



The Town of East Greenbush

225 Columbia Turnpike, Rensselaer, New York 12144

TOWN BOARD AGENDA Wednesday, June 17, 2015

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

Members of Town Board

Present

Absent

Supervisor Langley
Councilperson Malone
Councilperson DiMartino
Councilperson Matters

Communications/Announcements/Reports

Linda Kennedy, Town Clerk stated the Clerk's office has received reports from the following departments and will be on file for review: Town Clerk, Receiver, Police, Building, Highway and Water.

Supervisor Langley stated that there have been a lot of calls recently regarding the sale of fireworks. Keith asked Joe Cherubino, Building Inspector, to comment. Joe stated that Rensselaer County made the sale of fireworks legal in Rensselaer County. The definition of fireworks is only hand held. There will not be any that are launched into the air. There have been several permits issued to sell in parking lots and stores. The County states there is a limited time frame to sell, time to end is July 5th. In some stores there are notices that the purchaser can not handle ask for assistance. Now that has been lifted and you can handle (look at) prior to purchasing.

Councilperson Malone nothing to add.

Councilperson Matters stated that two words we are hearing are "emergency" and "grants". In March, we were faced with a WWTP spill "emergency" more recently emergency evaluation of bridge structure along Old Troy Road and Mill Creek after a driver hit the guard rail. Again another emergency in the Hampton Manor Water District with water supply well infrastructure that is failing. She feels that a capital improvement plan should be in place. This way we would have anticipated and planned for the costs. There should be an inventory of projects ranked in priority order, there would be a plan for financing the projects, a timetable years-out for the justification for the project.

Councilperson DiMartino stated the Community Service Department is currently looking for food vendors for Music in the Park. Debbie thanked Jessica Lansing for all her hard work coordinating the first garage sale, it was a big success.

Open Public Privilege: NOTE - Each speaker may choose to 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

Open portion 7:15 pm

- 1) Hal Betters questioned the wording on resolution 97. He was told not to worry about it was going to be tabled. b/ resolution 108 doesn't feel need grant should use shared services.

- 2) Floyd Hunt stated elected positions must make important decisions when they arise not when they are ready. It was vital that passing of resolutions regarding the WWTP to continue work already started. The board should make decisions as needed.
- 3) Dave Van Wormer stated regarding the spreader resolution that was rescinded he used to use the County. b/ regarding limited man power the board is who got rid of important positions.
- 4) Paul Mason inquired as to why wasn't the patch truck out repairing pot holes. When he was deputy commissioner they were out in April.
- 5) Pete Stenson stated that the CFAC predecessor is now the finance committee prepared an extensive long term plan. He also asked if the appointment of the police officer if he was a town resident. c/ questioned the wording in resolution 103 extreme winter recovery. George stated it was additional allocation of CHIPS funds from 2014.
- 6) Lee Cookson regarding contract negotiations were coming along and wanted to know if they would be available for public review. He stated he foiled this information and was told not available. Dave Gruenburg stated negotiations were not foible. C. He also asked for a written investigative report on the WWTP incident. Also not available due to ongoing investigation. Councilperson Matters stated she had a letter from our insurance carrier to that effect and would give him a copy. Supervisor Langley stated that this was why when you asked me about this I told you to ask the Town Attorney.
- 7) Ed Gilbert stated standing in front of the board during open portion he is always asked what hat is he wearing ie Deputy Supervisor, Ethics etc. But it appears that tonight none of the speakers stated they were running for office and no one asked they what hat they were wearing. He stated that when he listens to Councilperson Matters talk about the town not having a town planner, grant writer those are all thing that she would like to have along with parks and sidewalks like to Crossings they all cost money. When he walked with her a couple of years ago he thought it was for a fiscal conservative not a tax spend liberal up there. (Councilperson Matters stated he did not walk with her) It would be nice if the town had the revenue to support this type of endeavors maybe a commercial development for housing or something like that where we could have tax revenue for the town but those are things that she would rather not see. Regarding the ethics appointment we already have one of Mary Ann's close friends on the committee a person whom she used to work with. He stated that he doesn't know Guy Warner very well, however I think that Mary Ann should limit putting people on the board should be one. He stated that when he was on the board he was constantly criticized for being too close to other members on the board and other people and now we have the same situation with Ms. Matters seems to be too close to at least two other members one the chairperson whom she worked with and now has another person she wants to put on the board. I would like to see another board member to bring someone to the table that's not so affiliated. c/ regarding the paving how it used to be done April 15th every year that is when we were robbing Peter to pay Paul if my memory serves me. I think that type of statement needs to be looked at further at what it costs the town to do those types of things.
- 8) Jack Conway thanked Jessie Lansing for all her work on the garage sale. He stated he would also like a report on the WWTP and not the insurance report but a report to the town of what potential land mines could pop up. There are going to be costs, whether it is costs on insurance premiums or the town's liability. Even the meeting Councilperson Matters had with the engineers probably cost the Town a couple thousand dollars. We everyone wants to know is where we

stand at costs now and costs later. d/ Regarding the geese the geese have won residents lost. Also the road around the lake needs to be paved and he feels that the residents of Hampton Manor are underserved.

- 9) Bonnie Lester spoke at lengths about the geese problem around the lake. She stated that Rensselaer has a nice lake why can't East Greenbush.
- 10) Jessie Lansing addressed the geese issue. She stated that the residents need to stop feeding them and the Town has tried to get rid of them by many methods, 1/ strobe lights 2/ chemicals, 3/ DEC suggested oiling the eggs before they hatch and having wild dog chase to train the geese (like corralling them) back into the water. She also stated that DEC is going to test the water at the lake to see what fish can be stocked. She also stated that members of Parks & Rec are working on grants.
- 11) Dave Van Wormer stated he is running for Supervisor and in regard to the geese in the past they sprayed the ground with grape spread spray (non-toxic) and asked Jessie to check into this method. He also strongly suggested make signage DO NOT FEED GEESE. And as to the paving budget the paving comes from the CHIPS monies.
- 12) Mary Boisvert thanked Ed for Save East Greenbush sale
- 13) Tom Grant candidate for election. Thanked Jessie for an excellent garage sale. Regarding Guy Warner, he would make a tremendous member of the ethics board he is uniquely qualified with his background. Noticed that there were 5 resolutions not counting approval of minutes on the previous meetings, that were on the pre-board calendar and 8 that were not. This could be a unique situation that you are looking for grants and trying to get them through and there are some DPW issues but hoped that this is not going to be a practice issues should be looked at a pre-board meeting.
- 14) Eileen Grant stated that when she grew up she used to be a life guard in Hampton Manor Lake and she received her certification there. One aspect was to swim one end of the lake to the other. They did not have to worry about geese. She doesn't know if it could ever get back to that state again. Thanked all Hampton Manor Residents for all their work to try to clean up the site. Out of all the people who got up to speak only one spoke politically all the others had legitimate concerns regarding the town. She stated that he should be disallowed any other time and should immediately disallowed from making those kinds of statements. She stated that the board should consider cutting off any back and forth and take control of the meetings. And as for how far back someone knows someone else it can't come into play on hiring to boards. Disallowed association is immediate family.

Open portion closed at 8:05pm

Resolutions and Proposals by Town Board Members:

95-2015 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 May 20, 2015; 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 May 20, 2015, are hereby approved as submitted.

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

Supervisor Langley	VOTED	YES
Councilperson DiMartino	VOTED	YES
Councilperson Malone	VOTED	ABSTAIN
Councilperson Matters	VOTED	YES

96-2015 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 June 4, 2015; 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 June 4, 2015, are hereby approved as submitted.

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 Malone	VOTED	YES
Councilperson DiMartino	VOTED	YES

97-2015 Authorization to Award for RFB # 15-01 Electrical related projects

WHEREAS, the Town of East Greenbush solicited bids for various general construction, electrical, HVAC and plumbing related projects; and

WHEREAS, the only eligible bid received was opened and read aloud in a public forum in the Town Clerk's Office by the Purchasing Agent and Town Clerk on May 26, 2015; and

WHEREAS, the lowest responsible bid per item is:

Spring Electric Inc. - Item number 2 (Electrical)
19% above the required NYS Prevailing rate for each classification required
10% above actual invoice to the vendor (Item 5 Material Costs)
Rate of \$65.00 per hour (Item 6 a) NON-Prevailing Rate Work)

WHEREAS, the Town Comptroller has confirmed that the provisions of this proposed Board action 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 bidder for RFB # 15-01

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

Supervisor Langley	VOTED	YES
Councilperson DiMartino	VOTED	YES
Councilperson Malone	VOTED	YES
Councilperson Matters	VOTED	YES

98-2015 Appointment to Fill a Vacancy on the Ethics Board

WHEREAS, section 15-19, subdivision a of the East Greenbush Town Code provides for the constitution of the ethics board with five members, for the appointment of such members, and for the appointment of successors in the event that vacancies occur; and

WHEREAS, General Municipal Law section 808, subdivision 3 provides for such ethics board members to serve at the pleasure of the town board; and

WHEREAS, Edward J. Gilbert resigned from the ethics board effective May 7, 2015, thereby creating a vacancy, and

WHEREAS, the town board deems it appropriate, at this time, to appoint a new member to the ethics board; and

WHEREAS, the town comptroller has heretofore confirmed that none of the provisions of this resolution shall pose an adverse impact to the town's finances; now, therefore, be it

RESOLVED, that, effective immediately, Guy Warner, be, and the same hereby is, appointed as a member of the ethics board for the duration of the unexpired term of the foregoing vacancy.

The foregoing resolution was duly moved by Councilperson Matters, seconded by Councilperson DiMartino, and resulted in the following vote:

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

99-2015 A Resolution Approving the Re-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

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

<u>Name</u>	<u>Term Start</u>	<u>Term End</u>
Florence Taylor	10/01/2015	09/30/2020

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

RESOLVED, that the Town Comptroller has heretofore confirmed that none of the provisions of this resolution shall pose an adverse impact to the Town's finances; and be it

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 Malone and seconded by Supervisor Langley and brought to a vote resulting as follows:

Councilperson Malone	VOTED	YES
Supervisor Langley	VOTED	YES
Councilperson DiMartino	VOTED	YES
Councilperson Matters	VOTED	YES

100-2015 Resolution to Make a Conditional Job Offer to Position of Police Officer

WHEREAS, public safety in the Town is a priority concern of this Town Board; and

WHEREAS, this Board intends to maintain adequate staffing of the Town Police Department, by appointing qualified individuals to replace positions that become vacant, and positions have become vacant; and

WHEREAS, the Town Comptroller has confirmed that this position was anticipated in the current budget and will have no adverse impact on Town finances; and

WHEREAS, John F. DeRubertis, of East Greenbush, a graduate of Columbia High School and the University at Albany, has been found to be a qualified candidate according to the Rensselaer County Civil Service Commission; now therefore be it

RESOLVED, that John F. DeRubertis be and hereby is offered an appointment to the position of Police Officer for the Town of East Greenbush, subject to the following conditions and stipulations;

- satisfactory medical, psychological and drug test results;
- satisfactory background check which meets the police hiring laws of New York State and a clear FBI record check; and
- successful completion of the Zone 5 Police Academy and the Police Department Field Training Program; and
- full compliance with the Rules and Regulations of the Police Department including Town residency requirement; and be it further

RESOLVED, that this offer be affirmed by said Nominee within 30 days by executing the oath of office as administered by the Town Clerk, or after which shall become null and void, and be it further

RESOLVED, said conditional appointment shall become effective July 14, 2015, shall be subject to a probationary period of one (1) year, and that upon successful completion of all said conditions and stipulations, shall be, and hereby is made permanent.

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

Supervisor Langley	VOTED	YES
Councilperson Malone	VOTED	YES
Councilperson DiMartino	VOTED	YES
Councilperson Matters	VOTED	YES

101-2015 A Resolution Authorizing The Expenditure of Monies For Trial Ready Appraisals of Greenbush Station, LLC Apartment Complex and Gilligan Road, LLC Apartment Complex

WHEREAS, Greenbush Station, LLC and Gilligan Road, LLC have commenced tax certiorari proceedings against the Town of East Greenbush for 2014 in Rensselaer County Supreme Court, Index No. 247378 (Tax Map #'s: 177.8-7-15 and 166.-6-3.111); and

WHEREAS, the Court has directed the filing of trial ready appraisals; and

WHEREAS, the East Greenbush School District has intervened in the proceeding and has passed a resolution to share the cost of these appraisals on a 50/50 basis with the Town; and

WHEREAS, Empire State Appraisal Consultants has submitted a proposal for the preparation of the two appraisals at a cost of \$15,500.00 plus (Not to Exceed \$5,000) \$175.00 per hour for pre-trial conferences, trial preparation, court appearances and expenses; and

WHEREAS, the Comptroller advises that resolution will be covered within the 2015 Budget by increasing funds to account 13554.01 Assessor CE by \$10,250 and offsetting decrease from the Provisions For Other Uses 962 in the General Fund; and

WHEREAS, the Town appraisals must proceed for filing by August 1, 2015; now, be it

RESOLVED, that the Town of East Greenbush is hereby authorized to enter into an agreement with Empire State Appraisal Consultants for the preparation of trial ready appraisals of the two apartment complexes known as Greenbush Station, LLC and Gilligan Road, LLC at a cost of \$7,750.00 (the Town's one-half share), plus additional fees, to be divided equally, as may be incurred at the cost of (Not to Exceed \$2,500) \$175.00 per hour and to pay said amounts upon invoices submitted by Empire State Appraisal Consultants, and, be it, further

RESOLVED, that the total expense to the Town \$10,250 made up of an amount of \$7,750.00 for appraisals plus additional fees (Not to Exceed \$2,500) at the rate of \$175.00 per hour (divided equally) will be paid for by the budgetary transfer to account 13554.01 Assessor CE by \$10,250 and offsetting decrease from the Provisions For Other Uses 962 in the General Fund.

Account Name	Budget Code	Current Budget	Change	Amended Budget	Justification
Assessor CE	13554.01	\$11,469	\$10,250	\$21,719	Court Settlement
Provisions for Other Uses	962	\$177,316	(10,250)	\$167,066	Court Settlement

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

Councilperson Malone	VOTED	YES
Supervisor Langley	VOTED	YES
Councilperson DiMartino	VOTED	YES
Councilperson Matters	VOTED	YES

102-2015 Resolution to Approve the Addition of New Resolutions

WHEREAS, Resolution 13-2015, Resolution for Timely Submission of Resolutions, called for *any items on Board meeting agendas that were not presented at pre-board, be subject*

to a prior majority vote before being considered for an actual vote on such late filed resolution; and

WHEREAS, additional resolutions have been being presented to the board for consideration at this month's Town Board meeting, and

WHEREAS, the Town Comptroller has confirmed that the Board adding additional Resolutions to the agenda will not impact the budget; and

WHEREAS, that the following resolutions:

- 103-2015** **A Resolution to Authorize Certain Paving Expenses**
- 104-2015** **A Resolution Designating a Portion of Lakeshore Drive from Onderdonk Park to Hampton Lake Park as One-Way for the Period of June 19, 2015 through September 18, 2015, the Installation of Necessary Signage and Traffic Control Devices to Safely and Appropriately Accomplish the Same**
- 105-2015** **Rescindment of Resolution No. 71-2015**
- 106-2015** **Approval of Procurement of Materials and Labor Relative to the Emergency Repair of Old Troy Road Bridge**
- 107-2015** **A Resolution Approving The Chazen Companies' Proposal for Professional Services (Bridge Condition Assessment) Old Troy Road/Mill Creek Bridge**
- 108-2015** **A Resolution Authorizing Greenman-Pedersen, Inc (GPI) to Apply for the 2015 Local Government Efficiency Grant for Infrastructure Rapid Response Team**
- 109-2015** **A Resolution Authorizing the Supervisor to Sign the Professional Services Agreement for The Chazen Companies to Assist in Grant Writing and Project Implementation**
- 110-2015** **A Resolution Authorizing The Settlement of Tax Certiorari Proceeding Entitled *Greenbush Station, LLC and Gilligan Road, LLC V. Town of East Greenbush* for Year 2014**

were added to the agenda following the pre-board meeting; be it

RESOLVED, that the addition of the above resolutions requires majority Town Board vote; be it further

RESOLVED, that, if this resolution (102-2015) receives a majority vote, then the Town Board will vote on Resolutions 103-2015 through 110-2015

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

103-2015 **A Resolution to Authorize Certain Paving Expenses**

WHEREAS, in accordance with Town Policy and General Municipal Law, all Town expenses of more than \$10,000 require Town Board approval, and

WHEREAS, the Commissioner of Public Works and the Town Supervisor have reviewed the needs of the Town and determined the following pavement preservation projects will be completed this year:

*Cedarcrest Drive
Jacob Street
Phillips Road
Pheasant Lane
Springhurst Drive
Sussex Road
Town Park Road*

WHEREAS, the Commissioner of Public Works states that the estimates for the work, at State rate, will not exceed \$164,930.96. This amount is the accumulative of 2014 balance, 2015 CHIPS funding and 2015 extreme winter recovery. The estimated cost of work \$131,309.28.

WHEREAS, the Town Comptroller certifies that all expenses are made utilizing New York State Contract (PC #66543) pricing and are in the 2015 budget as stated; now therefore **BE IT RESOLVED**, that the Commissioner of Public Works is hereby authorized to approve paving expenses not to exceed \$164,930.96 for paving of the aforementioned Town roads.

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 Malone	VOTED	YES
Councilperson DiMartino	VOTED	YES

104-2015 A Resolution Designating a Portion of Lakeshore Drive from Onderdonk Park to Hampton Lake Park as One-Way for the Period of June 19, 2015 through September 18, 2015, the Installation of Necessary Signage and Traffic Control Devices to Safely and Appropriately Accomplish the Same

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 and~~

WHEREAS, the Town Comptroller has confirmed that none of the provisions of this resolution shall pose an adverse impact to the Town's Finances; now therefore, be it

RESOLVED, that Lake Shore Drive from Onderdonk Park to Hampton Lake Park shall be designated one-way during the period from June 19, 2015 through September 18, 2015, with the Commissioner of Public Works installing the appropriate signage to advise users of this designation

Councilperson Matters made the motion to amend adding the Comptroller's Statement foregoing to the Resolution:

WHEREAS, the Town Comptroller has confirmed that none of the provisions of this resolution shall pose an adverse impact to the Town's Finances; now therefore, be it

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

Councilperson Matters	VOTED	YES
Councilperson DiMartino	VOTED	YES
Supervisor Langley	VOTED	YES
Councilperson Malone	VOTED	YES

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

Councilperson Matters	VOTED	YES
Councilperson DiMartino	VOTED	YES
Supervisor Langley	VOTED	YES
Councilperson Malone	VOTED	YES

105-2015 Rescindment of Resolution No. 71-2015

WHEREAS, at its meeting held on May 20, 2015, the town board duly adopted resolution no. 71-2015 (hereinafter, "Resolution") which authorized the town's purchase of an industrial grade, MG 7-12 Drag-a-Box Asphalt Material Spreader (hereinafter, "Spreader"), in the amount of \$17,325.25, for use during paving season; and

WHEREAS, the order to purchase the Spreader was subsequently cancelled by the commissioner of public works when information related to additional cost to fit the Spreader to town trucks became known after the Resolution was adopted; and

WHEREAS, the town comptroller has heretofore confirmed that none of the provisions of this resolution adversely impact the town's finances; now, therefore, be it

RESOLVED, that the Resolution be, and the same hereby is, rescinded.

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

Councilperson Matters	VOTED	YES
Councilperson DiMartino	VOTED	YES
Supervisor Langley	VOTED	YES
Councilperson Malone	VOTED	YES

106-2015: Approval of Procurement of Materials and Labor Relative to the Emergency Repair of Old Troy Road Bridge

WHEREAS, on or about June 11, 2015, the Commissioner of Public Works (hereinafter, "Commissioner") became aware of certain structural failure to the bridge (hereinafter, "Bridge") that is part of Old Troy Road, a Town-owned public thoroughfare; and

WHEREAS, inasmuch as such structural failure posed a danger to the public who utilize the Bridge, the Commissioner deemed it necessary to immediately engage Town & County Bridge and Rail, Inc. (hereinafter, "Contractor") to furnish materials and labor and perform emergency, interim repair (hereinafter, "Repair") of the Bridge in the amount of \$2,435.00, as stated in attached fee-quote memorandum; and

WHEREAS, the Commissioner is cognizant that either a long-term repair or complete replacement of the Bridge will be necessary in the near future, and will be recommending to the Town Board over the next month further action and additional expenditure relative to such long-term repair or replacement; and

WHEREAS, the Comptroller has heretofore confirmed that funding for cost of the Repair is available in the 2015 annual budget in account no. 51104.02, and that a related expenditure to cover such cost shall not pose an adverse impact to the Town's finances; now, therefore, be it

RESOLVED, that the procurement of materials and labor from the Contractor relative to the Repair of the Bridge, at a cost of \$2,435.00, be, and the same hereby is, approved; and be it further

RESOLVED, that the Commissioner shall follow up with a recommendation to the Town Board regarding further action and additional expenditure relative to the long-term repair or replacement of the Bridge.

The foregoing resolution was duly moved by Councilperson Matters, seconded by Councilperson DiMartino, and brought to a vote as follows;

Councilperson Matters	VOTED	YES
Councilperson DiMartino	VOTED	YES
Supervisor Langley	VOTED	YES
Councilperson Malone	VOTED	YES

107-2015 A Resolution Approving The Chazen Companies' Proposal for Professional Services (Bridge Condition Assessment) Old Troy Road/Mill Creek Bridge

WHEREAS, the Commissioner of Public Works requested The Chazen Companies submit a proposal for professional services for an assessment of the bridge located along Old Troy Road at Mill Creek in the Town of East Greenbush on June 10, 2015; and

WHEREAS, The Chazen Companies has prepared an emergency evaluation report (limited to the deficient guide rail conditions) dated June 10, 2015 and identified several deficiencies including inadequate guide rail protection. Damaged guide rail post and secondary bridge structural elements, and deteriorated primary bridge structural elements; and

WHEREAS, the Chazen Companies scope of work will include tasks such as, perform a visual structural condition assessment of the steel bridge (subject structure) located at the project site referenced above and will correspond to select sections of the New York State Department of Transportation Bridge Inspection manual (BIM) provides a methodology to meet or exceed the requirements of the Uniform Code of Bridge Inspection (UCBI); and

WHEREAS, the Scope of Work requested in the Proposal requested will be billed to the Town of East Greenbush using the proposed fee schedule

Tasks		Fee Estimates/Proposed Schedules	
Task No.	Task Description	Lump Sum Fee Bill	Projected Start/End Dates
01	Structural Condition Assessment	\$3,400	Start: Upon authorization Duration: 4 Weeks

Total Professional Service Fee	\$3,400
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And

WHEREAS, the Comptroller has heretofore confirmed that the funding for cost of the repair is available in the 2015 Annual Town Budget in budget code 51104.02, and that a related expenditure to cover such cost shall not pose an adverse impact to the Town's finances; now, therefore be it

RESOLVED, that the Town Supervisor is authorized to sign the Chazen Companies' proposal for Old Troy Road Bridge Assessment upon to the Town Attorney's review and approval of said proposal.

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

Councilperson Matters	VOTED	YES
Councilperson DiMartino	VOTED	YES
Supervisor Langley	VOTED	YES
Councilperson Malone	VOTED	YES

108-2015 A Resolution Authorizing Greenman-Pedersen, Inc (GPI) to Apply for the 2015 Local Government Efficiency Grant for Infrastructure Rapid Response Team

WHEREAS, the Town of East Greenbush desires to apply to the 2015 New York State Department of State Local Government Efficiency Grant Program to assist with the creation of a municipal infrastructure rapid response team; and

WHEREAS, the Town of East Greenbush will act as a co-applicant and assist with the completion of the proposed Infrastructure Rapid Response Team project; and

WHEREAS, the total funding request shall not exceed \$200,000.00 per municipality with a required local match of 10% to be divided equally among participating municipalities; now, therefore be it

RESOLVED, the Town of East Greenbush authorizes the submission of an application by the Lead Applicant to the Local Government Efficiency Grant Program for the 2015 funding year through the New York State Consolidated Funding Application program; and be it further

RESOLVED, that the City of Troy Mayor Lou Rosamilia, is the Contact Person and is authorized to execute all financial and/or administrative processes relating to this grant program; And be it further

RESOLVED, that the acceptance of grant funding from the 2015 New York State Department of State Local Government Efficiency Grant Program be further conditioned on the understanding that the required local match of 10% for the project will be provided by each participating municipality and divided equally; and be it further

RESOLVED, that upon acceptance of grant funding from the 2015 New York State Department of State Local Government Efficiency Grant Program, the Town of East Greenbush will oversee the completion of the project.

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

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

109-2015 A Resolution Authorizing the Supervisor to Sign the Professional Services Agreement for The Chazen Companies to Assist in Grant Writing and Project Implementation

WHEREAS, the Town of East Greenbush has requested a proposal from The Chazen Companies to assist with the planning and engineering services in support of NYS 2015 Consolidated Funding Applications (CFA); and

WHEREAS, the Scope of Services is to include, but not limited to:

Task 01- Identification of Potential Consolidated Funding Applications- working with the Town to develop a list potential CFA projects for the Town's approval. As well as crafting an application that targets only relevant programs, and filing within a timely manner.

Task 02 – Identification of Additional Funding Opportunities- reviewing federal, state, regional, county and local agencies for funding opportunities that align with the Town's planning initiatives and/or priorities; and

WHEREAS, the Professional Services fee for identification of priority projects and CFA applications is \$3,500 per application, or two CFA applications for \$6,000; and there would be similar economies of scale with additional applications if requested; and

WHEREAS, the Town Comptroller has confirmed that the financial impact on the Town is stated in the above whereas and will be charged to the budget code of the department applying; now, therefore be it

RESOLVED, that the Town Supervisor is authorized to sign the Chazen Companies' proposal for assistance in Grant Writing and Project Implementation Services upon to the Town Attorney's review and approval of said proposal.

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

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

110-2015 A Resolution Authorizing The Settlement of Tax Certiorari Proceeding Entitled *Greenbush Station, LLC and Gilligan Road, LLC V. Town of East Greenbush* for Year 2014

WHEREAS, Greenbush Station, LLC and Gilligan Road, LLC v. Town of East Greenbush, et al. have commenced tax certiorari proceedings against the Town of East Greenbush for 2014 in Rensselaer County Supreme Court, Index No. 247378 (Tax Map #: 177.8-7-15 and 166.-6-3.111); and

WHEREAS, after considerable discovery, inspection, site evaluation of the premises, current lease, income and expense review, Court conferences and negotiation with the Petitioners' counsel, the Town's certiorari counsel and the assessor's office have recommended a settlement agreement to the values set forth for 2014 as set forth on the attached summary:

Name	Tax ID	Original 2014 AV	Amended 2014 AV	2014 Change
Greenbush Station, LLC 737 Columbia Turnpike	177.8-7-15	\$7,923,700	\$6,500,000	\$1,423,700
Gilligan Road, LLC 95 Gilligan Road	166.6-3-3.111	\$5,546,200	\$5,200,000	\$346,200

WHEREAS, the Petitioners' appraisal for Greenbush Station, LLC is \$5,725,000 and Gilligan Road, LLC is \$5,075,000 and the Town has not yet conducted formal appraisals, the assessor has reviewed this settlement proposal and approves the same eliminating the need for the Town to move forward with the appraisal expense; and

WHEREAS, the settlement will have no immediate impact on the finances of the Town, as the County will pay the Town's portion of any refund and charge the same back in the next year's tax levy; it is now

RESOLVED, that the above captioned tax certiorari proceedings be settled in the amounts set forth above for the year 2014, and that tax certiorari counsel be and hereby is authorized to execute all documents necessary to effectuate said settlement

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

Supervisor Langley	VOTED	YES
Councilperson Malone	VOTED	YES
Councilperson Matters	VOTED	YES
Councilperson DiMartino	VOTED	YES

ADJOURNMENT

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

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

Councilperson DiMartino

VOTED

YES

Respectfully submitted

Linda Kennedy, Town Clerk
Meeting closed 8:30 pm