

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	VOTED:
Councilor DiMartino	VOTED:
Councilor Matters	VOTED:
Councilor Grant	VOTED:
Councilor Tierney	VOTED:

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:
Councilor DiMartino	VOTED:
Councilor Matters	VOTED:
Councilor Grant	VOTED:
Councilor Tierney	VOTED:

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

ADJOURNMENT

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

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