



The Town of East Greenbush

225 Columbia Turnpike, Rensselaer, New York 12144

TOWN BOARD AGENDA

APRIL 16, 2014

Call to Order
Pledge to the Flag
Town Board Meeting:

7:00 PM

Members of Town Board

Present

Absent

Supervisor Langley
Councilperson Mangold
Councilperson Malone
Councilperson DiMartino
Councilperson Matters

Communications/Announcements/Reports

Open Public Privilege: NOTE: Each speaker shall state name and address prior to addressing the Board and shall be granted the floor for up to five minutes. The Board thanks everyone in attendance for their understanding and also for their desire to actively participate in the decision making process locally.

Resolutions and Proposals by Town Board Members:

56-2014 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 19, 2014; 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 19, 2014, are hereby approved as submitted.

The foregoing Resolution was duly moved by Supervisor Langley and seconded by Councilperson DiMartino and brought to a vote resulting as follows:

Supervisor Langley	VOTED
Councilperson DiMartino	VOTED
Councilperson Mangold	VOTED
Councilperson Malone	VOTED
Councilperson Matters	VOTED

57-2014 A Resolution to Approve Special 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 special Town Board Meeting held on March 14, 2014, 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 special Town Board Meeting held on March 14, 2014, are hereby approved as submitted.

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

Councilperson DiMartino	VOTED
Councilperson Matters	VOTED
Supervisor Langley	VOTED
Councilperson Mangold	VOTED
Councilperson Malone	VOTED

58-2014 A Resolution for SEQRA Determination for East Greenbush Tech Park Building Addition

WHEREAS, the Town of East Greenbush received an application for the site plan review known as the Building Addition at 26 Tech Valley Drive from Greenbush Associates LLC., located at 26 Tech Valley Drive, identified on the Town's Tax Roll as Tax Parcel No. 155.-6-1.226, prepared by Hart Engineering; and

WHEREAS, the application was accompanied by a proposed site plan, Part 1 of a Short Environmental Assessment Form (SEAF) and other supporting information; and

WHEREAS, upon the recommendation of the Town Planning Board the Town Board determined the proposed project was an Unlisted Action and conducted a coordinated SEQRA review for the Project; and

WHEREAS, the Town Planning Board, after considering the comments and opinions of the Project Review Team and Planning Board's Designated Engineer, "The Chazen Companies"; and after reviewing the proposed site plan, took a "hard look" at the potential environmental impacts of this project by carefully considering and reviewing the Full Environmental Assessment Form, considering all the Applicant's proposed mitigation measures as they relate to environmental issues and more particularly to traffic, fire, rescue and MS-4 stormwater detention and recommended the Town Board issue a Negative Declaration under SEQRA; and

WHEREAS, the Town Board has determined that the action will not result in any large or important impacts and, any potential impacts can be mitigated;

WHEREAS, as the Town Comptroller has heretofore certified that none of the provisions of this proposed Board action shall pose an adverse impact to the Town's finances.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby finds that the Project will not have a significant impact on the environment and issues a Negative Declaration for the Project.

The foregoing Resolution was duly moved by Supervisor Langley, seconded by Councilperson Matters and brought to a vote resulting as follows:

Supervisor Langley	VOTED
Councilperson Matters	VOTED
Councilperson Mangold	VOTED
Councilperson Malone	VOTED
Councilperson DiMartino	VOTED

59-2014 Site Plan Approval – 26 Tech Valley Drive Building Addition

WHEREAS, the Town has received an application for a project known the Building Addition at 26 Tech Valley Drive from Greenbush Associates LLC., located at 26 Tech Valley Drive, identified on the Town's Tax Roll as Tax Parcel No. 155.-6-1.226, prepared by Hart Engineering; and

WHEREAS, the application was accompanied by a site plan, a short Environmental Assessment Form (øEAFö) and other supporting information; and

WHEREAS, the Town Board as Lead Agency issued a Negative Declaration for the project on April 16, 2014; Resolution #58-2014 and

WHEREAS, the Town Planning Board has reviewed the application materials and submitted the application materials to the Project Review Team and the Planning Board's Designated Engineer, øThe Chazen Companiesö; for technical review, and the site plan has been revised in response to various concerns raised by the Town Planning Board, the Project Review Team, and the Town's Designated Engineer; and

WHEREAS, based on its review, the recommendations of the Project Review Team and Town's Designated Engineer and the revisions made to the site plan, the Town Planning Board has recommended approval of the site plan with certain conditions; and

WHEREAS, the Town Board has reviewed the site plan application materials and the recommendation of the Town Planning Board; now, therefore, be it

RESOLVED, that the Town Board hereby approves the final Site Plan of the Project subject to the following conditions:

- Satisfying outstanding technical details as determined by the Town's Consulting Engineer and Town Planning Department; and
- All remaining fees and escrow are paid to the Town

The foregoing Resolution was duly moved by Supervisor Langley, seconded by Councilperson DiMartino and brought to a vote resulting as follows:

Supervisor Langley	VOTED
Councilperson DiMartino	VOTED
Councilperson Matters	VOTED
Councilperson Mangold	VOTED
Councilperson Malone	VOTED

60-2014 A Resolution for SEQRA Determination for Proposed Hotel Route 4/Tempel Lane

WHEREAS, the Town of East Greenbush received an application for the site plan review known as the proposed hotel Route 4/Tempel Lane from Visions Hotel/East Greenbush Lodging Associates LLC., located at Route 4/Tempel Lane, identified on the Town's Tax Roll as Tax Parcel No. 155.-3-2.11 & 155.-3-2.12, prepared by Bergmann Associates; and

WHEREAS, the application was accompanied by a proposed site plan, Part 1 of a Full Environmental Assessment Form (øEAFö) and other supporting information; and

WHEREAS, upon the recommendation of the Town Planning Board the Town Board determined the proposed project was a Type I Action and conducted a coordinated SEQRA review for the Project; and

WHEREAS, the Town Planning Board, after considering the comments and opinions of the Project Review Team and Planning Board's Designated Engineer, "The Chazen Companies"; and after reviewing the proposed site plan, took a "hard look" at the potential environmental impacts of this project by carefully considering and reviewing the Full Environmental Assessment Form, considering all the Applicant's proposed mitigation measures as they relate to environmental issues and more particularly to traffic, fire, rescue and MS-4 stormwater detention and recommended the Town Board issue a Negative Declaration under SEQRA; and

WHEREAS, the Town Board has determined that the action will not result in any large or important impacts and, any potential impacts can be mitigated; and

WHEREAS, as the Town Comptroller has heretofore certified that none of the provisions of this proposed Board action shall pose an adverse impact to the Town's finances, now, therefore, be it

RESOLVED, that the Town Board hereby finds that the Project will not have a significant impact on the environment and issues a Negative Declaration for the Project.

The foregoing Resolution was duly moved by Supervisor Langley seconded by Councilperson DiMartino and brought to a vote resulting as follows:

Supervisor Langley	VOTED
Councilperson DiMartino	VOTED
Councilperson Matters	VOTED
Councilperson Mangold	VOTED
Councilperson Malone	VOTED

61-2014 Site Plan Approval – Proposed Hotel Route 4/Tempel Lane

WHEREAS, the Town has received an application for a project known as the Proposed Hotel Route 4/Tempel Lane from Visions Hotel/East Greenbush Lodging Associates LLC., located on Route 4/Tempel Lane, identified on the Town's Tax Roll as Tax Parcel No. 155.-3-2.11 & 155.-3-2.12, prepared by Bergmann Associates; and

WHEREAS, the application was accompanied by a site plan, a Full Environmental Assessment Form ("EAF") and other supporting information; and

WHEREAS, the Town Board as Lead Agency issued a Negative Declaration for the project on April 16, 2014; Resolution #60-2014 and

WHEREAS, the Town Planning Board has reviewed the application materials and submitted the application materials to the Project Review Team and the Planning Board's Designated Engineer, "The Chazen Companies"; for technical review, and the site plan has been revised in response to various concerns raised by the Town Planning Board, the Project Review Team, and the Town's Designated Engineer; and

WHEREAS, based on its review, the recommendations of the Project Review Team and Town's Designated Engineer and the revisions made to the site plan, the Town Planning Board has recommended approval of the site plan with certain conditions; and

WHEREAS, the Town Board has reviewed the site plan application materials and the recommendation of the Town Planning Board;

NOW THEREFORE, BE IT RESOLVED, that the Town Board hereby approves the final Site Plan of the Project subject to the following conditions:

- Satisfying outstanding technical details as determined by the Town's Consulting Engineer and Town Planning Department;

- Visions Hotels LLC (East Greenbush Lodging Associates LLC) has requested that they be allowed to discharge their waste water generated by the hotel into the Couse Sewer District's collection and conveyance system. As a condition of approval, if property owners located within the Couse Sewer District request connection to the Couse Sewer District's system, and the capacity of the Couse Sewer District's system is not capable of handling the flow from the approved hotel and the proposed new project(s) in the Couse Sewer District, Visions Hotels will pay for its proportionate share (based on projected average daily flow), as between the two project(s) of the cost required to upgrade the Couse Sewer District system to allow the new project(s) within the Couse Sewer District to utilize the same system at no cost to the Town.

The foregoing notwithstanding, if and when improvements to the Couse Sewer District are required, the total maximum amount required to be contributed by Visions Hotels LLC will be \$25,000. This condition will remain in effect until such time that the Tempel Farm waste water collection and conveyance system is approved and connected to the Third Avenue Sewer District waste water collection and conveyance system. At such time, Visions Hotels LLC will terminate its connection to the Couse Sewer System and connect to the Third Avenue Sewer District system, at which point this condition shall be deemed void and of no further effect and

- All remaining fees and escrow are paid to the Town.

The foregoing Resolution was duly moved by Supervisor Langley seconded by Councilperson Matters and brought to a vote resulting as follows:

Supervisor Langley	VOTED
Councilperson Matters	VOTED
Councilperson DiMartino	VOTED
Councilperson Mangold	VOTED
Councilperson Malone	VOTED

62-2014 A Resolution Authorizing the Supervisor to sign agreement authorizing the Rensselaer County Water and Sewer Authority to act as Lead Agency under SEQRA Relating to the Retirement of a Portion of Certain Water Service Revenue Bonds

WHEREAS, the Rensselaer County Water and Sewer Authority issued certain bonds to fund certain improvements to the Joint Water System operated by the Town of East Greenbush and the City of Rensselaer; and

WHEREAS, the City of Rensselaer has proposed to use certain funding from the State Environmental Facility Corporation, to retire a portion of said bonds; and

WHEREAS, said authority has requested the Town to agree that the authority may serve as the Lead Agency for SEQRA purposes for this action; now, therefore, be it

RESOLVED, that the Supervisor is authorized to sign a certain letter agreement authorizing the authority to serve as such lead agency.

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

Councilperson Matters	VOTED
Councilperson DiMartino	VOTED

Supervisor Langley	VOTED
Councilperson Mangold	VOTED
Councilperson Malone	VOTED

63-2014 A Resolution Adopting Local Law No 1 of 2014

WHEREAS, the East Greenbush Town Board has determined that it is in the best interest of the Town to adopt Local Law No. 1 of the year 2014 Amending Article III, Section 30.23 of Local Law No. 2 of the laws of 1991, relating to Solid Waste Management Recycling; and

WHEREAS, the Board conducted a public hearing on April 16, 2014 at 6:45 p.m. at the East Greenbush Town Hall in order for the public to review and comment on the proposed amendment, a copy of which is attached hereto and made a part hereof; and

WHEREAS, the Board duly considered all comments made at the Hearing; and

WHEREAS, this Resolution shall have no adverse financial impact to the Town; now, therefore be it

RESOLVED, that the enactment of the Local Law, pursuant to Municipal Home Rule Law § 20, be, and the same hereby is, approved; and be it further

RESOLVED, that the Town Clerk shall file the Local Law with the New York Secretary of State as soon as it is administratively practicable to do so follow her and the Attorney for the Town's respective certifications as to its compliance with required statutory form.

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

Councilperson DiMartino	VOTED
Councilperson Matters	VOTED
Supervisor Langley	VOTED
Councilperson Mangold	VOTED
Councilperson Malone	VOTED

64-2014 Appointment of a Part-time Police Dispatcher

WHEREAS, the Town Board of the Town of East Greenbush seeks to retain the services of the part-time police dispatchers in the Town's Emergency Communications Center; and

WHEREAS, the Town Comptroller has certified that the provisions of this resolution were planned for in the 2014 Budget and will have no adverse impacts on the Town Finances; now therefore be it

RESOLVED, that Jordan Harrington, be, and the same hereby is, appointed to the position of part-time police dispatcher, consistent with all the terms and conditions of these positions as previously set forth by the Town Board, for a term to expire at the Town's next organizational meeting, or otherwise at the pleasure of the Town Board, and be it further

RESOLVED, that the said part-time dispatchers be compensated at an hourly rate per the current East Greenbush Emergency Communications Association Labor Agreement.

The foregoing Resolution was duly moved by Councilperson Matters and seconded by Supervisor Langley and brought to a vote resulting as follows:

Councilperson Matters	VOTED
Supervisor Langley	VOTED
Councilperson Mangold	VOTED
Councilperson Malone	VOTED
Councilperson DiMartino	VOTED

65-2014 A Resolution In Support of Proposals for Casino Sites within the Town of East Greenbush

WHEREAS, the Town Board of East Greenbush is responsible for ensuring the fiscal stability and economic vitality of our community; and

WHEREAS, via a statewide referendum in November, 2013, state voters approved a plan to site six casinos at locations throughout the state to bolster economic development efforts; and

WHEREAS, voters in East Greenbush and Rensselaer County approved the statewide referendum for the siting of the casinos; and

WHEREAS, in the months following approval of the casino siting plan in the 2013 elections, there have been numerous proposals in the Capital Region and upstate New York for prospective casino locations; and

WHEREAS, siting of a casino in a host community is worth millions in host fees and increased property tax revenue, and this Town Board believes it prudent for the town to indicate support to allow for any reasonable casino siting offers to be presented to the town for consideration and due deliberation; and

WHEREAS, this Town Board further recognizes the host fees from a casino would be of significant benefit to the residents and taxpayers of the town, especially given the fiscal conditions the town is now facing; and

WHEREAS, Rensselaer County has also previously adopted a resolution stating support for location of a casino in the county, with the county also benefiting from host fees, which will also result in an additional benefit to the taxpayers of the town, along with several other area communities who have adopted Resolutions of support; now, therefore, be it

RESOLVED, the Town Board joins Rensselaer County and other area communities in declaring support for the siting of a casino in East Greenbush to allow for presentation of proposals that benefit the town and its residents.

The foregoing Resolution was duly moved by Supervisor Langley and seconded by Councilperson DiMartino and brought to a vote resulting as follows:

Supervisor Langley	VOTED
Councilperson DiMartino	VOTED
Councilperson Mangold	VOTED
Councilperson Malone	VOTED
Councilperson Matters	VOTED

**66-2014 RESOLUTION EXTENDING THE OPEN PUBLIC PRIVILEGE POLICY OF
THE TOWN OF EAST GREENBUSH TO SPECIAL TOWN BOARD
MEETINGS**

WHEREAS, the regular Town Board meetings are the only venues available to the residents of East Greenbush to address the Town Board as a body; and

WHEREAS, the Open Public Privilege is not extended to residents at Special Meetings of the Town Board; and

WHEREAS, the Town Board in the interest of openness, transparency and accountability wishes to extend the open public privilege as a means for residents to express ideas and concerns at Special Town Board Meetings; and

WHEREAS, the Town Comptroller has heretofore confirmed that none of the provisions of this resolution shall pose an adverse impact to the Town's Finances; now therefore be it

RESOLVED that the open public privilege shall appear on the agendas for all scheduled meetings of the Town Board, be they Regular or Special.

The foregoing resolution was duly moved by Councilperson Mangold and seconded by Councilperson Malone and resulted in the following vote:

Councilperson Mangold	VOTED
Councilperson Malone	VOTED
Supervisor Langley	VOTED
Councilperson DiMartino	VOTED
Councilperson Matters	VOTED

67-2014 RESOLUTON TO RECORD MINUTES OF PREBOARD MEETINGS

WHEREAS, Pre-Board Meeting are scheduled 4:00 pm on the Thursday prior to regularly scheduled Town Board meetings; and

WHEREAS, these meetings are the only opportunity for the Board to discuss upcoming Resolutions for vote and other Town business; and

WHEREAS, guests are often invited to discuss further opportunities for the Town; and

WHEREAS, it is in the best interest of the Town to operate in an open and transparent manner, and to further inform the public for input;

WHEREAS, the Town comptroller has heretofore confirmed that none of the provisions of this resolution shall pose an adverse impact to the Towns finances; now, therefore be it

RESOLVED, that minutes from the Pre-Board Meeting be recorded, approved by the board and posted on the Town website within 5 days of approval

The foregoing resolution was duly moved by Councilperson Mangold and seconded by Councilperson Malone and resulted in the following vote:

Councilperson Mangold	VOTED
Councilperson Malone	VOTED
Supervisor Langley	VOTED
Councilperson DiMartino	VOTED
Councilperson Matters	VOTED

68-2014 RESOLUTION FOR REVIEW OF ALL NON-PAYROLL EXPENDITURES AND CHARGES ON A MONTHLY BASIS

WHEREAS, the Town Board has a fiduciary responsibility to the residents; and

WHEREAS, the Town Board wishes to provide accountability and transparency under which the Town of East Greenbush operates; and

WHEREAS, the Town Board has determined that the Town Board should review all expenditures and charges on a monthly basis; and

WHEREAS, the Town comptroller has heretofore confirmed that none of the provisions of this resolution shall pose an adverse impact to the town's finances; and

WHEREAS, the residents of the Town of East Greenbush should be provided a monthly accounting of all said expenditures and charges; now therefore be it

RESOLVED, the Town Comptroller shall compile a listing of all non-payroll expenditures and charges of the prior month for review by the Town Board at its regularly scheduled monthly pre-board meeting; and be it

FURTHER RESOLVED, that a copy of said listing of all non-payroll expenditures and charges of the prior month as review by the Town Board shall be posted on the Town web site within (5) business days after such review.

The foregoing resolution was duly moved by Councilperson Mangold and seconded by Councilperson Malone and resulted in the following vote:

Councilperson Mangold	VOTED
Councilperson Malone	VOTED
Supervisor Langley	VOTED
Councilperson DiMartino	VOTED
Councilperson Matters	VOTED

69-2014 RESOLUTON FOR TIMELY SUBMISION OF RESOLUTIONS

WHEREAS, Pre-Board Meeting are scheduled 4:00 pm on the Thursday prior to regularly scheduled Town Board meetings; and

WHEREAS, timely submission of Resolutions proposed for adoption is needed in order for each Board member to have adequate time for review

WHEREAS, resolution 169-2010 for timely submission of Resolutions required a 4:00 pm submission; and

WHEREAS, the Resolutions need to be typed; and

WHEREAS, the Comptroller should review financial impact of all Resolutions and advise the board; now therefore it be

RESOLVED, Resolutions for consideration shall be submitted to the Town Clerk, Deputy Town Clerk or Supervisor's staff by 10:00 am of the date of pre-board meeting; and be it

FURTHER RESOLVED, any items on board meeting agendas that were not presented at pre-board, be required a majority vote to be considered for a vote

The foregoing resolution was duly moved by Councilperson Mangold and seconded by Councilperson Malone and resulted in the following vote:

Councilperson Mangold	VOTED
Councilperson Malone	VOTED
Supervisor Langley	VOTED
Councilperson DiMartino	VOTED
Councilperson Matters	VOTED

ADJOURNMENT

Motion to adjourn by Supervisor Langley seconded by Councilperson DiMartino and brought to a vote as follows:

Supervisor Langley	VOTED
Councilperson DiMartino	VOTED
Councilperson Mangold	VOTED
Councilperson Malone	VOTED
Councilperson Matters	VOTED