



# The Town of East Greenbush

225 Columbia Turnpike, Rensselaer, NY 12144

## SPECIAL TOWN BOARD MEETING

Tuesday, September 7, 2010

Call to Order 7:15 AM

Pledge to the Flag

Town Board Meeting: Members of Town Board

Present Absent

Supervisor McCabe

Councilperson Matters

Councilperson O'Brien

### Resolutions and Proposals by Town Board Members:

#### 142-2010 Call for Public Hearing to Further Revoke Local Law #4 of 2010

**WHEREAS**, the Town Board at its August 11, 2010 meeting adopted Local Law #2 to provide the retirement incentive benefits of Chapter 105 of the Laws of 2010 of the State of New York;

**WHEREAS**, the Town Board voted to enact Local Law #4 on August 25, 2010 but said proposed local law has not taken effect because it has not been filed with the New York Secretary of State as required for a law to be effective;

**WHEREAS**, the Town Board desires to memorialize the null and void status of said proposed local law because it has since been informed by the New York State Comptroller that the incentive enrollment period can only follow the enactment of the law;

**WHEREAS**, the Town Board wishes to further make clear the continuing viability of Local Law #2 of the year 2010;

**WHEREAS**, the Town Comptroller has certified holding a Public Hearing shall pose no adverse impacts to the Town's finances;

**NOW THEREFORE BE IT RESOLVED**, that the Town Board of the Town of East Greenbush hereby resolves to hold a Public Hearing to be held at the Town Hall, 225 Columbia Turnpike, on the 15<sup>th</sup> day of September, 2010 at 6:30 PM at which time the Town Board will consider the adoption of the proposed local law revoking Local Law #4 of the year 2010;

**BE IT FURTHER RESOLVED**, that the Town Clerk is hereby directed to provide notice of such hearing by publishing said notice in **The Record**. This Order as certified by the Town Clerk of East Greenbush, and by posting a certified copy of this resolution and accompanying proposed local law on the legal signboard at the Town of East Greenbush, as located in Town Hall, for the proposed Local Law revoking Local Law #4 of 2010; and

**BE IT FURTHER RESOLVED**, that the Town Board of the Town of East Greenbush will hold a special Town Board Meeting immediately following the Public Hearing to vote on the adoption of Local Law #5 of 2010 to further revoke Local Law #4 of 2010 and declare said local law number 4 null and void; and

**BE IT FURTHER RESOLVED**, that in furtherance thereof the Town Clerk and all Town officers and agents are directed not to file Local Law #4.

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

Supervisor McCabe	VOTED	<b>YES</b>
Councilperson Matters	VOTED	<b>YES</b>
Councilperson O'Brien	VOTED	<b>YES</b>

**TOWN OF EAST GREENBUSH**  
**Local Law #5 of 2010**

**Further Revocation of Local Law Styled as Local Law #4 of 2010**

**A LOCAL LAW** Further Revoking the Local Law Styled/Passed as Local Law #4 of 2010

**BE IT ENACTED** by the Town Board of the Town of East Greenbush as follows:

Section 1. The local law styled as Local Law #4 of 2010 is hereby declared null and void and vacated in its entirety.

Section 2. Local Law #2 of 2010 remains in full force and effect.

Section 3. This act shall take effect immediately upon passage.

**ADJOURNMENT**

Motion by Supervisor McCabe to adjourn.

Seconded by Councilperson O'Brien and brought to a vote as follows:

Supervisor McCabe	VOTED	<b>YES</b>
Councilperson O'Brien	VOTED	<b>YES</b>
Councilperson Matters	VOTED	<b>YES</b>

Meeting Adjourned 7:19 AM