July 16, 2014

The regular meeting of the Amsterdam Town Board was held on Wednesday, July 16, 2014 at Town Hall, 283 Manny's Corners Road, Amsterdam, NY 12010.

Present: Thomas P. DiMezza, Town Supervisor
Bart A. Tessiero, Councilman
Kenneth Krutz, Councilman
Linda Bartone Hughes, Town Clerk
Charles R. Schwartz, Town Attorney

Others: Patricia Becker, David & Cynthia Zapp and others.

Supervisor DiMezza opened the public hearing concerning Timber Law. There was no public comment. Supervisor DiMezza said a public hearing will be held next month on the same law as rewritten.

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

The following Asphalt Paving Bids were opened and read:

Empire Paving	$ 84,200
Cobleskill Stone	$ 131,279
Callanan Industries	$ 88,894
Peter Luizzi & Bros	$ 114,700
Delsignore Blacktop	$ 98,600

Public Comment

Patricia Becker, 356 Robb Road, Amsterdam reports they are very pleased with use of land at Sanford Stud Farm for Farmer's Market. There are eight vendors who make their own products.

Last week there was a sign that said no parking on lawn. She reports they respected the signs and lost a lot of money. These signs appeared without any notice. We are not sure who put the signs up and why but would like clarification if we could still use grass. It's been very wet. The traffic put on the grass has weathered very well. Mrs. Becker explained the grass has recovered well and they will be mindful of this. If there is a problem in future they would like to hear about it.

65 Res. APPROVAL OF VOUCHERS, ABSTRACT #7

BE IT HEREBY RESOLVED that the Town Board, Town of Amsterdam approves payment of July Vouchers #433-498 as follows:

A Fund	$	51,367.81	B Fund	$ 30,913.26	DB Fund	$ 14,346.53	
SS Fund	$	4,334.80	HWD Fund	$139,580.79	Escrow	$ 345.00	
SF Fund	$						

Total Amount $ 240,888.19

Sponsored by: Councilman Bart Tessiero
Seconded by: Councilman Kenneth Krutz
ADOPTED-3-AYES-0-NOES

Councilman Tessiero stated to have applicant for Voucher #440 complete reimbursement form to be consistent with rules.

66 Res. APPROVAL OF MINUTES

BE IT HEREBY RESOLVED that the Town Board, Town of Amsterdam approves minutes from June 18, 2014 as submitted.

Sponsored by: Councilman Bart Tessiero
Seconded by: Councilman Kenneth Krutz
ADOPTED-3-AYES-0-NOES

67 Res. TABLE RESOLUTION ADOPTING TIMBER LAW UNTIL AUGUST MEETING

BE IT HEREBY RESOLVED, that the Town Board, Town of Amsterdam approves to table adoption of Timber Law until August Town Board Meeting.

Sponsored by: Councilman Kenneth Krutz
Seconded by: Councilman Bart Tessiero
ADOPTED-3-AYES-0-NOES

68 Res. SCHEDULE PUBLIC HEARING FOR WEDNESDAY, AUGUST 20TH AT 6:55 PM CONCERNING TIMBER HARVESTING LAW

BE IT HEREBY RESOLVED, that the Town Board, Town of Amsterdam schedules public hearing for Wednesday, August 20th at 6:55 p.m. concerning Timber Harvesting Law.

Sponsored by: Councilman Kenenth Krutz
Seconded by: Councilman Bart Tessiero
ADOPTED-3-AYES-0-NOES

69 Res. AWARD ASPHALT PAVING BID

BE IT HEREBY RESOLVED, that the Town Board, Town of Amsterdam awards asphalt paving bid to Empire Paving of Schenectady in amount of $84,200.

Sponsored by: Councilman Bart Tessiero
Seconded by: Councilman Kenneth Krutz
ADOPTED-3-AYES-0-NOES

70 Res. RESOLUTION AUTHORIZING JUDICIAL SETTLEMENT

WHEREAS, by tax grievance action entitled In the Matter of the Application of HD DEVELOPMENT OF MARYLAND c/o THE HOME DEPOT USA, INC. v. BOARD OF ASSESSMENT REVIEW AND/OR ASSESSOR OF THE TOWN OF AMSTERDAM AND THE TOWN OF AMSTERDAM, COUNTY OF MONTGOMERY, NEW YORK, Index #2013-0521, petitioner sought a reduction of the real property tax assessment of their retail sales outlet building located at 135 Hannaford Plaza, Town of Amsterdam, County of Montgomery, State of New York (S.B.L.: 24.20-1-23.2); 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 wit; and,

RESOLVED, that the Town of Amsterdam Town Board hereby agrees to lower the Assessed Value from Seven Hundred Fifty Thousand Dollars ($750,000.00) to Six Hundred Twenty Five Thousand ($625,000.00), which results in a reduction of One Hundred Twenty Five Thousand Dollars ($125,000.00) of Assessed Value; and,

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

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

Sponsored by: Councilman Bart Tessiero
Seconded by: Councilman Kenneth Krutz
ADOPTED-3-AYES-0-NOES

Late Items

Supervisor DiMezza explained there is a property on Route 30 near Town line. The sewer line stopped due to added costs. We are trying figuring out the best way to get the Zap property their sewer. This will be a Town expense out of sewer fund. We should be able to bring it to their property line for them to connect. We need to work this out with Larry Rogers of Delaware Engineering.

Councilman Krutz questioned if the Town put the no parking signs at the Sanford Farm. Supervisor DiMezza said no. Supervisor DiMezza said he did receive a picture and the grass did look terrible, however; a few days later the grass was fine. The Town Board continued discussion and made some suggestions concerning parking and drainage.

Supervisor DiMezza distributed the supervisor's report prior to monthly meetings.

On a motion by Councilman Kenneth Krutz; and seconded by Councilman Bart Tessiero; the meeting adjourned at 7:20 p.m.

Respectfully submitted,

Linda Bartone Hughes
Town Clerk