



The Town of East Greenbush

225 Columbia Turnpike, Rensselaer, New York 12144

TOWN BOARD MINUTES April 19, 2017

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

Members of Town Board

Present

Absent

Supervisor Conway
Councilor DiMartino
Councilor Matters
Councilor Grant
Councilor Tierney

Presentations: **Jeff Simons, Superintendent of Schools - 2017 EGCS D Budget Presentation**
Robyn Reynolds, Senior Planner- Capital District Regional Planning Commission, Presentation on Clean Energy

Communications/Announcements/Reports

Councilor DiMartino announced Spring Leaf Clean up, Clean the Park Day, the Town Wide Garage Sale, Camp registrations and the Senior Mothers' Day Tea All of this information can be found on the Town web site. WWW.east greenbush.org under the Community and Recreation Department's announcements.

Councilor DiMartino also invited residents to nominate students for Spotlight on Youth. Applications can be found on our web site and sent to Jessica Lansing.

Councilor Matters urged the Town Board that we need a Vacant Buildings Law. She named many of the empty and decaying buildings on 9 & 20 and stated that she will be discussing this every month.

Councilor Matters explained that she sees that the Little League Parking Lot paving is under way, and congratulated everyone involved in making this come together.

Councilor Tierney also thanked everyone who was involved in the Parking Lot project at the Little League and Softball field.

Councilor Grant thanked Scott Gallerie and Jeff Simons for their work on the field. He announced the Library Book sale on May 4th and the Library tag sale on May 7th.

Supervisor Conway announced that the 2015 AUD is on the Town Web Site. He explained that the Town finances are in good shape.

Supervisor Conway announced that Police week will be observed on the of Week of May 14 – May 20, in the Town of East Greenbush. He also discussed the paving of the Little League and Softball Parking Lot and announced Jeff Simons, the Super intendent of Schools.

Jeff Simons, The Super Intendent of Schools thanked the Town Board members for their support in the paving of the parking lot. He explained that this was a group project with the School District, Town Board, and the Town of East Greenbush and Castleton Little League and Softball Teams. Mr. Simons gave a presentation on the proposed Capital Project for the School District. This information can be found on the School District Web Site.

Robyn Reynolds, Senior Planner and Clean Energy Coordinator for DEC gave a presentation on what the Town can do to move towards clean energy. She can provide the Town with technical assistance and guidance. Ms. Reynolds explained that there is free funding available. There is up to \$100, 000.00 available. She went on to explain how the Town could aggressively pursue this grant money.

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

E. Grant – *Spoke in favor audits. She was comforted that the Townis having people with expertise coming in and looking at such things. She said the Town has come a long way and went on to discuss her feelings on audits.*

A town resident *who lives off of Philips Rd. explained that they tried to get NYMO to help build a sewer from Grant to Eckman.*

The Commissioner of Public Works told her to give him a call during business hours and that they could discuss her problem.

This resident also complained about abandoned businesses on Columbia Turnpike. There was discussion amongst the Board members regarding this. The Supervisor discussed some of the potential growth and that Fuscillo Ford is upgrading their facilities. Councilor Matters reiterated that she would like a vacant buildings law. Councilor Tierney explained that Columbia Turnpike did not deteriorate quickly, and it will not revitalize quickly. This will be long road ahead of us.

Resolutions and Proposals by Town Board Members

65-2017 A Resolution to Approve Meeting Minutes

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

WHEREAS, that the minutes of the regular Town Board Meeting held on March 15, 2017 have been presented; and

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

now, therefore, be it

RESOLVED, that the minutes of the regular Town Board Meeting held on March 15, 2017, are hereby approved as submitted.

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

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

66-2017 A Resolution Honoring the Action of Certain East Greenbush Police Officers and Bruen Rescue Squad Members in Responding to an Emergency

WHEREAS, on March 6, 2017 Jennifer O'Brien was getting her two daughters (Maura, 12 years old, and Caroline, nine years old) ready for school; and

WHEREAS, she suffered a medical emergency, fell, struck her head on furniture, and fell unconscious to the floor; and

WHEREAS, Maura called 911, whereupon Keith Boniface and Steven Deyo dispatched the call to the East Greenbush Police Department and the Bruen Rescue Squad; and

WHEREAS, East Greenbush Police Chief Christopher Lavin and Officer Joshua Witko responded to the scene, provided comfort to the girls and stayed there until Bruen Rescue Squad arrived to transport Jennifer O'Brien to St. Peter's Hospital; and

WHEREAS, neighbors responded when they saw the police cars and the ambulance and took care of the girls; and

WHEREAS, the Dubuque-O'Brien family has expressed their gratitude to the police, the Bruen Rescue Squad, and the other members of the East Greenbush community who responded quickly and competently in providing assistance in this matter, and comfort to the children; now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush hereby expresses its gratitude and admiration to Police Chief Christopher Lavin and Officer Joshua Witko, and Dispatchers Keith Boniface and Steven Deyo in this situation, and also to the members of the Bruen Rescue Squad who responded promptly to this emergency.

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

There was discussion on this resolution.

Councilor Grant stated how proud he was of Maura and Caroline Debuke for their quick action during an emergency. He went on to state that "we need more young people like this out in the world." They stayed calm in a crisis, and he also gave recognition to the emergency responders.

Councilor Tierney also congratulated the girls for the responsible manner in which they handled a stressful situation.

Supervisor Conway also congratulated the girls for keeping their cool and handling a stressful situation so bravely. He also stated that we have the best emergency responders in the Capital District and that we are very proud of them.

Councilor Matters and Councilor DiMartino congratulated the girls as well.

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

67-2017 A Resolution Authorizing the Town Supervisor to Enter into a Contract with MJ Engineering and Land Surveying P.C. in an Amount not to Exceed \$22,000.00 for the Purpose of Completing the Technical Work Related to the Town Park Water Quality Grant Provided by the New York State Office of Parks, Recreation and Historic Preservation

WHEREAS, in 2009 the Rensselaer County Department of Health closed the beach at the Town Park to any recreational activities because of Fecal Coliform (E. coli) bacterial contamination; and

WHEREAS, the Town received a grant up to (net of reimbursement) \$15,000.00 from the New York State Office of Parks, Recreation and Historic Preservation in 2013 to perform water quality testing of the Moordener Kill waterway and identify the source of any contaminants; and

WHEREAS, the Town Board authorized via Resolution #175-2016 the expenditure of an amount not to exceed \$15,000.00 as matching funds for the grant provided by the New York State Office of Parks, Recreation and Historic Preservation; and

WHEREAS, MJ Engineering and Land Surveying, P.C. has been selected by the Town to provide technical services via a publicly advertised Request for Proposals; and

WHEREAS, MJ Engineering and Land Surveying, P.C. has provided an estimate to complete the scope of work specified in the grant in an amount not to exceed Twenty-Two Thousand Dollars (\$22,000.00.); and

WHEREAS, the aforementioned estimate will require a net Town expenditure of \$11,000.00 in matching funds representing an amount below that which was previously budgeted and authorized; and

WHEREAS, the Town Comptroller has confirmed that the financial impact of this resolution is approximately \$22,000.00 from the General Fund for this expense

| Fund | Transfer in | Transfer out |
|-----------------------------|-------------|--------------|
| A917 – General Fund Balance | -- | \$11,000.00 |
| 3089.01 –NYS Parks Grant | | \$11,000.00 |
| 7110.4 Parks CE | \$22,000.00 | |

now, therefore, be it

RESOLVED, that the Town Board authorizes the Supervisor to enter into a contract, upon review and approval by the Town Attorney, for technical services with M.J. Engineering and Land Surveying P.C. in an amount not to exceed Twenty-Two Thousand Dollars for the purposes of completing the technical work related to the Town Park Water Quality Grant.

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

Councilor Matters stated that she “continues to oppose this project unless we commit to a comprehensive remedial course of action that well make the lake safe for the residents of East Greenbush.” She went on to explain that she believes the lake still has dangerous levels of E.coli in it, and went on to discuss her reasoning for this belief.

| | |
|---------------------|------------|
| Councilor Grant | VOTED: YES |
| Councilor Tierney | VOTED: YES |
| Supervisor Conway | VOTED: YES |
| Councilor DiMartino | VOTED: YES |
| Councilor Matters | VOTED: NO |

68-2017 A Resolution Authorizing the Retention of John O’Neil from De L. Palmer Appraisal Co. in the matter of Target v. the Town of East Greenbush:

WHEREAS, John O’Neil from De L. Palmer Appraisal Co. submitted a fee proposal to prepare a court ready appraisal report for the Target store in the Town of East Greenbush; and

WHEREAS, the fee to prepare the court ready appraisal would be \$3,200 and any extra work, including testimony at trial would be billed at \$125/hour; and

WHEREAS, the Town Board has determined that the proposed fee proposal is in the best interests of the Town; and

WHEREAS, the Town Comptroller hereby has determined 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 authorizes the retention of John O'Neil of De L. Palmer Appraisal Co. fee proposal dated March 6, 2017.

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

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

69-2017 A Resolution Appointing Kimberly A. Schultheis to the Position of Clerk in the Building Department on a Provisional Basis

WHEREAS, the clerk of the building department performs routine clerical and administrative functions such as drafting correspondence, scheduling appointments, organizing and maintaining paper and electronic files, and providing information to residents; and

WHEREAS, the clerk works under the direction of the head of the building department on the daily operations of the department, and also works closely with the Planning and Zoning Department and Assessor's Office; and

WHEREAS, the clerk position falls within the bargaining unit of CSEA Local 1000 AFSCME, AFL-CIO; and

WHEREAS, the incumbent in the position will be retiring at the end of May, 2017; and

WHEREAS, the Town of East Greenbush, after consultation with the Rensselaer County Civil Service Commission, advertised this position and received numerous applications, and interviewed six candidates for the position; and

WHEREAS, the Town Comptroller confirms the position is budgeted in 2017;
now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush appoints Kimberly A. Schultheis to the position of Clerk in the Building Department on a provisional basis at the annual salary of \$32,000.92 as per union contract;
and be it further

RESOLVED, that this appointment is made on a provisional basis. The Rensselaer County Civil Service Commission has certified that Kimberly A. Schultheis meets the requirements for the position and will remain on provisional status until a new Clerk Exam is administered by the Commission and on which she must qualify to hold the position;
and be it further

RESOLVED, that this appointment will take effect on April 20, 2017.

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

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

Councilor Grant
Councilor Tierney

VOTED: YES
VOTED: YES

70-2017 A Resolution to Appoint Clinton M. Bonner to the Position of Laborer on a Provisional Basis in the Department of Public Works

WHEREAS, the Department of Public Works has an existing vacancy for the position of Laborer at the Transfer Station; and

WHEREAS, the Public Works Commissioner advertised for a Laborer in the Town's Official Newspaper and on the Town's website; and

WHEREAS, applications were received and reviewed, and interviews conducted by the Town Supervisor, the Commissioner of Public Works, and the Highway Department Foreman; and

WHEREAS, Clinton M. Bonner was unanimously selected as the most qualified candidate for the position from a field of eight applicants; and

WHEREAS, the Town Comptroller has confirmed that this appointment was included in the 2017 budget;

now, therefore, be it

RESOLVED, that the Town Board confirms the appointment of Clinton M. Bonner to the position of Laborer on a provisional basis in the Department of Public Works Transfer Station at the rate of \$20.3051 per hour as required by the CSEA Collective Bargaining Agreement. This appointment will be effective as of April 25th, 2017.

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

Councilor Grant

VOTED: YES

Councilor Tierney

VOTED: YES

Supervisor Conway

VOTED: YES

Councilor DiMartino

VOTED: YES

Councilor Matters

VOTED: YES

71-2017 A Resolution to Approve the Appointment of Zachary Kuhn and Tyler VanCour-Bryant as Summer Camp Co- Directors in the Community & Recreation Service Department

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

WHEREAS, the Town Camp will be split into a Junior and Senior Camp for 2017 with requirements for both sections; and

WHEREAS, the Town Comptroller hereby has determined that these appointments were included in the 2017 budget;

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 April 20, 2017 through Sept. 1st, 2017 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 the 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 DiMartino and seconded by Supervisor Conway and brought to a vote resulting as follows:

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

72-2017 A Resolution for Approval of 2016 Service Credit for Volunteers of the W. F. Bruen Emergency Squad, Inc.

WHEREAS, the Town of East Greenbush in the County of Rensselaer, State of New York (hereinafter, the “Town”), is the sponsor of a service award program (hereinafter, “Program”) for the volunteer ambulance workers of W. F. Bruen Emergency Squad, Inc. (hereinafter, “Bruen”), the Town’s contracted provider of emergency medical service for the East Greenbush Ambulance District, pursuant to New York General Municipal Law (hereinafter, “GML”) article 11-AAA; and

WHEREAS, in accordance with GML §219-m, subdivision 9, the President, Secretary, and Chief of Bruen have duly certified to the East Greenbush Town Board (hereinafter, the “Board”) a list containing those volunteer ambulance workers designated as Program participants who qualify for service credit for fiscal year 2016 (hereinafter, the “List”); and

WHEREAS, the Director of Finance, having received and reviewed the List, has not received any information contrary thereto; and

WHEREAS, no volunteer worker has requested deletion as a participant from said list; and

WHEREAS, the Town Comptroller has determined that this resolution will have no material impact on the Town Finances;

now, therefore, be it

RESOLVED, that the Board acknowledges that no one has qualified for service credit for volunteers in 2016.

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

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

73-2017 A Resolution to Authorize 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, the Commissioner of Public Works and the Town Supervisor have reviewed the needs of the Town and determined that as many of the following pavement preservation projects as possible will be completed this year, subject to available NYS CHIPs Funding:

| | |
|-------------------|--|
| Birchwood Lane | McCullough Place |
| California Avenue | Old Red Mill Road |
| Commons Drive | Pleasant Street |
| Herrington Avenue | Ponderosa Boulevard |
| Lincoln Avenue | Ridge Road (from Columbia Turnpike to Celeste Drive) |
| Maine Avenue | Van Buren Avenue |

WHEREAS, the Commissioner of Public Works states that the estimates for the work will not exceed \$273,000. This amount is the 2017-2018 Consolidated Local Street and Highway Improvement Program (CHIPS) funding (\$131,139), the PAVE-NY supplemental funding (\$29,933), and the paving budget for 2017 (\$111,928); and

WHEREAS, the Town Comptroller believes at this time that this resolution will be funded as indicated above, including \$111,928 that was included in the 2017 budget; now, therefore, be it

RESOLVED, that the Commissioner of Public Works is hereby authorized to approve paving expenses not to exceed \$273,000 for paving of the aforementioned Town roads.

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

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

74-2017 Resolution Authorizing the Conveyance of an Easement to National Grid, in Connection with Development by Regeneron Pharmaceuticals

WHEREAS, National Grid is undertaking a project to provide upgrades to electrical service to Regeneron Pharmaceuticals; and

WHEREAS, National Grid intends to install a new “tap” to Regeneron Pharmaceuticals adjacent to the existing tap; and

WHEREAS, National Grid has offered to compensate the town in the amount of \$37,517.00 for such easement rights; and

WHEREAS, the Comptroller has determined that the fiscal impact of this conveyance shall be \$37,517.00 recognized in the General Fund Revenue Account 2650.01 (Sale of Surplus Scrap) in exchange for the easement rights;

now, therefore, be it

RESOLVED, that the East Greenbush Town Board hereby authorizes the Supervisor to execute the conveyance of an easement to National Grid as requested by said company, as set forth in the legal description and map annexed to this resolution; on a form approved by the Town Attorney.

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

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

75-2017 A Resolution to Appoint Kathleen Bennett to the Position of Deputy Receiver of Taxes and Assessments

WHEREAS, this resolution was not able to be submitted in time to be considered on the regularly scheduled pre-board meeting of April 12, 2017 and was subsequently presented to the Town Board on April 17, 2017; and

WHEREAS, at the organizational meeting of the Town Board held on January 3, 2017, the Town Board set the titles and hourly rates for at-will employees of the Town of East Greenbush; and

WHEREAS, the Town Board wishes to change the job title and provide additional compensation for Kathleen Bennett, currently part-time clerk for the Receiver of Taxes, due to her experience and expertise in the position; and

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

now, therefore, be it

RESOLVED, that Kathleen Bennett is hereby appointed to the position of Deputy Receiver of Taxes and Assessments and her hourly compensation rate shall be increased to \$16.00 per hour.

and be it further

RESOLVED, that said increased hourly rate shall take effect commencing at the beginning of the first pay period that begins after the adoption of this resolution.

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

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

76-2017 A Resolution Appointing Colleen Lallier to the Position of Clerk in the Water and Sewer Billing Office on a Provisional Basis

WHEREAS, this resolution was not able to be submitted in time to be considered on the regularly scheduled pre-board meeting of April 12, 2017 and was subsequently presented to the Town Board on April 17, 2017; and

WHEREAS, the clerk in the water and sewer billing office performs routine clerical and administrative functions such as drafting correspondence, scheduling appointments, organizing and maintaining paper and electronic files, providing information to residents, and billing residents for water and sewer charges; and

WHEREAS, the clerk works under the direction of the Commissioner of Public Works on the daily operations of the department, and also works closely with the Receiver of Taxes and Assessor’s Office; and

WHEREAS, the clerk position falls within the bargaining unit of CSEA Local 1000 AFSCME, AFL-CIO; and

WHEREAS, the incumbent in the position has accepted another position in the department; and

WHEREAS, the Town of East Greenbush, after consultation with the Rensselaer County Civil Service Commission, advertised this position and received numerous applications, and interviewed six candidates for the position; and

WHEREAS, the Town Comptroller hereby has determined that this resolution will not have a material impact on the Town’s finances because it was budgeted; now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush appoints Colleen Lallier to the position of Clerk in the water and sewer billing office on a provisional basis at the annual salary of \$32,000.92 as per union contract; and be it further

RESOLVED, that this appointment is made on a provisional basis. The Rensselaer County Civil Service Commission has certified that Colleen Lallier meets the requirements for the position and will remain on provisional status until a new Clerk Exam is administered by the Commission and on which she must qualify to hold the position; and be it further

RESOLVED, that this appointment will take effect on April 20, 2017.

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

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

77-2017 A Resolution to Create the Position of Full Time Clerk to the Town Comptroller and Appointing Mary Hendrick to the Position

WHEREAS, this resolution was not able to be submitted in time to be considered on the regularly scheduled pre-board meeting of April 12, 2017 and was subsequently presented to the Town Board on April 17, 2017; and

WHEREAS, the Town Comptroller must update, maintain and reconcile the accounting records of the Town, coordinate all accounts receivables and accounts payable, make payments to vendors, ensure the accuracy of contributions to the State retirement systems, respond to requests for information from the public, other agencies and the Town Board, prepare financial reports on a monthly and annual basis, work with auditors and other regulatory entities, research bonding and long-term financing options, among other duties; and

WHEREAS, the UHY LLC audit of the Town’s 2015 financial records indicated the need for more timely monthly and year-end reconciliation of those records; and

WHEREAS, the Town Board finds that the part-time position of Accounts Payable Clerk provides for assistance in some of these tasks but could be productively expanded to meet the need for routine monthly and year-end reconciliation of financial records and assist the Town Comptroller in other areas of responsibility; and

WHEREAS, the Town Comptroller hereby has determined that this resolution will not have a material impact on the Town’s finances as the salaries for two part time positions in Purchasing were planned for in the 2017 budget;

| Fund | Transfer in | Transfer out |
|--------------------------|--------------------|---------------------|
| 13451.01 – Purchasing PS | -- | \$20,000.00 |
| 13151.01 Comptroller PS | \$20,000.00 | |

now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush hereby creates the full time position of Clerk to the Town Comptroller; and be it further

RESOLVED, that the Town Board hereby appoints Mary Hendrick to the position of Full Time Clerk to the Town Comptroller at an annual salary of \$35,000.00 with her appointment taking effect on the first day of the pay period following the passing of this resolution.

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

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

78-2017 A Resolution Appointing Loretta Hart to the Position of Secretary to the Board of Assessment Review

WHEREAS, this resolution was not able to be submitted in time to be considered on the regularly scheduled pre-board meeting of April 12, 2017 and was subsequently presented to the Town Board on April 17, 2017; and

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

WHEREAS, Grievance Day is scheduled for May 23, 2017; and

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

WHEREAS, the Town Comptroller has determined that this appointment was included in the 2017 budget;

now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush appoints Loretta Hart to the position of Secretary to the Board of Assessment Review for the period of May 1, 2017 – May 31, 2019. She will be paid at a rate of \$15.00 per hour.

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

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

79-2017 A Resolution to Accept the Supplemental Draft Environmental Impact Statement, Establish the Public Comment Period and Schedule the Public Hearing for Phase 2 of Regeneron's Mill Creek Project

WHEREAS, this resolution was not able to be submitted in time to be considered on the regularly scheduled pre-board meeting of April 12, 2017 and was subsequently presented to the Town Board on April 17, 2017; and

WHEREAS, Regeneron Pharmaceuticals, LLC (the "Applicant") submitted a site plan review application and related documentation for a project on Tempel Lane in the Town of East Greenbush, consisting of the construction of the Applicant's Mill Creek Campus consisting of offices, laboratories, warehouse and manufacturing space (the "Project"); and

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

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

WHEREAS, in its March 18, 2016, resolution, the Town Board also directed that a draft scoping document be prepared and scheduled a public scoping session and written comment

period on the scoping document, which were duly held, and a final scoping document was prepared; and

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

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

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

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

WHEREAS, after the Town Board’s acceptance of the SDEIS, the Applicant determined that it wished to proceed at the time with only the warehouse portion of the Project (“Phase I”), and explained this at the public hearing; and

WHEREAS, the Town Board considered the SDEIS and the public comments thereon, and completed a supplemental final environmental impact statement for Phase I of the Project (“the Phase I SFEIS”), which was adopted by the Town Board by a resolution dated February 15, 2017; and

WHEREAS, the Town Board subsequently adopted SEQRA Findings for Phase I, and, by resolution dated February 27, 2017, approved the site plan for Phase I; and

WHEREAS, on April 19, 2017, the Applicant submitted to the Town a request to approve the remainder of the Project (“Phase II”); and

WHEREAS, the Town Board has reviewed the original SDEIS and has determined that it adequately describes Phase II of the Project and its potential impacts for purposes of commencing public review; and

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

RESOLVED as follows

1. The Town Board hereby accepts the SDEIS for Phase II of the Project as complete for purposes of public review.
2. The Town Board hereby schedules a written public comment period on the Phase II SDEIS, to run until 4:00 p.m. on May 22, 2017.
3. The Town Board hereby schedules a public hearing on the Phase II SDEIS, to be held on May 4, 2017, at 7:00 p.m., at East Greenbush Town Hall, 225 Columbia Turnpike.
4. The Town Board hereby directs that copies of the SDEIS be made available for public inspection during regular business hours at East Greenbush Town Hall, 225 Columbia Turnpike, and the East Greenbush Community Library, 10 Community Way, East Greenbush, New York.
5. The Town Board hereby directs that required notices relating to acceptance of the Phase II SDEIS and establishment of the public hearing and comment period be posted and circulated in accordance with 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 Conway | VOTED: YES |
| Councilor Tierney | VOTED: YES |
| Councilor DiMartino | VOTED: YES |
| Councilor Matters | VOTED: YES |
| Councilor Grant | VOTED: YES |

80-2017 Resolution Authorizing the Supervisor to Sign a Certain License Agreement with Niagara Mohawk Power Corporation, in Relation to an Outfall Sewer Pipe from the Waste Water Treatment Plant

WHEREAS, this resolution was not able to be submitted in time to be considered on the regularly scheduled pre-board meeting of April 12, 2017 and was subsequently presented to the Town Board on April 17, 2017; and

WHEREAS, The Town of East Greenbush wishes to install and maintain a certain twenty-four inch PVC outfall sewer pipe on a parcel of land known as the Greenbush-Rensselaer #10 and #11 transmission line in the Town of East Greenbush; and

WHEREAS, Said real property is owned by the Niagara Mohawk Power Corporation (National Grid); and

WHEREAS, Niagara Mohawk Power Corporation has submitted a proposed License Agreement, which would authorize the town to install such pipe across Niagara Mohawk’s land; and

WHEREAS, the Comptroller has believes at this time that there is no material financial impact to the Town;

now, therefore, be it

RESOLVED, that the supervisor is hereby authorized to execute said License Agreement.

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

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

81-2017 A Resolution Appointing Patricia Sawyer to the Position of Part-Time Clerk in the Assessor and Receiver of Taxes Offices

WHEREAS, this resolution was not able to be submitted in time to be considered on the regularly scheduled pre-board meeting of April 12, 2017 and was subsequently presented to the Town Board on April 18, 2017; and

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

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

WHEREAS, Patricia Sawyer possesses the qualifications to work in both offices; and

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

WHEREAS, the Town Comptroller has determined that this position was provided for in the 2017 budget;

now, therefore, be it

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

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

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

82-2017 A Resolution Proclaiming the Week of May 14 – May 20, 2017 Police Week in East Greenbush

WHEREAS, this resolution was not able to be submitted in time to be considered on the regularly scheduled pre-board meeting of April 12, 2017 and was subsequently presented to the Town Board on April 19, 2017; and

WHEREAS, in 1962, in recognition of the role that American police officers perform in maintaining domestic tranquility, President John F. Kennedy proclaimed the week of May 15th to be observed as National Police Week, and

WHEREAS, in immediate support of this proclamation, in a joint resolution of Congress, National Police Week was designated to pay special recognition to those law enforcement officers who have lost their lives in the line of duty for the safety and protection of others, and

WHEREAS, in 1974 New York State Police Trooper Emerson J. Dillon, Jr. was slain in the line of duty in the Village of Canestota, which would prompt the State Legislature to designate Police Week in New York and would lead to the establishment the Police Memorial now located at the Empire State Plaza, engraved with the names of fallen officers, and

WHEREAS, this Town Board appreciates how employees and residents alike have recognized Police Week locally by contacting Town police officers and offering thanks and encouragement to them, and

WHEREAS, this Board joins with the townspeople of East Greenbush in support of the police officers who serve our communities and encourage them to work safely as they pursue their duties; and

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

now, therefore be it;

RESOLVED, that the week of May 14th, 2017 be and hereby is proclaimed Police Week in East Greenbush.

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

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

83-2017 A Resolution Reclassifying Two Working Foreman Positions as General Foremen in the Department of Public Works

WHEREAS, this resolution was not able to be submitted in time to be considered on the regularly scheduled pre-board meeting of April 12, 2017 and was subsequently presented to the Town Board on April 19, 2017; and

WHEREAS, the Department of Public Works exists to operate and maintain the Town's Highway, Water, Waste Water Systems; Parks, Transfer Station and Buildings; and

WHEREAS, the Public Works Commissioner has determined that the duties and responsibilities being undertaken by the current Highway Foreman, Richard Williams and Water Foreman Thomas Kennedy are commensurate with those of a General Foreman; and

WHEREAS, the Public Works Commissioner requests that the Town Board approve the reclassification of the Highway Foreman and Water Foreman to that of General Foreman (Highway) and General Foreman (Water) as depicted on the attached Organizational Chart; and

WHEREAS, the Town Comptroller has confirmed that this resolution will have a negative impact of approximately \$2,170.00 on the Town's finances;

now therefore be it

RESOLVED, that the Town Board approves the changes to the enclosed Organizational Chart.

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

| | |
|---------------------|------------|
| Supervisor Conway | VOTED: YES |
| Councilor Tierney | VOTED: YES |
| Councilor DiMartino | VOTED: NO |
| Councilor Matters | VOTED: YES |
| Councilor Grant | VOTED: YES |

**84-2017 A Resolution Authorizing the Supervisor to Sign a Release and Subrogation
Receipt for NYMIR, Relating to the Sewage Spill at the Waste Water
Treatment Plant in March 13, 2013**

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

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

ADJOURNMENT

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

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

Kimberly Carlock

Town Clerk