

The Town Attorney explained that because the sewer rates were written in to a local law in the past, that we have to have them raised by a local law this time. We will have to have an additional public Hearing, and a Special meeting to pass the local law.

Councilor Tierney commented that she would be away for the next Town Board Meeting due to a work trip.

Councilor Matters thanked Councilor Tierney, Supervisor Conway for their time and effort put into the presentation we will here tonight., Former Councilman Rick Matters and former Comptroller Pete Stenson for the benefit of their experience with Government Processes. She explained that hanks to their input we have additional information to consider regarding our financial obligation for the Waste Water Treatment Plant. Councilor Matters also thanked the residents for coming and participating in the Public Hearing. She explained that if people did not feel comfortable speaking in public they could always email their thoughts and they would be considered.

Open Portion:

Hal B- had questions regarding the financing on the Waste Water Treatment Plant and the estimated time frame for The Amtrak portion. Councilor Grant and Supervisor Conway went into some discussion stating that there was some progress but it is moving slowly.

Supervisor Conway made a motion to adjourn at 6:50 and was seconded by Councilor DiMartino:

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

Schedule of Meeting:

78-2016 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 March 16, 2016 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 March 16, 2016, are hereby approved as submitted.

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

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

79-2016 A Resolution Honoring the Columbia High School Science Olympiad State Champions

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 won its second consecutive New York State Olympiad Championship by placing first among the 54 competing schools in the competition held at LeMoyne College in Syracuse on March 11-12, 2016; and

WHEREAS, the team will be competing in the National Championship on May 20-21, 2016 at the University of Wisconsin at Stout; and

WHEREAS, the team is coached by Diana Prout (head coach), Darleen Morgan, Hugh Sarno and Donnamarie Vlieg; and

WHEREAS, the team members are:

Danielle Allen	Avery Ball	Parth Bhide
Haley D'Angelo	William Grasso	Katie Grifferty
Evan Iler	Hailey Konisky	Neil Laya
Abby Radin	Allie Radin	Matt VanAuken
Elizabeth Vlieg	Sarina Xin	Yang Yang

now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush recognizes the pride of our whole community in their accomplishment and honors the Columbia High School Science Olympiad team for winning the New York State Olympiad Championship and wishes the team good luck in the National Championship at the University of Wisconsin at Stout in May.

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

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

80-2016 Resolution Honoring Yankee Trails on the Occasion of their 60th Anniversary

WHEREAS, Yankee Trails has been a successful family-owned business for the last sixty years; and

WHEREAS, the Tobin family has owned and operated Yankee Trails and did so with the utmost courtesy and professionalism; and

WHEREAS, Yankee Trails provides employment for 100 individuals;

WHEREAS, Yankee Trails has continually expanded their business and throughout has maintained their operational headquarters in the town of East Greenbush; and now, therefore, be it

RESOLVED, the East Greenbush Town Board honors Yankee Trails on the Occasion of their 60th Anniversary, recognizes their contribution to our community, and thanks them for maintaining a strong, local, small business in the town of East Greenbush.

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

Councilor Grant	VOTED
Supervisor Conway	VOTED
Councilor Di Martino	VOTED
Councilor Matters	VOTED
Councilor Tierney	VOTED

81-2016 A Resolution Opposing the Pilgrim Pipeline

WHEREAS, Pilgrim Pipeline Holdings, LLC, is proposing to build two pipelines and/or related infrastructure and access roads through the Town of East Greenbush that would transport of crude oil and refined petroleum products between Albany, New York and Linden, New Jersey; and

WHEREAS, the bi-directional pipelines are proposed to carry up to 200,000 barrels per day of crude oil south and refined products north in a second pipeline; and

WHEREAS, the proposed pipeline route through East Greenbush does not run within the NYS Thruway Right of Way, it would be routed near cultivated fields in the Town; and

WHEREAS, the proposed IPT Product Lateral in East Greenbush would be adjacent to the northernmost boundary of the Papscanee Island County Nature Preserve and the pipeline would have a significant negative impact on the Preserve; and

WHEREAS, the proposed pipeline route in East Greenbush would require horizontal drilling under the Hudson River twice; and

WHEREAS, the pipelines are proposed to carry crude oil from the Bakken Shale region of North Dakota extracted through a process that includes hydraulic fracturing, or “fracking,” and this process has been found to contaminate clean water resources, create toxic air emissions and radioactive waste, and release large quantities of methane gas into the atmosphere; and

WHEREAS, the Pipeline would carry a large volume of Bakken crude oil and refined products through the Town of East Greenbush, which would place residents in harm’s way should an explosion or spill occur; and

WHEREAS, any rupture or compromise of the pipelines, even without an explosion or fire, would require extraordinary cleanup efforts, could force residents from their homes, and place a large number of residents in close proximity to hazardous materials; and

WHEREAS, East Greenbush residents depend on ground water and public community water systems for potable water supplies, the integrity and safety of which may be jeopardized by construction and operation of the pipelines; and

WHEREAS, the Mid-Hudson Regional Sustainability Plan calls for becoming less energy and fossil fuel intensive while strengthening the regional economy, expanding renewable energy generation exponentially across the Region, and improving the resilience of the energy delivery system; and

WHEREAS, construction of the Pilgrim pipelines to support and expand markets for fossil fuels is directly contrary to these regional and statewide clean energy plans and goals;

WHEREAS, the East Greenbush Town Board's responsibility is to provide a safe environment for its residents, and this pipeline raises serious safety concerns as described above; and

WHEREAS, the proposed Pilgrim pipelines potentially threatens the environment, health, safety, and welfare of the community; could negatively impact the cultivated fields near the route; could decrease the values of homes located along its route and in surrounding neighborhoods; and could negatively impact potential future development in East Greenbush; now, therefore, be it

RESOLVED that the Town Board of the Town of East Greenbush:

1. Opposes the proposed Pilgrim Pipeline; and
2. Urges Governor Cuomo to reject construction of the Pilgrim pipelines in New York as inconsistent with the ambitious clean energy goals he has set for the State; and
3. Urges the New York State Legislature to oppose construction of the Pilgrim Pipeline in New York State; and
4. Urges the Rensselaer County Legislature to oppose construction of the Pilgrim Pipeline in New York State; and
5. Directs the Town Clerk to forward copies of this resolution to the NYS Thruway Authority Interim Executive Director Maria Lehman, NYS DOT Commissioner Matt Driscoll, Federal Highway Administration Division Administrator Peter Osborn; NYS DEC Commissioner Basil Seggos, Federal Regulatory Commission Director Jerome Pederson, Governor Andrew Cuomo, U.S. Senators Charles Schumer and Kirsten Gillibrand and Congressman Paul Tonko, State Senator Kathy Marchione, Member of NYS Assembly Steven McLaughlin and Rensselaer County Executive Kathleen Jimino.

The foregoing resolution was duly moved by Supervisor Conway and seconded by Counselor Grant brought to a vote resulting in the following:

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

**82-2016 Approval of 2015 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 2015 (hereinafter, the “List”); and

WHEREAS, the Board, having received and reviewed the List (a copy of which is attached hereto and made a part hereof), has not received any information contrary thereto; and

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

WHEREAS, Town Comptroller hereby has determined that this resolution will have no adverse effect on the Town’s finances;

now, therefore, be it

RESOLVED, that the Board, pursuant to GML §219-m, subdivisions 10 and 11, hereby: (1) approves the List and (2) authorizes the Town Clerk to: (a) execute all necessary documentation on behalf of the Board relative to such approved List, (b) return the approved List and any other relevant documentation to Bruen for further processing, and c) return a copy of approved List to Bruen with instructions that the List be posted at Bruen’s principle headquarters for not less than 30 days.

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

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

**83-2016 A Resolution to Approve a Structured Cabling Installation Proposal
Submitted by Diagnostic Services & Installation, LLC**

WHEREAS, Diagnostic Services and Installation, LLC is under contract to provide the Town with new servers; and

WHEREAS, because Town Hall and the Police Department contain several consumer grade network hubs to allow personal computers and printers to be connected in work areas that lack permanently installed structured cabling installations; and

WHEREAS, during the process of installing the new servers it was revealed that cabling on the first and second floors has network hubs lying on the floor near employees’ desks or on top of cabinets; and

WHEREAS, this situation creates problems such as loss of network connectivity, latency on the network, inefficient routing which causes a lack of speed of the network, and the

possibility of a potentially unsightly and hazardous placement of network cable in work areas;
and

WHEREAS, the installation of a permanent and dedicated network cable to each work area will eliminate the above issues and maximize the speed of the network;

WHEREAS, the Town Comptroller hereby has determined that this resolution will have an adverse effect on the Town's finances;

now, therefore, be it

RESOLVED, that the proposal for structured cabling installation submitted by Diagnostics Services & Installation, LLC be accepted and funded in the amount of approximately \$2,770.00.

This resolution was duly moved by Councilor DiMartino and seconded by Councilor Matters and brought to a vote resulting as follows:

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

84-2016 A Resolution to Authorize the Supervisor to Sign a New Contract with Council 82 AFSCME, AFL-CIO, Local 1571 – East Greenbush

WHEREAS, the Town Board of the Town of East Greenbush, County of Rensselaer, State of New York, is in receipt of a Proposed Police Contract for the years 2014, 2015, 2016, 2017, and 2018; and

WHEREAS, the Town Board recognizes the outstanding work of the East Greenbush police force and believes it to be imperative that our unionized employees always have a fair contract in place;

WHEREAS, the Town Comptroller hereby has determined that this resolution will have an adverse effect on the Town's finances;

now, therefore, be it

RESOLVED, that the Town Board does hereby enter into the Contract with Council 82 AFSCME, AFL-CIO, Local 1571 – East Greenbush with all the terms and conditions agreed by the parties;

and be it further

RESOLVED, that the Town Board does hereby authorize the Supervisor to enter into and sign the aforesaid Contract by and on behalf of the Town Board.

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

Councilor Grant	VOTED
Supervisor Conway	VOTED
Councilor Di Martino	VOTED
Councilor Matters	VOTED
Councilor Tierney	VOTED

85-2016 Town Board Circulation of Final Scoping Document

WHEREAS, SMRT Architects, on behalf of Regeneron Pharmaceuticals, LLC, (the “Applicant”) has submitted a site plan review application for a project on Tempel Lane in the Town (the “Project”); and

WHEREAS, the Town Board, acting as lead agency under the State Environmental Quality Review Act (“SEQRA”) for the Project, has issued a SEQRA Positive Declaration requiring preparation of a draft supplemental environmental impact statement (“DSEIS”) for the Project; and

WHEREAS, the Town Board circulated a Draft Scoping Document for the DSEIS and, by resolution dated March 16, 2016, provided for a written comment period running until April 11, 2016, and a public scoping session on March 29, 2016; and

WHEREAS, the Town Board has reviewed the public comments at the scoping session and written comments submitted regarding the proposed scope of the DSEIS for the Project and has caused a Final Scoping Document to be prepared;

WHEREAS, the Town Comptroller hereby has determined that this resolution will have an adverse effect on the Town’s finances;

now, therefore, be it

RESOLVED as follows

1. The Town Board hereby directs that the Final Scoping Document be circulated to the Applicant, all involved and interested agencies, and any person who has expressed an interest in writing.

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

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

86-2016 A Resolution Making a Second Amendment to the Professional Services Contract Between the Town of East Greenbush and Delaware Engineering, P.C.

WHEREAS, in January 2013, the Town of East Greenbush entered into a Professional Services Agreement with Delaware Engineering, P.C. for the permitting, design and construction engineering of improvements to the Town’s Wastewater Treatment Plant to resolve sanitary sewer deficiencies within the Town’s sewer collection and wastewater treatment plant as outlined in a Consent Agreement the Town executed with the NYS Department of Environmental Conservation (NYSDEC) at a cost of \$650,000; and

WHEREAS, in January 2014, the Professional Services Agreement was amended to incorporate DEC-mandated design of off-site outfall improvements at a cost of \$60,000; and

WHEREAS, the work to be done under both of these contracts is substantially complete and the budget exhausted; and

WHEREAS, a second amendment to the Professional Services Contract is needed to assist with processing Change Orders as necessary; support review of all required tests and start up procedures; assist with punch lists of outstanding issues at the time of substantial completion; assist with Certification of Substantial Completion, final payment and release of retainage; continue coordination with Amtrak to advance soils tests and obtain engineering approvals to allow bidding of the outfall improvements; and assist in bidding and awarding the construction work; and

WHEREAS, the Town Comptroller hereby has determined that this resolution will have an adverse effect on the Town's finances;

now, therefore, be it

RESOLVED, that a second amendment to the Professional Services Agreement with Delaware Engineering for an amount not to exceed \$135,000.00 is approved with costs assessed on a tome and materials basis.

The foregoing resolution was duly moved by Supervisor Conway 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

87-2016 A Resolution Requesting Support from the State of New York for the Outfall Improvements Associated with the Upgrade of the Wastewater Treatment Plant

WHEREAS, for the period of December 19, 2000 through January 6, 2015, the Town of East Greenbush wastewater treatment plant operated under an Order of Consent which was executed by the New York State Department of Environmental Conservation (NYSDEC) and the Town due to sanitary sewer overflows and regulatory compliance issues; and,

WHEREAS, the Order of Consent incorporated a moratorium on sewer connections which substantively impacted economic development in the Town; and,

WHEREAS, in January 2014, the Town executed construction contracts for \$13.7 million in improvements to the Town's wastewater treatment plant with the initial phase of the capital project completed in December 2014 and together with approximately \$6.555 million in additional improvements conducted from 2009 to the present, resulted in lifting the Order of Consent and the moratorium on new sewer connections; and,

WHEREAS, the Town's efforts over the past several years have addressed state-mandated improvements to the wastewater system; however, the necessary investment of \$13.7 million results in a sewer rate increase of approximately 200%; and,

WHEREAS, in addition to the \$13.7 million in improvements to the wastewater treatment plant, the NYSDEC identified surcharge conditions in the outfall piping that directs treated water from the upgraded treatment plant to the Hudson River and the improvements to the outfall pipe are necessary to fully utilize the capacity in the upgraded treatment plant but are anticipated to incur an unanticipated cost of up to \$1.6 million;

WHEREAS, Town Comptroller hereby has determined that this resolution will have no adverse effect on the Town's finances;

now, therefore, be it

RESOLVED that the Town hereby requests financial support from the State of New York from the State and Municipal Facilities Program Capital Project Fund or any other source of funding to support the unanticipated \$1.6 million in costs associated with the outfall improvements;

and be it further

RESOLVED that the Town Clerk is hereby directed to forward a copy of this State Senator Kathleen A. Marchione, 43rd Senate District.

The foregoing resolution was duly moved by Counselor Grant and seconded by Counselor Matters brought to a vote resulting in the following:

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

88-2016 A Resolution for Monthly Maintenance and Repair Reports for the Waste Water Treatment Plant

WHEREAS, The Town Board (referred to hereinafter as "Board") of the Town of East Greenbush (referred to hereinafter as "Town") is requesting maintenance and repair reports for the Waste Water Treatment Plant (referred to hereinafter as "WWTP"); and

WHEREAS, the Town has made substantial improvements to the WWTP making for a state-of-the-art facility at a cost to the taxpayers of \$15 Million; and

WHEREAS, to keep the facility operating smoothly and at optimal efficiency, various daily, weekly and monthly maintenance and repairs, if needed, are to be performed as per direction and requirement of the manufacturers of the WWTP's numerous components i.e. the greasing of equipment, checking oil etc.; and

WHEREAS, Town Comptroller hereby has determined that this resolution will have no adverse effect on the Town's finances;

now, therefore, be it

RESOLVED, that the Town Board is to receive for review a copy of these reports, signed and dated by the employee performing the required maintenance (repair) and signed off by the Commissioner of Public Works. These reports are in addition to the normal monthly reports received by the Town Board.

The foregoing resolution was duly moved by Councilor DiMartino and seconded by Supervisor Conway brought to a vote resulting in the following:

Councilor DiMartino
Supervisor Conway
Councilor Grant
Councilor Matters
Councilor Tierney

VOTED:
VOTED:
VOTED:
VOTED:
VOTED:

89-2016 A Resolution to Increase Sewer Rates

WHEREAS, the costs of wastewater treatment and disposal at the Town Wastewater Treatment Plant have increased since the last rate increase more than five years ago, as have the general operation and maintenance costs associated with pumping, and conveyance within the system; and

WHEREAS, the Town is nearing completion on a \$15.6 million upgrade to the Plant itself and the funding for that upgrade will be converted to long-term financing in August 2016 resulting in new debt service payments of approximately \$700,000 per year; and

WHEREAS, no arrangements have been made to meet the costs of the new debt service payments through either the tax levy, user fees or grants and subsidies from other governmental sources; and

WHEREAS, the Town has considered various methodologies to contend with the foregoing increases in costs and debt service while maintaining an equitable rate structure for consumption-based fees for all customers; and

WHEREAS, adjustments in the tax levy will be evaluated on an annual basis; and

WHEREAS, the Town Attorney has issued a written opinion referencing State law and the Town Code which attest the legality of using sewer rate increases for capital improvements and debt service; and

WHEREAS, the Town Board made a public presentation on the sewer system on March 9, 2016, which was published on the Town website on March 10, 2016, a second public presentation on the methodology used to determine the rate increases on March 16, 2016, which was published on the Town website on March 17, 2016 and held a public hearing on the rate increases on April 13, 2016; and

WHEREAS, the Town Comptroller has confirmed that this resolution will have no adverse impact on Town Finances:

now, therefore, be it

RESOLVED, that the Town adopt the following sewer rate structure:

1. The new sewer rates charged to residential users are as follows:

District	Existing Rate	New Rate as of May 1, 2016
Third Ave:	\$2.59 per 1,000 gals	\$3.50 per 1,000 gals
Couse:	\$2.59 per 1,000 gals	\$3.50 per 1,000 gals
General:	\$1.42 per 1,000 gals	\$2.40 per 1,000 gals

2. The minimum sewer charge for single family residences is now \$22.50 per three (3) month period in the 3rd Ave and Couse Sewer Districts for use up to 10,500 gallons (1,400 cubic feet); this rate will increase to \$30.38 per three (3) month period, and any use above the minimum will be charged \$3.50 per 1,000 gallons.

3. The minimum sewer charge is now \$12.50 per three (3) month period in the General Sewer District of use up to 10,500 gallons (1,400 cubic feet), this rate will increase to \$21.13 per three (3) month period, and any use above the minimum will be charged \$2.40 per 1,000 gallons.

4. Users in Hampton Manor hamlet are presently billed on a flat rate basis every six months. Non-metered users will pay the following charges based on the number of residential units on each tax parcel:

Hampton Manor

Existing Rate	New Rates as of May 1, 2016
One Family Flat rate: \$52 per 6 months	\$78 per 6 months
Two Family Flat rate: \$90 per 6 months	\$135 per 6 months
Three Family Flat rate: \$128 per 6 months	\$192 per 6 months
Four Family Flat rate: \$166 per 6 months	\$249 per 6 months

The new rates charged to commercial users are as follows:

District	Existing Rate	New Rate as of May 1, 2016
Third Ave:	\$2.70 per 1,000 gals	\$3.65 per 1,000 gals
Couse:	\$2.70 per 1,000 gals	\$3.65 per 1,000 gals
General:	\$1.48 per 1,000 gals	\$2.50 per 1,000 gals
Hampton Manor	\$1.48 per 1,000 gals	\$2.50 per 1,000 gals

now, be it further

RESOLVED, that the new increase shall become effective immediately.

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

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

ADJOURNMENT

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

Supervisor Conway
Councilor Grant
Councilor DiMartino
Councilor Matters
Councilor Tierney

VOTED:
VOTED:
VOTED:
VOTED:
VOTED: