



The foregoing resolution was duly moved by Councilor Matters and seconded by Councilor Kennedy and 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:

**69-2018 A Resolution Declaring May 19, 2018 Burke T. Adams Day in the Town of East Greenbush**

**WHEREAS**, Burke T. Adams has worked to provide athletic and social opportunities to the special needs community in the Capital Region since 1993; and

**WHEREAS**, his dedication led him to found the first Special Needs Pop Warner Flag Football program and the first NFL-affiliated Special Needs Football Program before he began the push to establish the Capital Region Miracle League in 1999; and

**WHEREAS**, the Capital Region Miracle League, located in East Greenbush, offers athletic and social opportunities at no cost to special needs children, adults and their families. The League offers baseball, basketball, bowling, football, soccer and track & field to special needs participants of all ages. The League promotes physical, social and emotional development while providing an extended support group and knowledge base to participants and their families; and

**WHEREAS**, all baseball, football and soccer games are held at Jaime M. Adams Field in East Greenbush, NY, the first multi-sport turf field for special needs athletes in the United States. Basketball games are held at the Boys and Girls Club in Rensselaer, NY while bowling takes place at Spare Time in East Greenbush; and

**WHEREAS**, the Town of East Greenbush provided space in the Town Park for the Miracle League and provides routine park maintenance for the facility, and along with many other generous sponsors and volunteers, helped Jaime M. Adams Field become a dream come true, The field officially opened for use on May 16, 2009; and

**WHEREAS**, the Capital Region Miracle League was made possible only by the dedication, skill and tenacity of Burke Adams, and the inspiration and spirit of his beloved daughter Jaime M. Adams;

now, therefore, be it

**RESOLVED**, that the Town Board of the Town of East Greenbush declares May 19, 2018 Burke T. Adams Day in the Town of East Greenbush in honor of Burke's 25 years of dedicated service to the special needs community in the Capital Region and in acknowledgement of the unique contribution he has made to the lives of so many young people and their families.

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

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

**70-2018      A Resolution to Turn the Town of East Greenbush Teal During the Month of September, 2018 for the Purpose of Providing Support, Education and Advocacy for Women with Ovarian Cancer**

**WHEREAS**, Turn The Towns Teal<sup>®</sup> is a national campaign to make women and men aware of ovarian cancer, its subtle symptoms and risk factors since it has been proven that ‘the earlier the diagnosis, the better the prognosis’; and

**WHEREAS**, during National Ovarian Cancer Awareness Month in September, volunteers from Turn the Town Teal call attention to this disease by tying biodegradable, USA-made ribbons in various locations like town centers, businesses, places of worship, neighborhoods and on individual properties; and

**WHEREAS**, Turn the Towns Teal founder Gail MacNeil of Chatham, New Jersey set forth certain guidelines for the campaign, including that volunteers receive written approval from their Towns about the placement of ribbons; and

**WHEREAS**, Columbia High School in East Greenbush, under the leadership of Mary Signorelli and Michael Leonard, has raised thousands of dollars for this cause through fund-raising and participation in the Teal Ribbon Run; and

**WHEREAS**, members of the Town Board of the Town of East Greenbush wish to support and participate in this campaign to raise awareness and support for efforts to find a cure for ovarian cancer;

now, therefore, be it

**RESOLVED**, that the Town Board declares September, 2018 Ovarian Cancer Awareness Month in the Town of East Greenbush;

and be it further

**RESOLVED**, that the Town hereby provides written approval to the local chapter of Turn the Towns Teal to place teal ribbons on all Town-owned properties and rights of way during the month of September for the purpose of providing support, education and advocacy for women with ovarian cancer;

and be it further

**RESOLVED**, that the Town Board encourages residents to join the campaign to Turn the Town Teal and help raise funds and awareness for the effort to find a cure for ovarian cancer.

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

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

**71-2018      A Resolution Proclaiming the Week of May 13 – May 19, 2018 Police Week in East Greenbush**

**WHEREAS**, in 1962, in recognition of the role that American police officers perform in maintaining domestic tranquility, President John F. Kennedy proclaimed the week of May 15<sup>th</sup> to be observed as National Police Week; and

**WHEREAS**, in immediate support of this proclamation, in a joint resolution of Congress, National Police Week was designated to pay special recognition to those law

enforcement officers who have lost their lives in the line of duty for the safety and protection of others; and

**WHEREAS**, in 1974 New York State Police Trooper Emerson J. Dillon, Jr. was slain in the line of duty in the Village of Canestota, which would prompt the State Legislature to designate Police Week in New York and would lead to the establishment the Police Memorial now located at the Empire State Plaza, engraved with the names of fallen officers; and

**WHEREAS**, this Town Board appreciates how employees and residents alike have recognized Police Week locally by contacting Town police officers and offering thanks and encouragement to them; and

**WHEREAS**, this Board joins with the townspeople of East Greenbush in support of the police officers who serve our communities and encourage them to work safely as they pursue their duties;

now, therefore be it;

**RESOLVED**, that the week of May 13 - 19, 2018 be and hereby is proclaimed Police Week in East Greenbush.

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

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

**72-2018      A Resolution Honoring the Columbia High School Varsity Wrestling Team for Winning the Section II Championship**

**WHEREAS**, the Columbia High School varsity wrestling team has maintained a consistent level of excellence under Coach Anthony Servidone; and

**WHEREAS**, this Spring the team won the first Section II wrestling championship in school history by scoring 212.5 points to beat Shenendehowa which finished second with 205 points; and

**WHEREAS**, the team was led by Coach Anthony Servidone with assistance from Joe McCabe, Brandon Lapp and Robert Crain; and

**WHEREAS**, team members are:

Mikey Altomer	Kane Malone
Sam Bergin	Charles Nelson
Robert Cleghorn	Caity Richardson
Austin Coyne	Adam Riley
Ryan Duryera	TJ Scaccia
Jake Edwards	Darius Sheldon
Austin Fahrenkopf	Aiden Scott
Michael Gonyea	Charlie Welcome
Pierce Hurd	Michael Yelle
Maddie Hurd	

**RESOLVED**, that the Town Board of the Town of East Greenbush formally honors the 2018 Section II varsity wrestling champions from Columbia High School and congratulates them and their coaches on their historic victory;

and be it further

**RESOLVED**, that the Town Board also congratulates Coach Anthony Servidone for reaching the milestone of 300 wins earlier this year.

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

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

**73-2018 A Resolution Honoring the Columbia High School Varsity Boys Indoor Track and Field Team for Winning the Section II Championship**

**WHEREAS**, the Columbia High School varsity boys indoor track and field team participated in the Section II Indoor Track and Field Championship after a very successful winter season; and

**WHEREAS**, the success of the team reached its culmination when they won the Section II varsity boys indoor track and field championship; and

**WHEREAS**, the team was led by Head Coach Ryan Jones, with the assistance from Steve Taylor, Chris Hosley, John Rivera and Chris Dedrick; and

**WHEREAS**, team members are:

Dante Albanese	Nick Iula
Dustin Chambers	Jared Kehmna
Ryon Columbus	Aidan McLaren
Anthony Cozzy	Jack Palumbo
Tommy Donahue	John Powhida
Carmen Erno	Zach Smith
Robert Erno	Nic Stagnitta
Bobby Fredericks	A.J. Weinstein
Andrew Gatchell	Alex Wheeler
Cole Herrington	Alec Wright
Mike Iula	

now, therefore, be it

**RESOLVED**, that the Town Board of the Town of East Greenbush formally honors the 2018 Section II boys indoor track and field champions from Columbia High School and congratulates them and their coaches on this outstanding accomplishment.

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

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

**74-2018 A Resolution for Approval of 2017 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 2017 (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 determined that this resolution will have no material impact on the Town Finances; now, therefore, be it

**RESOLVED**, that the Board acknowledges that no one has qualified for service credit for volunteers in 2017.

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

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

**75-2018 A Resolution Authorizing Purchase of a Pickup Truck from NYS OGS Mini Bid**

**WHEREAS**, Resolution 34-2018 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 Carmody Ford Inc. for a 2019 Ford F-250 in the amount of \$27,672.00; 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 \$27,672.00 from the Highway Capital Project Fund for this expense;

<b>Fund</b>	<b>Transfer in</b>	<b>Transfer out</b>
H-917 – Equipment Bond		\$27,672.00
5130.3 – Highway Capital Project Fund	\$27,672.00	

now, therefore, be it

**RESOLVED**, that the Town Board authorizes the Commissioner of Public Works to purchase a new 2019 Ford F-250 from Carmody Ford Inc. per the results of Mini Bid #18030183 in an amount not to exceed \$27,672.00.

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

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

**76-2018 A Resolution Authorizing Grinding of Wood and Brush**

**WHEREAS**, the Town of East Greenbush Transfer Station receives wood and brush, including from the residents of the City of Rensselaer; and

**WHEREAS**, the wood and brush must be ground and removed from the Town of East Greenbush Transfer Station when deemed necessary by the Commissioner of Public Works; and

**WHEREAS**, the City of Rensselaer is responsible to pay for half of the cost of grinding and hauling this material away; and

**WHEREAS**, the lowest quote was submitted by Troy Sand and Gravel Co. Inc. in the amount of \$12,900.00; 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 \$12,900.00 from the Transfer Station account for this expense;

<b>Fund</b>	<b>Transfer In</b>	<b>Transfer Out</b>
A-917 General Fund Balance		\$6,450.00
2132.01 Revenue City of Rensselaer Contribution		\$6,450.00

81604.06.004 Transfer Station CE	\$12,900.00	
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now, therefore, be it

**RESOLVED**, that the Town Board authorizes the Commissioner of Public Works to contract with Troy Sand and Gravel Company Inc. to grind the wood and brush, and to remove it from the Transfer Station to a permitted dump site in an amount not to exceed \$12,900.00.

The foregoing resolution was duly moved by Councilor Matters and seconded by Councilor Kennedy and 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:

**77-2018 A Resolution to Appoint Temporary Seasonal Laborers in the Department of Public Works**

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

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

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

**WHEREAS**, the Town Comptroller has confirmed that these appointment can be funded with the 2018 budget Parks line 71104.01 and Sewer line 81201.07/08/09/10;

now, therefore, be it

**RESOLVED**, that the Town Board confirms the appointment of William Clum (Parks) effective June 25, 2018, Tanner Chester (Sewer) effective May 7, 2018, and William Malone (Parks) effective April 19, 2018 in the Department of Public Works at the rate of \$12.00 per hour with no benefits. All appointments will terminate not later than October 15<sup>th</sup>, 2018 per the CSEA Collective Bargaining Agreement.

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

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



**78-2018      A Resolution to Adopt the Town of East Greenbush Title VI Plan**

**WHEREAS**, the Town of East Greenbush is currently preparing to submit the required documentation for the Town’s Civil Rights Compliance Program Review by the New York State Department of Transportations, Office of Civil Rights; and

**WHEREAS**, the Town’s federal financial assistance is contingent upon the Town documenting continuous Civil Rights non-discrimination monitoring and overall enforcement of a compliant Civil Rights Program; and

**WHEREAS**, Supervisor Conway has designated Meaghan Hart, Director of Finance as the Title VI Coordinator for the Town of East Greenbush, and the Director of Finance will be responsible for coordinating efforts for the Town and communicating important information and training to the Town Board and Town Employees; and

**WHEREAS**, this is a mandatory Federal review, we will strive to meet each deadline, completion and implementation of the Title VI Plan and incorporation on the Town’s website; 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 does hereby adopt the Town of East Greenbush Title VI Plan as attached hereto.

The foregoing resolution was 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:

**79-2018      A Resolution Authorizing the Solicitation of Bids for the Hampton Manor Water Improvement Project Installation of Water Meters for Residences within Hampton Manor Water System**

**WHEREAS**, the Town Board authorized Delaware Engineering, D.P.C. to draft the bid specifications for the Installation of Meters in Hampton Manor in Resolution 41-2018; and

**WHEREAS**, the Town of East Greenbush wishes to take the next step in this process by soliciting sealed competitive bids from qualified contractors to install Water Meters in residences in the Hampton Manor Water System; and

**WHEREAS**, the Town Comptroller has confirmed that soliciting bids will have no material impact on the Town’s Finances;

now, therefore, be it

**RESOLVED**, that the Town of East Greenbush authorizes the Director of Finance to seek proposals from qualified contractors, individuals, and companies interested in providing the services described above;

and be it further

**RESOLVED**, that the Director of Finance will take all necessary steps to solicit proposals in a timely manner.

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

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

**80-2018      A Resolution to Schedule a Public Hearing for the adoption of The Town’s 2018 Annual Report for Phase II SPDES General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4), (GP-0-15-003)**

**WHEREAS**, the Town of East Greenbush is subject to Municipal Separate Storm Sewer System (MS4) Phase II requirements of SPDES General Permit GP-0-15-003 stormwater management requirements of the National Pollutant Discharge Elimination System (NPDES), for the development and adoption of an Annual Report; and

**WHEREAS**, a Public Hearing is required for further review and consideration of this annual report; and

**WHEREAS**, a copy of the Annual Report will be on file for review at the Town Clerk's Office and the East Greenbush Town Website; 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, County of Rensselaer, State of New York, will hold a Public Hearing at the Town Hall, 225 Columbia Turnpike, East Greenbush, New York on the 9th day of May at 5:45 PM to consider adoption of the Town’s 2018 Annual Report for Phase II SPDES General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4), GP-0-15-003.

The foregoing resolution was duly moved by Councilor Matters and seconded by Councilor Kennedy and 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:

**81-2018      A Resolution for the Town Board Request to Act as Lead Agency for the Amedore Senior Housing Project**

**WHEREAS**, Amedore Homes on behalf of the Applicant, Paul Glaz Jr., has submitted an application for major site plan approval and four area variances to the Town of East Greenbush for construction of the Amedore Senior Housing project near Luther Road, Glaz Road and Newkirk Road in the Town (the “Project”); and

**WHEREAS**, staff has reviewed the application and determined the Project to be a “Type I” action under the State Environmental Quality Review Act (“SEQRA”); and

**WHEREAS**, the Planning Board has recommended that the Town Board declare its intent to seek lead agency status pursuant to SEQRA; and

**WHEREAS**, the Town Board wishes to assume lead agency status in connection with the coordinated review of the Project under SEQRA; 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**, as follows:

1. The Project will require review as a Type I action under SEQRA.
2. The Town Board has identified a number of potentially involved or interested agencies under SEQRA.
3. The Town Board wishes to assume lead agency status for the coordinated SEQRA review of the Project.
4. The Town Board directs that a lead agency coordination letter be sent to all SEQRA involved agencies requesting their consent to the designation of the Town Board as lead agency for the SEQRA review of the Project.

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

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

**82-2018      A Resolution Authorizing the Solicitation of Request for Proposals to Provide Assessment and Planning Services Supporting the Town's Stormwater Management Program**

**WHEREAS**, pursuant to Section 402 of the Clean Water Act (CWA), operators of small municipal separate storm sewer systems (small MS4s), located in urbanized areas, are unlawful unless they are authorized by a National Pollutant Discharge Elimination System (NPDES) permit or by a state permit program. New York's State Pollutant Discharge Elimination System (SPDES) is a NPDES-approved program with a permit issued in accordance with Environmental Conservation Law (ECL); and

**WHEREAS**, under this permit the Town of East Greenbush is determined to be a small MS4 that is regulated under EPA's Phase II Stormwater Rule; and

**WHEREAS**, this requires small MS4s to develop a stormwater management program (SWMP) that will reduce the amount of pollutants carried by stormwater during storm events to waterbodies to the "maximum extent practicable"; that the goal of the program is to improve water quality and recreational use of waterways; and

**WHEREAS**, the Town is subject to certain program planning, reporting, record-keeping, and implementation requirements, including selection and implementation of minimum control measures that, when implemented together, are expected to result in a reduction of pollutants discharged into waterbodies; and

**WHEREAS**, the Town of East Greenbush wishes to solicit sealed competitive bids from qualified Engineering Consultants to address the Town's responsibility as a regulated MS4 and related requirements, including performing an assessment of the program and program planning; and

**WHEREAS**, the Town seeks assistance that includes, but is not necessarily limited to, the following:

- assessment of the Town’s existing SWMP and its conformance to State and Federal MS4 requirements;
- a review and update of the Town’s stormwater management program plan (SWMPP), including stakeholder input;
- report on the Town’s operations and facilities with respect to MS4 requirements and obligations and furnish recommendation or action items on any needed improvements, if deemed appropriate;
- review and update related stormwater outfall mapping and inventory;
- review and update related MS4 stormwater system inventory data, including catch basins, post-construction stormwater management practices, and other elements of the MS4 system;
- creation of a comprehensive electronic repository and file of the foregoing items in a user-friendly and accessible electronic format for future use and maintenance by Town Departments responsible for development and implementation of the Town’s SWMP; and
- provide a summary of recommended procedures to be followed by Town staff to appropriately address the Town’s MS4 obligations, recommendations relative to modifications to Town local laws to address the Town’s MS4 obligations, suggested BMPs for inclusion in the Town’s annual MS4 obligations, and a procedural outline of how the Town can continue to administer and track its MS4 obligations.

**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 of East Greenbush seeks proposals from qualified consultants or firms interested in providing the services listed above; and be it further

**RESOLVED**, that the Director of Finance will take all necessary actions to solicit proposals to provide assessment and planning services supporting the Town’s SWMP.

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

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

**83-2018      A Resolution to Accept the Resignation of Mary Pat Donnelly from the Position of Town Justice for the Town of East Greenbush**

**WHEREAS**, this resolution was not able to be submitted in time to be considered on the regularly scheduled pre-board meeting of April 11, 2018 and was subsequently presented to the Town Board on April 16, 2018; and

**WHEREAS**, Mary Pat Donnelly has served the Town of East Greenbush as Town Justice since June 20, 2012, and done so with distinction; and

**WHEREAS**, Justice Donnelly has accepted the nomination of the Rensselaer County Democratic Party to be their candidate for the position of Rensselaer County District Attorney; and

**WHEREAS**, sitting Justices cannot campaign or raise funds, Mary Pat Donnelly submitted her resignation to the Town Clerk on April 13, 2018, the day after she was nominated to run for District Attorney; 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 of the Town of East Greenbush hereby accepts the resignation of Mary Pat Donnelly from the position of Town Justice for the Town of East Greenbush, effective April 13, 2018;

and be it further

**RESOLVED**, that the Town Board thanks Justice Donnelly for her distinguished service as Town Justice and wishes her well in her future endeavors.

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

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

**84-2018      A Resolution to Appoint George J. Hoffman, Esq. to Fill the Vacant Position of Town Justice of the Town of East Greenbush**

**WHEREAS**, this resolution was not able to be submitted in time to be considered on the regularly scheduled pre-board meeting of April 11, 2018 and was subsequently presented to the Town Board on April 16, 2018; and

**WHEREAS**, in Resolution 83-2018 the Town Board accepted the resignation of Mary Pat Donnelly from the position of Town Justice, effective April 18, 2018; and

**WHEREAS**, the Town Board interviewed two candidates to replace Justice Donnelly; and

**WHEREAS**, George J. Hoffman, Esq. has been admitted to the practice of law by the New York State Bar Association, has served as an Assistant District Attorney in Columbia County, maintained a practice in criminal and vehicle and traffic defense for more than twenty years, and served honorably and with distinction as Assistant Attorney to the Town of East Greenbush; and

**WHEREAS**, the Town Board also determined that George J. Hoffman, Esq., in addition to possessing the relevant experience, has the temperament and personal qualities necessary to be an effective Town Justice; 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 hereby appoints George J. Hoffman, Esq. to fill the Town Justice position vacated by the resignation of Justice Mary Pat Donnelly;

and be it further

**RESOLVED**, that this appointment is effective for the period April 18, 2018 – December 31, 2018.

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

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

#### **85-2018 A Resolution to Make Appointments to the Board of Assessment Review**

**WHEREAS**, this resolution was not able to be submitted in time to be considered on the regularly scheduled pre-board meeting of April 11, 2018 and was subsequently presented to the Town Board on April 16, 2018; and

**WHEREAS**, the Board of Assessment Review is essential to the public process of determining the outcome of resident appeals on the assessed value of their homes; and

**WHEREAS**, in light of the 2018 Town-wide reassessment of home values, the Town Board expects a significant increase in the number of grievances presented on Grievance Day, May 22, 2018 and is desirous of empaneling a second Board of Assessment Review; and

**WHEREAS**, there is a need for at least two appointments to constitute a second Board of Assessment Review and those appointments must be made in time for the new appointees to attend training on May 2, 2018; and

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

**RESOLVED**, that Cassandra Maloy be appointed to the Board of Assessment Review for a term to expire on September 30, 2022;

and be it further

now, therefore, be it

**RESOLVED**, that Christine Hennessey be appointed to the Board of Assessment Review for a term to expire on September 30, 2020;

and be it further

**RESOLVED**, that Eileen Grant be appointed to the Board of Assessment Review for a term to expire on September 30, 2020;

and be it further

**RESOLVED**, that Frank Coppa be appointed to the Board of Assessment Review for a term to expire on September 30, 2020;

and be it further

**RESOLVED**, that Renee Polomski be appointed to the Board of Assessment Review for a term to expire on September 30, 2020;

The foregoing resolution was duly moved by Councilor Matters and seconded by Councilor Kennedy and 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:

**86-2018      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 April 11, 2018 and was subsequently presented to the Town Board on April 18, 2018; 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**, the Town Board will soon propose a Local Law creating a Multi-Family Housing Registry with attendant fees and inspection schedules and an experienced part-time building inspector will be needed to coordinate and conduct those inspections as well as help us to prepare the Local Law; 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 serve as an important advisor in the creation of a new Local Law creating a Multi-Family Housing Registry; 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 2018 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 1, 2018 – December 31, 2018 at a rate of \$30.00 per hour, for a total amount of Town funding not to exceed \$15,000.00.

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:

**87-2018      A Resolution to Adopt Local Law #3 Establishing the East Greenbush Technology Park, Part 2, Planned Development District**

**WHEREAS**, Greenbush Associates LLC (the “Applicant”) submitted applications for a zoning amendment (from Corporate Office to Planned Development District), subdivision and site plan approval and related information for the proposed Part 2 of the East Greenbush Technology Park on Mannix Road and Tech Valley Drive in the Town of East Greenbush (the “Project”); and

**WHEREAS**, the Town Board, with the concurrence of other involved agencies, designated itself as lead agency for the State Environmental Quality Review Act (“SEQRA”) review of the Project, determined that the Project may have a significant adverse impact on the environment, and adopted a positive declaration requiring that a draft environmental impact statement (“DEIS”) be prepared; and

**WHEREAS**, the Applicant submitted a DEIS, which the Town Board and its staff and consultants reviewed; and

**WHEREAS**, the Town Board determined that the DEIS was adequate for public review; and established a public written comment period and a public hearing to receive comments on the DEIS and the proposed zoning amendment; and

**WHEREAS**, one written comment was received and has been addressed, and no oral comments were received; and

**WHEREAS**, the Applicant submitted a draft Final Environmental Impact Statement (“FEIS”), which, after review by the Town Board and its staff and consultants, was adopted by the Town Board on February 21, 2018; and

**WHEREAS**, the Town Board caused the preparation of a SEQRA Findings Statement, which the Town Board adopted on March 21, 2018; and

**WHEREAS**, the Town Board duly noticed and scheduled a public hearing for April 11, 2018, on the adoption of Local Law No. 3, creating the East Greenbush Technology Park, Part 2, Planned Development District; and

**WHEREAS**, at the public hearing on April 11, 2018, five oral comments from the public were received; and

**WHEREAS**, the Applicant submitted a proposed site plan entitled “Detailed Site Plan for Proposed 33 Tech Valley Drive” (the “Site Plan”); and

**WHEREAS**, the Planning Board reviewed the proposed Site Plan and made a favorable recommendation to the Town Board; and

**WHEREAS**, on March 21, 2018, the Town Board approved the Site Plan; and

**WHEREAS**, the Town Comptroller has determined that this resolution will have no adverse effect on Town finances;

now, therefore, be it

**RESOLVED**, that the Town Board hereby approves Local Law No. 3 of 2018, creating the East Greenbush Technology Park, Part 2, Planned Development District; and be it further

**RESOLVED**, that Local Law No. 3 of 2018 be filed in accordance with applicable provisions of law; and be it further

**RESOLVED**, that the Town Board hereby reaffirms its March 21, 2018, approval of the Site Plan.

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



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

**ADJOURNMENT**

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

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

## **Proposed Local Law No. 3 of 2018**

### **“East Greenbush Technology Park, Part 2 Planned Development District”**

#### **Section 1 - Local Law Designation**

- A. This local law shall be known as the "East Greenbush Technology Park, Part 2 Planned Development District." This local law amends the Town of East Greenbush Comprehensive Zoning Law and the Town's Official Zoning Map to provide for the creation of a planned development district to be known and designated as provided in Section 2.A below.

#### **Section 2 - Zoning Law Amendment**

- A. The Town of East Greenbush, New York, Comprehensive Zoning Law, as amended, and the Zoning Map of the Town of East Greenbush as set forth therein are hereby amended by changing the area referred to in Section 3 below from CO, Corporate Office Only, District (the “O Zoning District”), as such area was zoned prior to the adoption of this local law, and creating within the boundaries of said area a planned development district to be known and described as "East Greenbush Technology Park, Part 2 Planned Development District" (the “PDD”).

#### **Section 3 - PDD Area**

- A. The PDD shall consist of approximately 53.99 acres in the Town of East Greenbush and is bounded and described as set forth in Appendix A, attached hereto and made a part hereof.
- B. The zoning regulations applicable to the PDD shall be as provided in this local law. If the provisions of this local law are silent concerning items regulated by the Comprehensive Zoning Law of the Town of East Greenbush in the O Zoning District, then the provisions of the Zoning Law then applicable to the O Zoning District shall apply.

#### **Section 4 - Purpose**

- A. The purpose of this local law is to provide for the rezoning of the Project site is to permit the construction and operation of a mixed use of office/research/light industrial buildings development in conformance with certain provisions and standards hereinafter set forth which insure the compatibility with the Town’s comprehensive land use plan to foster innovation in site planning and development and which encourage sound design practices.
- B. This local law establishes the nature, parameters and limits of the described uses herein which are permissible within the PDD.

#### **Section 5 - General Development Proposal.**

The following uses are permitted in the PDD:

- A. Office, research and light industrial uses, with associated parking and loading areas, all shown on the general development plan prepared by Hershberg and Hershberg Consulting Engineers and Surveyors, dated February 16, 2016 (last revised November 15, 2017) and containing thirteen (13) sheets, as such General Development Plan may be amended during site plan approval pursuant to the Town of East Greenbush Comprehensive Zoning Law (“General Development Plan”). Permitted uses include: Corporate offices, Research laboratories, Light Assembly and fabrication, Professional offices, Government offices, Printing and publishing, Motels and hotels, Child Care/Day Care, Restaurants, Parking lots or garages for private vehicles. Accessory uses include: Personal service establishments accessory to permitted uses, Parking lots for private

vehicles accessory to permitted uses, and Parking garages for private vehicles accessory to permitted uses. All of the foregoing uses being referred to in the local law shall constitute the “Project.”

- B. The final design of the Project shall be in substantial compliance with the General Development Plan. Final design shall be determined during site plan review for each lot.

**Section 6 - General Development Requirements and Construction Specifications**

- A. The Project shall be constructed in substantial conformance with the General Development Plan.
  - 1. The Applicant proposes to extend the existing Technology Park Planned Development District, subdivide six additional future lots for the extension of Tech Valley Drive and develop the balance of the site to accommodate a mixed use of office/research/light industrial buildings with associated parking, loading areas, lighting, stormwater management and landscaping. The six additional future lots can accommodate 381,000 square feet of office/research/light industrial buildings. The six future lots may be reduced if a need arises for one larger user to occupy multiple lots. At full development the Technology Park (Parts 1 & 2) can accommodate a total 692,300 square feet (and up to 850,000 square feet of lower intensity uses which include large assembly area and storage) of office/research/light industrial buildings on a total of 13 separate parcels (gross site area of 86 +/- acres). There will be Parking for 1776 +/- vehicles.
  - 2. The General Development Plan includes the extension of the existing East Greenbush Technology Park Planned Development District and subdivision of one lot with the right of way for dedication to the Town. Site development is shown on plans submitted by Hershberg and Hershberg Consulting Engineers & Land Surveyors, dated February 2, 2016, last revised May 3, 2017, entitled “Expansion to PDD and Site Plan for Tech Valley Drive” (“General Development Plan”).
  - 3. Tech Valley Drive, which will be extended into Part 2, will comply with Town Standards as amended by the PDD and according to site plan approval. The Project will also require site plan approval of each lot as developed by the Town of East Greenbush Town Board and related permits, approvals and compliance determinations from other involved agencies.
  - 4. A full landscaping plan for the Project Site shall be offered by the applicant during the Site Plan review process and remains subject to Town approval. This shall include the number, type, caliper and species of landscaping to be provided. Special screening will be provided along Mannix Road where the proposed extension of Tech Valley Drive runs parallel to Mannix Road. This will consist of fences, walls and foliage to prevent oncoming lights from being a distraction to drivers on either road. The siting of future buildings shall take visibility from Mannix Road into consideration, and minimize visual impacts. Subsequent Site Plans shall provide a minimum 50 foot buffer, landscaping plan, and will be subject to Town approval. To the maximum extent practicable, this 50 foot buffer shall be provided by retaining existing vegetation. Building treatments also shall also be submitted for review and approval by the Planning Board during site plan approval process.
  - 5. Water will be supplied by the Water District. If any new or additional connections are needed for the Project to connect to the water system, the developer, at its expense, will provide such connections.

6. As this project approaches full buildout, the developer will work with the Town to facilitate the construction of a looped system and provide any necessary easements to allow this loop to be installed. Any required upgrades to Town facilities to support this project would be the responsibility of the applicant and at no cost to the Town. Water supply booster pumps will be considered on a site-by-site basis if the Town determines that it is necessary.
7. Hydrants will be provided according to the spacing and location as shown on the General Development Plan.

Sanitary sewer service for the site will be supplied by the Sewer District. Service will be provided by extending the existing low pressure force main system from the existing system in East Greenbush Technology Park, Part 1. If any new or additional connections are needed for the Project to connect to the sanitary sewer system, the developer, at its expense, will provide such connections.
8. Any connections to the sanitary sewer system and Sewer District shall be designed and constructed in accordance with the standards of the Sewer District in effect at the time of site plan being made by the developer.
9. Detailed studies of water supply and sanitary sewer system capacity will be supplied by the developer and evaluated during the Site Plan review process for all subsequent development and remain subject to Town approval.
10. Lighting will be provided on each site. All extension lighting will conform with light level and glare standards to be established during final site plan approval. Lighting shall be in substantial conformance with the General Development Plan and subsequent site plans for future developments within the project. The final lighting plan shall be determined during site plan review. A detailed plan for the location of the project lighting shall be offered by the applicant during the Site Plan review process and remains subject to Town approval. This shall include the final location and type for these facilities.
11. The developer shall extend Tech Valley Drive as shown on the General Development Plan and including associated utilities to be owned by the Town and constructed according to Town standards. The applicant shall construct an emergency access driveway on Mannix Road opposite Rounds Road, 2,200 feet east of Tech Valley Drive.
12. After reviewing traffic flow information, and as outlined in the Final Environmental Impact Statement, it was determined that no traffic-related improvements were required to the existing geometry of the main entrance to the Tech Park if the additional area of buildings of similar uses to those already occupying the Tech Park were 100,000 square feet or less. The only recommended improvements at this time is to add an intersection warning sign on Mannix Road for the southbound approach to the Tech Valley Drive intersection and a new stop bar at the Tech Valley Drive/Mannix Road Intersection. In addition, the existing cul-de-sac at Tech Valley Drive will be removed as a result of the construction of a new cul-de-sac at the end of the proposed road extension.
13. If the 100,000 square foot threshold were surpassed, the realignment of Mannix Road and the intersection with Tech Valley Drive would be necessary. The preferred option for doing this would be "Option A" as shown on plan entitled "Option A – Conceptual Phase 2 Access Improvement," prepared by Creighton-Manning Engineering Associates, and dated December 2017 and appended to the FEIS. Option A requires the developer to acquire land from an adjoining property owner. Such acquisition would be undertaken by the developer at its expense. The next-preferred option is "Option C" as shown on plan

entitled “Option C – Conceptual Phase 2 Access Improvement,” prepared by Creighton-Manning Engineering Associates, and dated December 2017 and appended to the FEIS. Option A requires the developer to acquire land from an adjoining property owner, and Option C is the preferred option if the first Option A cannot be constructed due to right-of-way constraints.

14. As additional development takes place within the Tech Park a traffic study shall be conducted as part of each site plan approval to evaluate the need for the identified traffic mitigation measures and/or additional mitigation measures.

#### **Section 7 - Stormwater Management**

- A. All stormwater management plans and associated utilities shall conform to the specifications of the Town of East Greenbush and the latest version of the NYSDEC - New York State Stormwater Management Design Manual in effect at the time of site plan application being made by the developer.
- B. At the time of application for site plan review, a conforming Stormwater Pollution Prevention Plan (“SWPPP”) shall be submitted to the Planning Board for review.
- C. Prior to the issuance of a Certificate of Occupancy, a Stormwater Management System Maintenance Agreement between the Facility Owner and the Town shall be executed.

#### **Section 8 - Project Related Review Fees.**

- A. The developer shall be responsible for reimbursing the Town for any and all expenses incurred for the review of this Project as stipulated within the Town's zoning regulations.

#### **Section 9 – Amenity Package**

- A. The developer shall be responsible for providing the Town with the following amenities:
  - Approximately 7,500 lineal feet of nature walking trails, to be constructed in phases as shown on the General Development Plan;
  - An easement for future connections for water/sewer in the public right of way for residents on Mannix Road as shown on the General Development Plan; and
  - A connection to Columbia High School for emergency access. The approximate location is depicted on Sheet C1 of the General Development Plan. The final location and configuration shall be determined by the Town.

#### **Section 10 – State Environmental Quality Review Act**

- A. The East Greenbush Town Board, as lead agency for this Project pursuant to the State Environmental Quality Review ACT (“SEQRA”) has accepted a Final Environmental Impact Statement (“FEIS”) and issued a SEQRA Findings Statement concerning the Project. The developer agrees to comply with all of the mitigating measures set forth as conditions in the FEIS and Findings Statement, at no cost to the Town.
- B. No certificate of occupancy for any structure within the boundaries of the PDD will be issued until such conditions or mitigating measures are substantially complete.

#### **Section 11 - Additional Town Approvals**

- A. Following adoption of this local law, the developer shall make application to the Town of East Greenbush for the following "planning" related approvals:
  1. Site Plan Approval subject to the Town Planning Board and Town Board review and approval.
  2. Subdivision Approval subject to the Planning Board review and approval.

#### **Section 12 - Zoning Map to Incorporate the PDD**

- A. The Town of East Greenbush Zoning Map is hereby amended by providing that said Planned Development District be set forth on the Zoning Map of the Town of East

Greenbush and on any supplementary map later adopted by the Town Board, all of which are hereby made a part of this local law.

**Section 13 - Effective Date; Severability**

- A. This local law shall take effect immediately upon filing with the Secretary of State of New York State. If any part of this local law is for any reason held to be unconstitutional or invalid, such decision shall not affect the remainder of this local law.

**Section 14 - Sunset Provision**

- A. In the event construction does not commence within three years of the date this local law becomes effective, this local law shall be deemed null and void, and the zoning of these lands shall revert to the CO District.

**Section 15 – GEIS Mitigation Fees**

- A. The developer shall be required to pay the following fees provided for in Local Law No. 1 of 2010 of the Town of East Greenbush.
- B. The fees shall be paid in accordance with the schedule set forth in Local Law No. 1 of 2010 of the Town of East Greenbush.

**APPENDIX A DESCRIPTION  
EAST GREENBUSH TECHNOLOGY PARK,  
PART 2 PLANNED DEVELOPMENT DISTRICT**

All that certain piece or parcel of land situate in the Town of East Greenbush, County of Rensselaer, State of New York bounded and described as follows:

**BEGINNING** at a point on the southerly bounds of Mannix Road, said point located the following two (2) courses and distances as measured along the southerly bounds of Mannix Road from its intersection with the division line between the lands now or formerly of Daniels as described in Book 1517 of Deeds at Page 213 to the east and the lands now or formerly of Greenbush Associates LLC to the west:

1. South 86°14'41" East for a distance of 940.32 feet to a bend point;
2. South 88°29'18" East for a distance of 59.99 feet to the **Point of Beginning**;

**THENCE** from said **Point of Beginning** along the southerly bounds of Mannix Road the following four (4) courses and distances:

1. South 88°29'18" East for a distance of 169.57 feet to a point;
2. North 88°07'03" East for a distance of 351.00 feet to a point;
3. South 89°17'50" East for a distance of 556.07 feet to a point;
4. South 89°53'34" East for a distance of 273.44 feet to a point;

**THENCE** South 00°06'26" West along the westerly bounds of the Lands now or formerly of Daniels as described in Book 1517 of Deeds at Page 213 for a distance of 217.80 feet to a point;

**THENCE** South 89°53'34" East along the southerly bounds of the Lands now or formerly of Daniels as described in Book 1517 of Deeds at Page 213 for a distance of 200.00 feet to a point;

**THENCE** South 00°06'26" West along the westerly bounds of the Lands now or formerly of Daniels as described in Book 1497 of Deeds at Page 147 for a distance of 82.20 feet to a point;

**THENCE** South 89°53'34" East the southerly bounds of the Lands now or formerly of Daniels as described in Book 1497 of Deeds at Page 147 for a distance of 300.00 feet to a point;

**THENCE** North 00°06'26" East along the easterly bounds of the Lands now or formerly of Daniels as described in Book 1497 of Deeds at Page 147 for a distance of 300.00 feet to a point;

**THENCE** South 89°53'34" East along the southerly bounds of Mannix Road for a distance of 45.23 feet to a point;

**THENCE** along the westerly bounds of the Lands now or formerly of LaGrave as described in Book 1297 at Page 898 the following two (2) courses and distances:

1. South 08°04'23" East for a distance of 259.75 feet to a point;
2. South 30°05'23" East for a distance of 49.97 feet to a point;

**THENCE** South 38°10'13" East along the westerly bounds of the lands now or formerly of Drake for a distance of 986.82;

**THENCE** North 88°27'33" West along the northerly bounds of the lands now or formerly of Glaz as described in Book 804 at Page 459 for a distance of 930.22 feet to a point;

**THENCE** along the northerly bounds of East Greenbush Central School Dist. the following four (4) courses and distances:

1. North 87°56'05" West for a distance of 126.39 feet to a point;
2. North 65°57'05" West for a distance of 1060.69 feet to a point;
3. South 04°09'05" West for a distance of 881.94 feet to a point;
4. South 71°05'15" West for a distance of 412.77 feet to a point;

**THENCE** along the easterly bounds of Proposed Lots 6, 5, 4 and 3 the following eight (8) courses and distances:

1. North 18°15'26" West for a distance of 312.06 feet to a point;
2. North 10°49'02" West for a distance of 70.21 feet to a point;
3. North 19°25'53" West for a distance of 443.71 feet to a point;
4. North 18°15'26" West for a distance of 209.31 feet to a point;
5. North 25°46'26" West for a distance of 255.00 feet to a point;
6. North 11°56'34" East for a distance of 68.26 feet to a point;
7. South 75°18'45" East for a distance of 254.23 feet to a point;
8. North 11°56'34" East for a distance of 423.82 feet to the **POINT OF BEGINNING.**

**CONTAINING** 53.94 Acres of land more or less.