



The Town of East Greenbush

225 Columbia Turnpike, Rensselaer, New York 12144

TOWN BOARD AGENDA PRE-BOARD MEETING August 14, 2019

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 B. Fritz

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:

Schedule of Meeting:

155 -2019 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 July 17, 2019 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 July 17, 2019 are hereby approved as submitted.

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

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

156-2019 A Resolution Scheduling a Special Meeting for the Town Clerk to Present the 2020 Tentative Budget to the Town Board

WHEREAS, the Town Clerk of the Town of East Greenbush wishes to schedule a Special Meeting to present the 2020 Tentative Budget to the Town Board as is required by §62 of the New York State Town Law (see Opinion of the State Comptroller No. 82-145); and

WHEREAS, the Town Comptroller has confirmed that the provisions of this proposed Board action 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 a Special Meeting on Tuesday, October 1, 2019 at 5:00 p.m., at the East Greenbush Town Hall, 225 Columbia Turnpike in the Town of East Greenbush, County of Rensselaer, State of New York for the Town Clerk to present the 2020 Tentative Budget to the Town Board;
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 Special Meeting as required by law.

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

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

157-2019 A Resolution to Replenish the Ammunition Supply of the East Greenbush Police Department

WHEREAS, the Town Board intends to provide members of the Town Police Department with sufficient ammunition for their bi-annual training dates and for their daily use;
and

WHEREAS, the current supply of ammunition is depleted to an amount that there isn’t sufficient ammunition to qualify the police department members for the Spring range, nor the upcoming Fall range; and

WHEREAS, the police firearms instructors and the Chief of Police, have recommended to replenish the Federal American Eagle 9mm and Federal Amo Lake City 5.56mm ammunition;
and

WHEREAS, the Town Comptroller has determined that this resolution will have a material effect on Town finances charged to account 31204.01.04 Police CE;
now therefore be it

RESOLVED, that the Chief of Police be and hereby is authorized to enter into an agreement with Amchar Wholesale Inc. of Rochester New York, under NY State Contract Nbr.

PC66331, for the purchase and replenishment of the police ammunition for a total expenditure of \$10,419.04;

and be it further

RESOLVED, this resolution shall take effect immediately.

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

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

158-2019 A Resolution Authorizing the Director of Finance to Solicit Bids through the NYS Vehicle Market Place for One New Unmarked Police Car

WHEREAS, it is important to maintain a fleet of police vehicles that are safe as well as available for the Detective Division of the police department to fulfill their job responsibilities; and

WHEREAS, the Chief of Police has reported that the Town's detective department will not have sufficient vehicles once the vacant detective position is filled; and

WHEREAS, the NYS Vehicle Marketplace Mini-Bid System allows multiple bidders to bid on each posted bid in an efficient and effective manner; and

WHEREAS, the Town Comptroller confirms that this resolution has no material impact on the Town's finances;

now, therefore, be it

RESOLVED, that the Town Board authorizes the Director of Finance to solicit bids utilizing the NYS Vehicle Marketplace mini-bid system to obtain best value pricing on (1) new Police Cars in cooperation with the East Greenbush Police Department.

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

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

159-2019 A Resolution to Authorize Base Percentages, Current Base Percentages, Current Base Proportions and Certificate of Adjusted Base Proportions for 2019-20, of the East Greenbush Central School District and to the Town of East Greenbush

WHEREAS, the Town Board of the Town of East Greenbush, County of Rensselaer, State of New York is required to provide the certified Current Base Percentages, Current Base Proportions and Certificates of Adjusted Base Proportions for the Homestead and Non Homestead parcels appearing on the Final Assessment Roll prepared I 2019; and

WHEREAS, the Town Comptroller confirms that this resolution has no material impact on the Town's finances;

now, therefore, be it

RESOLVED, that the following Current Base Percentages, Current Base Proportions and Adjusted Base Proportions for the Homestead and Non Homestead classes have been approved by the State of New York, pursuant to Section 1905 of the Real Property Tax Law, and the Town Board directs the Town Clerk to transmit a certified copy of this Resolution and Certificates to:

East Greenbush Central School District
29 Englewood Avenue, East Greenbush, NY 12061

Carey O’Neil, NYS Department of Tax & Finance
WA Harriman Campus, Building 8-A, Albany, NY 12227

CERTIFICATE OF BASE PERCENTAGES, CURRENT PERCENTAGES

This certificate measures the market condition of the assessment roll as compared to the 2018 roll against the base year of 1989 and the Assessor has finalized the Homestead Class and the Non Homestead Class portions for net changes due to physical and quantity changed, equalization changes and changes in the level of Assessment

HOMESTEAD CLASS	NON HOMESTEAD CLASS
East Greenbush Central District	
67.70905	32.29025
Town of East Greenbush	
67.3955	32.6045

CERTIFICATE OF ADJUSTED BASE PROPORTIONS

The Adjusted Base Proportions are used to determine tax rates by classifying the homestead class (residential parcels) and the Non Homestead Class (commercial parcels.)

HOMESTEAD CLASS	NON HOMESTEAD CLASS
East Greenbush Central School District	
66.93879	33.06122
Town of East Greenbush	
66.87461	33.12539

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 B. Fritz	VOTED:

160-2019 A Resolution Approving Attendance at the 2019 New York Assessor’s Association Seminar on Assessment Administration

WHEREAS, the New York State Assessor’s Association is holding their 2019 seminar on Assessment Administration at Crowne Plaza Lake Placid, from September 22, 2019 to September 25, 2019; and

WHEREAS, the Assessor is entitled to receive partial re-imbursement from the State of New York for continuing education, as stated in the Real Property Tax Law; and

WHEREAS, the cost to attend the seminar is approximately:

Registration \$175.00
Room & Meal \$867.00
\$1,042.00 not including mileage

and,

WHEREAS, the Town Comptroller confirms that this resolution has no material impact on the Town’s finances charged to account 13554.01.04 Assessor CE;
now, therefore, be it

RESOLVED, that the Assessor is authorized to attend the Seminar on Assessment Administration from September 22,2019 until September 25, 2019.

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

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

161-2019 A Resolution Ratifying Emergency Installation of a Curb Stop for 63.5 Phillips Road

WHEREAS, in accordance with Town policy and General Municipal Law, all public works expenses in excess of \$10,000 require Town Board approval; and

WHEREAS, Section 46 of East Greenbush Town Code requires the Town to place a curb stop and box at the property line; and

WHEREAS, Birch Builders applied for a water connection at a property that they are developing at 63.5 Phillips Road; and

WHEREAS, the Town of East Greenbush Water Department attempted to locate the water main at that location, using a vacuum excavator; and

WHEREAS, assessment of the dig site revealed that the excavation would be between eight and twelve feet deep in unstable soil conditions and would represent an unacceptable safety risk to employees, and that the excavation would require a large excavator with trenching equipment; and

WHEREAS, an estimate of \$6,500 was received from Chip Kronau Construction to excavate and stabilize the area using an estimated timeframe of one day, and approval was obtained per the Town’s procurement policy, and

WHEREAS, the excavation, water line tap, and restoration of the County Road to a safe condition took nearly three days to complete due to the unstable soil conditions and inaccurate and out of date water line mapping and cost a total of \$16,044.00, and

WHEREAS, once the excavation work on Phillips Road began, the difficult conditions dictated that the work had to be completed as the site could not be made secure and presented a risk to the travelling public and the water department employees; and

WHEREAS, the Town Comptroller confirms this resolution has a negative material impact of \$16,044.00 on Water Fund balance SW917 (5) covered by the following budgetary transfer;

Fund	Transfer in	Transfer out
Water Fund balance SW917(5)		\$16,044.00
Water Department Budget Line 8340.4.05	\$16,044.00	

now, therefore, be it

RESOLVED, that the Town Board ratifies the emergency installation of the curb stop at 63.5 Phillips Road.

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

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

162-2019 A Resolution to Authorize Funding for Masonry Repair and the Installation of Concrete Pads for Four HVAC Units at Town Hall of Town Hall

WHEREAS, in accordance with Town policy and General Municipal Law, all public works expenses in excess of \$10,000 require Town Board approval; and

WHEREAS, Deputy Commissioner Fiacco has assessed the need for masonry projects at the Town Hall and determined that a number of the exterior surfaces of the brick façade require repointing, and that there needs to be concrete pads poured under three of the new HVAC units in the rear of Town Hall to prevent vegetation from interfering with operations and maintenance of said HVAC units; and

WHEREAS, Deputy Commissioner Fiacco requested quotes from four companies that perform masonry work per the Town Procurement Policy; and

WHEREAS, the Town Comptroller believes at this time that the net financial impact of this resolution is not to exceed \$26,800 charged to 16204.01.04 Building CE; which is covered by the following budgetary transfer;

Fund	Transfer in	Transfer out
19904.01.04 Contingency CE		\$26,800
16204.01.04 Building CE	\$26,800	

now, therefore, be it

RESOLVED, that the Deputy Commissioner of Public Works is hereby authorized to contract for masonry repair at the East Greenbush Town Hall with Jason Benamati, Mason, at a price not to exceed \$26,800.

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 B. Fritz	VOTED:

163-2019 A Resolution Authorizing Emergency Repairs to the Water Transmission Line Located on Glenmore Road in the Town of North Greenbush

WHEREAS, in accordance with Town policy and General Municipal Law, all public works expenses in excess of \$10,000 require Town Board approval; and

WHEREAS, on August 7th at 6:30 p.m., the Commissioner of Public Works was notified of a significant break in the Water Transmission Line that provides water to the Town of East Greenbush and the City of Rensselaer located on Glenmore Road in the Town of North Greenbush; and

WHEREAS, the Commissioner of Public Works assessed the situation with the Water Department Foreman and determined that immediate action was required to restore the water service to the Town of East Greenbush and the City of Rensselaer; and

WHEREAS, based on their past experience with this particular section of water transmission line, Wm. J. Keller and Sons Construction Corp. was called in to immediately excavate and stabilize the site so that repairs could be made by the East Greenbush Water

WHEREAS, the Town Comptroller has confirmed that the financial impact of this resolution is \$15,027.00 from the Water Fund charge code 8320.4.05, offset by a 43% backcharge to the City of Rensselaer for its' portion of the bill as determined by the Town Designated Engineer covered by the following budgetary transfer;

Fund	Transfer in	Transfer out
Water Fund balance SW917(5)		\$8,565.00
Water Department Budget Line 8340.4.05		\$6,462.00
Water Department Budget Line 8340.4.05	\$15,027.00	

now, therefore, be it

RESOLVED, that the Town Board authorizes the payment of \$15,027 to Wm. J. Keller and Sons Construction Corp. for emergency repairs to the water transmission line on Glenmore Road with 43% of the cost of the repairs being backcharged to the City of Rensselaer.

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 B. Fritz	VOTED:

164-2019 A Resolution Approving the Acceptance by the Town of East Greenbush of a Certain Sidewalk Easement Over Property Owned by Hunter Montross, LLC

WHEREAS, the Pinecrest Business Park at 1 Springhurst Drive is being developed pursuant to approvals by the Town Planning Board, and approval by the Town Board of a Planned Development District for this parcel; and

WHEREAS, as part of the discussion of that project, the owners and developers of the project agreed to convey to the Town an easement for sidewalk purposes along Springhurst Drive over property owned by Hunter Montross, LLC; and

WHEREAS, Hunter Montross, LLC, through its attorneys, have provided to the Town the proposed easement, a copy of a survey showing said proposed easement, and the associated documents required for the transfer of the easement; and

WHEREAS, the Town Comptroller has determined that the conveyance of the easement to the Town would have no material negative impact on the Town’s Finances; now, therefore, be it

RESOLVED, that the Town of East Greenbush hereby accepts said easement, subject to approval by the Town attorney as to its form and content of the deed and other documents conveying said easement to the Town; and it is further

RESOLVED, that the Supervisor is authorized to sign any associated forms required for the recording of this easement.

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

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

165-2019 A Resolution Authorizing the Town Supervisor to Sign the Online Auction Contract with Auctions International Inc.

WHEREAS, the Department of Public Works and the Police Department currently have accounts with Auctions International, Inc. to auction surplus equipment and vehicles; and

WHEREAS, the Director of Finance believes it would be beneficial for the Town to have a generic Auctions International Inc., account to sell any surplus equipment or furniture; and

WHEREAS, most municipalities take advantage of this forum to sell surplus equipment and furniture; and

WHEREAS, the Town Comptroller confirms that there is no material impact to the Town’s Finances;

now, therefore, be it

RESOLVED, that the Town Supervisor is hereby authorized to sign the Online Auction Contract with Auctions International, Inc. upon review and approval by the Attorney for the Town.

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 B. Fritz	VOTED:

166-2019 A Resolution Authorizing the Expenditure of Funds Collected in Connection with the Western East Greenbush Generic Environmental Impact Statement (GEIS) as First Instance and Required Match Funding for a Locally Administered Federal Aid Project to Construct Sidewalks Along US 9 and 20 Sidewalk from Bruen Court to the City of Rensselaer Line

WHEREAS, the Town of East Greenbush adopted in 2009 a Final Generic Environmental Impact Statement (GEIS) to address the cumulative impacts of growth and development in a portion of the Town consisting generally of the area between Interstate 90 and NYS Route 9J (“the Study Area”); and

WHEREAS, the GEIS evaluated cumulative impacts associated with continued growth in the Study Area on the Town’s transportation network, water and sewer infrastructure, stormwater management program, and recreational resource inventory, and provided suitable mitigation to minimize the effect of development; and

WHEREAS, the GEIS analyzed multi-modal transportation conditions and operations along a segment of US Routes 9 & 20 between western Town line and US Route 4 and concluded that improvements to pedestrian amenities should be considered to improve safety as part of each future development proposed; and

WHEREAS, the GEIS specifically recommends for this segment of US Routes 9 & 20 that sidewalk capital improvements be implemented in order to provide sidewalk connectivity on both sides of Routes 9 & 20 as a mitigation measure to mitigate the traffic effects of the projected land use development within the Town; and

WHEREAS, the Town Board authorized the implementation, and funding in the first instance 100% of the Federal-Aid and State “Marchiselli” Program-Aid Eligible Costs, of a transportation federal-aid project for the construction of sidewalks and certain related improvements along Columbia Turnpike (i.e., US 9 and US 20) from Bruen Court to the Rensselaer County Line P.I.N. 1043.58 (the “Project”) and Appropriating Funds by passing Resolution 20-2019; and

WHEREAS, the GEIS Committee has voted to recommend approval of the use of GEIS Traffic funds for the improvements to be made as part of the Project; and

WHEREAS, the Town Comptroller confirms this resolution has a material negative impact on Town Finances charged to 51124.03.04.103 US 9&20 Sidewalk offsetting GEIS Traffic fee 2174.01.00.02;

now therefore be it

RESOLVED that the Town Board finds that the improvements to be constructed by the Project are consistent with mitigation measures included in the GEIS and authorizes the use of GEIS Traffic mitigation funds to finance the local share and first instance funding of the federal share of the Project;

and be it further

RESOLVED that the sum of \$790,527 in GEIS Traffic funds is hereby encumbered and made available to cover the cost of participation in all phases of the Project, of which sum \$632,421.60 is the Federal reimbursement share and \$158,105.40 is the local share;

and be it further

RESOLVED that the Town Board directs that the Federal reimbursement share in the amount of \$632,421.60 must be returned to the GEIS Traffic account upon receipt of reimbursement funds.

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

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

167-2019 A Resolution to Schedule a Public Hearing to Receive Public Comment on a Locally Administered Federal Aid Project to Construct Sidewalks Along US 9 and 20 Sidewalk from Bruen Court to the City of Rensselaer Line

WHEREAS, the Town Board authorized the implementation and funding of a transportation federal-aid project for the construction of sidewalks and certain related improvements along Columbia Turnpike (i.e., US 9 and US 20) from Bruen Court to the Rensselaer County Line P.I.N. 1043.58 (the "Project") by passing Resolution 20-2019; and

WHEREAS, the Town's selected consultant for the Project has gathered base mapping, environmental, and other data; consulted with Town, NYSDOT, and CDTA representatives; and developed a proposed preliminary design concept outlining the nature and location of the improvements to be constructed as part of the Project; and

WHEREAS, the Town Board desires to receive public comment on the aforementioned proposed preliminary design concept, such public comment being also integral to the federal-aid project implementation process; and

WHEREAS, the Town Comptroller confirms 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, County of Rensselaer, State of New York, will hold a Public Hearing at the Town Hall, 225 Columbia Turnpike, East Greenbush, New York on the 11th day of September at 5:30 pm to accept public comment on the proposed preliminary design concept.

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

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

168-2019 A Resolution to Direct Certain Mitigation Fees Received in Connection with the Pinecrest Plaza Major Site Plan to the GEIS Water/Sewer Fund

WHEREAS, the Town of East Greenbush received an application for a commercial development site plan and Planned Development District (hereinafter “PDD”) amendment submitted by SHS Holdings, LLC – George Shannon located at 1 Springhurst Drive (SBL 177.08-4-11.121) consisting of the construction of two (2) commercial buildings totaling approximately 24,000 square feet and related site improvements (the “Project”); and

WHEREAS, the Town Board made a SEQRA determination and approved the PDD major amendment and major site plan for the Project by passing Resolution 131-2019; and

WHEREAS, the Town Board as a condition of approval required that the developer pay fees which included \$30,938.00 as set forth in a memorandum from the Town Engineer to the Town Commissioner of Public Works and Building Inspector dated November 16, 1994 relating to the collection of sewer Inflow and Infiltration mitigation fees (“I&I Fees”); and

WHEREAS, Town policy is that land development mitigation fees be paid to the Town in accordance with the Western East Greenbush Generic Environmental Impact Statement (“GEIS”) and Local Law No. 5 of the year 2018 in order to mitigate the impact of development in Town, including impacts to the Town’s Water/Sewer infrastructure; and

WHEREAS, Local Law No. 5 of the year 2018 created a series of segregated accounts into which land development mitigation fees collected by the Town are to be deposited and among these accounts is the GEIS Water/Sewer account;

WHEREAS, the Town Comptroller confirms this resolution reclassifies decreasing Actual Mitigation Revenue code 2374.01 and increasing GEIS Water & Sewer Revenue code 2374.01.00.24 by \$30,938.00, now, therefore, be it

RESOLVED, that the Town Board finds that the fees assessed in 1994 were collected to mitigate impacts associated with the Town’s Water/Sewer infrastructure, that these collection of these fees is consistent with the GEIS and the policy outlined in Local Law 5 of 2018, and hereby directs that the \$30,938.00 required in connection with the Project be deposited into the GEIS Water/Sewer account.

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 B. Fritz	VOTED:

**169-2019 A Resolution to Approve the Application for Major Site Plan for the
Remainder of Phase 3 on Regeneron’s Tempel Lane Campus (PZD File # 15-
20e)**

WHEREAS, Regeneron Pharmaceuticals Inc., Inc. has submitted to the Town an application for major site plan approval for the remainder of phase 3 at Regeneron’s Tempel Lane Campus (SBL 144.3-5.1); and

WHEREAS, the remainder of phase 3 consists of the following structures as set forth in greater detail in the application materials referenced below: a new Science Building (“Building 27”) and adjacent Parking Garage (“Building 47”), guardhouse site preparation, backup generator yard, surface parking, internal roads, water supply, sanitary sewers, stormwater management, gas, electric, communications, site lighting, and landscaping; and

WHEREAS, the Town Planning Board of the Town of East Greenbush has reviewed the application and related materials, including the site plan entitled “Tempel Lane Campus Building 27, Building 47, and Substation,” prepared by Jacobs Engineering, dated December 21, 2018 and last revised July 15, 2019; and

WHEREAS, the Town Planning Board has also reviewed the Amended Statement of Findings prepared pursuant to the State Environmental Quality Review Act (“SEQRA”) for Regeneron’s Tempel Lane Campus, adopted by the Town Board on November 19, 2018 and adopted by the Town Planning Board on February 27, 2019; and

WHEREAS, the Town Planning Board has carefully considered the comments and recommendation of its Town Designated engineers, Greenman Pedersen, Inc as well as the responses to those comments and recommendations provided by the Applicant;

WHEREAS, the Town of East Greenbush Town Planning Board recommended that the application for major site plan approval for the remainder of phase 3 of Regeneron’s Tempel Lane Campus is consistent with the above referenced amended SEQRA Statement of Findings and that the Town Board approve the application for major site plan on July 24, 2019, subject to the conditions set forth in its resolution recommending approval; and

WHEREAS, the Town Board has classified the proposed action as a Type 1 action under SEQRA, declared its intent to seek lead agency status in connection with SEQRA, and accepted the proposed sketch plan for the development of the remainder of phase 3 in its resolution 145-2019;

WHEREAS, the Town Comptroller has confirmed that the provisions of this proposed Board action will have no immediate material impact on the Town’s finances;
now, therefore, be it

RESOLVED, that the Town Board declares itself lead agency for the review of the action in connection with SEQRA;
and be it further

RESOLVED, that the Town Board finds that the application for major site plan approval for the remainder of phase 3 of Regeneron’s Tempel Lane Campus is consistent with the above referenced amended SEQRA Statement of Findings that no Supplemental Environmental Impact Statement is necessary because the Project remains within the impact thresholds and mitigation established in the amended SEQRA Statement of Findings as discussed by the Town Planning Board at its meeting on July 24, 2019 and as described within the memorandum dated July 17, 2019 prepared by GPI;
and be it further

RESOLVED, that a waiver is hereby granted from the Town's Comprehensive Zoning Law requirement of a 25-foot buffer from wetlands, in as much as Regeneron has undertaken steps to ensure that there are no adverse impacts to wetlands, subject to the following: Regeneron shall take steps to ensure that snow storage shall not infringe on the areas of the site in which wetland buffer waivers have been granted, subject to Planning and Zoning Department approval and be it further

RESOLVED, that the Town Board hereby approves Regeneron's major site plan application for the remainder of Phase 3 of the Temple Lane Campus, subject to the following conditions:

1. Regeneron must address any remaining technical comments from the Town's designated engineer and Town Planning and Zoning Department.
2. Regeneron must implement a traffic monitoring program as outlined in the March 2018 Traffic Impact Study (TIS) prepared by CHA, Consulting and updated July 27, 2018. This would include bi-annual traffic counts at the site to confirm the trip generation after each phase of development as set forth in the previous resolutions of the Town Board for phases 1 and 2 and now with respect to phase 3.
3. The phased traffic mitigation improvements as outlined in Tables 8 and 13 in CHA's July 2018 Revised Phasing Plan letter must be completed as per the Development Agreement, and Regeneron shall supply a schedule for mitigation activities, including the Temple Lane repaving as set forth in previous resolutions approving phases 1 and 2 of the Tempel Lane Campus.
4. Prior to commencing construction, all remaining fees and escrow must be paid to the Town, including land development mitigation fees required in connection with the Western East Greenbush Generic Environmental Impact Statement (GEIS) as detailed in the GEIS fee statement provided by the Town.
5. Prior to issuance of a building permit, Regeneron must establish an escrow account to cover the costs of any necessary third-party inspection services as determined by the Town Planning and Zoning Department.
6. The property owner shall enter into a Stormwater Facility Maintenance Agreement with the Town for the entire Temple Lane Campus to ensure proper maintenance of all stormwater facilities in perpetuity prior to issuance of a Certificate of Occupancy for phase 3, or, in the alternative, submit documentation to the Town of coverage under the NYSDEC multi-sector general permit.
7. An approved Stormwater Pollution Prevention Plan (SWPPP) for the phase 3 project must be submitted to the Town. The approved SWPPP must include documentation of any nonstandard features.
8. Construction activity at the Temple Lane Campus project site, including all phases of development, must not disturb greater than five (5) acres of soil at any one time without prior written authorization from the Town.
9. All storm water pollution prevention permits must be obtained prior to site work and/or issuance of a building permit. Regularly scheduled required inspections must be performed during the permit term by the design engineer or other qualified individual in accordance with the GP-0-15-002, the approved SWPPP, and the Town's Comprehensive Zoning Law. Regeneron must include in each required report the acreage of total site disturbance for all active State Pollution Discharge Elimination System permits involving the project site.

10. Prior to issuance of a building permit, Regeneron must provide to the Town a site engineering report describing the design, installation, and operation of any onsite sanitary sewer conveyance facilities necessary in connection with this site plan approval. This report is subject to Town Department of Public Works and Town designated engineer approval.
11. Regeneron must submit to the Town and NYSDEC a Water/Sewer Engineers Report for review and approval. The Town Board recognizes that Regeneron has agreed to install a metering vault on the waterline entering the Regeneron property from 3rd Avenue Extension. Regeneron must provide a schedule to complete the meter pit installation.
12. Regeneron must obtain approval from the Department of Public Works that the proposed 221,173 GPD of total water demand confirming that the anticipated increased demand of approximately 2,400 GPD is acceptable without additional improvements to the Town's infrastructure.
13. Regeneron must obtain a Department of Public Works Utility Permit, as determined by the Commissioner of Public Works, for any work involving connection to the Town's sanitary and/or water supply systems.
14. Prior to obtaining a Department of Public Works Utility Permit for connection to the Town's sanitary sewer system for the remainder of phase 3, Regeneron must comply with the Development Agreement approved by the Town Board with respect to the improvements to the 3rd Avenue and Barracks Road pump stations.
15. Prior to obtaining a Certificate of Occupancy for the remainder of phase 3, Regeneron must submit to the Town Department of Public Works an Industrial Wastewater Discharge Application for each structure to be connected to the public sewer and must be responsible for any pretreatment standards for the manufacturing building wastewater as required by the Town's assessment of the Industrial Wastewater Discharge Application for the Project.
16. Roofing material on any Buildings must be of a dark gray, brown, or earth tone color, subject to the approval of the Town's Planning and Zoning Department prior to constructing the roof.
17. Regeneron must provide an updated landscaping plan subject to the approval of the Town Planning and Zoning Department and Town Designated Engineer.
18. Regeneron must obtain a NYSDOT highway work permit for any work in the NYS right-of-way.
19. Regeneron must provide a glare analysis to confirm that the proposed solar panels will not reflect light in a way that would negatively impact the Project's surroundings and must implement any mitigation measures such analysis specifies, subject to approval by the Town Planning and Zoning Department.
20. Prior to obtaining a certificate of occupancy for the remainder of phase 3 Regeneron must set forth the status of its actions under the Development Agreement to confirm that it has complied with its obligations under the Agreement.
21. Regeneron is subject to any applicable conditions set forth in the Amended Statement of Findings.
22. Prior to obtaining a building permit, Regeneron shall obtain all required approvals and/or permits for the project, except as provided for in the Development Agreement.

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 B. Fritz	VOTED:

170-2019 A Resolution Authorizing the Town Supervisor to Execute a Master Contract with NYSDEC for a Grant Received from the Water Quality Improvement Program (WQIP) for MS4 Mapping and Authorizing the Use of GEIS Funds

WHEREAS, the Town applied for NYSDEC Water Quality Improvement Program (WQIP) funding support for necessary outfall and storm sewer system mapping activities (CFA Application #81710) and was selected to receive up to \$57,000 in WQIP funding for MS4 mapping purposes in December 2018; and

WHEREAS, the WQIP grant funding would be used to create a comprehensive, up-to-date GIS-based mapping system to record locations of stormwater management infrastructure and procurement of related GIS mapping software and mobile tablet computer devices for field use (the “Project”), which Project is necessary to partially fulfill current MS4 requirements and will allow the Town to address anticipated new MS4 permit requirements; and

WHEREAS, total project costs are estimated to be \$76,000 of which total cost \$57,000 is WQIP grant funding and \$19,000 is the local portion; and

WHEREAS, the Town Board in its resolution 87-2019 authorized the Director of Planning and Zoning to solicit consultant services to carry out the mapping activities as part of the WQIP award; and

WHEREAS, in accordance with the terms of the Master Contract with NYSDEC for the Project the Town will receive quarterly reimbursement of up to \$57,000 in WQIP grant funds expended to implement the project; and

WHEREAS, the GEIS Committee voted to approve expenditure of \$4,607.90 GEIS Land Use & GIS funds; and

WHEREAS, the Town Comptroller has confirmed that this resolution has a material negative impact of \$76,000.00 charged to Planning 80204.01CE now, therefore be it

RESOLVED, that the sum of \$4,607.90 GEIS Land Use & GIS funds is hereby obligated for the purposes of implementing the Project; and be it further

RESOLVED, that the Town Board hereby appropriates the sum of \$76,000.00 in funds to implement the Project of which \$57,000 will be the WQIP share first instance funding, \$4,607.90 is GEIS Land Use & GIS funds, and \$14,392.10 is General Fund; and be it further

RESOLVED, that the Town Supervisor is hereby authorized to sign the Master Contract for Grants with NYSDEC for the Project following the approval as to form by the Town Attorney;

and be it further

RESOLVED, that the Town Supervisor is hereby authorized to delegate signatory authority to the Director of Planning and Zoning for the purposes of contract execution in the New York State Grants Gateway electronic grant administration platform;

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

DRAFT