

Presentation: AHET Trail, Berkshire/Tamarack Report
Andy Beers- Hudson Greenway
Chris Cornwall – GPI

Mr. Beers explained that he was not going to go into a long presentation about the trail, he would rather open it up to a question and answer session. He explained that it will be a 35 mile bike and pedestrian trail that will go from the city of Rensselaer to the Town of Nassau. 25 miles of the trail will be in East Greenbush and will follow the old Albany Electric Trolley Trail. It is proposed to follow local sections of roads in the town also.

Father Joe from Holy Spirit Church spoke with concerns about the trail entry across from the parking lot, which is used for a playground.

Chris Cornwall informed Father that they could come out and talk through the issues at hand. He was confident that they could meet the needs of the school.

Jim S. had questions on why the plan changed from the original plan. He had concerns with the trail going through back yards, loss of privacy, motorized vehicles using the trail, and other concerns.

Grace B was worried about the trail too close to her house.

A resident had read a study about a trail in Florida. She explained that it was a 20 year impact study of how it has affected the cities. She went into detail about the study, and how it had a positive effect on the area.

Judy C. stated that she likes the idea of a trail, but went on to discuss her concerns about losing trees, who would maintain the property and so on.

Mary Anne M. was concerned about a right of way that they use for their drive way.

Chris Cornwall explained that he would come out and assess and discuss the residents' concerns.

Jennifer J. was very excited for the trail to com and thought it would be a huge boom to home values.

Jack L. was in favor of the use of the street. He discussed concerns with the use of the tight of way, because of drainage problems, atvs and snowmobiles on the trails, and a lot more work for the police.

Bridget F. was excited about the trail but had concerns regarding limited view on Berkshire Dr., the speed of the drivers, and parking.

Precilla P had concerns of the cost to tax payers for the extra cost for Plice and DPW, drainage, and thought Berkshire is too narrow.

Claud R. read a memorandum of his concerns to the Town Board.

Liz Tice thanked them for coming and explained her objection of studies.

Andy Beers explained that they are committed to this trail and are here to avoid problems, and want it to be a viable asset to the State, Town and everyone involved.

Phil V. Jr. explained that he has enjoyed the process of the meetings, because he has gotten to meet many of his neighbors. He said however this goes through he would like to be involved, whether it's with a bike, shovel, or garbage bag.

Doug S. explained he was thrilled about the trail.

Councilor Tierney explained that she has been doing a lot of research on other communities that have similar trails. She has spoken with Officials from the Town of Grange, East Fishkill, and Bethlehem. The Town of Grange and Fishkill do not police their trails, Bethlehem did purchase a Police Bike to police the trail. She explained the statistics for each trail. Councilor Tierney stated that the biggest complaint seems to be about dog waste.

Councilor DiMartino explained that she likes the idea of the trail and that we need to keep lines of communication open.

Councilor Matters explains that she takes more of pessimistic view, because she feels most residents in this area live here enjoy the privacy of our area. She also stated that Andy Beers is willing to work with people and the Supervisor is extremely sensitive to the situation and aware of their concerns.

Councilor Grant stated that "this is what America is all about." He went on to explain how important this process is, and that he thinks people will generally accept an outcome if they are treated fairly and included in the process.

Supervisor Conway thanked Andy, Chris, and the residents for coming out to discuss the trail, and everyone's' approach to the Trail.

168-2017 A Resolution Authorizing the Supervisor to Sign the Order on Consent R4-2017-0420-192 from the New York State Department of Environmental Conservation (DEC) and Pay the Civil Penalty Enumerated in the Order

WHEREAS, the Department of Environmental Conservation (DEC) is an agency of the State charged with jurisdiction over the protection of water quality; and

WHEREAS, the Town of East Greenbush owns and operates a Wastewater Treatment Plant at 80 Columbia Turnpike which holds a State Pollution Discharge Elimination System (SPDES) permit which sets effluent monitoring requirements; and

WHEREAS, the Town’s Wastewater Treatment Plant had intermittent discharges in the period from November 30, 2015 to May 31, 2017 that exceeded the SPDES permit effluent limitations; and

WHEREAS, the Town also failed to submit the required Mercury Minimization Program (MMP) Annual Status Report by May 1, 2017; and

WHEREAS, the Town experienced two unpermitted sewage discharges on January 15, 2017 and August 26, 2017 at the 3rd Avenue Sewage Pumping Station; and

WHEREAS, these violations resulted in DEC issuing an Order on Consent, R4-2017-0420-192, and assessing the Town a civil penalty of \$50,000.00 of which \$40,000.00 will be suspended if a payment of \$10,000.00 is made by September 15, 2017; and

WHEREAS, the payment must be accompanied by the notarized signature of the Town Supervisor accepting the Order on Consent; and

WHEREAS, the Town Comptroller confirms that this resolution will have a negative material impact on the Town’s finances;

Fund	Increase	Decrease
Allocated Sewers 7,8,9,10 Fund Balances @ GS 37%, HMS 13%, CS 13%, TAS 37%		\$10,000.00
8130.4 – Allocated Sewers 7,8,9,10 @ GS 37%, HMS 13%, CS 13%, TAS 37%	\$10,000.00	

now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush hereby authorizes the Town Supervisor to sign the DEC Order on Consent;

and be it further

RESOLVED, the Town Board of the Town of East Greenbush hereby authorizes the Town Comptroller to make a payment of \$10,000.00 to the Department of Environmental Conservation to satisfy the requirement of Order on Consent R4-2017-0420-192.

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

Supervisor Conway explained that this was a Town error, “that we have not put in place the proper structure of reporting.” We do have to pay a \$10,000.00 fine, and the rest will be suspended.

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

169-2017 Resolution Authorizing the Supervisor to Sign an Agreement with the NYS Environmental Facilities Corporation, Relating to Financing of a Certain Project

WHEREAS, the Town, over the past several months, has engaged in negotiations and discussions with the Environmental Facilities Corporation, relating to a proposed Project Finance Agreement; and

WHEREAS, the Project includes financing for the acquisition by the Town of a portion of water assets previously constructed and financed through the Rensselaer County Water and Sewer Authority, including upgrades at the Cross Street Pump Station and two 5,000,000 gallon finished water storage tanks; and

WHEREAS, such a project would improve the Town's water supplies, and reduce existing financing costs for which the Town is liable due to previous agreements; and

WHEREAS, the Town Board has concluded that entering into this agreement would be advantageous for the Town now, and for its future; and

WHEREAS, the Town Comptroller confirms that this resolution would be advantageous for the Town;

now, therefore, be it

RESOLVED, that the Supervisor is hereby authorized and directed to execute the Project Finance Agreement presented by EFC, and designated as "DWSRF" project no. 17139.

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

170-2017 Resolution Authorizing the Supervisor to Sign an Acquisition Agreement Relating to Water Facilities

WHEREAS, the Town, over the past several months, has engaged in negotiations and discussions with the Environmental Facilities Corporation, relating to a proposed Project Finance Agreement, to acquire certain water facilities owned by the Rensselaer County Water and Sewer Authority; and

WHEREAS, the Project will reduce existing financing costs for which the Town is liable due to previous agreements; and

WHEREAS, an element of this process, and a prerequisite for the completion of the project, is the execution of an acquisition agreement for the facilities from the Rensselaer County Water and Sewer Authorities; and

WHEREAS, the Town has been provided with a draft of the proposed Acquisition Agreement, draft which cannot be finalized until the Environmental Facilities Corporation confirms the date of the closing of its bonds; and

WHEREAS, the Town Comptroller confirms that this resolution would be advantageous for the Town;

now, therefore, be it

RESOLVED, that the Supervisor is hereby authorized to execute and deliver the Acquisition Agreement in substantially the draft form presented to the Town Board, with such changes as may be approved by the Supervisor, upon the advice of the attorney to the Town and bound counsel.

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

Councilor Matters	VOTED: YES
Supervisor Conway	VOTED: YES
Councilor DiMartino	VOTED: YES
Councilor Grant	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