



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

**118-2019      A Resolution Honoring the Accomplishments of the Columbia High School Science Olympiad Team**

**WHEREAS**, a science education is integral to the high school curriculum and helps prepare students for the challenges of the 21st century; and

**WHEREAS**, the Columbia High School Science Olympiad Team earned the title of **New York State Champions** at the New York State Finals held at Le Moyne College in March 2019, earning a sixth consecutive trip to the National Championships; and

**WHEREAS**, the team placed 11<sup>th</sup> out of 61 competing teams at the National Tournament held at Cornell University in June; and

**WHEREAS**, Sydney Sill, Nina Tedeschi, and Ekansh Agrawal earned gold medals as National Champions in the “Protein Modelling” event and won \$10,000 scholarships per year; and

**WHEREAS**, George Culver and Clara Xin earned gold medals as National Champions for their expertise in the “Water Quality” event; and

**WHEREAS**, Kate Burns and Nina Tedeschi earned 2nd place silver medal honors in the Dynamic Planet event on the topic of glaciers, and 3rd place bronze medal honors in the “Geo-Mapping” event; and

**WHEREAS**, Captain Sam Koblensky and Lindsey Conboy earned 3rd place bronze medal honors in the “Sound of Music” event; and

**WHEREAS**, Noelle Maloney and Ekansh Agrawal placed 5th in the nation in the “Wright Stuff” event and Sydney Sill and George Culver earned 5th place honors in the “Designer Genes” event; and

**WHEREAS**, the team is coached by Darleen Morgan, Jeff Amos and Diana Prout; and

**WHEREAS**, the team members are:

|                  |                |
|------------------|----------------|
| Ekansh Agrawal   | Sam Koblensky  |
| Ryan Allen       | Buffy Kromer   |
| Owen Ball        | Noelle Maloney |
| Kate Burns       | Kelly Nagel    |
| Lindsey Conboy   | Nidhi Shah     |
| George Culver    | Sydney Sill    |
| Ryan Doyle       | Nina Tedeschi  |
| Justine Fournier | Clara Xin      |

now, therefore, be it

**RESOLVED**, that the Town Board of the Town of East Greenbush recognizes the pride of our entire community and honors the Columbia High School Science Olympiad Team for their accomplishments in the National Science Olympiad Championship.

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 B. Fritz   | VOTED: |

**119-2019 A Resolution to Recognize the Achievement of the Columbia High School Boys Varsity Bowling Team**

**WHEREAS**, high school athletics are an important part of a high school education and a source of great pride for the whole community; and

**WHEREAS**, team sports provide a chance for participants to learn about commitment, teamwork, sportsmanship and the quest for excellence; and

**WHEREAS**, the Columbia High School boys varsity bowling team won the Section II championship; and

**WHEREAS**, the team was coached by Bill Neumann, who was named Coach of the Year by the Albany Times Union, and Lisa Johnas; and

**WHEREAS**, the members of the Sectional Champion Blue Devils are:

|                    |                  |
|--------------------|------------------|
| Tyler Bogholtz     | Zachary Bogholtz |
| Henry Dreisenstock | Kyle Fortin      |
| Bailey Grugan      | Jason Hahn       |
| Ryan LeMay         | Thomas Stein     |

now, therefore, be it

**RESOLVED**, that the Town Board of the Town of East Greenbush hereby recognizes and congratulates the Columbia High School Boys Varsity Bowling Team on winning the Section II Championship!!!!

and be it further

**RESOLVED**, that the Town Board congratulates Bill Neumann on being named Coach of the Year

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

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

**120-2019 A Resolution Honoring the Columbia High School Boys Indoor Track Team For Winning the Section II Championship**

**WHEREAS**, high school athletics are an important part of a high school education and a source of great pride for the whole community; and

**WHEREAS**, team sports provide a chance for participants to learn about commitment, teamwork, sportsmanship and the quest for excellence; and

**WHEREAS**, the Columbia High School Boys Indoor Track Team participated in the Section II championship as defending champions and won the title for the second year in a row; and

**WHEREAS**, the team is coached by Head Coach Ryan Jones and assistant coaches Chris Hosley, John Rivera, Chris Dedrick and Steve Taylor; and

**WHEREAS**, the members of the team are:

|                 |                     |                  |
|-----------------|---------------------|------------------|
| David Adadjo    | Carter Albano       | Thomas Breimer   |
| Dustin Chambers | Billy Conboy        | Anthony Cozzy    |
| Liam Danaher    | Nathan Davis        | Thomas Donohue   |
| Zachary Eldred  | Carmen Erno         | Robert Erno      |
| Stephen Fajen   | Evan Farnan         | Andrew Gatchell  |
| Aidan Gillie    | Cole Herrington     | Samuel Kromer    |
| Tyler LoPresti  | Aidan McLaren       | Tyler McLaughlin |
| Michael Murphy  | Dominic Nova        | John Powhida     |
| Daud Sadiq      | Alexander Weinstein |                  |
| Ethan Welkley   | Alexandros Wheeler  |                  |

now, therefore, be it

**RESOLVED**, that the Town Board of the Town of East Greenbush recognizes and congratulates the Columbia High School Boys Indoor Track Team on their achievement of winning the Section II championship for the second year in a row.

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: |

**121-2019 A Resolution Proclaiming June as Pride Month in East Greenbush**

**WHEREAS**, the Town Board of East Greenbush supports the rights, freedoms, and equality of persons who are lesbian, gay, bisexual, transgender, and queer; and

**WHEREAS**, our nation was founded on the principle of equal rights for all people, but the fulfillment of this has been long in coming for many Americans; and

**WHEREAS**, in the movement toward equal rights for lesbian, gay, bisexual, transgender, and queer (LGBTQ) people a historic turning point occurred on June 28, 1969 in New York City with the onset of the Stonewall Riots; and

**WHEREAS**, throughout the country, LGBTQ Pride Month is celebrated each year in the month of June to honor the 1969 Stonewall Uprising in Manhattan; and

**WHEREAS**, East Greenbush has a diverse LGBTQ community that includes people of all ethnicities, religions, and professions; and

**WHEREAS**, everyone should be able to live without fear of prejudice, discrimination, violence and hatred based on race, religion, gender identity, or sexual orientation; now therefore be it

**RESOLVED**, on behalf of all residents of East Greenbush, the Town Board in the town of East Greenbush does hereby proclaim June 2019 as Pride Month in East Greenbush and urges all residents to respect and honor our diverse community, and to celebrate and build a culture of inclusiveness and acceptance.

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: |

**122-2019 A Resolution for Approval of 2018 Service Credit for Volunteers of the W. F. Bruen Emergency Squad, Inc.**

**WHEREAS**, the Town of East Greenbush in the County of Rensselaer, State of New York (hereinafter, the “Town”), is the sponsor of a service award program (hereinafter, “Program”) for the volunteer ambulance workers of W. F. Bruen Emergency Squad, Inc. (hereinafter, “Bruen”), the Town’s contracted provider of emergency medical service for the East Greenbush Ambulance District, pursuant to New York General Municipal Law (hereinafter, “GML”) article 11-AAA; and

**WHEREAS**, in accordance with GML §219-m, subdivision 9, the President, Secretary, and Chief of Bruen have duly certified to the East Greenbush Town Board (hereinafter, the “Board”) a list containing those volunteer ambulance workers designated as Program participants who qualify for service credit for fiscal year 2018 (hereinafter, the “List”); and

**WHEREAS**, the Director of Finance, having received and reviewed the List, has not received any information contrary thereto; and

**WHEREAS**, no volunteer worker has requested deletion as a participant from said list; and

**WHEREAS**, the Town Comptroller has determined that this resolution will have no material impact on the Town Finances; now, therefore, be it

**RESOLVED**, that the Board acknowledges that no one has qualified for Service Credit for Volunteers in 2018.

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

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

**123-2019 A Resolution to Appoint a Temporary Seasonal Laborer in the Department of Public Works**

**WHEREAS**, the Department of Public Works requires a Temporary Seasonal Laborer in the Sewer Department during the summer months to assist in addressing the backlog of preventative maintenance; and

**WHEREAS**, the Public Works Commissioner has selected an individual based on his prior experience with the Town; and

**WHEREAS**, Jonathan Frickey has prior experience working with the Town of East Greenbush and has demonstrated the ability to work efficiently; and

**WHEREAS**, the Town Comptroller has confirmed that these appointment can be funded with the 2019 Sewer Budget 8120.1.07;

now, therefore, be it

**RESOLVED**, that the Town Board confirms the appointment for hours worked, hours paid, with no benefits, of Jonathan Frickey effective June 19, 2019 at the rate of \$12.00 per hour. The total amount of this resolution is not to exceed \$7,000 as reflected in the 2019 budget. All appointments will end not later than October 15<sup>th</sup>, 2019 as per the CSEA Collective Bargaining Agreement.

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

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

**124-2019 A Resolution to Schedule a Public Hearing to Consider the Enactment of Two Local Laws Respective of an Increase in Each of the Town's Two Real Property Tax Exemptions for Veterans: One Regarding the Alternative Wartime Veterans' Exemption and the Other Regarding the Cold-War Veterans' Exemption**

**WHEREAS**, the New York Real Property Tax Law provides municipalities with discretion to establish, for veterans and their qualified family members who own qualified residential real property, certain levels of exemption from real property taxation (within the general and highway funds, only) related to their veteran status under two categories: (1) the alternative exemption for wartime veterans pursuant to section 458-a and (2) the cold-war veterans' exemption pursuant to section 458-b; and

**WHEREAS**, the amount of exemption for each of the foregoing categories, which can be set as low as level A to as high as level X, is currently at level H in the town of East Greenbush, meaning that exemptees are currently realizing one-third of the total, statutorily allowable amount under each exemption; and

**WHEREAS**, the Town Board last increased the alternative exemption (pursuant to the enactment of East Greenbush Local Law No. 2 of 2007) on March 19, 2007 and the cold-war exemption (pursuant to the enactment of East Greenbush Local Law No. 4 of 2008) on October 14, 2008, and acknowledges that, since such dates, the value of each exemption at the current level has been diminished and, therefore, needs to be reviewed in order to consider, at a minimum, a restoration of equity via an increase in such level; and

**WHEREAS**, this Town Board acknowledges that, beyond the aforementioned equity-related issue, the honor that we continuously bestow upon our veterans in recognition of, and in appreciation for, their past and continued sacrifices in service to their country, must be substantively demonstrated by considering an increase in the level of each of the foregoing real property tax exemptions; and

**WHEREAS**, the Town Comptroller attests that none of the provisions of this resolution shall pose a material impact to the town's finances;

now, therefore, be it

**RESOLVED**, that the Town Board shall hold a public hearing on the 17<sup>th</sup> day of July 2019 at 6:30 p.m. at Town Hall to consider the enactment of two local laws respective of an increase in each of the town's two real property tax exemptions for veterans: one regarding the alternative wartime veterans' exemption and the other regarding the cold-war veterans' exemption;

and be it further

**RESOLVED**, that the Town Clerk shall cause notice of the subject public hearing to be duly published in the town's officially designated newspaper in accordance with the opportune manner legally prescribed.

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: |

### **125-2019 A Resolution Authorizing Cured- In- Place Pipe Lining Repairs to Storm Drains on Spruce Run**

**WHEREAS**, the Commissioner and Deputy Commissioner of Public Works conducted a camera inspection of the storm drains on Spruce Run in April of 2019; and

**WHEREAS**, the camera inspection revealed that the galvanized pipes in the storm drain system were failing due to corrosion of the pipes; and

**WHEREAS**, the Spruce Run development cannot be repaved until the culvert pipes are repaired or replaced; and

**WHEREAS**, of the two options available to the Department of Public Works, slip lining the pipes with a cured- in-place pipe liner is much less costly than excavating and replacing the existing pipes, and has an expected service life of a minimum of 50 years; and

**WHEREAS**, Precision Trenchless LLC has been awarded the Onondaga County Bid for installing cured in place pipe liners and the Bid has been made available to other political subdivisions state-wide; and

**WHEREAS**, the Department of Public Works requested \$50,000 in the 2019 budget for lining of storm drains; and

**WHEREAS**, the Town of East Greenbush Purchasing Policy requires purchases of \$10,000 or more to be approved by the Town Board; and

**WHEREAS**, the Town Comptroller has confirmed that the financial impact of this resolution is \$55,982.00 from the Highway Department account 5110.4.2 for this expense now, therefore, be it

**RESOLVED**, that the Town Board authorizes the Commissioner of Public Works to execute a contract with Precision Group, LLC to install 705 feet of Cured In Place Pipe Lining under Spruce Run at a cost not to exceed \$55,982.

The foregoing resolution was duly moved by Councilor Tierney seconded by Councilor Matters and was voted upon as follows:

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

**126-2019 A Resolution to Make a Conditional Job Offer to Nicholas J. Liuzzi**

**WHEREAS**, this Board intends to maintain adequate staffing within the Town Police Department, by appointing qualified individuals to replace positions that become vacant, and police officer positions have become vacant; and

**WHEREAS**, the Town Comptroller is concerned that the Police Department budget for account 31201.01.01 for the first part of the year has exceeded what was planned and further analysis is needed to determine the fiscal impact of this resolution; and

**WHEREAS**, Nicholas J. Liuzzi, a graduate of Columbia High School and Hudson Valley Community College, has made application for said police officer position, has undergone a background investigation, has been interviewed by the Town Board and has been found to be eligible and qualified according to the Rensselaer County Civil Service Commission; and in order to further advance the Town's recruiting process consistent with law;

now therefore be it

**RESOLVED**, that Nicholas J. Liuzzi be and hereby is offered a conditional appointment to the position of Police Officer, subject to the following conditions and stipulations;

- final approval of all medical and psychological evaluation by the Rensselaer County Civil Service Commission;
- satisfactory fingerprint and background check;
- successful completion of the Basic School for Police prescribed by the Bureau for Municipal Police and successful completion of the Field Training Program of the East Greenbush Police Department;

and be it further

**RESOLVED**, that said job offer be accepted by said candidate within ten days by executing the oath of office as administered by the Town Clerk, or, after which said offer shall become null and void;

and be it further

**RESOLVED**, that said conditional appointment, shall commence on or about July 8, 2019; shall be subject to a probationary period of one (1) year; and, that upon successful completion of all said conditions and stipulations, shall be, and hereby is made permanent.

The foregoing resolution was duly moved by Councilor Kennedy seconded by Councilor Matters and was voted upon as follows:

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

**127-2019 A Resolution to Make a Conditional Job Offer to Shelby E. Proper**

**WHEREAS**, this Board intends to maintain adequate staffing within the Town Police Department, by appointing qualified individuals to replace positions that become vacant, and police officer positions have become vacant; and

**WHEREAS**, the Town Comptroller is concerned that the Police Department budget for account 31201.01.01 for the first part of the year has exceeded what was planned and further analysis is needed to determine the fiscal impact of this resolution; and

**WHEREAS**, Shelby E. Proper, a graduate of Valley Central High School and the State University of New York, has made application for said police officer position, has undergone a background investigation, has been interviewed by the Town Board and has been found to be eligible and qualified according to the Rensselaer County Civil Service Commission; and, in order to further advance the Town’s recruiting process consistent with law;

now therefore be it

**RESOLVED**, that Shelby E. Proper be and hereby is offered a conditional appointment to the position of Police Officer, subject to the following conditions and stipulations;

- final approval of all medical and psychological evaluation by the Rensselaer County Civil Service Commission;
- satisfactory fingerprint and background check;
- successful completion of the Basic School for Police prescribed by the Bureau for Municipal Police and successful completion of the Field Training Program of the East Greenbush Police Department;

and be it further

**RESOLVED**, that said job offer be accepted by said candidate within ten days by executing the oath of office as administered by the Town Clerk, or, after which said offer shall become null and void;

and be it further

**RESOLVED**, that said conditional appointment shall commence on July 8, 2019; shall be subject to a probationary period of one (1) year; and, that upon successful completion of all said conditions and stipulations, shall be, and hereby is made permanent.

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

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

**128-2019 A Resolution Authorizing the Professional Services Agreement with New York State Public Entities Safety Group 497/ New York State Insurance Fund (NYSIF) for Workers' Compensation Coverage**

**WHEREAS**, the annual audit of the 7/1/2017-7/1/2018 Policy Year for Workers' Compensation policy showed that an additional premium was needed to cover the actual payroll for the time period; and

**WHEREAS**, the Town Comptroller, Finance Direct and Human Resources Manager began to research policy coverage options; and

**WHEREAS**, after meeting with other workers' compensation carriers that specialize in municipal coverage, a Request for Quote was provided to Comp Alliance, Public Employer Risk Management Association (PERMA) and Safety Group 497/NYSIF; and

**WHEREAS**, the following quotes were received from the carriers: to provide workers' compensation coverage to the Town's workforce, the Best Luther/Third Avenue Fire Protection District and the Volunteer Ambulance district; and

| <b>Company</b> | <b>Total</b> |
|----------------|--------------|
| NYSIF          | \$277,043.00 |
| PERMA          | \$291,402.00 |
| COMP ALLIANCE  | \$323,606.00 |

**WHEREAS**, the Town has been a member of Safety Group 497/NYSIF since 3/1/1993, and began earning dividends as part of the group since 7/1/1994, dividends average 30% return of the premium, and it is recommended that the Town remain with Safety Group 497/ NYSIF for the 7/1/2019-7/1/2020 policy year; and

**WHEREAS**, the Safety Group will continue to assist the Town in the current dispute over the 2017/2018 audit and has options for safety training the Town can choose to utilize to help reduce incidents and to develop a safety plan for all departments, and

**WHEREAS**, the Town Comptroller has confirmed that the provisions of this resolution were planned for in the 2019 Town Budget;

now, therefore, be it

**RESOLVED**, that the Town Board does hereby approve the 7/1/2019-7/1/2020 Workers' Compensation quote for the amount of \$277,043.00.

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

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

**129-2019      A Resolution by the Town Board of East Greenbush Town Board to Approve the “Pinecrest Plaza” Planned Development District Amendment and Local Law Proposed by SHS Holdings, LLC and the Major Commercial Site Development Plan for the PDD (PZD #18-29)**

**WHEREAS**, the Town of Est Greenbush is in receipt of an application for a commercial development site plan and Planned Development District (hereinafter “PDD”) amendment submitted by SHS Holdings, LLC – George Shannon; and

**WHEREAS**, the Pinecrest PDD is shown on the zoning map of the Town of East Greenbush, and the Pinecrest Commercial Park within the PDD is located at 1 Springhurst Drive, Tax Map Parcel No. 177.08-4-11.121, and will consist of the construction of two (2) commercial buildings totaling approximately 24,000 square feet and related site improvements; and

**WHEREAS**, the Pinecrest PDD was established by resolution of the Town of East Greenbush Town Board, after the adoption of an EIS and SEQRA findings, on August 2, 1990 and all but the commercial portion of the project was constructed many years ago; and

**WHEREAS**, on April 17, 2019, the Town Board accepted the complete applications for a major commercial development site plan and for a major PDD amendment to be known as “Pinecrest Plaza PDD” and referred the applications to the Town Planning Board for their recommendation; and

**WHEREAS**, a Full EAF has been prepared for this type 1 SEQRA application and the Town Board has declared its intent to be lead agency and has completed the coordination of the lead agency status review and received comments from other involved agencies; and

**WHEREAS**, a proposed local law has been introduced for the PDD amendment and is attached to this resolution; and

**WHEREAS**, the application was referred to the Rensselaer County Planning Board as required pursuant to the General Municipal Law and the County responded that “the proposal does not have a major impact on County plans and that local consideration shall prevail”; and

**WHEREAS**, the application materials, full EAF and the local law have been carefully reviewed by the Town Planning Board members, Town Planning Staff and the Town Designated Engineer for the project; and

**WHEREAS**, the Town Planning Board held a duly noticed public hearing on May 8, 2019 to give the public an opportunity to review and comment on the application materials; and

**WHEREAS**, the Town Planning Board recommended to the Town Board that the Town Board issue a negative declaration of environmental significance on the proposed type 1 action in accordance with the proposed draft EAF parts 2 and 3 attached hereto; that the Town Board approve the local law amending the PDD finding that the amendment is consistent with the 1990 PDD approval and that it now sets forth with a greater degree of clarity the commercial uses that will be allowed within the PDD and the standards and requirements of the PDD related to items such as open space, lot coverage, bulk standards and stormwater; and that the Town Board approve the major commercial site plan development as shown on plans entitled “Pinecrest Plaza” prepared by Hart Engineering, dated December 2018, and last revised April 30, 2019, finding that the application meets the requirements of the Town’s Zoning Code with respect to major commercial site development plans subject to certain conditions; and

**WHEREAS**, the Town Board has carefully reviewed the Full EAF Parts 1, 2 & 3, with minor revisions the proposed local law and the application for major site plan approval, as well as the recommendations for the Town and County Planning Boards; and

**WHEREAS**, the Town Board has held a duly noticed public hearing on the application and the proposed local law and has carefully considered any public comments;  
now, therefore be it

**RESOLVED**, that the Town Board hereby reaffirms the previous SEQRA determinations made for the existing PDD, including the preparation of the EIS and Findings, and, furthermore, after review of the SEQRA Full EAF Parts 1-3 attached hereto finds that no supplemental EIS is required because there are no significant adverse environmental impacts that will result from this action because development was contemplated by the original PDD approval and the local law merely clarifies the permitted commercial uses;  
and be it further

**RESOLVED**, that the Town Board hereby adopts the local law finding that the amendment to the PDD is consistent with the Town's comprehensive plan, zoning code requirements related to PDDs and allowed commercial uses allowed in this portion of the Town;  
and be it further

**RESOLVED**, that the Town Board hereby issues major site plan approval subject to the following conditions:

1. Satisfying outstanding technical details as determined by the Town Designated Engineers and Town Planning and Zoning Department.
2. Satisfying comments from the Town Designated Engineers, if any, relating to the May 6, 2019 Traffic Study prepared by Creighton Manning Engineering LLP, and subject to the approval of the Town Designated Engineers and Town Planning and Zoning Department.
3. Evidence of NYSDOT approval of the traffic study and site plan, as appropriate, must be submitted to the Town Planning and Zoning Department.
4. Correspondence indicating Town DPW approval of the proposed water and sewer connections and Traffic Control plans for the maintenance and protection of traffic during construction, including the proposed sanitary sewer open cut utility connection, must be submitted to the Town Planning and Zoning Department.
5. Prior to issuance of a building permit, correspondence must be submitted to the Town Planning and Zoning Department indicating NYSDEC approval of the water and sewer design, as required.
6. Town DPW Utility Permit(s) must be obtained, as required, for the proposed utility connections and other work in the Town right-of-way.
7. A NYSDOT Highway Work Permit must be obtained for all construction activities with the state right-of-way.
8. Prior to issuance of a building permit, the Commissioner of Public works must sign the site plan.
9. Prior to receipt of a certificate of occupancy, the following must be installed:
  - a new stop sign, subject to Commissioner of Public Works approval, on the north side of Springhurst Drive at the four-way intersection to be created with the private drive serving the property at 2 Springhurst Drive;
  - a new stop sign, subject to Commissioner of Public Works approval, on the south side of Springhurst Drive at the aforementioned four-way intersection to be created; and

- sidewalks along Springhurst Drive and Columbia Turnpike as depicted on the above-referenced site plan and subject to NYSDOT and DPW approval.
10. Prior to issuance of building permit, the Applicant 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.
  11. Prior to issuance of a building permit, an approved Stormwater Pollution Prevention Plan (SWPPP) must be submitted to the Town.
  12. Prior to issuance of a building permit, and in accordance with the GP-0-15-002, the approved Storm Water Pollution Prevention Plan, and the Town's Comprehensive Zoning Law, all storm water pollution prevention permits must be obtained, and regularly scheduled required inspections must be performed during the permit term by the design engineer or other qualified individual.
  13. Prior to obtaining a sign permit, the applicant must obtain approval from the Town Zoning Board of Appeals for the proposed signage as depicted on the above-referenced site plan.
  14. Prior to issuance of a building permit, easement language relating to sidewalks proposed to be installed in the Town right-of-way should be forwarded to the Town for review and approval. The easement should indicate that the sidewalk is for public access.
  15. The developer must execute a stormwater management maintenance agreement in accordance with the approved SWPPP and Town and NYS requirements, and evidence of execution of such maintenance agreement must be submitted to the Town Planning and Zoning Department.
  16. Prior to issuance of a building permit, all remaining fees are to be paid to the Town. Said fees shall include \$30,938.00 as set forth in a memorandum from the Town Commissioner of Public Works and Building Inspector dated November 16, 1994. Because the original SEQRA determination for this project dates back to 1990 and because the Project originally involved greater commercial square footage that being approved herein, other SEQRA mitigation fees will not be assessed per the policy in Local Law No. 5 of the year 2018.

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

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

**130-2019      A Resolution Authorizing the Supervisor to Enter Into an Agreement with Regeneron Pharmaceuticals, Inc.**

**WHEREAS**, this resolution, originally presented as 108-2019, was tabled at the May 15, 2019 Town Board Meeting, and is hereby re-numbered 130-2019; and

**WHEREAS**, Regeneron Pharmaceuticals, Inc. has two campuses in the Town of East Greenbush, one at Discovery Lane and one at Tempel Lane, and operates a third facility in the Town of East Greenbush located at 26 Tech Valley Drive; and

**WHEREAS**, the Town of East Greenbush has been carefully reviewing and approving the facilities that have been constructed by Regeneron in the Town; and

**WHEREAS**, Regeneron intends to construct further facilities particularly at the Tempel Lane Campus and the Town has adopted an amended SEQRA Findings Statement in November of 2018 that represented a comprehensive environmental review of these proposed facilities; and

**WHEREAS**, the amended SEQRA Findings Statement required Regeneron to undertake a number of important mitigation measures related to traffic and to sewer facilities in the Town, including but not limited to, the re-construction of Tempel Lane which was also a condition of the wider Western East Greenbush GEIS adopted for that area of the Town on July 8, 2009, some intersection improvements and the reconstruction of two, existing Town-owned sewer pump stations; and

**WHEREAS**, the Town has also through the wider GEIS process imposed SEQRA mitigation fees on applicants, including Regeneron, for the improvement of traffic and sewer facilities; and

**WHEREAS**, the State of New York through Empire State Development Corporation (ESD) has also granted to the Town and Regeneron a Regional Council Award/Incentive Proposal – a copy of the grant award Incentive Proposal is attached, and the funds received through this grant will also be applied to the building of the Tempel Lane Extension as enumerated in the Agreement; and

**WHEREAS**, the record-keeping and other requirements associated with the ESD incentive grant and the Town's desire to provide for the orderly implementation of the mitigation projects, all as contemplated in the overall environmental reviews already undertaken by the Town Board as SEQRA lead agency, has led the Town and Regeneron to seek to enter into the attached Agreement and for the Town to accept the incentive proposal provided by ESD; and

**WHEREAS**, the GEIS Committee has recommended to the Town Board that this is an appropriate use of GEIS water and sewer funds; and

**WHEREAS**, the Town Comptroller has confirmed that this resolution will be funded by Generic Environmental Impact Statement (GEIS) funds, as approved by the GEIS Committee; now, therefore, be it

**RESOLVED**, that the Town of East Greenbush Town Board as SEQRA lead agency hereby determines that the existing environmental record set forth above including the amended SEQRA Statement of Findings adopted by the Town Board on November 19, 2018 (Resolution number 224-2018) remains sufficient for the evaluation of the potential environmental impacts and mitigation required for the Tempel Lane Campus of Regeneron;

and be it further

**RESOLVED**, that the Town Board hereby approves the attached Regeneron Agreement and authorizes the Town Supervisor to execute the attached Agreement with Regeneron Pharmaceuticals, Inc.;

and be it further

**RESOLVED**, that the Town Board hereby accepts the ESD Incentive Proposal and authorizes the Town Supervisor to execute any necessary documents to accept the Incentive Proposal;

and be it further

**RESOLVED**, that the Town Board authorizes the use of a portion of the SEQRA mitigation fees paid to the Town by Regeneron for these mitigation projects as set forth in the attached Regeneron Development Agreement.

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: |

**131-2019      A Resolution Setting a Public Hearing on a Proposed Sewer District Extension for Pheasant Hollow**

**WHEREAS**, Hartland Associates, Inc. and 1560 Skyline, LLC, as owners of Pheasant Hollow Golf Course, have filed a map, plan, and report for the extension of the existing Sewer District to the Hays Road and Phillips Road area; and

**WHEREAS**, said applicants have also filed petitions by owners of properties within the proposed extension area, and such petitions appear to comply with the provisions of §191 of the Town Law, relating to petitions for sewer district extension; and

**WHEREAS**, the Town Board, pursuant to §193 of the Town Law, wishes to go forward with the required public hearing on such extension; now, therefore, be it

**RESOLVED**, that the Town Board hereby adopts, and enters in the minutes of its proceedings, an order annexed hereto, setting forth the filing of said petitions, the boundaries, proposed improvements, amounts to be expended, and the costs of the district or extension to the typical property, as set forth in said map, plan and report, dated June 5, 2019 [order to be drafted];

and be it further

**RESOLVED**, that a copy of this order, certified by the Town Clerk, shall be published and noticed pursuant to the provisions of §193(1)(a), and posted on the sign board of the Town, not less than ten (10) nor more than twenty (20) days before the date designated for the hearing as set forth hereafter; and it is further

**RESOLVED**, that the Town Board hereby schedules a Public Hearing on this proposed extension to be held at the East Greenbush Town Hall, on July \_\_\_\_, 2019, at \_\_\_\_ p.m., and directs the Town Clerk to publish and post notice of such hearing.

This 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: |

**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: |