



The Town of East Greenbush

225 Columbia Turnpike, Rensselaer, New York 12144

TOWN BOARD AGENDA PRE-BOARD MEETING March 11, 2020

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

Members of Town Board

Present

Absent

Supervisor J. Conway
Councilor T. Tierney
Councilor H. Kennedy
Councilor R. Matters
Councilor B. Fritz

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.

Hearing on the Dunn C & D Landfill

Schedule of Meeting:

54-2020 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, the minutes of the regular Town Board Meeting held on February 19, 2020 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 February 19, 2020 are hereby approved as submitted.

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

Councilor R. Matters	VOTED:
Councilor B. Fritz	VOTED:
Supervisor J. Conway	VOTED:
Councilor T. Tierney	VOTED:
Councilor H. Kennedy	VOTED:

55-2020 A Resolution Urging the Department of Environmental Conservation to Revoke the Operating Permit for the Dunn Landfill

WHEREAS, the S. A. Dunn & Company, LLC located on Partition Street Extension in Rensselaer, NY possesses a Mined Land Reclamation Permit for operation of an existing 73-acre sand and gravel mine, and a Solid Waste Management Permit authorizing conversion of the mine to a construction and demolition disposal site; and

WHEREAS, the Dunn Landfill received a Department of Environmental Conservation (DEC) permit to operate in August 2014 and began accepting debris for disposal in January 2015; and

WHEREAS, in December 2018 the DEC started to receive an increasing number of complaints and concerns associated with the landfill, including: odors and air quality impacts from landfill gas, such as the “rotten egg” smell associated with hydrogen sulfide gas; dust, debris, and particulate matter due to construction and general operations and from the truck traffic to and from the facility; and the facility’s proximity to the City of Rensselaer public school campus and neighboring homes; and

WHEREAS, within the Town of East Greenbush, residents living within close proximity of the Dunn Landfill have expressed concern about significant dust settling on their windowsills and outdoor furniture; have reported a pungent odor similar to rotten eggs that is so unbearable that they cannot remain outside; and have stated the noise from trucks has disrupted their quality of life; and

WHEREAS, in August 2018 the DEC issued an Order on Consent to the Dunn Landfill for inspection violations during January and February 2018; in February 2019 the DEC issued an Order on Consent to the Dunn Landfill for inspection violations during October 2018; in June 2019 the DEC issued an Order on Consent to the Dunn Landfill for inspection violations during April 2019; and

WHEREAS, on October 10, 2019 the DEC issued a Department Initiated Modification (DIM) to include specific and stringent conditions to protect public health and safety that the Dunn facility must undertake in order to continue operating; and

WHEREAS, the DIM conditions include installing and operating a robust gas collection system, covering disposed waste daily, constructing a berm before the construction of a new waste cell, and establishing a hotline to report complaints; and

WHEREAS, in response to community concerns and to ensure the facility operates within its strict permit conditions the DEC: conducts air monitoring at the school campus and other nearby locations to measure air quality impacts, including measuring levels of hydrogen sulfide and particulates; conducts routine inspections of operations at the landfill; requires the facility to fund a full-time monitor to provide daily oversight of the landfill operations; modifies the facility’s permit to improve collection and management of gas, requires cover of waste on a daily basis, and establishes mandatory complaint investigation protocols; and

WHEREAS, Resolution 230-2019 urged the Department of Environmental Conservation to hold the Dunn landfill operators responsible for implementing controls to prevent dust, odors, and truck noise, to ensure that residents in East Greenbush are not exposed to any potential health or safety hazards, and to recognize that failure of the facility to comply with the DIM should result in DEC revocation of the facility’s permits; and

WHEREAS, the Town Board scheduled a public hearing via Resolution 53-2020 for March 11, 2020 at 6:00 p.m. at Town Hall, 225 Columbia Turnpike in the Town of East Greenbush, to consider public input on the problems and potential solutions to the negative issues created by the Dunn Landfill for the residents of the Town; and

WHEREAS, while the progressive actions enacted by the DEC have been responsive to the community concerns, the residents of East Greenbush assume health, safety, environmental, and quality of life risks associated with the continued and ongoing operations of the Dunn Landfill, and residents have indicated that the responsive actions have not resulted in a reduction of dust, odor, or truck noise impacting their quality of life;

now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush urges the DEC, responsible for protecting public health and safety and for the protection of air resources, to revoke the facility’s operating permits;

and be it further

RESOLVED, that the Town Board directs the Town Clerk to send a certified copy of this resolution to Governor Andrew M. Cuomo and Basil Seggos, Commissioner of the Department of Environmental Conservation.

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 B. Fritz	VOTED:

56-2020 A Resolution Authorizing the Supervisor to Request, on Behalf of the Town Board, that Governor Andrew M. Cuomo Withdraw from the Proposed 2020-2021 State Budget the Amendment Regarding the Siting and Regulation of Renewable Energy Projects

WHEREAS, the Town of East Greenbush (hereinafter, the “Town”), as a unit of Local Government in New York, is provided with a bill of rights under article IX of the New York State Constitution (hereinafter, the “Constitution”) which are further codified statutorily pursuant to New York Municipal Home Rule Law (hereinafter, “MHRL”) to provide the Town, via its governing board, with authority to exercise discretion, through the enactment of local law and the adoption of resolutions, in the oversight and administration of its property, operations, and business and transactional affairs, so long as such oversight and administration do not transgress, or are not inconsistent with, the provisions of the Constitution or any general law and do not extend beyond its purview, interests, and purpose as a unit of local government; and

WHEREAS, on February 21, 2020, Governor Andrew M. Cuomo included an amendment to the proposed 2020-2021 New York State budget "to dramatically speed up the permitting and construction of renewable energy projects" (hereinafter, the "Amendment"); and

WHEREAS, the provisions of the Amendment, if enacted as part of the budget legislation, would supplant the current provisions under article 10 of New York Public Service Law (hereinafter, "PSL") with a radically new method for siting renewable energy projects in order to enhance the execution of the State's Climate Leadership and Community Protection Act; and

WHEREAS, the Amendment will effectively remove any meaningful input from Town residents, local environmental groups, and community businesses in the way of scientific data and/or expert testimony regarding the siting and regulation of renewable energy projects, thus disenfranchising such local parties and usurping from the Town such siting and regulatory authority; and

WHEREAS, such disenfranchising of local parties and usurpation of authority from the Town is further exasperated by the Amendment's creation of an application process for proposed renewable energy projects, to be overseen by a New State Office of Renewable Energy Siting, that ostensibly circumvents the deliberation, safeguards, and prudence currently realized by the Town under the PSL and MHRL; and

WHEREAS, the Amendment's provision for the State to own and/or operate renewable energy facilities further increases the negative impact to the Town by limiting, if not virtually eliminating, its ability to plan the siting and regulate the operation of renewable energy projects; and

WHEREAS, the Town Comptroller attests that the provisions of this resolution shall pose no adverse impact to the Town's finances;

now, therefore, be it

RESOLVED, that the Supervisor is hereby authorized to request, on behalf of the Town Board, that Governor Andrew M. Cuomo: (1) withdraw from New York State's 2020-2021 budget bill(s) the Amendment, (2) defer to localities pursuant to the spirit of New York Municipal Home Rule Law, and (3) allow localities to exercise their own discretion and police power regarding the siting and regulation of renewable energy initiatives.

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 B. Fritz	VOTED:

57-2020 A Resolution Designating April 2020 as National Donate Life Month and April 17, 2020 as Donate Life Blue and Green Day

WHEREAS, National Donate Life Month was established by Donate Life America and its partnering organizations in 2003 and is celebrated through activities to help encourage Americans to register as organ, eye and tissue donors and to celebrate those who have saved lives through the gift of donation; and

WHEREAS, the 2020 National Donate Life Month theme was inspired by the springtime scene of a garden since the garden and the insects within it serve as symbols of hope, courage and transformed life, themes repeatedly found within the donation and transplantation journey; now therefore be it

RESOLVED, to increase awareness and encourage participation in this lifesaving journey, the East Greenbush Town Board does hereby designate April 2020 as National Donate Life Month in the Town of East Greenbush;

and be it further

RESOLVED, that the Town of East Greenbush designates Friday, April 17, 2020 as Donate Life Wear Blue and Green Day to consider our role in this lifesaving and healing journey, and how our residents can inspire others to provide hope through donor registration and living donation.

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

Councilor T. Tierney	VOTED:
Councilor B. Fritz	VOTED:
Supervisor J. Conway	VOTED:
Councilor H. Kennedy	VOTED:
Councilor R. Matters	VOTED:

58-2020 A Resolution Authorizing the Supervisor to Sign the 2020 STOP-DWI Enforcement Agreement with Rensselaer County

WHEREAS, the County of Rensselaer and the Town of East Greenbush share a mutual interest in enforcing existing Driving While Intoxicated (DWI) laws and in decreasing the number of alcohol-related motor vehicle accidents through special countermeasure enforcement programs; and

WHEREAS, this goal can be accomplished by increasing public awareness of the dangers of impaired driving by maintaining high visibility in the law enforcement area, by increasing enforcement to deter the motoring public from driving while impaired, and by enforcing alcohol laws as they relate to minors; and

WHEREAS, the County will grant an amount not-to-exceed \$4,500.00 to fund STOP-DWI Enforcement Crackdown Patrols, which will be reimbursed in a lump sum at the termination of the patrols; and

WHEREAS, the Town of East Greenbush agrees that special DWI patrols and underage drinking enforcement will be implemented by the Town throughout the calendar year with such patrols staffed by officers who have completed basic training and have experience on road patrols, in particular apprehending and charging impaired drivers; and

WHEREAS, the Town of East Greenbush acknowledges and agrees that the services to be provided pursuant to the terms of this agreement are provided as an independent contractor and not as an agent or as employees of Rensselaer County, and agrees to indemnify and hold harmless the County of Rensselaer from and against any and all claims or causes of action; and

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

now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush authorizes the Town Supervisor to execute this agreement with Rensselaer County;
and be it further

RESOLVED, that the term of the contract shall apply retroactively from January 1, 2020 to December 31, 2020.

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

Councilor R. Matters	VOTED:
Supervisor J. Conway	VOTED:
Councilor T. Tierney	VOTED:
Councilor H. Kennedy	VOTED:
Councilor B. Fritz	VOTED:

59-2020 A Resolution Authorizing the Supervisor to Sign the 2020 STOP-DWI Enforcement Crackdown Agreement with Rensselaer County

WHEREAS, the County of Rensselaer and the Town of East Greenbush share a mutual interest in enforcing existing Driving While Intoxicated (DWI) laws and in decreasing the number of alcohol-related motor vehicle accidents through special countermeasure enforcement programs; and

WHEREAS, this goal can be accomplished by increasing public awareness of the dangers of impaired driving by maintaining high visibility in the law enforcement area, by increasing enforcement to deter the motoring public from driving while impaired, and by enforcing alcohol laws as they relate to minors; and

WHEREAS, the County will grant an amount not-to-exceed \$4,000.00 to fund STOP-DWI Enforcement Crackdown Patrols, which will be reimbursed in a lump sum at the termination of the patrols; and

WHEREAS, the Town of East Greenbush agrees that special DWI patrols will be implemented by the Town with such patrols staffed by officers who have completed basic training and have experience on road patrols, in particular apprehending and charging impaired drivers; and

WHEREAS, the special patrols will coincide with the following NYS-recognized DWI Enforcement Dates:

Halloween	October 31- November 3, 2019
Thanksgiving	November 27- December 1, 2019
Holiday Season	December 11- January 1, 2020
Super Bowl	January 31- February 3, 2020
St. Patrick's Day	March 13-18, 2020
Memorial Day	May 22-26, 2020
Fourth of July	July 3-6, 2020
Labor Day	August 19- September 7, 2020

WHEREAS, the Town of East Greenbush acknowledges and agrees that the services to be provided pursuant to the terms of this agreement are provided as an independent contractor and not as an agent or as employees of Rensselaer County, and agrees to indemnify and hold harmless the County of Rensselaer from and against any and all claims or causes of action; and

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

now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush authorizes the Town Supervisor to execute this agreement with Rensselaer County;

and be it further

RESOLVED, that the term of the contract shall apply retroactively from October 31, 2019 to September 7, 2020.

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

Councilor B. Fritz	VOTED:
Councilor H. Kennedy	VOTED:
Supervisor J. Conway	VOTED:
Councilor T. Tierney	VOTED:
Councilor R. Matters	VOTED:

60-2020 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 (1) model year 2007 Jeep Grand Cherokee VIN 1J8GR48K7C650245
(Town ID #311)

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

WHEREAS, the Town Comptroller confirms that this resolution will not have a material effect 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 is 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 Supervisor Conway seconded by Councilor Fritz and voted as follows:

Supervisor J. Conway	VOTED:
Councilor B. Fritz	VOTED:
Councilor T. Tierney	VOTED:
Councilor H. Kennedy	VOTED:
Councilor R. Matters	VOTED:

61-2020 A Resolution to Authorizing the Chief of Police to Enter into an Agreement for the Use of Subscription Material between Lexipol, LLC and the East Greenbush Police

WHEREAS, the East Greenbush Police Department has recognized the need for the outsourcing of administrative services provided by Lexipol, LLC; and

WHEREAS, the utilization of Lexipol, LLC would provide the knowledge and assistance required for the implementation of challenging and ever changing state and federally mandated laws, regulations, court decisions, and evolving best practices; and

WHEREAS, Lexipol, LLC will assist with the development of legally defensible, up to date policies which are the foundation for consistent, safe public safety operations and are key to lowering liability and risk; and

WHEREAS, Lexipol's daily scenario-based training bulletins are tied to real-world implications and allow officers to apply the agency's policy content through 2 minute training exercises, thereby providing the agency with on-going training to fulfill accreditation standards; and

WHEREAS, Lexipol, LLC has provided a contract that offers services to assist the East Greenbush Police Department, which would allow for on-site and remote (telephone and e-mail) consulting services to address the specific needs of the East Greenbush Police Department; and

WHEREAS, the fee for the Lexipol, LLC annual subscription would be \$8,997.00 for the period of March 1, 2020 through December 31, 2020 and a one-time fee of \$13,153.00 for implementation support; and

WHEREAS, Fleury Risk Management, who has partnered with Lexipol, LLC, has granted the East Greenbush Police Department a \$5,200.00 award to contribute towards the implementation costs of the subscription; and

WHEREAS, the Town Comptroller has confirmed that the provisions of this resolution were budgeted in 31204.01 for \$10,000, plus a grant of \$5,200 from Fleury Risk Management; and the balance from police forfeiture 2626.01 offset now, therefore, be it

RESOLVED, that the Town Board does hereby authorize the Chief of Police to enter into the Agreement for Use of Subscription Material between Lexipol, LLC and the East Greenbush Police Department.

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 B. Fritz	VOTED:

62-2020 A Resolution to Appoint Ellen B. Schwab to the Position of Clerk in the Assessor's Office on a Provisional Basis

WHEREAS, the Sole Appointed Assessor requires a full-time Clerk to assist in the work of the Office; and

WHEREAS, Ellen B. Schwab has been a part-time Clerk in the Assessor's Office since January 4, 2016 and has learned all of the routine daily and annual tasks of the Office, and has excelled in all aspects of the job; and

WHEREAS, the difficulty in finding other part-time Clerks to work in the Assessor's Office has led the Office to be understaffed at key points in the calendar; and

WHEREAS, Ellen B. Schwab has consistently filled in when other part-timers are not available and has been working nearly 30 hours per week in a part-time capacity; and

WHEREAS, it is a priority of this Town Board that the Assessor's Office be adequately staffed at all times to ensure that the public is served in an efficient and timely manner; and

WHEREAS, the Town Comptroller confirms that this resolution will have a material impact on Town's finances;

now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush appoints Ellen B. Schwab to the position of full-time Clerk in the Assessor's Office on a provisional basis at an annual salary of \$35,000.00.

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

Councilor R. Matters	VOTED:
Supervisor J. Conway	VOTED:
Councilor T. Tierney	VOTED:
Councilor H. Kennedy	VOTED:
Councilor B. Fritz	VOTED:

63-2020 A Resolution Appointing _____ to the Position of Accounts Payable Clerk – Part Time in the Town Comptroller's Office

WHEREAS, the position of Accounts Payable Clerk – Part Time is an essential position within the Comptroller's Office as the person in this position must work closely with the Town Comptroller, Department Heads and Town Supervisor on a daily basis reviewing submitted invoices and vouchers and confirming information prior to inputting invoices into the Town's accounting software; and

WHEREAS, the Town advertised in local newspapers seeking an Accounts Payable Clerk – Part Time in the Town Comptroller's Office, received four applications and conducted in-person interviews with two candidates for the position; and

WHEREAS, the Town Comptroller confirms this was included in the 2020 budget now, therefore, be it

RESOLVED, that _____ is hereby appointed to the position of Accounts Payable Clerk – Part Time in the Town Comptroller's Office at an hourly rate of \$17.00. per hour.

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

Supervisor J. Conway	VOTED:
Councilor B. Fritz	VOTED:
Councilor T. Tierney	VOTED:
Councilor H. Kennedy	VOTED:
Councilor R. Matters	VOTED:

64-2020 A Resolution to Close Town Hall on April 24, 2020 for a Staff Development Day

WHEREAS, the Town Hall of the Town of East Greenbush is open from 8:30 a.m. until 4:30 p.m. Monday through Friday; and

WHEREAS, the Town is required to conduct a series of training programs for Town staff on an annual basis and would like to present other materials as well in an effort to keep Town employees up-to-date on the programmatic requirements necessary to conduct Town business; and

WHEREAS, in the daily round of activities, work at Town Hall must by its nature be interrupted on a regular basis as residents bring their issues and concerns to various departments, and the practice has been to stop what we're doing to address those residents' concerns; and

WHEREAS, the difficulty in gathering the entire Town Hall workforce together for training or team-building exercises has proved otherwise insurmountable; and

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

now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush approves the Supervisor's proposal to close Town Hall on Friday, April 24, 2020 so that Town Hall staff can participate in a Staff Development Day;

and be it further

RESOLVED, that all Town Hall staff are directed to report to the Red Barn at the Town Park at 8:30 a.m. on April 24, 2020.

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 B. Fritz	VOTED:

65-2020 A Resolution to Schedule a Special Workshop Meeting of the East Greenbush Town Board

WHEREAS, the Town is in the process of updating its Comprehensive Plan and the Town's Natural Resources Work Group (NRWG) completed, and the Town Board adopted, a Natural Resources Inventory (NRI) which was done in part to inform the updated Comprehensive Plan; and

WHEREAS, the Comprehensive Plan Steering Committee, in consultation with our consulting planners, MJ Engineering, and our Department of Planning and Zoning, has drafted a map and definitions for Future Land Uses; and

WHEREAS, the Natural Resources Inventory and the map and definitions of Future Land Uses are two of the key components of the completed Comprehensive Plan; and

WHEREAS, the draft Comprehensive Plan will ultimately have to be reviewed and adopted by the Town Board, which until now has not begun its discussions of the complex issues and information surrounding the Plan; and

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

now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush will hold a Special Workshop Meeting on March 23, 2020 at 6:00 p.m. at Town Hall, 225 Columbia Turnpike, Rensselaer, NY 12144 to consider how the Natural Resource Inventory can be assimilated into the Comprehensive Plan update and to review the draft of Future Land Uses.

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

Supervisor J. Conway	VOTED:
Councilor H. Kennedy	VOTED:
Councilor T. Tierney	VOTED:
Councilor R. Matters	VOTED:
Councilor B. Fritz	VOTED:

66-2020 A Resolution Granting a Residency Waiver to Michael A. Martin

WHEREAS, Michael A. Martin has been hired by the Town in the position of Recreation Supervisor and does not currently reside in the Town of East Greenbush; and

WHEREAS, the Town’s Employee Handbook states that “Employees may apply for a Residency Waiver, which may be granted by the Town Board and reviewed annually;” and

WHEREAS, Michael A. Martin has requested a Residency Waiver; and

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

now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush grants a Residency Waiver to Michael A. Martin until December 31, 2020.

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 B. Fritz	VOTED:

67-2020 A Resolution to Schedule a Public Hearing on a Local Law to Create a Conservation Advisory Council (CAC) for the Town of East Greenbush

WHEREAS, Resolution 42-2018 established the East Greenbush Natural Resources Work Group (NRWG) which was tasked with preparing a “Town of East Greenbush Natural Resources Inventory” to assist the Town in identifying and evaluating important resources located within the Town; and

WHEREAS, a Public Hearing was held on June 12, 2019 for the Town Board to consider comments and questions before having to render a decision to accept and adopt the Natural Resources Inventory; and

WHEREAS, after hearing comments and questions, the Town Board adopted the Natural Resources Inventory with Resolution 134-2019 on June 19, 2019; and

WHEREAS, the NRI includes maps displaying the Town’s mineral, water, biological, recreation, scenic, and historic resources and their significance to the East Greenbush community; associated data; and a descriptive report summarizing the inventoried resources, findings, and recommendations; and

WHEREAS, the purpose of the NRI is to provide information for comprehensive land use and conservation planning, and to allow natural resource information to be included in local planning and zoning, and to inform the Comprehensive Plan update; and

WHEREAS, the Natural Resources Work Group has recommended that the Town consider the adoption of a Local Law to create a Conservation Advisory Council (CAC) which

can conduct research, advise on environmental and preservation matters, update the Natural Resources Inventory, and serve as a resource for the Town Board and Planning Board; and

WHEREAS, the Town Board believes that a CAC should be an essential part of our steadfast commitment to understanding and protection of our natural resources; and

WHEREAS, the Town Board accepts and concurs with the recommendation of the NRWG to establish a Conservation Advisory Council; and

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

now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush schedules a Public Hearing for April 8 ,2020 at 6:00 p.m. at East Greenbush Town Hall, 225 Columbia Turnpike, Rensselaer, NY 12144 to hear comments on a Local Law to create a Conservation Advisory Council.

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 B. Fritz	VOTED:

68-2020 A Resolution Authorizing an Agreement with Muncicity Software Consulting Associates for SCA Utility Billing On-Line Payment System

WHEREAS, the Water and Sewer Billing Department has received a large number of requests for an online payment option to pay the Town’s Water and Sewer bills; and

WHEREAS, Muncicity Software Consulting Associates offers a web-based utility payment which would allow Town residents to view their account status and pay their bill online. The payment information is then seamlessly posted through to the Town’s in-house SCA Utility Billing System; and

WHEREAS, the bill payer (resident) would have the option to pay their bill with a credit card or electronic check (ACH) and the associated fees of processing credit cards and ACH would be charged as an additional fee based on the software package selection the Town chooses; and

WHEREAS, the fees based on the current software package the Town utilizes would be:

<u>Payment Method</u>	<u>Fee</u>
Credit/Debit Cards	2.95%/\$5 minimum charge
Electronic Check	\$4 per transaction

WHEREAS, the cost to add an online payment option to this current level of the Town’s software would be an additional \$300 per year; and

WHEREAS, the cost to most residents would be \$5.00 to pay their Water and Sewer Bill with a credit or debit card using this method, a residents Water and Sewer Bill would have to be \$169.50 or more to exceed the \$5.00 charge; and

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

RESOLVED, that the Town Board does hereby approve the agreement with Municipity Software Consulting Associates for web based payments for Water and Sewer Bills.

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

Councilor H. Kennedy	VOTED:
Councilor B. Fritz	VOTED:
Supervisor J. Conway	VOTED:
Councilor R. Matters	VOTED:
Councilor B. Fritz	VOTED:

69-2020 A Resolution to Accept the Resignation of Daniel K. Smith from the Zoning Board of Appeals

WHEREAS, Daniel K. Smith was appointed to the Zoning Board of Appeals in January, 2018 to complete the term of Joyce Lapham which ran through December 31, 2019; and

WHEREAS, Mr. Smith was appointed to a new term on January 2, 2020, one that would run through December 31, 2024; and

WHEREAS, Daniel K. Smith has now submitted a letter of resignation; and

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

RESOLVED, that the Town Board of the Town of East Greenbush accepts the resignation of Daniel K. Smith from the Zoning Board of Appeals, thanks him for his service, and wishes him well in his future endeavors.

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

Councilor T. Tierney	VOTED:
Councilor B. Fritz	VOTED:
Supervisor J. Conway	VOTED:
Councilor H. Kennedy	VOTED:
Councilor R. Matters	VOTED:

70-2020 A Resolution Dissolving Resolutions 101-2019 and 102-2019 Due to a Word Change Required by the Bridge NY Program

WHEREAS, Resolutions 101-2019 and 102-2019 contained an error that was discovered during the submission to the Commissioner of Transportation which required the Town to dissolve the original Resolutions and create new ones with the proper wording; and

WHEREAS, the Town Comptroller confirms that this resolution will not have a material impact above what was previously committed on Town's finances;
now, therefore, be it

RESOLVED, that Resolution 101-2019 and 102-2019 are now dissolved and will be replaced with Resolutions 71-2020 and 72-2020.

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

Supervisor J. Conway	VOTED:
Councilor H. Kennedy	VOTED:
Councilor T. Tierney	VOTED:
Councilor R. Matters	VOTED:
Councilor B. Fritz	VOTED:

71-2020 A Resolution Authorizing the Implementation and Funding of the Costs of 100% of the Costs of a Transportation Project, Which May be Eligible for Federal-Aid and/or State-Aid, or Reimbursement From Bridge NY Funds.

WHEREAS, a project for the BRIDGE NY/Culvert, Replace culvert on Mannix Road over Mill Creek, Town of East Greenbush, Rensselaer County, P.I.N. 1761.11 (the Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 0% Federal funds and 100% non-federal funds; and

WHEREAS, the Town of East Greenbush will design, let and construct the Project; and

WHEREAS, the Town of East Greenbush desires to advance the Project by making a commitment of 100% of the costs of the work for the Project or portions thereof; now, therefore, be it

RESOLVED, that the Town Board of East Greenbush, duly convened does hereby approve the above-subject Project; and be it further

RESOLVED, that the Town Board of East Greenbush hereby authorizes the payment of 100% of the cost of Design and Construction phases of work for the Project or portions thereof, with the understanding that qualified costs may be eligible for federal-aid, state-aid, or reimbursement from Bridge NY funds; and be it further

RESOLVED, the Town Comptroller confirms that the prefunded financial impact prior to reimbursement is the sum of \$517,942.00 is hereby appropriated from Prefunded A-917 fund balance reimbursed thru revenue account code 3089.03.00.102 Mannix Culvert and appropriated pursuant to expense account code 51124.03.04.102 Mannix Culvert and made available to cover the cost of participation in the above phase(s) of the Project; and be it further

RESOLVED, that the Town Board of East Greenbush hereby agrees that the Town of East Greenbush shall be responsible for all costs of the Project which exceed the amount of federal-aid, state-aid, or NY Bridge funding awarded to Town of East Greenbush; and be it further

RESOLVED, that in the event the Project costs not covered by federal-aid, state-aid, or NY Bridge funding exceed the amount appropriated above, the Town Board of East Greenbush shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof; and be it further

RESOLVED, that the Town of East Greenbush hereby agrees that construction of the Project shall begin no later than twenty-four (24) months after award and the construction phase of the Project shall be completed within thirty (30) months;

and be it further

RESOLVED, that the Town Board of East Greenbush hereby authorizes the Town Supervisor to execute on behalf of the Town of East Greenbush all necessary agreements, certifications or reimbursement requests for federal-aid and/or state-aid with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the Town of East Greenbush's funding of Project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible;

and be it further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project;

and be it further

RESOLVED, this resolution shall take effect immediately.

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 B. Fritz	VOTED:

72-2020 A Resolution Authorizing the Implementation and Funding of the Costs of 100% of the Costs of a Transportation Project, Which May be Eligible for Federal-Aid and/or State-Aid, or Reimbursement From Bridge NY Funds.

WHEREAS, a project for the BRIDGE NY/Culvert, Replace culvert on Morner Road over Mill Creek, Town of East Greenbush, Rensselaer County, P.I.N. 1761.10 (the Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 0% Federal funds and 100% non-federal funds; and

WHEREAS, the Town of East Greenbush will design, let and construct the Project; and

WHEREAS, the Town of East Greenbush desires to advance the Project by making a commitment of 100% of the costs of the work for the Project or portions thereof;

now, therefore, be it

RESOLVED, that the Town Board of East Greenbush, duly convened does hereby approve the above-subject Project;

and be it further

RESOLVED, that the Town Board of East Greenbush hereby authorizes the payment of 100% of the cost of Design and Construction phases of work for the Project or portions thereof, with the understanding that qualified costs may be eligible for federal-aid, state-aid, or reimbursement from Bridge NY funds;

and be it further

RESOLVED, the Town Comptroller confirms that the prefunded financial impact prior to reimbursement is the sum of \$496,720.00 is hereby appropriated from Prefunded A-917 fund balance reimbursed thru revenue account code 3089.03.00.101 Morner Culvert and

appropriated pursuant to expense account code 51124.03.04.101 Morner Culvert and made available to cover the cost of participation in the above phase(s) of the Project;

and be it further

RESOLVED, that the Town Board of East Greenbush hereby agrees that the Town of East Greenbush shall be responsible for all costs of the Project which exceed the amount of federal-aid, state-aid, or NY Bridge funding awarded to Town of East Greenbush;

and be it further

RESOLVED, that in the event the Project costs not covered by federal-aid, state-aid, or NY Bridge funding exceed the amount appropriated above, the Town Board of East Greenbush shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof;

and be it further

RESOLVED, that the Town of East Greenbush hereby agrees that construction of the Project shall begin no later than twenty-four (24) months after award and the construction phase of the Project shall be completed within thirty (30) months;

and be it further

RESOLVED, that the Town Board of East Greenbush hereby authorizes the Town Supervisor to execute on behalf of the Town of East Greenbush all necessary agreements, certifications or reimbursement requests for federal-aid and/or state-aid with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the Town of East Greenbush's funding of Project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible;

and be it further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project;

and be it further

RESOLVED, this resolution shall take effect immediately.

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 B. Fritz	VOTED:

73-2020 A Resolution Authorizing Repairs to the Recycling Trailer at the Transfer Station

WHEREAS, the 1985 East Trailer at the Transfer Station that is used to haul recycled materials to a recycling company has become unserviceable due to corrosion on the trailer frame; and

WHEREAS, in accordance with the Town of East Greenbush purchasing policy, the Commissioner of Public Works solicited three quotes for the repair or replacement of the trailer frame, axles and hydraulic cylinder, and was able to obtain two quotes as other companies in this geographical area are not able to perform the type of work required including replacement of the hydraulic cylinder; and

WHEREAS, the lowest responsible quote was from Fleet Pride Truck and Trailer Parts in the amount of \$29,926.74 to install a new trailer frame, axles and hydraulic cylinder; and

WHEREAS, the Town of East Greenbush Purchasing Policy requires the purchases of \$10,000 or more require approval by the Town Board; and

WHEREAS, the Town Comptroller has confirmed that the financial impact of this resolution is \$29,926.74 from the Transfer Station charge code A8160.4 hopefully offset by increased revenue and decreased costs but if not depleting fund balance;

now, therefore, be it

RESOLVED, that the Town Board authorizes the Commissioner of Public Works to contract with Fleet Pride Truck and Trailer Parts to install a new trailer frame, axles and hydraulic cylinder in an amount not to exceed \$29,926.74.

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

Councilor B. Fritz	VOTED:
Councilor H. Kennedy	VOTED:
Supervisor J. Conway	VOTED:
Councilor T. Tierney	VOTED:
Councilor R. Matters	VOTED:

74-2020 A Resolution to Authorize a Public Auction of Surplus DPW Vehicle

WHEREAS, the Town Board of the Town of East Greenbush has received a request from the Commissioner of Public Works to declare the following DPW Vehicle as surplus:

One 1990 GMC 7000 Sewer Jet Truck, VIN Number: 1GDP701Y8KV518915

WHEREAS, said vehicle is not suited for any other Town Department; and

WHEREAS, the Town Comptroller asserts this resolution will have no negative financial impact;

now therefore, be it

RESOLVED that said vehicles listed are hereby declared as surplus;

and be it further

RESOLVED that the Commissioner of Public Works be authorized to conduct a public auction, sale or lawfully dispose of said surplus vehicles now owned by and in the custody of the East Greenbush Public Works Department.

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

Councilor H. Kennedy	VOTED:
Councilor R. Matters	VOTED:
Supervisor J. Conway	VOTED:
Councilor T. Tierney	VOTED:
Councilor B. Fritz	VOTED:

75-2020 A Resolution Authorizing the Town Supervisor to Sign an Agreement with H2M Architects and Engineers to Provide Professional Services in Connection with the Construction of Upgrades to the Third Avenue and Barracks Road Pump Stations

WHEREAS, in connection with growth and development along the Tempel Lane corridor, including the construction of Regeneron’s Tempel Lane Campus, the Town has identified the public need for the construction of certain improvements to the sanitary sewer collection and conveyance system; and

WHEREAS, these improvements include upgrades to the existing pump stations known as the Third Avenue Pump Station and the Barracks Road Pump Station (hereinafter “the pump stations”); and

WHEREAS, the public need for such improvements has been established in the agreement with Regeneron Pharmaceuticals, Inc. (the “Regeneron Development Agreement”) and the Amended SEQRA Findings Statement for Regeneron Pharmaceuticals, Inc. Tempel Lane Campus (November 20, 2018), both of which specify undertaking a number of important mitigation measures related to the development of Regeneron’s Tempel Lane Campus, including replacement of the pump stations; and

WHEREAS, the Amended SEQRA Statement of Findings issued in November of 2018 by the Town Board as lead agency addressed both the Regeneron Tempel Lane Campus and replacing the pump stations; and

WHEREAS, the Town Board in its Resolution 132-2019 authorized the Town Supervisor to execute the Agreement with Regeneron Pharmaceuticals (“Development Agreement”) under which the Town agreed to advance the Project and Regeneron agreed to supply funding to implement the Project, which is estimated to be \$9,200,000.00 according to the Development Agreement; and

WHEREAS, the Town has received and accepted (Resolution 132-2019) \$2.0 million in grant funding from Empire State Development in order to implement infrastructure projects with total cost of \$10,637,200 aimed at supporting the Town’s need to address growth and support economic development in the Tempel Lane Corridor (collectively the “Program”), which includes funding for replacing the pump stations; and

WHEREAS, in accordance with a recommendation from the Town’s GEIS Policy Committee, the Town Board previously authorized the use of a portion of the SEQRA mitigation fees paid to the Town by Regeneron for these mitigation projects (Resolution 132-2019), including replacement of the pump stations, as set forth in the Regeneron Development Agreement; and

WHEREAS, in order to advance the Program, the Town Board in its Resolution 181-2019 authorized the Director of Planning and Zoning to solicit proposals from qualified consultants for the aforementioned services needed to advance the aforementioned Program, including replacement of the pump stations; and

WHEREAS, on December 4, 2019, the Town issued RFP 19-11 seeking consultant services for the Third Avenue and Barracks Pump Station Upgrade, which will advance this portion of the Program; and

WHEREAS, the Town received six (6) proposals from firms qualified to provide services in connection with RFP 19-11 to advance the Project; and

WHEREAS, a selection committee evaluated the proposals received, created a short list of three (3) firms, conducted interviews with the short-listed firms, and has recommended that the Town Board select H2M Architects and Engineers, pursuant to their proposal submitted in response to RFP 19-11, to provide the requested services to advance the Project; and

WHEREAS, the Town Comptroller has confirmed that this resolution will be funded by GEIS fees as per the development agreement with Regeneron, now, therefore be it

RESOLVED, that the Town Board of the Town of East Greenbush hereby authorizes the Supervisor to enter into a contract with H2M Architects and Engineers to provide services to advance the pump station replacement following approval of said contract as to form by the Town Attorney; and

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 B. Fritz	VOTED:

76-2020 A Resolution Appointing Dalia Szarowicz as Stormwater Management Officer

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, in partial fulfillment of requirements under the SWMP and the SPDES permit, the Town’s Comprehensive Zoning Law includes “Section 3.13 Erosion, Sediment Control and Stormwater Management,” which has been certified by the Town’s Special Counsel as consistent with the NYSDEC model local law for stormwater discharges as required under the MS4 General Permit; and

WHEREAS, Section 3.13 broadly gives certain powers relating to stormwater management to Town personnel, including, at Section 3.13.16(C)(01), the “Town of East Greenbush Stormwater Management Officer”; and

WHEREAS, in the role of Planner in the Planning and Zoning Department, Dalia Szarowicz carries out certain tasks relating to implementing the Town’s SWMP, including tasks

relating to erosion and sediment control and stormwater management from construction sites and other land development activity; and

WHEREAS, Dalia Szarowicz possesses qualifications to perform in the role of Stormwater Management Officer, including knowledge of land development having majored in environmental design at the University at Buffalo, specific experience in this domain having served previously as the Stormwater Management Officer for the Town of Ballston and the Town of Malta, and certification in the principles and practices of erosion and sediment control having successfully completed the NYSDEC-endorsed Four-Hour Erosion and Sediment Control Training;

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

now therefore be it

RESOLVED, that Dalia Szarowicz is hereby appointed as Stormwater Management Officer in accordance with Town code.

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 B. Fritz	VOTED:

77-2020 A Resolution Authorizing the Town Supervisor to Sign a Trail Manager Maintenance Agreement with the Greenway Conservancy for the Hudson River Valley in Connection with the Albany Hudson Electric Trail

WHEREAS, the Greenway Conservancy for the Hudson River Valley ("Greenway") is leading an effort to construct the Albany Hudson Electric Trail ("AHET"), an approximately 36-mile multi-use path connecting the City of Rensselaer in Rensselaer County with the Town of Greenport in Columbia County with a portion of the Trail is situated in the Town of East Greenbush; and

WHEREAS, being a host community of the AHET is associated with public benefits, such as increasing accessibility of destinations by walking and by bicycling, additional recreation opportunities, and promotion of health associated with physical activity and green open space, and will be an element of the Town's Complete Streets network; and

WHEREAS, support within the Town for the AHET has existed since 2011, when the Town caused preparation of the "Albany-Hudson Electric Trail Feasibility Study – Final Report October 2011;" and

WHEREAS, the AHET is a part of the Empire State Trail and provides a key link between the Capital Region and the Mid-Hudson Valley; the Empire State Trail, when completed in 2020, will create a 750-mile biking and walking trail from New York City to Canada and from Albany to Buffalo; and

WHEREAS, the Town has been coordinating with the Greenway throughout the AHET design process and will continue to coordinate during the construction phase, which is anticipated to begin this month and end in November of this year; and

WHEREAS, as a host community, and in accordance with prior discussions with the Greenway, the Town will need to perform certain maintenance activities as outlined in the final

Albany-Hudson Electric Trail – Trail Maintenance Plan, dated December 30, 2019 (“Maintenance Plan”) and the Maintenance Agreement, which is attached hereto, as Trail Manager; and

WHEREAS, the Trail maintenance activities described in the Maintenance Plan and in the Maintenance Agreement apply only to off-road sections of the AHET trail, as maintenance of on-road sections of the AHET route remain the responsibility of the agency which owns the specific road section; and

WHEREAS, the Greenway has requested that the Town maintain a roughly 1,600’ segment of off-road trail in the Town of Schodack from approximately the Town of Schodack and Town of East Greenbush boundary to Old Miller Rd in the Town of Schodack, as the Town’s DPW forces can efficiently and with reasonable added marginal cost extend operations along this continuous off-road trail corridor; and

WHEREAS, the Department of Public Works possesses the skilled personnel and equipment, generally, to complete the maintenance activities as described in the Maintenance Plan, which equipment will be augmented by donation of lawn mowing equipment to be provided by the Greenway; and

WHEREAS, the Town Comptroller is unsure of the financial impact of this resolution now therefore be it

RESOLVED, that the Town Supervisor is hereby authorized to sign the attached Maintenance Agreement upon approval as to form by the Town Attorney; and be it further

RESOLVED, the Commissioner of Public Works is hereby authorized to cause to be maintained the aforementioned 1,600’ off-road trail segment situated within the Town of Schodack, as requested by the Greenway; and

The foregoing 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 B. Fritz	VOTED:

78-2020 A Resolution Authorizing the Town Supervisor to Sign a Grant of Permanent Easement in Connection with Construction of the Albany Hudson Electric Trail

WHEREAS, the Greenway Conservancy for the Hudson River Valley (“Greenway”) is leading an effort to construct the Albany Hudson Electric Trail (“AHET”), a portion of which is situated in the Town of East Greenbush; and

WHEREAS, the Town acknowledges the public benefits to be provided by the AHET, the AHET’s importance to the regional and statewide trail system, and has supported the AHET, construction of which the Greenway will complete this November, since at least 2011; and

WHEREAS, a portion of the AHET within the Town of East Greenbush is situated in lands owned by National Grid but which bisect lands held, variously, by TDT Realty Corp and Corellis Holding, LLC, lands which are currently used as a trucking terminal, creating the potential for conflicts among different modes as well as potential discomfort for trail users and operational challenges for the trucking business; and

WHEREAS, the Greenway has identified a proposed alternative alignment which bypasses the trucking terminal business (“AHET bypass realignment”), a map of which is attached hereto; and

WHEREAS, the proposed AHET bypass realignment must use a portion of lands of TDT Realty Corp and may use lands of other landowners as may be identified by the Greenway as necessary to implement the AHET bypass realignment; and

WHEREAS, the Greenway requires a permanent easement with any property owner(s) involved in the proposed AHET bypass realignment, a draft copy of which is attached hereto; and

WHEREAS, the Greenway has requested, in order to facilitate progress constructing the AHET, that the Town be named the grantee of the rights necessary for construction of the AHET bypass realignment as identified in the permanent easement to be provided by the Greenway; and

WHEREAS, the Town Comptroller is unsure of the financial impact of this resolution now therefore be it

RESOLVED, that the Town Supervisor is hereby authorized to sign a grant of permanent easement with any landowners involved in the aforementioned AHET bypass realignment to be provided by the Greenway upon approval as to form by the Town Attorney; and

The foregoing 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 B. Fritz	VOTED:

79-2020 A Resolution to Establish an Ambulance District Fee Schedule for 2020

WHEREAS, the East Greenbush Town Board, on behalf of the East Greenbush Ambulance District, is required to approve flat fees and rates to be charged by the District for ambulance and emergency-medical services rendered by the District’s service provider, W.F. Bruen Emergency Squad, Inc.; and

WHEREAS, the W.F. Bruen Emergency Squad has submitted a recommended for the Town Board’s consideration; and

WHEREAS, the recommendation to the Town Board includes the following Fee Schedule:

Basic Life Support	\$900.00
Advanced Life Support	\$1,100.00
Advanced Life Support II	\$1,300.00
Mileage	\$20.00/mile

WHEREAS, the Town Comptroller is unsure of the financial impact of this resolution now, therefore, be it

RESOLVED, that the Fee Schedule recommended by the W.F. Bruen Emergency Squad is accepted and approved by the Town Board of the Town of East Greenbush.

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

Councilor R. Matters	VOTED:
Councilor H. Kennedy	VOTED:
Supervisor J. Conway	VOTED:
Councilor T. Tierney	VOTED:
Councilor B. Fritz	VOTED:

ADJOURNMENT

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

Supervisor J. Conway	VOTED:
Councilor H. Kennedy	VOTED:
Councilor T. Tierney	VOTED:
Councilor R. Matters	VOTED:
Councilor B. Fritz	VOTED:

DRAFT