



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:

**134-2016 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 June 15, 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 June 15, 2016, are hereby approved as submitted.

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

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

**135-2016 A Resolution Honoring the Columbia High School Art Club Students**

**WHEREAS**, art is an integral part to the high school curriculum and helps students develop their expression, realm, and production of human creative skills and imagination of what is beautiful or appealing; and

**WHEREAS**, the Columbia Art Club students assisted in the design creation and painting of the mural in the Hampton Manor Park and;

**WHEREAS**, the students are instructed and taught by Alison Hosier; and

**WHEREAS**, The Art Club students are:

- Alex Bauer (Art Club President)
- Hannah Tremblay (Art Club Vice-President)
- Heidi Quattrocchi (Art Club Secretary)
- Nicole Presti
- Alycia Johnson-Dardiz
- Lenah Midani
- Randy Ramundo
- Ela Martinez
- Laura Oliver

now, therefore, be it

**RESOLVED**, that the Town Board of the Town of East Greenbush hereby recognizes and thanks the Art Club students who participated in creating the beautiful mural at the Hampton Manor Park.

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

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

**136-2016 A Resolution to Rescind the Fuel Credit Card Policy**

**WHEREAS**, the Town Board Members previously adopted a Fuel Credit Card Policy on June 13, 2013 with resolution 94-2013 which is now obsolete; and

**WHEREAS**, the Town Comptroller asserts that not enacting this resolution could have an adverse financial impact;  
now, therefore, be it

**RESOLVED**, that the Town of East Greenbush does hereby rescind resolution 94-2013 Fuel Credit Card Policy.

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

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

**137-2016 A Resolution Authorizing the Solicitation of Bids to Replace the Underground Fuel Tanks at the Town's Highway Garage**

**WHEREAS**, the Town was issued an Order on Consent (#R4-2013-0320-47) on April 23, 2013 by the New York State Department of Environmental Conservation (DEC) for Petroleum Bulk Storage violations at the Town's Highway Garage located at 69 Gilligan Road, East Greenbush, New York; and

**WHEREAS**, the violations were based on the fact that one of the underground fuel tanks had a leak in the interstitial space and must be replaced with an above ground split 4,000 gallon fuel tank; and

**WHEREAS**, the Order on Consent required that the Town remove the underground Gasoline Tank and install a replacement; and

**WHEREAS**, in 2015 the Commissioner of Public Works determined that the foundation, installation, electrical and soil testing work could be done by Town staff, a bid was solicited for an above-ground split 4,000 gallon fuel tank and all associated components which was awarded to Dalrymple Company at a cost of \$40,866.87 (Resolution 74-2015); and

**WHEREAS**, it was subsequently determined that Town staff did not have the capacity to do the foundation, installation, electrical and soil testing work and Dalrymple Company agreed that its original price was no longer valid; and

**WHEREAS**, on June 28, 2016 the Town received notice from DEC that it had incurred a \$3,000 civil penalty for not correcting the violations cited in the original Consent on Order; and

**WHEREAS**, the Town Comptroller asserts this resolution's financial impact was planned at \$40,000 in the 2016 budget of account 5132.4 in the Highway fund (02) for the above-ground split 4,000 gallon fuel tank and all associated components; (however, the financial impact for installation, electrical and soil testing work has not yet been budgeted or determined); now, therefore, be it

**RESOLVED**, that the Town Board authorizes the Purchasing Department to solicit bids for the replacement of the underground Fuel Tanks at the Town's Highway Garage, including purchase and installation of all components and all required testing.

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

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

**138-2016      A Resolution Authorizing the Solicitation of Bids to Replace Storm Water Pipes on Hydor Drive**

**WHEREAS**, Hydor Drive in the Town of East Greenbush has been the site of two recent sinkholes due to the corrosion of storm water pipes that caused water erosion damage; and

**WHEREAS**, emergency repairs had to be done to the two sinkholes, which occurred within ten feet of one another, leading our Town-designated engineer to believe that the entire 950 linear feet of storm water pipe on Hydor Drive may have to be replaced; and

**WHEREAS**, the Town has engaged Kenyon Pipeline Inspection LLC to conduct a CCTV Inspection of the entire length of the pipe at a cost of \$2,400.00; and

**WHEREAS**, there is an emergency need to replace all corroded pipe revealed in the CCTV Inspection to prevent the development of additional sinkholes on Hydor Drive; and

**WHEREAS**, the Town Comptroller asserts this resolution will have an adverse financial impact using a significant amount of the Highway fund balance yet to be determined; now, therefore, be it

**RESOLVED**, that the Town Board authorizes the solicitation of bids for the replacement of all corroded pipe on Hydor Drive as determined by the CCTV Inspection conducted by Kenyon Pipeline Inspection LLC.

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

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

**139-2016 A Resolution Authorizing the Expenditure of \$15,000.00 to Match Funding Provided by the New York State Office of Parks, Recreation and Historic Preservation to Study the Source of Contamination at the Pond in the Town Park**

**WHEREAS**, in 2009 the Rensselaer County Department of Health closed the beach at the Town Park to any recreational activities because of Fecal Coliform (E. coli) bacterial contamination; and

**WHEREAS**, recreational activities cannot be resumed until a study has identified the source of the contamination and the Town has prepared and implemented a remediation plan; and

**WHEREAS**, the Town received a grant of \$15,000.00 from the New York State Office of Parks, Recreation and Historic Preservation in 2013 to perform water quality testing of the Moordener Kill waterway and develop a remediation plan; and

**WHEREAS**, to access the grant, the Town must provide matching funds in the amount of \$15,000.00 before December 17, 2017; and

**WHEREAS**, the Town Comptroller asserts this resolution will have an adverse financial impact by using General fund balance of \$15,000 allocated to appropriation account 71104.01.004,

now, therefore, be it

**RESOLVED**, that the Town Board authorizes the expenditure of \$15,000.00 as matching funds for the grant provided by the New York State Office of Parks, Recreation and Historic Preservation.

This resolution was moved by Councilor Grant and seconded by Councilor Tierney and brought to a vote resulting as follows:

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

**140-2016 A Resolution in Support of the Application for a Grant from the New York State Office of Parks, Recreation, and Historic Preservation**

**WHEREAS**, the Town of East Greenbush desires to advance the recommendations contained in the 2012 Town Amenities Plan in order to improve the quality of recreational opportunities within the community; and

**WHEREAS**, the Town Park represents the cornerstone of the Town Amenities Plan; and

**WHEREAS**, the Amenities Plan outlines the need for a \$500,000 Phase 1 upgrade to the Town Park; and

**WHEREAS**, the New York State Office of Parks, Recreation, and Historic Preservation is accepting grant applications from municipalities for grant awards that fund up to 50% of a project cost; and

**WHEREAS**, it is reasonably anticipated the Town will have in excess of \$250,000 in its Recreation GEIS account to fund the required match; and

**WHEREAS**, the Town Comptroller believes at this time that this resolution is planned to have minimal financial impact tracked as a capital project (03) if the funding is received and there are no unexpected cash requirements;

now, therefore be it

**RESOLVED**, that the Town Board of the Town of East Greenbush, County of Rensselaer, State of New York, hereby directs the Planning Department to submit an application under the 2016 Consolidated Funding Round for a \$500,000 grant from the New York State Office of Parks, Recreation and Historic Preservation to fund needed improvements to the Town Park and offers their full support of said application.

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

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

**141-2016 A Resolution Authorizing the Commissioner of Public Works to Solicit Bids for a 2017 Model 7500 4x4 Truck and Plow**

**WHEREAS**, an essential service of the Department of Public Works is snow and ice removal; and

**WHEREAS**, the current fleet of snow plows consists of a number of vehicles that are in need of replacement, and the Town will complete the financing of one snow plow in December 2016 and is interested in financing another one with payments to be made beginning in 2017; and

**WHEREAS**, such vehicles must be ordered months in advance; and

**WHEREAS**, it is a high priority for the Town Board that employees in the Department of Public Works have quality equipment that is safe and effective to operate, and that residents are well served in the essential service of snow and ice removal; and

**WHEREAS**, the Town Comptroller asserts this resolution will have an adverse financial impact still to be determined likely requiring the bond counsel issuance of debt costs of approximately \$1,750 charged to 51104.02.004 with a bond anticipation note (BAN) authorization resolution and needing to be added to the future years budget for principal (97306.02.006) and interest (97307.02.007);

now, therefore, be it

**RESOLVED**, that the Town Board authorizes the Commissioner of Public Works to solicit bids for a 2017 Model 7500 4x4 Truck and Plow.

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

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

**142-2016 A Resolution Appointing XX as the Building Inspector and Part-Time Fire Inspector**

**WHEREAS**, the Building Department is understaffed due to the resignation of Ronald G. Stark; and

**WHEREAS**, the work of the Building Department is critical for the issuing of building permits, the inspecting of buildings and the enforcing of the Uniform Fire Prevention and Building Code; and

**WHEREAS**, the residents and businesses in Town rely on the timely operation of these functions to complete residential and commercial projects; and

**WHEREAS**, ----- is a qualified individual with – years’ experience; and

**WHEREAS**, all of his certification requirements have been fulfilled and are up-to date; and

**WHEREAS**, the Town Comptroller asserts that the financial impact will be determined when the salary is determined;

now, therefore, be it

**RESOLVED**, that the Town Board of the Town of East Greenbush appoints ---- to the position of Building Inspector in the Building Department for an annual salary of \$--- and also to the position of Part-Time Fire Inspector for an annual salary of \$2,500, effective -----, 2016, pending the approval of Rensselaer County Civil Service.

This 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:

**143-2016 A Resolution Appointing XX as the Commissioner of Public Works**

**WHEREAS**, the Town of East Greenbush is in need of a full time Commissioner to the Department of Public Works (DPW) due to the retirement of Paul Mason; and

**WHEREAS**, the Commissioner of Public Works is an important role for the Town as it oversees and manages the operations of the Department, as well as the operational budget for the Highway, Water, Parks and Sewer Departments; and

**WHEREAS**, the Commissioner works closely with the men and women of the Department of Public Works; and

**WHEREAS**, residents and businesses in Town rely on the Department of Public Works to maintain the Town’s infrastructure, and the Commissioner addresses resident complaints and requests along with the workforce of DPW; and

**WHEREAS**, after soliciting resumes and conducting interviews, \_\_\_\_\_ was found to be the most qualified applicant for the position of Commissioner of Public Works; and

**WHEREAS**, the Town Comptroller asserts that the financial impact will be determined when the salary is determined;

now, therefore, be it

**RESOLVED**, that the Town Board of the Town of East Greenbush appoints \_\_\_\_\_ to the position of Commissioner of the Department of Public Works for an

annual salary of \$-----, effective -----, 2016 pending the approval of Rensselaer County Civil Service.

This 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:

**144-2016 A Resolution Creating the Position of Human Resources Manager and Appointing Lisa A Borst as Human Resources Manager**

**WHEREAS**, the Director of Finance has been primarily responsible for the Human Resource function as well as other responsibilities; and

**WHEREAS**, the Town Board believes it would be beneficial to the employees and residents of the Town to create the position of Human Resources Manager.

**WHEREAS**, the Human Resources Manager's primary function would be to oversee and manage payroll, benefits, and to maintain personnel documents; and

**WHEREAS**, the separation of Human Resource function from the Director of Finance's responsibilities will allow for a dedicated employee within that role who can focus on personnel issues and functions; and

**WHEREAS**, Lisa A. Borst is a qualified individual with the requisite experience; and

**WHEREAS**, the Town Comptroller asserts that the financial impact will be approximately \$7,000 thru the purchasing PS line 1345.1 allocated to various funds as customary per use;

now, therefore, be it

**RESOLVED**, that the Town Board of the Town of East Greenbush appoints Lisa A. Borst to the position of Human Resources Manager, effective July 22, 2016, at a salary of \$35,000 with the understanding that this is a provisional appointment of the position to take effect on July 22, 2016, pending the approval of the RENSCO Civil Service Commission on July 21, 2016.

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

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

**145-2016 A Resolution Accepting the Resignation of Paul Mason**

**WHEREAS**, Paul Mason returned to work as Commissioner of Public Works from his previous state of retirement to assist in the transition of the Town Board; and

**WHEREAS**, Paul has submitted a letter of resignation to the Town of East Greenbush to return to an enjoyable state of retirement effective Friday, July 29, 2016; and

**WHEREAS**, the Town Comptroller believes at this time that this resolution will not have an impact on the Town's finances;

now, therefore, be it

**RESOLVED**, that the Town Board of the Town of East Greenbush accepts the resignation of Paul Mason, thanks him for his years of service to the Town and residents and wishes him good luck on his future endeavors and rounds of golf this summer;

and be it further

**RESOLVED**, that this resignation to return to retirement will be effective on July 29, 2016.

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

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

**146-2016 A Resolution Amending the Professional Services Agreement Between the Town of East Greenbush and Delaware Engineering, P.C. for Engineering Services for Phase 3 of the Upgrade to the Wastewater Treatment Plant.**

**WHEREAS**, this resolution was not able to be submitted in time to be considered on the regularly scheduled pre-board meeting of July 13, 2016 and was subsequently presented to the Town Board on July 18, 2016; and

**WHEREAS**, the Town of East Greenbush entered into a Professional Services Agreement with Delaware Engineering for the permitting, design and construction engineering of improvements to the Town's Wastewater Treatment Plant to resolve sanitary sewer deficiencies with the Town's sewer collection and Wastewater Treatment Plant as outlined in a Consent Agreement executed by the Town with NYS Department of Environmental Conservation (NYSDEC); and

**WHEREAS**, the Professional Services Agreement was amended to incorporate DEC-mandated design of off-site outfall improvements, coordinate the process of receiving approvals from Amtrak; and

**WHEREAS**, a third amendment is necessary to incorporate engineering services to conduct the work remaining to finalize the project as follows:

Preparation of Final Plans and Bid Documents, Regulatory and Finance Approvals;  
Assistance with Bidding and Award of Construction Contracts;  
Construction Engineering, Administration and Inspection; and

**WHEREAS**, the preparation of final plans and bid documents, and regulatory and finance approvals has a cost not to exceed \$15,000.00 and the construction engineering, administration and inspection has a cost not to exceed \$65,000.00; and

**WHEREAS**, the Town received notice from the New York State Environmental Facilities Corporation (NYSEFC) that closing on long term financing for the wastewater treatment plant upgrade project will occur on September 22, 2016 after which time the costs to be incurred as a result of this resolution will be reimbursable to the Upgrade to the Wastewater Treatment Plant Capital Project account 81304.03.004.13 and the Town Comptroller confirms that until the long term financing closing, this resolution will have an adverse financial impact of up to \$80,000 on sewer fund balance. This adverse impact will stand until NYSEFC funding is lined up.

now, therefore, be it

**RESOLVED**, that the Town of East Greenbush amends the professional services contract with Delaware Engineering, P.E. for engineering services for Phase 3 of the Upgrade to the Wastewater Treatment Plant for an amount not to exceed \$80,000.00.

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

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

**147-2016 A Resolution Amending Resolution 108-2016 for Clarification Purposes**

**WHEREAS**, this resolution was not able to be submitted in time to be considered on the regularly scheduled pre-board meeting of July 13, 2016 and was subsequently presented to the Town Board on July 18, 2016; and

**WHEREAS**, the Town Board appointed Joseph A Cherubino to assist the Building Department on a part time basis in Resolution 108-2016; and

**WHEREAS**, the term “consultant” was used to describe his employment with the Town was not appropriate, and it should have called the position a Part Time Employee to the Building Department; and

**WHEREAS**, Joseph A. Cherubino is paid via the Town’s payroll software and will continue to submit a bi-weekly timesheet as employees do in accordance with the Town’s Employee Handbook, and will be covered under the Town’s liability insurance while performing official tasks for the Town; and

**WHEREAS**, the Town Comptroller believes at this time that this resolution will not have an impact on the Town’s finances;

now, therefore, be it

**RESOLVED**, that Resolution 108-2016 will be amended to have the final **RESOLVED** read as follows:

**RESOLVED**, that the Town Board appoints Joseph A. Cherubino as a part time employee to the Building Department for the term of June 1, 2016 – December 31, 2016 at a rate of \$30.00 per hour.

This 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:

**148-2016 A Resolution Authorizing the Supervisor to Sign a Memorandum of Understanding with Regeneron Pharmaceuticals, Inc.**

**WHEREAS**, this resolution was not able to be submitted in time to be considered on the regularly scheduled pre-board meeting of July 13, 2016 and was subsequently presented to the Town Board on July 20, 2016; and

**WHEREAS**, Regeneron Pharmaceuticals, Inc. is undertaking the development of approximately 120 acres located in the Town of East Greenbush at the existing terminus of Tempel Lane; and

**WHEREAS**, said project shall require the extension of Tempel Lane, together with additional infrastructure projects, estimated to cost approximately \$10,000,000.00; and

**WHEREAS**, in relation to this project, the Town is eligible to apply to the Empire State Development Corporation for a grant of up to \$2,000,000.00, representing a share of such infrastructure development cost; and

**WHEREAS**, Regeneron is willing to assist the Town in paying for the cost of applying for this grant; and

**WHEREAS**, the Town Comptroller believes at this time that this resolution will not have an impact on the Town's finances;

now, therefore, be it

**RESOLVED**, that the Supervisor is authorized to execute a Memorandum of Understanding with Regeneron Pharmaceuticals, Inc., whereby Regeneron would pay the Town the sum of \$5,000.00 for professional services in the preparation and submission of this grant application, which must be submitted by July 29, 2016; and be it further

**RESOLVED**, that the Supervisor is authorized to enter into an agreement with C.T. Male Associates for services in the preparation of such application, not to exceed \$5,000.00; and be it further

**RESOLVED**, that the Supervisor is authorized to submit such application to the Empire State Development Corporation in a timely fashion.

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

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

**ADJOURNMENT**

Motion to adjourn by Supervisor Conway and 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: