



The Town of East Greenbush

225 Columbia Turnpike, Rensselaer, New York 12144

TOWN BOARD AGENDA PRE-BOARD MEETING April 12, 2017

Call to Order **6:00 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

Resolutions and Proposals by Town Board Members:

65-2017 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 March 15, 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 March 15, 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:

66-2017 A Resolution Honoring the Action of Certain East Greenbush Police Officers and Bruen Rescue Squad Members in Responding to an Emergency

WHEREAS, on March 6, 2017 Jennifer O’Brien, was getting her two daughters (Maura, 12 years old, and Caroline, nine years old) ready for school; and

WHEREAS, she suffered a medical emergency, fell, struck her head on furniture, and fell unconscious to the floor; and

WHEREAS, Maura called 911, whereupon Keith Boniface and Steven Deyo dispatched the call to the East Greenbush Police Department and the Bruen Rescue Squad; and

WHEREAS, East Greenbush Police Chief Christopher Lavin and Officer Joshua Witko responded to the scene, provided comfort to the girls and stayed there until Bruen Rescue Squad arrived to transport Jennifer O’Brien to St. Peter’s Hospital; and

WHEREAS, neighbors responded when they saw the police cars and the ambulance and took care of the girls; and

WHEREAS, the Dubuque-O’Brien family has expressed their gratitude to the police, the Bruen Rescue Squad, and the other members of the East Greenbush community who responded quickly and competently in providing assistance in this matter, and comfort to the children; now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush hereby expresses its gratitude and admiration to Police Chief Christopher Lavin and Officer Joshua Witko, and Dispatchers Keith Boniface and Steven Deyo in this situation, and also to the members of the Bruen Rescue Squad who responded promptly to this emergency.

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:

67-2017 A Resolution Authorizing the Town Supervisor to Enter into a Contract with MJ Engineering and Land Surveying P.C. in an Amount not to Exceed \$21,000.00 for the Purpose of Completing the Technical Work Related to the Town Park Water Quality Grant Provided by the New York State Office of Parks, Recreation and Historic Preservation

WHEREAS, in 2009 the Rensselaer County Department of Health closed the beach at the Town Park to any recreational activities because of Fecal Coliform (E. coli) bacterial contamination; and

WHEREAS, the Town received a grant up to (net of reimbursement) \$15,000.00 from the New York State Office of Parks, Recreation and Historic Preservation in 2013 to perform

water quality testing of the Moordener Kill waterway and identify the source of any contaminants; and

WHEREAS, the Town Board authorized via Resolution #175-2016 the expenditure of an amount not to exceed \$15,000.00 as matching funds for the grant provided by the New York State Office of Parks, Recreation and Historic Preservation; and

WHEREAS, MJ Engineering and Land Surveying, P.C. has been selected by the Town to provide technical services via a publicly advertised Request for Proposals; and

WHEREAS, MJ Engineering and Land Surveying, P.C. has provided an estimate to complete the scope of work specified in the grant in an amount not to exceed Twenty-One Thousand Dollars (\$21,000.00.); and

WHEREAS, the aforementioned estimate will require a net Town expenditure of \$10,500.00 in matching funds representing an amount below that which was previously budgeted and authorized; and

WHEREAS, the Town Comptroller has confirmed that the financial impact of this resolution is approximately \$21,000.00 from the General Fund for this expense

Fund	Transfer in	Transfer out
A917 – General Fund Balance	--	\$10,500.00
3089.01 –NYS Parks Grant		\$10,500.00
7110.4 Parks CE	\$21,000.00	

now, therefore, be it

RESOLVED, that the Town Board authorizes the Supervisor to enter into a contract, upon review and approval by the Town Attorney, for technical services with M.J. Engineering and Land Surveying P.C. in an amount not to exceed Twenty-One Thousand Dollars for the purposes of completing the technical work related to the Town Park Water Quality Grant.

The foregoing resolution was duly moved by Councilor Grant 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:

68-2017 A Resolution Authorizing the retention of John O’Neil from De L. Palmer Appraisal Co. in the matter of Target v. the Town of East Greenbush:

WHEREAS, John O’Neil from De L. Palmer Appraisal Co. submitted a fee proposal to prepare a court ready appraisal report for the Target store in the Town of East Greenbush; and

WHEREAS, the fee to prepare the court ready appraisal would be \$3,200 and any extra work, including testimony at trial would be billed at \$125/hour; and

WHEREAS, the Town Board has determined that the proposed fee proposal is in the best interests of the Town; and

WHEREAS, the Town Comptroller hereby has determined that this resolution will not have a material impact on the Town’s finances;

now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush authorizes the retention of John O’Neil of De L. Palmer Appraisal Co. fee proposal dated March 6, 2017.

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:

69-2017 A Resolution Appointing Kimberly A. Schultheis to the Position of Clerk in the Building Department on a Provisional Basis

WHEREAS, the clerk of the building department performs routine clerical and administrative functions such as drafting correspondence, scheduling appointments, organizing and maintaining paper and electronic files, and providing information to residents; and

WHEREAS, the clerk works under the direction of the head of the building department on the daily operations of the department, and also works closely with the Planning and Zoning Department and Assessor’s Office; and

WHEREAS, the clerk position falls within the bargaining unit of CSEA Local 1000 AFSCME, AFL-CIO; and

WHEREAS, the incumbent in the position will be retiring at the end of May, 2017; and

WHEREAS, the Town of East Greenbush, after consultation with the Rensselaer County Civil Service Commission, advertised this position and received numerous applications, and interviewed six candidates for the position; and

WHEREAS, the Town Comptroller confirms the position is budgeted in 2017
now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush appoints Kimberly A. Schultheis to the position of Clerk in the Building Department on a provisional basis at the annual salary of \$32,000.92 as per union contract;
and be it further

RESOLVED, that this appointment is made on a provisional basis. The Rensselaer County Civil Service Commission has certified that Kimberly A. Schultheis meets the requirements for the position and will remain on provisional status until a new Clerk Exam is administered by the Commission and on which she must qualify to hold the position;
and be it further

RESOLVED, that this appointment will take effect on May 1, 2017.

The foregoing resolution was 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:

70-2017 A Resolution to Appoint Clinton M. Bonner to the Position of Laborer in the Department of Public Works

WHEREAS, the Department of Public Works has an existing vacancy for the position of Laborer at the Transfer Station; and

WHEREAS, the Public Works Commissioner advertised for a Laborer in the Town's Official Newspaper and on the Town's website; and

WHEREAS, applications were received and reviewed, and interviews conducted by the Town Supervisor, the Commissioner of Public Works, and the Highway Department Foreman; and

WHEREAS, Clinton M. Bonner was unanimously selected as the most qualified candidate for the position from a field of eight applicants; 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 Clinton M. Bonner to the position of Laborer in the Department of Public Works Transfer Station at the rate of \$20.3051 per hour as required by the CSEA Collective Bargaining Agreement. This appointment will be effective as of April 25th, 2017.

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:

71-2017 A Resolution to Approve the Appointment of Zachary Kuhn and Tyler VanCour-Bryant as Summer Camp Co- Directors in the Community & Recreation Service Department

WHEREAS, the Town Board recognizes the importance of the key position, Camp Co-Director to the Department of Community and Recreation; and

WHEREAS, the Town Camp will be split into a Junior and Senior Camp for 2017 with requirements for both sections; and

WHEREAS, the Town Comptroller hereby has determined that this resolution will not have a material impact on the Town's finances;

now therefore be it

RESOLVED, that Zachary Kuhn and Tyler VanCour-Bryant, be hereby appointed to the position of Co-Camp Directors at a rate of \$15.00 per hour effective April 20, 2017 through Sept. 1st, 2017 and consistent with all the terms and conditions of this position as previously set forth by the Town Board

and be it further

RESOLVED, that Human Resource Manager will take all necessary steps to process the personnel transaction authorized by this resolution.

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:

72-2017 A Resolution for Approval of 2016 Service Credit for Volunteers of the W. F. Bruen Emergency Squad, Inc.

WHEREAS, the Town of East Greenbush in the County of Rensselaer, State of New York (hereinafter, the “Town”), is the sponsor of a service award program (hereinafter, “Program”) for the volunteer ambulance workers of W. F. Bruen Emergency Squad, Inc. (hereinafter, “Bruen”), the Town’s contracted provider of emergency medical service for the East Greenbush Ambulance District, pursuant to New York General Municipal Law (hereinafter, “GML”) article 11-AAA; and

WHEREAS, in accordance with GML §219-m, subdivision 9, the President, Secretary, and Chief of Bruen have duly certified to the East Greenbush Town Board (hereinafter, the “Board”) a list containing those volunteer ambulance workers designated as Program participants who qualify for service credit for fiscal year 2016 (hereinafter, the “List”); and

WHEREAS, the Director of Finance, having received and reviewed the List, has not received any information contrary thereto; and

WHEREAS, no volunteer worker has requested deletion as a participant from said list; and

WHEREAS, the Town Comptroller has confirmed that the provisions of this resolution were planned for in the 2017 Town Budget however, the Assessor and Receiver will need to monitor the hours worked to stay within budget;

now, therefore, be it

RESOLVED, that the Board acknowledges that no one has qualified for service credit for volunteers in 2016.

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:

73-2017 A Resolution to Authorize Paving of Town Highways

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 Commissioner of Public Works and the Town Supervisor have reviewed the needs of the Town and determined that as many of the following pavement preservation projects as possible will be completed this year, subject to available NYS CHIPs Funding:

Birchwood Lane	McCullough Place
California Avenue	Old Red Mill Road
Commons Drive	Pleasant Street
Herrington Avenue	Ponderosa Boulevard
Lincoln Avenue	Ridge Road (from Columbia Turnpike to Celeste rive)
Maine Avenue	Van Buren Avenue

WHEREAS, the Commissioner of Public Works states that the estimates for the work will not exceed \$273,000. This amount is the 2017-2018 Consolidated Local Street and Highway Improvement Program (CHIPS) funding (\$131,139), the PAVE-NY supplemental funding (\$29,933), and the paving budget for 2017 (\$111,928); and

WHEREAS, the Town Comptroller believes at this time that this resolution will not have a negative impact on the Town’s finances;

now, therefore, be it

RESOLVED, that the Commissioner of Public Works is hereby authorized to approve paving expenses not to exceed \$273,995 for paving of the aforementioned Town roads.

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:

74-2017 Resolution Authorizing the Conveyance of an Easement to National Grid, in Connection with Development by Regeneron Pharmaceuticals

WHEREAS, National Grid is undertaking a project to provide upgrades to electrical service to Regeneron Pharmaceuticals; and

WHEREAS, National Grid intends to install a new “tap” to Regeneron Pharmaceuticals adjacent to the existing tap; and

WHEREAS, National Grid has offered to compensate the town in the amount of \$37,517.00 for such easement rights; and

WHEREAS, the Comptroller has determined that the fiscal impact of this conveyance shall be \$37,517.00 in exchange for the easement rights;

now, therefore, be it

RESOLVED, that the East Greenbush Town Board hereby authorizes the supervisor to execute the conveyance of an easement to National Grid as requested by said company, as set forth in the legal description and map annexed to this resolution; on a form approved by the Town Attorney.

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:

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: