



The Town of East Greenbush

225 Columbia Turnpike, Rensselaer, New York 12144

TOWN BOARD AGENDA July 18, 2018

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

Members of Town Board

Present

Absent

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

Communications/Announcements/Reports

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. All speakers must conduct themselves in a civil manner. Personal attacks will not be tolerated.

Resolutions and Proposals by Town Board Members:

145-2018 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 June 20, 2018 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 June 20, 2018 are hereby approved as submitted.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

now therefore be it

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

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

RESOLVED, that said job offer be affirmed by said candidate within ten days by executing the oath of office as administered by the Town Clerk, or, after which said offer shall become null and void,

and be it further

RESOLVED, that said conditional appointment shall be subject to a probationary period of one (1) year; and, that upon successful completion of all said conditions and stipulations, shall be, and hereby is made permanent.

The foregoing resolution was duly moved by Councilor Kennedy seconded by Councilor Warner and voted as follows:

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

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

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

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

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

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

now, therefore, be it

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

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

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

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

WHEREAS, Resolution 106-2018 authorized the Commissioner of Public Works to solicit bids for purchase of Vehicles and Equipment; and

WHEREAS, the Town of East Greenbush requested publication of a Mini-Bid through the New York State Office of General Services for a ¾ Ton Pickup Truck; and

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

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

WHEREAS, the Town Comptroller has confirmed that the financial impact of this resolution is \$28,678.17 from the Sewer Fund for this expense;

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

now, therefore, be it

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

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

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

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

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

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

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

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

now, therefore, be it

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

and be it further

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

and be it further

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

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

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

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

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

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

WHEREAS, an essential component of the contracts entered into by Columbia County provides that said commodities and respective bid prices received by the County shall be available to local governments and political subdivisions of New York State; and

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

now, therefore be it

RESOLVED, that the Town Board hereby authorizes the Commissioner of Public Works to purchase gasoline from the above contract as required for operating trucks and equipment subject to the limits of the Department of Public Works budget.

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

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

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

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

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

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

WHEREAS, the Town Comptroller confirms that this resolution will not have a material impact on the Town's Finances;

now, therefore, be it

RESOLVED, that the Town of East Greenbush does hereby adopt the attached updated Mobile Device Management Policy;

and be it further

RESOLVED, that the Director of Finance is hereby authorized and directed to provide each Town employee who uses a Town mobile device with a copy of the attached Mobile Device Management Policy;

and be it further

RESOLVED, that this policy shall be reviewed annually and amended whenever changes are made to the policy.

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

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

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

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

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

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

WHEREAS, De L. Palmer Appraisal Co. submitted a fee proposal of \$3,400.00 for a trial ready appraisal as well as hourly charges of \$125.00 for court testimony and preparation and this was the lowest responsible bid; 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 authorizes the Sole Appointed Assessor to retain the services of De L. Palmer Appraisal Co. for an amount not to exceed \$3,400.00

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

now, therefore, be it

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

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

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

157-2018 A Resolution Authorizing the Supervisor to Sign an Acquisition Agreement (Sewer Facilities) with the Rensselaer County Water and Sewer Authority

WHEREAS, in 2008, the Rensselaer County Water and Sewer authority issued \$6,555,000.00 in bonds at the request of the Town to finance certain improvements to the Town sewer treatment facilities; and

WHEREAS, said sewer facilities were constructed by the Authority on lands owned by the Town; and

WHEREAS, the bonds issued by the authority to finance that project are subject to redemption by the Town prior to maturity by payment of a price equal to 100% of the principle amount due on said bonds; and

WHEREAS, the Town has undertaken the process of issuing its own bonds to finance the retirement of the authority's bonds, which will save the Town a substantial amount of interest over the remaining term of the bonds; and

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

now, therefore, be it

RESOLVED, that the Town Supervisor is hereby authorized to execute a certain Acquisition Agreement (Sewer Facilities) with the Rensselaer County Water and Sewer Authority, in substantially the form as previously submitted to the Town, upon approval by the Attorney to the Town

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

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

158-2018 A Resolution Authorizing the Supervisor to Enter Into a Contract with FirstLight Fiber for the Conversion of Town Facilities to Fiber Optic Cables

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

WHEREAS, the Town has the opportunity to upgrade to fiber optic cables at three of the major Town facilities: East Greenbush Town Hall, Waste Water Treatment Plant and the Highway Garage; and

WHEREAS, the Town currently relies on legacy copper pair and Coaxial cable and seeks to replace these with high availability fiber optics which will deliver increased Internet bandwidth and limit points of breach by centralizing Internet access in a single location; and

WHEREAS, the Town of East Greenbush currently uses multiple vendors to provide data and voice services throughout the Town to the three major Town locations, and FirstLight Fiber is committed to deliver new fiber optic facilities to these three major locations to provide better superior service and enhance security; and

WHEREAS, the estimated monthly cost will be delivered at \$1,890 per month, which is approximately a \$10 monthly savings for the Town; and

WHEREAS, this resolution authorizes the conversion to fiber optics; any additional costs associated with the fiber installation will be presented in a separate resolution to the Town Board once those costs are identified; and

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

now, therefore, be it

RESOLVED, that the Town Board authorizes the Town Supervisor to enter into an agreement with FirstLight Fiber for the conversion to Fiber Optic Facilities following review by the Town Attorney, provided that no additional costs are included at this time.

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

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

159-2018 A Resolution Authorizing the Director of Finance to Solicit Bids through the NYS Vehicle Market Place for One New Police Car to Replace Unit 308

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

WHEREAS, East Greenbush Police Department Unit 308 was deemed a total loss following an accident on May 23, 2018; and

WHEREAS, New York Municipal Insurance Reciprocal, the Town's insurance carrier, has determined the total loss value of Unit 308 to be \$35,699.85, which includes the \$500.00 deductible reimbursement; and

WHEREAS, it is important to maintain a fleet of police vehicles that are safe; and

WHEREAS, the NYS Vehicle Marketplace Mini-Bid System allows multiple bidders to bid on each posted bid in an efficient and effective manner; and

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

now, therefore, be it

RESOLVED, that the Town Board authorizes the Director of Finance to solicit bids utilizing the NYS Vehicle Marketplace mini-bid system to obtain pricing on one new Police Car to replace Unit 308 in cooperation with the East Greenbush Police Department.

The foregoing 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:

160-2018 A Resolution Authorizing the Solicitation of Expressions of Interest by the Director of Planning and Zoning for the 9 & 20 Sidewalk Construction Project

WHEREAS, this resolution was not able to be submitted in time to be considered on the regularly scheduled pre-board meeting of July 11, 2018 and was subsequently presented to the Town Board on July 17, 2018; and

WHEREAS, the Town has an active project on the Capital District Transportation Committee Transportation (CDTC) Improvement Program (TIP) to US 9 and 20 Sidewalk Construction from Bruen Court to Rensselaer County Line, a federal-aid highway project to be locally administered by the Town; and

WHEREAS, this project would fill a gap between sidewalks in the City of Rensselaer connecting to its main commercial district and existing sidewalks constructed in East Greenbush when Routes 9 and 20 were widened by NYSDOT; and

WHEREAS, the construction of this sidewalk will help advance multiple Town objectives in the areas of pedestrian and bicycling transportation, transportation safety, and Columbia Turnpike redevelopment; and

WHEREAS, in order to advance this federal aid project the Town will need to select a firm to perform services including Preliminary Design, Final Design, Right-of-Way Acquisition, and Construction Inspection in connection with the project; and

WHEREAS, firms will be selected from the 2016 – 2019 Local Design Services Agreement (LDSA) Regional Consultant list for NYSDOT Region 1 to provide their services for the aforementioned project; and

WHEREAS, the Town Comptroller has confirmed that none of the provisions of this proposed Board action will have a material impact on the Town’s finances; now, therefore be it

RESOLVED, that the Town Board authorizes the Director of Planning and Zoning to solicit an Expression of Interest from firms appearing on the 2016-2019 LDSA Regional Consultant list and supporting documentation for the aforementioned sidewalk project.

The foregoing 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:

161-2018 Declaring the Proposed Vacuum Truck Purchase Project Using Proposed Water Quality Improvement Program (WQIP) Funding Under the 2018 Consolidation Funding Application Process Administered by New York State to Consist of Type II Actions Under the State Environmental Quality Review Act (SEQRA)

WHEREAS, this resolution was not able to be submitted in time to be considered on the regularly scheduled pre-board meeting of July 11, 2018 and was subsequently presented to the Town Board on July 17, 2018; and

WHEREAS, State of New York grant funding is available through the Department of Environmental Conservation (DEC) under the Water Quality Improvement Projects (WQIP) Program to support municipal acquisition of a vacuum truck and related equipment for storm-water catch basin compliance activities under State MS4 stormwater regulations and the Town’s SPDES General Permit for Stormwater Discharges administered by the DEC; and

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

WHEREAS, the Town of East Greenbush will use the 2018 WQIP funding, if awarded, to help purchase a vacuum truck able to clean-out storm water catch basins and related drainage facilities to more effectively maintain such facilities and comply with applicable MS4 regulations; and

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

now, therefore, be it

RESOLVED, the Town Board has declared the proposed purchase of a Vacuum Truck as described in the 2018 WQIP funding application to the DEC to consist of a Type II Action under SEQRA in accordance with 6 NYCRR §617.5(c) (25), as follows: “purchase or sale of furnishings, equipment or supplies, including surplus government property, other than the following: land, radioactive material, pesticides, herbicides, or other hazardous materials.”

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

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

ADJOURNMENT

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

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