



The Town of East Greenbush

225 Columbia Turnpike, Rensselaer, New York 12144

TOWN BOARD AGENDA PRE-BOARD MEETING December 12, 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: East Greenbush Riverfront Industrial Park

Schedule of Meeting

235-2018 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 November 28, 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 November 28, 2018 are hereby approved as submitted.

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:

236-2018 A Resolution to Schedule 2019 Organizational Meeting

WHEREAS, the Town Board of the Town of East Greenbush is required to schedule an Organizational Meeting for 2019; 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 Town Board of the Town of East Greenbush shall conduct the 2019 Organizational Meeting at 6:00 PM on Wednesday, January 2, 2019 at the East Greenbush Town Hall, 225 Columbia Turnpike in the Town of East Greenbush, County of Rensselaer and State of New York;

and be it further

RESOLVED, that the Town Clerk of the Town of East Greenbush is hereby authorized and directed to give notice of such Organizational Meeting.

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:

237-2018 A Resolution Appointing Thomas M. Hickey to the Zoning Board of Appeals

WHEREAS, Kurt Bergmann resigned his seat on the Zoning Board of Appeals to accept a similar position on the Town of East Greenbush Planning Board, leaving a term that still has three years remaining; and

WHEREAS, Thomas Hickey submitted an application for appointment to the ZBA which included a resume and letter of interest; and

WHEREAS, the members of the Town Board interviewed Mr. Hickey and two other excellent candidates and found him to be the most qualified candidate for a seat on the Town’s Zoning Board of Appeals; and

WHEREAS, the Town Comptroller confirms that this position was included in the 2019 Budget;

now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush appoints Thomas M. Hickey to the Zoning Board of Appeals to complete the term of Kurt Bergmann, which makes this appointment effective from December 17, 2018 – December 31, 2021.

This 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:

238-2018 A Resolution to Authorize a Public Auction of Surplus Equipment

WHEREAS, the Town Board of the Town of East Greenbush, County of Rensselaer, State of New York has received a request from the Commissioner of Public Works to declare the following equipment as surplus; and

WHEREAS, said equipment consists of the following:
 One 2007 Chevrolet 1500 Pickup Truck, VIN Number: 3GCEC14V47G153561
 One 1991 Ford F800 Single Axle Dump Truck, VIN Number: 1FDXK84A1MVA03133;

and

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

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

now therefore, be it

RESOLVED that said equipment listed is hereby declared as surplus; and be it further

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

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:

239-2018 A Resolution Authorizing the Use of GEIS Funds for Design and Development of Bid Specifications for Upgrades to the Corliss Pump Station

WHEREAS, the Corliss Pump Station is critical to the operation of the Town of East Greenbush Sewer System as approximately 60% of the Towns’ sewage is conveyed through this pump station; and

WHEREAS, the Town Board previously authorized the solicitation of bids for specific upgrades to the Corliss Pump Station using GEIS Fees; and

WHEREAS, the Deputy Commissioner of Public Works has researched the cost of preparing the specifications and bid documents for this upgrade with H.V. LaBarba, the Town Designated Engineer for this project, and estimated the cost to be approximately \$7,500.00; and

WHEREAS, the Deputy Commissioner of Public Works has presented this information to the GEIS Committee who voted to recommend approval of GEIS funds for use on the preparation of the specifications and bid documents to the Town Board; and

WHEREAS, the Town Comptroller has confirmed that 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 authorizes the use of GEIS funds for design and development of bid specifications for upgrades to the Corliss Pump Station as recommended by the GEIS Committee.

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:

240-2018 A Resolution Authorizing the Director of Finance to Solicit Bids for Lighting, Road Repairs, Playground Equipment and Paving of the Parking Lot at the Town Park.

WHEREAS, the aging and neglected Town Park playground equipment and roads have become a safety concern; and

WHEREAS, the Town Board places the safety of its park patrons as a high priority, and

WHEREAS, the Town Board has determined the need for safety improvements to the Town Park that include; purchase and construction of new playground equipment, lighting, road repairs and pavement of the parking lot; and

WHEREAS, each bid solicitation will be a separate and individual bid to include specifications related to each project; and

WHEREAS, the Town Comptroller has confirmed that none of the provisions of this resolution will have a material impact on the Town’s finances;

now, therefore, be it

RESOLVED, that the Town Board authorizes the Director of Finance to solicit bids for the following:

- Pavement of the Town Park Parking Lot (at the Red Barn);
- Road Repairs to Town Park Road;
- Lighting for the Town Park Parking Lot;
- Purchase, Construction, and Surface Material of New Playground Equipment at the Town Park.

and be it further

RESOLVED, that no bids will be awarded on any of these projects until GEIS funds are available.

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

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

241-2018 A Resolution to Adopt the Town’s 2018 Stormwater Management Program (SWMP) Plan Update

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 a stormwater management program (SWMP) plan; and

WHEREAS, the Town has updated the SWMP Plan in accordance with State and federal requirements and as stipulated by the US Environmental Protection Agency (EPA) in its information request and administrative compliance order dated June 5, 2018 (“June 5, 2018 Order”); and

WHEREAS, the EPA approved the 2018 SWMP Plan Update on November 2, 2018, in partial fulfillment of the requirements of the June 5, 2018 Order; and

WHEREAS, the Town Board held a Public Hearing on December 12, 2018 at 5:45 PM during which public comments on the 2018 SWMP Plan Update were accepted; and

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

WHEREAS, a copy of the updated SWMP Plan will be on file for review at the Town Clerk's Office and the East Greenbush web site; now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush adopts the 2018 Stormwater Management Program (SWMP) Plan Update to fulfill certain requirements of the Phase II SPDES General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4), GP-0-15-003; and be it further

RESOLVED, that the MS4 Coordinator shall prepare written responses to address comments received and include the responses as an appendix to the 2018 SWMP Plan Update.

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

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

242-2018 A Resolution for the Town Board to Assume Lead Agency Status for the Regeneron Parking Garage Addition (PZD ID 15-07c) Major Site Plan

WHEREAS, Hart Engineering on behalf of Regeneron Pharmaceuticals, LLC., has submitted a site plan review application for a project located on at 25 Discovery Drive and identified on the Town’s Tax Roll as Tax Parcel No. 155.-1-4.22; and

WHEREAS, the application was accompanied by a proposed site plan, a Full Environmental Assessment Form and other submittals; and

WHEREAS, the Town Board wishes to assume lead agency status in connection with coordinated SEQR review of this Type 1 Action; and

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

WHEREAS, the Director of Planning and Zoning has initiated coordinated review and distributed a lead agency coordination letter to all of the involved agencies requesting their consent to designation of the Town Board as lead agency for SEQR review of the Project; now, therefore, be it

RESOLVED, that the Project require review under the State Environmental Quality Review Act (“SEQRA”) as a Type 1 Action; and be it further

RESOLVED, that the Town Board wishes to assume lead agency status in connection with coordination SEQRA review of the Project.

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

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

243-2018 A Resolution for the Town Board to Assume Lead Agency Status for ADG Properties, Inc. East Greenbush Riverfront Industrial Park Major Site Plan (PZD ID 18-28)

WHEREAS, Ingalls & Associates & Carver Realty, LLC on behalf of ADG Properties Inc. (formerly Riverside Avenue Corporation) has submitted a site plan review application for a project located at 289 American Oil Road and identified on the Town’s Tax Roll as Tax Parcel No.165.-1-33.1; and

WHEREAS, the application was accompanied by a proposed site plan, a Full Environmental Assessment Form and other submittals; and

WHEREAS, the Town Board wishes to assume lead agency status in connection with the coordinated SEQR review of this Type 1 Action; and

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

now, therefore, be it

RESOLVED, that the Project, a Type 1, will require review under the State Environmental Quality Review Act (SEQRA); and be it further

RESOLVED, that the Town Board wishes to assume lead agency status in connection with coordinated SEQRA review of the Project; and be it further

RESOLVED, that the Town Board directs that a lead agency coordination letter be sent to all the involved agencies requesting their consent to designation of the Town Board as lead agency for SEQRA review of the Project.

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:

244-2018 A Resolution for the Town Board to Assume Lead Agency Status for the SHS Holdings, LLC – George Shannon Pinecrest Commercial Park Major Site Plan (PZD ID 18-29)

WHEREAS, Hart Engineering on behalf of SHS Holdings, LLC – George Shannon, has submitted a site plan review application for a project located at 1 Springhurst Drive and identified on the Town’s Tax Roll as Tax Parcel No.177.08-4-11.121; and

WHEREAS, the application was accompanied by a proposed site plan, a Short Environmental Assessment Form, and other submittals; and

WHEREAS, the Town Board wishes to assume lead agency status in connection with coordinated review of this Unlisted Action under the State Environmental Quality Review Act (“SEQRA”); and

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

now, therefore, be it

RESOLVED, that the Project will review under the SEQRA as ab Unlisted Action; and be it further

RESOLVED, that the Town Board wishes to assume lead agency status in connection with coordinated SEQRA review of the Project; and be it further

RESOLVED, that the Town Board directs that a lead agency coordination letter be sent to all the involved agencies requesting their consent to designation of the Town Board as lead agency for SEQRA review of the Project.

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

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

245-2018 A Resolution To Adopt Local Law 5 of 2018 Repealing Local Law Number 1 of 2010 and Replacing it With New Provisions Relating to Mitigation Fees in the Western East Greenbush Generic Environmental Impact Statement (GEIS) Study Area

WHEREAS, Local Law No. 1 of 2010 of the Town of East Greenbush sets forth certain requirements relating to assessment and collection of land development mitigation fees in connection with the Western East Greenbush Generic Environmental Impact Statement (GEIS); and

WHEREAS, the Town Board of the Town of East Greenbush desires to enact a local law repealing Local Law Number 1 of 2010, in relation to mitigation fees in the Western East Greenbush Generic Environmental Impact Statement (GEIS) Study Area and replacing it with new provisions; and

WHEREAS, the Town Board, as lead agency, has reviewed and fully considered the proposed action and has determined that the action is a Type II Action under the State Environmental Quality Review Action (“SEQRA”) requiring no further SEQR review of the project; and

WHEREAS, the Town Board held a public hearing to accept public comment on a local law to update the GEIS local law, at a meeting to be held at the East Greenbush Town Hall, 225 Columbia Turnpike, Rensselaer, NY 12144, on December 12, 2018 at 6:00 pm; and

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

now, therefore, be it

RESOLVED, that the adoption of Local Law No. 5 of the Year 2018 is a Type II Action under SEQRA;

and be it further

RESOLVED, that Local Law No. 5 of the Year 2018, repealing Local Law No. 1 of 2010 and replacing it with certain provisions is hereby approved. The Town Clerk shall be directed to file the Local Law with the New York Secretary of State.

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:

246-2018 A Resolution to Schedule a Public Hearing to Accept Public Comment on a Proposed Local Law Amending Comprehensive Zoning Law (Local Law No. 5 of 2008) to Repeal the General Business Mixed Use District (B-1) Two Story Height Requirement, Declaring Intent to Seek Lead Agency and Classifying the Action as an Unlisted Action Under SEQRA

WHEREAS, the Comprehensive Zoning Law (Local Law No. 1 of 2008 and successive amendments thereto) of the Town of East Greenbush divided into zoning districts, and all land and buildings are regulated as to use, occupancy, location, construction and alteration for the purpose of protecting and promoting public health, safety, morals, comfort, convenience, economy, urban aesthetics, and the general welfare, and for additional purposes as outlined in Section 1.1.1; and

WHEREAS, the Comprehensive Zoning Law establishes a zoning district known as the General Business Mixed Use District (B-1) and sets forth a two-story height requirement for the B-1 district; and

WHEREAS, the Town Board of the Town of East Greenbush wishes to amend the Comprehensive Zoning Law to repeal the two-story height requirement in the B-1 zone; and

WHEREAS, the Director of Planning and Zoning has distributed copies of the proposed amendment to the Town Clerk and Planning Board, as required by Section 4.1 of the Comprehensive Zoning Law; and

WHEREAS, the Town Board wishes to assume lead agency status in connection with SEQR review of this Unlisted Action; and

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

now, therefore, be it

RESOLVED, that the Town Board shall accept public comment on a local law to update the Comprehensive Zoning Law, at a public hearing to be held at the East Greenbush Town Hall, 225 Columbia Turnpike, Rensselaer, NY 12144, on January 9, 2019 at 5:45 pm;

and be it further

RESOLVED, that the proposed action will require review under the State Environmental Quality Review Act ("SEQRA");

and be it further

RESOLVED, that the Town Board wishes to assume lead agency status in connection with coordinated SEQR review of the Project which is an unlisted action;

and be it further

RESOLVED, that the Town Board hereby directs Town Staff to commence the SEQRA lead agency coordination as required by SEQRA; to refer the proposed Zoning Amendment to County Planning; and to duly publish and provide the appropriate notice of the public hearing to surrounding municipalities and to the 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:

247-2018 A Resolution Advising the Rensselaer County Board of Chosen Freeholders of Municipal Participation in the First Update of the Rensselaer County Multi-Jurisdictional Hazard Mitigation Plan

WHEREAS, the current Rensselaer County Multi-Jurisdictional Hazard Mitigation Plan approved by the Federal Emergency Management Agency (FEMA) includes the Town of East Greenbush, through which the municipality is eligible for potential pre- and post-hazard mitigation planning and mitigation funding; and

WHEREAS, in order to continue to reduce hazard risks, strengthen community resiliency, and remain eligible for potential FEMA mitigation project funding, the Town of East Greenbush hereby commits to participating in the development of the first update of the Rensselaer County Hazard Mitigation Plan; and

WHEREAS, the Town Comptroller ...

now, therefore, be it

RESOLVED, on this 19th day of December, 2018, by the governing body of the Town of East Greenbush that:

1. Town of East Greenbush agrees to participate in the update of the Rensselaer County Multi-Jurisdictional Hazard Mitigation Plan.
2. The following two municipal representatives are hereby authorized to serve on the Rensselaer County Multi-Jurisdictional Hazard Mitigation Planning (HMP) Core Planning Group; actively participate as requested throughout the process, and lead a municipal Jurisdictional Assessment Team tasked with carrying out local participation requirements:
 Representative: Scott F. Gallerie, Commissioner of Public Works and Alternate Adam Yagelski, Director of Planning
3. At the end of the project, when FEMA deems the updated plan approvable, the Town of East Greenbush will, as required, pass a resolution formally adopting the final updated Rensselaer County Multi-Jurisdictional Hazard Mitigation Plan. This resolution will be provided immediately to the Rensselaer County Bureau of Public Safety for submittal to FEMA, who requires the resolution on file.

and be it further

RESOLVED that a signed copy of this Resolution will be provided to both the Rensselaer County Board of Chosen Freeholders and the Rensselaer County Bureau of Public Safety.

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:

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: