



The Town of East Greenbush

225 Columbia Turnpike, Rensselaer, New York 12144

TOWN BOARD AGENDA

PRE-BOARD MEETING

March 14, 2018

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 G. Warner

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.

**Presentation: Tyler Culberson, Steve Hart – Town Center PDD
Jessica Lansing – New Building at Town Park**

Schedule of Meeting:

52-2018 A Resolution to Approve Meeting Minutes

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

WHEREAS, that the minutes of the regular Town Board Meeting held on February 21, 2018 have been presented; and

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

now, therefore, be it

RESOLVED, that the minutes of the regular Town Board Meeting held on February 21, 2018 are hereby approved as submitted.

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

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

53-2018 A Resolution Recognizing April 8 -14, 2018 as National Library Week in the Town of East Greenbush and Acknowledging the Contributions of the East Greenbush Community Library to the Cultural Life of the Town

WHEREAS, National Library Week is a national observance sponsored by the American Library Association (ALA) as a time to celebrate the contributions of our nation’s libraries and librarians, and to promote library use and support for all types of libraries including school, public, academic and special libraries; and

WHEREAS, National Library Week was first sponsored in 1958 by the National Book Committee because research showed that Americans were spending less time with books and more time learning from radios and television; and

WHEREAS, a plan was established to encourage people to read in their increasing leisure time which was thought to improve incomes and health, and help develop a strong and happy family life; and

WHEREAS, the plan included the establishment of National Library Week and the idea that once people were motivated to read they would use and support libraries, which would, in turn, support the effort to encourage people to spend more time reading; and

WHEREAS, the East Greenbush Community Library is an important community institution that makes a significant contribution to the cultural life of the Town of East Greenbush and the Town Board wants to recognize these efforts; now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush recognizes April 8 - 14, 2018 as National Library Week in the Town of East Greenbush; and, be it further

RESOLVED, that the Town Board recognizes and thanks the East Greenbush Community Library for their contributions to the cultural life of the Town of East Greenbush.

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

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

54-2018 A Resolution to Approve the Appointment of Junior and Senior Summer Camp Directors to the Community & Recreation Services Department

WHEREAS, the Town Board recognizes the importance of the key position, Camp Director to the Department of Community and Recreation; and

WHEREAS, the Town Camp is split into a Junior and Senior Camp for 2018 with requirements for both sections; and

WHEREAS, The Town Controller confirms that these positions were budgeted in 2018 in account code 73101.01.01;
now, therefore, be it

RESOLVED, that Zachary Kuhn and Tyler VanCour-Bryant, be hereby appointed to the position of Co-Camp Directors at a rate of \$15.00 per hour effective March 22, 2018 through Sept. 1st, 2018 and consistent with all the terms and conditions of this position as previously set forth by the Town Board.

and be it further

RESOLVED, that Human Resource Manager will take all necessary steps to process the personnel transaction authorized by this resolution.

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

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

55-2018 A Resolution Authorizing the Town of East Greenbush to Award BID # 18-04 to _____ for General Contracting Service to Construct a New Building at the Town Park

WHEREAS, the Town Board has approved the solicitation of Bids for a new park building at the Town Park (Resolution # 37-2017), and

WHEREAS, based upon the bid proposals received it was determined that _____ is the best value proposal, and

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

RESOLVED, that the Town Board authorizes the Town Supervisor to enter into contract with _____ for general contracting services to construct a new building at the Town Park.

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

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

56-2018 A Resolution to Adopt a Local Law Establishing the Sun Oil Road Planned Development District

WHEREAS, 19 Sun Oil Road, LLC (the “Applicant”) has filed an application for the establishment of a Planned Development District in connection with the proposed development of an asphalt manufacturing facility (the “Project”) in the Town of East Greenbush; and

WHEREAS, the location where the Applicant proposes to develop the Project, at 19 Sun Oil Road in the Town, is currently zoned Coastal Industrial; and

WHEREAS, the Town Board of the Town of East Greenbush (the “Town Board”) duly appointed itself as lead agency under the State Environmental Quality Review Act (“SEQRA”) for the environmental review of the Project; and

WHEREAS, the Town Board, after thorough review, has adopted a Conditioned Negative Declaration pursuant to SEQRA for the Project, establishing a number of conditions for the Project; and

WHEREAS, the Town Planning Board has reviewed the application materials and has recommended to the Town Board that the Town Board approve a local law, annexed hereto and made a part hereof, for the creation of the Sun Oil Road Planned Development District; and

WHEREAS, that the Town Board duly scheduled and conducted a public hearing on the proposed local law on February 21, 2018; and

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

now, therefore, be it

RESOLVED, that Local Law No. 2 of 2018 is hereby approved;

and be it further

RESOLVED, that Local Law No. 2 of 2018 be filed as required by applicable provisions of law.

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

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

57-2018 A Resolution to Approve a Site Plan for the Sun Oil Road Planned Development District

WHEREAS, 19 Sun Oil Road, LLC (the “Applicant”) has filed an application for site plan approval and establishment of a Planned Development District in connection with the proposed development of an asphalt manufacturing facility (the “Project”) in the Town of East Greenbush; and

WHEREAS, the Applicant proposes to develop the Project, at 19 Sun Oil Road in the Town, in accordance with the following plans: _____; and

WHEREAS, the Town Board of the Town of East Greenbush (the “Town Board”) duly appointed itself as lead agency under the State Environmental Quality Review Act (“SEQRA”) for the environmental review of the Project; and

WHEREAS, the Town Board, after thorough review, has adopted a Conditioned Negative Declaration pursuant to SEQRA for the Project, establishing a number of conditions for the Project; and

WHEREAS, the Town Board duly noticed and conducted a public hearing on the proposed site plan on February 21, 2018; and

WHEREAS, on March 21, 2018, the Town Board approved the creation of the Sun Oil Road Planned Development District; and

WHEREAS, the Town Planning Board has reviewed the application materials and has recommended to the Town Board that the Town Board approve the site plan; and

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

now, therefore, be it

RESOLVED, hereby approves the site plan, as described in _____.

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

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

58-2018 A Resolution Adopting the SEQRA Findings Statement for the East Greenbush Tech Park

WHEREAS, Greenbush Associates LLC (the “Applicant”) has submitted applications for a zoning amendment (from Corporate Office to Planned Development District), subdivision and site plan approval and related information for the proposed Part 2 of the East Greenbush Tech Park on Mannix Road and Tech Valley Drive in the Town of East Greenbush (the “Project”); and

WHEREAS, the Town Board expressed to other potentially involved agencies its desire to serve as lead agency under the State Environmental Quality Review Act (“SEQRA”) for the coordinated environmental review of the Project, and such potentially involved agencies either concurred with the Town Board serving as lead agency or failed to respond within the prescribed time period; and

WHEREAS, the Town Board designated itself as lead agency for the SEQRA review of the Project, determined that the Project may have a significant adverse impact on the environment, and adopted a positive declaration requiring that a draft environmental impact statement (“DEIS”) be prepared; and

WHEREAS, the Applicant submitted a DEIS, which the Town Board and its staff and consultants reviewed; and

WHEREAS, the Town Board determined that the DEIS was adequate for public review; and established a public written comment period on the DEIS, to conclude at 4:00 p.m. on March 27, 2017, with a public hearing to receive comments on the DEIS and the proposed zoning amendment, held on March 15, 2017, at the East Greenbush Town Hall; and

WHEREAS, one written comment was received and has been addressed, and no oral comments were received; and

WHEREAS, the Applicant submitted a draft Final Environmental Impact Statement (“FEIS”), which, after review by the Town Board and its staff and consultants, was adopted by the Town Board on February 21, 2018; and

WHEREAS, the Town Board has caused the preparation of a SEQRA Findings Statement, annexed hereto and made a part hereof; and

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

now, therefore, be it

RESOLVED as follows:

1. The Town Board hereby adopts the SEQRA Findings Statement, annexed hereto and made a part hereof.
2. The Town Board hereby directs that notice of such adoption and filing be circulated and posted in accordance with applicable provisions of law, including but not limited to the filing of such notice with the Applicant, all SEQRA involved agencies and any person who requested a copy.

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

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

59-2018 A Resolution to Adopt a Local Law Establishing the East Greenbush Technology Park 2, Planned Development District

WHEREAS, Greenbush Associates LLC (the “Applicant”) has submitted applications for a zoning amendment (from Corporate Office to Planned Development District), subdivision and site plan approval and related information for the proposed Part 2 of the East Greenbush Tech Park on Mannix Road and Tech Valley Drive in the Town of East Greenbush (the “Project”); and

WHEREAS, the Town Board expressed to other potentially involved agencies its desire to serve as lead agency under the State Environmental Quality Review Act (“SEQRA”) for the coordinated environmental review of the Project, and such potentially involved agencies either concurred with the Town Board serving as lead agency or failed to respond within the prescribed time period; and

WHEREAS, the Town Board designated itself as lead agency for the SEQRA review of the Project, determined that the Project may have a significant adverse impact on the environment, and adopted a positive declaration requiring that a draft environmental impact statement (“DEIS”) be prepared; and

WHEREAS, the Applicant submitted a DEIS, which the Town Board and its staff and consultants reviewed; and

WHEREAS, the Town Board determined that the DEIS was adequate for public review; and established a public written comment period on the DEIS, to conclude at 4:00 p.m. on March 27, 2017, with a public hearing to receive comments on the DEIS and the proposed zoning amendment, held on March 15, 2017, at the East Greenbush Town Hall; and

WHEREAS, one written comment was received and has been addressed, and no oral comments were received; and

WHEREAS, the Applicant submitted a draft Final Environmental Impact Statement (“FEIS”), which, after review by the Town Board and its staff and consultants, was adopted by the Town Board on February 21, 2018; and

WHEREAS, the Town Board has caused the preparation of a SEQRA Findings Statement, which the Town Board adopted on March 21, 2018; and

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

now, therefore, be it

RESOLVED, that Local Law No. ____ of 2018 is hereby approved;

and be it further

RESOLVED, that the Local Law be filed as required by applicable provisions of Law.

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

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

60-2018 A Resolution Consenting to the Transfer by Rensselaer County of Certain Property to Brian Hart

WHEREAS, Brian Hart, is the owner of certain real property in the Town of East Greenbush, known as 83 Troy Road (tax map no.: 155.16-2-13); and

WHEREAS, the said Brian Hart has sought to terminate the jurisdiction of the New York State Department of Transportation over said real property, and then to have Rensselaer County transfer its interest in the property to him; and

WHEREAS, the Town has received a notice of this proposed transfer from Steven A. Pechenik, the Rensselaer County Attorney, with a map showing the property over which the maintenance jurisdiction would be ceded; and

WHEREAS, the Town of East Greenbush, upon consultation with the Commission of Public Works, has determined that the Town has no interest in receiving the county’s interest in over this parcel; and

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

now, therefore, be it

RESOLVED, that the Town of East Greenbush has no desire to retain any maintenance or fee interest in the roadway;

and be it further

RESOLVED, that the Town of East Greenbush hereby abandons its maintenance and fee interest in said roadway to Rensselaer County.

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

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

61-2018 A Resolution to Paving of Town Highways

WHEREAS, in accordance with Town policy and General Municipal Law, all public works expenses in excess of \$20,000 require Town Board approval; and

WHEREAS, Rensselaer County solicited Bids for Conventional Asphalt Paving on January 11th, 2017; and

WHEREAS, The Rensselaer County bid was awarded on February 14, 2017 and the results of the bid were made available to all municipalities and school districts in the State of New York; and

WHEREAS, The Rensselaer County bid was extended until December 31, 2018; and

WHEREAS, the Commissioner of Public Works has reviewed the needs of the Town and determined that as many of the following pavement preservation projects as possible will be completed this season subject to available funding; and

Dailey Place	\$9,425	Louis Drive	\$52,740
Patroon Lane	\$11,560	Michael Road	\$72,717
Delehunt Drive	\$19,500	Bridle Place	\$7,800
Gilligan Road	\$71,500	Robert Lane	\$37,950
Vermont Avenue	\$9,050	Lakeshore Drive	\$60,984
Spring Avenue	\$13,500		

WHEREAS, the Commissioner of Public Works states that the estimates for the work will not exceed \$366,726. This amount is the 2018-2019 Consolidated Local Street and Highway Improvement Program (CHIPS) funding (\$156,067), the PAVE-NY supplemental funding (\$29,933), and the paving budget for 2018 (\$181,236); and

WHEREAS, the Town Comptroller confirms this resolution is funded by the 2018 Town Budget, (\$186,000.00 in account code 51124.02; permanent improvements appropriation offset by revenue account code 3501.02 State Aid/Chips; and the \$181,236.00 balance in account 51101.02 General Repairs);

now, therefore, be it

RESOLVED, that the Commissioner of Public Works is hereby authorized to approve paving expenses not to exceed \$366,726 for paving of the aforementioned Town roads.

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

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

**62-2018 A Resolution Appointing Daniel Fiacco to the Position of Deputy
Commissioner of Public Works**

WHEREAS, the position of Deputy Commissioner of Public Works has been vacant for more than two years and is now required to fulfill a number of critical functions in the Department of Public Works (DPW), including management of the Wastewater Treatment Plant, oversight of the Hampton Manor Water System improvements, and to support and step in for the Commissioner of Public Works when necessary; and

WHEREAS, the Rensselaer County Civil Service Commission has approved and certified the position of Deputy Commissioner of Public Works with a job description that includes the following tasks:

- Assign and supervise daily duties of DPW employees;
- Document and forward employee discipline issues to the DPW Commissioner;
- Instruct operators and drivers on the proper operation and routine maintenance of all equipment;
- Inspection of storm water basins, connecting lines and outfalls;
- Ensure that department employees are properly trained and certified;
- Assists in the general planning and work scheduling for on-going and long-range work activities;
- Determine types and amounts of materials for work assignments;
- Coordinate outside contract maintenance and repair work as needed;
- Perform such other reasonable work that the Town requires; and

WHEREAS, many of these tasks need to be performed and the failure to do so would cost the taxpayers a significant amount of money in loss of productivity and failure to maintain important parts of the Town’s public works delivery system; and

WHEREAS, Daniel Fiacco served as Deputy Commissioner of Public Works for two years (2014-2015) and was certified as qualified for the position by the Rensselaer County Civil Service Commissioner, and has the experience and knowledge needed to step into the position and be immediately successful in its performance; and

WHEREAS, the Town Comptroller confirms personal service savings accounts ending in .1 in the sewer funds are planned to make this a non-material impact on Town finances; now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush appoints Daniel Fiacco to the position of Deputy Commissioner of Public Works at an annual salary of \$67,500.00;

and be it further

RESOLVED, that this appointment is effective immediately.

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

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

ADJOURNMENT

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

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

DRAFT