



# The Town of East Greenbush

225 Columbia Turnpike, Rensselaer, New York 12144

## TOWN BOARD AGENDA PRE-BOARD MEETING July 12, 2017

**Call to Order** **6:00 PM**  
**Pledge of Allegiance**  
**Town Board Meeting:**

**Members of Town Board**

Present

Absent

Supervisor Conway  
Councilor DiMartino  
Councilor Matters  
Councilor Grant  
Councilor Tierney

**Schedule of Meeting:**  
**Presentation:**

**Regeneron 3-Lot Subdivision- Steve Hart, Hart Engineering**  
**Town Center PDD – Steve Hart, Hart Engineering**

**132-2017 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 April 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 April 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:
Councilor Matters	VOTED:
Supervisor Conway	VOTED:
Councilor Grant	VOTED:
Councilor Tierney	VOTED:

**133-2017 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 May 17, 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 May 17, 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:
Councilor Matters	VOTED:
Supervisor Conway	VOTED:
Councilor Grant	VOTED:
Councilor Tierney	VOTED:

**134-2017 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:
Councilor Matters	VOTED:
Supervisor Conway	VOTED:
Councilor Grant	VOTED:
Councilor Tierney	VOTED:

**135-2017 A Resolution Recognizing the Excellence of East Greenbush Police Officers in the Area of Traffic Enforcement**

**WHEREAS**, according to the National Highway Transportation Safety Administration, the American Automobile Association and the Governor’s Traffic Safety Committee, police traffic enforcement continues to be a core element of New York State’s Strategic Highway Safety Plan; and

**WHEREAS**, effective Vehicle and Traffic law investigations achieve numerous law enforcement objectives and have a deterrent effect by promoting voluntary compliance with the law; and

**WHEREAS**, the work of the Police Officers cited below resulted in 2,127 Traffic Court Citations and 59 DWI arrests, thus making our Town a safer place in which to operate a motor vehicle;

now, therefore, be it

**RESOLVED**, that the Town Board of the Town of East Greenbush recognizes the excellence of the following East Greenbush Police Officers in the area of traffic enforcement:

<b>Officer Edward Ashley</b>	<b>Officer Peter Lavin</b>
<b>Detective Michael Guadagnino</b>	<b>Officer Nicholas Peter</b>
<b>Officer Mark Herrington</b>	<b>Sergeant Ernest Tubbs</b>
<b>Officer Michael Herrington</b>	<b>Officer Matthew Wyld</b>

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

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

**136-2017 A Resolution Authorizing the Purchase of a Dump Truck Body from Oneida County Contract**

**WHEREAS**, Resolution 41-2017 authorized the Commissioner of Public Works to solicit bids for purchase of Vehicles and Equipment; and

**WHEREAS**, Oneida County solicited Bids for Various Truck Body & Snow Plow Equipment on March 8<sup>th</sup>, 2017; and

**WHEREAS**, the Oneida County bid was awarded on April 13, 2017 and the results of the bid were made available to all municipalities and school districts in the State of New York; and

**WHEREAS**, the Town of East Greenbush authorized the purchase of a cab and chassis for the Water Department per resolution 121-2017 and requires a dump body and accessories for said dump truck; and

**WHEREAS**, prices for this dump body were obtained from Zwack Inc. based on the Oneida County Contract; and

**WHEREAS**, the Town of East Greenbush Purchasing Policy requires purchases of \$10,000 or more require approval by the Town Board, and

**WHEREAS**, the Town Comptroller has confirmed that the financial impact of this resolution is \$45,995.00 from the Water Capital Project Fund for this expense;

<b>Fund</b>	<b>Transfer in</b>	<b>Transfer out</b>
H-917 - Equipment Bond		\$45,995.00
5130.3 – Capital Project	\$45,995.00	

now, therefore, be it

**RESOLVED**, that the Town Board authorizes the Commissioner of Public Works to purchase a dump body and associated equipment as detailed on Quote #17144 from Zwack Inc. from Oneida County Bid #1889 in an amount not to exceed \$45,995.00.

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

**137-2017 A Resolution to Appoint Temporary Seasonal Laborers in the Department of Public Works**

**WHEREAS**, the Department of Public Works has a need for Temporary Seasonal Laborers in the Parks Department and the Sewer Department during the summer months to assist in addressing the backlog of preventative maintenance; and

**WHEREAS**, the Public Works Commissioner has selected three individuals based on prior experience with the Town; and

**WHEREAS**, William Clum, Tanner Chester, and William Malone have had prior experience working with the Town of East Greenbush and/or have demonstrated the ability to work independently; and

**WHEREAS**, the Town Comptroller has confirmed that this appointment can be funded with the 2017 budget;

now, therefore, be it

**RESOLVED**, that the Town Board confirms the appointment of William Clum, Tanner Chester, and William Malone to the position of Temporary, Seasonal Laborers in the Department of Public Works at the rate of \$12.00 per hour with no benefits and total expense not too exceed \$15,000 prorated as needed within the 2017 Budgets for Parks 71104.01 and Sewer 81201.07/08/09/10.

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

**138-2017 A Resolution Authorizing Purchase of Truck Bodies and Plows from Onondaga County Contract**

**WHEREAS**, resolution 41-2017 authorized the Commissioner of Public Works to solicit bids for purchase of Vehicles and Equipment; and

**WHEREAS**, the Town of East Greenbush must purchase integrated sander bodies and plows for the 2 new single axle cab and chassis plow trucks purchased per resolution 125-2017; and

**WHEREAS**, in accordance with Town policy and General Municipal Law, all public works expenses in excess of \$20,000 require Town Board approval; and

**WHEREAS**, the Onondaga County Bid was awarded on June 26, 2013 for a period from June 24, 2013 to June 25, 2018 to Everest Equipment Inc., and the results of the bid were made available to all counties and other political subdivisions in the State of New York; and

**WHEREAS**, the Town Comptroller has confirmed that the financial impact of this resolution is \$159,990.00 from the Highway Fund for this expense

Fund	Transfer in	Transfer out
H-917 - Equipment Bond		\$159,990.00
5130.3 – Highway Capital Project Fund	\$159,990.00	

now, therefore, be it

**RESOLVED**, that the Town Board authorizes the Commissioner of Public Works to purchase dump bodies and plows as detailed on Quote #17148 from Zwack Inc. from Onondaga County Bid #7832 in an amount not to exceed \$159,990.00.

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

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

**139-2017 A Resolution Authorizing the Expenditure to Replace the Carpets in Town Hall**

**WHEREAS**, the appearance of Town Hall is the first impression people form of the work and services provided by Town Hall staff; and

**WHEREAS**, the carpets in Town Hall are subject to constant foot traffic and are worn and stained and need to be replaced; and

**WHEREAS**, the appearance of Town Hall, and especially the carpets, has been a source of numerous negative comments from residents who visit Town Hall and staff who work there; and

**WHEREAS**, there is a need to replace the carpet with carpet tiles so that sections of the carpet can be replaced without the need to replace the whole carpet; and

**WHEREAS**, the project of re-carpeting Town Hall can be accomplished in two phases, the first of which would re-carpet the Supervisor’s Suite, the length of the hallway and the Community Room; and

**WHEREAS**, \$30,000 was budgeted for building improvements in the form of security windows for the Town Clerk’s and Receiver of Tax’s offices but for various reasons those efforts will not be accomplished this year; and

**WHEREAS**, the Town Comptroller has confirmed that this redeployment within account code 16204.01 Building funds will be covered by the 2017 Budget;  
now, therefore, be it

**RESOLVED**, that the Town Board authorizes the Supervisor to spend up to \$30,000 on Phase One of the project to replace carpeting in Town Hall.

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

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

**140-2017      A Resolution Awarding Engagement to Perform Audit Services for 2016  
Financials Audit**

**WHEREAS**, the Town Board of the Town of East Greenbush wishes to retain the services of a qualified independent auditor for purposes of conducting a full audit of the financial and related records of the town (hereinafter, “Financial Audit”) and of the books and records of the Town of East Greenbush for the fiscal year 2016; and

**WHEREAS**, the Town Comptroller in 2016 invited seven firms to present proposals, has provided a summary of the four submitted proposals to the Board and made available to the Supervisor copies of the two peer-reviewed eligible quotes that show this a no cost increase from the 2015 Financial Statement Audit already completed; and

**WHEREAS**, the Town Comptroller has confirmed that the financial impact of this resolution is Budgeted in 2017 for account 13204.01 Independent Auditing and Accounting CE.at approximately \$25,000.00 (Note: Allocation to special districts will be reviewed with auditors);

now, therefore be it

**RESOLVED**, that the Town Board authorizes the Supervisor to retain services from UHY, LLP to conduct the 2016 Financial Audit at a cost not to exceed \$25,000.00.

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

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

**141-2017 A Resolution Authorizing the Supervisor to Accept Engagements with Municipal Solutions, Inc (Municipal Financial Advisors), and H.V. Labarba (Engineering) to Facilitate the Refinancing Acquisition with NYS Environmental Facility Corporation (EFC) replacing Rensselaer County Water Sewer Authority Debt (RCWSA)**

**WHEREAS**, the Town Board of East Greenbush authorized 128-2017 to begin the process of refinancing acquisition with EFC debt retiring previously issued debt by the RCWSA in 2008 ; and

**WHEREAS**, Municipal Solutions, Inc (municipal financial advisors), and H.V. Labarba (engineering services) are required to facilitate the refinancing acquisition of this debt; and

**WHEREAS**, the Town Comptroller in consultation with EFC financial advisors believes over the life of the debt, the resolution will have a positive material impact on Town’s finances; now, therefore, be it

**RESOLVED**, that the Town Board does hereby authorize the Supervisor to sign to accept the engagements with Municipal Solutions, Inc (municipal financial advisors), and H.V. Labarba (engineering services) to facilitate the refinancing acquisition of the RCWSA debt.

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

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

**142-2017 A Resolution to Adopt Local Law No. 1 of 2017 – Solar Energy Law for the Town of East Greenbush**

**WHEREAS**, the Town Board of the Town of East Greenbush believes it is in the public interest to take advantage of a safe, abundant, renewable, and non-polluting resource of solar energy; and

**WHEREAS**, the Board is interested in decreasing the cost of energy to the owners of commercial and residential properties by allowing solar collectors to provide power for use by owners, lessees, tenants, residents or other occupants of the premises on which they are erected; and

**WHEREAS**, the Board believes that facilitating the installation of solar energy systems can increase employment and business development in the region; and

**WHEREAS**, solar energy is a relatively new and rapidly growing form of power, the Town’s Code and Zoning Law are silent on the subject; and

**WHEREAS**, a Public Hearing was held on Wednesday June 21st, 2017 at 6:15 pm at the East Greenbush Town Hall, 225 Columbia Turnpike to receive public comment on this proposed Local Law and the Board has considered the comments made; and

**WHEREAS**, the Town Comptroller confirms that this resolution will not have a material effect on the Town’s finances; now, therefore, be it

**RESOLVED**, that the enactment of Local Law No. 1 of 2017 – Solar Energy Law for the Town of East Greenbush, pursuant to Home Rule Law 20 be, and the same hereby is, approved,

and be it further

**RESOLVED**, that the Town Clerk shall file the Local Law with the New York Secretary of State.

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

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

**143-2017 Resolution Authorizing the Supervisor to Execute an Agreement and Release with Forest Pointe, LLC**

**WHEREAS**, by deed dated May 29, 2007, the town accepted a deed conveying certain real property from TDT Realty Corp, conveying property on which was located the Forest Pointe Waste Water Pumping Station Site; and

**WHEREAS**, since that date, the pumping station there has been a part of the Towns sewer district service, and the power provided to that pumping station has served the Town waste water facilities; and

**WHEREAS**, in December, 2016, the town was advised by employees of Forest Pointe that Forest Pointe, LLC, had been paying National Grid (National Mohawk Power Corporation) for the power being provided to that pump station since 2007, although the cost of such power was a town responsibility; and

**WHEREAS**, Forest Pointe, LLC, has provided to the town documentation showing its power costs expended over the three years prior to the account being transferred to the Town; and

**WHEREAS**, the Town wishes to resolve any claims arising out of this situation; and

**WHEREAS**, the Town Comptroller has determined that the resolution has a negative material financial impact to the Town;

now, therefore, be it

**RESOLVED**, that the Supervisor is authorized to sign on behalf of the Town an agreement and release with Forest Pointe, LLC, in a form approved by the attorney to the town, providing that the Town shall pay to Forest Pointe, LLC, the sum of \$10,453.48 in full satisfaction of any claims of Forest Pointe, LLC, against the Town, and such agreement will further provide that Forest Pointe, LLC shall pay one-half of that amount back to the Town of East Greenbush, as a contribution to the Town’s park fund.

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:
Councilor Matters	VOTED:
Councilor DiMartino	VOTED:
Councilor Grant	VOTED:
Councilor Tierney	VOTED:



**144-2017 Resolution Authorizing the Supervisor to Sign a Revised and Restated Intermunicipal Cooperation Agreement with the Town of North Greenbush**

**WHEREAS**, the New York Independent System Operator, Inc. (NYISO) a not-for-profit corporation, maintains its headquarters building and other buildings on real property located at 10 Kraye Blvd, a facility which lies in both North Greenbush and East Greenbush, while the original headquarters building was only within the Town of North Greenbush; and

**WHEREAS**, NYISO upgraded its facilities in 2011, adding additional square footage, and the headquarters building now lies 81% in North Greenbush and 19% in East Greenbush; and

**WHEREAS**, on March 16, 2011, North Greenbush and East Greenbush entered into a Municipal Cooperative Agreement, to establish each town’s responsibilities over the headquarters building, which agreement expired five years later, on March 16, 2016; and

**WHEREAS**, both North Greenbush and East Greenbush wish to revise and restate the original Municipal Cooperation Agreement, with certain changes and amendments; and

**WHEREAS**, the Town Comptroller has determined that DPW Commissioner’s review is required;

now, therefore, be it

**RESOLVED**, that the Supervisor is authorized to execute on behalf of the town the revised and restated Municipal Cooperation Agreement, upon approval by the attorney to the town as to the form of said agreement.

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

**145-2017 Resolution Authorizing the Supervisor to Execute a Storm Water Management System Maintenance and Easement Agreement with New York Independent System Operator. INC**

**WHEREAS**, the New York Independent System Operator (“NYISO”), Inc. is the owner of certain real property located in the Town of East Greenbush; and

**WHEREAS**, NYISO has been mandated to construct on that property a new shipping and receiving center, for security reasons, for mail and package deliveries; and

**WHEREAS**, in connection with the construction of that project NYISO has requested that the existing storm water management system maintenance and easement agreement, as entered into between the town and NYISO, dated February 2, 2011 be amended; and

**WHEREAS**, NYISO has proposed certain changes to said prior agreement, and the town board believes that such changes would be in the Town’s best interest; and

**WHEREAS**, the Town Comptroller has determined that DPW Commissioner’s review is required;

now, therefore, be it

**RESOLVED**, that the Supervisor is authorized to execute the said storm water management system maintenance and easement agreement, upon approval by the Attorney to the Town as to form.

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:
Councilor Matters	VOTED:
Councilor DiMartino	VOTED:
Councilor Grant	VOTED:
Councilor Tierney	VOTED:

**146-2017      A Resolution Authorizing the Supervisor to Sign the Host Community Agreement with the University at Albany Bioscience Development Corporation**

**WHEREAS**, the University at Albany Bioscience Development Corporation (“UABDC”) was formed to advance the educational and research mission of the State University of New York (“SUNY”) and the University at Albany (the “University”) by acquiring and holding title to facilities in which scientific research and scholarly programs for the benefit of faculty, visiting scholars, and students and staff can be conducted, thereby advancing SUNY’s and the University’s missions and enhancing their ability to attract public and private funds to further such research and scholarly studies; and

**WHEREAS**, in furtherance of these purposes UABDC is the owner of certain real property in the Town of East Greenbush located at 3-17 University Place, 1 University Place, and 1 Discovery Drive, designated on the assessment rolls of the Town as tax map parcels 154.-1-1, 154.-1-2, and 155.-1-4.11 (the “Property”); and

**WHEREAS**, UABDC’s use of the Property is for the exclusive purpose of creating a commercial life science, research and technology cluster in an environment in which new and technologically innovative business can develop, and research can be translated, into commercially viable high technology all for the benefit of the University, SUNY, and the People of the State of New York; and

**WHEREAS**, consistent with the foregoing UABDC is organized and its operations are conducted exclusively for educational and charitable purposes within the meaning of Real Property Tax Law (“RPTL”) Section 420-a; and

**WHEREAS**, UABDC duly and timely filed applications with the Town Assessor for exemption from real property taxation of the Property on the Town’s 2017 assessment roll pursuant to RPTL Section 420-a; and

**WHEREAS**, the Town, through its Assessor, has recognized and agreed that pursuant to that section the Property is entitled to exemption from real property taxation on the assessment roll of the Town; and

**WHEREAS**, by virtue of that exemption UABDC is not obligated to pay any real property taxes with respect to the Property, which exemption extends to special ad valorem levies and special assessments to the extent provided by RPTL Section 490; and

**WHEREAS**, UABDC recognizes that, because the Property is not physically associated with other facilities of the University UABDC must therefore rely on the provision of governmental and other ancillary services by the Town, including but not limited to police and

fire protection, rescue and emergency services, and infrastructure maintenance and improvements; and

**WHEREAS**, notwithstanding the exemption from taxation, UABDC is willing, in recognition of the valuable services and benefits provided by the Town to and for the Property, to make certain contributions to or for the benefit of the Town; and

**WHEREAS**, the Town Comptroller confirms that this resolution should have a positive impact on the Town's finances;

**WHEREAS**, in consideration of the mutual covenants herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby mutually acknowledged, the parties hereto agree as follows:

1. On or before January 31, 2018, or the date by which payments of Town taxes for the then current fiscal year are due without penalty or interest, UABDC will make a contribution ("Benefit Contribution") to the Town of \$121,380. Of the Benefit Contribution \$88,607.40 may be utilized or expended by the Town, at its sole and absolute discretion, for any lawful purpose. The remaining \$32,772.60 of the Benefit Contribution is expressly designated by UABDC as in recognition of fire protection and emergency services provided by the Clinton Heights Fire Department and rescue and emergency services provided by the W. F. Bruen Rescue Squad (the "Emergency Services Organizations"). Of that \$32,772.60, \$9,710.40 shall be distributed to the Bruen Rescue Squad, and \$23,062.20 to the Clinton Heights Fire Department, which allocation is intended to be proportionate to the 2017 special district charges that would have been levied by the Town for the Emergency Services Organizations were the Property not exempt from taxation.
2. UABDC will annually hereafter during the term of this Agreement, and within 30 days prior to the March 1 taxable status date for real property assessments in the Town, certify to the Town Assessor that as of the date of certification neither UABDC's organizational purposes nor its use of the Property has changed in any way material to an entitlement to exemption for the Property pursuant to RPTL Section 420-a, which certification may be provided on forms published by the New York State Office of Real Property Tax Services for such purposes or in such other form as the Town Assessor may reasonably request ("Annual Certification").
3. Subject to the provisions of paragraphs numbered (3) and (4) of this Agreement, it is the intention of the parties that this Agreement have a ten-year term. Provided the Town maintains UABDC's exemption of the Property from taxation on the 2018 assessment roll of the Town, UABDC shall, on or before January 31, 2019, make a Benefit Contribution of \$123,807.60, reflecting a two percent (2%) increase in the amount of the preceding Benefit Contribution. UABDC shall thereafter make annual Benefit Contributions, similarly increased by 2% over the preceding year's contribution, on or before January 31 of each of the subsequent seven years during the term of this Agreement in which the Town assessment roll maintains the property as exempt pursuant to RPTL 420-a. Thereafter, in the next (ninth) year of this Agreement (specifically, on January 31, 2026), the Benefit Contribution shall be increased by an additional \$30,000 in recognition of the December 31, 2025 termination of a payment in lieu of taxes agreement dated as of July 1, 2004 relating to a portion of the Property. That increase, which will also be subject to a 2% increase in the final year of this Agreement, may be utilized or expended by the Town, at its

sole and absolute discretion, for any lawful purpose. Except as otherwise stated herein for the ninth and tenth years of the Agreement, the Benefit Contributions for each year of this Agreement shall be allocated among the Town and the Emergency Services Organizations consistent with the proportions reflected in paragraph 1 of this Agreement. For clarity and convenience, a schedule of the Benefit Contributions, including the portion of each payment intended for the Town, the Bruen Rescue Squad, and the Clinton Heights Fire Department, is annexed as Schedule A.

4. This Host Community Agreement shall terminate February 28, 2027 or at UABDC's election at any time prior to that date if (1) the Town or the Town Assessor takes any action to revoke the exemption of the Property, in whole or in part, or (2) UABDC ceases to hold title to the Property in whole or in part.

now, therefore, be it

**RESOLVED**, that the Town Board of the Town of East Greenbush authorizes the Town Supervisor to enter into this agreement with The University at Albany Bioscience Development Corporation.

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:
Councilor Matters	VOTED:
Councilor DiMartino	VOTED:
Councilor Grant	VOTED:
Councilor Tierney	VOTED:

## **TOUR OF THE WASTEWATER TREATMENT PLANT**

### **ADJOURNMENT**

Motion to adjourn by Supervisor Conway seconded by Councilor Grant and brought to a vote as follows:

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