



The Town of East Greenbush

225 Columbia Turnpike, Rensselaer, New York 12144

TOWN BOARD AGENDA May 17, 2017

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

Members of Town Board

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

Communications/Announcements/Reports

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.

Resolutions and Proposals by Town Board Members:

85-2017 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:

86-2017 A Resolution to Extend Contract No. 1 – General Construction, by Wm. J Keller and Sons Construction Corp. for the Town of East Greenbush Wastewater Treatment Plant Outfall Piping Project

WHEREAS, the Town of East Greenbush has executed Contract #1 – General Construction Outfall Piping Project, with Wm. J. Keller and Sons Construction Corp.; and,

WHEREAS, Contract #1 when executed in the fall of 2016 incorporated a date for substantial completion of May 15, 2017 and final completion 30 days thereafter; and,

WHEREAS, Contract #1 has been delayed due to the Amtrak review process which could not be controlled by the Town, the Town’s Engineer or the Contractor; and,

WHEREAS, it is appropriate for the Town to issue a no-cost Change Order for Contract #1 to extend the contract time; and,

WHEREAS, financing for the project is provided in the Long Term Loan for the Wastewater Treatment Plant Upgrade Project and therefore, the Comptroller hereby confirms that none of the provisions in this resolution will pose an immediate financial impact to the 2017 Town Budget;

now, therefore, be it

RESOLVED, that the Town Board authorizes Delaware Engineering, DPC to issue Contract Extension to Wm. J. Keller and Sons Construction Corp for Contract #1 for the Outfall Piping Project with substantial completion on July 31, 2017 and final completion 30 days thereafter.

The foregoing resolution was duly moved by Supervisor Conway seconded by Councilor Matters and resulted in the following vote:

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

87- 2017 A Resolution to Adopt the New York State Unified Solar Permit

WHEREAS, New York State has developed a unified solar photovoltaic permitting process designed to streamline municipal permitting which will reduce costs for solar projects and support the growth of clean energy jobs across the state; and

WHEREAS, the Town of East Greenbush is desirous of participating in the unified permitting process, thereby increasing the Town’s eligibility for various incentives and grants through the New York State Energy Research and Development Authority (NYSERDA); and

WHEREAS, by adopting the Unified Solar Permit Application, the Town of East Greenbush becomes eligible through the Streamlined Permitting Program to receive a grant award up to \$2,500 from NYSERDA; 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 Town of East Greenbush adopts the New York State Unified Solar Permit as attached hereto;
and be it further

RESOLVED, that the Town Board authorizes the Town Clerk to submit the grant application through the Streamlined Permitting Program to allow for the Town to receive a grant award from NYSERDA for the adoption of the Unified Solar Permit Application;
and be it further

RESOLVED, that this resolution shall take effect immediately, and a copy of this resolution with the NY Unified Solar Permit, shall be provided to the Building Department.

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:

88- 2017 A Resolution Adopting An Energy Benchmarking Policy for Certain Municipal Buildings in the Town of East Greenbush

WHEREAS, New York State Energy Research and Development Authority (NYSERDA) announced a Clean Energy Communities program which would allow the Town of East Greenbush access to significant grant funding to further implement clean energy actions reducing both energy costs and greenhouse gas emissions; and

WHEREAS, one of the Clean Energy Communities "High Impact Actions" requires the local regulatory authority to establish a policy which mandates the public reporting of building energy benchmarking; and

WHEREAS, establishing a building energy benchmarking system will benefit the Town and its residents by making available actionable information on municipal building energy use to help identify opportunities to cut costs and reduce pollution in the Town of East Greenbush; and

WHEREAS, the Town Board directs that monthly building energy usage for all fuel types, including but not limited to: electricity, natural gas, fuel oil, chilled water, steam and diesel fuel be collected and formally tracked for all buildings that are 1,000 square feet or larger and are owned or occupied by the Town, using the EPA Portfolio Manager platform; and

WHEREAS, building reports shall be made available to the Town Board in EPA Portfolio Manager regarding summary statistics for each covered property including Energy Use Intensity, annual greenhouse gas emissions, an energy performance score where available, and other descriptive information as required by EPA Portfolio Manager and for that data to be made available to the public via the internet on an annual basis; and

WHEREAS, the Town Supervisor may exempt a particular covered municipal building from the benchmarking requirement if the Town Supervisor determines that it has characteristics that make benchmarking impractical; and

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

WHEREAS, the Town Supervisor or his designee shall be the administrator of this local policy and promulgate procedures necessary for the administration of the requirements of this local policy;

now, therefore be it

RESOLVED, that the policy outlined in this resolution be hereby adopted and established for the Town of East Greenbush;

and, be it further

RESOLVED, that the Town Clerk is directed to forward copies of this resolution to the appropriate Town Departments.

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:

89-2017 A Resolution Designating a Portion of Lakeshore Drive from Onderdonk Park to Hampton Lake Park as One-Way for the Period of May 22, 2017 through September 11, 2017, the Installation of Necessary Signage and Traffic Control Devices to Safely and Appropriately Accomplish the Same

WHEREAS, this action has generated positive feedback from the residents using the roadway as it facilitates walking, bicycling and fishing along that portion of the roadway; and

WHEREAS, the Town Comptroller believes at this time that this resolution will have no material impact on the Town's finances;

now therefore, be it

RESOLVED, that Lake Shore Drive from Onderdonk Park to Hampton Lake Park shall be designated one-way during the period from May 22, 2017 through September 11, 2017, with the Commissioner of Public Works installing the appropriate signage to advise users of this designation

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:

90-2017 A Resolution Amending Resolution 247-2016 on the Reported Standard Work Day for Certain Employees

WHEREAS, the Town of East Greenbush submitted the Record of Activity approved in Resolution 247-2016; and

WHEREAS, the Employees’ Retirement System (ERS) responded that the Town did not need to report anyone participating in the Town’s time keeping system (employees previously reported in Resolution 247-2016 with an N/A next to their name), and as a result, the Human Resources Manager amended the report accordingly and submitted it to the ERS for review prior to resubmitting to the Town Board to ensure that the amended version was correctly prepared; and

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

RESOLVED, that the Town of East Greenbush hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees’ Retirement System based on the record of activity maintained and submitted by these officials to the clerk of this body.

Title	Name	Standard Work Day (Hrs/Day)	Term Begins/Ends	Participates in Employer’s Time Keeping System	Not Submitted	Days/Month (based on Record of Activities)
Elected Officials						
Town Supervisor	John J. Conway	8	01/01/2016 - 12/31/2019	N		26.48
Town Board Member	Mary Ann Matters	6	01/01/2014 - 12/31/2017	N		1.74
Town Board Member	Deborah DiMartino	6	01/01/2014 - 12/31/2017	N		3.5
Town Board Member	Christine C. Tierney	6	01/01/2016 - 12/31/2019	N		10.28
Town Justice	Mary Pat Donnelly	6	01/01/2017- 12/31/2020	N		5.5
Town Justice	Kevin J. Engel	6	01/01/2016 - 12/31/2019	N		4.88
Appointed Officials						
Planning Board Chairman	Matthew Mastin	6	01/01/2016 - 12/31/2019	N		1.73
Planning Board Member	Matthew Polsinello	6	01/01/2016 - 12/31/2019	N		0.86
Planning Board Member	Michael Bottillo	6	01/01/2016 - 12/31/2019	N		1.33
Planning Board Member	Paul DiMascio	6	01/01/2016 - 12/31/2019	N		1.33
Planning Board Member	James Giordano	6	01/01/2016 - 12/31/2019	N	●	

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

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

91-2017 A Resolution to Approve the Appointment of Community and Recreation Staff for the Summer of 2017

WHEREAS, the Community and Recreation Department has presented the Town Board of the Town of East Greenbush with a listing of the individuals who seek employment in the Summer Program for the Department of Community and Recreational Services; and

WHEREAS, the Town Comptroller believes that this proposed Town Board action has been planned for in the 2017 Budget and shall pose no material impact to the Town’s finances; now, therefore, be it

RESOLVED, that the candidates listed below are appointed to serve as Summer Staff, 2017, for the Department of Community and Recreational Services.

Nicole Kirby	Assistant Camp Director (Junior Camp)	12.00/hr
Elizabeth Miller	Assistant Camp Director (Senior Camp)	12.00/hr
Bailey Caruso	Assistant Medical Director	11.50/hr
Jonathan Arensmayer	Lifeguard/Counselor/WSI	11.50/hr/10.00/hr
Theresa Mulvey	Lifeguard/Counselor	11.00/hr/10.00/hr
Joseph Donahue	Activity Leader	11.00/hr
Elgin Scalzi	Activity Leader	11.00/hr
Joshua Lansing	Activity Leader	11.00/hr
Madison McCraith	Counselor	10.00/hr
John Verdon	Counselor	10.00/hr
Sara Fellehner-Endres	Counselor	10.00/hr
Ryan Dougherty	Counselor	10.00/hr
Adrianna Perez	Counselor	10.00/hr
Sarah Jaromin	Counselor	10.00/hr
Zachary Ahearn	Counselor	10.00/hr
Kara Blakeman	Counselor	10.00/hr
Sarah Smith	Counselor	10.00/hr
Dion Selby	Counselor	10.00/hr
Theresa Memole	Counselor	10.00/hr
Danielle Wagoner	Counselor	10.00/hr
Jada Alcindor	Counselor	10.00/hr
Michael Iula	Counselor	10.00/hr
Erin Dickie	Counselor	10.00/hr
Kelly Camp	Counselor	10.00/hr
Emily Russell	Counselor	10.00/hr
Gregory Smail	Counselor PT/On-Call	10.00/hr
Grant Philip	Counselor	10.00/hr
Mark Bodnar	Counselor PT/On-Call	10.00/hr

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:

92-2017 A Resolution Authorizing Purchase of a John Deere 624K-II Wheel Loader from IFB 17-01

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 published Invitation to Bid 17-01 for a 3.5 Cubic Yard Wheel Loader for the Sewer Department with a Bid Opening Date of May 1, 2017; and

WHEREAS, the lowest responsible bid that met the bid specification was submitted by NORTRAX for a John Deere 624K-II in the amount of \$165,533.76; and

WHEREAS, the Town of East Greenbush Purchasing Policy requires that purchases of \$10,000 or more be approved by the Town Board; and

WHEREAS, the Town Comptroller has confirmed that the financial impact of this resolution is \$165,533.76 from the Sewer Fund for this expense

Fund	Transfer in	Transfer out
SS-917 – Sewer Fund Balance		\$165,533.76
8130.4 – General Sewer Treatment and Disposal CE	\$165,533.76	

now, therefore, be it

RESOLVED, that the Town Board authorizes the Commissioner of Public Works to purchase a new John Deere 624K-II Wheel Loader from NORTRAX per the results of IFB 17-01 in an amount not to exceed \$165,533.76.

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:

93-2017 A Resolution Authorizing Replacement of Truck Bodies 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, Section 103, subdivision 16 of New York State General Municipal Law, allows political subdivisions and districts therein to purchase apparatus, materials, equipment and supplies, through the use of contracts let by the United States or any agency thereof, any state or any other political subdivision or district therein.; and

WHEREAS, Oneida County solicited Bids for Various Truck Body & Snow Plow Equipment on March 8th, 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 must replace the dump bodies and plows on Truck #7 and Truck #15 because the bodies and plows are severely rusted; and

WHEREAS, prices for these dump bodies and plows were obtained from Zwack Inc. based on the Oneida County Contract; and

WHEREAS, the Town of East Greenbush Purchasing Policy requires that purchases of \$10,000 or more be approved by the Town Board; and

WHEREAS, the Town Comptroller has confirmed that the financial impact of this resolution is \$104,990.00 from the Highway Capital Project Fund for this expense

Fund	Transfer in	Transfer out
H-917 - Equipment Bond		\$104,990.00
5130.3 – Capital Project	\$104,990.00	

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 #17112 and 17113 from Zwack Inc. from Oneida County Bid #1889 in an amount not to exceed \$104,990.00.

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:

94-2017 A Resolution Authorizing Purchase of a Compact Articulating Loader from the Town of Cheektowaga Bid

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

WHEREAS, Section 103, subdivision 16 of New York State General Municipal Law, allows political subdivisions and districts therein to purchase apparatus, materials, equipment and supplies, through the use of contracts let by the United States or any agency thereof, any state or any other political subdivision or district therein.; and

WHEREAS, the Town of Cheektowaga solicited Bids for a New Compact Articulating Loader on July 20th, 2015; and

WHEREAS, the Town of Cheektowaga Bid was awarded on August 17, 2015 to ADMAR Construction Equipment and Supplies, 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 of East Greenbush must purchase a Compact Articulating Loader to be able to remove snow from Town owned sidewalks; and

WHEREAS, a quote for the Compact Articulating Loader was obtained from ADMAR Construction Equipment and Supplies; and

WHEREAS, the Town of East Greenbush Purchasing Policy requires that purchases of \$10,000 or more be approved by the Town Board; and

WHEREAS, the Town Comptroller has confirmed that the financial impact of this resolution is \$59,587.25 from the Highway Capital Project Fund for this expense

Fund	Transfer in	Transfer out
H-917- Equipment Bond		\$59,587.25
5130.3 – Capital Project	\$59,587.25	

now, therefore, be it

RESOLVED, that the Town Board authorizes the Commissioner of Public Works to purchase a Compact Articulating Loader from ADMAR Construction Equipment and supplies from the Town of Cheektowaga Bid in an amount not to exceed \$59,587.25.

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

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

95-2017 A Resolution to Make a Conditional Job Offer to Trevor J. LaGrave

WHEREAS, this Board intends to maintain adequate staffing within the Town Police Department, by appointing qualified individuals to replace positions that become vacant, and a police officer position has become vacant; and

WHEREAS, Trevor J. LaGrave, a graduate of Columbia High School and Hudson Valley Community College and currently a Police Officer for the State University at Albany, has made application for said position, has undergone a background investigation, has been interviewed by the Town Board and has been found to be eligible and qualified according to the Rensselaer County Civil Service Commission; and

WHEREAS, in order to further advance the lawful requirements of the Town to obtain medical, psychological and fingerprint clearances consistent with Homeland Security and Human Rights Law;

WHEREAS, the Town Comptroller has confirmed that this position was included in the current budget and will have no material impact on Town finances;

now therefore be it

RESOLVED, that Trevor J. LaGrave, be and hereby is offered a conditional appointment to the position of Police Officer, subject to the following conditions and stipulations;

- approved transfer by the Rensselaer County Civil Service Commission;
 - medical, psychological and drug test results meeting the standards of the Bureau for Municipal Police;
 - satisfactory fingerprint and background check;
 - successful completion of the Police Department Field Training Program;
- and be it further

RESOLVED, that said job offer be affirmed by said appointee within 30 days by executing the oath of office as administered by the Town Clerk, or, after which said offer shall become null and void;

and be it further

RESOLVED, that said conditional appointment, made by virtue of the foregoing, shall commence within 30 days of said Oath of Office and shall be subject to a probationary period of one (1) year, and, that upon successful completion of all said conditions and stipulations, shall be, and hereby is made permanent.

The foregoing resolution was duly moved by Councilor Grant, seconded by Supervisor Conway and voted as follows:

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

96-2017 A Resolution Authorizing the Finance Office to Solicit Bids for Upgrading the Phone System in Town Hall

WHEREAS, the Town of East Greenbush has identified the need to solicit bids for upgrading the Town's phone system; and

WHEREAS, the need to upgrade the phone system was identified during the 2017 Budget Season as the current phone system is dated and does not provide many features that the Town could utilize, and the Town does not have spare units of the current phone system, creating a potential problem if a unit stops working; and

WHEREAS, an upgrade to the phone system within Town Hall would require new phone units with increased capabilities, such as caller ID, as well as rewiring to promote future growth of the phone system. Rewiring would provide for a minimum of one voice line and one data line to each current operating phone, with a potential for growth of two or more per current line; and

WHEREAS, the goal of the bid solicitation is not just to upgrade to a new phone system, but to enhance the options for future growth without having to rewire again as new staff or units are added; and

WHEREAS, the Town Comptroller states that a phone system was budgeted in the 2017 budget and will have no material impact at this time on the Town's finances; now, therefore, be it

RESOLVED, the Town Board does hereby authorize the Finance Office to solicit sealed bids for Upgrading the Phone System in Town Hall.

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

97-2017 A Resolution Authorizing the Supervisor to Sign the CSEA Employee Benefit Fund Contract to Maintain Employee Benefits

WHEREAS, the Town of East Greenbush had negotiated the most recent CSEA Agreement between the Town of East Greenbush and CSEA Local 1000 AFSCME, AFL-CIO for the years of January 1, 2014 – December 31, 2018; and

WHEREAS, as a benefit of the CSEA Union Contract being negotiated, the Town is able to continue offering vision and dental benefits to employees through the Employee Benefit Fund, and in order to maintain this agreement the Supervisor must sign the agreement; and

WHEREAS, the Town entered into the original agreement on January 25, 1989, for the provision by the Employee Benefit Fund of vision and dental benefits to the Town's covered employees, which original agreement was most recently extended by renewal agreement dated June 15, 2011; and

WHEREAS, the parties desire to continue the provision of said benefits upon the terms and conditions contained in the Agreement, and is modified to meet the updated insurance requirements; and

WHEREAS, the Employee Benefit Fund shall provide benefits to the Town's covered employees under the following benefit plans established by the Employee Benefit Fund:

HORIZON DENTAL PLAN;
SILVER 12 VISION PLAN;

WHEREAS, the Town Comptroller has confirmed this plan was anticipated in the 2017 budget and has no material impact on the Town's finances; and
now, therefore, be it

RESOLVED, that the Town Board does hereby authorize the Supervisor to sign the Employee Benefit Fund Contract so that the Town's Employee's benefits may be maintained.

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:

98-2017 A Resolution Awarding the Bid for the Luther Road (NY Route 151) Pedestrian and Bicycle Access Improvements Project

WHEREAS, the Luther Road (NY Route 151) Pedestrian and Bicycle Access Improvements Project, PIN 1757.31 (the “Project”) is a locally administered Federal Aid Project which the Town of East Greenbush authorized pursuant to Resolution 107-2008; and

WHEREAS, the Town of East Greenbush advertised for bids for the construction of the Project in the Troy Record and the NYS Contract Reporter; and

WHEREAS, two (2) bids were received on Tuesday, May 2nd, 2017 for the construction of the Project, and Creighton Manning Engineering has recommended to the Town that the bid submitted by Peter Luizzi & Bros. Contracting, Inc. in the amount of \$1,164,745.65 be accepted as the lowest responsible bidder; and

WHEREAS, the Town Comptroller believes at this time that the resolution will contribute to a material negative impact on the Town’s finances yet to be determined but estimated pursuant to Resolution 107-2008 at approximately \$424,520 in consumed equity and another \$500,000 in negative cash flow estimated with the 2017 Town Budget analysis of budget fund balance page; and

now, therefore, be it

RESOLVED, that the Town of East Greenbush hereby awards the Project to Peter Luizzi & Bros. Contracting, Inc. for the total price of \$1,164,745.65 contingent upon New York State Department of Transportation (NYSDOT) and Federal Highway Administration (FHWA) concurrence with the award; and

and be it further

RESOLVED, that the Town of East Greenbush hereby authorizes the Supervisor to execute a construction contract between the Town of East Greenbush and Peter Luizzi & Bros. Contracting, Inc. in the amount of \$1,164,745.65, contingent on receipt of approval from the New York State Department of Transportation and Federal Highway Administration occurrence.

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:

99-2017 A Resolution Authorizing Payment for Tree Removal on the Luther Road (NY Route 151) Pedestrian and Bicycle Access Improvements Project

WHEREAS, the Luther Road (NY Route 151) Pedestrian and Bicycle Access Improvements Project, PIN 1757.31 (the “Project”) is a locally administered Federal Aid Project which the Town of East Greenbush authorized pursuant to Resolution 107-2008; and

WHEREAS, in order to fulfill environmental requirements of the Project, Creighton Manning Engineering, in consultation with the Commissioner of Public Works, recommended utilization of the Rensselaer County Emergency Tree Removal Contract to secure a bid from Allmark Tree Services for the sum of \$31,000.00 for the removal of trees within this Project, and

that Creighton Manning Engineering has verified that all services required of Allmark Tree Services have been completed; and

WHEREAS, the Town Comptroller believes at this time that the resolution will contribute to a material negative impact on the Town's finances yet to be determined but estimated pursuant to Resolution 107-2008 at approximately \$424,520 in consumed equity and another \$500,000 in negative cash flow estimated with the 2017 Town Budget analysis of budget fund balance page;

now, therefore, be it

RESOLVED, that the Town of East Greenbush hereby authorizes the Town Comptroller to pay Allmark Tree Service the sum of \$31,000.00 for tree removals necessitated by the Project.

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:

100-2017 A Resolution Authorizing the Purchase of Gasoline and Diesel Fuel from Rensselaer County Contract

WHEREAS, this resolution was not able to be submitted in time to be considered on the regularly scheduled pre-board meeting of May 10, 2017 and was subsequently presented to the Town Board on May 15, 2017; and

WHEREAS, the Public Works Department requires gasoline and diesel fuel to operate; and

WHEREAS, Rensselaer County has conducted bids for gasoline and diesel fuel and awarded the contract to Main Brothers Oil Company; and

WHEREAS, an essential component of the contracts entered into by Rensselaer County provides that said commodities and respective bid prices received by the County shall be available to local governments and political subdivisions of New York State; and

WHEREAS, the Town Comptroller has confirmed that the provisions of this proposed Board action of an alternate supplier of gasoline and diesel fuel shall pose no negative and a potential positive impact to the Town's finances;

now, therefore be it

RESOLVED, that the Town Board hereby authorizes the Commissioner of Public Works to purchase gasoline and diesel fuel from the above contract as required for operating trucks and equipment subject to the limits of DPW Budget.

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

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

101-2017 A Resolution to Adopt a Mobile Device Management Policy

WHEREAS, this resolution was not able to be submitted in time to be considered on the regularly scheduled pre-board meeting of May 10, 2017 and was subsequently presented to the Town Board on May 16, 2017; and

WHEREAS, the Director of Finance has reviewed the existing Cell Phone Policy which has been found to be inadequate due to the continual evolution of mobile technology, and since this evolution has resulted in a diversity of mobile devices, it has been determined that the policy needs to be updated to become a Mobile Device Management Policy; and

WHEREAS, the Mobile Device Management Policy will cover smartphones, tablets and any personal device used to access Town email or data; and

WHEREAS, the Town Comptroller asserts this resolution will have no impact on the Town's Finances;
now, therefore, be it

RESOLVED, that the Town of East Greenbush does hereby adopt the attached Mobile Device Management Policy and that a copy of the Mobile Device Management Policy shall be incorporated into the Town's Employee Manual;

and be it further

RESOLVED, that the Director of Finance is hereby authorized and directed to provide each Town employee who uses a Town mobile device a copy of the attached Mobile Device Management Policy;

and be it further

RESOLVED, that this policy shall be reviewed annually and amended whenever changes are made to the policy.

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:

102-2017 A Resolution Creating a Second Deputy Town Clerk Position

WHEREAS, this resolution was not able to be submitted in time to be considered on the regularly scheduled pre-board meeting of May 10, 2017 and was subsequently presented to the Town Board on May 16, 2017; and

WHEREAS, Section 30 of New York State Municipal Law permits a Town Clerk to appoint up to three Deputy Town Clerks; and

WHEREAS, the Town of East Greenbush's Town Clerk Kimberly Carlock currently has one deputy town clerk but needs a second to cover the office when neither she or her deputy can be in Town Hall; and

WHEREAS, the Town Comptroller asserts this resolution will have no impact on the Town's Finances;

now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush approves the creation of a second Deputy Town Clerk position, effective immediately;

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

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

103-2017 A Resolution Appointing Joseph A. Cherubino as Part-Time Building Inspector

WHEREAS, this resolution was not able to be submitted in time to be considered on the regularly scheduled pre-board meeting of May10, 2017 and was subsequently presented to the Town Board on May 17, 2017; and

WHEREAS, the Code Enforcement Officer has requested the appointment of a part-time building inspector due to the volume of inspection and advisory work created by the construction of a warehouse by Regeneron Pharmaceuticals as part of their Mill Creek Project; and

WHEREAS, Joseph A. Cherubino has 34 years of experience in the Town of East Greenbush Building Department and would be able to handle the complex issues connected to the Mill Creek Project in a manner that would protect the best interests of the Town; and

WHEREAS, Joseph A. Cherubino will be paid via the Town’s payroll software and will continue to submit a bi-weekly timesheet as employees do in accordance with the Town’s Employee Handbook, and will be covered under the Town’s liability insurance while performing official tasks for the Town; and

WHEREAS, the Town Comptroller believes at this time that the cost of this resolution was included in the 2017 budget;

now, therefore, be it

RESOLVED, that the Town Board appoints Joseph A. Cherubino as a part time building inspector in the Building Department for the term of May 18, 2017 – December 31, 2017 at a rate of \$30.00 per hour.

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

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

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:

PERMIT APPLICATION

NY State Unified Solar Permit

Unified solar permitting is available statewide for eligible solar photovoltaic (PV) installations. Municipal authorities that adopt the unified permit streamline their process while providing consistent and thorough review of solar PV permitting applications and installations. Upon approval of this application and supporting documentation, the authority having jurisdiction (AHJ) will issue a building and/or electrical permit for the solar PV installation described herein.

PROJECT ELIGIBILITY FOR UNIFIED PERMITTING PROCESS

By submitting this application, the applicant attests that the proposed project meets the established eligibility criteria for the unified permitting process (subject to verification by the AHJ). The proposed solar PV system installation:

- Yes No 1. Has a rated DC capacity of 25 kW or less.
- Yes No 2. Is not subject to review by an Architectural or Historical Review Board. (If review has already been issued answer YES and attach a copy)
- Yes No 3. Does not need a zoning variance or special use permit. (If variance or permit has already been issued answer YES and attach a copy)
- Yes No 4. Is mounted on a permitted roof structure, on a legal accessory structure, or ground mounted on the applicant's property. If on a legal accessory structure, a diagram showing existing electrical connection to structure is attached.
- Yes No 5. The Solar Installation Contractor complies with all licensing and other requirements of the jurisdiction and the State.
- Yes No 6. If the structure is a sloped roof, solar panels are mounted parallel to the roof surface.

For solar PV systems not meeting these eligibility criteria, the applicant is not eligible for the Unified Solar Permit and must submit conventional permit applications. Permit applications may be downloaded here:

www.eastgreenbush.org/departments/building-code or obtained in person at the East Greenbush Town Hall, 225 Columbia Turnpike, Rensselaer, NY 12144 during business hours (8:30 am – 4:30 pm).

SUBMITTAL INSTRUCTIONS

For projects meeting the eligibility criteria, this application and the following attachments will constitute the Unified Solar Permitting package.

- This application form, with all fields completed and bearing relevant signatures.
- Permitting fee (according to the Building Department Fee Schedule), payable by cash or check, checks made payable to the Town of East Greenbush.
- Required Construction Documents for the solar PV system type being installed, including required attachments.

Completed permit applications can be submitted electronically to egcodes@eastgreenbush.org, by fax to 518-477-2386, or in person at the East Greenbush Town Hall, 225 Columbia Turnpike, Rensselaer, NY 12144 during business hours (8:30 am – 4:30 pm).

APPLICATION REVIEW TIMELINE

Permit determinations will be issued within approximately 7 – 10 calendar days upon receipt of complete and accurate applications. The municipality will provide feedback within approximately 7 – 10 calendar days of receiving incomplete or inaccurate applications.

FOR FURTHER INFORMATION

Questions about this permitting process may be directed to the Building Department at 518-477-6225.

PROPERTY OWNER

Property Owner's First Name

Last Name

Title

Property Address

City

State

Zip

Section

Block

Lot Number

EXISTING USE

Single Family 2-4 Family Commercial Other

PROVIDE THE TOTAL SYSTEM CAPACITY RATING (SUM OF ALL PANELS)

Solar PV System: _____ kW DC

SELECT SYSTEM CONFIGURATION

Make sure your selection matches the Construction Documents included with this application.

Supply side connection with microinverters Load side connection with DC optimizers
 Supply side connection with DC optimizers Load side connection with microinverters
 Supply side connection with string inverter Load side connection with string inverter

SOLAR INSTALLATION CONTRACTOR

Contractor Business Name

Contractor Business Address

City

State

Zip

Contractor Contact Name

Phone Number

Contractor License Number(s)

Contractor Email

Electrician Business Name

Electrician Business Address

City

State

Zip

Electrician Contact Name

Phone Number

Electrician License Number(s)

Electrician Email

Please sign below to affirm that all answers are correct and that you have met all the conditions and requirements to submit a unified solar permit.

Property Owner's Signature

Date

Solar Installation Company Representative Signature

Date

SUBMITTAL REQUIREMENTS SOLAR PV 25KW OR LESS (ATTACHMENTS)

NY State Unified Solar Permit

This information bulletin is published to guide applicants through the unified solar PV permitting process for solar photovoltaic (PV) projects 25 kW in size or smaller. This bulletin provides information about submittal requirements for plan review, required fees, and inspections.

PERMITS AND APPROVALS REQUIRED

The following permits are required to install a solar PV system with a nameplate DC power output of 25 kW or less:

- a) Unified Solar Permit only (no other permit required)

Planning review IS NOT required for solar PV installations of this size.

Fire Department approval IS NOT required for solar PV installations of this size.

SUBMITTAL REQUIREMENTS

In order to submit a complete permit application for a new solar PV system, the applicant must include:

- a) Completed Standard Permit Application form which includes confirmed eligibility for the Unified Solar Permitting process. This permit application form can be downloaded at www.eastgreenbush.org/departments/building-code.
- b) Construction Documents, with listed attachments (SAMPLES ARE AVAILABLE IN Understanding Solar PV Permitting and Inspecting in New York State at www.eastgreenbush.org/departments/building-code). Construction Documents must be stamped and signed by a New York State Registered Architect or New York State Licensed Professional Engineer.

The Town of East Greenbush, through adopting the Unified Solar Permitting process, requires contractors to provide construction documents, such as the examples included in the Understanding Solar PV Permitting and Inspecting in New York State document. Should the applicant wish to submit Construction Documents in another format, ensure that the submittal includes the following information:

- Manufacturer/model number/quantity of solar PV modules and inverter(s).
- String configuration for solar PV array, clearly indicating the number of modules in series and strings in parallel (if applicable).
- Combiner boxes: Manufacturer, model number, NEMA rating.
- From array to the point of interconnection with existing (or new) electrical distribution equipment: identification of all raceways (conduit, boxes, fittings, etc.), conductors and cable assemblies, including size and type of raceways, conductors, and cable assemblies.
- Sizing and location of the EGC (equipment grounding conductor).
- Sizing and location of GEC (grounding electrode conductor, if applicable).
- Disconnecting means of both AC and DC including indication of voltage, ampere, and NEMA rating.
- Interconnection type/location (supply side or load side connection)
- For supply side connections only, indication that breaker or disconnect meets or exceeds available utility fault current rating kAIC (amps interrupting capacity in thousands).
- Ratings of service entrance conductors (size insulation type AL or CU), proposed service disconnect, and overcurrent protection device for new supply side connected solar PV system (reference NEC 230.82, 230.70).
- Rapid shutdown device location/method and relevant labeling.

c) (For Roof Mounted Systems) A roof plan showing roof layout, solar PV panels and the following fire safety items: approximate location of roof access point, location of code-compliant access pathways, code exemptions, solar PV system fire classification, and the locations of all required labels and markings.

d) Provide construction drawings with the following information:

- The type of roof covering and the number of roof coverings installed.
- Type of roof framing, size of members, and spacing.
- Weight of panels, support locations, and method of attachment.
- Framing plan and details for any work necessary to strengthen the existing roof structure.
- Site-specific structural calculations.

e) Where an approved racking system is used, provide documentation showing manufacturer of the racking system, maximum allowable weight the system can support, attachment method to roof or ground, and product evaluation information or structural design for the rack.

PLAN REVIEW

Permit applications can be submitted to the Building Department in person at 225 Columbia Turnpike, Rensselaer, NY 12144 and electronically through: egcodes@eastgreenbush.org or by fax to 518-477-2386].

FEES

Applicable fees will be collected according to the Town Of East Greenbush Building Department Fee Schedule. For further information, please contact the Building Department at 518-477-6225. Fees are payable by cash or check; checks made payable to the Town of East Greenbush.

INSPECTIONS

Once all permits to construct the solar PV installation have been issued and the system has been installed, it must be inspected before final approval is granted for the solar PV system. On-site inspections can be scheduled by contacting the Building Department by telephone at 518-477-6225 or electronically at egcodes@eastgreenbush.org. Inspection requests received within business hours are typically scheduled for the next business day. If next business day is not available, inspection should happen within a five-day window.

In order to receive final approval, the following inspections are required:

FINAL INSPECTION: The applicant must contact the Building Department when ready for a final inspection. During this inspection, the inspector will review the complete installation to ensure compliance with codes and standards, as well as confirming that the installation matches the records included with the permit application. The applicant must have ready, at the time of inspection, the following materials and make them available to the inspector:

- Copies of as-built drawings and equipment specifications, if different than the materials provided with the application.
- Photographs of key hard to access equipment, including;
 - Example of array attachment point and flashing/sealing methods used.
 - Opened rooftop enclosures, combiners, and junction boxes.
 - Bonding point with premises grounding electrode system.
 - Supply side connection tap method/device.
 - Module and microinverter/DC optimizer nameplates.
 - Microinverter/DC optimizer attachment.

The Town of East Greenbush has adopted a standardized inspection checklist, which can be found in the Understanding Solar PV Permitting and Inspecting in New York State document, found here: <https://www.eastgreenbush.org/departments/building-code> .

The inspection checklist provides an overview of common points of inspection that the applicant should be prepared to show compliance. If not available, common checks include the following:

- Number of solar PV modules and model number match plans and specification sheets number match plans and specification sheets.
- Array conductors and components are installed in a neat and workman-like manner.
- Solar PV array is properly grounded.
- Electrical boxes and connections are suitable for environment.
- Array is fastened and sealed according to attachment detail.
- Conductor's ratings and sizes match plans.
- Appropriate signs are property constructed, installed and displayed, including the following:
 - Sign identifying PV power source system attributes at DC disconnect.
 - Sign identifying AC point of connection.
 - Rapid shutdown device meets applicable requirements of NEC 690.12.
- Equipment ratings are consistent with application and installed signs on the installation, including the following:
 - Inverter has a rating as high as max voltage on PV power source sign.
 - DC-side overcurrent circuit protection devices (OCPDs) are DC rated at least as high as max voltage on sign.
 - Inverter is rated for the site AC voltage supplied and shown on the AC point of connection sign.
 - OCPD connected to the AC output of the inverter is rated at least 125% of maximum current on sign and is no larger than the maximum OCPD on the inverter listing label.
 - Sum of the main OCPD and the inverter OCPD is rated for not more than 120% of the buss bar rating.

UNIFIED SOLAR PERMITTING RESOURCES

The jurisdiction has adopted the following documents from the New York Unified Solar Permit process:

- Standard Application <https://www.eastgreenbush.org/departments/building-code>
- Understanding Solar PV Permitting and Inspecting in New York State document, which includes sample construction documents, inspection checklist, design review checklist, and labelling guide, found at <https://www.eastgreenbush.org/departments/building-code>

DEPARTMENTAL CONTACT INFORMATION

For additional information regarding this permit process, please consult our departmental website at <https://www.eastgreenbush.org/departments/building-code> or contact the Building Department at 518-477-6225.

TOWN OF EAST GREENBUSH

Mobile Device Management Policy



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- **Executive Summary**

The purpose of this policy is to govern the acquisition, usage and management of mobile devices for the Town of East Greenbush for municipal business use by Town employees. This policy will also outline appropriate standards, guidelines and procedures for proper Town use.

It is also the goal of this policy to protect Town property which includes, but is not limited to the mobile device, mobile equipment, and Town data. This policy also applies to the use of personal mobile devices to retrieve email or view Town data.

I. Definitions

1. **Mobile Device** – any cell phone (Android, iPhone or other phone), tablet, or laptop computer issued to an employee to conduct official Town business.
2. **Town Data**- includes all emails, documents, files, pictures, etc., that an employee received or took during their use of the mobile device. All information is subject to Records Retention and Disposition Schedule MU-1 of New York State.
3. **Department Head**- the person in charge of any department of the Town of East Greenbush. This definition will be applicable in the event such person is serving in an acting, temporary or provisional status. This term shall also include the Town Supervisor, where an individual otherwise designated as Department Head or any other individual must report directly to the Town Supervisor.
4. **IT** – The Town’s contracted Information Technology (IT) personnel.
5. **Social Media**- examples of Social Media include, but are not limited to: Facebook, Twitter, MySpace, LinkedIn, Instagram, Flickr, Snapchat, YouTube, web blogs, and web based wikis whereby users can add, modify, or delete content via a web browser

II. Policy

- **Policy Statement**

The Town of East Greenbush recognizes the value of utilizing mobile devices to optimize the operation of departments within the Town. Mobile devices shall be issued to selected employees for the purpose of effectively conducting Town business.

Employees shall make every attempt to use their Town-owned mobile devices for business purposes only. Town mobile devices are not to be used by anyone other than the Town employee to whom the devices is assigned.

All mobile devices and communications service is provided solely for administering the Town of East Greenbush's business operations.

Upon resignation, retirement or termination from Town employment, employees in possession of a mobile device must return the device. When using a personal mobile device to retrieve Town data such as email, all employees will need to see the Director of Finance or the Town's contracted IT agent (IT) to remove all Town data from the device(s) used.

- **Eligibility and Identification of Need**

Possession and use of a Town issued mobile device is a privilege and not a right. Eligibility is determined by the Department Head and then approved by the Town Supervisor who will direct the Director of Finance to add the line to the Town's current plan.

Mobile devices issued to an employee are only to be used for conducting Town business. Town business includes, but is not limited to, after-hours calls, monitoring of network systems (i.e. SCADA system), and for job related calls when in the field.

- **Appropriate Use**

Mobile devices and service plans employed to conduct Town business must be used in a responsible, ethical, and cost effective manner. Therefore, the following rules must be adhered to at all times:

1. Employees should have no expectation of privacy with calls, files, emails or internet usage. The Town has a right to monitor usage without prior notice of employees.
 - a. The contents of Town issued mobile devices, including all billing records, may be released to the public under the Freedom of Information Law (FOIL)
2. The Town will not reimburse employees to retrieve Town email or for calls received using personally owned devices.
3. No mobile device, either Town issued, or personal device, intended for business use may be used to conduct illegal transactions, disruptive, unethical or unprofessional activities, or for any purpose that would jeopardize the legitimate business interest of the Town of East Greenbush.
 - a. Employees shall not download, view, store or forward pornographic or any other obscene materials.

- b.** Misuse also shall include, but is not limited to, ethnic slurs, racial comments, off-color joke or anything that may violate the Town’s Policy Against Sexual Harassment & Gender Discrimination, Workplace Violence Prevention Policy or any applicable Town policy.
- 4.** Employees are strictly forbidden to make or receive business calls on a mobile device while operating a motor vehicle, whether the vehicle is personally owned or a Town vehicle. This includes both Town issued and personally owned mobile devices.
 - a.** Exceptions to this policy statement may be made in the case of extreme emergencies, such as an accident, vehicle failure, health emergency or other imminent danger. In the event of an emergency, please safely pull the vehicle over and park to make the call.
- 5.** All hardware and software used is to be supplied by the Town. No authorized or unlicensed hardware or software may be used or installed on any Town-owned device. Any hardware, software or application that is necessary to perform job duties should be requested to the Department Head and approved by IT.
- 6.** Use of Social Media on Town issued mobile devices is strictly prohibited. The only exception to this rule is when the use is directly pertinent to Town business and approved by the Department Head. Approved Social Media usage must comply with applicable Town policies.
 - a.** Post meaningful, respectful comments – in other words, please, no spam and no remarks that are off-topic or offensive;
 - b.** Clarify that your opinions are your own;
 - c.** Stick to your area of expertise but do feel free to provide unique, individual perspective on non-confidential matters;
 - d.** No comments should be made in relation to any legal matters or litigation;
 - e.** Never participate in Social Media during what may be considered an emergency or crisis situation;
 - f.** Always remember that names are public when posting on Social Media and any posts can be connected to the Town of East Greenbush. There could be professional ramifications if comments are perceived as inappropriate.
- 7.** In the event that a Town issued mobile device is damaged, lost or stolen, such incidents must be reported immediately to the Department Head, the Director of Finance and IT.
- 8.** Employees are responsible for reimbursing the Town for full costs of damaged, lost, or stolen mobile devices and related accessories of Town issued mobile device or accessories if they were damaged, lost or stolen due to negligence or neglect.
- 9.** Upon resignation, retirement, or termination, an employee must surrender all mobile devices to the Director of Finance. Any personal device used for Town related business must be cleared of any Town data by IT.
 - a.** The employees account must be reconciled prior to leaving the employ of the Town.
 - b.** In the event that the Town issued mobile device is not returned to the Director of Finance, the employee will be required to reimburse the Town the price of the cell phone and any accessories that were issued.
- 10.** The Internal Revenue Service classifies cell phones as “listed property”, meaning they are therefore subject to taxation as an employee benefit. In order to be in compliance with IRS laws, extended personal use of a Town cell phone is prohibited.

III. Development and Revision

The Town's Mobile Device Policy will be reviewed on an annual basis to identify and update any areas that need to be amended to fit the ever changing technological world.

Policy approved by Town Board on Resolution: 101-2017

IV. Mobile Device & Plan Details

1. The Town will supply a mobile device and pay the monthly invoice.
 - a) The mobile device that will be provided to the employee will be a smartphone, either an Android or iPhone (model to be determined at time of purchase/upgrade);
 - b) If the mobile device is a tablet, the appropriate tablet will be determined and ordered based on department need and use.
2. Initial protection equipment and accessories will be purchased by the Town for the mobile device. This will include the case and necessary chargers.
 - a) Protective covers should be kept on the device at all times, in the event that the phone is damaged due to neglect or improper care, the employee will be responsible for replacement of the device and accessories.
3. The following features will be provided on the employees mobile device-cell phone plan:

Department of Public Works/Building Department

 - a) 200 minutes per month;
 - b) Unlimited night/weekend air minutes;
 - c) Unlimited Verizon Mobile-to-Mobile (2017 – Verizon Wireless Plan);
 - d) Unlimited text messaging;
 - e) 5G data – Shared with ALL employees on plan.
 - i. It is recommended that employees utilize Wi-Fi when available;
 - f) Plan overages will be reviewed monthly. If it is determined that an overage has occurred, each employee will be responsible for the overage rate charged to their line.
 - i. Town issued mobile devices are for business use, all personal use should be limited to urgent need only.
4. If an employee would like any additional equipment, belt holders, or other, they will be purchased by the employee, not the Town.
5. Replacement of broken phones and batteries will be paid by the Town after authorization by the Department Head and Director of Finance that the damage was not due to negligence.

TOWN OF EAST GREENBUSH CELL PHONE POLICY AGREEMENT

I have read the Town Cell Phone Policy and agree to its terms in full. I understand that violations of this policy may result in disciplinary procedures set forth in labor agreements or under Section 75 of the Civil Service Law.

Employee: _____
Signature

Print Name

Date