



# The Town of East Greenbush

225 Columbia Turnpike, Rensselaer, New York 12144

## TOWN BOARD AGENDA May 15, 2019

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

### Members of Town Board

Present	Absent	
<input type="checkbox"/>	<input type="checkbox"/>	Supervisor J. Conway
<input type="checkbox"/>	<input type="checkbox"/>	Councilor T. Tierney
<input type="checkbox"/>	<input type="checkbox"/>	Councilor H. Kennedy
<input type="checkbox"/>	<input type="checkbox"/>	Councilor R. Matters
<input type="checkbox"/>	<input type="checkbox"/>	Councilor B. Fritz

### Communications/Announcements/Reports

**Open Public Privilege:** NOTE – Each speaker may choose to state name and address prior to addressing the Board and shall be granted the floor for up to five minutes. The Board thanks everyone in attendance for their understanding and also for their desire to actively participate in the decision making process. All speakers must conduct themselves in a civil manner. Personal attacks will not be tolerated.

### Resolutions and Proposals by Town Board Members:

#### 99-2019      **A Resolution to Approve Meeting Minutes**

**WHEREAS**, the minutes of Town Board meetings, as provided in §106 of Article 7 of the New York Public Officers Law, shall be approved by the Board prior to them being finalized, deemed official and disseminated to the public by the Town Clerk; and

**WHEREAS**, that the minutes of the regular Town Board Meeting held on April 17, 2019 have been presented; and

**WHEREAS**, the Town Board has reviewed these minutes and any necessary corrections have been made;

now, therefore, be it

**RESOLVED**, that the minutes of the regular Town Board Meeting held on April 17, 2019 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:

**100-2019       A Resolution to Recognize May 2019 as Mental Health Awareness and Trauma Informed Care Month**

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

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

**WHEREAS**, research recognizes that adverse childhood experiences (ACEs), which include, but are not limited to physical, emotional and sexual abuse, physical and emotional neglect, household dysfunction, untreated mental illness, or incarceration of a household member, domestic violence, and separation or divorce involving household members, are traumatic experiences that can have a profound effect on a child’s developing brain and body and can result in poor physical and mental health during childhood and adulthood; and

**WHEREAS**, studies show that the effects of ACEs are felt by people regardless of race, ethnicity, religion, gender, sexual orientation, or socio-economic status and stigma and stereotypes associated with mental illnesses often keep people from seeking treatment that could improve their quality of life; and

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

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

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

now, therefore, be it

**RESOLVED**, that May 2019, is hereby proclaimed as Mental Health Awareness and Trauma Informed Care month in the Town of East Greenbush.

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

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

**101-2019 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 are 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:

**102-2019 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 are 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 it is further

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:

**103-2019 A Resolution to Approve the Appointment of Summer Camp Staff to the Community and Recreation Department**

**WHEREAS**, the Community and Recreation Department advertised for summer camp staff, accepted applications and conducted interviews before deciding to submit the names below to the Town Board; and

**WHEREAS**, the Town Comptroller confirms that this proposed Town Board action has been planned for in the 2019 Budget and shall pose no material impact to the Town's finances; now, therefore, be it

**RESOLVED**, that the candidates listed below are appointed to serve as Summer Camp Staff for the 2019 season.

Emily Dick	Assistant Director: Special Education	\$13.00/hr
Bailey Curuso	Assistant Director: Health/Community and Rec Office Asst	\$13.00/hr
Kara Blakeman	Assistant Director: Activities/CIT Trainer	\$13.00/hr
Joshua Lansing	Assistant Director: Sports/Health	\$13.00/hr
Elgin Scalzi	Assistant Director: After Care	\$13.00/hr

Tess Mulvey	WSI/Lifeguard/Senior Counselor/Health Assistant	\$12.00/hr
Camryn McHale	Senior Counselor/Activity Leader	\$12.00/hr
Mike Iula	Senior Counselor/Activity Leader	\$12.00/hr
Sarah Smith	Counselor	\$11.25/hr
Gregory Smail	Counselor	\$11.25/hr
Danielle Wagoner	Counselor	\$11.25/hr
Mason Albert	Counselor	\$11.25/hr
Kelsey Hall	Counselor	\$11.25/hr
Shelby McCabe	Counselor	\$11.25/hr
Leah Tubbs	Counselor	\$11.25 /hr
Nick Iula	Counselor	\$11.25/hr
Allison Wagoner	Counselor	\$11.25 /hr
Molly Tessoriero	Counselor	\$11.25/hr
Chase Durivage	Counselor	\$11.10 /hr
Matthew Beattie	Counselor	\$11.10 /hr
Caitlin Lallier	Counselor	\$11.10/hr
Julia Lindemann	Counselor	\$11.10/hr
Brandon Dinovo	Counselor	\$11.10/hr
Nicholas Gabriel	Counselor	\$11.10/hr
Paige Breig	Counselor	\$11.10/hr
Liam Dougherty	Counselor	\$11.10/hr
Meghan Dougherty	Counselor	\$11.10/hr
Jessica Borst	Counselor	\$11.10/hr
Alyssa Pitcherelle	Counselor	\$11.10/hr
Logan Poli	Counselor	\$11.10/hr
Savanna Roehr	Counselor	\$11.10/hr
Victoria Hamilton	Counselor	\$11.10/hr
Jackson Lentz	Counselor	\$11.10/hr
Juliana Fiacco	Counselor	\$11.10/hr
Amanda Lobban	Counselor	\$11.10/hr
Emma Walters	Counselor	\$11.10/hr
Mariah Macary	RN- Part Time	TBD

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:

**104-2019 A Resolution to Resolve a Tax Certiorari Case on Property Owned by Wal-Mart Real Estate Trust**

**WHEREAS**, Wal-Mart Real Estate Trust #1940 and the Town of East Greenbush are desirous of having certain assessment issues resolved as to property owned by Wal-Mart Real Estate Trust #1940 in the Town of East Greenbush; and

**WHEREAS**, a settlement proposal resolving tax certiorari litigation was recommended by the Vincelette Law Firm, special counsel to the Town of East Greenbush, and reviewed by the East Greenbush Town Board at its regular monthly meeting; and

**WHEREAS**, such a proposed settlement would present the parties with an expeditious and economic alternative to further litigation so as to resolve issues between the parties, and

**WHEREAS**, the Town Board has determined that the proposed settlement is in the best interests of the Town; 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 does hereby accept a proposed settlement for the 2017 and 2018 tax certiorari proceeding filed by Wal-Mart Real Estate Trust #1940 in which the 2017 and 2018 assessed value of the subject property shall remain the same and the 2019 value shall be set as follows:

<b>Tax Map No.</b>	<b>Address</b>	<b>2019 Assessment</b>
144.-4-42.1	277-279 Troy Road	\$18,262,900

Real Property Tax Law §727 shall apply, and the assessment shall remain unchanged for the 2020, 2021 and 2022 assessment rolls;

and be it further

**RESOLVED**, that the Town Board does hereby adopt this resolution to end the litigation between Wal-Mart Real Estate Trust #1940 and the Town of East Greenbush as to the above referenced assessment.

The foregoing 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:

**105-2019 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 2011Ford Crown Victoria VIN 2FABP7BV48X124417  
(TownID#305)

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

**WHEREAS**, the Town Comptroller has determined 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 be and hereby 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:

**106-2019      A Resolution to Schedule a Public Hearing Relative to the Acceptance and Approval of the Town of East Greenbush Natural Resources Inventory 2019**

**WHEREAS**, the East Greenbush Natural Resources Work Group (NRWG) established by Resolution 42-2018 has prepared a *Town of East Greenbush Natural Resources Inventory 2019 (NRI)* to assist the Town, its various Agencies and Boards and the Public in identifying and considering important resources located within the Town; 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 NRI can provide information to designate critical environmental areas, develop and implement a municipal open space plan, amend existing zoning and subdivision regulations, evaluate the effects of proposed land use and zoning changes, inform environmental review of development proposals, and document current conditions so changes over time can be assessed; and

**WHEREAS**, the NRI was made possible by an award from the DEC Hudson River Estuary Program through a partnership with Cornell University at no cost to the Town by providing guidance to the work group, assistance with data acquisition and management, creation of resource maps, and review of the NRI report; and

**WHEREAS**, NRWG volunteers Victoria Manieri (Chair), Jennifer Dean, Jennifer Hixon, Nancy Kupiec, and Bob Wood participated in monthly meetings, reviewed and guided revision of the resource maps, wrote the NRI report, and conducted public outreach; and

**WHEREAS**, technical assistance to the NRWG was provided by DEC Conservation and Land Use Specialist Ingrid Haeckel, the NRI maps were created by Cornell University intern Andrew Varuzzo, and supported by Town Director of Planning and Zoning Adam Yagelski; and

**WHEREAS**, Rensselaer Land Trust contributed data and interpretation from the 2018 *Rensselaer County Land Conservation Plan*; and

**WHEREAS**, the NRI is posted in its entirety on the Town’s web site for access by the public; and



**WHEREAS**, the NRI data files belong to the Town of East Greenbush and can therefore be updated as necessary in the future; 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 a public hearing on the acceptance and approval of the *Town of East Greenbush Natural Resources Inventory 2019* is scheduled for Wednesday, June 12, 2019 at 5:45 p.m. at the East Greenbush Town Hall.

The forgoing 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:

#### **107-2019 A Resolution to Adopt the Town's 2018-2019 Annual MS4 Report**

**WHEREAS**, the Town of East Greenbush is subject to Municipal Separate Storm Sewer System (MS4) Phase II requirements of SPDES General Permit GP-0-15-003 stormwater management requirements of the National Pollutant Discharge Elimination System (NPDES), for the development and adoption of an Annual Report; and

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

**WHEREAS**, a public hearing was held on May 8, 2019; and

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

now, therefore, be it

**RESOLVED**, that the Town Board of the Town of East Greenbush, County of Rensselaer, State of New York, does hereby adopt the Town's 2018-2019 Annual Report for Phase II SPDES General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4), GP-0-15-003.

The foregoing resolution was duly moved by Councilor 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:

**108-2019      A Resolution Authorizing the Supervisor to Enter Into an Agreement with Regeneron Pharmaceuticals, Inc.**

**WHEREAS**, Regeneron Pharmaceuticals, Inc. has two campuses in the Town of East Greenbush, one at Discovery Lane and one at Tempel Lane, and operates a third facility in the Town of East Greenbush located at 26 Tech Valley Drive; and

**WHEREAS**, the Town of East Greenbush has been carefully reviewing and approving the facilities that have been constructed by Regeneron in the Town; and

**WHEREAS**, Regeneron intends to construct further facilities particularly at the Tempel Lane Campus and the Town has adopted an amended SEQRA Findings Statement in November of 2018 that represented a comprehensive environmental review of these proposed facilities; and

**WHEREAS**, the amended SEQRA Findings Statement required Regeneron to undertake a number of important mitigation measures related to traffic and to sewer facilities in the Town, including but not limited to, the re-construction of Tempel Lane which was also a condition of the wider Western East Greenbush GEIS adopted for that area of the Town on July 8, 2009, some intersection improvements and the reconstruction of two, existing Town-owned sewer pump stations; and

**WHEREAS**, the Town has also through the wider GEIS process imposed SEQRA mitigation fees on applicants, including Regeneron, for the improvement of traffic and sewer facilities; and

**WHEREAS**, the State of New York through Empire State Development Corporation (ESD) has also granted to the Town and Regeneron a Regional Council Award/Incentive Proposal – a copy of the grant award Incentive Proposal is attached, and the funds received through this grant will also be applied to the building of the Tempel Lane Extension as enumerated in the Agreement; and

**WHEREAS**, the record-keeping and other requirements associated with the ESD incentive grant and the Town’s desire to provide for the orderly implementation of the mitigation projects, all as contemplated in the overall environmental reviews already undertaken by the Town Board as SEQRA lead agency, has led the Town and Regeneron to seek to enter into the attached Agreement and for the Town to accept the incentive proposal provided by ESD; and

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

**WHEREAS**, the Town Comptroller has confirmed that this resolution will be funded by Generic Environmental Impact Statement (GEIS) funds, as approved by the GEIS Committee; now, therefore, be it

**RESOLVED**, that the Town of East Greenbush Town Board as SEQRA lead agency hereby determines that the existing environmental record set forth above including the amended SEQRA Statement of Findings adopted by the Town Board on November 19, 2018 (Resolution number 224-2018) remains sufficient for the evaluation of the potential environmental impacts and mitigation required for the Tempel Lane Campus of Regeneron; and be it further

**RESOLVED**, that the Town Board hereby approves the attached Regeneron Agreement and authorizes the Town Supervisor to execute the attached Agreement with Regeneron Pharmaceuticals, Inc.; and be it further

**RESOLVED**, that the Town Board hereby accepts the ESD Incentive Proposal and authorizes the Town Supervisor to execute any necessary documents to accept the Incentive Proposal;

and be it further

**RESOLVED**, that the Town Board authorizes the use of a portion of the SEQRA mitigation fees paid to the Town by Regeneron for these mitigation projects as set forth in the attached Regeneron Development Agreement.

This 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:

**109-2019      A Resolution to Schedule a Public Hearing on the Local Law Amending the “Pinecrest Plaza” Planned Development District and the Major Site Development Application for the PDD Amendment (PZD #18-29)**

**WHEREAS**, the Town of East Greenbush is in receipt of an application for a commercial development site plan approval and a PDD amendment submitted by SHS Holdings, LLC—George Shannon; and

**WHEREAS**, the Pinecrest PDD is shown on the zoning map of the Town of East Greenbush and the Pinecrest Commercial Park within the PDD is located at 1 Springhurst Drive, Tax Map Parcel No. 177.08-4-11.121, and will consist of the construction of two (2) commercial buildings totaling approximately 24,000 square feet and related site improvements; and

**WHEREAS**, the Pinecrest PDD was established by resolution of the Town of East Greenbush Town Board, after the adoption of an EIS and SEQRA findings, on August 2, 1990 and all but the commercial portion of the project has been constructed; and

**WHEREAS**, on April 17, the Town Board accepted for the Pinecrest Plaza, the complete applications for a major commercial development site plan and for a major PDD amendment and referred the applications to the Town Planning Board for their recommendation; and

**WHEREAS**, pursuant to Section 2.9.8 of the Comprehensive Zoning Law of the Town of East Greenbush, any application for creation of a Planned Development District to accommodate commercial or light industrial uses shall be a type 1 action under SEQRA; and

**WHEREAS**, a Full EAF has been prepared for this type 1 SEQRA application and the Town Board declared its intent to be lead agency on December 19, 2018 (resolution 244-2018) and intends to coordinate the lead agency status and to seek comments from other involved and interested agencies; and

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

now, therefore, be it

**RESOLVED**, that the proposed local law has been introduced and that the Town Board directs that a public hearing be noticed by the Town Clerk as required by law on the proposed local law amending the original Pinecrest PDD and establishing it as Pinecrest Plaza PDD major amendment with the public hearing to be held at the Town Offices at 225 Columbia Turnpike on June 12, 2019 5:30 p.m.;

and be it further

**RESOLVED**, that the Town Staff be directed to provide the Full EAF Part 1, the application for major site development plan approval, and the proposed local law amending the PDD to the involved and interested agencies and to Rensselaer County Planning, all of these documents having previously been referred to the Town Planning Board.

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

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

**110-2019 A Resolution Authorizing a Three Month Rental of a Vacuum Truck – Hydraulic Excavator**

**WHEREAS**, the Town of East Greenbush requires the use of a Vacuum Truck-Hydraulic Excavator to hydro-excavate meter pits and water lines as part of the Hampton Manor capital project, water main repair, and to clean and flush storm sewers as part of maintenance and MS-4 compliance; and

**WHEREAS**, the Commissioner of Public Works has requested quotes for a three-month rental of a Vacuum Truck, and the lowest responsible quote was from Peirce Eagle Equipment Company in the amount of \$9,275 monthly for a three month total of \$27,825.00; and

**WHEREAS**, the Town of East Greenbush Purchasing Policy requires 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 \$27,825.00 the cost of which will be split 60% between the Hampton Manor Water Capital Project 83204.03.04.60 for \$16,694, 30% Consolidated Water District (83404.05) for \$8,348, and 10% Highway Department General Repairs (51104.02) for \$2,783;

now, therefore, be it

**RESOLVED**, that the Town Board authorizes the Commissioner of Public Works to rent a Vacuum Truck – Hydraulic Excavator from Peirce Eagle Equipment Company in an amount not to exceed \$27,825.

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

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

**111-2019 A Resolution to Establish a Required Immunization Policy for the Town's Summer Camp**

**WHEREAS**, subpart 7-2 of New York State Sanitary Code requires camps to maintain immunization records for all campers; and

**WHEREAS**, there has been an increase in the number of cases of vaccine-preventable diseases in the United States over the past several years; and

**WHEREAS**, the State of New York is experiencing the largest outbreak of measles in more than two decades; and

**WHEREAS**, measles is a highly infectious disease that can be spread rapidly, especially in a camp setting where groups of children congregate; and

**WHEREAS**, the Town has an obligation to provide a safe and healthy environment for all campers and staff members; and

**WHEREAS**, the best protection against measles, as well as, all vaccine preventable diseases is broad vaccination coverage;

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

now, therefore, be it

**RESOLVED**, that the attached immunization policy is adopted by the Town Board and will be in effect as of May 16, 2019 for all campers and staff members attending the East Greenbush Summer Camp.

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 T. Tierney	VOTED:
Councilor R. Matters	VOTED:

**112-2019 A Resolution Designating a Portion of Lakeshore Drive from Onderdonk Park to Hampton Lake Park as One-Way for the Period of May 28, 2019 through September 3, 2019, the Installation of Necessary Signage and Traffic Control Devices to Safely and Appropriately Accomplish the Same**

**WHEREAS**, this resolution was not able to be submitted in time to be considered on the regularly scheduled pre-board meeting of May 8, 2019 and was subsequently presented to the Town Board on May 10, 2019; and

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

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

now therefore, be it

**RESOLVED**, that Lake Shore Drive from Onderdonk Park to Hampton Lake Park shall be designated one-way during the period from May 28, 2019 through September 3, 2019, with the Commissioner of Public Works installing the appropriate signage to advise users of this designation

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

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

**113-2019 A Resolution to Appoint a Seasonal Intern in the Sewer Department**

**WHEREAS**, this resolution was not able to be submitted in time to be considered on the regularly scheduled pre-board meeting of May 8, 2019 and was subsequently presented to the Town Board on May 15, 2019; and

**WHEREAS**, the Department of Public Works has been approached by Stephen Reilly seeking a position as a Seasonal Intern in the Sewer Department during the summer months to assist in addressing the backlog of preventative maintenance; and

**WHEREAS**, the Public Works Commissioner has interviewed Stephen Reilly and found him to be an ambitious college student pursuing a degree in Mechanical Engineering who would be an asset to the Sewer Department; and

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

**RESOLVED**, that the Town Board confirms the appointment of Stephen Reilly effective May 16<sup>th</sup>, 2019, as an intern with no hourly wage. This appointment will end not later than October 15<sup>th</sup>, 2019 as per the CSEA Collective Bargaining Agreement.

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:

**114-2019 A Resolution Appointing Christine Horne to the Planning Board of the Town of East Greenbush**

**WHEREAS**, this resolution was not able to be submitted in time to be considered on the regularly scheduled pre-board meeting of May 8, 2019 and was subsequently presented to the Town Board on May 15, 2019; and

**WHEREAS**, there are currently two vacancies on the Planning Board, making it difficult to reach a quorum for meetings and votes; and

**WHEREAS**, Matt Polsinello resigned from a term on the Planning Board that was to run until December 31, 2021; and

**WHEREAS**, Christine Horne applied for a position on the Board and was found to be well-qualified; and

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

**RESOLVED**, that Christine Horne is appointed to the Planning Board of the Town of East Greenbush to finish the term vacated by Matt Polsinello and is appointed from the time when this resolution is passed until December 31, 2021.

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:

**115-2019 A Resolution to Make Awards for the Court Room and Justice Court Office Renovation**

**WHEREAS**, the Town authorized the Director of Finance to solicit bids for renovations to the Town Hall Court Room and Justice Court Office in Resolution 97-2019; and

**WHEREAS**, the Director of Finance opened submitted sealed bids on Monday, May 13, 2019 and reviewed submissions with the Deputy Commissioner of Public Works for completeness and met with the lowest responsible bidder to review the bid; and

**WHEREAS**, the Office of Court Administration determined that the bid needed to be awarded prior to May 26, 2019 and construction is to begin on June 21<sup>st</sup>, it is imperative that these bids are awarded to begin the process; and

**WHEREAS**, the following were submitted as the lowest responsible and responsive bid for the respective options with the pricing as follows:

<b>Project Phase</b>	<b>Price</b>	<b>Vendor</b>
<b>General Construction:</b>	\$40,500.00	DES Interiors
<b>Option 1 – Dais:</b>	\$15,400.00	DES Interiors
<b>Option 2 – Chairs:</b>	\$6,035.22	Tech Valley Office Interiors
<b>Option 3 – Flooring:</b>	\$3.90/sq ft (approx. \$7,900)	DES Interiors
<b>Option 4 – Community Room Storage:</b>	\$9,300.00	DES Interiors
<b>Option 5 – Court Room Security Door:</b>	\$5,400.00	DES Interiors
<b>Option 6 – Column Removal</b>	--Not Awarding--	
<b>Estimated Total (based on sq ft estimates)</b>	<b>\$84,535.22</b>	

**WHEREAS**, the OCA grant award amount is \$53,827.54, which would leave approximately \$30,000.00 to be the responsibility of the Town, the final amount to be determined upon invoicing;

**WHEREAS**, the Town Comptroller hereby confirms that there will be a material impact on the Town's finances not to exceed \$40,000.00 and charged to Budget Code 11104.01.004.00 as part of the requirement to contribute funds for areas that will be utilized for more than just Justice Court operations; and

now, therefore, be it

**RESOLVED**, that the Town Board of the Town of East Greenbush hereby awards the bids for DES Interiors and Tech Valley Office Interiors are awarded the bids for the Court Room and Justice Court Office Renovation Bid.

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

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

#### **ADJOURNMENT**

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

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



## **Town of East Greenbush Summer Camp Immunization Policy**

### **I. Requirements for Admission**

1. The Town shall not admit a child to Summer Camp unless a person in parental relation to the child has furnished the Camp with one of the following:

(a) A certificate of immunization from a health care practitioner documenting that the child has been fully immunized. The certificate of immunization required in this Subpart shall be prepared and signed by a health practitioner licensed in New York State and shall specify the products administered and the dates of administration. It may also show physician, nurse practitioner, or physician assistant-verified history of varicella disease and/or laboratory evidence of immunity to measles, mumps, rubella, varicella, Hepatitis B and all 3 serotypes of poliomyelitis contained in the polio vaccines. A record issued by NYSIIS, an official immunization registry from another state, an electronic health record, and/or an official record from a foreign nation may be accepted as a certificate of immunization without a health practitioner's signature.

(b) Documentation that the child is in process of receiving immunizations as listed in afore mentioned (a.) The Town Services Coordinator and the Camp Directors or staff shall not refuse to admit a child to camp, based on immunization requirements, if that child is in process.

(c) A signed, completed sample medical exemption form issued by the NYSDOH or a signed statement from a physician licensed to practice medicine in New York State certifying that immunization may be detrimental to the child's health, containing sufficient information to identify a medical contraindication to a specific immunization and specifying the length of time the immunization is medically contraindicated. The medical exemption must be reissued annually. The Town Services Coordinator or Camp Directors may require additional information supporting the exemption.

(d) Request for Religious Exemption to Immunization, a written and signed statement from the parent, parents or guardian of such child, stating that the parent, parents or guardian objects to their child's immunization because of sincere and genuine religious beliefs which prohibit the immunization of their child, in which case the Town Services Coordinator or Camp Directors may require supporting documents.

2. At a minimum campers shall meet the same requirements as school-aged children as indicated in the attached immunization chart.

### **II. Requirements for Staff Members**

1. The Town shall not employ individuals at Summer Camp unless said individual or their parent for staff under the age of 18 have furnished the Camp with one of the following:

(a) A certificate of immunization from a health care practitioner documenting that the child has been fully immunized. The certificate of immunization required in this Subpart shall be prepared and signed by a health practitioner licensed in New York State and shall specify the products administered and the dates of administration. It may also show physician, nurse practitioner, or physician assistant-verified history of varicella disease and/or laboratory

evidence of immunity to measles, mumps, rubella, varicella, Hepatitis B and all 3 serotypes of poliomyelitis contained in the polio vaccines. A record issued by NYSIIS, an official immunization registry from another state, an electronic health record, and/or an official record from a foreign nation may be accepted as a certificate of immunization without a health practitioner's signature.

(b) Documentation that the employee is in process of receiving immunizations as listed in aforementioned (a.) The Town shall not refuse to employ staff at camp, based on immunization requirements, if that individual is in process.

(c) A signed, completed sample medical exemption form issued by the NYSDOH or a signed statement from a physician licensed to practice medicine in New York State certifying that immunization may be detrimental to the individual's health, containing sufficient information to identify a medical contraindication to a specific immunization and specifying the length of time the immunization is medically contraindicated. The medical exemption must be reissued annually. The Town may require additional information supporting the exemption.

(d) Request for Religious Exemption to Immunization, a written and signed statement from the individual or parents or guardian of potential employees under the age of 18, stating that the individual or the parent or guardian of potential employees under the age of 18 object to their or their child's immunization because of sincere and genuine religious beliefs which prohibit their immunization, in which case the Town may require supporting documents.

2. At a minimum, immunizations shall include:

- 2 measles, mumps, and rubella (MMR) vaccine doses
- 1 Tetanus, diphtheria, and acellular pertussis (Tdap) vaccine booster dose within the last 10 years and
- 2 Varicella vaccine doses.

Hepatitis B vaccine is recommended for staff with reasonably anticipated risk for exposure to blood or body fluids.

### **III. Exclusion in the Event of an Outbreak**

1. For those diseases listed in I (a) only, in the event of an outbreak, of a vaccine-preventable disease camp, the NYS Department of Health may order the appropriate Town to exclude from attendance all campers and/or staff who either have been exempted from immunization or are in the process of receiving required immunizations.
2. The exclusion shall continue until the Department of Health determines that the danger of transmission has passed.
3. The Town Summer Camp must maintain a list of susceptible campers and staff who should be excluded from attendance in the event of an outbreak of vaccine preventable disease. This list must include all students who have been excused from immunization and students who are in the process of completing immunization series or awaiting the results of serologic testing for any vaccine preventable disease. The list shall be updated each time a new camper enrolls in the camp or a camper's or staff member's immunization status changes.

#### **IV. Monitoring for Measles**

1. Subpart 7-2 of the NY State Sanitary Code requires camp safety plans to include an initial health screening of all campers. Each camper will be screened for measles symptoms prior to the start of camp entry by asking the parent or guardian if the camper has had any recent illness symptoms in the preceding four days. Asking if the camper has had any close family members or other close contacts with measles or with symptoms in the preceding 21 days. If the camper has a positive screen the camper will not be permitted to enter camp or a camp transportation vehicle without clearance from a healthcare provider.
2. Unvaccinated campers or those with only one dose of MMR with a known measles exposure will be excluded from camp and the Rensselaer County Health Department will be notified. Campers with two documented doses of MMR vaccine with a known exposure to measles will be monitored closely while at camp for any developing signs or symptoms of measles.