



The Town of East Greenbush

225 Columbia Turnpike, Rensselaer, New York 12144

TOWN BOARD AGENDA Wednesday, January 20, 2016

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

Communications/Announcements/Reports

Town Clerk Kimberly Carlock stated that she had received Monthly reports from the following departments and that they are on file in the Clerk’s Office:

Building Department, town Clerk’s Office, Receiver of taxes, Highway, and the Police Department.

Counselor DiMartino welcomed the new members of the Town board. She stated that working with the new members is truly gratifying and that she looks forward to working with them. Counselor DiMartino stated that the Town Park is up and ready for ice skating, and please remember it is skate at your own risk. The Community and recreation Department is seeking bands or musicians for the 2016 summer concert Series “Music in the Park. The Community and recreation Department has their winter/spring programs for the seniors up on the website and Facebook page. Reservations are now b being accepted for park rentals for the spring and summer. Please call the Community and recreation Office to Schedule.

Counselor DiMartino explained that the Town will be collecting donations for the American Heart Association, and on February 5th employees will wear Red for National Go Red Day. She also stated that Camp Registration forms will be out in February. Please see the Community and Recreation Department’s web page for a list of all of the Town’s winter and spring activities.

Counselor Tierney welcomed Anthony Manfredi as the new town Planner and Kim Edberg as the new Deputy town Clerk. She explained that she is the liaison for the Planning and Zoning Board, Town Clerks Office and the School District. The School District has asked that the Town Residents please look at the Governor’s budget, and especially how it will our school district.

Supervisor Conway thanked his administrative assistant Lisa O’Brien for all of her hard work on the 1st agenda of the year.

Supervisor Conway explained that there is a water emergency in town because of a water main break in Troy. The water emergency called for a reduced capacity in water usage and will most likely be in place until Friday January 22nd.

Supervisor Conway wished a Happy 100th Birthday to the East Greenbush fire Company, and also welcomed Linda Smith and the Bridal Shop Your day Your Way to East Greenbush.

Supervisor Conway stated that Michael Toma resigned and Florence Taylor has been appointed as book keeper. The Board of Ethics will be going through a major review and revision. The next meeting will be February 3rd at 7:00 pm. Supervisor Conway also explained that he understands people want the free exchange at the Transfer Station back, but that we have been advised by our insurance company that there are liability issues that would have to be worked out. For now, there is still no free exchange.

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.

Don Johnson gave a magazine to our Town Historian to help memorialize the casino argument in town.

Floyd Hunt spoke regarding the Old K-Mart. He wondered if Shop Rite would be interested in going in there. The Supervisor explained that they wanted Big Lot also and that was not an option.

Liz Tice spoke regarding the water emergency.

Pete Stenson spoke regarding the existing sewer debt. He also had questions regarding the Town's residency policy and the State's residency requirements.

Lee Cookson had questions regarding the difference in money regarding resolution to evaluate the Town's Sewer district now and the one from last year.

Ed Gilbert also had concerns about the resolution to evaluate the sewer districts.

Bill Mahan spoke in regards to the civil service positions and had concerns on the hiring and the firing of employees.

Bonnie Lester congratulated the Town Board again on their new positions. She also spoke again regarding the resolution rescinding the Casino resolution.

Resolutions and Proposals by Town Board Members:

01-2016 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 December 16, 2015 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 December 16, 2015, are hereby approved as submitted.

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

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

02-2016 A Resolution to Approve Special 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 Special Town Board Meeting held on December 15, 2015 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 December 15, 2015, are hereby approved as submitted.

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

Supervisor Conway explained that there was no vote because Counselor Matters was absent that day and the new Board members were not on the Board for that meeting.

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

03-2016 A Resolution to Approve Organizational 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 Organizational Town Board Meeting held on January 04, 2016, 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 special Organizational Town Board Meeting held on January 04, 2016, are hereby approved as submitted.

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

04-2016 Resolution Rescinding Resolution 85-2014, Adopted by the East Greenbush Town Board on June 12, 2014

WHEREAS, by Resolution 85-2014, adopted on June 12, 2014, the Town Board adopted a resolution endorsing the location of a gaming facility on Thompson Hill Road in East Greenbush; and

WHEREAS, following the adoption of said resolution, there was strenuous public opposition to the siting of such a facility in the Town of East Greenbush, which opposition was expressed at numerous town board meetings, and by the creation of an active citizens' organization opposed to the casino, which advocated strongly and consistently against the casino; and

WHEREAS, the widespread and deep opposition to the siting of the casino in the town was undoubtedly a substantial factor in the decision to locate the casino in another municipality; and

WHEREAS, the current board wishes to make clear its continuing opposition to the siting of any gaming facility within the town; now, therefore, be it

RESOLVED that resolution 85-2014 is hereby rescinded.

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

Supervisor Conway stated that the majority of the people opposed the casino. The Board wanted to make sure their message was clear “not here...not now”

Counselor Grant explained how Save East Greenbush was a citizen group that got together to oppose the casino, and then decided that they were not done yet. They then supported the movement East Greenbush First. We learned that listening to peoples’ concerns is important if you want to move forward in town government.

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

05-2016 Schedule a Public Hearing to Consider a New Contract with the Best Luther Fire Company, Inc.

WHEREAS, as the Town Comptroller has heretofore confirmed that none of the provisions of this proposed Board action shall pose an adverse impact to 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 on the 17th day of February, 2016, at 6:40PM in the evening of said day, at the Town Hall, 225 Columbia Turnpike, in East Greenbush, New York, to consider the entry into a new contract between the Town of East Greenbush and the Best Luther Fire Company, Inc. which agreement will include certain conditions as set forth in the proposed contract and the payment of the sum of **\$101,400.00** by the Town of East Greenbush to the Best Luther Fire Company, Inc. for such Fire Protection.

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

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

06-2016 Schedule a Public Hearing to Consider a New Contract with the Best Luther Company, Inc., on behalf of the Third Avenue Fire Protection District, Inc.

WHEREAS, as the Town Comptroller has heretofore confirmed that none of the provisions of this proposed Board action shall pose an adverse impact to 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 on the 17th day of February, 2016 at 6:50PM in the evening of said day, at the Town Hall, 225 Columbia Turnpike, in East Greenbush, New York, to consider the entry into a new contract between the Town Board of the Town of East Greenbush and the Best Luther Fire Company, Inc., which agreement will include certain conditions as set forth in the proposed contract and the payment of the sum of **\$7,400.00** by the Town of East Greenbush to the Best Luther Fire Company, Inc. for such Fire Protection.

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

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

07-2016 Authorization to Enter into Agreements for Sewer Services with Individuals/Entities

WHEREAS, the Town Board of the Town of East Greenbush, County of Rensselaer, State of New York, does annually enter into an Agreement for Sewer Services with the following Individuals/Entities:

Dean and Doris Calamaras; Willard L. Clum, Jr.; Karen Hynes; Vincent E. Sturn and Mary A. Sturn; Love Lutheran Church; Love Lutheran Parsonage and Rita Bernardo; and

WHEREAS, as the Town Comptroller has heretofore confirmed that none of the provisions of this proposed Board action shall pose an adverse impact to the Town's finances; and now, therefore, be it

RESOLVED, that the Supervisor of the Town of East Greenbush is hereby authorized to enter into an Agreement for the General Sewer District connections of the aforementioned, at a sum not to exceed Six Hundred Eighty-Three Dollars (\$683.00) each; said Agreement to be valid throughout the year 2016 and to expire on December 31, 2016, and that these charges shall be billed to the owner in four (4) equal installments (\$170.75) during the months of February 2016, May 2016, August 2016, and November 2016.

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

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

08-2016 Resolution Authorizing the Supervisor to Execute a Certain Pedestrian Bridge Easement Agreement with Regeneron Pharmaceutical, INC.

WHEREAS, Regeneron Pharmaceuticals, Inc. (hereafter "Regeneron"), is the owner of certain property in the Town of East Greenbush known as One CSC and 81 Columbia Turnpike, and is also the owner of property known as 25 Discovery Drive; and

WHEREAS, Regeneron has proposed to construct an office building at 25 Discovery Drive, and a parking lot for the employees who will be working at that location on the other side of Discovery Drive; and

WHEREAS, Regeneron desires to construct a pedestrian bridge, elevated over Discovery Drive, connecting parking lot with the office building; and

WHEREAS, that project, including the pedestrian bridge, has had a complete review and approval from both the Town Board and the Town of East Greenbush Planning Board, including clearance under the SEQRA process for the office building and parking lot respectively; and

WHEREAS, as the Town Comptroller has heretofore confirmed that none of the provisions of this proposed Board action shall pose an adverse impact to the Town's finances; and

WHEREAS, Regeneron requires an easement from the Town of East Greenbush across Discovery Drive, which the Town owns in fee, in order to construct and maintain that proposed pedestrian bridge; now, therefore, be it

RESOLVED, that the Supervisor is authorized to execute, on behalf of the Town, a certain pedestrian bridge easement agreement granting Regeneron an easement over a portion of Discovery Drive, in a form approved by the attorney to the Town; and it is further

RESOLVED, that the Supervisor shall not execute that agreement, until the time for the filing of a petition for a permissive referendum pursuant to Town Law §90 has expired, and there has been no such petition filed.

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

09-2016 Town Board Request to act as Lead Agency for the Regeneron Major Site Plan Mill Creek/Tempel Lane Major Site Plan

WHEREAS, SMRT Architects on behalf of Regeneron Pharmaceuticals, LLC, located at 81 Columbia Turnpike, has submitted a site plan review application for a project located on Mill Creek and identified on the Town’s Tax Roll as Tax Parcel No.144.-3-5.1; and

WHEREAS, the application was accompanied by a proposed site plan, a Full Environmental Assessment Form and other submittals; and

WHEREAS, as the Town Comptroller has heretofore confirmed that none of the provisions of this proposed Board action shall pose an adverse impact to the Town’s finances; and

WHEREAS, the Town Board wishes to assume lead agency status in connection with coordinated SEQR review of this Type 1 Action; now, therefore, be it

RESOLVED as follows:

1. The Project will require review under the State Environmental Quality Review Act (“SEQRA”)
2. The following are or may be:
Involved agencies under SEQRA:
 - East Greenbush Town Board
 - East Greenbush Planning Board
 - East Greenbush Zoning Board of Appeals
 - NYS Department of Environmental Conservation
 - NYS Department of Transportation
 - Rensselaer County Health DepartmentInterested agencies under SEQRA:
 - Clinton Heights Fire District #1
 - W. F. Bruen Rescue Squad
 - Rensselaer County Bureau of Planning
 - East Greenbush Department of Public Works
 - New York State Office of Parks, Recreation & Historic Preservation
 - East Greenbush Central School District
 - Capital District Transportation Authority
 - National Heritage Program
 - Capital District Transportation Committee
 - New York State Department of Transportation
 - U.S. Army Corps of Engineers
3. The Town Board wishes to assume lead agency status in connection with coordinated SEQR review of the Project.
4. The Town Board directs that a lead agency coordination letter be sent to all the involved agencies requesting their consent to designation to the Town Board as lead agency for SEQR review of the Project.

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

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

10-2016 A Resolution Approving the Payment of UW Marx Construction Co., Inc’s Emergency Rainfall Repair Invoice

WHEREAS, the East Greenbush Waste Water Treatment Plan sustained damage to the footings of the new Chlorine Contact Tank and a State of Emergency was declared and an

Emergency Order was issued as a result of the rains on September 29, 2015 and September 30, 2015; and

WHEREAS, the Emergency Order called for UW Marx to effectuate the following:

1. Secure and backfill footings of Chlorine Contact Tank (flowable fill as necessary)
2. Clean and restore all tanks,
3. Restore integrity of hillside,
4. Verify integrity, and repair, if needed, any and all underground piping,
5. Restore the damaged area of the Waste Water Treatment Plant to its pre-damage condition; and

WHEREAS, the Town has received an invoice in the amount of ~~\$41,047.16~~ \$37,994.30 for the work completed by U.W. Marx; and

WHEREAS, the Town Comptroller has indicated that this will have a negative financial impact on the Town's Finance's as it was not budgeted in the 2016 Annual Budget and it is not subject to insurance recovery; now, therefore, be it

RESOLVED, that the Town Comptroller is hereby authorized to pay the UW Marx Emergency Rainfall Repair Invoice in the amount of ~~\$41,047.16~~ \$37,994.30.

Councilor Tierney made a motion to amend the foregoing resolution changing the amount approved from \$41,047.16 to \$37,994.30.

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

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

The foregoing amended Resolution was duly 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

11-2016 Authorize Employees to Attend the Association of Towns Annual Meeting

WHEREAS, the Town Comptroller has confirmed that the provisions of this resolution were planned for in the 2016 Budget and will have no adverse impacts on the Town finances; now, therefore be it

RESOLVED, that the following persons/people be authorized by the Town of East Greenbush to attend the Annual Meeting of the Association of Towns in New York City, February 14 – 17, 2016:

Eileen Donahue
Stephanie Phillips

and it is further

RESOLVED, the Town will pay the lodging expense and conference attendance expense for these two employees on February 14, 2016 and February 15, 2016. Attendees shall advance the cost for transportation and meals and maintain an expense report accompanied by appropriate receipts to be submitted to the Comptroller following the meeting for reimbursement.

The foregoing amended Resolution was duly moved by Councilor Grant and seconded by Supervisor Conway and brought to a vote as follows:

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

12-2016 Authorize Ronald Stark to Attend the Northern Adirondack Code Enforcement Officials Association Education Conference

WHEREAS, the Town Comptroller has confirmed that the provisions of this resolution were planned for in the 2016 Budget and will have no adverse impact on the Town finances; now therefore be it

RESOLVED, that the following person be authorized by the Town of East Greenbush to attend the Annual Northern Adirondack Code Enforcement Officials Association Education Conference February 29-March 3, 2016:

Ronald Stark

and be it further

RESOLVED, the Town will pay lodging expense and conference attendance expense for this employee on February 28, 2016, February 29, 2016, March 1, 2016 and March 2, 2016 . Attendees shall advance the cost for transportation and meals and maintain an expense report accompanied by appropriate receipts to be submitted to the Comptroller following the meeting for reimbursement.

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

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

13-2016 Approval of Park Rental Fees

WHEREAS, the Town Board of the Town of East Greenbush seeks to continue to rent the park pavilions and buildings to produce revenue for the upkeep and maintenance of the Town parks; and

WHEREAS, the following fees will be effective for the year 2016 and permanent thereafter up to a time the Town Board of the Town of East Greenbush should wish to change said fees; and

WHEREAS, the Town Comptroller hereby confirms that none of the provisions of the foregoing resolution shall pose an adverse impact to the Town’s finances; now, therefore, be it

RESOLVED, that the Town Board hereby approves the park rental fees listed below:

Town Parks Rental Fees*

Town Park Pavilions	Parties of 100 or less		Parties of 100-150		Parties over 150	
	Residents	Non-Residents	Residents	Non-Residents	Residents	Non-Residents
Lower Pavilion	\$125	\$185	\$150	\$210	\$200	\$260
Upper Pavilion	\$150	\$210	\$185	\$245	\$230	\$290
	Limited to 50 people					
Onderdonk Park	\$100	\$175				
Hampton Manor Beach House	\$100	\$175				

***All fees include a \$30 non-refundable Reservation Fee**

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

Supervisor Conway thanked Jessica Lansing for all of her work on this resolution.

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

14-2016 Approval of Membership and Fees to the New York State Park and Recreation Society

WHEREAS, the Town Board of the Town of East Greenbush seeks to have a representative of the Community & Recreation Department become a member of the New York State Park & Recreation Society; and

WHEREAS, The Town Board of the Town of East Greenbush deems Jessica Lansing, Town Services Coordinator, the appropriate person to represent the Town of East Greenbush in said society, and

WHEREAS, the membership fee of \$125 will be paid to the New York State Recreation and Park Society, and

WHEREAS, as the Town Comptroller has heretofore confirmed that none of the provisions of this proposed Board action shall pose an adverse impact to the Town's finances; now, therefore, be it

RESOLVED, that the Community & Recreation Department file the proper paper work to become a member of New York State Park and Recreation Society.

The foregoing Resolution was duly 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

15-2016 Resolution Opposing the New York State Thruway Authority Acting as Co-Lead Agency for SEQRA Review of the Pilgrim Pipeline Project

WHEREAS, Pilgrim Transportation of New York, Inc. (hereafter "Pilgrim"), has filed an application to construct and operate oil and kerosene pipelines from Linden, New Jersey to Albany, New York, such pipelines to be located primarily in property owned by the New York State Thruway Authority; and

WHEREAS, as the Town Comptroller has heretofore confirmed that none of the provisions of this proposed Board action shall pose an adverse impact to the Town's finances; and

WHEREAS, the Thruway Authority is proposing to act as co-lead agency with the NYS Department of Environmental Conservation (NYSDEC) for SEQRA review of the project; and

WHEREAS, the Town Board has concerns that since the Thruway Authority will receive direct economic benefit from this project in the form of revenue from Pilgrim, it would not be appropriate for it to participate in the SEQRA review; and;

WHEREAS, NYSDEC itself had previously recommended that a single lead agency be established in these circumstances; now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush opposes New York State Thruway Authority acting as the co-lead agency in this process, and requests instead that the New York State Department of Environment Conservation take sole lead agency status for SEQRA review; and it is further

RESOLVED, that the East Greenbush Town Clerk is hereby directed to send a copy of this resolution to Maria Lehman, Interim Executive Director of the NYS Thruway; Howard P.

Milstein, Thruway Authority Chairman; Basil Seggos, Acting NYS DEC Commissioner; U.S. Senators Charles Schumer and Kirsten Gillibrand; U.S. Representative Paul Tonko; Governor Andrew Cuomo; NYS Senator Kathleen Marchione; and NYS Assembly Member Steven McLaughlin.

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

Counselor Matters recused herself from the room because her husband works for the Thruway Authority.

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

16-2016 A Resolution to Approve the Appointment of Robert Potter to the Position of Town Court Attendant

WHEREAS, the Town Board of the Town of East Greenbush seeks to retain the services of a Court Attendant in the Town's Justice Court on Court nights; and

WHEREAS, the Town Comptroller has confirmed that the provisions of this resolution were planned for in the 2016 Town Budget and will have no adverse impacts on the Town finances; now, therefore, be it

RESOLVED, that Robert Potter is hereby appointed to the position of Court Attendant, consistent with all the terms and conditions of these positions as previously set forth by the Town Board, for a term to expire at the Town's next Organizational Meeting, or otherwise at the pleasure of the Town Board; and be it further

RESOLVED, that the said appointment of Robert Potter to Court Clerk be compensated at \$75/Session, as set at the 2016 Organizational Meeting.

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

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

17-2016 A Resolution to Approve the Appointment of Mary Boisvert to the Position of Bingo Inspector

WHEREAS, the Town Board of the Town of East Greenbush seeks to retain the services of a Bingo Inspector; and

WHEREAS, the Town Comptroller has confirmed that the provisions of this resolution were planned for in the 2016 Town Budget and will have no adverse impacts on the Town finances; now, therefore, be it

RESOLVED, that Mary Boisvert is hereby appointed to the position of Bingo Inspector, consistent with all the terms and conditions of these positions as previously set forth by the Town Board, for a term to expire at the Town's next Organizational Meeting, or otherwise at the pleasure of the Town Board; and be it further

RESOLVED, that the said appointment of Mary Boisvert be compensated at \$50/Inspection.

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

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

18-2016 A Resolution to Approve the Interim Appointment of Laura Ingoldsby to the Position of Interim Town Court Clerk

WHEREAS, the Town Board of the Town of East Greenbush seeks to retain the services of an interim Court Clerk in the Town's Justice Court office; and

WHEREAS, the Town Comptroller has confirmed that the provisions of this resolution were planned for in the 2016 Town Budget and will have no adverse impact on the Town finances; now, therefore, be it

RESOLVED, that Laura Ingoldsby is hereby appointed to the position of interim Court Clerk, consistent with all the terms and conditions of these positions as previously set forth by the Town Board, for a term to expire at the Town's next Organizational Meeting, or otherwise at the pleasure of the Town Board; and be it further

RESOLVED, that the said interim appointment of Laura Ingoldsby to Court Clerk be compensated at an annual rate of \$31,500 a year.

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

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

19-2016 A Resolution to Authorize a Public Auction of Surplus Equipment

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

WHEREAS, said equipment includes 1 vehicle:

2009 Ford Crown Victoria (2FAHP71V29X133655)

WHEREAS, said equipment is not suited for other departments in Town; and

WHEREAS, the Town Comptroller has confirmed that there is no adverse impact to the Town finances; now therefore, be it

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

RESOLVED that the Purchasing Clerk is authorized to conduct a public auction, sale or dispose of said surplus equipment now owned by and in the custody of the East Greenbush Police Department.

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

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

20-2016 Annual Re-Appointment of Part-time Police Dispatchers

WHEREAS, the Town Police Department retains the services of part-time staff in the Emergency Communications Center; and

WHEREAS, these individuals meet the presumptive, non-competitive qualifications for this title as established by the Rensselaer County Civil Service Commission; and

WHEREAS, the Town Comptroller has confirmed that the provisions of this resolution were planned for in the 2016 Budget and will have no adverse impacts on the Town finances; now, therefore, be it

RESOLVED, that on the recommendation of the Chief of Police, each of said individuals so listed be, and the same hereby is re-appointed to the position of part-time police dispatcher, consistent with all terms and conditions as previously set forth by the Town Board, for a term to expire at the Town's next Organizational Meeting, or otherwise at the pleasure of the Town Board, and be it further

RESOLVED, that the said part-time dispatchers be compensated as set forth in the appropriate Collective Bargaining Agreement.

Steven C. Schongar, Edward R. Dimartino, Michael J. Benson, Daniel P. Farnan,, Robert G. Lehmann, Jeffrey G. Tooker, Donna A. Holt, Andrea S. Hancock, Nicholas J. Liuzzi, Lee J. Crozier, David J. DeBacco, Stephen R. Roberts, Janet M. Gamble

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

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

21-2016 A Resolution Authorizing Payments to Chazen Engineering for Work Conducted at the Waste Water Treatment Plant as a Result of the Sludge Spill

WHEREAS, the Waste Water Treatment Plant Construction project experienced a Sludge Spill in March 2015 and the Town's Insurance Company, New York Municipal Insurance Reciprocal (hereafter referred to as NYMIR) has accepted liability; and

WHEREAS, the Comptroller hereby confirms that none of the provisions in this resolution should pose an immediate financial impact to the 2016 Town Budget as it is paid for through insurance proceeds; and

WHEREAS, the Town is in receipt of a check of \$153,781.95 for vouchers submitted to the Town and NYMIR for Engineering expenses related to the Sludge Spill in the amount of \$153,781.95; and any future invoices related to the Sludge Spill will be subject to approval and supplemental payment by NYMIR;

now, therefore, be it

RESOLVED, that the Town Board does hereby authorize the payment of the vouchers listed above to The Chazen Companies for engineering expenses related to the WWTP Sludge Spill.

The foregoing Resolution was moved by Councilor DiMartino and was seconded by Councilor Matters and was 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

22-2016 A Resolution Authorizing Payments to U.W. Marx Construction for Work Conducted at the Waste Water Treatment Plant as a Result of the Sludge Spill

WHEREAS, the Waste Water Treatment Plant Construction project experienced a Sludge Spill in March 2015 and the Town's Insurance Company, New York Municipal Insurance Reciprocal (hereafter referred to as NYMIR) has accepted liability; and

WHEREAS, the Town is in receipt of a check of \$274,420.59 for vouchers submitted to the Town and NYMIR for at the expenses related to work and re-work completed at the Waste Water Treatment Plant as a result the Sludge Spill in the amount of \$274,420.59; and any future invoices related to the Sludge Spill will be subject to approval and supplemental payment by NYMIR;

now, therefore, be it

RESOLVED, the Comptroller hereby confirms that none of the provisions in this resolution should pose an immediate financial impact to the 2016 Town Budget as it is paid for through insurance proceeds; now, therefore, be it further

RESOLVED, that the Town Board does hereby authorize the payment of the vouchers listed above to UW Marx for construction work and re-work related to the WWTP Sludge Spill.

The foregoing Resolution was moved by Councilor DiMartino and was seconded by Councilor Matters and was 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

23-2016 Resolution Authorizing an Extension of Residency Compliance for George Phillips, East Greenbush Town Comptroller

WHEREAS, George Phillips was appointed by the Town Board to act as the Comptroller for the Town of East Greenbush at the board's Organizational Meeting on January 4, 2016; and

WHEREAS, the Town Comptroller has confirmed that there is no adverse impact to the Town finances; and

WHEREAS, Mr. Philips, as a result of his training, background and two years of experience as the East Greenbush Town Comptroller, has a thorough knowledge of the financial position of the Town, and the financial challenges facing the Town in the future; and

WHEREAS, the Town Board wishes to retain his services, although he has not yet obtained a principal place of residence within the Town of East Greenbush; now, therefore, be it

RESOLVED, that the Town Board hereby extends the period of time for George Phillips to comply with the residency requirement set forth in the Town of East Greenbush Employee Handbook until December 31, 2017.

The foregoing Resolution was moved by Supervisor Conway and was seconded by Councilor Grant and was 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

24-2016 A Resolution to Change the Time of the Monthly Pre-Board Meetings

WHEREAS, the 2016 Organizational Meeting established the monthly Pre-Board Meeting as the Wednesday before the Board Meeting at 7:00 PM; and

WHEREAS, due to a conflict in schedules, the Pre-Board Meeting will now be held at 6:00 PM on the Wednesday before the Board Meeting; and

WHEREAS, the Town Comptroller has heretofore confirmed that none of the provisions of this resolution shall pose an adverse impact to the town's finances; now, therefore, be it

RESOLVED, that the monthly Pre-Board Meeting will be held at 6:00 PM on the Wednesday before the Town Board Meeting

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

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

25-2015 Authorization to Contract with Delaware Engineering, D.P.C. to Analyze and Evaluate the Town's Sewer Districts and Fee-Rate Structures and to Recommend Changes Thereto

WHEREAS, in response to resolution no. 144-2014 which was moved during the regular board meeting of the Town of East Greenbush (referred to hereinafter as "Town") held on December 17, 2014, and in which the rates of user fees for Town sewer service were proposed to be increased, concerns were raised regarding the basis for such proposed increases; and

WHEREAS, the Town's engineering consultant for sewer-related issues, Delaware Engineering, D.P.C. (referred to hereinafter as "Delaware"), was requested to prepare a proposal (referred to hereinafter as "Proposal") to analyze and evaluate the Town's existing five sewer districts and attendant fee-rate structures and to recommend appropriate changes thereto (referred to hereinafter as "Services"); and

WHEREAS, in order to properly and competently objectify adjustments to fee-rates for sewer service in advance of the necessary servicing of debt which is associated with the financing of the ongoing upgrades to the Town's wastewater treatment plant and which is required to commence at or near the beginning of the third quarter of the year 2015, it is imperative that the performance of the Services commence at this time; and

WHEREAS, in order to capitalize on Delaware's specialized expertise and experience in providing the Services to other clients, and on the Town's prior and ongoing investment in sewer-related services performed by Delaware vis-à-vis its technical knowledge of, and acclimation with, the Town's sewer assets, it is clearly in the Town's best interest that the Services be performed by Delaware; and

WHEREAS, the Proposal dated February 6, 2015, a copy of which is attached hereto, is proffered by Delaware at a cost not to exceed \$50,000; and

~~*** (See note below) WHEREAS, Delaware has indicated in a January 14, 2016 email to the Town Board that: "In the meantime, it is important to consider that the WWTP upgrade project and its debt service are separate and distinct from matters of public policy regarding how the town charges residents for services. Given the current fiscal situation of the Town, the status of the WWTP upgrade project, and a very reasonable plan to ensure that the debt service can be paid, proceeding with a rate structuring study at this time is not advisable. To that end, I trust that the resolution regarding the rate study will be withdrawn or tabled indefinitely;" and~~

~~*** (See note below) WHEREAS, the town comptroller concurs with Delaware's that this resolution is not advisable at this time and should be withdrawn or tabled indefinitely; now, therefore, be it~~

RESOLVED, that the performance of the Services by Delaware, as outlined in the terms of its Proposal, be, and the same hereby is, approved; and be it further

RESOLVED, that the supervisor is authorized to enter into an agreement with Delaware for the approved Services, and shall do so forthwith following review and approval of such agreement by the attorney to the town.

***** Note: The foregoing stricken text was not included in the resolution as originally submitted by Councilor Matters for consideration by the town board. Such stricken text was added after the resolution appeared on the pre-board agenda, and was not authorized by Councilor Matters.**

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

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

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

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

ADJOURNMENT

Motion to adjourn by Supervisor Conway at 8:20 pm seconded by Councilor DiMartino and brought to a vote as follows:

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

ADJOURNMENT

Motion to adjourn by Supervisor Conway at 8:20 pm seconded by Councilor DiMartino and brought to a vote as follows:

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

Minutes submitted by Kimberly Carlock, Town Clerk

01/27/2016