



Councilor R Matters	VOTED:
Councilor G. Warner	VOTED:
Supervisor J. Conway	VOTED:
Councilor T. Tierney	VOTED:
Councilor H. Kennedy	VOTED:

**146-2018 A Resolution Awarding Engagement to Perform Audit Services for the Town’s 2018 and 2019 Financial Statements**

**WHEREAS**, the Town Board of the Town of East Greenbush wishes to retain the services of a qualified independent auditor for purposes of conducting a full audit of the financial and related records of the town (hereinafter, “Financial Audit”) and of the books and records of the Town of East Greenbush for the fiscal years 2018 and 2019; and

**WHEREAS**, the Town Comptroller has noted that the 2018 and 2019 Financial Statement Audits’ professional fees represent approximately a 2% fee increase over the prior years; and

**WHEREAS**, the Town Comptroller has confirmed that the financial impact of this resolution needs to be budgeted in 2019 and 2020 for account 13204.01 Independent Auditing and Accounting CE at approximately \$22,950.00 and \$23,400.00 respectively; now, therefore be it

**RESOLVED**, that the Town Board authorizes the Supervisor to enter an agreement to retain services from UHY, LLP to conduct the 2018 and 2019 Financial Audits at a cost not to exceed \$22,950.00 and \$23,400.00 respectively.

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

Supervisor J. Conway	VOTED:
Councilor R. Matters	VOTED:
Councilor T. Tierney	VOTED:
Councilor H. Kennedy	VOTED:
Councilor G. Warner	VOTED:

**147-2018 A Resolution Retaining Four Corners Energy LLC as an Energy Advisor**

**WHEREAS**, the Town Board of the Town of East Greenbush wishes to retain the services of a qualified energy advisor at no cost to the Town and Four Corners Energy LLC has provided successful service to a number of Towns; and

**WHEREAS**, the Town Comptroller will evaluate proposals for fixed energy prices bids and peak demand contracts to reduce risks of inflation, and generate revenue; and

**WHEREAS**, the Town Comptroller has confirmed that this resolution will not have a material impact of this resolution; now, therefore be it

**RESOLVED** that the Town Board of the Town of East Greenbush approves Four Corners Energy LLC as an energy advisor for the Town and that Four Corners Energy has proposed providing these services to the Town at no cost; and and it is further;

**RESOLVED** that the Supervisor of the Town of East Greenbush is authorized and directed to execute contracts for the supply of electricity and natural gas upon the advice of the Attorney for the Town.

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

Councilor H. Kennedy	VOTED:
Councilor G. Warner	VOTED:
Supervisor J. Conway	VOTED:
Councilor T. Tierney	VOTED:
Councilor R. Matters	VOTED:

**148-2018 A Resolution to Make a Conditional Job Offer to David J. DeBacco**

**WHEREAS**, this Board intends to maintain appropriate staffing within the Town Police Department, by appointing qualified individuals to replace positions that become vacant, and a Police Dispatcher position (of the Permanent Class) remains vacant; and

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

**WHEREAS**, David J. DeBacco, has made application for said position; is currently employed by the Town as a Provisional Police Dispatcher; has performed satisfactory service in this position for the past fifteen months; and, has further has been found to be eligible and qualified by the Rensselaer County Civil Service Commission, and

**WHEREAS**, in order to further advance the lawful recruiting requirements of the Town consistent with Civil Service and Human Rights Law;  
now therefore be it

**RESOLVED**, that David J. DeBacco be and hereby is offered a conditional appointment to the position of Police Dispatcher (of the permanent Class), subject to the following conditions and stipulations;

- final approval by the Rensselaer County Civil Service Commission;
  - successful completion of the Basic School for Public Safety Tele-Communicators prescribed by the Bureau for Municipal Police;
- and be it further

**RESOLVED**, that said job offer be affirmed by said candidate within ten 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 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 Kennedy seconded by Councilor Warner and voted as follows:

Councilor H. Kennedy	VOTED:
Councilor G. Warner	VOTED:
Supervisor J. Conway	VOTED:
Councilor T. Tierney	VOTED:
Councilor R. Matters	VOTED:

**149-2018 A Resolution Authorizing the Acceptance of a Letter of Credit for Paving Improvement to the Existing Tempel Lane**

**WHEREAS**, Regeneron Pharmaceuticals, Inc. (the “Applicant”) has agreed to make improvements to the existing Tempel Lane, as described on the Applicant’s minor site plan application, prepared by SMRT Architects and dated February 15, 2017, and last revised on June 20, 2018, and as further specified as “Alternative #3”, in a memorandum prepared by Stantec Consulting entitled “Tempel Lane Paving Recommendations” dated June 12, 2018; and

**WHEREAS**, the applicant has agreed to provide the Town with a letter of credit in the amount of Five Hundred Fifty Thousand Dollars (\$550,000) to assure completion of such improvements; and

**WHEREAS**, the Town Planning Board has recommended that the Town Board accept such performance guaranty; and

**WHEREAS**, the Town Comptroller has determined that this resolution will have no material effect on the Town’s finances.

now, therefore, be it

**RESOLVED**, that the Town Board of the Town of East Greenbush hereby authorizes acceptance of a letter of credit in the amount of Five Hundred Fifty Thousand Dollars (\$550,000) to assure the completion of the above-described improvements to Tempel Lane, subject to determination by the Town Supervisor, Town Attorney and Commissioner of Public Works that the letter of credit is satisfactory as to form, sufficiency, manner of execution and surety.

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

Supervisor J. Conway	VOTED:
Councilor R. Matters	VOTED:
Councilor T. Tierney	VOTED:
Councilor H. Kennedy	VOTED:
Councilor G. Warner	VOTED:

**150-2018 A Resolution Authorizing Purchase of a Pickup Truck from NYS OGS Mini Bid**

**WHEREAS**, Resolution 106-2018 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 ¾ Ton Pickup Truck; and

**WHEREAS**, the lowest responsible bid that met the bid specification was submitted by Joe Basil Chevrolet Inc. for a 2019 Chevrolet Silverado 2500HD Double Cab in the amount of \$28,678.17; and

**WHEREAS**, the Town of East Greenbush Purchasing Policy requires that 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 \$28,678.17 from the Sewer Fund for this expense;

<b>Fund</b>	<b>Transfer in</b>	<b>Transfer out</b>
S-917 – Sewer Fund		\$28,678.17
81204.07 – Sanitary Sewer CE (37%)	\$10,610.93	
81204.08 – Sanitary Sewer CE (13%)	\$3,728.16	
81204.09 – Sanitary Sewer CE (13%)	\$3,728.16	
81204.10 – Sanitary Sewer CE (37%)	\$10,610.92	

now, therefore, be it

**RESOLVED**, that the Town Board authorizes the Commissioner of Public Works to purchase a new 2019 Chevrolet Silverado 2500HD Double Cab from Joe Basil Chevrolet Inc. per the results of Mini Bid #18060062 in an amount not to exceed \$28,678.17.

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

Councilor G. Warner	VOTED:
Supervisor J. Conway	VOTED:
Councilor T. Tierney	VOTED:
Councilor H. Kennedy	VOTED:
Councilor R. Matters	VOTED:

**151-2018 A Resolution Authorizing the Funding to National Grid for the US4/Mannix Road Intersection Project [P.I.N.1757.99]**

**WHEREAS**, this replaces resolution 201-2017 which authorized the submission of the National Grid bill to NYS D.O.T. for reimbursement. Reimbursement was denied as all federal funds for the US4/Mannix Road Intersection P.I.N. 1757.00 have been exhausted with the exception of \$700; and

**WHEREAS**, the Comptroller confirms that the financial impact of this resolution is approximately \$15,272.66 from the General Fund for this expense:

<b>FUND</b>	<b>Transfer In</b>	<b>Transfer Out</b>
51124.03.004.10	\$15,972.66	
5031.03.000.10		\$15,272.66
3502.03.000.10		\$700.00
99509.01.09	\$15,272.66	
A917 General Fund Balance		\$15,272.66

**WHEREAS**, the Town of East Greenbush desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of Design, Rights of Way (ROW) and Construction;

now, therefore, be it

**RESOLVED**, that the Town Board hereby authorizes the Town of East Greenbush to pay in the first instance 100% of the non-federal share of the cost of Design, ROW and Construction work for the Project or portions thereof;

and be it further

**RESOLVED**, that the sum of \$15,272.66 be made available to cover the cost of participation in the above phase of the Project;

and be it further

**RESOLVED**, that the Town Supervisor of the Town of East Greenbush be and hereby is authorized to execute all payments to vendor in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of Project costs and permanent funding of the non-federal eligible project costs and all Project costs within appropriations.

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

Supervisor J. Conway	VOTED:
Councilor G. Warner	VOTED:
Councilor T. Tierney	VOTED:
Councilor H. Kennedy	VOTED:
Councilor R. Matters	VOTED:

**152-2018      A Resolution Authorizing the Purchase of Gasoline from Columbia County Contract**

**WHEREAS**, the Public Works Department and other Town departments require gasoline to operate; and

**WHEREAS**, Columbia County has conducted bids for gasoline and awarded the contract to Main Brothers Oil Company from July 1<sup>st</sup>, 2018 until June 30<sup>th</sup>, 2019; and

**WHEREAS**, an essential component of the contracts entered into by Columbia 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 shall pose no material impact to the Town's finances as it is budgeted;

now, therefore be it

**RESOLVED**, that the Town Board hereby authorizes the Commissioner of Public Works to purchase gasoline 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 Matters seconded by Councilor Kennedy brought to a vote resulting as follows:

Councilor R. Matters	VOTED:
Councilor H. Kennedy	VOTED:
Supervisor J. Conway	VOTED:
Councilor T. Tierney	VOTED:
Councilor G. Warner	VOTED:

**153-2018 A Resolution to Adopt a Mobile Device Management Policy**

**WHEREAS**, the East Greenbush Town Board approved the updated Mobile Device Management Policy in Resolution 101-2017; and

**WHEREAS**, the Director of Finance is required to conduct an annual review of the policy and a few changes were recommended to the Town Board for their approval; and

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

**WHEREAS**, the Town Comptroller confirms 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 updated Mobile Device Management Policy;

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 Matters and seconded by Councilor Warner and brought to a vote resulting as follows:

Councilor R. Matters	VOTED:
Councilor G. Warner	VOTED:
Supervisor J. Conway	VOTED:
Councilor T. Tierney	VOTED:
Councilor H. Kennedy	VOTED:

**154-2018 A Resolution to Retain an Appraisal Consultant for Pending Litigation**

**WHEREAS**, there is litigation pending between Wal-Mart Real Estate Trust #1940 and the Town of East Greenbush; and

**WHEREAS**, it is in the best interests of the Town of East Greenbush to proceed to trial, and the solicitation of fee proposals from three New York state licensed appraisers was recommended by the Vincelette Law Firm, special counsel to the Town of East Greenbush; and

**WHEREAS**, Empire State Appraisal Consultants submitted a fee proposal of \$6,900 for a trial ready appraisal as well as hourly charges for court testimony, etc, at the rate of \$125 for associates and \$175 for principals; and

**WHEREAS**, Integrated Valuations submitted a fee proposal of \$8,500 for a trial ready appraisal as well as hourly charges of \$250 for court testimony and preparation; and

**WHEREAS**, De L. Palmer Appraisal Co. submitted a fee proposal of \$3,400 for a trial ready appraisal as well as hourly charges of \$125 for court testimony and preparation; and

**WHEREAS**, the three fee proposals have been reviewed by the East Greenbush Town Board at its regular monthly meeting; and

**WHEREAS**, the Town Board has determined that the retention of \_\_\_\_\_ is in the best interests of the Town;

now, therefore, be it

**RESOLVED**, that the Town Board does hereby retain the services of \_\_\_\_\_ to complete a trial ready appraisal

**RESOLVED**, that the Town Board does hereby adopt this resolution to retain the services of \_\_\_\_\_

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

Councilor R. Matters	VOTED:
Councilor G. Warner	VOTED:
Supervisor J. Conway	VOTED:
Councilor T. Tierney	VOTED:
Councilor H. Kennedy	VOTED:

**155-2018 A Resolution Declaring the Proposed MS4 Mapping Upgrade Project Using Requested Water Quality Improvement Program (WQIP) Funding Under the 2018 Consolidated Funding Application Process Administered by New York State to Consist of Type II Actions Under the State Environmental Quality Review Act (SEQRA)**

**WHEREAS**, grant funding is available from the State of New York through the Department of Environmental Conservation (DEC) under the Water Quality Improvement Projects (WQIP) Program to support comprehensive system mapping for compliance with State MS4 stormwater regulations and the Town's SPDES General Permit for Stormwater Discharges administered by the DEC; and

**WHEREAS**, the Town of East Greenbush is seeking such funding through the 2018 Consolidated Funding Application process administered by New York State; and

**WHEREAS**, the Town of East Greenbush will use the 2018 WQIP funding, if awarded, to complete Basic and Required Mapping Elements necessary as part of a GIS-based mapping system of stormwater facilities, outfalls, sanitary sewer-shed boundaries, and other required components to facilitate compliance with MS4 regulations regarding the conveyance of stormwater and related drainage facilities within the Town and other cooperating MS4s; and

**WHEREAS**, the Town is required by State regulations to undertake an environmental review of publicly-funded grant program activities, under SEQRA, prior to the execution of any State Assistance Contract should such funds be awarded to the Town by the DEC; and

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

**WHEREAS**, the Town of East Greenbush has completed the Short Environmental Assessment Form (Part 1 EAF) for the proposed MS4 Mapping Upgrade Project, now, therefore, be it

**RESOLVED**, that the Town Board has declared the proposed MS4 Mapping Upgrade Project as described in the WQIP funding application to the DEC to consist of Type II Actions under SEQRA in accordance with 6 NYCRR §617.5(c)(2) and (6).

This resolution was duly moved by Councilor Matters and seconded by Councilor Warner and brought to a vote resulting as follows:



Councilor R. Matters	VOTED:
Councilor G. Warner	VOTED:
Supervisor J. Conway	VOTED:
Councilor T. Tierney	VOTED:
Councilor H. Kennedy	VOTED:

**156-2018     A Resolution Declaring the Proposed Hampton Lake Park and Trail Connections Project Using Municipal Parks Grant Program and Local Funding Under the 2018 Consolidated Funding Application Process Administered by New York State to Consist of Type II Actions Under the State Environmental Quality Review Act (SEQRA)**

**WHEREAS**, State of New York grant funding is available through the Office of Parks, Recreation and Historic Preservation through the NYS Environmental Protection Fund (EPF) to support local parks, recreation, and trail facility improvements which are undertaken by eligible municipalities; and

**WHEREAS**, the Town of East Greenbush is seeking such funding through the 2018 Consolidated Funding Application process administered by New York State; and

**WHEREAS**, the Town of East Greenbush will use the 2018 Municipal Parks Grant funding, if awarded, to complete various site and facility upgrades at Hampton Lake Park to promote safe uses of the Park and help connect Hampton Lake with all residents, employers, and other regional multi-use trails and recreational facilities; and

**WHEREAS**, the Town is required by State regulations to undertake an environmental review of publicly-funded Municipal Parks Grant Program activities, under SEQRA, prior to the execution of any State Assistance Contract should such funds be awarded to the Town by the Office of Parks, Recreation and Historic Preservation; and

**WHEREAS**, the Town of East Greenbush has completed the attached SEQR Short Environmental Assessment Form (EAF) for the proposed Hampton Lake Park and Trail Connections Project, and

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

**RESOLVED**, that the Town Board has declared the proposed Project as described in its draft funding application to the Office of Parks, Recreation and Historic Preservation to consist of Type II Actions under SEQRA in accordance with 6 NYCRR §617.5(c)(2) and (6).

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

Supervisor J. Conway	VOTED:
Councilor H. Kennedy	VOTED:
Councilor T. Tierney	VOTED:
Councilor R. Matters	VOTED:
Councilor G. Warner	VOTED:

**ADJOURNMENT**

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

Supervisor J. Conway	VOTED:
Councilor G. Warner	VOTED:
Councilor T. Tierney	VOTED:
Councilor H. Kennedy	VOTED:
Councilor R. Matters	VOTED:

DRAFT