



# The Town of East Greenbush

225 Columbia Turnpike, Rensselaer, New York 12144

## TOWN BOARD MINUTES

June 21, 2017

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

### Members of Town Board

Present

Absent

Supervisor Conway  
Councilor DiMartino  
Councilor Matters  
Councilor Grant  
Councilor Tierney

**Presentations:** Hudson River Estuary Conservation and Land Use Program,  
- Ingrid Haeckel, Conservation and Land Use Specialist, NYS-DEC  
**First Responders Covenant**

### Communications/Announcements/Reports

**The Town clerk Kimberly Carlock** stated that the following departments have handed in their monthly reports and are on file in the Clerk's Office: the Receiver of taxes, the DPW, the Building Department and the police Department.

**Councilor Dimartino** stated that she hoped that all of the Fathers enjoyed Fathers' Day. Councilor DiMartino made the following announcements: Summer Camp is now filled and that final payments need to be in. Outdoor Movie night will be on July 14<sup>th</sup> at 6:30 and there will be a troll hunt and a bounce house for the kids. We are now accepting vendor applications for the Town Festival, and registrations for the Car Show that will be held on August 26, 2017.

**Councilor Matters and Councilor Grant** had nothing to add at this time.

**Councilor Tierney** congratulated Columbia's 2017 graduating class. She announced that they just had the Sean Strong run and thanked the Police, DPW, and the Bruin rescue squad for their help with the run. She explained how proud she was of our community for standing behind this cause.

**Ingrid Haeckel**, Conservation and Land Use Specialist, NYS-DEC- gave a presentation to explain that the Hudson River Estuary Program and Cornell University are partnering with communities to encourage habitat conservation at the local level to sustain the health and resiliency of the entire estuary watershed. They provide technical assistance, information, and training for municipalities. She went on further to discuss this information further.

**The Supervisor** explained that we are signing a covenant to make a statement as a Town and a community to Rensselaer County and to New York State that we are not happy with the situation that our First Responders are in. He explained that he does respect the County Executive. He explained that he believes she has not been properly informed by her staff in regarding what our Community needs.

He went on to explain how he feels the first responder community in East Greenbush is the best in the Capital Region. “The way that these agencies and organizations are integrated and work together is unrivaled.” The Town Board’s first responsibility in the delivery of essential services is to keep this Town healthy and safe. The Supervisor acknowledged all of the first responders in the audience and stated that they “were the reason that this Town has been kept safe and we are going to continue to fight for it.”

He explained that they drafted a Covenant that the Town will sign, “that it is not a legally binding contract, but it is a statement that the time has come and we want this to stop, and some of it reversed. We want the County 911 system reprogrammed so that the calls come into the Town’s dispatch.” The County today said that they put \$800,000.00 into East Greenbush. He stated that much of that was supposed to be here last September, we are now being told we will receive it this October. He explained that \$800,000.00 out of a 3.2 million dollar grant represents a 3.6% commitment to the Town of East Greenbush. This includes the cell tower in the Town that we gave the County for a hundred and twenty dollars on a 10 year lease as part of that sum that they are pronouncing. He stated that Monday the County and the First Responders and the Town Board are going to meet. He stated that clearly there is a communication problem, and we need to improve that. He went on to explain more regarding this.

The Supervisor read the Covenant and all of the First Responders in the audience and the Town Board signed this.

**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.

**Bob Lehman, Chief for Fire District #3.** *He thanked the Town Board and the Supervisor for all of their support. He explained that in the emergency world that they need quick and efficient response time. The only way to do this is to make sure that our 911 system is directed back to the Town's dispatch center. He explained that their issue is not with the County or any individuals, it is an issue with the process. The covenant is a first step, but he understands that they have a lot of work to do to bring this to fruition.*

**Chris Bertran** – *Thanked the Town Board and all of the Emergency services for supporting communications the way they do.*

**Chief Lavin** *thanked the Town Board for their support on this matter. He explained that the Dispatch Unit is a 24/7 control hub for the Police and the 911 system in the town. He is in full support of this covenant and honored to be a part of this.*

**Rob Bayly, County Legislator** *-He explained that he has been coming to every meeting for the past 2 years and this is the first he has heard about this. There was further discussion with the Legislator and the Supervisor regarding this.*

#### **Resolutions and Proposals by Town Board Members:**

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##### **111-2017 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.

Councilor Matters made the motion to table the foregoing resolution and was seconded by Councilor DiMartino and brought to a vote resulting as follows:

**Councilor Matters** *explained that she is concerned that the public may think the Town Board is derelict in their duties because the minutes are not posted. She feels that the public may not know that it is the Town Clerk's responsibility to post the minutes.*

**Kim Carlock**, *the Town Clerk agreed with the Councilor that it is her duty. She explained there is no excuse for them to be late. I have been short staffed for 8 weeks and am in the process of training a new deputy. I will have them all in as soon as possible. This has no bearing on the Town Board.*

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

**112-2017 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.

Councilor DiMartino made the motion to table the foregoing resolution and was seconded by Councilor Matters and brought to a vote resulting as follows:

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

**113-2017 A Resolution Authorizing the Department of Assessment to Solicit Bids for the “In-House” Reassessment or Systematic Analysis for the 2018 Assessment Roll**

**WHEREAS**, the Town of East Greenbush has identified the need to continue with the State of New York’s 4-Year Plan with regards to Cyclical Reassessments; and

**WHEREAS**, the need to conduct the “in-house” reassessment of the Town was identified in 2017 when the Town’s equalization rate dropped from 100.00% to 96.60%; and

**WHEREAS**, an “in house” reassessment will improve equity in assessments for tax payers and contribute to an improved bond rating. Municipalities that keep assessments up-to-date are also likely to have fewer tax certiorari cases; and

**WHEREAS**, the Town Comptroller states that a reassessment was not budgeted for 2017 and advertising for bids will have no material impact at this time on the Town finances; however, if a bid is awarded it will need to be included in the 2018 Tentative Budget as a material impact; now, therefore, be it

**RESOLVED**, the Town Board does hereby authorize the Department of Assessment to solicit sealed bids to conduct the Reassessment for 2018.

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

**114-2017 A Resolution for SEQRA Determination for Fuccillo Ford Automotive Group, LLC.**

**WHEREAS**, the Town of East Greenbush received an application for the site plan review known as the Fuccillo Ford Automotive Group, LLC., 21,750 square foot new car facility site plan, located at 634 Columbia Turnpike, Tax parcel number 166.-6-4 & 166.-6-5, prepared by Hart Engineering; and

**WHEREAS**, the application was accompanied by a proposed site plan, Part 1 of a Short Environmental Assessment Form (“EAF”) and other supporting information; and

**WHEREAS**, upon the recommendation of the Planning Board, the Town Board determined the proposed project was an Unlisted Action; and

**WHEREAS**, the Planning Board, after considering the comments and opinions of the Project Review Team and the Town’s Designated Engineer, and after reviewing the proposed site plan, took a hard look at the potential environmental impacts of this project by carefully considering and reviewing the Short Environmental Assessment Form, considered all the Applicant’s proposed mitigation measures as they relate to environmental issues and more particularly to traffic, fire, rescue and MS-4 storm water management and recommended the Town Board issue a Negative Declaration under SEQRA; and

**WHEREAS**, the Town Board has determined that the action will not result in any large or important impacts; and

**WHEREAS**, the Town Comptroller has confirmed that this resolution will have no material impact on the Town’s finances;

now, therefore, be it

**RESOLVED**, that the Town Board hereby finds that the Project will not have a significant impact on the environment and issues a Negative Declaration for the Project with the following conditions:

1. Implementation of energy efficient dark-sky friendly lighting to reduce existing light pollution.
2. Construction of sidewalk accommodations in front of the parcel on Columbia Turnpike.
3. Implementation of a Storm Water Pollution Prevention Plan (SWPPP) that provides improved storm water management.

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

**115-2017 A Resolution to Approve a Site Plan for Fuccillo Automotive Group, LLC.**

**WHEREAS**, the Town has received an application for a project known as Fuccillo Ford Automotive Group, LLC. located at 634 Columbia Turnpike, identified on the Town's Tax Roll as Tax Parcel No. 166.-6-4 & 166.-6-5; and

**WHEREAS**, the application was accompanied by a site plan, Part 1 of a short Environmental Assessment Form ("EAF") and other supporting information; and

**WHEREAS**, the Town Board as Lead Agency issued a Negative Declaration for the project on June 21, 2017; Resolution # 114-2017; and

**WHEREAS**, the Planning Board has reviewed the application materials and submitted the application materials to the Project Review Team for technical review, and the site plan has been revised in response to various concerns raised by the Planning Board and the Project Review Team; and

**WHEREAS**, based on its review, the recommendations of the Project Review Team and the revisions made to the site plan, the Planning Board has recommended approval of the site plan with certain conditions; and

**WHEREAS**, the Town Board has reviewed the site plan application materials and the recommendation of the Town Planning Board; and

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

now, therefore, be it

**RESOLVED**, that the Town Board hereby approves the final Site Plan of the Project subject to the following conditions:

- Satisfying outstanding technical details, including Storm Water Pollution Prevention Plan (SWPPP)/MS-4 Storm water management as determined by the Town Planning Department and designated Engineer.
- Providing evidence of NYSDOT review and approval of site entrance and traffic management plan.
- Construct sidewalk on Columbia Turnpike covering entire frontage of parcel prior to the issuance of a Certificate of Occupancy.
- Implement a landscaping plan subject to the Town Code within the parking lot prior to the issuance of a Certificate of Occupancy.
- Provide photometric plan illustrating foot-candle values that will be decreased to 0.1 FC at the property line.
- All remaining fees are paid to the Town.

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

**116-2017 A Resolution Authorizing Purchase of a Pickup Truck from NYS OGS Mini Bid**

**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 requested publication of a Mini-Bid through the New York State Office of General Services for a three-quarter ton pickup truck; and

**WHEREAS**, the lowest responsible bid that met the bid specification was submitted by Cappellino Chevrolet Inc. for a 2018 Chevrolet Silverado 2500HD in the amount of \$27,819.63; 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 \$27,819.63 from the Highway Capital Project Fund for this expense

<b>Fund</b>	<b>Transfer in</b>	<b>Transfer out</b>
H-917 – Equipment Bond		\$27,819.63
5130.3 – Highway Capital Project Fund	\$27,819.63	

now, therefore, be it

**RESOLVED**, that the Town Board authorizes the Commissioner of Public Works to purchase a new 2018 Chevrolet Silverado 2500HD from Cappellino Chevrolet Inc. per the results of Mini Bid #17050043 in an amount not to exceed \$27,819.63.

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

**117-2017 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**, additional funding in the amount of \$24,297.95 was made available by New York State Department of Transportation in the form of the Extreme Winter Recovery Program; and

**WHEREAS**, the following town highways require paving due to their deteriorated pavement condition;

Hill Avenue  
Oakwood Drive  
Rockefeller Boulevard (Third Avenue Extension to Capitol Place)

Terrace Avenue

**WHEREAS**, the Commissioner of Public Works states that the estimates for the work will not exceed \$24,297.95; and

**WHEREAS**, the Town Comptroller believes at this time that this resolution will not have a material 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 \$24,297.95 for paving of the aforementioned Town highways; and be it further

**RESOLVED**, that the 2017 Final Budget for the Town of East Greenbush is amended as follows:

<b>Fund</b>	<b>As Reads</b>	<b>Amended to Read</b>
3501-State Aid/CHIPS	\$161,703.00	\$185,370.95
5112.4 – Permanent Improvements - CE	\$161,703.00	\$185,370.95

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

**118-2017 A Resolution Amending the Delaware Engineering Contract for Engineering Services on the Waste Water Treatment Plant Outfall Piping and Paving Project Contract #1**

**WHEREAS**, Delaware Engineering was contracted to supervise the East Greenbush Waste Water Treatment Plant Outfall Piping Project, Contract #1; and

**WHEREAS**, Delaware Engineering has recommended implementation of a Field Change Order summarized on WWTP Outfall Piping and Paving Project Contract #1 – General Construction Change Order No. 1; and

**WHEREAS**, Change Order #1 reduces the quantity of repairs required to the VCP pipe by \$112,000.00 and adds lining of 500 linear feet of pipe at \$47,940.00 and requires hammer boring certain areas of the project at \$32,550.00 for a total decrease of (\$31,510.00) to the project resulting in a total revised project budget of \$1,205,490.00; and

**WHEREAS**, the Town Comptroller has confirmed that the provisions of this resolution will have no material impact on the Town Finances;

now, therefore, be it

**RESOLVED**, that the Town Board does hereby authorize the Supervisor to sign the Town of East Greenbush – WWTP Outfall Piping and Paving Project Contract #1 – General Construction Change Order No. 1

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

**119-2017 A Resolution Awarding the Contract for the Evaluation of the Hampton Manor Water Treatment and Distribution System to Delaware Engineering, D.P.C.**

**WHEREAS**, the Town Board of the Town of East Greenbush has expressed its concern for the quality of the water in the Hampton Manor water district, an issue that resulted in two neighborhood meetings last year and the commissioning of a study of the water tanks on Hudson Avenue that serve the district; and

**WHEREAS**, the study of the water tanks found that the larger, 140,000-gallon tank needs to be replaced, while the smaller 60,000-gallon tank needs rehabilitation; and

**WHEREAS**, a number of residents of Hampton Manor have complained about the taste, color and odor of the water in Hampton Manor; and

**WHEREAS**, the Town Board believes that it is the right time to provide a formal assessment of the options available for improving the quality of water, including the options of staying on Hampton Manor water with improvements to the current system or switching to the Troy water used in the General Water District; and

**WHEREAS**, on April 17, 2017 the Town issued a Request for Proposals for qualified engineering firms to provide engineering, operational, planning and financial evaluations for long-term solutions to upgrade and maintain operations of the Hampton Manor Water Treatment and Distribution system with proposals to be opened in public on May 10, 2017; and

**WHEREAS**, six proposals were opened on May 10, 2017, and a review committee constituted consisting of the Town Supervisor, two other members of the Town Board, the Commissioner of Public Works, the Town Comptroller, and the Water Foreman; and

**WHEREAS**, the committee evaluated and ranked the proposals according to their understanding of the project and approach; licensing, certification, experience and references; ability to provide the requested service; proposed cost; and schedule of completion; and

**WHEREAS**, the Town Comptroller has confirmed that this resolution will be funded by Generic Environmental Impact Statement (GEIS) funds, as approved by the GEIS Committee

<b>Fund</b>	<b>Transfer In</b>	<b>Transfer Out</b>
SW-917 Hampton Manor Water		\$11,000.00

50204.06.004 Engineering	\$11,000.00	
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now, therefore, be it

**RESOLVED**, that the Town Board of the Town of East Greenbush awards the contract for the study of the Hampton Manor Water Treatment and Distribution System to Delaware Engineering, D.P.C for the approximate cost of \$11,000.

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

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

**120-2017 A Resolution to Authorize a Public Auction of Surplus Equipment**

**WHEREAS**, this resolution was not able to be submitted in time to be considered on the regularly scheduled pre-board meeting of June 14, 2017 and was subsequently presented to the Town Board on June 19, 2017; and

**WHEREAS**, the Town Board of the Town of East Greenbush, County of Rensselaer, State of New York has received a request from the Commissioner of Public Works to declare the following equipment as surplus; and

**WHEREAS**, said equipment consists of the following:

- One 1991 John Deere 544E Wheeled Loader VIN Number: DW544EB534015
- One 1986 Ford F800 Single Axle Dump Truck VIN Number: 1FDXK84N9GVA20754
- One 1991 Chevrolet Utility Body Truck VIN Number 1GBGK24K9ME133269; and

**WHEREAS**, said equipment is not suited for any other Town department; and

**WHEREAS**, the Town Comptroller has confirmed that the provisions of this resolution will have no material impact on the Town Finances;

now therefore, be it

**RESOLVED** that said equipment listed is hereby declared as surplus; and be it further

**RESOLVED** that the Commissioner of Public Works be authorized to conduct a public auction, sale or lawfully dispose of said surplus equipment now owned by and in the custody of the East Greenbush Public Works Department.

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

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

**121-2017 A Resolution Authorizing Purchase of a Cab and Chassis Truck from Onondaga County Bid**

**WHEREAS**, this resolution was not able to be submitted in time to be considered on the regularly scheduled pre-board meeting of June 14, 2017 and was subsequently presented to the Town Board on June 19, 2017; and

**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**, Onondaga County solicited Bids for new Cab and Chassis Trucks; and

**WHEREAS**, the Onondaga County Bid was awarded on January 21, 2014 for a period from February 14, 2014 to February 13, 2019 to Navistar 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 of East Greenbush must purchase a Dump Truck to replace Truck #49 in the Water Department to be able to repair water lines in the Town; and

**WHEREAS**, a quote for the Cab and Chassis Truck was obtained from HL Gage; and

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

**WHEREAS**, the Town Comptroller has confirmed that the financial impact of this resolution is \$93,829.00 from the Water Capital Project Fund for this expense;

<b>Fund</b>	<b>Transfer in</b>	<b>Transfer out</b>
H-917 - Equipment Bond		\$93,829.00
5130.3 – Capital Project	\$93,829.00	

now, therefore, be it

**RESOLVED**, that the Town Board authorizes the Commissioner of Public Works to purchase a Cab and Chassis Trucks from Onondaga County Bid #7974 from Navistar Inc.in an amount not to exceed \$93,829.00.

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

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

**122-2017 A Resolution to Approve the Appointment of Community and Recreation Staff for the Summer of 2017**

**WHEREAS**, this resolution was not able to be submitted in time to be considered on the regularly scheduled pre-board meeting of June 14, 2017 and was subsequently presented to the Town Board on June 19, 2017; and

**WHEREAS**, the Community and Recreation Department has a requirement by the Rensselaer County Health Department to employ staff to meet certain counselor/camper ratio requirements, and the need for senior staff to serve as activity leaders and trainers; and

**WHEREAS**, the Community and Recreation Department has received the resignation of Sarah Jaromin; and

**WHEREAS**, the summer camp program now has been split into a junior and senior camp with increased number of campers each week for 2017; and

**WHEREAS**, Sara Fellehner-Endres and Kara Blakeman are both senior staff members with the qualifications necessary for Activity Leader/Senior Counselor positions; and

**WHEREAS**, the Town Comptroller has confirmed that this proposed Town Board action has been planned for in the 2017 Budget and shall not have an material impact to the Town's finances;

now, therefore, be it

**RESOLVED**, that Kara Blakeman and Sara Fellehner-Endres be appointed as Activity Leader/Senior Counselors at the rate of \$11.00/per hour for the East Greenbush Town Summer Camp in the Community and Recreation Department.

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

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

### **123-2017 A Resolution to Approve the Appointment of Community and Recreation Staff for the Summer of 2017**

**WHEREAS**, this resolution was not able to be submitted in time to be considered on the regularly scheduled pre-board meeting of June 14, 2017 and was subsequently presented to the Town Board on June 19, 2017; and

**WHEREAS**, the Community and Recreation Department is required by the Rensselaer County Health Department to employ staff and meet certain counselor/camper ratio requirements; and

**WHEREAS**, the Community and Recreation Department has received the resignation of Sarah Jaromin, and been notified that Mark Bodner's availability has decreased; and

**WHEREAS**, it is unknown when additional applications will be received and the need to hire immediately may be necessary during the six week camp program; and

**WHEREAS**, any hiring procedures and processes will be coordinated with the Human Resources Manager; and

**WHEREAS**, the Town Comptroller has confirmed that this proposed Town Board action has been planned for in the 2017 Budget and shall have no material impact on the Town's finances;

now, therefore, be it

**RESOLVED**, the Town Services Coordinator be authorized to approve and hire additional staff in consultation with the Human resources Manager on an as-needed basis for the Summer Camp program ending on August 11, 2017.

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

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

**124-2017 A Resolution Authorizing the Town of East Greenbush to Accept Certain Roads in the Park Ridge Subdivision as Town Roads**

**WHEREAS**, this resolution was not able to be submitted in time to be considered on the regularly scheduled pre-board meeting of June 14, 2017 and was subsequently presented to the Town Board on June 19, 2017; and

**WHEREAS**, the Park Ridge subdivision, previously approved by the town, included certain designated roads known as Park Ridge Drive (167.-4-32.122); Park Ridge Drive (167.-4-32.140) and East Vale Court (167.-4-32.141); and

**WHEREAS**, the Principal Development Partnership, the owner of said roads, has tendered a deed in proper form with the associated documents to the town, seeking to convey ownership of these roads to the town; and

**WHEREAS**, the Commissioner of the Department of Public Works has inspected said roads, and has determined that they comply with the standards required of roads being dedicated to the Town of East Greenbush; and

**WHEREAS**, the Town Comptroller has confirmed that the provisions of this resolution will have no material impact on the Town Finances;  
now, therefore, be it

**RESOLVED**, that the town hereby accepts as town roads the roads referred to above, as described in a certain deed executed October 8, 2015 by Principal Development Partnership, as subject to approval as to form by the attorney for the town.

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

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

**125-2017 A Resolution Authorizing Purchase of Two (2) Cab and Chassis Trucks from Oneida County Bid**

**WHEREAS**, this resolution was not able to be submitted in time to be considered on the

regularly scheduled pre-board meeting of June 14, 2017 and was subsequently presented to the Town Board on June 19, 2017; and

**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 2018 Single Axle Plow Trucks; and

**WHEREAS**, the Oneida County Bid was awarded on February 8, 2017 to Mack Trucks 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 of East Greenbush must purchase Two (2) Cab and Chassis Trucks to be able to remove snow and ice from Town owned highways; and

**WHEREAS**, a quote for the Two (2) Cab and Chassis Trucks was obtained from Albany Mack Sales; 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 \$253,420.00 from the Highway Capital Project Fund for this expense;

<b>Fund</b>	<b>Transfer in</b>	<b>Transfer out</b>
H-917 - Equipment Bond		\$253,420.00
5130.3 – Capital Project	\$253,420.00	

now, therefore, be it

**RESOLVED**, that the Town Board authorizes the Commissioner of Public Works to purchase Two (2) Cab and Chassis Trucks from Oneida County Bid #1879 from Albany Mack Sales in an amount not to exceed \$253,420.00.

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

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

**126-2017 A Resolution to Adopt Building Department Fees for 2017**

**WHEREAS**, this resolution was not able to be submitted in time to be considered on the

regularly scheduled pre-board meeting of June 14, 2017 and was subsequently presented to the Town Board on June 19, 2017; and

**WHEREAS**, the Town Board is required to establish rates that are to be charged by the Building Department for the Town of East Greenbush; and

**WHEREAS**, the fees have been reviewed and updated by the Building Department; and

**WHEREAS**, the new fee schedule was submitted to the Town Board for their review and approval; and

**WHEREAS**, the fees will be reviewed annually and submitted to the Town Board with recommendations for changes; and

**WHEREAS**, the Town Comptroller has confirmed that the provisions of this resolution will have no material impact on the Town Finances;

now, therefore, be it

**RESOLVED**, that the attached fee schedule for the East Greenbush Building Department are hereby approved and will go into effect immediately.

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

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

**127-2017      A Resolution to Satisfy the Town’s Obligation Under SEQR  
for the Refinancing of the Its Water Service Agreement with  
the Rensselaer County Water and Sewer Authority**

**WHEREAS**, this resolution was not able to be submitted in time to be considered on the regularly scheduled pre-board meeting of June 14, 2017 and was subsequently presented to the Town Board on June 19, 2017; and

**WHEREAS**, the Town Board (the “Board”) of the Town of East Greenbush (the “Town”) is proposing the acquisition from the Rensselaer County Water And Sewer Authority of Water Facilities, including, but not limited to, an emergency bypass pump and generator at the Cross Street pumping station, water tanks, two (2) new master meters, and related appurtenances (the “Purpose”); and

**WHEREAS**, the proposed Purpose entails the purchase of equipment, other than the following: land, radioactive material, pesticides, herbicides, or other hazardous materials; and

**WHEREAS**, the Board has considered the information and documentation, which describes the and intent of the Purpose; and

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

now, therefore, be it

**RESOLVED**, that the Town Board of the Town of East Greenbush, based upon the record before it, and the general, specific and detailed knowledge of the Board of the proposed Purpose and under the applicable standards of SEQRA and 6 NYCRR Part 617.5, hereby

determines that the Purpose is a Type II Action, and that no further action is required to satisfy the requirements of the New York State Environmental Quality Review Act.

and be it further

**RESOLVED**, that this resolution takes effect immediately.

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

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

**128-2017      A Bond Resolution Authorizing Not To Exceed \$4,240,000  
Aggregate Principal Amount of Serial General Obligation Bonds  
to Finance the Acquisition of Water Facilities, at an Estimated  
Maximum Cost of \$4,240,000, the Levy of Tax in Annual  
Installments in Payment Thereof, the Expenditure of Such Sums  
for Such Purpose, and Determining Other Matters in  
Connection Therewith**

**WHEREAS**, this resolution was not able to be submitted in time to be considered on the regularly scheduled pre-board meeting of June 14, 2017 and was subsequently presented to the Town Board on June 19, 2017; and

**WHEREAS**, Rensselaer County Water And Sewer Authority (the “Authority”) issued its \$8,005,000 Water Service Agreement Revenue Bonds, 2008 (the “Authority 2008 Water Bonds”) to finance the construction of a portion of the water supply and distribution system (the “Water Facilities”) for the Town of East Greenbush (the “Town”); and

**WHEREAS**, the Authority 2008 Water Bonds are special obligations of the Authority, and are payable from payments from the Town under a Water Service Agreement between the Town and the Authority dated as of June 1, 2008 (the “Water Service Agreement”); and

**WHEREAS**, under the Water Service Agreement, the Town makes quarterly service fee payments in amounts sufficient to pay, when due, all installments of principal of premium, if any, and interest on all Authority 2008 Water Bonds and all water facilities operating expenses of the Authority; and

**WHEREAS**, the Authority 2008 Water Bonds are subject to redemption at any time upon the Authority’s notifying the trustee for the Authority 2008 Water Bonds that it has decided to redeem the Authority 2008 Water Bonds with the proceeds of monies received by the Authority from the Town, which monies the Town received pursuant to a financing with the New York State Environmental Facilities Corporation (“EFC”) its successors or assigns; and

**WHEREAS**, the Town desires to acquire the Water Facilities from the Authority and to finance the acquisition through EFC; and

**WHEREAS**, pursuant to Article 8 of the Environmental Conservation Law of the State of New York, as amended, and the regulations of the Department of Environmental Conservation of the State of New York promulgated thereunder (collectively referred to hereinafter as “SEQRA”), the Town Board of the Town has determined that the acquisition of the Water

Facilities constitutes a “Type II” action as that term is defined under SEQRA, and therefore no further review is required; and

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

now, therefore, be it

**RESOLVED, BY THIS TOWN BOARD AS FOLLOWS:**

Section 1. The Town shall acquire the Water Facilities from the Authority, at a maximum cost of \$4,240,000, as more particularly described in Section 3 hereof.

Section 2. The Town is hereby authorized to issue its serial general obligation bonds (the “Bonds”) in the aggregate principal amount of not to exceed \$4,240,000 pursuant to the Local Finance Law of New York, in order to finance the class of objects or purposes described herein.

Section 3. The class of objects or purposes to be financed pursuant to this Resolution (the “Purpose”) is the acquisition of the Water Facilities, including, but not limited to, an emergency bypass pump and generator at the Cross Street pumping station, water tanks, two (2) new master meters and related appurtenances.

Section 4. It is hereby determined and declared that (a) the maximum cost of the Purpose, as estimated by the Town Board, is \$4,240,000, (b) no money has heretofore been authorized to be applied to the payment of the cost of the Purpose, and (c) the Town plans to finance the cost of the Purpose from funds raised by the issuance of the Bonds and bond anticipation notes hereinafter referred to.

Section 5. It is hereby determined that said Purpose is an object or purpose described in subdivision 1 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said Purpose is 40 years. The proposed maturity of the Bonds will be in excess of five (5) years.

Section 6. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the sale of the Bonds, including renewals of such notes, is hereby delegated to the Supervisor of the Town, the chief fiscal officer. The Supervisor of the Town also is authorized to execute and deliver any documents required to be executed and delivered by the Town in connection with the acquisition of the Water Facilities from the Authority and the redemption of the Authority 2008 Water Bonds.

Section 7. The power to further authorize the issuance of the Bonds and bond anticipation notes and to prescribe the terms, form and contents of the Bonds and bond anticipation notes, including the consolidation with other issues and the use of substantially level or declining dent service, subject to the provisions of this Resolution and the Local Finance Law, and to sell and deliver the Bonds and bond anticipation notes, is hereby delegated to the Supervisor of the Town. The Supervisor of the Town is hereby authorized to sign and the Town Clerk is hereby authorized to attest any Bonds and bond anticipation notes issued pursuant to this Resolution, and the Town Clerk is hereby authorized to affix to such Bonds and bond anticipation notes the corporate seal of the Town.

Section 8. The faith and credit of the Town of East Greenbush, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such Bonds and bond anticipation notes as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall be levied annually on all taxable real property of the

Town, a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 9. This Resolution shall constitute the Town’s “official intent”, within the meaning of Section 1.150-2 of the Treasury Regulations, to finance the cost of the Purpose with the Bonds and notes herein authorized. The Town shall not reimburse itself from the proceeds of the Bonds or notes for any expenditures paid more than sixty days prior to the date hereof, unless specifically authorized by Section 1.150-2 of the Treasury Regulations.

Section 10. This Resolution is adopted subject to a permissive referendum pursuant to Section 35.00 of the Local Finance Law and Section 90.00 of the Town Law. The Town Clerk is hereby authorized and directed within ten (10) days after the adoption of said Resolution, to cause to be published a notice which sets forth the date of the Resolution’s adoption and contains an abstract of the Resolution concisely stating its purpose and effect.

Section 11. The law firm of Barclay Damon, LLP is hereby appointed as bond counsel in connection with any Bonds and bond anticipation notes issued to finance the Purpose in accordance with their Engagement Letter dated June 14, 2017.

Section 12. When effective, this Resolution shall be published in full by the Town Clerk together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law, and such publication shall be in each official newspaper of the Town. The validity of the Bonds or of any bond anticipation notes issued in anticipation of the sale of the Bonds may be contested only if such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or the provisions of law which should be complied with at the date of publication of this Resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution.

Section 13. In connection with the financing of the Purpose, the Town is hereby authorized to participate in the Drinking Water State Revolving Fund program (the “DWSRF Program”) administered by EFC. The Supervisor of the Town is hereby authorized to execute and deliver such documents as may be necessary to effect the participation of the Town in such DWSRF Program.

Section 14. This Resolution shall take effect upon the earlier of (a) the expiration of the time for filing a petition requesting that the issuance of the Bonds be submitted to referendum or (b) a positive vote upon the referendum authorizing the issuance of the Bonds.

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

**129-2017      A Resolution Authorizing the Supervisor to Sign an Amended Release and Subrogation Receipt for NYMIR in Relation to the Sewage Spill at the Waste Water Treatment Plant in March 2015**

**WHEREAS,** this resolution was not able to be submitted in time to be considered on the

regularly scheduled pre-board meeting of June 14, 2017 and was subsequently presented to the Town Board on June 21, 2017; and

**WHEREAS**, the Town Board authorized the Town Supervisor to sign the original Release and Subrogation Receipt (hereinafter “Release”) for NYMIR for the Sewage “Sludge” Spill in March 2015 in Resolution 84-2017; and

**WHEREAS**, following the signing of the Release, outstanding bills that had been submitted and put under review were recovered, and brought to NYMIR’s attention for review and consideration; and

**WHEREAS**, the Director of Finance met with representatives from Rose & Kiernan, the Town’s insurance broker, and reviewed the receivables and payables for one of the contractors, and it was confirmed that the money was outstanding; and

**WHEREAS**, Rose & Kiernan submitted the request directly to NYMIR on the Town’s behalf to assist in recovery of the funds of \$2,101.32; and

**WHEREAS**, as a result, NYMIR agreed to pay the \$2,101.32, which requires an amendment to the Release to amend the original amount of \$1,246,430.34 to \$1,248,531.66; and

**WHEREAS**, the claims handler and the Director of Finance have checked and rechecked the numbers to verify amount is correct and there are no other outstanding invoices; and

**WHEREAS**, the Town Comptroller confirmed that this resolution will have no material impact on the Town’s finances;

now, therefore, be it

**RESOLVED**, that the Town Board does hereby authorize the Town Supervisor to sign the amended Release and Subrogation Receipt for the Sewage Spill at the Waste Water Treatment Plant in March of 2015 for the amount of \$1,248,531.66.

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

### **130-2017      A Resolution to Reschedule the Public Hearing on Amendments to the Zoning Law**

**WHEREAS**, this resolution was not able to be submitted in time to be considered on the regularly scheduled pre-board meeting of June 14, 2017 and was subsequently presented to the Town Board on June 21, 2017; and

**WHEREAS**, the Town Board of the Town of East Greenbush via Resolution 106-2017 had previously scheduled a public hearing to hear comments on certain changes to the Comprehensive Zoning Law for June 21, 2017 at 6:45 p.m.; and

**WHEREAS**, subsequent review of the proposed changes resulted in the need for further consideration and the June 21, 2017 public hearing had to be postponed; and

**WHEREAS**, the Town Comptroller has confirmed that this resolution will have no material impact on the Town’s finances;

now, therefore, be it

**RESOLVED**, that the Town Board reschedules the public hearing to hear comments on certain changes to the Comprehensive Zoning Law for July 19, 2017 at 6:30 p.m.

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

**131-2017      A Resolution Supporting the First Responders Covenant Entered Into by Representatives of the East Greenbush First Responders on June 21, 2017**

**WHEREAS**, this resolution was not able to be submitted in time to be considered on the regularly scheduled pre-board meeting of June 14, 2017 and was subsequently presented to the Town Board on June 21, 2017; and

**WHEREAS**, officials from all agencies and departments responsible for the first response in emergency situations that affect public health and safety in the Town of East Greenbush, have entered into an agreement with one another and the taxpayers of East Greenbush to make it our only priority to deliver the most timely and effective response in emergency situations; and

**WHEREAS**, we affirm again our support for rapid response and the coordination of police, fire and emergency medical service teams so that all aspects of an emergency situation are immediately addressed by professionals who understand their own and one another's tasks; and

**WHEREAS**, the key to this coordination is communication which we believe is most effectively handled by the East Greenbush Emergency Communications Center. These highly trained and experienced professionals are best equipped to initiate, coordinate and maintain the chain of communication in a way that reassures the public, maximizes cooperation, and guarantees the best outcome; and

**WHEREAS**, we believe that all officials, Town and County, are committed to the most effective response in emergency situations and that we share a common concern for the welfare of the residents of the Town of East Greenbush but our collective experience leads us to insist that the critical 911 function be returned to the Town's Emergency Communications Center; and

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

**RESOLVED**, that the Town Board of the Town of East Greenbush respectfully requests that Rensselaer County re-program their 911 Response System so that all 911 calls made from within the Town of East Greenbush are routed directly to the East Greenbush Emergency Communication Center in the Police Station at 225 Columbia Turnpike, Rensselaer, New York 12144.

and, be it further

**RESOLVED**, that the Town Board supports the First Responders Covenant signed by representatives of the agencies responsible for first response in the Town of East Greenbush and appended to this document.

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

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

### **ADJOURNMENT**

Motion to adjourn into executive session at 8:10 by Supervisor Conway seconded by Councilor Grant and brought to a vote as follows:

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

Motion to adjourn by Supervisor Conway at 9:30 and seconded by Councilor Matters and brought to a vote as follows:

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



