



# The Town of East Greenbush

225 Columbia Turnpike, Rensselaer, New York 12144

## TOWN BOARD MEETING

### AGENDA

March 19, 2014

**Call to Order**

7:00 PM

**PRE BOARD**

**Pledge to the Flag**

**Town Board Meeting:**

Supervisor Langley thanked the board for taking time out to come out on a Friday. Keith stated that the special meeting was scheduled for Thursday, then Friday being time sensitive items on the agenda. One of the items was that Schodack will be having their meeting on Monday and our meeting is on Wednesday. 2) The ejector trailer is in need now ours is broken and in need of a replacement. Commissioner of DPW found one in Minnesota and they wanted a deposit but would settle for a resolution that we were going to purchase it. 3) The sweeper is in need of repair it needs a new vacuum. We have discussed purchasing vs repairing and at this time the Commissioner found someone to repair for \$14,000 vs purchasing one for \$65,000. 4) Authorize settlement claim with Eileen Grant. They are settling with the best interest of the town financially according to the attorney. 5) Acknowledge the retirement of Glen Rauch effective 3/28/14. 6) Accept William Malone's resignation effective date 3/12/14. 7) Summer camp needs their rate schedule.

Dan Fiacco Deputy Commission of Public Works stated that the town has to pass a resolution to accept solid waste partnership with the State.

Councilperson Mangold stated she couldn't see why most of the items on the special meeting couldn't wait until Wednesday and only have the Love Lutheran resolution on the agenda. And that the board should be more respectful of the town residents and the rest of the town board. Supervisor Langley stated that these are time sensitive issues. Councilperson Malone repeated the same comments of Councilperson Mangold. Councilperson Matters stated that also has a full time job and is happy to be here this morning to take care of these issues and have every confident that if the supervisor feels these items are imperative then we should go forward.

Supervisor Langley made a motion to adjourn seconded by Councilperson Matters resulting in a vote as follows:

Supervisor Langley	yes
Councilperson Matters	yes
Councilperson Mangold	yes
Councilperson DiMartino	yes
Councilperson Malone	yes

Meeting closed at 8:45 pm  
Respectfully submitted,

Linda Kennedy, Town Clerk

### Members of Town Board

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

**44-2014 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 January 15, 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 January 15, 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	VOTED

**45-2014 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 March 13, 2014, which was to approve funds for the repaving of Thompson Hill Road, 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 March 13, 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	VOTED

**XX-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 Building Inspector to declare the following equipment as surplus; and

**WHEREAS**, said equipment includes:

2000 Jeep (VIN 1J4FF4SXYL145220)

**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 Building Department.

The foregoing Resolution was duly moved by Councilperson Matters seconded by Councilperson DiMarino 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 Town of East Greenbush to Issue a Refund from the General Water and Third Ave Sewer Districts**

**WHEREAS**, the Town has received a request for a refund from the Water Department, and **WHEREAS**, there was an error in the way the meter readings were carried over into our billing program for Account #172, property address, 278 Troy Road, owner, Rhinebeck Realty LLC; and

**WHEREAS**, as a result of this error, there were over-charges for the water-sewer bills dated May 2013, August 2013, November 2013 and February 2014; and

**WHEREAS**, according the corrected calculations this account was under the minimum usage of 10,500 gallons for a 3 month usage period for all four billing periods stated above, and a minimum charge per quarterly billing is \$35.00/water and \$22.50/sewer; now, therefore, be it

**RESOLVED**, that a refund of \$6,114.31 from the General Water District and a refund of \$4,127.13 from the Third Avenue Sewer District be sent to:

Rhinebeck Realty LLC  
 c/o BJ Adams Management  
 Attn: Tom Healslip  
 PO BOX 752  
 Harris, NY 10528

	General Water	Third Ave Sewer
Total Over-charged Billing	\$6,254.31	\$4,217.13
Corrected Adjustments	(\$35 x 4 billings) \$140.00	(\$22.50 x 4 billings) \$90.00
Requested Refund	\$6,114.31	\$4,127.13

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 Approving and Authorizing the Settlement of Tax Certiorari Proceeding entitled CARL SCHILLING v. TOWN OF EAST GREENBUSH**

**WHEREAS**, CARL SCHILLING has brought an Article 7 RPTL Tax Certiorari proceeding against the Town of East Greenbush in Rensselaer County Supreme Court, Index No. 244127 now pending for the year 2013/2014, regarding property known as 709 Columbia Turnpike, 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 Assessorø 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
177.8-5-8	\$400,000.00	\$325,000.00	\$75,000.00

**WHEREAS**, the settlement shall provide that the Petitioner shall waive the right to any refund from any taxing jurisdiction and that the reduced assessment shall apply prospectively upon the 2014 tax roll, now therefore be it

**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

- XX-2014 Resolution of the Town Board Town of East Greenbush to Comply with the Solid Waste Management Plan for the Capital Region Solid Waste Management Partnership**
- XX-2014 Resolution Requiring Town Board Approval of All Non-Payroll Expenditures and Charges on a Monthly Basis**
- XX-2014 Resolution for Proposed Local Law #1 of the Year 2014 to Amend Article III Section 30.23 Solid Waste Management Recycling**
- XX-2104 Resolution Authorizing Supervisor Langley to Sign a Certain Settlement Agreement and Mutual Release Between Niagara Mohawk Power Corporation d/b/a National Grid and the Town of East Greenbush**
- XX-2014 Resolution Nunc Pro Tunc To Accept Dedication of Roads, Easements and Infrastructure**
- XX-2014 Town Board Request to Act as Lead Agency for the Integrated Liner Technologies, Inc.45 Discovery Drive-Warehouse Addition Major Site Plan**