



The Town of East Greenbush

225 Columbia Turnpike, Rensselaer, New York 12144

TOWN BOARD AGENDA PRE-BOARD MEETING January 10, 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: Covered Bridge Village – Dom Arico, Arico Associates, Inc.

Schedule of Meeting:

03-2018 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 December 20, 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 December 20, 2017, are hereby approved as submitted.

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:

04-2018 A Resolution Commemorating African American History Month and Recognizing the Legacy of Edmonia Lewis

WHEREAS, since the creation of Negro History Week in 1926 by Dr. Carter G. Woodson, and the expansion to African American History Month in 1976 by President Gerald R. Ford, the month of February is observed nationally to raise awareness and recognize the contributions and accomplishments that African Americans have made and continue to offer to this nation; and

WHEREAS, African American History Month acknowledges and honors numerous past and present educators, scientists, activists, pioneers, leaders, artists, inventors, entrepreneurs, and elders with special ceremonies and activities; and

WHEREAS, to support and foster our own African American history in the town of East Greenbush the Town Historian has profiled a world-famous sculptor; and

WHEREAS, Edmonia Lewis was born in Greenbush, New York in 1844 to a mother who was Native American (Chippewa) and an African-American father from Haiti; and

WHEREAS, in 1859 Edmonia Lewis enrolled in Oberlin College, a progressive, abolitionist school in Ohio where she discovered her love and talent for art and began to recognize her African-American heritage; and

WHEREAS, Edmonia Lewis suffered racial discrimination at Oberlin, and after being falsely accused of poisoning two white girls, was beaten almost to death by unknown attackers; though exonerated by the court, she suffered harassment and left before receiving her diploma; and

WHEREAS, determined not to let racial or gender discrimination stop her, Edmonia Lewis went to Boston and began studying sculpture with the famous sculptor, Edward A. Brackett and created her first critically acclaimed work, a bust of Colonel Robert G. Shaw; and

WHEREAS, to further her sculpting studies in a place of less racial and gender discrimination, Edmonia moved to Rome, Italy where she created many beautiful sculptures until her death in 1907 in London; and

WHEREAS, the works of Edmonia Lewis, a world-famous sculptor, are now displayed in many art centers and museums around the world; and

WHEREAS, to share the stories of those who are inspiring future generations;
now, therefore be it,

RESOLVED, that the Town of East Greenbush will commemorate the achievements of African Americans by joining the annual celebration of African American History Month; and be it further

RESOLVED, that the 2018 commemoration of African American History Month in East Greenbush will be in recognition of Edmonia Lewis and her legacy of contributions to the art world.

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:

05-2017 A Resolution Scheduling a Public Hearing to Consider a New Contract with the Best Luther Fire Company, Inc.

WHEREAS, as the Town Comptroller has confirmed that none of the provisions of this proposed Board action shall have a material impact 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, will hold a Public Hearing on the 21st day of February, 2018, at 6:40 p.m. in the evening of said day, at the Town Hall, 225 Columbia Turnpike, in East Greenbush, New York, to consider the entry into a new contract between the Town of East Greenbush and the Best Luther Fire Company, Inc. which agreement will include certain conditions as set forth in the proposed contract and the payment of the sum of \$105,520.00 by the Town of East Greenbush to the Best Luther Fire Company, Inc. for such Fire Protection.

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

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

06-2017 A Resolution Scheduling a Public Hearing to Consider a New Contract with the Best Luther Company, Inc., on behalf of the Third Avenue Fire Protection District, Inc.

WHEREAS, as the Town Comptroller has confirmed that none of the provisions of this proposed Board action will have a material impact on the Town’s finances;
now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush, County of Rensselaer, State of New York, will hold a Public Hearing on the 21st day of February, 2018 at 6:50 p.m. in the evening of said day, at the Town Hall, 225 Columbia Turnpike, in East Greenbush, New York, to consider the entry into a new contract between the Town Board of the Town of East Greenbush and the Best Luther Fire Company, Inc., which agreement will include certain conditions as set forth in the proposed contract and the payment of the sum of \$7,700.00 by the Town of East Greenbush to the Best Luther Fire Company, Inc. for such Fire Protection.

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

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

07-2018 A Resolution to Establish Summer Camp Fees for 2018

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

WHEREAS, after careful review of camp rates by the Director of Finance and the Town Services Coordinator, and the Town Board in regard to the ever increasing expenses for summer camp and to continue the goal of low cost for our residents and maintaining a competitive market there is a need for a slight increase in camp fees for 2018; and

WHEREAS, the rates for the summer camp program have been established with careful review by the Director of Finance, the Town Services Coordinator, and the Town Board; and

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

now therefore, be it

RESOLVED, that the following fees for day camp, half day and extended program 2018 have been established.

2018 Summer Camp Fees

Full Day Program	\$150 /per week one child	\$100/week each sibling
Half Day Program	\$80/per week one child	\$50/week each sibling
After Care Program	\$50/per week each child	(3-5PM)
One- time Non- Resident Fee	\$50	
SPECIAL DISCOUNT: Sign up for all six weeks by May 1 st and take \$100 off your total due!!		
OFFER EXPIRES MAY 1st		

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

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

08-2018 A Resolution To Adopt Local Law #1 of the Year 2018, Amending Local Law #4 of 2008, To Provide an Extension of the Real Property Tax Exemption For Cold War Veterans

WHEREAS, by Local Law #4 of the year 2008, and pursuant to Section 458-b of the New York State Real Property Tax Law, the Town Board authorized a limited real property tax exemption for Cold War veterans; and

WHEREAS, the term of such exemption was limited, pursuant to state law, to a period of ten years; and

WHEREAS, by Chapter 290 of the Laws of 2017, Section 458-b was amended to authorize towns to extend such exemption for as long as the qualifying owners of real property remain as qualifying owners; and

WHEREAS, a Public Hearing was held by the East Greenbush Town Board on December 20, 2017 at 6:45 p.m. to listen to public comment on this amendment to Local Law #4 of 2008; 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 enactment of Local Law #1 of the Year 2018, amending Local Law #4 of 2008, to provide an extension of the Real Property Tax Exemption For Cold War Veterans be, and the same hereby is, approved;

and be it further

RESOLVED, that the Town Clerk shall file the Local Law with the New York Secretary of State.

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

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

09-2018 A Resolution to Schedule a Public Hearing on a Local Law to Establish the Browe Asphalt Plant 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 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 Browe Asphalt Plant Sun Oil Road Planned Development District; 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 hereby schedules a public hearing on the proposed local law, said hearing to be held on February 21, 2018, at 6:00 p.m. at the East Greenbush Town Hall, 225 Columbia Turnpike, East Greenbush, New York;

and be it further

RESOLVED, that the Town Clerk shall provide and publish notice of such hearing in accordance with applicable provisions of law.

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 G. Warner	VOTED:

10-2018 A Resolution to Schedule a Hearing on a Site Plan Application by Browe Asphalt Plant Sun Oil Road LLC to Develop an Asphalt Manufacturing Facility

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 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 grant site plan approval; 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 hereby schedules a public hearing on the proposed site plan approval, said hearing to be held on February 21, 2018, at 6:20 p.m. at the East Greenbush Town Hall, 225 Columbia Turnpike, East Greenbush, New York;

and be it further

RESOLVED, that the Town Clerk shall provide and publish notice of such hearing in accordance with applicable provisions of law.

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

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

11-2018 A Resolution to Reaffirm the Adoption of a Conditioned Negative Declaration Pursuant to the State Environmental Quality Review Act for the Proposed Browe Asphalt Plant at 19 Sun Oil Road

WHEREAS, 19 Sun Oil Road, LLC (the “Applicant”), has filed with the Town of East Greenbush an application for site plan review and establishment of a Planned Development District, together with Part I of a full Environmental Assessment Form (“EAF”) and other relevant information; and

WHEREAS, the Applicant proposes to develop, at a site at 19 Sun Oil Road in the Town, an asphalt manufacturing facility (the “Project”); and

WHEREAS, the Town Board of the Town of East Greenbush (the “Town Board”) indicated to other potentially involved agencies its intention to act as lead agency for the environmental review of the Project as an “unlisted action” pursuant to the State Environmental Quality Review Act (Article 8 of the Environmental Conservation Law and 6 NYCRR Part 617, collectively, “SEQRA”); and

WHEREAS, the other potentially involved agencies either concurred with the Town Board serving as SEQRA lead agency or did not respond within the relevant time frame, and the Town Board duly designated itself as “lead agency” under SEQRA; and

WHEREAS, the Town Board and its consultants reviewed the application and related materials, completed Parts II and III of the EAF, and reviewed the requirements of SEQRA and other information in the record with respect to the Project; and

WHEREAS, the Town Board, by Resolution 211-2017, on November 15, 2017, determined that the Project, with the imposition of the conditions set forth in the SEQRA Conditioned Negative Declaration annexed thereto and made a part thereof, would not have a significant adverse environmental impact requiring the preparation of a draft environmental impact statement; and

WHEREAS, the Town Board established and duly noticed a public comment period on the Conditioned Negative Declaration to run through December 22, 2017; and

WHEREAS, no comments on the Conditioned Negative Declaration were received during the public comment period; 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 hereby reaffirms its adoption on November 15, 2017, of the Conditioned Negative Declaration, as annexed hereto and made a part hereof, and directs that it be circulated and filed in accordance with applicable provisions of law.

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 G. Warner	VOTED:

12-2018 A Resolution Approving the Annual Re-Appointment of Part-time Police Dispatchers

WHEREAS, the Town Police Department retains the services of part-time staff in the Emergency Communications Center; and

WHEREAS, these individuals meet the presumptive, non-competitive qualifications for this title as established by the Rensselaer County Civil Service Commission; and

WHEREAS, the Town Comptroller has confirmed that the provisions of this resolution were planned for in the 2018 Budget and will not have a material impact on the Town finances; now, therefore, be it

RESOLVED, that on the recommendation of the Chief of Police, each of said individuals so listed be, and the same hereby are re-appointed to the position of part-time police dispatcher, consistent with all terms and conditions as previously set forth by the Town Board, for a term to expire at the Town’s next Organizational Meeting, or otherwise at the pleasure of the Town Board;

and be it further

RESOLVED, that the said part-time dispatchers be compensated as set forth in the appropriate Collective Bargaining Agreement: Timothy E. Boel, Steven C. Schongar, Michael J. Benson, Daniel P. Farnan, Robert G. Lehmann, Jeffrey G. Tooker, Donna A. Holt, Nicholas J. Liuzzi, John W. Geary, and Janet M. Gamble

The foregoing resolution was duly moved by Councilor Tierney seconded by Supervisor Conway and voted as follows:

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

13-2018 A Resolution Authorizing a Family and Medical Leave Act Request

WHEREAS, the Town is in receipt of a request for Family and Medical Leave (FLMA); 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 designated employee has submitted a request for leave to commence on or about February 15, 2018, and to continue for a period up to twelve weeks; and be it further

RESOLVED, that the request for leave of absence under the Family Medical Leave Act, submitted by the designated employee, commencing on or about February 15, 2018, is hereby granted.

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:

14-2018 A Resolution Extending the Term of Employment for Joseph A. Cherubino as Part-Time Building Inspector Until January 5, 2018

WHEREAS, the Code Enforcement Officer requested the appointment of a part-time building inspector due to the volume of inspection and advisory work created by the construction of a warehouse by Regeneron Pharmaceuticals as part of their Mill Creek Project; and

WHEREAS, Joseph A. Cherubino had 34 years of experience in the Town of East Greenbush Building Department and was able to handle the complex issues connected to the Mill Creek Project in a manner that would protect the best interests of the Town; and

WHEREAS, Joseph A. Cherubino was appointed to the position of part-time Building Inspector via Resolution 103-2017 to a term that was to expire on December 31, 2017; and

WHEREAS, Joseph A. Cherubino has been paid via the Town's payroll software and will continue to submit a bi-weekly timesheet as employees do in accordance with the Town's Employee Handbook, and is covered under the Town's liability insurance while performing official tasks for the Town; and

WHEREAS, critical inspections were required on the Regeneron Pharmaceuticals Mill Creek Project in the first week of January, 2018; 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 extends the term of employment for Joseph A. Cherubino as a part time building inspector in the Building Department for the period of January 1 – January 5, 2018 at a rate of \$30.00 per hour;

and be it further

RESOLVED, that this extension is retroactive to January 1, 2018.

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 G. Warner	VOTED:

15-2018 A Resolution to Renew Emergitech Records Management System

WHEREAS, the Emergitech Records Management System was acquired by the Town to manage police records in 2003, in consideration for an annual license fee; and

WHEREAS, the Town has renewed said annual license fee each year since; and the Emergitech Records Management System continues to meet the minimum standard required to manage police records under the current industry standard; and

WHEREAS, the Town Comptroller has determined that this purchase was planned for in the 2018 budget;

now therefore be it

RESOLVED, that the annual license fee of \$14,563.45 for the Emergitech Records Management System, be and hereby is approved, and be it further resolved

RESOLVED, that this resolution shall take effect immediately.

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 G. Warner	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 G. Warner	VOTED:

PROPOSED LOCAL LAW #1_OF THE YEAR 2018 OF THE TOWN OF EAST GREENBUSH

A LOCAL LAW AMENDING LOCAL #4 OF 2008, TO EXTEND THE LIMITED EXEMPTION FROM REAL PROPERTY TAXES AUTHORIZED BY SECTION 458-b OF THE NEW YORK STATE REAL PROPERTY TAX LAW, AS AMENDED BY CHAPTER 290 OF THE LAWS OF 2017.

Be it enacted by the Town Board of the Town of East Greenbush as follows:

Section 1 – Article III (c) of Local Law #4 of 2008 is amended by adding the following additional subdivision:

(iv) Notwithstanding the limitation set forth in subdivision (iii) above, and as authorized by Chapter 290 of the Laws of 2017, the exemption authorized by this article shall apply to qualifying owners of qualifying real property for as long as they remain qualifying owners, without regard to such ten year limitation.

Section 2 - This local law shall take effect immediately.