



# The Town of East Greenbush

225 Columbia Turnpike, Rensselaer, New York 12144

## TOWN BOARD AGENDA PRE-BOARD MEETING May 9, 2018

Call to Order  
Pledge of Allegiance  
Town Board Meeting:  
6:00 PM

### Members of Town Board Present          Absent

<input type="checkbox"/>	<input type="checkbox"/>	Supervisor J. Conway
<input type="checkbox"/>	<input type="checkbox"/>	Councilor T. Tierney
<input type="checkbox"/>	<input type="checkbox"/>	Councilor H. Kennedy
<input type="checkbox"/>	<input type="checkbox"/>	Councilor R. Matters
<input type="checkbox"/>	<input type="checkbox"/>	Councilor G. Warner

### 88-2018          A Resolution Authorizing the Code Enforcement Officer to Demolish a Structure at 11 Arizona Avenue in the Town of East Greenbush

**WHEREAS**, the property owner was notified by the Code Enforcement Officer to correct the condemned property situation at 11 Arizona Avenue no later than February 27, 2017; and

**WHEREAS**, the Code Enforcement Officer has received a report from Russ Reeves, a duly qualified Structural Engineer, stating that the one-family residence located at 11 Arizona Avenue, is in imminent danger of collapse; and

**WHEREAS**, the structure poses a clear and imminent danger to the life, safety, and health of the public, including the adjacent property owner; and

**WHEREAS**, Section 44-11 of the Town Code authorizes the Town Board, in case of emergency, to authorize the Code official to immediately cause the demolition of an unsafe building; and Sections 109-110 of the International Property Maintenance Code authorizes the Code Official to cause the demolition of a vacant structure due to imminent danger of collapse and the owners failure to comply.

**WHEREAS**, the Town Supervisor, as Chief Executive Officer of the Town of East Greenbush, issued a State of Emergency Declaration under Section 24 of the New York State Executive Law, to preserve the public safety, and a subsequent Emergency Order authorizing the Town to contract with a reputable company to complete the required work to take down the house at 11 Arizona; and

**WHEREAS**, the Town held a curb side bid for demolition of 11 Arizona Avenue on Tuesday, May 8, 2018, the lowest responsible bidder being M. Cristo Inc. in the amount of \$17,840.00; and

**WHEREAS**, the Town has incurred additional costs in regards to the stabilization and demolition of 11 Arizona Avenue as listed below; and

<b>Company</b>	<b>Task Performed</b>	<b>Cost (estimate)</b>
Russ Reeves, CEng., P.E	Structural Assessment	\$1,200.00
Abele	Equipment Rental – Stabilization	\$3,100.00/wk (estimate)
M. Cristo Inc.	Demolition	\$17,840.00
Alpine Env. Services (tent)	Air Quality Monitoring (Asbestos)	\$1,875.00 (estimate)
Town labor, equipment rental and purchases	Place Fill in Basement	\$5,000.00 (estimate)

**WHEREAS**, the Town Comptroller confirms this resolution will have a negative material impact on the Town’s finances until it can be recovered with the 2019 Town and County bill;

now, therefore, be it

**RESOLVED**, that the Code Enforcement Officer of the Town of East Greenbush is hereby authorized to award the bid to M. Cristo Inc. of \$17,840.00 and cause the demolition of said unsafe building at 11 Arizona Avenue, and be it further

**RESOLVED**, that the expense of such demolition shall be a charge against the land on which the building is located and shall be assessed, levied and collected as provided in Section 109-110 of the International Property Maintenance Code,

and be it further

**RESOLVED**, that the Assessor be authorized to charge the total cost to repair the damages to the owners next tax bill i.e.: 2019 Town and County bill in the amount of **\$19,040.00** **plus the additional estimated costs to be documented with a subsequent resolution** to:

Parcel code 160.10-12-1

Rauf Mirza

11 Arizona Avenue, Rensselaer, NY 12144

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:

The resolutions below are provided to the Town Board in advance of the Official Town Board Meeting to allow time for review and research. The purpose of the Pre-Board Meeting is for the Town Board to publicly discuss resolutions and ask any questions, so they may receive information needed to make an informed decision at the Town Board Meeting.

**Presentations: EGCS D Superintendent Jeff Simons Presents School Budget  
Comp Plan Proposal Presentation: MJ Engineering**

**Schedule of Meeting:**

**89-2018 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 April 18, 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 April 18, 2018 are hereby approved as submitted.

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:

**90-2018 A Resolution to Recognize May 2018 as Mental Health Month and Trauma Informed Care Month**

**WHEREAS**, mental health is essential to everyone's overall health and well-being, as well as that of our families, communities and businesses; and

**WHEREAS**, one in five adults experience a mental health illness that requires treatment in a given year, approximately one in five age 13–18 experiences a severe mental disorder at some point during their life, and half of all mental health problems begin by age 14; and

**WHEREAS**, research recognizes that adverse childhood experiences (ACEs), which include, but are not limited to physical, emotional and sexual abuse, physical and emotional

neglect, household dysfunction, untreated mental illness, or incarceration of a household member, domestic violence, and separation or divorce involving household members, are traumatic experiences that can have a profound effect on a child's developing brain and body and can result in poor physical and mental health during childhood and adulthood; and

**WHEREAS**, studies show that the effects of ACEs are felt by people regardless of race, ethnicity, religion, gender, sexual orientation, or socio-economic status; and

**WHEREAS**, stigma and stereotypes associated with mental illnesses often keep people from seeking treatment that could improve their quality of life; and

**WHEREAS**, community understanding and available supports and services can greatly impact a person's ability to handle their stress and struggle and move forward; and

**WHEREAS**, promoting mental health and wellness leads to higher overall productivity, better educational outcomes, lower crime rates, stronger economies, lower health care costs, improved family life, improved quality of life, and increased lifespan; and

**WHEREAS**, the East Greenbush Town Board recognizes the impact of awareness and education, access to services and acceptance of the importance of mental health and well-being to a person's overall success, and supports the implementation of trauma informed approaches throughout the systems of care;

now, therefore be it

**RESOLVED**, that May, 2018, is hereby proclaimed as Mental Health Awareness and Trauma Informed Care month in the Town of East Greenbush.

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:

**91- 2018      A Resolution in Support of the Jamie Rose Bill: An Act to Amend the Social Services Law. In Relation to Requiring Certain Persons and Officials to Report Cases of Suspected Domestic Violence**

**WHEREAS**, on May 10, 2017 Jamie Rose Martin, a resident of Tupper Lake and mother of two children, was murdered by an estranged intimate partner whom she tried to receive an order of protection against; and

**WHEREAS**, the order of protection was never granted, even though there were accounts of verbal threats made at a doctor's office; and

**WHEREAS**, the Jamie Rose Bill proposes to amend the social services law by adding a section requiring persons and officials to report cases of suspected domestic violence when they have reasonable cause to believe that an individual coming before them in their professional or official capacity is the victim of domestic violence; and

**WHEREAS**, any person, institution, school, facility, agency, organization, partnership or corporation which employs persons mandated to report suspected incidents of domestic violence shall provide all current and new employees with written information explaining the reporting requirements; and

**WHEREAS**, this bill will mandate that in a similar situation, a victim of domestic violence will receive the help they may desperately need;

now therefore be it

**RESOLVED**, that the Town Board hereby urges the adoption of New York State Senate Bill S7155 (Little) and Assembly Bill A9542 (Jones), known as the Jamie Rose Bill, which would require persons and officials to report cases of suspected domestic violence when they have reasonable cause;

and be it further

**RESOLVED**, that the Town Clerk is directed to forward a copy of this resolution to Governor Andrew Cuomo, State Senator Kathleen Marchione, and Assembly-elect member Jake Ashby.

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:

#### **92-2018 A Resolution to Appoint a New MS4 Coordinator for the Town of East Greenbush**

**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 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 has implemented a stormwater management program (SWMP); and

**WHEREAS**, the Town has established the position of MS4 Coordinator to monitor and manage coordination of the Town's SWMP; and

**WHEREAS**, the Town Comptroller confirms this resolution has no material impact on Town finances;

now therefore be it

**RESOLVED**, that the Director of Planning and Zoning is appointed as MS4 Coordinator;

and be it further

**RESOLVED**, that the Commissioner of the Department of Public Works is appointed as Alternate MS4 Coordinator;

and be it further

**RESOLVED**, that Director of Planning and Zoning, as MS4 Coordinator, and Commissioner of the Department of Public Works, as Alternate MS4 Coordinator, are appointed duly authorized representatives for the purposes of satisfying the Town's Signatory Requirements in accordance with Part VI.J. of the SPDES General Permit for Stormwater Discharge from MS4s, GP-0-15-003.

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

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

**93-2018 A Resolution Adopting the Town’s 2018 Annual MS4 Report**

**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 copy of the Annual Report has been on file for review at the Town Clerk's Office and the East Greenbush web site; and

**WHEREAS**, the Town Comptroller confirms this resolution has no material impact on Town finances;

now, therefore, be it

**RESOLVED**, that the Town Board of the Town of East Greenbush, County of Rensselaer, State of New York, does hereby adopt 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 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:

**94-2018 A Resolution Authorizing the Use of GEIS Recreation Funds for the Construction of a New Building at the Town Park**

**WHEREAS**, the Laberge Group prepared for the Town a Generic Environmental Impact Statement (GEIS), dated July 2009, to evaluate the cumulative impacts of growth within the GEIS study area. Mitigation fees were developed for the following critical elements in the future development of East Greenbush: keeping the GEIS document up to date; Land Use/GIS; Water/Sewer; Recreation; and Traffic; and

**WHEREAS**, use of the Town Park has increased and the number of campers attending the Town’s Summer Camp has grown while the condition of our Park buildings has deteriorated, leading to an update of the Town’s Amenities Plan which included the need for the following: restrooms that comply with the provisions of the Americans With Disabilities Act (ADA); a shelter/multi-function space; and new Pavilion space; and

**WHEREAS**, the construction of a new indoor facility was determined to be the best solution to address all three of these needs resulting in the development of a general design concept; and

**WHEREAS**, based upon the complexity of the design concept and the need to ensure the structural integrity of the new building, it was determined that architectural design services were required to produce an accurate set of architectural drawings; and

**WHEREAS**, the firm of Harris A. Sanders, Architects, P.C. was selected to and did provide a general design concept after the Town solicited three competitive quotes / proposals; and

**WHEREAS**, the Town of East Greenbush solicited sealed bids for construction of a building at Town Park – General Contracting Bid # 18-04; and

**WHEREAS**, Capital Region Construction has provided the winning bid that fulfills the Town’s needs at a project cost not to exceed \$498,850.00; and

**WHEREAS**, the GEIS committee has recommended to the Town Board that this is an appropriate use of GEIS Recreation funds; and

**WHEREAS**, the Town Comptroller confirms this resolution has no material impact on Town finances as the funding is defined by resolution 55-2018;

now, therefore, be it

**RESOLVED**, that the Town Board authorizes the expenditure of funds from the GEIS Recreation Fund for an amount not to exceed \$498,850.00 for the purpose of constructing a new building at the Town Park.

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:

**95-2018      A Resolution Authorizing the Town of East Greenbush to Enter into a Contract with [FIRM/TEAM NAME] to Update the Town’s Comprehensive Plan, Zoning, and Western Generic Environmental Impact Statement (GEIS)**

**WHEREAS**, the Town Board approved the solicitation of proposals for updating the Town of East Greenbush’s Comprehensive Plan in Resolution 37-2018; and

**WHEREAS**, the Town of East Greenbush has experienced changes associated with significant growth within the community and in the region, prompting a need to review the comprehensive plan to ensure that future growth and changes are in harmony with the community’s vision; and

**WHEREAS**, the Town of East Greenbush recognizes that the comprehensive plan provides an essential foundation for guiding future development and has demonstrated a commitment to maintaining the comprehensive plan document to effectively guide development in East Greenbush, writing the first Comprehensive Plan in 1970 and performing a complete Comprehensive Plan update in 1993; and

**WHEREAS**, the Town of East Greenbush last updated the land use element of the Comprehensive Plan in 2006, and the Director of Planning believes that the comprehensive plan should be reviewed and updated at least every ten (10) years so that the Town’s vision and goals

are accurately articulated and that the comprehensive plan, zoning, and GEIS documents form an integrated guide and blueprint to systematically support future development and growth in the Town that is in harmony with the community's vision; and

**WHEREAS**, the Town of East Greenbush solicited sealed competitive bids from qualified Planning Consultants to update the Town of East Greenbush's Comprehensive Plan, Comprehensive Zoning Law and the Generic Environmental Impact Statement (GEIS) documents by issuing RFP 18-03, "2018 Comprehensive Plan and Integrated Land Use Planning Update"; and

**WHEREAS**, the Town of East Greenbush received three (3) responsive proposals from three consultant teams; and

**WHEREAS**, the Plan Update Selection Committee evaluated the three (3) proposals received according to the Evaluation Criteria specified in RFP 18-03 and issued a recommendation to conduct interviews with the three (3) consultant teams; and

**WHEREAS**, the Town Board received the evaluation results and recommendation from the Plan Update Selection Committee and interviewed each consultant team, including [FIRM/TEAM NAME]; and

**WHEREAS**, the Town Comptroller confirms that this resolution will have a material impact on the Town's finances and will be, in part, funded by a GEIS Administration budgetary transfer of \$20,000 with the balance coming from either General Fund Balance or other GEIS accounts

now, therefore, be it

**RESOLVED**, that the Town Board authorizes the Town Supervisor to enter into a contract with [FIRM/TEAM NAME] for an amount not to exceed \$XXXXXX to update the Town's Comprehensive Plan, Zoning, and Western Generic Environmental Impact Statement (GEIS).

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:

**96-2018      A Resolution Designating a Portion of Lakeshore Drive from Onderdonk Park to Hampton Lake Park as One-Way for the Period of May 28, 2018 through September 3, 2018, the Installation of Necessary Signage and Traffic Control Devices to Safely and Appropriately Accomplish the Same**

**WHEREAS**, this action has generated positive feedback from the residents using the roadway as it facilitates walking, bicycling and fishing along that portion of the roadway; and

**WHEREAS**, the Town Comptroller confirms this resolution has no material impact on Town finances;

now therefore, be it

**RESOLVED**, that Lake Shore Drive from Onderdonk Park to Hampton Lake Park shall be designated one-way during the period from May 28, 2018 through September 3, 2018, with



the Commissioner of Public Works installing the appropriate signage to advise users of this designation

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:

**97-2018 A Resolution to Report Standard Work Day for Certain Employees**

**WHEREAS**, the NYS Comptroller has adopted revised regulations for reporting days worked by elected and appointed officials to the New York State and Local Retirement System; and

**WHEREAS**, anyone not participating in the Town's time keeping system has prepared and submitted a log of their work-related activities for three consecutive months; and

**WHEREAS**, the Town Comptroller confirms this resolution has no material impact on Town finances;

now, therefore, be it

**RESOLVED**, that the Town of East Greenbush hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activity maintained and submitted by these officials to the clerk of this body.

**(need to insert chart)**

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:

**98-2018 A Resolution Appointing Linda Boettner to the Position of Secretary to the Board of Assessment Review**

**WHEREAS**, the Board of Assessment Review is tasked with hearing assessment complaints in the first instance and its members are responsible for exercising judgement and discretion to render an impartial, objective determination on assessment complaints brought before the Board; and

**WHEREAS**, Grievance Day is scheduled for May 22, 2018; and

**WHEREAS**, the Board of Assessment Review requires the assistance of a secretary to take minutes of the Grievance Day hearings, process the paperwork associated with the grievances and inform residents of the Board's decision; and

**WHEREAS**, the Town Comptroller confirms that this appointment was included in the 2018 budget;

now, therefore, be it

**RESOLVED**, that the Town Board of the Town of East Greenbush appoints Linda Boettner to the position of Secretary to the Board of Assessment Review for the period of May 1, 2018 – May 31, 2019. She will be paid at a rate of \$15.00 per hour.

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:

**99-2018 A Resolution Authorizing the Town of East Greenbush to Hire Integrated Valuations of Clifton Park, New York to Prepare a Court Ready Appraisal on Greenbush Associates, East Greenbush, New York**

**WHEREAS**, Greenbush Associates, owning several properties located on Tech Valley Drive in the Town of East Greenbush brought an Article 7 proceeding against the Town of East Greenbush on the following:

1. 4 Tech Valley Drive
2. 9 Tech Valley Drive
3. 20 Tech Valley Drive
4. 21 Tech Valley Drive

**WHEREAS**, our Counsel sent proposal requests and the price quotes came in as follows:

1. Alvey & DiMura, Inc. Court Ready Appraisal \$7,900.  
Court Testimony \$150.00 per hour (additional)
2. Empire State Appraisals Court Ready Appraisal \$9,600.  
Court Testimony \$175.00 per hour (additional)
3. Integrated Valuations Court Read Appraisal \$7,900.  
Court Testimony \$250.00 per hour (additional)

**WHEREAS**, Integrated Valuations have experience working with the Town of East Greenbush; and;

**WHEREAS**, the Town Comptroller confirms this resolution has a \$7,900 non material impact on Town finances unless court testimony is required;  
now, therefore, be it

**RESOLVED**, that the Supervisor is authorized to execute said Agreement on behalf of the members of the Town Board. Execution shall occur following the Town Board adoption of this resolution.

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:

**100-2018 A Resolution to Approve the Appointment of Summer Camp Staff to the Community and Recreation Department**

**WHEREAS**, the Community and Recreation Department has presented the Town Board with a listing of the individuals who seek employment in the Summer Program; and

**WHEREAS**, the Town Comptroller confirms that this proposed Town Board action has been planned for in the 2018 Budget;

now, therefore, be it

**RESOLVED**, that the candidates listed below are appointed to serve as Summer Camp Staff for the 2018 season.

<b>Name</b>	<b>Position</b>	<b>Wage</b>
Nicole Kirby	Asst. Camp Director Junior Camp	\$12.50/hr
Sara Fellehner-Endres	Asst. Camp Director Senior Camp	\$12.50/hr
Ryan Dougherty	Sports Director/Lifeguard	\$13.00/hr
Jonathan Arensmayer	Medical Director/WSI	\$13.00/hr
Bailey Curuso	Asst. Medical Director	\$12.50/hr
Kara Blakeman	Senior Counselor/Activity Leader	\$11.50/hr
Theresa Mulvey	Senior Counselor/Activity Leader/WSI/Lifeguard	\$11.50/hr
John Verdon	Counselor	\$10.50/hr
Gregory Smail	Counselor	\$10.50/hr
Grant Philip	Counselor	\$10.50/hr
Emily Russell	Counselor	\$10.50/hr
Camryn McHale	Counselor	\$10.50/hr
Emily Dick	Counselor	\$10.50/hr
Allison Wagoner	Counselor	\$10.50/hr
Danielle Wagoner	Counselor	\$10.50/hr
Mason Albert	Counselor	\$10.50/hr
Kelsey Hall	Counselor	\$10.50/hr
Shelby McCabe	Counselor	\$10.50/hr
Ashley Angelo	Counselor	\$10.50/hr
Leah Tubbs	Counselor	\$10.50/hr
Gabriella Hochberg	Counselor	\$10.50/hr
Allysa Gates	Counselor	\$10.50/hr
Raymond Borst	Counselor	\$10.50/hr
Sarah Smith	Counselor	\$10.50/hr
Jada Alcindor	Counselor	\$10.50/hr
Dion Selby	Counselor	\$10.50/hr
Adrianna Perez	Counselor	\$10.50/hr
Mike Iula	Counselor	\$10.50/hr
Nick Iula	Counselor	\$10.50/hr
Braden Howe	Counselor	\$10.50/hr
Mary Rose Patwell	Counselor	\$10.50/hr
Molly Tessoriero	Counselor	\$10.50/hr
Elgin Scalzi	After Care and Fill In Counselor	\$10.50/hr

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

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

**101-2018 A Resolution to Authorize a Public Auction of Surplus Equipment**

**WHEREAS**, the Town Board has received a request from the Chief of Police to declare the following Town property to be surplus equipment:

One model year 2000 Ford Econoline VIN# 1FBSS31L5YHA89756; and

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

**WHEREAS**, the Town Comptroller confirms this resolution has no material impact on Town finances;

now, therefore, be it

**RESOLVED**, that said property be and hereby is declared to be surplus; and be it further

**RESOLVED** that the Chief of Police be authorized to conduct a public auction or sale or otherwise to lawfully 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 Warner and seconded by Councilor Kennedy and voted as follows:

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

**102-2018 A Resolution Adopting All Title VI Civil Rights Compliance Program Plans to Complete the Civil Rights Compliance Review**

**WHEREAS**, the Town of East Greenbush is currently undergoing a Civil Rights Compliance Review as part of New York State's Department of Transportation's Office of Civil Rights review of municipalities that receive federal funding for Transportation Grants; and

**WHEREAS**, the Town Board recently passed Resolution 78-2018, adopting the drafted Town of East Greenbush Title VI Plan as one part of the compliance review; and

**WHEREAS**, the Title VI Coordinator has been working closely with the Civil Rights Compliance Specialist, and has drafted the following documents for approval and adoption into the Town's practice for Title VI Compliance:

- Limited English Proficiency (LEP) Plan
- Americans with Disabilities Act (ADA) Transition Plan
- Title VI – Notice to the Public
- Employee Training Plan
- Title VI Complaint Procedures; and

**WHEREAS**, the Title VI Coordinator will also publish the required information on the Town of East Greenbush website and post the Notice on a Town Bulletin Board for the public to see; and

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

**RESOLVED**, that the Town Board does hereby adopt all of the Title VI Civil Rights Compliance Program Plans to complete the Civil Rights Compliance Review.

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:

**103-2018 A Resolution Authorizing the Town of East Greenbush to Piggyback Contracts and Award Based on Best Value**

**WHEREAS**, the Town of East Greenbush has identified the benefits of awarding a contract based on Best Value; and

**WHEREAS**, General Municipal Law (GML) § 103 (16) authorizes political subdivisions to purchase apparatuses, materials, equipment and supplies, and to contract for services related to the installation, maintenance or repair of apparatuses, materials equipment, and supplies, may make purchases or may contract for such purposes; and

**WHEREAS**, a Best Value Contract must meet three prerequisites to qualify under the GML §103 (16) exception:

- The contract must have been let by the Unities States or “any state or other political subdivision or district therein” including municipalities;
- The contract must have been made available for use by other governmental entities;
- The contract must have been “let to the lowest responsible bidder or on the basis of best value in a manner consistent with this section.”; and

**WHEREAS**, the benefit of the Town authorizing the award based on best value and piggy-backing on other municipalities bids provides the Town with an opportunity to save time and costs that are associated with bidding the needed items; and

**WHEREAS**, the Director of Finance will add all necessary language into the Purchasing Policy that is currently under review for revisions; and

**WHEREAS**, the Town Comptroller confirms this resolution has no material impact on Town finances;  
now, therefore, be it

**RESOLVED**, that the East Greenbush Town Board does hereby authorize the Town to purchase apparatuses, materials, equipment and supplies based on Best Value and to “Piggyback” off of other contracts in an attempts to save Town resources.

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:

**104-2018 A Resolution to Satisfy the Town’s Obligation Under SEQRA for the Refinancing of its Sewer Service Agreement with the Rensselaer County Water and Sewer Authority**

**WHEREAS**, this resolution was presented to the Town Board (the “Board”) of the Town of East Greenbush (the “Town”) on May 16, 2018; and

**WHEREAS**, the Town Board is proposing the acquisition from the Rensselaer County Water and Sewer Authority of Sewer Facilities, including, but not limited to, a sewer by-pass line which takes overflow from the Town wastewater treatment plant and re-directs it to the sewage treatment plant owned by Rensselaer County Sewer District No. 1, upgrades to the Town wastewater treatment plant and various Town sewer pumping stations, and storm water sewers throughout the Town as part of a storm water management and infiltration and inflow reduction plan (the “Purpose”); and

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

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

**WHEREAS**, the Town Comptroller confirms this resolution has no material impact on Town finances;

now, therefore, be it

**RESOLVED**, that the Town Board of the Town of East Greenbush, based upon the record before it, and the general, specific and detailed knowledge of the Board of the proposed Purpose and under the applicable standards of SEQRA and 6 NYCRR Part 617.5, hereby determines that the Purpose is a Type II Action as it involves the purchase of equipment pursuant to 6 NYCRR Part 617.5(c)(25), and that no further action is required to satisfy the requirements of the New York State Environmental Quality Review Act.

and be it further

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

The foregoing resolution was 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:

**105-2018 A Bond Resolution Authorizing Not To Exceed \$6,216,032 Aggregate Principal Amount of Serial General Obligation Bonds to Finance the Acquisition of Sewer Facilities, at an Estimated Maximum Cost of \$6,216,032, Levy of Tax in Annual Installments in Payment Thereof, the Expenditure of Such Sum for Such Purpose, and Determining Other Matters in Connection Therewith**

**WHEREAS**, this resolution was presented to the Town Board on May 16, 2018; and

**WHEREAS**, Rensselaer County Water and Sewer Authority (the “Authority”) issued its \$6,555,000 Sewer Service Agreement Revenue Bonds, 2008 (the “Authority 2008 Sewer Bonds”) to finance the construction of a portion of the sewage collection, treatment and disposal system (the “Sewer Facilities”) for the Town of East Greenbush (the “Town”); and

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

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

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

**WHEREAS**, the Authority 2008 Sewer Bonds also are subject to redemption in whole or in part on any interest payment date on or after September 1, 2018; and

**WHEREAS**, the Town desires to acquire the Sewer Facilities from the Authority and to finance the acquisition through the issuance of its general obligation bonds; and

**WHEREAS**, pursuant to Article 8 of the Environmental Conservation Law of the State of New York, as amended, and the regulations of the Department of Environmental Conservation of the State of New York promulgated thereunder (collectively referred to hereinafter as “SEQRA”), the Town Board of the Town has determined that the acquisition of the Sewer Facilities constitutes a “Type II” action as that term is defined under SEQRA, and therefore no further review is required; and

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

now therefore be it

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

**Section 1.** The Town shall acquire the Sewer Facilities from the Authority, at a maximum cost of \$6,216,032, as more particularly described in Section 3 hereof.

**Section 2.** The Town is hereby authorized to issue its serial general obligation bonds (the “Bonds”) in the aggregate principal amount of not to exceed \$6,216,032 pursuant to the Local Finance Law of New York, in order to finance the class of objects or purposes described herein.

**Section 3.** The class of objects or purposes to be financed pursuant to this Resolution (the “Purpose”) is the acquisition of the Sewer Facilities, including, but not limited to, a sewer by-pass line which takes overflow from the Town wastewater treatment plant and re-directs it to the sewage treatment plant owned by Rensselaer County Sewer District No. 1, upgrades to the Town

wastewater treatment plant and various Town sewer pumping stations, and storm water sewers throughout the Town as part of a storm water management and infiltration and inflow reduction plan.

Section 4. It is hereby determined and declared that (a) the maximum cost of the Purpose, as estimated by the Town Board, is \$6,216,032, (b) no money has heretofore been authorized to be applied to the payment of the cost of the Purpose, and (c) the Town plans to finance the cost of the Purpose from funds raised by the issuance of the Bonds and bond anticipation notes hereinafter referred to.

Section 5. It is hereby determined that said Purpose is an object or purpose described in subdivision 4 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said Purpose is 40 years. The proposed maturity of the Bonds will be in excess of five (5) years.

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

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

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

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

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



Section 11. The law firm of Barclay Damon LLP is hereby appointed as bond counsel in connection with any Bonds and bond anticipation notes issued to finance the Purpose in accordance with their Engagement Letter dated May 7, 2018.

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

Section 13. In connection with the financing of the Purpose, the Town is hereby authorized (but not required) to participate in the Clean Water State Revolving Fund program (the "CWSRF Program") administered by EFC. The Supervisor of the Town is hereby authorized to execute and deliver such documents as may be necessary to effect the participation of the Town in such CWSRF Program.

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

The foregoing resolution was duly moved by 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:

**106-2018      A Resolution Authorizing the Commissioner of Public Works to Solicit Bids for a New Sewer Department Pickup Truck**

**WHEREAS**, the Sewer Department currently utilizes a 2007 Chevrolet 1500 Pickup Truck for transportation of manpower, tools, and supplies to our fourteen sewer pump stations located in the Town of East Greenbush; and

**WHEREAS**, this Pickup Truck has over 120,000 miles on it and requires repairs to the engine and to the transmission that will cost in excess of \$8,000.00 not including needed repairs to the rust on the truck body; and

**WHEREAS**, this Pickup Truck is no longer economically repairable; and

**WHEREAS**, the Commissioner of Public Works has researched used pickup trucks and found them to be approximately 65% of the anticipated cost of a new pickup truck from New York State OGS Bid; and

**WHEREAS**, it appears more economical to purchase a new pickup truck with a five-year warranty from OGS mini bid than to purchase a used pickup truck; and

**WHEREAS**, the Town Comptroller confirms that this resolution has no material impact on the Town finances;

now, therefore, be it

**RESOLVED**, that the Town Board authorizes the Commissioner of Public Works to solicit bids utilizing the OGS mini-bid system to obtain pricing on a new Utility Pickup Truck for the Highway Department.

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:

**107-2018 A Resolution for Approval of 2017 Service Credit for Volunteers of the W. F. Bruen Emergency Squad, Inc.**

**WHEREAS**, Resolution 74-2018 was tabled at the April 18, 2018 Town Board Meeting due to W.F. Bruen Rescue Squad not providing the required paperwork to the Director of Finance in time to review prior to the meeting; and

**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:

**108-2018      A Resolution Authorizing the Solicitation of Bids for the Hampton Manor Water Improvement Project Water Line Replacement within Hampton Manor Water System**

**WHEREAS**, Delaware Engineering, D.P.C.'s report on Hampton Manor identified water lines that needed to be replaced in coordination of the Hampton Manor Water Improvement Project; 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 replace water lines 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:

**109-2018      A Resolution Appointing Joseph B. Slater to the Position of Assistant Attorney to the Town for the Zoning Boards of Appeals on an Interim Basis**

**WHEREAS**, the position of Assistant Attorney to the Town for the Zoning Board of Appeals became vacant when George Hoffman was appointed to the position of Town Justice; and

**WHEREAS**, the business of the Zoning Board of Appeals requires that an experienced attorney be made available to assist in their review of individual cases and provide counsel for interpretations of the Zoning Law that may be required; and

**WHEREAS**, Joseph B. Slater has experience with planning and zoning matters and has served as Assistant Attorney to the Town for the Planning Board since January 1, 2016, and worked in collaboration with George Hoffman on numerous projects that contained both planning and zoning issues, and has expressed a willingness to serve as Assistant Attorney for the Zoning Board of Appeals until a suitable replacement can be found for George Hoffman; and

**WHEREAS**, the Town Comptroller has confirmed that this position was funded in the 2018 Town Budget;

now, therefore, be it

**RESOLVED**, that Joseph B. Slater is appointed to the position of Assistant Attorney to the Town for the Zoning Boards of Appeals on an interim basis, and will be paid the salary of \$12,500.00 pro-rated for the time he serves in this position;

and be it further

**RESOLVED**, that this interim appointment is effective immediately.

This 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:

**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: