



# The Town of East Greenbush

225 Columbia Turnpike, Rensselaer, New York 12144

## TOWN BOARD AGENDA February 15, 2017

**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

**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.

### Resolutions and Proposals by Town Board Members:

#### **26-2017           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 January 18, 2017 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 January 18, 2017, 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: |
| Councilor Matters   | VOTED: |
| Supervisor Conway   | VOTED: |
| Councilor Grant     | VOTED: |
| Councilor Tierney   | VOTED: |

**27-2017 A Resolution Honoring Officer Robert K. Snyder, Jr on the Occasion of His Retirement**

**WHEREAS**, the work of dedicated police officers is essential to the safety and well-being of our community; and

**WHEREAS**, Robert K. Snyder, Jr was born and raised in the Town of East Greenbush and served the Town in the capacity of Police Officer for thirty-four years with distinction, having received numerous letters of appreciation from residents and many commendations for meritorious service; and

**WHEREAS**, Officer Snyder spent all thirty-four years on the “night watch,” the overnight patrol shift from 11:00 p.m. – 7:00 a.m.; and

**WHEREAS**, the Town Board wishes to recognize the courage and sacrifice of all of its Police Officers; and

**WHEREAS**, the conduct of Officer Snyder as a member of the East Greenbush Police Department brought honor and distinction to himself and his community; now, therefore, be it

**RESOLVED**, that the Town Board of the Town of East Greenbush congratulates and commends Robert K Snyder, Jr on the occasion of his retirement and thanks him for his dedication and service in protection of our community.

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

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

**28-2017 A Resolution Authorizing the Town Supervisor to Sign a Renewed Contract with Best-Luther Fire Department for the Furnishing of Fire Protection for the Best-Luther Fire Protection District**

**WHEREAS**, the Town Board of the Town of East Greenbush, County of Rensselaer, State of New York, held a Public Hearing on February 15, 2017 to consider renewal of the contract with the Best-Luther Fire Department, Inc. on behalf of the Best-Luther Fire Protection District; and

**WHEREAS**, all those present were allowed to speak and no objections to the renewal of the contract were communicated to the Town Board; and

**WHEREAS**, the Town Comptroller has confirmed that the provisions of this resolution were planned for in the 2017 Town budget; now, therefore, be it

**RESOLVED**, that the Town Supervisor be and is hereby authorized to renew the contract for Fire Protection with the Best-Luther Fire Department, Inc. for the year 2017 in a sum not to exceed \$103,440.00.

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

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

**29-2017      A Resolution Authorizing the Town Supervisor to Sign a Renewed Contract with Best-Luther Fire Department for the Furnishing of Fire Protection for the Third Avenue Fire Protection District**

**WHEREAS**, the Town Board of the Town of East Greenbush, County of Rensselaer, State of New York, held a public hearing on February 15, 2017, to consider renewal of the contract with the Best-Luther Fire Department, Inc. on behalf of the Third Avenue Fire Protection District; and

**WHEREAS**, all those present were allowed to speak and no objections to the renewal of the contract were communicated to the Town Board; and

**WHEREAS**, the Town Comptroller has confirmed that the provisions of this resolution were planned for in the 2017 Town budget;

now, therefore, be it

**RESOLVED**, that the Town Supervisor be and is hereby authorized to renew the contract for Fire Protection with the Best-Luther Fire Department, Inc. on behalf of the Third Avenue Fire Protection District for the year 2017 in a sum not to exceed \$7,560.00.

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

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

**30-2017      A Resolution to Establish Summer Camp Fees for 2017**

**WHEREAS**, The Town is required to establish rates to be charged by the Department of Community and Recreational Services; and

**WHEREAS**, the fees for the summer camp program will remain the same; and

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

now, therefore, be it

**RESOLVED**, that the following fees for day camp, half day and extended program 2017 have been established.

| <b>Camp Fees 2017</b>  | <b>Day<br/>Camp 9-3</b> | <b>Half Day<br/>9-12 or 12-3</b> | <b>After Care 3-5</b> |
|--|-------------------------|----------------------------------|-----------------------|
| <b># of children</b>   | <b>Cost</b>             | <b>Cost</b>                      | <b>Cost</b>           |
| <b>1 child</b>   | \$125/week              | \$75/week                        | \$50/week             |
| <b>2 children</b>  | \$225/week              | \$125/week                       | \$80/week             |
| <b>3 children</b>  | \$350/week              | \$200/week                       | \$100/week            |
| <b>Get a \$50 discount if you register for all 6 weeks before June 1<sup>st</sup>!</b> |                         |                                  |                       |
| <b>Non-Resident<br/>one-time fee</b>   | \$25                    |                                  |                       |

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

**31-2017      A Resolution to Authorize Public Sector HR Consultants, LLC (PSHRC) to Provide Administrative and Consultant Services in Human Resources Management**

**WHEREAS**, the Town of East Greenbush has recognized the need for the administrative services provided by Public Sector HR Consultants; and

**WHEREAS**, the utilization of Public Sector HR Consultants services would provide knowledge on a challenging issue that requires an integrated approach with the Town’s own staff and labor counsel; and

**WHEREAS**, Public Sector HR Consultants have provided a contract that offers *On Demand Human Resource Consulting*, which would allow for on-site and remote (telephone and e-mail) consulting services to address the specific Town of East Greenbush personnel policies and practices and general human resources management related issues as addressed in the contract; and

**WHEREAS**, the fee for *On Demand Human Resources Consulting* would be \$165 per hour plus travel expenses for on-site meetings as stated in the contract; and

**WHEREAS**, the Town Comptroller has confirmed that the provisions of this resolution were planned for in the 2017 Town budget; now, therefore, be it

**RESOLVED**, that the Town Board of the Town of East Greenbush does hereby authorize the Town Supervisor to enter into the agreement for an amount not to exceed \$5,000.00, pending review and approval by the Attorney to the Town, for this case- specific issue.

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

Supervisor Conway  
 Councilor DiMartino  
 Councilor Matters  
 Councilor Grant  
 Councilor Tierney

VOTED:  
 VOTED:  
 VOTED:  
 VOTED:  
 VOTED:

**32-2017 A Resolution Authorizing the Town of East Greenbush to enter into an Agreement with Public Sector HR Consultants LLC for Updating the Town of East Greenbush Employee Handbook**

**WHEREAS**, the Town has identified the need to update the current employee handbook so that it addresses all current employee practice liability issues and is up to date with any changes to laws and policies; and

**WHEREAS**, the current administration has been working diligently over the past year to update all policies and training for Town Employees; and

**WHEREAS**, the Town Employee Handbook was originally written by Public Sector HR Consultants in 1997, and the last update was drafted ten years ago in 2007, and since then there have been a number of employee practice liability changes; and

**WHEREAS**, the Public Sector HR Consultants have submitted a proposal for updating the handbook that would include review of the current handbook, as well as other policies, the identification of new compliance regulations, and the provision of a draft of the revised handbook for review, followed by any needed follow up consultation and final draft; and

**WHEREAS**, the total cost for the comprehensive services this project would entail is \$3,500.00 plus travel expenses for on-site consultations; and

**WHEREAS**, the Town Comptroller has confirmed that the financial impact of this resolution is approximately \$3,500.00 from the General Fund for this expense;

| <b>Fund</b>                 | <b>Transfer in</b> | <b>Transfer out</b> |
|-----------------------------|--------------------|---------------------|
| A917 – General Fund Balance | --                 | \$3,500.00          |
| 1420.4 –Attorney C/E        | \$3,500.00         |                     |

now, therefore, be it

**RESOLVED**, the East Greenbush Town Board does hereby recognize the importance of an updated employee handbook that addresses all employee practice liability compliance regulations and authorizes the Town Supervisor to sign the contract with Public Sector HR Consultants upon review and approval by the Attorney for the Town.

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

Supervisor Conway  
 Councilor DiMartino  
 Councilor Matters  
 Councilor Grant  
 Councilor Tierney

VOTED:  
 VOTED:  
 VOTED:  
 VOTED:  
 VOTED:

**33-2017 A Resolution Amending the Chazen Contract for Engineering Services on the Waste Water Treatment Plant Upgrade Project for Completed Services and Credit for Services**

**WHEREAS**, The Chazen Companies, the Engineering firm contracted to supervise the East Greenbush Waste Water Treatment Plant upgrade project, has completed services and is requesting credit for services originally contracted that are now to be completed by Delaware Engineering; and

**WHEREAS**, the proposed amendment and summary of the project budget lines is as detailed below:

| Task | Task Description             | Current Budget and Type |                       | Change and New Budget |                       | Amount Confirmed with EFC to be spent as of 1/31/2017 |
|------|------------------------------|-------------------------|-----------------------|-----------------------|-----------------------|---|
|      |                              | Lump Sum                | Time & Materials      | Increase              | New Budget            |   |
| 01   | Design & Regulatory Approval | \$137,500               | --                    | No Change             | \$137,500             | \$137,499.89  |
| 01   | Subcontractor                | --                      | \$16,901.01           | No Change             | \$16,901.01           | \$16,901.01   |
| 02   | Bidding Services             | \$8,100                 | --                    | No Change             | \$8,100               | \$8,100.00  |
| 03   | Construction Engineering     | \$25,500                | --                    | No Change             | \$25,500              | \$25,500.00   |
| 04   | Construction Administration  | \$157,800               | --                    | No Change             | \$157,800             | \$157,800.00  |
| 05   | Construction Inspection      | --                      | \$718,300             | No Change             | \$718,300             | \$717,778.33  |
| 06   | Post Construction Services   | \$22,500                | --                    | -\$22,500             | \$0                   | \$0.00  |
| RE   | Reimbursable Expenses        |                         | \$27,500              | No Change             | \$27,500              | \$26, 628.93  |
|      | <b>TOTALS</b>                |                         | <b>\$1,114,101.01</b> | <b>-\$22,500</b>      | <b>\$1,091,601.01</b> |   |

and

**WHEREAS**, the only outstanding services Chazen currently has with the WWTP Upgrade project is the review and approval of the UW Marx final credits and pay applications, and issuance of notices of final project completion for the four construction contracts; and

**WHEREAS**, the Town of East Greenbush has contracted with Delaware Engineering in contract amendment No.4 for Post Construction Services, originally contracted to The Chazen Companies as Task 06 – Post-Construction Services, and it has been confirmed with NYS Environmental Facilities Corporation requisition for disbursement dated February 2, 2017 that nothing has been charged to Task 06; and

**WHEREAS**, the Town Comptroller has confirms that the provisions of this resolution will have no material impact on the Town Finances;  
now, therefore, be it

**RESOLVED**, that the Town Board does hereby authorizes the Supervisor to sign The Chazen Companies contract amendment and submit to NYS EFC for approval and adjustment.

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

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

**34-2017      A Resolution Accepting the Resignation of Jack W. Geary Jr. as a Full-Time Dispatcher and Approving the Appointment of Jack W. Geary Jr. to the Position of Part-time Police Dispatcher**

**WHEREAS**, the Town Board has received notice of resignation from Jack W. Geary Jr. from his position as Full Time Police Dispatcher; and

**WHEREAS**, this Board seeks to maintain an adequate reserve of trained part-time police dispatchers to support operations in the Town’s Emergency Communications Center; and

**WHEREAS**, the experienced service of Jack W. Geary, Jr. would benefit the smooth operation of coverage provided by part-time personnel in the Communications Center; and

**WHEREAS** Mr. Geary meets 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 will not have a material impact on the Town Finances;  
now, therefore, be it

**RESOLVED**, that the Town Board does hereby accept the resignation of Jack W Geary Jr as Full-Time Police Dispatcher and appoints him to the position of part-time police dispatcher, consistent with all terms and conditions of this position 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 said part-time position be compensated at the rate set forth in the appropriate labor agreement and shall take effect immediately.

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

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

**35-2017      A Resolution to Make a Conditional Job Offer to David J. DeBacco to the Position of Provisional Police Dispatcher**

**WHEREAS**, public safety in the Town is a priority concern of this Town Board; and  
**WHEREAS**, the Board intends to maintain adequate staffing of the Town's Police and Emergency Communications Center, by appointing qualified individuals to replace positions that become vacant, and a position has become vacant; and

**WHEREAS**, the Town Comptroller has confirmed that this position was anticipated in the current 2017 Town budget; and

**WHEREAS**, David J. DeBacco, a 2013 graduate of Ravena-Coeymans-Selkirk High School, who is currently serving as a part-time dispatcher in the Town's Emergency Communications Center and who meets the presumptive qualifications for this position established by the Rensselaer County Civil Service Service Commission;  
now, therefore, be it

**RESOLVED**, that David J. DeBacco, be, and hereby is offered a conditional appointment to the position of Provisional Police Dispatcher, subject to the examination, testing and final eligibility leading to the position of Permanent Police Dispatcher as determined by the Rensselaer County Civil Service Commission, as well as compliance with the Rules and Regulations of the Town including successful completion of the Dispatcher Training Program;  
and be it further

**RESOLVED**, that this conditional offer be valid for a period of 30 days, to be affirmed by said appointee by executing the oath of office as administered by the Town Clerk;  
and be it further

**RESOLVED**, said conditional position shall be subject to a probationary period of one (1) year; be compensated according to the appropriate collective bargaining agreement, and, that upon the administration of the oath of office shall become effective

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

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

**36-2017      A Resolution Authorizing the Town of East Greenbush to Participate in the National Joint Powers Alliance Cooperative Purchasing Program**

**WHEREAS**, Section 103 of New York State General Municipal Law authorizes any board of a political subdivision to make purchases of apparatus, materials, equipment or supplies, or to contract for such services related to the installation, maintenance or repair of apparatus, materials, equipment, and supplies through the use of a contract let by the United States of America or any agency thereof if such contract was let in a manner that constitutes competitive bidding consistent with state law and made available for use by other governmental entities; and

**WHEREAS**, National Joint Powers Alliance is a national public service agency that exists to provide cooperative purchasing agreements to assist Government and Educational Entities to provide for efficient procurement processes; and



**WHEREAS**, the Town of East Greenbush would benefit by being enrolled in the National Joint Powers Alliance to obtain the best competitive prices for goods and services by using the Alliance’s bidding process; and

**WHEREAS**, the Town Comptroller believes at this time 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 Town Supervisor to enroll the Town of East Greenbush in the National Joint Powers Alliance Cooperative Purchasing Program.

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

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

**37-2017      A Resolution Authorizing the Town of East Greenbush to Solicit Bids for the Supply and Installation of a Pre-Fabricated ADA Compliant Restroom for the Town Park**

**WHEREAS**, the Town Park requires a restroom that is Americans with Disabilities Act (ADA) compliant; and

**WHEREAS**, based on a cost-benefit analysis, a prefabricated ADA Compliant Restroom appears to be the most cost effective and expeditious means of constructing a restroom that meets the Town’s needs; and

**WHEREAS**, the Community and Recreation Department would like to have this restroom operational by the Summer 2017 Season; 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 Town Services Coordinator to solicit bids to supply and install a Pre-Fabricated, ADA Compliant Restroom for the Town Park.

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

**38-2017      A Resolution Authorizing the Town of East Greenbush to Solicit Proposals for the Design of an Aquatic Spray Feature for the Town Park**

**WHEREAS**, based on input from town residents, users of the Summer Camp Program, and Community and Recreation Department staff, it has been determined that the East Greenbush Town Park needs some manner of Water Feature; and

**WHEREAS**, based on a cost-benefit analysis of a Pool versus an Aquatic Spray Feature, the Aquatic Spray Feature is an option that the Town of East Greenbush can afford to both construct and maintain within the limits of the Town’s Community and Recreation and Parks budget; and

**WHEREAS**, the Community and Recreation Department would like to have this feature operational by the summer 2017 Season; and

**WHEREAS**, the first step in constructing this feature is a design phase to ensure that it is within resource limitations; 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 Town Services Coordinator to solicit proposals for the Design of an Aquatic Spray Feature for the Town Park.

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

**39-2017      Acceptance of Supplemental Final Environmental Impact Statement For Regeneron’s Mill Creek Project**

**WHEREAS**, SMRT Architects, on behalf of Regeneron Pharmaceuticals, LLC (the “Applicant”) submitted a site plan review application and related documentation for a project on Tempel Lane in the Town of East Greenbush, consisting of the construction of the Applicant’s Mill Creek Campus (the “Project”); and

**WHEREAS**, after review of the application and related material and coordination with other potentially involved agencies, by resolution dated March 18, 2016, the Town Board designated itself as lead agency under the State Environmental Quality Review Act (“SEQRA”) for the environmental review of the Project; and

**WHEREAS**, the Town Board, in its March 18, 2016, resolution, also determined that the Project may have a significant adverse impact on the environment and adopted a SEQRA positive declaration requiring that an environmental impact statement be prepared; and

**WHEREAS**, in its March 18, 2016 resolution, the Town Board also directed that a draft scoping document be prepared and scheduled a public scoping session and written comment period on the scoping document, which were duly held, and a final scoping document was prepared; and

**WHEREAS**, the Applicant subsequently submitted a supplemental draft environmental impact statement (the “SDEIS”), which was reviewed by the Town Board, Town staff and the Town’s consulting engineers; and

**WHEREAS**, the Applicant revised the SDEIS, responding to various comments by the Town, and resubmitted the SDEIS to the Town Board; and

**WHEREAS**, the revised SDEIS was reviewed by the Town Board and was determined to be adequate for public review; and

**WHEREAS**, the Town Board scheduled a public comment period on the SDEIS, to run until January 24, 2017, and a public hearing, which was duly held on January 11, 2017; and

**WHEREAS**, the Town Board has considered the SDEIS and public comments thereon, and has completed a supplemental final environmental impact statement (“SFEIS”); and

**WHEREAS**, the Town Comptroller has confirmed that this proposed Board action will not have a material impact on the Town’s finances;

now, therefore, be it

**RESOLVED** as follows

1. The Town Board hereby determines that the SFEIS is complete and has been prepared in accordance with Article 8 of the Environmental Conservation Law.
2. The Town Board directs that the SFEIS be filed in accordance with applicable provisions of law.
3. The Town Board further directs that copies of the SFEIS and related notices be provided to the Applicant, the Town Supervisor, all involved agencies and any person who has requested a copy, and further directs that copies of the SFEIS be made available for inspection at East Greenbush Town Hall, 225 Columbia Turnpike, East Greenbush and the East Greenbush Community Library, 10 Community Way, East Greenbush.

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

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

**40-2017      A Resolution Authorizing the Purchase of Snow Removal Vehicles and Equipment and Authorizing the Issuance of Serial Bonds in an Aggregate Principal Amount Not to Exceed \$800,000 of the Town of East Greenbush Rensselaer County, New York, Pursuant to the Local Finance Law to Finance Said Purpose and Delegating the Power to Issue Bond Anticipation Notes in Anticipation of the Sale of Such Bonds to the Town Supervisor**

**WHEREAS**, the Town Comptroller asserts that this resolution’s fiscal impact will need to be budgeted substantially in the 2018 to 2024 debt payment in accounts 97106 Principal and 97107 Interest payments for the Highway, Water, and appropriation of \$280,000 of sewer fund balances;

**BE IT RESOLVED**, by the Town Board of the Town of East Greenbush, Rensselaer County, New York (the "Town") as follows:

Section 1: The specific purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is the purchase of snow plow trucks and related snow plow equipment, as more particularly identified in that certain Town Resolution dated January 18, 2017, authorizing the DPW Commissioner to solicit bids for vehicles and equipment. The maximum cost of said purpose shall not exceed \$1,080,000.

Section 2: The plan for the financing of such maximum cost is by issuance of \$800,000 Serial Bonds (Town of East Greenbush Snow Plow Equipment Project), Series 2017 (the "Bonds") of the Town of East Greenbush and is hereby authorized to be issued therefore pursuant to the Local Finance Law of the State of New York.

Section 3: It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is fifteen (15) years, pursuant to subdivision 28 of paragraph (a) of Section 11.00 of the Local Finance Law of the State of New York. The bonds to be issued pursuant to this resolution will have a maturity date more than five (5) years.

Section 4: The faith and credit of the Town of East Greenbush are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made by the Town of East Greenbush in each year sufficient to pay the principal of and interest on such Bonds becoming due and payable in such year. There shall annually be levied on the taxable real property of the residents within the Town of East Greenbush, who are benefiting from the Project, a tax without limitation as to rate or amount sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5: The Town has determined that the Snow Plow Equipment Project is a Type II action that will not have a significant effect on the environment and, therefore, no other determination or procedures under the State Environmental Quality Review Act ("SEQR") is required.

Section 6: All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same shall be determined by the Town Supervisor, as the chief fiscal officer of the Town of East Greenbush, under the Local Finance Law of the State of New York. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law of the State of New York, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law of the State of New York, as the Town of East Greenbush Treasurer shall determine consistent with the provisions of the Local Finance Law of the State of New York.

Section 7: The validity of such bonds may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which the Town of East Greenbush is not authorized to expend money; or
- 2) The provisions of applicable 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
- 3) Such obligations are authorized in violation of the provisions of the Constitution of the State of New York.

Section 8: The temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to section 165.10 of the Local Finance Law, for the capital purposes described in the Resolution. The Town then reasonably expects to reimburse such expenditure with the proceeds of the bonds or bond anticipation notes authorized by this Resolution. This Resolution shall constitute the declaration of the Town's "official intent" to reimburse the expenditures authorized in this Resolution with the proceeds of the bonds and notes authorized herein, as required by the United States Treasury Regulations Section 1.150-2.

Section 9: Pursuant to Local Finance Law Section 35, this Resolution shall not become effective unless it shall have been approved by a permissive referendum under Article 7 of the Town Law. Subject to the provisions of this Resolution and of the Local Finance Law, including the provisions of Section 30 of the Local Finance Law relative to the authorization of the issuance of bond anticipation notes or the renewals of said notes and of Sections 21, 50, 56-60 and 63 of the Local Finance Law, the powers and duties of the Town Board pertaining or incidental to the sale and issuance of the obligations herein authorized, including, but not limited to, authorizing bond anticipation notes, determining whether to issue bonds with substantially level or declining annual debt service and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Town Supervisor, as Chief Fiscal Officer of the Town.

Section 10: Upon this resolution taking effect, the same shall be published in The Record newspaper, having a general circulation in said Town of East Greenbush, and which is hereby designated as the official newspaper of the Town of East Greenbush, Rensselaer County, State of New York, for such purpose, together with a Notice of the chief fiscal officer of the Town of East Greenbush in substantially the form provided in Section 81.00 of the Local Finance Law of the State of New York.

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

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

**41-2017 A Resolution Authorizing the DPW Commissioner to Solicit Bids for Vehicles and Equipment to be Funded by Issuance of a Capital Equipment Bond**

**WHEREAS**, the Department of Public Works has identified to the Town Board certain vehicles and equipment required to maintain highways, water, and sewer lines in the Town of East Greenbush; and

**WHEREAS**, the Department of Public Works has identified the vehicles and items of equipment on the attached schedule which have become unserviceable through normal wear and tear and are past their anticipated service life; and

**WHEREAS**, the Town Board has determined that the most cost effective way to replace these vehicles and items of equipment is by use of a low interest bond; and

**WHEREAS**, the lifespan of the vehicles and equipment to be purchased would have a useful service life in excess of the term of the bond as depicted on the attached schedule, and

**WHEREAS**, per New York State procurement expenditures for vehicles and equipment that exceed \$20,000 are subject to competitive bidding; and

**WHEREAS**, the Town Comptroller asserts this resolution’s fiscal impact will need to be budgeted substantially in the 2018 to 2024 debt payment in accounts 97106 Principal and 97107 Interest payments for the Highway, Water, and appropriation of \$280,000 of sewer fund balances;

now, therefore, be it

**RESOLVED**, that the Town Board authorizes the DPW Commissioner to solicit bids for the purchase of the Vehicles and Equipment as detailed below:

| <b>VEHICLE/EQUIPMENT</b>        | <b>ANTICIPATED COST</b> | <b>COMMENT</b>  |
|---------------------------------|-------------------------|---|
| One Ton Pickup with Plow        | \$38,000                | Replaces Truck #3   |
| Compact Articulating Loader     | \$75,000                | Bid Authorized Res. 218-2016                                  |
| Trailer for above               | \$22,000                | Sidewalk Machine  |
| Wing, Stainless Dump Body       | \$50,000                | Retrofit Truck #7   |
| Truck, Dump, Single Axle        | \$200,000               | Includes Plow & Wing<br>Replace Truck #13                     |
| Plow, Wing, Stainless Dump Body | \$55,000                | Retrofit Truck #15  |
| Truck, Dump, Single Axle        | \$200,000               | Includes Plow & Wing<br>Replace Truck #17                     |
| Wheeled Loader, 3 Cubic Yard    | \$130,000               | Replace Loader #25  |
| Truck, Dump, Single Axle        | \$160,000               | Includes Plow & Wing<br>Replace Truck #49<br>Spare Plow Truck |
| Truck, Tractor-Trailer          | \$150,000               | Replace Truck #58   |
| Total                           | \$1,080,000             |   |

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

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

**42-2017 Resolution Authorizing the Town of East Greenbush to Enter into a Sign Easement Agreement with WP/CP Columbia Associates, LP**

**WHEREAS**, the Town of East Greenbush is the owner of certain property used as a public highway in said town, known as Forrest Drive; and

**WHEREAS**, in the course of the construction of the Columbia Plaza Shopping Center in the late 1980’s by BTR East Greenbush, Inc., fee title to the plaza property was conveyed to the Rensselaer County Industrial Development Agency, with an agreement that the property would be re-conveyed to BTR upon the conclusion of construction; and

**WHEREAS**, the Town conveyed a portion of Forrest Drive to the Rensselaer County Industrial Development Agency to be included in the project; and

**WHEREAS**, upon the re-conveyance of the relocated Forrest Drive to the Town of East Greenbush, the Rensselaer County Industrial Development Agency failed to reserve a sign easement for the sign which has been at the site for almost 30 years; and

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

now, therefore, be it

**RESOLVED**, that the Supervisor is authorized to execute, on behalf of the Town, a certain Sign Easement Agreement with the current owners of the property, provided that the current owners pay for the recording of such easement, and pay the sum of \$1,000.00 to the Town of East Greenbush.

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

**43-2017 A Resolution to Authorize Kevin Hitchcock and Nick Petramale to Attend the NYSBOC Training Seminar Course # 46-6601 Framing Inspections for Engineered Lumber.**

**WHEREAS**, the Town Comptroller has confirmed that the provisions of this resolution were planned for in the 2017 Town Budget;

now, therefore, be it

**RESOLVED**, that the following persons be authorized by the Town of East Greenbush to attend the Annual Northern Adirondack Code Enforcement Officials Association Education seminar February 24, 2017: Kevin Hitchcock, Nick Petramale

and be it further

**RESOLVED**, the Town will pay the seminar attendance expense for this employee on February 24, 2017. Attendee 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. Cost not to exceed \$ 190.00.

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

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

**44-2017 Authorize Kevin Hitchcock 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 2017 Town Budget;

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 March 5, 2017 to March 9, 2017: Kevin Hitchcock

and be it further

**RESOLVED**, the Town will pay lodging expense and conference attendance expense for this employee on March 5, 2017 through March 9, 2017. Attendee 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. Total cost is \$ 723.00 plus fuel cost and per diem for meal expenses.

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

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

**45-2017 A Resolution to Approve a Corporate Sponsorship Program for the Town Park Project**

**WHEREAS**, the Town Board of the Town of East Greenbush has declared 2017 as the Year of the Parks; and

**WHEREAS**, the Town Park renovations are to begin in 2017; and

**WHEREAS**, the Town Board understands that the costs associated with the Town Park project are extensive and would benefit from a sponsorship program to assist with covering costs; 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 Town Services Coordinator to develop a program and begin to solicit corporate sponsorship for the Town Park Project as part of its community support campaign

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 |
| Supervisor Conway   | VOTED |
| Councilor Matters   | VOTED |
| Councilor Tierney   | VOTED |
| Councilor Grant     | VOTED |



**46-2017 A Resolution Appointing Kimberly Schultheis to the Position of Part-Time Clerk in the Assessor and Receiver of Taxes Offices**

**WHEREAS**, this resolution was not able to be submitted in time to be considered on the regularly scheduled pre-board meeting of February 8, 2017 and was subsequently presented to the Town Board on February 15, 2017; and

**WHEREAS**, the Assessor’s Office is staffed four days per week with a part-time Clerk to assist the Sole Appointed Assessor by answering phone calls, handling resident issues, maintaining files and tracking exemptions and there is a need for this service to be extended to a fifth day; and

**WHEREAS**, the Receiver of Taxes Office has a variable schedule in which some months are extremely busy while others are not and there is occasionally a need for help during the busier months; and

**WHEREAS**, Kimberly Schultheis has twenty-four years’ experience in the military and possesses the qualifications to work in both offices; and

**WHEREAS**, the position of part-time Clerk for Purchasing has been vacated and will not be filled; and

**WHEREAS**, the Town Comptroller has confirmed that the provisions of this resolution were planned for in the 2017 Town budget;

now, therefore, be it

**RESOLVED**, that Kimberly Schultheis is hereby appointed to the position of Part-Time Clerk in the Assessor and Receiver of Taxes Offices for a salary rate of \$15.00 per hour. This appointment is effective immediately.

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

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

**47-2017 A Resolution Approving the Professional Services Agreement with New York Municipal Insurance Reciprocal (NYMIR)**

**WHEREAS**, this resolution was not able to be submitted in time to be considered on the regularly scheduled pre-board meeting of February 8, 2017 and was subsequently presented to the Town Board on February 15, 2017; and

**WHEREAS**, the Town, through its insurance broker Rose & Kiernan, Inc., received a proposal for Insurance Coverage for the period of March 1, 2017 – February 28, 2018 as follows:

| Carrier                                 | 2016-2017 Expiring | 2017-2018 Renewal Quote |
|---|--------------------|-------------------------|
| New York Municipal Insurance Reciprocal | \$ 160,690.27      | \$169,804.86            |

**WHEREAS**, the Town has contracted with New York Municipal Insurance Reciprocal (NYMIR) since 2013 and proved to be an invaluable resource through providing training,

webinars and seminars to employees, safety inspections, as well as their assistance throughout the Waste Water Treatment Plant Sludge Spill of 2015; and

**WHEREAS**, increases have been seen by all municipalities covered through NYMIR as a result of an increase in claim activity; and

**WHEREAS**, the Town Comptroller has confirmed that the provisions of this resolution were planned for in the 2017 Town budget;

now, therefore, be it

**RESOLVED**, that the Town Board of the Town of East Greenbush does hereby approve the renewal of the agreement with New York Municipal Insurance Reciprocal (NYMIR) for the policy year March 1, 2017 – February 28, 2018 for the amount of \$ 169,804.86

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

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

**48-2017      Town Board Designation as Lead Agency, Adoption of Positive Declaration, Acceptance of Draft Environmental Impact Statement And Establishment of Public Comment Period for the East Greenbush Tech Park**

**WHEREAS**, this resolution was not able to be submitted in time to be considered on the regularly scheduled pre-board meeting of February 8, 2017 and was subsequently presented to the Town Board on February 15, 2017; and

**WHEREAS**, Greenbush Associates, LLC (the “Applicant”) has submitted applications for a zoning amendment and site plan approval, Part I of an environmental assessment form (“EAF”) and other information for a proposed project at the East Greenbush Tech Park on Mannix Road in the Town of East Greenbush (the “Project”); and

**WHEREAS**, the Town Board has expressed to other potentially involved agencies its desire to serve as lead agency under the State Environmental Quality Review Act (“SEQRA”) for the coordinated environmental review of the Project; and

**WHEREAS**, such potentially involved agencies have either concurred with the Town Board serving as lead agency or have failed to respond within the prescribed time period; and

**WHEREAS**, the Town Board has reviewed Part I of the EAF and other information, has completed Parts II and III of the EAF, and has determined that the Project may have one or more significant adverse environmental impacts; and

**WHEREAS**, the Applicant has submitted a draft environmental impact statement (“DEIS”), which the Town Board and its staff and consultants have reviewed; and

**WHEREAS**, the Town Comptroller has determined that this resolution will have no material impact on Town finances because it relates to procedural matters;

now, therefore, be it

**RESOLVED** as follows:

1. The Town Board hereby designates itself as lead agency for the SEQRA review

of the Project.

2. The Town Board hereby determines that the Project may have a significant adverse impact on the environment and adopts a positive declaration requiring that a DEIS be prepared.

3. The Town Board, after review of the DEIS, has determined that the DEIS is adequate for public review.

4. The Town Board hereby establishes a public written comment period on the DEIS, to commence on February 17, 2017, and to conclude at 4:00 p.m. on March 27, 2017, with a public hearing to receive comments on the DEIS and proposed zoning amendment, to be held at 6:30 p.m. on March 15, 2017, at the East Greenbush Town Hall, 225 Columbia Turnpike in the Town.

5. The Town Board directs that notices of the public comment period and public hearing be filed and published in accordance with applicable provisions of law, that copies of the DEIS be made available during normal business hours at the East Greenbush Town Hall and the East Greenbush Community Library, 10 Community Way, East Greenbush, and that copies of the DEIS be provided to the Applicant, the Town Supervisor, all involved agencies and any person who has requested a copy.

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

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

**49-2017 Resolution Recognizing Reggie Bonner and Ryan Condo For Their Exemplary Service on February 12, 2017**

**WHEREAS**, this Town Board endeavors to recognize those individuals who provide exemplary service to the residents of East Greenbush; and

**WHEREAS**, on Sunday, February 12, 2017 while plowing snow for the East Greenbush Department of Public Works, Reggie Bonner and Ryan Condo noticed an incapacitated resident covered with snow; and

**WHEREAS**, without hesitation, Mr. Bonner and Mr. Condo were able to provide first aid to the resident and contact emergency services; and

**WHEREAS**, Mr. Bonner and Mr. Condo's quick thinking and actions are truly commendable, resulting in the necessary medical attention for the resident; and

**WHEREAS**, this Town Board recognizes the actions of Reggie Bonner and Ryan Condo is deserving of thanks and recognition by the Town Board on behalf of the residents of East Greenbush;

now, therefore, be it

**RESOLVED**, the Town Board does hereby recognize Reggie Bonner and Ryan Condo for their exemplary service on February 12, 2017.

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

|                   |        |
|-------------------|--------|
| Councilor Tierney | VOTED: |
|-------------------|--------|

|                     |        |
|---------------------|--------|
| Councilor Grant     | VOTED: |
| Supervisor Conway   | VOTED: |
| Councilor DiMartino | VOTED: |
| Councilor Matters   | VOTED: |

**50-2017 A Resolution Authorizing Repairs to the Gradall XL-3100**

**WHEREAS**, the Town of East Greenbush mobilized the 2005 Gradall XL-3100 belonging to the Department of Public Works to Vantage Equipment Company to analyze several items to be repaired; and

**WHEREAS**, Vantage Equipment is the Sole Source representative for Gradall in the Capital Region; and

**WHEREAS**, the estimate for retrofitting the heater, replacing the fuel sending unit and servicing the hydraulic system on the 2005 Gradall XL-3100 is \$13,530.97; 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 asserts this resolution will have \$13,530.97 financial impact; charged to 51304.02.004 machinery;  
now therefore, be it

**RESOLVED**, that the Town Board authorizes repairs to the Gradall XL-3100 in an amount estimated at \$13,530.97.

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

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

**WORKSHOP DISCUSSION – 2017 ROAD PAVING**

**ADJOURNMENT**

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

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