



The Town of East Greenbush

225 Columbia Turnpike, Rensselaer, New York 12144

TOWN BOARD MINUTES August 16, 2017

Call to Order 7:00 PM
Pledge of Allegiance
Town Board Meeting:

Members of Town Board

Present	Absent	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Supervisor Conway
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Councilor DiMartino
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Councilor Matters
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Councilor Grant
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Councilor Tierney

Communications/Announcements/Reports

The Town Clerk, Kimberly Carlock stated that the following Departments handed in their monthly reports and that they are on file in the Town Clerk’s Office: The Receiver of taxes, Building Department, Police Department, DPW, and Community and Recreation.

Councilor DiMartino announced that the Town Festival will be on 8/26/2017 from 3:00 pm until 8:00 PM. She encouraged residents to attend and that there is a Fire-Work show scheduled at the end. She also went on to say that Music in the park was a success again this year.

Councilor Matters spoke in regards to the Albany Hudson Electric Trail Proposal. She explained that while researching the pros and cons of these trails, that she found all kinds of good news on the value of these trails to a community. She found it very difficult to find the detriments of the trails to communities. She needs to get more information on the financial data in regards to the cost to DPW, Police and Fire Departments.

Councilor Matters explained that she is sensitive to the residents’ concerns and understands what they are feeling.

Councilor Grant encouraged residents to keep participating in the meetings for the Albany Hudson Electric Trail. He stated that getting the residents input is an integral part of this process and that the Town needs the residents' opinions and concerns. He explained that the Board will continue to do their due diligence, and thanked the residents for their contribution to the process.

Councilor Tierney announced that there would be a meeting at the Community Library on 8/22/2017 at 6:30 pm in meeting room to discuss the Albany Hudson Electric trail. She also stated that Andy Beers, Director of the Empire State Trail would be at the September Pre Board to answer residents, questions and to discuss their concerns.

Supervisor Conway stated that the Town just finished this year's Summer Camp. We had approximately 200 campers for 6 weeks and it was extremely successful. He stated that Jessica Lansing and Amy Walsh deserve all of the credit for this successful endeavor.

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. All speakers must conduct themselves in a civil manner. Personal attacks will not be tolerated.

C. Rounds spoke regarding the previous meeting for the AHET. He was concerned that Andy Beers did know a lot of the answers to residents' questions and that the engineers for the trail should be invited too. He thanked the Board for their due diligence and went on to express his concerns regarding the trail and the amount of information that the residents have been given.

Councilor Tierney addressed these concerns and offered to be point person to collect questions and concerns from the residents to give to Andy Beers.

M Romani spoke regarding the pros and cons of the trail between Greenwood and Point view Dr. HE explained that each route along this span puts the trail in someone's back or front yard. He explained that he likes the idea of a bike and walking trail and would likely use them with his family. Mr. Romani went on to discuss the different options for the trail with the Board.

G. Rounds spoke on behalf of her Grand Daughter. She read a letter that her 14 year old Grand Daughter sent to the Governor of New York expressing her concerns about the trail.

Phil Vecchio Jr. explained that he thought the trail was a great idea. He explained that he thought it could unify or tear the community apart. He went on to explain that there will be many challenges to make the trail safe and enjoyable for the community. He would like to set up a 501c to take the cost off of the tax payers.

D. Tator explained that one of her concerns is that part of the trail will go right in front of Genet and Holy Spirit Schools. She feels that that is dangerous to have people sitting and watching our children. She went on to explain her traffic concerns also.

F. Hunt stated that he has worked on 3 trails in the past and agrees with having the trail in our community.

R. Bayly introduced himself as County legislator and explained that he is running for re-election. He has been to all of our Board meetings since he has been elected and thinks that this Board is doing a great job.

S Kalafut introduced herself and stated that she was running as a candidate for the Rensselaer County Legislator.

C. Shafer introduced herself and stated that she was running as a candidate for the Rensselaer County Legislator.

L. Cookson discussed the AHET and agreed with Councilor Matters that we should have a good balance of pros and con research. He stated that he did research on a trail in Florida and that the Board should look into that trail.

T. Dalleva introduced himself and stated that he was running as a candidate for the Rensselaer County Legislator.

Z. Kilmer introduced himself and stated that he was running as a candidate for Town Council.

A Resident asked the Board for the status of the Waste Water Treatment Plant.

P. Stenson discussed questions regarding resolutions and stated that he lived on Highland and has seen studies for the trail in the past and nothing ever came of it.

P. Polsinello stated that she was concerned about the trail. She felt that the residents received a sales pitch from Andy Beers at the previous meeting. She went on to discuss her concerns with the safety of the trail and the cost to Town Residents.

Resolutions and Proposals by Town Board Members:

154-2017 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 21, 2017 have been presented; and

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

now, therefore, be it

RESOLVED, that the minutes of the regular Town Board Meeting held on June 21, 2017, are hereby approved as submitted.

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

Councilor DiMartino	VOTED: YES
Councilor Matters	VOTED: YES
Supervisor Conway	VOTED: YES
Councilor Grant	VOTED: YES
Councilor Tierney	VOTED: YES

155-2017 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 19, 2017 have been presented; and

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

now, therefore, be it

RESOLVED, that the minutes of the regular Town Board Meeting held on July 19, 2017, are hereby approved as submitted.

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

Councilor DiMartino	VOTED: YES
Councilor Matters	VOTED: YES
Supervisor Conway	VOTED: YES
Councilor Grant	VOTED: YES
Councilor Tierney	VOTED: YES

156-2017 A Resolution Scheduling a Special Meeting for the Town Clerk to Present the 2018 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 2018 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 Tuesday, October 2, 2017 at 5:00 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 Supervisor Conway and seconded by Councilor Matters and brought to a vote resulting as follows:

Supervisor Conway	VOTED: YES
Councilor Matters	VOTED: YES
Councilor DiMartino	VOTED: YES
Councilor Grant	VOTED: YES
Councilor Tierney	VOTED: YES

157-2017 Authorization to Send Certified Adjusted Base Percentages to the East Greenbush Central School District

WHEREAS, the Town Board of the Town of East Greenbush, County of Rensselaer, State of New York is required to provide the East Greenbush Central School District with the certified Adjusted Base Proportions for the Homestead and Non Homestead parcels appearing on the Final Assessment Roll prepared in 2017 and;

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

RESOLVED, that the attached Adjusted Base Proportions for the Homestead and Non Homestead classes have been approved by the State of New York pursuant to Section 1905 of the Real Property Tax Law, and the Town Board directs the Town Clerk to transmit a certified copy of this Resolution to the East Greenbush Central School District and to NYS Department of Taxation and Finance, WA Harriman Campus, Building 8A, Albany, NY 12227.

Certified Adjusted Base Proportions

	Homestead Class	Non Homestead Class
East Greenbush		
Central School District	65.89382	34.10618
Town of East Greenbush	65.54032	34.45968

The foregoing resolution was duly moved by Councilor Matters and seconded by Supervisor Conway and brought to a vote resulting as follows:

Councilor Matters	VOTED: YES
Supervisor Conway	VOTED: YES
Councilor DiMartino	VOTED: YES
Councilor Grant	VOTED: YES
Councilor Tierney	VOTED: YES

158-2017 A Resolution to Authorize a Contract, Awarded as the Result of a Request for Proposals, to Complete the Real Property Reassessment Project

WHEREAS, at the request of the Assessor and in accordance with Town Policy and General Municipal Law, a Request for Proposals (RFP) was issued for expert consultant services regarding the Town's proposed town wide reassessment for the 2018 assessment roll; and

WHEREAS, proposals had to be submitted by 3:00 pm on July 28th to the Town Clerk; to proposals were received and the one was selected that provided best value for the Town; and

WHEREAS, the Director of Finance, Assessor and Town Attorney reviewed the proposals and recommend awarding the project to Industrial & Utility Valuation Consultants, Inc. The award, not to exceed fifty (50) thousand dollars is payable in ten (10) monthly payments; and

WHEREAS the Town Comptroller confirms a negative material impact on the Town's finances;

now, therefore, be it

RESOLVED, that the Supervisor is authorized to sign the contract following the review and approval of the Town Attorney.

The foregoing resolution was duly moved by Councilor Matters and seconded by Councilor Tierney and brought to a vote resulting as follows:

Councilor Matters	VOTED: YES
Councilor Tierney	VOTED: YES
Supervisor Conway	VOTED: YES
Councilor DiMartino	VOTED: YES
Councilor Grant	VOTED: YES

159-2017 A Resolution to Authorize a Public Auction of Surplus Equipment

WHEREAS, the Town Board has received a request from the Chief of Police to declare the following Town property to be surplus equipment;

One 2007 Ford Crown Victoria VIN# 2FAHP71W97X117653; and

WHEREAS, said equipment is not suited for any other Town department; and

WHEREAS, the Town Comptroller confirms that this action will have no material impact to the Town's finances;

now, therefore, be it

RESOLVED, that said property be and hereby is declared to be surplus;

and be it further

RESOLVED that the Town Purchasing Agent be authorized to conduct a public auction or sale or otherwise to lawfully dispose of said surplus equipment now owned by and in the custody of the East Greenbush Police Department.

The foregoing resolution was duly moved by Councilor DiMartino seconded by Councilor Grant and brought to a vote resulting as follows:

Councilor DiMartino	VOTED: YES
Councilor Grant	VOTED: YES
Supervisor Conway	VOTED: YES
Councilor Matters	VOTED: YES
Councilor Tierney	VOTED: YES

160-2017 A Resolution Accepting the Resignation of Vincent M. DeFazio

WHEREAS, probationary police officer Vincent M. DeFazio has now accepted employment with the New York State Police and submitted his resignation to the Town; and

WHEREAS, this Board extends its good wishes to Vincent M. DeFazio, for the successful pursuit of his new assignment; and

WHEREAS, the Town Comptroller confirms that the provisions of this resolution will have no material impact on the Town's finances;

now therefore be it

RESOLVED, that the resignation of Vincent M. DeFazio is hereby accepted, effective July 14, 2017.

The foregoing resolution was duly moved by Councilor Grant and seconded by Councilor Matters and voted as follows:

Councilor Grant	VOTED: YES
Councilor Matters	VOTED: YES
Supervisor Conway	VOTED: YES
Councilor DiMartino	VOTED: YES
Councilor Tierney	VOTED: YES

161-2017 A Resolution Amending the Creighton Manning Contract for Engineering Services on the Luther Road (NY Route 151) Pedestrian and Bicycle Access Improvements PIN # 1757.71D # 032145

WHEREAS, Creighton Manning was contracted to supervise the Luther Road (NY Route 151) Pedestrian and Bicycle Access Improvement Project; and

WHEREAS, due to the poor condition of the pavement on Michael Road, a Town Highway, between the intersection of Luther Road (NY Route 151) and Community Way, Creighton Manning has recommended implementation of a Field Change Order to mill and overlay the affected area with new pavement to better match the new curbing and sidewalk; and

WHEREAS, Change Order #1 requires the contractor to mill 1,318 square yards of pavement, install 146 gallons of tack coat, and 119 tons of 9.5 F3 blacktop for a cost not to exceed \$32,853.00 to be paid from the field change/contingency line in the project budget; and

WHEREAS, the Town Comptroller confirms that the provisions of this resolution will consume contingency funding charged to account 51124.03.004.22 of the Luther Rd Sidewalk capital project that has a 20% local match up to the funding limits and rules of the grant; now, therefore, be it

RESOLVED, that the Town Board does hereby authorize the Supervisor to sign the Town of East Greenbush – Luther Road (NY Route 151) Pedestrian and Bicycle Access Improvement Project – General Construction Change Order No. 1

The following resolution was duly moved by Councilor Tierney and seconded by Councilor Grant and brought to a vote resulting as follows:

Councilor Tierney	VOTED: YES
Councilor Grant	VOTED: YES
Supervisor Conway	VOTED: YES
Councilor DiMartino	VOTED: YES
Councilor Matters	VOTED: YES

162-2017 A Resolution Amending the Delaware Engineering Contract for Engineering Services on the Waste Water Treatment Plant Outfall Piping and Paving Project Contract #1

WHEREAS, Delaware Engineering was contracted to supervise the East Greenbush Waste Water Treatment Plant Outfall Piping Project, Contract #1; and

WHEREAS, Delaware Engineering has recommended extension of the Substantial Completion date of this project from July 31st, 2017 until November 30th, 2017 to allow the subcontractor additional time due to delays and additional lining work; and

WHEREAS, the Town Comptroller confirms that the provisions of this resolution will have no material impact on the Town’s finances as this is an extension of the length of time needed to complete this phase of the project;

now, therefore, be it

RESOLVED, that the Town Board does hereby authorizes the Supervisor to sign the Town of East Greenbush – WWTP Outfall Piping and Paving Project Contract #1 – General Construction Change Order No. 2 to amend the Substantial Completion date until November 30th, 2017.

The following resolution was duly moved by Supervisor Conway and seconded by Councilor DiMartino and brought to a vote resulting as follows:

Supervisor Conway	VOTED: YES
Councilor DiMartino	VOTED: YES
Councilor Matters	VOTED: YES
Councilor Grant	VOTED: YES
Councilor Tierney	VOTED: YES

163-2017 A Resolution Approving the Addition of MVP Liberty Exclusive Provider Organization (EPO) 1 Plan to the Health Insurance Options Offered to Employees

WHEREAS, the Human Resources Manager and Director of Finance have met with the Town’s Insurance Agent, Amsure, throughout the year to find alternative health plans to help provide cost effective options for Town employees; and

WHEREAS, the Town currently offers the New York State Health Insurance Program (NYSHIP)/Empire plan and two CDPHP plans, which provide comparable coverage at a higher cost to the Town and employees; and

WHEREAS, offering an alternative plan, such as the MVP Liberty EPO 1 Plan would provide the Town and employees a cost savings for those who chose that option during Open Enrollment; and

WHEREAS, as a result of adding this alternative plan for employees the Human Resources Manager will be able to schedule informational meetings for employees to learn about their health care options prior to the open enrollment period, allowing for more informed decisions; and

WHEREAS, the Town Comptroller confirms this resolution would likely be a reduction over other plans and could have a material positive impact on Town’s finances;

now, therefore, be it

RESOLVED, that the Town Board does hereby approve the addition of the MVP Liberty EPO 1 Plan to the current health insurance options offered by the Town to its employees.

The following resolution was duly moved by Councilor Tierney and seconded by Councilor Grant and brought to a vote resulting as follows:

Councilor Tierney	VOTED: YES
Councilor Grant	VOTED: YES
Supervisor Conway	VOTED: YES
Councilor DiMartino	VOTED: YES
Councilor Matters	VOTED: YES

164-2017 A Resolution Approving the 2018 Policy Year Changes for Capital District Physicians Health Plan (CDPHP)

WHEREAS, under the Affordable Care Act, the Town of East Greenbush is no longer considered a large group and this negatively impacts the rates offered to the Town as a small group; and

WHEREAS, in 2017 as a result of the small group rate change affecting previously offered insurance plans, the Town of East Greenbush offered employees the CDPHP Platinum 120 Exclusive Provider Organization (EPO) Copayment Plan and the CDPHP Platinum 100 EPO Copayment Plan; and

WHEREAS, the most comparable CDPHP plans for 2018 without a reduction in benefits is the CDPHP Platinum 120 EPO Copayment Plan (4.6% increase over 2017 rates), and the CDPHP Platinum 100 EPO Copayment Standard Plan (8.7% increase over 2017 rates); and

WHEREAS, the Town Comptroller confirms that provisions of this resolution could have a material negative impact on the Town's finances;
now, therefore, be it

RESOLVED, that the Town of East Greenbush's policy year with CDPHP will remain December 1, 2017 – November 30, 2018, and will continue to offer CDPHP Platinum 120 EPO Copayment Plan and the CDPHP Platinum 100 EPO Copayment Plan to employees.

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

Councilor DiMartino	VOTED: YES
Supervisor Conway	VOTED: YES
Councilor Matters	VOTED: YES
Councilor Grant	VOTED: YES
Councilor Tierney	VOTED: YES

165-2017 A Resolution to Accept the Application of the 'Town Center' Planned Development District Proposed by 580 Columbia Turnpike, LLC and Refer It To The Planning Board For Review and Recommendation

WHEREAS, this resolution was not able to be submitted in time to be considered on the regularly scheduled pre-board meeting of August 9, 2017 and was subsequently presented to the Town Board on August 15, 2017; and

WHEREAS, the Town of East Greenbush is in receipt of an application for a mixed use development submitted by 580 Columbia Turnpike LLC; and

WHEREAS, the project will consist of 300 multifamily residential units, 12,800 square feet of commercial space and a 1.5 acre development pad area; and

WHEREAS, multiple studies have shown that the viability and revitalization of Columbia Turnpike will benefit from increasing residential density to provide a customer base for emerging commercial concerns; and

WHEREAS, proposals for Planned Development Districts must be accepted by the Town Board and then referred to the Planning Board for comprehensive site plan review and a recommendation to approve, deny or approve by the Town Board; and

WHEREAS, the application submitted by 580 Columbia Turnpike, LLC is considered complete; and

WHEREAS, the Town Comptroller has determined that this resolution will have no material impact on the Town's finances;
now, therefore, be it

RESOLVED, that the application for the 'Town Center' Planned Development District submitted by 580 Columbia Turnpike, LLC is accepted by the Town Board of the Town of East Greenbush;

and be it further

RESOLVED, that said application is hereby referred to the Planning Board for its review and to make a formal recommendation back to the Town Board.

The foregoing resolution was duly moved by Supervisor Conway and seconded by Councilor Grant and brought to a vote resulting as follows:

Supervisor Conway	VOTED: YES
Councilor Grant	VOTED: YES
Councilor DiMartino	VOTED: YES
Councilor Matters	VOTED: YES
Councilor Tierney	VOTED: YES

166-2017 A Resolution Accepting the Resignation of Matthew C. Wyld

WHEREAS, Matthew C. Wyld has submitted his resignation as police officer, and the Town Comptroller has certified that the provisions of this resolution will have no adverse impacts on the Town Finances;

now, therefore, be it

RESOLVED, that the resignation of Matthew C. Wyld is hereby accepted,
and be it further

RESOLVED, that said resignation shall take effect immediately.

The foregoing resolution was duly moved by Supervisor Conway and seconded by Councilor Grant, and brought to vote resulting as follows:

Supervisor Conway	VOTED: YES
Councilor Grant	VOTED: YES
Councilor DiMartino	VOTED: YES
Councilor Matters	VOTED: YES
Councilor Tierney	VOTED: YES

167-2017 A Resolution to Change the September 20, 2017 Meeting to September 19, 2017 due to the Celebration of Rosh Hashanah

The foregoing Councilor DiMartino	VOTED: YES
Councilor Matters	VOTED: YES
Councilor Grant	VOTED: YES
Councilor Tierney	VOTED: YES

Motion to adjourn into a Workshop to discuss the Town Handbook by Supervisor Conway at 8:08 seconded by Councilor Grant and brought to a vote as follows:

Supervisor Conway	VOTED: YES
Councilor Grant	VOTED: YES
Councilor DiMartino	VOTED: YES
Councilor Matters	VOTED: YES
Councilor Tierney	VOTED: YES