

Music in the Park started off with a rainy start but is now underway. The last one will be held this Tuesday starring Carmine Dio.

We are still looking for donations for school supplies. A \$20.00 cash donation or school supplies are being accepted until the day of the festival.

Saturday, September 12 and Sunday September 13 is the Annual Gathering of the Tribes Pow Wow held at Brown's Farm on Luther Road. There is a \$5.00 admission fee. Kids 12 and under are free proceeds to benefit military men in action and local charities.

Saturday and Sunday, September 12 & 13 at the East Greenbush Softball field is the Capital Region Miracle League softball tournament and Home run derby.

At last month's Town Board meeting Mr. Van Wormer stated that the Commissioner of Public Works cannot deny comp time. I just wanted to set the record straight. According to the agreement between Town of East Greenbush and the Civil Service Employees Assoc. local 1000, Article 11 second paragraph states that compensatory time shall be subject to the approval of the immediate Supervisor Corellis.

As per vacation leave Article 13 section 3 states vacation leave shall be scheduled in weekly periods. Vacation leave for periods less than one week will be allowed with the permission of the Dept Head. (Commissioner Corellis) when good cause exists. Article 13 section 7 also states during July and August single vacation days off may be granted by the Immediate Supervisor.

Mr Van Wormer if you're running for Supervisor then you better get familiar with the contract.

Supervisor Langley asked Jim Connors to come forward and give an update on the WWTP and speak about the resolutions on the agenda in case any Councilperson still had questions to ask.

- 1) Resolution regarding the corrective action plan. Would like the board to support so the engineers can submit the paperwork to DEC. The consent order need the board support so the town doesn't get fined. Jim stated that EFC did inspection on Friday and were pleased with contracts and sites, out of 14 plants inspected East Greenbush was the only one in compliance.

<p>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</p>

Opened 7:15

- 1) Dave Van Wormer stated that the contract states compensation time is treated like personnel time. And that it cannot be denied and if it is denied they have cause for grievance. I believe that this town has enough reason as we have seen by the resolutions there are 16 guys listed if it was only one that person should be spoken to but 16 means there is something wrong. And at what cost to the town are these grievances for retaining Jay Girvin for each of these charges. Councilperson Matters stated it was not her fault that she was voting against she wasn't informed of all the particulars it was Keith's for not telling her of the meeting. Dave stated he cannot believe there aren't more claim for a hostile work environment. Councilperson DiMartino stated that if he is running for supervisor he should look at the contract.
- 2) Hal Betters Regarding resolution 145 the funding of the Greenbush Cemetery he stated he feels it is opening up a can of worms being there are other cemeteries in this town in the same financial circumstances. Hal also stated that reviewing the comptroller's statement where the monies would have to come from the judgement and claims line item. Councilperson Matters stated this is only for one cemetery and only a one time \$5000. Hal asked Mary Ann if she contacted the State Cemetery Association to get the

facts regarding cemetery's. She said no. Hal stated that the board should not vote on something that they don't fully understand.

B. Hal inquired if anyone on the board contacted an attorney regarding how much it will cost to pursue the money in resolution 146. The OSC report is only referring to \$120,000 and hiring lawyers would cost more. Hal asked what happens if this resolution passes what happens when these people get the letter and don't respond now the town is subject to law suits and legal fees. He doesn't feel that there were any attempt to defraud by these employees, how would they now how the books were kept. He asked why being they were on the board already 20 months are they bringing this issue up now.

- 3) Kathleen Luria, Board of Ethic chairwoman, wanted to inform the board that the ethic code states there be 5 members and at the present time there are only 4 and the board cannot function properly when a vote is needed. When are they going to appoint someone else.
- 4) Doug Tucker commented about the state of the home and motel surrounding his property he stated that he contacted the building department before and still nothing has been done. One issue was a burned out building and it is not properly boarded up and the other is the motel cutting down the buffer trees and taking down the fence dividing their property. Councilperson Matters asked Joe Cherubino if he could help, Joe stated the burned home was boarded, at this Doug showed Joe pictures of the back of the building and it is not boarded up. Joe stated he would take a look at it. And as far as the motel the people from the motel were in inquiring about a building permit to put the fence back up. He asked why can't the town just take down the building Joe explained it is still private property even though it was burned.
- 5) Jim Walsh stated he live new Dr. Tucker and understands what he is talking about there is a new owner now at the motel. Jim feels that Joe needs to go over to Riverview Ave and take a look around at the neighborhood the residents are trying to keep up their properties.
- 6) Roberta Reno President of Greenbush Cemetery Assoc. addressed the issue regarding resolution 145. She stated they have been audited and she knows how their books are and does not know about any other cemetery but feels they may also be in the same situation. She is only asking for her cemetery.
- 7) Pete Stenson inquired about the CFAC committee, he hasn't seen any meeting minutes and according the notes there hasn't been a meetings in a long time. It states the meeting was cancelled due to weather, shortage of members etc.
- 8) Tom Grant inquired into the fact that FED- Ex was awarded a tax cert what is different. The answer is they would have to look into it.
- 9) Eileen Grant again spoke about not having audited books. She also stated about Moody's report and would have preferred to hear this report from Keith. She stated that she thought the town was going to choose a year to start with and proceed with the books so they could be audited. Has the board chosen a year? She said it was a sad state that neither the Supervisor nor the Comptroller would sign off on the audit. Councilperson Matters stated she is planning to have a special meeting and maybe we can get some answers to these questions.
- 10) Jack Conway wanted to thank public works he had a plumbing problem at his house and they were very professional in the manner in which they took to fix the problem.

He added that he was in support of the cemetery resolution. He stated he was also in favor of the resolution regarding having all our local laws and codes on line.

- 11) Ed Gilbert read statements from the Advertiser that she wrote back when she was running for office and articles she is putting in the Advertiser that she is putting in now. One state she is working with officials but in reality she is working against.

- 12) Paul Van Wormer asked why Keith let Ed talk.
- 13) Unnamed resident badgered the Supervisor for letting Ed speak. When she was done speaking Keith stated that Ed is a resident of the town and so is she that is why he let her speak without stopping her.
- 14) Quintin Curtis inquired to Councilpersons Matters and DiMartino regarding resolution 146. He asked them how far back are you planning on going into the stipend back into the 80s . It has been stated that it is not cost effective to pursue the \$124,000. He stated he felt they (employees) took the money in good faith and did not do anything unethical. You are stating that you are just sending out letters what if these people can't afford to pay what then. Councilperson Matters replied that the town is not suing anyone it is only a letter asking for the money back in good faith if they want to rip up the letter it is ok. Quintin stated that then it is just a waste of time for it even being on the agenda.

Quintin also stated there are multiple items on the agenda tonight regarding grievances, the board might want to look into this if it was only one ok but when there are multiple people named on one resolution it should be looked into and addressed.

- 15) Don Johnson spoke about the longevity, sick leave and stipends. He stated that the resolution only suggests a letter be sent if you don't try to recoup it it is just money going out the door.

Open portion closed 8:20 pm

Resolutions and Proposals by Town Board Member

126-2015 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 July 15, 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 July 15, 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	ABSTAIN
Councilperson DiMartino	VOTED	YES

127-2015 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 July 9, 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 July 9, 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

128-2015 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 July 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 July 30, 2015, are hereby approved as submitted.

The foregoing Resolution was duly moved by Supervisor Langley 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

129-2015 A Resolution Scheduling a Special Meeting for the Town Clerk to Present the 2016 Tentative Budget to the Town Board

WHEREAS, the Town Board of the Town of East Greenbush wishes to schedule a Special Meeting to present the 2016 Tentative Budget to the Town Board 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 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 Town Board of the Town of East Greenbush shall conduct a Special Meeting on Thursday, October 1, 2015 at 4:00 p.m., 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 Special Meeting as required by law.

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

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

130-2015 A Resolution to Set the September Pre-Board Meeting for Wednesday, September 9, 2015

WHEREAS, the East Greenbush Town Board sets dates for pre-Board and Board Meetings at its organizational meeting in accordance with Section 62 and 63 of Town Law; and

WHEREAS, the September pre-Board meeting was set for September 10, 2015 at the Organizational Meeting on January 2, 2015; and

WHEREAS, subsequent to the meeting being set the NYS Board of Elections designated September 10 as Primary Election day; and

WHEREAS, pre-Board meetings are held in Town Hall and Town Hall is also a polling place on Primary Election Day; and

WHEREAS, no conflict exists if pre-Board is held on Wednesday, September 9; 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 September pre-Board meeting be hereby scheduled Town Hall at 4:00 PM on Wednesday, September 9, 2015; and

BE IT FURTHER RESOLVED, that the Town Clerk be directed to execute appropriate notifications regarding the change in date

Councilperson Matters made a motion to amend the third recital to read:

WHEREAS, subsequent to the meeting being set Chapter 16 of the Laws of 2015 designated September 10 as Primary Election Day; and

The amendment was duly moved by Councilperson Matters and seconded by Councilperson DiMartino and brought to a vote by:

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

The foregoing Amended 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 Malone	VOTED	YES
Councilperson DiMartino	VOTED	YES

131-2015 A Resolution Approving A Certain Settlement Agreement by and between the Town of East Greenbush and Civil Service Employees Associations, Inc., Local 1000, AFSCME, AFL-CIO and Jeff Nestler, Romaine Corellis, DJ Whitman, Dan Speed, Eric Albert, Vince Memole, Ed Wallace, Brian Ginock, Scott Comstock and Matt DeFrias

WHEREAS, a grievance against the Town under the Town's Collective Bargaining Agreement with CSEA Local 1000 was filed with the Town on October 8, 2014; and

WHEREAS, a certain Settlement Agreement was drafted by the Town's Labor Counsel, and signed by the Supervisor, the union representative, and the employees, on May 11, 2015; and

WHEREAS, pursuant to Paragraph 10 of said agreement, the agreement is subject to the approval by the East Greenbush Town Board; 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 Settlement Agreement referred to above, be, and hereby is, approved by the Town Board.

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	NO
Councilperson Matters	VOTED	NO

132-2015 A Resolution Approving A Certain Settlement Agreement by and between the Town of East Greenbush and Civil Service Employees Associations, Inc., Local 1000, AFSCME, AFL-CIO and John Michael Donahue

WHEREAS, a grievance against the Town under the Town's Collective Bargaining Agreement with CSEA Local 1000 was filed with the Town on October 28, 2014; and

WHEREAS, a certain Settlement Agreement was drafted by the Town's Labor Counsel, and signed by the Supervisor, the union representative, and the employees, on May 11, 2015; and

WHEREAS, pursuant to Paragraph 10 of said agreement, the agreement is subject to the approval by the East Greenbush Town Board; 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 Settlement Agreement referred to above, be, and hereby is, approved by the Town Board.

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
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Councilperson Malone	VOTED	YES
Councilperson DiMartino	VOTED	YES
Councilperson Matters	VOTED	YES

133-2015 A Resolution Approving A Certain Settlement Agreement by and between the Town of East Greenbush and Civil Service Employees Associations, Inc., Local 1000, AFSCME, AFL-CIO and David Williams and George Lovely

WHEREAS, a grievance against the Town under the Town's Collective Bargaining Agreement with CSEA Local 1000 was filed with the Town on April 25, 2014; and

WHEREAS, a certain Settlement Agreement was drafted by the Town's Labor Counsel, and signed by the Supervisor, the union representative, and the employees, on May 11, 2015; and

WHEREAS, pursuant to Paragraph 10 of said agreement, the agreement is subject to the approval by the East Greenbush Town Board; 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 Settlement Agreement referred to above, be, and hereby is, approved by the Town Board.

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	NO
Councilperson Matters	VOTED	NO

134-2015 A Resolution Approving A Certain Settlement Agreement by and between the Town of East Greenbush and Civil Service Employees Associations, Inc., Local 1000, AFSCME, AFL-CIO and Reginald Bonner

WHEREAS, a number of grievances against the Town under the Town's Collective Bargaining Agreement with CSEA Local 1000 were filed with the Town throughout 2014; and

WHEREAS, a certain Settlement Agreement was drafted by the Town's Labor Counsel, and signed by the Supervisor, the union representative, and the employee, on April 25, 2015; 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 Settlement Agreement referred to above, be, and hereby is, approved by the Town Board.

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

135-2015 A Resolution to Authorize Certain Guardrail Repairs

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 has reviewed the needs of the Town and determined the following guardrails were in need of replacement or repair:

- Phillips Road (lower)
- Lakeshore Drive
- New Road
- Southern Avenue
- Old Troy Road Bridge
- Town Hall (rear)

WHEREAS, the Commissioner of Public Works states that the work was completed, at State rate, at a cost of \$24,807.50.

WHEREAS, The Comptroller has confirmed that none of the provisions of the foregoing resolution shall pose an adverse impact to the Town's finances since there is adequate provision in the 2015 Budget for the purchase in the Highway Budget code 5112.4; now, therefore, be it

RESOLVED, that the Commissioner of Public Works is hereby authorized to sign necessary vouchers for replacement and repairs to various guardrails.

The foregoing Resolution was duly moved by Councilperson DiMartino, 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

136-2015 A Resolution to Authorize Painting Traffic Lines of Certain Town Roads

WHEREAS, the Commissioner of Public Works has reviewed the needs of the Town and determined the following Town roads are in need of Traffic Lines:

Gilligan Road
New Road
Morgan Road
Mannix Road
Michael Road
Discovery Drive

WHEREAS, the Commissioner of Public Works estimates the work to cost \$2,184 (approximately 6 miles @ \$364), at County Contracted Price; and

WHEREAS, The Comptroller has confirmed that none of the provisions of the foregoing resolution shall pose an adverse impact to the Town's finances since there is adequate provision in the 2015 Budget for the purchase in the Highway Budget code General Repairs CE 5110.4; now, therefore, be it

RESOLVED, that the Commissioner of Public Works is hereby authorized to approve necessary the work for the painting of the traffic lines on the designated roads.

The foregoing Resolution was duly moved by Councilperson DiMartino, 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

137-2015 Rescindment of Resolution No. 26-2015

WHEREAS, at its meeting held on February 18, 2015, the Town Board duly adopted resolution no. 26-2015 (hereinafter, "Resolution") which authorized the Commissioner to purchase vehicles and equipment on auction to update part of the DPW fleet without buying new, in the amount of \$20,000.00, prior approval of the Town Board; and

WHEREAS, the Commissioner did not receive the proper form of payment to make such purchases; 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

138-2015 A Resolution to Authorize Purchase of Snowplow Blades

WHEREAS, the Commissioner of Public Works has determined that the Town is in need to replace two snowplow blades; and

WHEREAS, the Commissioner of Public Works states that the estimates for the snowplow blades, will not exceed \$8,000.00 each. The Commissioner has rescinded the Resolution 26-2015, which authorized a \$20,000.00 amount to bid on auction. Allowing additional monies available for such purchase; and

WHEREAS, The Comptroller has confirmed that none of the provisions of the foregoing resolution shall pose an adverse impact to the Town's finances since there is adequate provision in the 2015 Budget for the purchase under Highway Budget Code 5130.4; now, therefore, be it

RESOLVED, that the Commissioner of Public Works is hereby authorized to approve purchase for two snowplow blades.

The foregoing Resolution was duly moved by Councilperson DiMartino, 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

139-2015 A Resolution to Authorize the Repair of Plow Trucks

WHEREAS, the Commissioner of Public Works has determined that the Town is in need of repairing three plow trucks; and

WHEREAS, the Commissioner of Public Works states that the estimates for the trucks to cost

Truck 16 ó \$6,850.00 ó Body Repair & Paint
 Truck 11 -\$6,850.00 ó Body Repair & Paint
 Pump Rebuild - \$1,895.00
 Approximate total = \$15,595.00

WHEREAS, The Comptroller has confirmed that none of the provisions of the foregoing resolution shall pose an adverse impact to the Town's finances since there is adequate provision in the 2015 Budget for the purchase under Highway Budget Code 5130.4; now, therefore, be it

RESOLVED, that the Commissioner of Public Works is hereby authorized to approve the repair of Truck 16, Truck 11 and to rebuild the motor.

The foregoing Resolution was duly moved by Councilperson DiMartino, 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

140-2015 A Resolution Appointing a Secretary to the Town Justice, Approving Training of New Secretary and Adjusting the Salary of an Existing Court Clerk

WHEREAS, Secretary to the Town Justice, Abigail Bennett resigned COB July 2, 2015, and the Town Board temporarily appointed Deborah Coppola to fill in from July 6, 2015 through August 24, 2015; and

WHEREAS, Town Justice Mary Pat Donnelly, has recommended to the Town Board that Stephanie E. Phillips be appointed to the position of Secretary to the Town Justice effective August 24, 2015; and

WHEREAS, Town Justice Donnelly has also recommended that Deborah Coppola, an experienced Court Clerk, remain on through October 31, 2015 to provide training to Stephanie Phillips in all applications and processes of the Justice Court as well as to assist in office during OSC Audit as has previous experience with two East Greenbush Justice Court audits; and

WHEREAS, Deborah Coppola will be paid at a rate of \$20 per hour and Stephanie Phillips will be paid a salary of \$30,000 and \$75 per the first three hours of a court session and \$12.50 for each additional half hour; and

WHEREAS, the appointments of Deborah Coppola and Stephanie Phillips, at the rates set above are approved; and

WHEREAS, the Director of Finance has been consulted with the Rensselaer County Civil Service Commission and will submit appropriate paperwork following Town Board approval; and

WHEREAS, the Town Comptroller has confirmed that the financial impact of this resolution is approximately \$6,500 from the General Fund for payroll costs

Fund	Transfer in	Transfer out
1110.1 ó Justice P/S	\$6,000	--

9030.8 ó Gen Fund SS Tax	\$ 500	--
A917 ó General Fund Balance	--	\$6,500

RESOLVED, that Stephanie Phillips is hereby approved as the Secretary to the Town Justice; and, be it further

RESOLVED, that Deborah Coppola is hereby approved as a trainer for the Secretary of the Town Justice through October 31, 2015; and be it further

RESOLVED, that the existing Court Clerk, Eileen Donahue's salary is amended to reflect the below figures.

Position – Employee	Original Salary	Amended Salary
Secretary to Town Justice ó Eileen Donahue	\$33,000.00	\$36,000.00 \$33,000.00
Secretary to Town Justice ó vacant	\$33,000.00	\$30,000.00
Court Clerk ó Kim Edberg	\$33,000.00	\$33,000.00
Budgeted as set in Salary Schedule	\$99,000.00	\$99,000.00

Councilperson Matters made a motion to amend to remove the \$3,000 raise from the Secretary to Town Justice – Eileen Donahue. The motion was seconded by Councilperson Malone and brought to a vote resulting as follows:

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

The Foregoing Amended 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	NO
Councilperson DiMartino	VOTED	YES
Councilperson Matters	VOTED	YES

141-2015 Appointment of Part-time Police Dispatcher

WHEREAS, this Town Board seeks to maintain an adequate reserve of part-time police dispatchers to support operations in the Town's Emergency Communications Center and

WHEREAS, the Chief of Police reports a shortage of part-time personnel to the Town Board and recommends Ms. Amanda McDonagh to be a suitable applicant for this position, and

WHEREAS, this appointment meets the presumptive, non-competitive qualifications for this title as established by the Rensselaer County Civil Service Commission; and

WHEREAS, the Town Comptroller has confirmed that the provisions of this resolution were planned for in the 2015 Town Budget and will have no adverse impacts on the Town Finances; now therefore be it

RESOLVED, that Ms. Amanda McDonagh be, and hereby is, appointed to the position of part-time police dispatcher, consistent with all 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, and be it further

RESOLVED, that said part-time position be compensated at the rate set forth in the appropriate labor agreement.

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

142-2015 A Resolution to Authorize a Public Auction of Surplus Property

WHEREAS, the Town Board has received a request from the Chief of Police to declare the following Town property as surplus:

- Item 1: 1999 Chevrolet Tahoe VIN 3GNEK18R3XG146799**
- Item 2: 2008 Ford Crown Victoria VIN 2FAHP71168X112256**
- Item 3: 2009 Ford Crown Victoria VIN 2FAHP71V39X134054**

WHEREAS, said property is now owned by and in the custody of the East Greenbush Police Department and is not suited for use by other Town departments; and

WHEREAS, the Town Comptroller has confirmed that this resolution will have no adverse impact to Town finances; now therefore, be it

RESOLVED that said equipment is hereby declared surplus; and be it further

RESOLVED that the Purchasing Agent is authorized to conduct a public auction, sale or otherwise to dispose of said surplus property as provided for by law.

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

143-2015 A Resolution Schedule a Public Hearing to Consider Changes to Local Law Chapter 46, Vehicle and Traffic

WHEREAS, the Town has received a request for a 15 MPH Speed Limit sign to be posted on Dailey Place between Hampton Avenue and Lakeshore Drive; and

WHEREAS, a Public Hearing is required for further consideration of this proposed change; 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 Town Board of the Town of East Greenbush, County of Rensselaer, State of New York, will hold a Public Hearing at the Town Hall, 225 Columbia Turnpike, Rensselaer, New York on the 16th day of September at 6:45 PM to consider a Local Law amending the Code of the Town of East Greenbush, Chapter 46, Vehicle and Traffic.

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

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

144-2015 A Resolution Authorizing the Settlement in the Matter of HAMILTON INDUSTRIAL CORP. N/K/A CMJ EAST GREENBUSH REALTY PARTNERS LLC v. The Assessor and the Board of Assessment Review of the Town of East Greenbush, et al., 2014 Index No. 247424 and 2015 Index No. 250709.

WHEREAS, Hamilton Industrial Corp n/k/a CMJ East Greenbush Realty Partners LLC v. The Assessor and the Board of Assessment Review of the Town Assessor of East Greenbush, et al., has brought Article 7 RPTL Tax Certiorari Proceedings in the Rensselaer County Supreme Court for the years 2014 and 2015, Index Nos. 247424 and 250709, regarding property located at 579 Columbia Turnpike, Town of East Greenbush, New York, Tax Map ID 166.-7-4.

WHEREAS, after considerable discovery, inspection, site evaluation of the premises, income and expense review, the recent sale of the subject premises, 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 2014 and 2015 as set forth on the attached summary.

Assessment Year	Original Assessment	Amended Assessment	Amount of Reduction
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2014	\$1,257,800	\$725,000	\$532,800
2015	\$1,257,800	\$725,000	\$532,800

WHEREAS, the Town Comptroller has confirmed the settlement will have no 2015 Town Budget 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 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 Councilperson Malone, seconded by Supervisor Langley and brought to a vote as follows:

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

145-2015: Disbursement of Shortfall Funding and/or Rendering of Services to Greenbush Cemetery Association, Inc.

WHEREAS, the Greenbush Cemetery Association, Inc. (referred to hereinafter as "GCA"), a public cemetery corporation duly created and existing pursuant to article fifteen the New York Not-for-Profit Corporation Law, currently has proprietary, operational, and maintenance-related charge over real property known as Greenbush Cemetery, located at 264 Columbia Turnpike in the Town of East Greenbush; and;

WHEREAS, not unlike other public cemetery corporations, GCA derives its operating income from the sale of gravesites, collection of interment fees, and receipt of investment interest/dividends; and

WHEREAS, notwithstanding the Board of Trustees of GCA having faithfully and responsibly discharged their fiduciary duties, financial and otherwise, in accordance with GCA's bylaws, rules, and regulations, GCA's income has, of late, been insufficient to cover its recurring, maintenance-related expenses, due largely to the relatively low investment yields precipitated by a sluggish economy over approximately the last ten years; and

WHEREAS, pursuant to New York General Municipal Law section 165-a, which provides for a municipal corporation to disburse funding and/or to provide goods and/or services to a public cemetery corporation, GCA has requested that the Town of East Greenbush (referred to hereinafter as "Town") supplement the shortfall of its 2015 budget with a disbursement thereto in the amount of \$5,000.00, provide thereto services that would effectively reduce its operating expenses by such amount, or a combination thereof that would result in such amount; and

WHEREAS, pursuant to New York Town Law section 291, subd. 1, the responsibility and expenses for the maintenance of the Greenbush Cemetery would pass to the Town if GCA were to be unable to continue to the maintenance thereof; and

WHEREAS, the Town Comptroller has confirmed that the financial impact of this resolution is approximately \$5,000 from the General Fund for this expense

Fund	Transfer in	Transfer out
A917 ó General Fund Balance	--	\$5,000
1930.4 ó Judgement & Claims	\$5,000	

RESOLVED, that the Supervisor be authorized to, and the same hereby shall, disburse funding to GCA, provide services thereto, or in combination thereof, in an amount, and/or with cash-equivalency value, not to exceed \$5,000.00.

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	NO
Councilperson Malone	VOTED	NO

146-2015 Requesting the Return of Illegitimately Disbursed Payments

WHEREAS, in Item No. 1 in Appendix A of the Examination Report of the State Comptroller's Audit of the Town of East Greenbush dated November of 2012 and referenced as 2012M-116 (referred to hereinafter as "Appendix A"), a copy of which is attached hereto and

made a part hereof, a series of various payments, including stipends, longevity payments, and sick-leave incentive payments (collectively referred to hereinafter as "Payments"), were deemed to have been unilaterally disbursed to current and former Town employees without having been duly authorized by the Town Board and/or were deemed to have been illegitimately disbursed; and

WHEREAS, the State Comptroller stated in Appendix A that the Town Board should recoup the Payments; and

WHEREAS, the tenuous and fragile condition of the Town's Finances, which is expected to remain as such for the foreseeable future, is underscored by the need to recoup the Payments; and

WHEREAS, the Town Board finds that it is just, equitable, and in the best interests of Town taxpayers to request from the recipients of the Payments that they return the Payments to the Town; and

WHEREAS, the Town Comptroller has heretofore confirmed that the provisions of this resolution should be reviewed with the Attorney to determined cost benefit for the Town before proceeding; now, therefore, be it

RESOLVED, that the Supervisor shall, no later than close-of-business August 31, 2015, dispatch a letter, via certified mail, to each of the recipients of the Payments, requesting that each such recipient return the total sum of its respective Payments to the Town in equal monthly installments over a period not to exceed five years; and be it further

RESOLVED, that the Supervisor shall, upon receipt of the total sum of Payments from each respective recipient, forthwith file amended salary and service reports with the state comptroller in order to correct records of the New York State and Local Retirement System.

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	NO
Councilperson Malone	VOTED	NO

147-2015 Updating and Reconsolidation of the Town Code and Providing for its Posting on the Town Website

WHEREAS, the publication entitled The Code of the Town of East Greenbush (referred to hereinafter as "Town Code"), a copy of which is currently located in the office of the Town Clerk and available for public viewing, has not been updated since March of 2009; and

WHEREAS, a reconsolidation and indexing with the Town Code's current content, together with all unpublished, currently enacted local law (including the Town's Comprehensive Zoning Law), and a republishing thereof (which was last completed in 1991) is needed to properly effectuate an update of the Town Code (referred to hereinafter as "Update"); and

WHEREAS, a number of Town Employees, during the course of carrying out their respective duties and tasks, are required to routinely refer to, and rely upon, a complete version of the Town Code; and

WHEREAS, as a prelude to completing the Update, a price quote therefor was obtained from General Code Publishers Corp., the publishing company of the Town Code, in the amount of \$13,780.00 which includes the availability of the Town Code via a web-based application (i.e., "eCode360"), five custom-printed Town Code books, and a one-year maintenance/update subscription; and

WHEREAS, following the completion of the Update, it is deemed to be in the best interest of the Town's employees and residents, and in keeping with the practice of open and transparent government, to ensure that the entire Town Code be made available on the town's website for ease of access via eCode360, at an annual subscription fee of \$1,195.00 (i.e., after the first year); and

WHEREAS, the Town Comptroller has confirmed that the financial impact of this resolution is approximately \$13,780.00 from the General Fund for this expense

Fund	Transfer in	Transfer out
A917 ó General Fund Balance	--	\$13,780.00
1410.4 ó Town Clerk C/E	\$13,780.00	

RESOLVED, that authorization to proceed Update be, and the same hereby is, approved

RESOLVED, that the sum of \$13,780.00 be, and the same hereby is, authorized for disbursement from the contingency fund for the purpose of undertaking the Update; and be it

further

RESOLVED, that the Supervisor, or his designee, shall engage General Code Publishers Corp., take steps necessary to complete the Update, and subsequently make the Town Code available on the town's website.

RESOLVED, that the Town shall, following the Update, endeavor to maintain its subscription to eCode360 in perpetuity or for as long as it is advantageous to do so.

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

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

148-2015 Resolution for Timely Submission and Posting of Special Town Board Meeting Resolutions

WHEREAS, Resolution 13-2015 Resolution for Timely Submission of Resolutions was unanimously adopted by the Town Board of the Town of East Greenbush (Town Board) on January 21, 2015; and

WHEREAS, Resolution 13-2015 requires that any items on Board meeting agendas that were not presented at pre-board, be required a majority vote to be considered for a vote; and

WHEREAS, Special Meetings of the Town Board do not generally have the benefit of either a pre-board meeting or a pre-board meeting agenda; and

WHEREAS, it is the intention of this Town Board to rectify this oversight; and

WHEREAS, the Town Comptroller has reviewed this resolution and determined it to have no adverse impact on Town finances, now therefore be it

RESOLVED, any items not appearing on the published Special Town Board Meeting Agenda as posted on the Town's web-site shall require a majority vote of the Town Board to be considered for a vote; and be it further

RESOLVED, that the Special Town Board Meeting Agenda shall be posted on the Town web-site concurrent with the posting of the Notice of the Special Town Board Meeting on the Town web-site.

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

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

149-2015 A Resolution Authorizing the Contract Amendment to Waste Water Treatment Plant Project Contract #1 – General Construction – Change Order #3

WHEREAS, subsequent contract award, the NYSDOT required the geometry for both driveways to be upgraded in addition to the replacement of the sidewalk along the WWTP property. This work was not included in the Contract Documents, and

WHEREAS, Change Order #3 for UW Marx Construction is \$149,488.84 and

WHEREAS, the Change Order #3, requires NYS Environmental Facilities Corporation (EFC) approval prior to payment, and will pull from the contingency fund within the project budget; and

WHEREAS, the Town Comptroller hereby confirms that this will not impact the 2015 Town Budget, now, therefore, be it

RESOLVED, that the Town Supervisor is hereby authorized to sign the change order authorizing the contract amendment approving the work highway work for the Waste Water Treatment Plant project.

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 Malone	VOTED	YES

Councilperson DiMartino

VOTED

YES

150-2015 Resolution Authorizing the Replacement of Lighting Fixtures in the Town’s Salt Shed

WHEREAS, the replacement of light fixtures in the Town’s salt shed, to provide more energy-efficient lighting and visibility in the amount of \$5,139.00; and

WHEREAS, The Comptroller has confirmed that none of the provisions of the foregoing resolution shall pose an adverse impact to the Town’s finances since there is adequate provision in the 2015 Budget under Highway Fund 5132.4 for the purchase; now, therefore, be it

RESOLVED, that the Commissioner is authorized to execute and approve the proposal of Hope Energy for lighting fixture replacements in the Town’s salt shed.

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

151-2015 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, an additional resolution has been 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 resolution:

152-2015 A Resolution Endorsing Plan of Action to Address Concerns of NYS DEC Relating to Violations of the Town’s SPDES Permit

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

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

RESOLVED, that, if this resolution (151-2015) receives a majority vote, then the Town Board will vote on Resolution 152-2015

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

152-2015 A Resolution Endorsing Plan of Action to Address Concerns of NYS DEC Relating to Violations of the Town’s SPDES Permit

WHEREAS, the Town has been advised that certain violations of the Town’s SPDES permit have occurred; and

WHEREAS, the Town is eager to address these concerns, and to bring the Town into compliance with the permit as promptly as possible; and

WHEREAS, the firm providing services to the Town on these matters has drafted a proposed plan of action to address the concerns, and to insure future compliance; now, therefore, be it

RESOLVED, that the Town endorses the proposed response, as set forth in a draft letter from Delaware Engineering (Dan Rourke, P.E.) to the Department of Environment Conservation; it is further

RESOLVED, that the Town Comptroller hereby confirms that this will not impact the 2015 Town Budget and that this action requires NYS Environmental Facilities Corporation (EFC) approval prior to payment, and will pull from the contingency fund within the project budget; it is further

RESOLVED, that Delaware Engineering is authorized and directed to provide that letter/plan to the NYS Department of Environmental Conservation

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

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 Malone	VOTED	YES
Councilperson DiMartino	VOTED	YES

Respectfully submitted,

Linda Kennedy
Town Clerk
Meeting closed 9:00 pm