February 20, 2013

The regular meeting of the Amsterdam Town Board was held on Wednesday, February 20, 2013 at Town Hall, 283 Manny's Corners Road, Amsterdam, NY 12010.

Present: Bart A. Tessiero, Deputy Supervisor
Terry Bieniek, Councilman
Alexander Kuchis, Councilman
Kenneth Krutz, Councilman
Linda Bartone Hughes, Town Clerk

Absent: Thomas P. DiMezza, Town Supervisor
Charles R. Schwartz, Town Attorney

Others: Larry Rogers, Robert Wojturski, Marget Barnett and News Media.

Deputy Supervisor Bart Tessiero opened the meeting at 7:00 p.m. with a salute to the Flag.

A Proclamation was issued to Michael Perry, Director of the Amsterdam Marching Rams for their achievements and participation at the Inauguration Festivities in Washington DC.

Public Comment

Marget Barnet, 197 Golf Course Road, Amsterdam expressed concern about safety and impact to present residents with proposed development. Mrs. Barnet presented each Board Member with a handout along with pictures. Pages 1 - 4 contain the concerns that have been brought up previously.

Also, in the handout is some information regarding different type of bonds. Mrs. Barnet said an eyesore exists at Cedar Crest currently and during the construction process. The Town can have Contractors purchase bonds against this for protection.

During the site plan process, it was mentioned at a presentation that berms and hedgerows can be placed in back of present housing to protect visually and give privacy. Mrs. Barnet questioned if this would happen.

Lastly, the concern of safety issues with construction of 64 homes. Eventually, it will be a lot of traffic going in and out on Golf Course Road. Mrs. Barnett suggested a turning lane. Mrs. Barnet questioned if this a Department of Transportation issue. It would be nice if this could be addressed in the beginning.

Deputy Supervisor Tessiero explained typically this portion of meeting the Town Board doesn't comment back. Deputy Supervisor said we would forward a copy of this material to Planning Board. Typically projects go before the Planning Board.

There was a brief discussion concerning redistricting of government. The Town Board suggested we will forward this material as a recommendation to County Department of Public Works for their review.

Robert Wojturski, 778 State Highway 67, Amsterdam requested permission for the Fulton County Farmers Market Association to use the Sanford Barn for 2013 Market Season.

41 Res. APPROVAL OF VOUCHERS, ABSTRACT #2

BE IT HEREBY RESOLVED that the Town Board, Town of Amsterdam approves payment of February Vouchers #64 (Handwritten Check), and # 65-154 as follows:

A Fund	$ 33,566.54	B Fund	$ 42,992.80	DB Fund	$ 49,470.20
SS Fund	$173,256.45	HWD Fund	$ 1,428.72	Escrow	$ 2,505.00
SF Fund	$411,511.50				

Total Amount $714,731.21

Sponsored by: Councilman Terry Bieniek
Seconded by: Councilman Kenneth Krutz
ADOPTED-4-AYES-0-NOES

42 Res. APPROVAL OF MINUTES

BE IT HEREBY RESOLVED that the Town Board, Town of Amsterdam approves minutes from January 16, 2013 as submitted.

Sponsored by: Councilman Kenneth Krutz
Seconded by: Councilman Alexander Kuchis
ADOPTED-4-AYES-0-NOES

43 Res. RESOLUTION APPROVING RENEWAL OF MONITORING AND NOTIFICATION AGREEMENT WITH HART ALARM FOR TOWN HALL AND TOWN GARAGE

BE IT HEREBY RESOLVED, that the Town Board, Town of Amsterdam approves renewal of monitoring and notification agreement with Hart Alarm for Town Hall and Town Garage.

Sponsored by: Councilman Terry Bieniek
Seconded by: Councilman Kenneth Krutz
ADOPTED-4-AYES-0-NOES

44 Res. ADOPTION OF FIRE INSPECTION FEE SCHEDULE FOR 2013

BE IT HEREBY RESOLVED, that the Town Board, Town of Amsterdam adopts the following fire inspection fee schedule:

Assembly Occupancies	
**100-1,000 person or 100-700 with a stage	$ 25.00
**over 1,000 persons or 700 with a stage	$ 50.00
Business, Industrial, Storage & Warehouse	
(up to 20,00 sq ft)	$ 25.00
(over 20,000 sq ft)	$ 50.00
Hazardous Facilities (any size)	$ 75.00
Educational	
(up to 20,000 sq ft)	$ 50.00
(over 20,000 sq ft)	$100.00
Hospital, Churches & Foster Homes	No Fee
Any Business Not Listed	$ 25.00
Storage Tanks (removal or installation)	$ 25.00
Alarm System Installations	$ 25.00

** Note not to exceed $200.00

Sponsored by: Councilman Kenneth Krutz
Seconded by: Councilman Alexander Kuchis
ADOPTED-4-AYES-0-NOES

45 Res. JUDICIAL TAX GRIEVANCE SETTLEMENT RESOLUTION RBS CITIZENS, N.A. VS TOWN OF AMSTERDAM

WHEREAS, by tax grievance action entitled RBS Citizens, N.A. v. Town of Amsterdam, et. al., Index 2012-579, petitioner sought a reduction of the real property tax assessment of their Citizens Bank building located at 4883 State Route 30, Town of Amsterdam, County of Montgomery, State of New York (S.B.L. 24.20-1-19); and

WHEREAS, after a review of all relevant documentation, including appraisals, and discussion with the Town of Amsterdam Elected Assessors and attorney for the Greater Amsterdam School District, and in the interest of judicial economy as well as the time,

expense and vagaries of litigation, the parties have agreed to resolve the issues herein by judicial settlement; and

RESOLVED, that the Town of Amsterdam Town Board will settle this matter upon the terms contained within the court documents appended hereto and made a part of this resolution to with; and

RESOLVED, that the Town of Amsterdam Town Board hereby agrees to lower the Assessed Valuation from Seventy One Thousand Two Hundred Fort Dollars ($71,240.00) to Fifty Five Thousand Dollars ($55,000.00), which results in a reduction of Sixteen Thousand Two Hundred Forty Dollars ($16,240.00) of Assessed Valuation with no refunds being due petitioner; and

RESOLVED, that the Town of Amsterdam Town Attorney is authorized to sign any and all documents in furtherance of this judicial settlement; and

RESOLVED, that this judicial settlement is conditioned upon acceptance by the members of the Greater Amsterdam School District.

Sponsored by: Councilman Alexander Kuchis
Seconded by: Councilman Terry Bieniek
ADOPTED-4-AYES-0-NOES

46 RESOLUTION SUPPORTING NYS CONTACT INFORMATION FOR VACANT STRUCTURES

Resolved to support New York State regarding the proposed laws concerning contact information for vacant structures,

WHEREAS, vacant, abandoned and foreclosed homes and structures have proliferated through New York State over the last five years; and

WHEREAS, lending institutions that hold mortgages on said vacant structures do not always provide the contact information of a responsible party; and

WHEREAS, Assembly Bill A.88 and Assembly Bill A.824, currently pending, would make it mandatory for lending institutions to provide contact information of responsible parties regarding vacant structures; and require good faith in obtaining a foreclosure; and

WHEREAS, the Town of Amsterdam supports the passage of said Bills.

NOW THEREFORE BE IT RESOLVED that the Town of Amsterdam hereby supports the passage of said Bills and respectfully requests that the State Representatives who represents constituents in the Town of Amsterdam support passage Bills.

Copies of this resolution shall be forwarded to Senator Cecilia Tkaczyk, Assemblyman Angelo Santabarbara and Assemblyman Michael P. Kearns, 142nd District.

Sponsored by: Councilman Kenneth Krutz
Seconded by: Councilman Terry Bieniek
ADOPTED-4-AYES-0-NOES

Late Items

47 Res. AUTHORIZE FULTON-COUNTY FARMERS MARKET ASSOCIATION TO USE THE SANFORD BARN FOR 2013 MARKET SEASON

BE IT HEREBY RESOLVED, that the Town Board, Town of Amsterdam authorizes Fulton-County Farmers Market Association to use the Sanford Barn for 2013 Market Season.

Sponsored by: Councilman Alexander Kuchis
Seconded by: Councilman Terry Bieniek
ADOPTED-4-AYES-0-NOES

48 Res. FORWARD PACKET TO MONTGOMERY COUNTY DEPARTMENT OF PUBLIC WORKS WITH SAFETY ISSUES SUCH AS A DROP OFF WITHOUT A GUARD RAIL AND A SUGGESTION OF TURN LANE NEAR GOLF COURSE ROAD HOUSING DEVELOPMENT

BE IT HEREBY RESOLVED, that the Town Board, Town of Amsterdam forward packet to Montgomery County Department of Public Works with safety issues such as a drop off without guard rail and a suggestion of turn lane near the Golf Course Road Housing Development.

Sponsored by: Councilman Kenneth Krutz
Seconded by: Councilman Terry Bieniek
ADOPTED-4-AYES-0-NOES

Councilman Terry Bieniek mentioned he has not received any monthly reports from Zoning Officer. The Town Clerk will send a reminder for monthly reports from water, sewer and zoning officer.

On a motion by Councilman Alexander Kuchis and seconded by: Councilman Terry Bieniek, the meeting adjourned at 7:25 p.m.

Respectfully submitted,

Linda Bartone Hughes
Town Clerk