



**Open Public Privilege:** NOTE 6 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 starts 7:15 pm

- 1) Dave Van Wormer referred to the statement about comp time settlements stating that the reason for the comp time was because in the winter snow plowing takes men away from the water department and this past winter we had 37 water breaks so the men were working normal shifts then plowing then going to a water break to start over again. The reason for this is because the board let three men go against his wishes. Councilperson DiMartino stated that the men have to give one week notice to use comp time, Dave stated that it is treated the same as personnel with no time needed. Councilperson Matters stated not to worry about it because the settlement agreement was null and void. Dave stated that the time is already accrued and now they were told they cannot use it.
- 2) Bonnie Kenna referred to the Luther road sidewalk project stating that George brought up this matter back in December and asked the board if they were moving forward or pay \$30,000 to dump the project. She stated that she doesn't know why we even need a sidewalk there due to the unsafe conditions of the round a bout.
- 3) Donnie Zee for Carver Court gave an explanation of why there hasn't been any activity on the Carver Court project. He stated that back when he was in the middle of the project NYSDEC put a moratorium on sewer use in the town of East Greenbush, and the Casino was also an issue. He stated that the Carver Court project will pay just under \$1.1 million on fees. He stated that he has already gone through Planning, Zoning and Town board meetings at least 35 times and has already spent \$400,000 on this project. Regarding the Casino project the land abuts his property and they were discussion the road issues and the road would be built at the developer's expense. Councilperson Matters asked if Carver Court would be modified due to time lapse.
- 4) Pete Stenson stated he sent the board an e-mail will suggested changes in the agenda for minor errors. Asked on Resolution 121 tax cert on Fed Ex what impact would it have on the Pilot. Councilperson Matters asked George to elaborate, George stated that it would only affect special districts and the rest of the town would have to absorb the difference. Pete also asked to have the final PDD indexed for Fed Ex on line.
- 5) Tom Grant questioned resolution 121 tax cert settlement on Fed Ex what caused the assessment to go down.
- 6) Eileen Grant requested that the board reject the extensions of the PDD -s and make them start over.
- 7) Linda Natale recently purchased home in Hampton Manor and was concerned about the color of the water. She was told that a survey went around and most of the people of Hampton Manor did not want to hook up to town water. She suggested that you send out another survey. She asked about the pick pile at the transfer station why it was removed Anthony Corellis stated the insurance company told them to get rid of it.
- 8) Ed Gilbert stated he would like someone else to be placed on the ethics committee instead of a friend of Councilperson Matters. He stated that he was shocked at the number

of times that Councilperson Matters stated that she doesn't have the time to look into things on the agenda.

- 9) Hal Betters regarding Hampton Manor water and the Witbeck PDD putting 36 homes in that would be using the water. He was told that the PDD was for behind Hanaford not Hampton Manor.
- 10) Lee Cookson wants update on project on Route Four and Glaz St. it appears as a big secret what is going in. Joe Cherubino stated it is not a secret it is a beverage store. Lee also suggested that the new police officers be present at the next meeting to meet the general public. Councilperson Matters stated that two of the three are now in the academy and would not be able to attend. Lee also stated that the mishap at the WWTP was over a month ago and he wants a cost breakdown report.
- 11) Andrea Smyth stated she works for a company that does grants and there is going to be a two hour webinar tomorrow on the process of grant writing.
- 12) Bonnie Lester commented on the fact that the town spent \$50,000 to have divers pull the milfoil out of the lake, and look at it now.

Open portion closed at 8:05 pm

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

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#### **118-2015 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 June 17, 2015; and

**WHEREAS**, the Town Board has reviewed these minutes and any necessary corrections have been made; and

**WHEREAS**, the Town Comptroller has confirmed that the provisions of this proposed Board action will have no impact on the Town's finances; ; now, therefore, be it

**RESOLVED**, that the minutes of the regular Town Board Meeting held on June 17, 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 | ABSENT |
| Councilperson Matters   | VOTED | YES    |

**119-2015 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 Town Board Special Meeting held on June 30, 2015; and

**WHEREAS**, the Town Board has reviewed these minutes and any necessary corrections have been made; and

**WHEREAS**, the Town Comptroller has confirmed that the provisions of this proposed Board action will have no impact on the Town's finances; now, therefore, be it

**RESOLVED**, that the minutes of the Town Board Special Meeting held on June 30, 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 | ABSENT |
| Councilperson Matters   | VOTED | YES    |

**120-2015 Resolution Permitting the Extension of Certain Planned Development Districts (PDD's) Previously Approved by the Town Board**

**WHEREAS**, the Local Law #5 of 2007, adopted November 14, 2007, the Town Board approved the Village at Temple Farm PDD, authorization for which will expire on August 2, 2015; and

**WHEREAS**, by Resolution 54-2001, the Town Board approved the Mill Creek Business Park PDD, authorization for which will expire on August 2, 2015; and

**WHEREAS**, by Local Law #1 of 2011, the Town Board approved the Carver Court PDD, authorization for which will expire on August 2, 2015; and

**WHEREAS**, by Local Law #5 of 2011, adopted December 27, 2011, the Town Board approved the Witbeck PDD, authorization for which will expire on August 2, 2015; and

**WHEREAS**, Section 2.9.15 (D) of the Zoning Code of the Town of East Greenbush, as adopted by Local Law #3 of 2012, authorized the Town Board, by resolution to exempt a specific PDD from termination, or to lengthen the length of time prior to the automatic termination of a specific PDD; and

**WHEREAS**, the Town Comptroller has confirmed that the provisions of this proposed Board action will have no impact on the Town's finances;

**WHEREAS**, the Town Board desires to lengthen the period of time for each of the above PDDs for three (3) months; now, therefore, be it

**RESOLVED**, that the Town Board hereby extends the automatic termination of the PDDs set forth above until November 2, 2015.

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

|                         |       |        |
|-------------------------|-------|--------|
| Councilperson Matters   | VOTED | YES    |
| Councilperson DiMartino | VOTED | YES    |
| Supervisor Langley      | VOTED | NO     |
| Councilperson Malone    | VOTED | ABSENT |

**121-2015     A Resolution Authorizing the Settlement in the Matter of FedEx Ground Package System v. The Assessor and The Board of Assessment Review of the Town of East Greenbush, Et Al., Index Nos. 2012-240676, 2013-243852 and 2014-247274.**

**WHEREAS,** FedEx Ground Package System v. The Assessor and The Board of Assessment Review of the Town of East Greenbush, et al., has brought Article 7 RPLT Tax Certiorari Proceedings in the Rensselaer County Supreme Court, Index Nos 2012-240676, 2013-243852 and 2014-247274, regarding property located at 253 Troy Road, Town of East Greenbush, New York, Tax Map ID 144-4-41.31.

**WHEREAS,** after considerable discovery, inspection, site evaluation of the premises, current lease, income and expense review, Court conferences, and negotiation with the Petitioner’s counsel, the Town’s certiorari counsel and the assessor’s office have recommended a settlement agreement to the values set forth for the 2012, 2013 and 2014 as set forth on the attached summary.

| Assessment Year | Original Assessment | Amended Assessment | Amount of Reduction |
|-----------------|---------------------|--------------------|---------------------|
| 2012            | \$56,000,000        | \$41,000,000       | \$15,000,000        |
| 2013            | \$56,000,000        | \$41,000,000       | \$15,000,000        |
| 2014            | \$56,000,000        | \$41,000,000       | \$15,000,000        |

Petitioner has waived any refunds from the Town of East Greenbush and the County for all of the above years being settled.

**WHEREAS,** the settlement will have no 2015 financial impact on the finances of the Town as a result of the waiver of any refunds from the Town of East Greenbush; it is now

**RESOLVED,** that the above captioned tax certiorari proceedings be settled in the amounts and for the years set forth above, and that the 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 Matters and brought to a vote resulting as follows:

|                         |       |        |
|-------------------------|-------|--------|
| Supervisor Langley      | VOTED | YES    |
| Councilperson DiMartino | VOTED | YES    |
| Councilperson Malone    | VOTED | ABSENT |
| Councilperson Matters   | VOTED | YES    |

**122-2015     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



**124-2015 A Resolution to Approve the Appointment of Community and Recreation Staff for the Summer of 2015**

**WHEREAS**, the Community and Recreation Department has an increased number of campers and staff to camper ratios are high; and

**WHEREAS**, the East Greenbush Summer Camp is regulated by both the State and the County and must meet ratio requirements and staffing needs; and

**WHEREAS**, Nicholas Couse, former camp counselor, has agreed to return to assist on a PT basis; and

**WHEREAS**, Erika Fiacco, camp lifeguard, has agreed to work hours as a counselor on a PT basis; and

**WHEREAS**, both of the above mentioned have been previously trained and certified and are most capable; and

**WHEREAS**, The seasonal staff of the Town of East Greenbush does not have to be pre-approved through the Rensselaer County Department of Civil Service, but does need to be reported for payroll certification and the Director of Finance and Town Services Coordinator will provide the proper paperwork and information to the Civil Service Commission; and

**WHEREAS**, the Town Comptroller has confirmed that this proposed Town Board action has been planned for in the 2015 Budget and shall pose no adverse impact to the Town's finances; now therefore

**BE IT RESOLVED**, that the candidates listed above are appointed to serve as Summer Staff, 2015, for the Department of Community and Recreational Services.

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 | ABSENT |

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**ADJOURNMENT**

Motion to adjourn by Supervisor Langley seconded by Councilperson Matters 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 adjourned 8:30 pm