA:
  - East Greenbush Town Board
  - East Greenbush Planning Board
  - NYS Department of Environmental Conservation
  - Rensselaer County Health Department
  - U.S. Army Corps of EngineersInterested agencies under SEQRA:
  - East Greenbush Fire District #3
  - W. F. Bruen Rescue Squad
  - Rensselaer County Bureau of Planning
  - East Greenbush Department of Public Works
  - New York State Office of Parks, Recreation & Historic Preservation
  - East Greenbush Central School District
  - Capital District Transportation Authority
  - National Heritage Program
  - Capital District Transportation Committee
  - New York State Department of Transportation
3. The Town Board wishes to assume lead agency status in connection with coordinated SEQR review of the Project
4. The Town Board directs that a lead agency coordination letter be sent to all the involved agencies requesting their consent to designation to the Town Board as lead agency for SEQR review of 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	YES
Councilperson Matters	VOTED	YES
Councilperson Mangold	VOTED	YES
Councilperson Malone	VOTED	YES

**170-2013 Authorization to Award Construction Bids For Wastewater Treatment Plant Improvements**

**WHEREAS**, the Town of East Greenbush has solicited bids for construction of the improvements to the Wastewater Treatment Plant as depicted in the plans and specifications prepared by Delaware Engineering, P.C.; and,

**WHEREAS**, bids were opened and read aloud in a public forum by the Deputy Town Clerk and Delaware Engineering, P.C. on December 5, 2013; and,

**WHEREAS**, a Bid Tabulation and Recommendation to Award has been prepared by Delaware Engineering documented that the lowest responsible bidders are:

CONTRACT 1	UW Marx	\$10,430,144.00
CONTRACT 2	Stilsing Electric	\$786,400.00
CONTRACT 3	Family Danz	\$277,430.00
CONTRACT 4	Tri-Valley	\$32,190.00

and,

**WHEREAS**, the Town Comptroller has determined that the adoption of this resolution and the implementation of the provisions contained herein will have no adverse impact on the Town's finances; now, therefore be it,

**RESOLVED**, that the Town Board hereby authorizes the Purchasing Agent to send an award letter to the foregoing lowest responsible bidders for the Wastewater Treatment Plant Improvements.

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	YES
Councilperson Matters	VOTED	YES
Councilperson Mangold	VOTED	YES
Councilperson Malone	VOTED	YES

**171-2013 A Resolution to Authorize the Lease of a New Copier for the Police Department**

**WHEREAS**, at the request of the Chief of Police and in accordance with Town Policy and General Municipal Law, a Request for Quote (RFQ) was issued for a new copier for the Police Department; and

**WHEREAS**, the Purchasing Agent has reviewed the quotes with all parties and recommend awarding the bid to National Business Equipment; and

**WHEREAS**, funding for the lease payments will be paid from Police General Fund budget.

**WHEREAS**, the Town Comptroller has determined that the adoption of this resolution and the implementation of the provisions contained herein will have no adverse impact on the Town's finances; now, therefore, be it;

**RESOLVED**, that the Supervisor, pending approval from the Town Attorney, be authorized to execute a Lease Agreement for a new copier for the Police Department on behalf of the members of the Town Board. A copy of the executed agreement will be filed with the Town Clerk.

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

Councilperson Mangold	VOTED	YES
Councilperson Malone	VOTED	YES
Supervisor Langley	VOTED	YES
Councilperson Matters	VOTED	YES

**172-2013 A Resolution to Set the Transfer Station Rates for 2014**

**WHEREAS**, it is required to establish policies and rates to be charged for the use of the East Greenbush Transfer Station; and

**WHEREAS**, the Town is faced with increased costs to operate the Transfer Station; and

**WHEREAS**, after careful review by the Town Comptroller, DPW, and the Town Board a new fee schedule has been recommended; now, therefore, be it;

**RESOLVED**, that the attached polices and rates be effective for the year 2014.

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

Councilperson Malone	VOTED	YES
Councilperson Mangold	VOTED	YES
Supervisor Langley	VOTED	YES
Councilperson Matters	VOTED	YES

**173-2013 Resolution to Retain Toski & Schaefer & Co., P.C. to Perform Federal OMB Circular A-133 Single Purpose or Program Specific Audit for 2012**

**WHEREAS**, the Town is in need of a Federal OMB Circular A-133 Single Purpose or Program Specific Audit for 2012 due to Federal Funding associated with the Mannix Road Intersection Projects and Hurricane Irene; and

**WHEREAS**, the firm of Toski & Schaefer & Co., P.C.; is currently conducting audits of the Town's 2010, 2011 and 2012 Financial Statements; and

**WHEREAS**, the Town has received a proposal from Toski & Schaefer & Co., P.C. to perform said Federal OMB Circular A-133 Single Purpose or Program Specific Audit for 2012 at a cost of \$3,500.00; and

**WHEREAS**, the Town Comptroller has determined that the adoption of this resolution and the implementation of the provisions contained herein will have no adverse impact on the Town's finances; now therefore be it

**RESOLVED**, that the Town is hereby authorized to retain Toski & Schaefer & Co., P.C. the sum of \$3,500.00 to conduct a Federal OMB Circular A-133 Single Purpose or Program Specific Audit for 2012, and be it further

**RESOLVED**, the Town Supervisor, pending Town Attorney approval, is authorized to enter into a modified engagement letter with Toski & Schaefer & Co., P.C. for the purpose of conducting an OMB Circular No. A-133 Single Purpose or Program Specific Audit for 2012; and be it further

**RESOLVED**, that the Comptroller is authorized to transfer the sum of \$3,500.00 from the contingency account 19904.01 to the Town Independent Auditing and Accounting Account 13204.01.

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

Supervisor Langley	VOTED	YES
Councilperson Matters	VOTED	YES
Councilperson Mangold	VOTED	YES
Councilperson Malone	VOTED	YES

**174-2013 A Resolution to Schedule Organizational Meeting**

**WHEREAS**, the Town Board of the Town of East Greenbush wishes to schedule an Organizational Meeting for 2014 as a Special Meeting as is permitted by §62 of the New York State Town Law (see Opinion of the State Comptroller No. 82-145); and

**WHEREAS**, the Town Comptroller has determined that the adoption of this resolution and the implementation of the provisions contained herein will have no adverse impact on the Town's finances; now, therefore, be it

**RESOLVED**, that the Town Board of the Town of East Greenbush shall conduct the 2014 Organizational Meeting at 6:00 PM on Thursday, January 2, 2014, at the East Greenbush Town Hall, 225 Columbia Turnpike in the Town of East Greenbush, County of Rensselaer and State of New York; and be it further

**RESOLVED**, that the Town Clerk of the Town of East Greenbush is hereby authorized and directed to give notice of such Organizational Meeting as required by law.

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

Councilperson Matters	VOTED	YES
Supervisor Langley	VOTED	YES
Councilperson Mangold	VOTED	YES
Councilperson Malone	VOTED	YES

**175-2013 Resolution Authorizing Additional Personal Service Funding and Expenditures for the Town Assessor's Office**

**WHEREAS**, Town Assessor Bradley D. Canning has tendered his letter of resignation to accept appointment as the Town Assessor for the Town of Rotterdam; and

**WHEREAS**, Deputy Assessor Susan McCarthy has been and will continue to work additional hours due to Mr. Canning's impending departure from Town of East Greenbush employment; and

**WHEREAS**, Ms. McCarthy was appointed at the January 2, 2013 Organizational Meeting to work part-time at a rate of \$20/hour and 12 hours per week, not to exceed \$12,480; and

**WHEREAS**, the Assessor Personal Service was initially underfunded to support normal operations of the Office; and

**WHEREAS**, the Town Comptroller has determined that the adoption of this resolution and the implementation of the provisions contained herein will have no adverse impact on the Town's finances; now therefore be it

**RESOLVED**, that the Comptroller is authorized to transfer the sum of \$15,000.00 from the contingency account 19904.01 to the Assessor PS Account 13551.01; and be it further

**RESOLVED**, Ms. McCarthy work part-time at the same rate of \$20/hour and 12- 20 hours per week, not to exceed \$14,000 for the year.

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

Supervisor Langley	VOTED	YES
Councilperson Matters	VOTED	YES
Councilperson Mangold	VOTED	YES
Councilperson Malone	VOTED	YES

**176-2013 Approval of Contract for Emergency Medical Services**

**WHEREAS**, the current contract for Emergency Medical Services (hereinafter, "EMS") between the Town of East Greenbush, for and on behalf of the East Greenbush Ambulance District (hereinafter, "District"), and W. F. Bruen Emergency Squad, Inc. (hereinafter, "Bruen") expires on December 31, 2013; and

**WHEREAS**, the East Greenbush Town Board (hereinafter, "Board") wishes to contemplate modified and new provisions, vis-à-vis the current EMS contract, that would serve as the basis for future EMS contracts; and

**WHEREAS**, the Board requires additional time to contemplate such modified and new contract provisions; and

**WHEREAS**, the Board has reviewed and considered the terms and conditions of a proposed EMS contract with Bruen, a copy of which is attached hereto and made a part hereof (hereinafter, "Proposed EMS Contract"); and

**WHEREAS**, the Comptroller has determined that the adoption of this resolution and the implementation of the provisions contained therein will have no adverse impact to the Town's finances, now, therefore, be it

**RESOLVED**, that the Board hereby approves the Proposed EMS Contract as amended as follows: to be effective for only the period January 1, 2014 through March 31, 2014 for the sum of two-hundred sixty thousand, forty and 75/100 dollars (\$260,040.75), to be disbursed to Bruen on February 1, 2014 (hereinafter, "Interim EMS Contract"); and be it further

**RESOLVED**, that the Town Supervisor be, and the same hereby is, authorized to execute the Interim EMS Contract for and on behalf of the District.

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

*Councilperson Matters made a motion to amend the above resolution changing the amount in paragraph 6 keeping with the current budget amount. It now reads:*

**RESOLVED**, that the Board hereby approves the Proposed EMS Contract as amended as follows: to be effective for only the period January 1, 2014 through March 31, 2014 for the sum of two-hundred fifty-two thousand and 25/100 dollars 252,728.25), to be disbursed to Bruen on February 1, 2014 (hereinafter, "Interim EMS Contract"); and be it further

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

Councilperson Matters	VOTED	YES
Supervisor Langley	VOTED	YES
Councilperson Mangold	VOTED	NO
Councilperson Malone	VOTED	NO

A motion was made by Councilperson Matters to table the resolution, seconded by Supervisor Langley and brought to a vote resulting as follows:

Joe Liccardi, Legal Counsel, made a statement that no vote was needed to table the resolution.

Councilperson Matters	VOTED
Supervisor Langley	VOTED
Councilperson Mangold	VOTED

**177-2013 APPROVAL OF CONTRACT FOR EMERGENCY MEDICAL SERVICES**

**WHEREAS**, the current Agreement for Emergency Medical Services between the TOWN of EAST GREENBUSH, for and on behalf of the East Greenbush Ambulance District and the W.F. BRUEN EMERGENCY SQUAD, INC. (hereinafter Bruen) expires on December 31, 2013 and,

**WHEREAS**, Bruen has met with members of the Town Board and other Town Officers and as a result of these discussions tendered to the Town a certain Agreement for the duration of one (1) year, from January 1, 2014 through December 31, 2014, a copy of which accompanies and is incorporated in this resolution, and

**WHEREAS**, the Board has reviewed and considered the terms and conditions of this Agreement and,

**WHEREAS**, the Comptroller has determined that the adoption of this resolution and the implementation of the provisions contained therein will have no adverse impact to the Town's finances now, therefore, be it,

**RESOLVED**, that the Town Board of the Town of East Greenbush hereby approves the attached emergency medical services Agreement with Bruen for a period of one (1) year commencing January 1, 2014 and authorizes the Town Supervisor to execute said Agreement for and on behalf of the Town and on behalf of the District.

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

Councilperson Matters asked Town Comptroller Pete Stenson if his "WHEREAS" statement (4th rendition) would actually have an impact to the town budget as the contract now stands. Comptroller stated that yes it will have an impact as it is proposed as the amount was NOT budgeted in the 2014 budget.

Councilperson Mangold	VOTED	YES
Councilperson Malone	VOTED	YES
Supervisor Langley	VOTED	NO
Councilperson Matters	VOTED	NO

**ADJOURNMENT**

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

Supervisor Langley	VOTED	YES
Councilperson Matters	VOTED	YES
Councilperson Mangold	VOTED	YES
Councilperson Malone	VOTED	YES

Respectfully submitted,

Linda Kennedy, Town Clerk

Meeting ended at 8:00 pm