



The Town of East Greenbush

225 Columbia Turnpike, Rensselaer, NY 12144

TOWN BOARD MEETING AGENDA – TABLE OF CONTENTS

Wednesday July 18, 2012

PUBLIC HEARING – 6:45 PM – A Public Hearing Concerning the Comprehensive Zoning Law to include an Amenities Plan as a supplemental section.

7 PM

A CEREMONY TO HONOR DETECTIVE JOSEPH E. DE SEVE
Det. DeSeve has served East Greenbush with distinction since May 13, 1974
He will retire on July 27, 2012

Call to Order, Pledge to the Flag, Attendance
Public Comment (Related to the Agenda)
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Public Comment (General Comments)

- Pg 15 Adjournment



The Town of East Greenbush

225 Columbia Turnpike, Rensselaer, NY 12144

TOWN BOARD MEETING AGENDA

Wednesday, July 18, 2012

Call to Order 7:00 PM

Pledge to the Flag

Town Board Meeting: **Members of Town Board**

Present

Absent

Supervisor Langley

Councilperson Matters

Councilperson O'Brien

Councilperson Malone

Councilperson Mangold

Resolutions Proposed by Town Board Members:

Public Comment Period : Members of the public wishing to speak shall state their name and address and will be granted the floor for up to five minutes. The Board thanks everyone in attendance for their understanding and for their desire to actively participate in the decision-making process.

The Public Comment Portion of the meeting will consist of two sections:

1. **Prior to Town Board Consideration of the Resolutions:** Members of the public wishing to address a specific resolution(s) on the agenda to follow will be recognized.
2. **Upon disposal of the resolutions:** Members of the public with general comments on Town government will be recognized.

101-2012 A Resolution to Approve the Minutes of the June 20, 2012 Town Board Meeting

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 20, 2012 have been presented; and

WHEREAS, the Town Board has reviewed these minutes and any necessary corrections have been made; now the

THEREFORE, BE IT RESOLVED, that the minutes of the regular Town Board Meeting held on June 20, 2012 are hereby approved as submitted.

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

Supervisor Langley	VOTED	___
Councilperson Matters	VOTED	___
Councilperson O'Brien	VOTED	___
Councilperson Malone	VOTED	___
Councilperson Mangold	VOTED	___

102-2012 A Resolution to Approve the Minutes of the July 9, 2012 Special Town Board Meeting

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 July 9, 2012 have been presented; and

WHEREAS, the Town Board has reviewed these minutes and any necessary corrections have been made; now the

THEREFORE, BE IT RESOLVED, that the minutes of the regular Town Board Meeting held on July 9, 2012 are hereby approved as submitted.

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

Supervisor Langley	VOTED	___
Councilperson Matters	VOTED	___
Councilperson O'Brien	VOTED	___
Councilperson Malone	VOTED	___
Councilperson Mangold	VOTED	___

103-2012 A Resolution authorizing a contract with Sewer Vac-Truck Services being awarded as the result of a Request for Bid (RFB)

WHEREAS, at the request of the WWTP Chief Operator and in accordance with Town Policy and General Municipal Law, a Request for Bid (RFB) was issued for the hauling of sludge; and

WHEREAS the Town Comptroller has certified that none of the provisions of this proposed Town Board action shall pose an impact to the Town's 2012 budget now, and

WHEREAS, the Purchasing Agent has reviewed the bids with all parties and recommends awarding the bid to Blue Diamond Septic, LLC, now, therefore,

BE IT RESOLVED, that the Supervisor is authorized to execute said Agreement on the behalf of the members of the Town Board. Execution shall occur following the Town Board adoption of this resolution.

The foregoing Resolution was duly moved by Councilperson Mangold and seconded by Councilperson O'Brien and brought to a vote resulting as follows:

Councilperson Mangold	VOTED	___
Councilperson O'Brien	VOTED	___
Supervisor Langley	VOTED	___
Councilperson Matters	VOTED	___
Councilperson Malone	VOTED	___

104-2012 A Resolution to Approve an Independent Contractor to Provide Landscaping Services

WHEREAS, the Town Board would like to retain the services of a independent contractor to provide landscaping and gardening services for the Town; and

WHEREAS, Sara Sheldon, being well qualified as a master gardener, having provided landscaping services in Town Park, Hampton Manor Park, Town Hall and other Town sites in the past; and

WHEREAS, Ms Sheldon shall be paid at the rate of \$8.00 per hour, not to exceed \$1,000 in total compensation; and

WHEREAS, the Town Comptroller certifies funds have been allocated in the 2012 budget to fund these services; now therefore

BE IT RESOLVED, that Sara Sheldon is authorized to provide landscaping services under the direction of the Commissioner of Public Works and the Town Comptroller is authorized to provide payment for services.

The foregoing Resolution was duly moved by Councilperson O'Brien and seconded by Councilperson Mangold and brought to a vote resulting as follows:

Councilperson O'Brien	VOTED	___
Councilperson Mangold	VOTED	___
Supervisor Langley	VOTED	___
Councilperson Matters	VOTED	___
Councilperson Malone	VOTED	___

105-2012 A Resolution Authorizing the Town Clerk to Certify the Base Percentages, Current Percentages, Current Base Proportions and the Adjusted Base Proportions Pursuant to the Real Property Tax Law

WHEREAS, the Town Board of the Town of East Greenbush, County of Rensselaer, State of New York, is in receipt of the class equalizations rates from the Office of Real Property Services, regarding the homestead class and non-homestead properties within the Town; and

WHEREAS, the Town Board considers it to be in the best interest of the Town to certify the attached certificates of base percentages, current percentages, current base proportions and the adjusted base proportions, pursuant to Article 19 of the Real Property Tax Law, for the levy of taxes on 2012/2013 East Greenbush Central School District Assessment Roll and the 2012 Assessment Roll for the Town of East Greenbush; and

WHEREAS, the attached certificates (Attachment A) of base percentages, current percentages, current base proportions and the adjusted base proportions for the 2012/2013 Assessment Roll, as calculated by the Town Assessor, has been approved by the State of New York Office of Real Property Tax Services; and

WHEREAS, The Town Comptroller certifies that this action poses no financial impact to the Town Budget; now therefore

BE IT RESOLVED, that the Town Clerk is hereby authorized and directed to sign the certification of Base Percentages, Current Percentages, Current Base Proportions and the Adjusted Base Proportions; as set forth in the attached certificates.

The foregoing Resolution was duly moved by Councilperson Malone and seconded by Councilperson O'Brien and brought to a vote resulting as follows:

Councilperson Malone	VOTED	___
Councilperson O'Brien	VOTED	___
Supervisor Langley	VOTED	___
Councilperson Matters	VOTED	___
Councilperson Mangold	VOTED	___

106-2012 A Resolution to Authorize a Contract, Awarded as the Result of an RFP, to Complete the Real Property Reassessment Project

WHEREAS, at the request of the Assessor and in accordance with Town Policy and General Municipal Law, a Request for Proposal (RFP) was issued for expert consultant services regarding the Town’s proposed town wide reassessment for the 2013 assessment roll, and

WHEREAS, the Purchasing Agent, Assessor and Town Attorney have reviewed the proposal and recommend awarding the project to Industrial & Utility Valuation Consultants, Inc. The award, not to exceed fifty (50) thousand dollars is payable in ten (10) monthly payments, and

WHEREAS the Town Comptroller has certified that no provision of this proposed Town Board action shall pose an impact to the Town’s 2012 budget and the Town Comptroller will provide for this proposed action in the 2013 Budget, now, therefore,

BE IT RESOLVED, that the Supervisor is authorized to execute said Agreement on the behalf of the members of the Town Board. Execution shall occur following the Town Board adoption of this resolution.

The foregoing Resolution was duly moved by Councilperson Mangold and seconded by Councilperson O’Brien and brought to a vote resulting as follows:

Councilperson Mangold	VOTED	___
Councilperson O’Brien	VOTED	___
Supervisor Langley	VOTED	___
Councilperson Matters	VOTED	___
Councilperson Malone	VOTED	___

107-2012 A Resolution Authorizing the Acceptance of a 12 inch Water Main Located in East Greenbush From the City of Rensselaer

WHEREAS, the City of Rensselaer installed approximately One Thousand feet (1,000’) of water main on American Oil Road, commencing at the City of Rensselaer (City) and Town of East Greenbush (Town) boundary approximately thirty years ago to service water needs of several parcels located along this same road; and

WHEREAS, There is a need to extend this water main further to service Town of East Greenbush residents in the future; and

WHEREAS, The Town will accept ownership to provide for future extensions as necessary, and will maintain said main and any extensions thereto; and

WHEREAS, The Town will install a master water meter at or near the inter-municipal boundary to monitor water use; and

WHEREAS, The City of Rensselaer passed a resolution authorizing the transfer on May 12, 2012, and

WHEREAS, The Town will charge all future water users on this main, now, therefore

WHEREAS, the Town Comptroller certifies that the effect on the 2012 budget is negligible, and

BE IT RESOLVED, that the Town will take ownership of the main upon installation of the master water meter; will be responsible future main extensions, maintenance and repair; and

BE IT FURTHER RESOLVED, that upon taking ownership the Town will be entitled to user fees at the Town rates in effect.

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

Supervisor Langley	VOTED	___
Councilperson Matters	VOTED	___
Councilperson O’Brien	VOTED	___
Councilperson Malone	VOTED	___
Councilperson Mangold	VOTED	___

108-2012 A Resolution to Authorize Public Sector HR Consultants, LLC (PSHCR) to Provide Administrative and Consultant Services in Human Resource Management Related to a Very Specific HR Matter as Outlined in an Arbitration Settlement

WHEREAS, the Town of East Greenbush has settled a certain lawsuit with a specific Human Resources directive in the settlement, and

WHEREAS, the Town has a recognize need for consultant services to comply with the provisions of the settlement, and

WHEREAS, PSHCR is able to provide the services at the rate of \$150 per hour and it is anticipated that the entire matter can be addressed for less than \$5,000., and

WHEREAS, the Town Comptroller certifies that the effect on the 2012 budget is negligible, now, therefore

BE IT RESOLVED, that the Town Comptroller be authorized to engage PSHCR for consulting services related to this matter in an amount not to exceed \$5,000.

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

Supervisor Langley	VOTED	___
Councilperson Matters	VOTED	___
Councilperson O'Brien	VOTED	___
Councilperson Malone	VOTED	___
Councilperson Mangold	VOTED	___

110-2012 A Resolution to Amend Local Law #1 of 2008 (Comprehensive Zoning Law) to Include Amenities Plan as a Supplemental Section

WHEREAS, the Town of East Greenbush passed Local Law #1 of 2008 on June 11, 2008, The Comprehensive Zoning Law; and

WHEREAS, the Town of East Greenbush engaged Behan Planning as professional consultants for the purpose of developing an Amenities Plan; and

WHEREAS, the Town of East Greenbush is desirous of amending Local Law #1 of 2008, the Comprehensive Zoning Law to include the Amenities Plan as a supplemental section, Section VI Amenities Plan ; and

WHEREAS, the Town Board conducted a Public Hearing on the proposed Comprehensive Zoning Law Amendment on Wednesday, July 18th at 6:45 PM at the Town Hall;

WHEREAS, the Town Board has determined that the action is a Type 1 Action under SEQR and conducted a coordinated SEQR review of the project; and

WHEREAS, The Town Comptroller certifies that this action poses no financial impact to the Town Budget; and

WHEREAS, the Town Board prepared and circulated a lead agency coordination letter requesting the consent of all the involved agencies to designation of the Town Board as Lead Agency for review of the Project under the State Environmental Quality Review Action ("SEQRA"); and

WHEREAS, the Town Board determined that the Project will not have a significant impact on the environment and issued a Negative Declaration for the Project; and

BE IT RESOLVED that the Town Board hereby approves Amenities Plan as Section VI of Local Law #1 of 2008, The Comprehensive Zoning Law

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

Supervisor Langley	VOTED
Councilperson Matters	VOTED
Councilperson O'Brien	VOTED
Councilperson Malone	VOTED
Councilperson Mangold	VOTED

109-2012 SEQRA Determination for Amending Towns Comprehensive Zoning Law to Include Community Amenities Plan as a Supplemental Section

WHEREAS, the Town of East Greenbush passed Local Law #1 of 2008 on June 11, 2008, The Comprehensive Zoning Law; and
WHEREAS, the Town of East Greenbush in conjunction with Behan Planning created a town-wide amenities plan; and
WHEREAS, The Town Board of the Town of East Greenbush is desirous of including the town-wide amenities plan as a supplemental section of the Comprehensive Zoning Law; and
WHEREAS, the Town Board has determined that the action is a Type 1 Action under SEQR and conducted a coordinated SEQR review of the project; and
WHEREAS, the Town Board prepared and circulated a lead agency coordination letter requesting the consent of all the involved agencies to designation of the Town Board as Lead Agency for review of the Project under the State Environmental Quality Review Action (“SEQRA”); and
WHEREAS, all involved agencies consented to such designation and, therefore, pursuant to 6 New York Code of Rules and Regulations (“NYCRR”) Section 617.6, the Town of East Greenbush Town Board is the lead agency for SEQRA review of the Project; and
WHEREAS, the Town Board, as lead agency, has reviewed and fully considered the proposed Project and Part I of the EAF, and has completed Part II of the EAF; and
WHEREAS, the Town Board has taken a hard look at the potential environmental impacts of this Project by carefully considering them and thoroughly evaluating their potential significance; and
WHEREAS, The Town Comptroller certifies that this action poses no financial impact to the Town Budget; and
WHEREAS, the Town Board has determined that the proposed action will not result in any large or significant impacts and, any potential impacts can be mitigated;
NOW, THEREFORE, BE IT RESOLVED, that based on the “Reasons Supporting this Determination” discussed in the attached SEQRA Negative Declaration – Notice of Determination of Non-Significance (“Negative Declaration”) the Town Board hereby finds that the Project will not have a significant impact on the environment and authorizes the filing of a Negative Declaration for the Project.
The foregoing Resolution was duly moved by Councilperson Matters and seconded by Councilperson O’Brien and brought to a vote resulting as follows:

Councilperson Matters	VOTED
Councilperson O’Brien	VOTED
Supervisor Langley	VOTED
Councilperson Malone	VOTED
Councilperson Mangold	VOTED

111-2012 SEQRA Determination for Amending of the Comprehensive Zoning Law to Include a Sunset Clause for Site Plans

WHEREAS, the Town of East Greenbush passed Local Law #1 of 2008 on June 11, 2008, The Comprehensive Zoning Law; and
WHEREAS, the Town Board of Town of East Greenbush desires to amend Local Law #1 of 2008, the Comprehensive Zoning Law to include a Sunset Clause for Planned Development Districts (PDD) to section 3.9.2 Planned Development District; and
WHEREAS, the Town Board has determined that the action is a Type 1 Action under SEQR and conducted a coordinated SEQR review of the project; and
WHEREAS, the Town Board prepared and circulated a lead agency coordination letter requesting the consent of all the involved agencies to designation of the Town Board as Lead Agency for review of the Project under the State Environmental Quality Review Action (“SEQRA”); and
WHEREAS, all involved agencies consented to such designation and, therefore, pursuant to 6 New York Code of Rules and Regulations (“NYCRR”) Section 617.6, the Town of East Greenbush Town Board is the lead agency for SEQRA review of the Project; and

WHEREAS, the Town Board, as lead agency, has reviewed and fully considered the proposed Project and Part I of the EAF, and has completed Part II of the EAF; and

WHEREAS, The Town Comptroller certifies that this action poses no financial impact to the Town Budget; and

WHEREAS, the Town Board has taken a hard look at the potential environmental impacts of this Project by carefully considering them and thoroughly evaluating their potential significance; and

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

NOW, THEREFORE, BE IT RESOLVED, that based on the “Reasons Supporting this Determination” discussed in the attached SEQRA Negative Declaration – Notice of Determination of Non-Significance (“Negative Declaration”) the Town Board hereby finds that the Project will not have a significant impact on the environment and authorizes the filing of a Negative Declaration for the Project.

The foregoing Resolution was duly moved by Councilperson O’Brien and seconded by Councilperson Malone and brought to a vote resulting as follows:

Councilperson O’Brien	VOTED
Councilperson Malone	VOTED
Supervisor Langley	VOTED
Councilperson Matters	VOTED
Councilperson Mangold	VOTED

112-2012 A Resolution to Amend Town Comprehensive Zoning Law to include a Sunset Clause for Site Plans

WHEREAS, the Town of East Greenbush passed Local Law #1 of 2008 on June 11, 2008, The Comprehensive Zoning Law; and

WHEREAS, the Town of East Greenbush is desirous of amending Local Law #1 of 2008, the Comprehensive Zoning Law to include a Sunset Clause for Site Plans to section 4.4.3 Planning Board; and

WHEREAS, the Town Board conducted a Public Hearing on the proposed Comprehensive Zoning Law Amendment on Wednesday, April 18th at 6:30 PM at the Town Hall;

WHEREAS, the Town Board has determined that the action is a Type 1 Action under SEQR and conducted a coordinated SEQR review of the project; and

WHEREAS, the Town Board prepared and circulated a lead agency coordination letter requesting the consent of all the involved agencies to designation of the Town Board as Lead Agency for review of the Project under the State Environmental Quality Review Action (“SEQRA”); and

WHEREAS, the Town Board determined that the Project will not have a significant impact on the environment and issued a Negative Declaration for the Project; and

WHEREAS, The Town Comptroller certifies that this action poses no financial impact to the Town Budget; and

BE IT RESOLVED that the Town Board hereby approves the amendment to Local Law #1 of 2008, The Comprehensive Zoning Law to include as Sunset Clause for Site Plans

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

Councilperson Malone	VOTED
Councilperson Mangold	VOTED
Supervisor Langley	VOTED
Councilperson Matters	VOTED
Councilperson O’Brien	VOTED

113-2012 SEQRA Determination for Amending of the Comprehensive Zoning Law to Include a Sunset Clause for Planned Development Districts

WHEREAS, the Town of East Greenbush passed Local Law #1 of 2008 on June 11, 2008, The Comprehensive Zoning Law; and
WHEREAS, the Town Board of Town of East Greenbush desires to amend Local Law #1 of 2008, the Comprehensive Zoning Law to include a Sunset Clause for Site Plans to section 4.4.3 Planning Board; and
WHEREAS, the Town Board has determined that the action is a Type 1 Action under SEQR and conducted a coordinated SEQR review of the project; and
WHEREAS, the Town Board prepared and circulated a lead agency coordination letter requesting the consent of all the involved agencies to designation of the Town Board as Lead Agency for review of the Project under the State Environmental Quality Review Action (“SEQRA”); and
WHEREAS, all involved agencies consented to such designation and, therefore, pursuant to 6 New York Code of Rules and Regulations (“NYCRR”) Section 617.6, the Town of East Greenbush Town Board is the lead agency for SEQRA review of the Project; and
WHEREAS, the Town Board, as lead agency, has reviewed and fully considered the proposed Project and Part I of the EAF, and has completed Part II of the EAF; and
WHEREAS, the Town Board has taken a hard look at the potential environmental impacts of this Project by carefully considering them and thoroughly evaluating their potential significance; and
WHEREAS, The Town Comptroller certifies that this action poses no financial impact to the Town Budget; and
WHEREAS, the Town Board has determined that the proposed action will not result in any large or significant impacts and, any potential impacts can be mitigated;
NOW, THEREFORE, BE IT RESOLVED, that based on the “Reasons Supporting this Determination” discussed in the attached SEQRA Negative Declaration – Notice of Determination of Non-Significance (“Negative Declaration”) the Town Board hereby finds that the Project will not have a significant impact on the environment and authorizes the filing of a Negative Declaration for the Project.
The foregoing Resolution was duly moved by Councilperson Mangold and seconded by Supervisor Langley and brought to a vote resulting as follows:

Councilperson Mangold	VOTED
Supervisor Langley	VOTED
Councilperson Matters	VOTED
Councilperson O’Brien	VOTED
Councilperson Malone	VOTED

114-2012 A Resolution to Amend Town Comprehensive Zoning Law to include a Sunset Clause for Planned Development Districts

WHEREAS, the Town of East Greenbush passed Local Law #1 of 2008 on June 11, 2008, The Comprehensive Zoning Law; and
WHEREAS, the Town of East Greenbush is desirous of amending Local Law #1 of 2008, the Comprehensive Zoning Law to include a Sunset Clause for Planned Development Districts (PDD) to section 3.9.2 Planned Development District; and
WHEREAS, the Town Board conducted a Public Hearing on the proposed Comprehensive Zoning Law Amendment on Wednesday, April 18th at 6:45 PM at the Town Hall;
WHEREAS, the Town Board has determined that the action is a Type 1 Action under SEQR and conducted a coordinated SEQR review of the project; and
WHEREAS, the Town Board prepared and circulated a lead agency coordination letter requesting the consent of all the involved agencies to designation of the Town Board as Lead Agency for review of the Project under the State Environmental Quality Review Action (“SEQRA”); and
WHEREAS, the Town Board determined that the Project will not have a significant impact on the environment and issued a Negative Declaration for the Project; and

WHEREAS, The Town Comptroller certifies that this action poses no financial impact to the Town Budget; and

BE IT RESOLVED that the Town Board hereby approves the amendment to Local Law #1 of 2008, The Comprehensive Zoning Law to include as Sunset Clause for Planned Development Districts
The foregoing Resolution was duly moved by Supervisor Langley and seconded by Councilperson Matters and brought to a vote resulting as follows:

Supervisor Langley	VOTED
Councilperson Matters	VOTED
Councilperson O'Brien	VOTED
Councilperson Malone	VOTED
Councilperson Mangold	VOTED

115-2012 A Resolution to Appoint the Town Board to act as Lead Agency for the Regeneron Bldg 85 Expansion Site Plan

WHEREAS, Hart Engineering, on behalf of Regeneron Pharmaceuticals, Inc, otherwise known as the Regeneron Bldg 85 Expansion Site Plan, has submitted a site plan review application for a project located at 81 Columbia Turnpike and identified on the Town's Tax Roll as Tax Parcel No. 155.00-1-4.21; and

WHEREAS, the application was accompanied by a proposed site plan, a Full Environmental Assessment Form and other submittals; and

WHEREAS, the Town Board wishes to assume lead agency status in connection with coordinated SEQR review of the Project;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Project will require review under the State Environmental Quality Review Act ("SEQRA")

2. The following are or may be:

Involved agencies under SEQRA:

- East Greenbush Town Board
- East Greenbush Planning Board
- East Greenbush Zoning Board of Appeals
- U.S. Army Corps of Engineers
- Rensselaer County Health Department
- Rensselaer County Water/Sewer Authority
- Rensselaer County Highway Department
- NYS Dept. of Environmental Conservation
- NYS Department of Transportation – Region 1
- New York State Department of Coastal Resources

Interested agencies under SEQRA:

- Best Luther Fire Department
- Clinton Heights Fire District #1
- East Greenbush Fire District 3
- W. F. Bruen Rescue Squad
- Rensselaer County Bureau of Planning
- Town of North Greenbush Planning
- City of Rensselaer
- Town of Schodack Planning Department
- East Greenbush Central School District
- Rensselaer Co. Industrial Development Agency
- Albany Port District Commission
- NYS Office of Parks, Recreation & Historic Preservation
- East Greenbush Department of Public Works
- East Greenbush Traffic Safety Committee
- Capital District Transportation Authority

National Heritage Program

- 3. The Town Board wishes to assume lead agency status in connection with coordinated SEQR review of the Project
- 4. The Town Board directs that a lead agency coordination letter be sent to all the involved agencies requesting their consent to designation to the Town Board as lead agency for SEQR review of the Project

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

Supervisor Langley	VOTED
Councilperson Malone	VOTED
Councilperson Matters	VOTED
Councilperson O'Brien	VOTED
Councilperson Mangold	VOTED

116-2012 A Resolution to Set the September Pre-Board Meeting for Wednesday, September 12

WHEREAS, the East Greenbush Town Board sets dates for pre-Board and Board Meetings at its organizational meeting in accordance with Section 62 and 63 of Town Law; and

WHEREAS, the September pre-Board meeting was set for September 13, 2012 at the Organizational Meeting on January 2, 2012; and

WHEREAS, subsequent to the meeting being set the NYS Board of Elections designated September 13 as Primary Election day; and

WHEREAS, pre-Board meetings are held in Town Hall and Town Hall is also a polling place on Primary Election Day; and

WHEREAS, no conflict exists if pre-Board is held on Wednesday, September 12, now, therefore

BE IT RESOLVED, that the September pre-Board meeting be hereby scheduled Town Hall at 4:30 PM on Wednesday, September 12, 2012; and

BE IT FURTHER RESOLVED, that the Town Clerk be directed to execute appropriate notifications regarding the change in date

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

Supervisor Langley	VOTED
Councilperson Matters	VOTED
Councilperson O'Brien	VOTED
Councilperson Mangold	VOTED
Councilperson Malone	VOTED

117-2012 A Resolution Referring the Proposed Code of Ethics for the Town of East Greenbush to the Ethics Board for Review and Comment

WHEREAS, a proposed Ethics Code was brought forward for a public hearing held on June 20th 2012, and

WHEREAS, the public hearing was held open and remains so as of this date, and

WHEREAS, the Town Board desires receipt of comment from the Ethics Board upon the proposed Ethics Code, now

BE IT RESOLVED, that the proposed Code of Ethics for the Town of East Greenbush brought forward at a public hearing on June 20th 2012 is hereby referred to the Board of Ethics for review and comment, and

BE IT FURTHER RESOLVED, that the review and comment shall be limited in scope to remain within the parameters of the proposed Code, notwithstanding any previous directive from the Town Board to the Ethics Board, and

BE IT FURTHER RESOLVED, that the Ethics Board review and comment shall be transmitted to the Town Board by way of a non-final inter-agency memorandum and,

BE IT FURTHER RESOLVED, that the public hearing shall remain open and adjourned without date.

The foregoing Resolution was duly moved by Councilperson O’Brien and seconded by Councilperson Mangold and brought to a vote resulting as follows:

Councilperson O’Brien	VOTED	___
Councilperson Mangold	VOTED	___
Supervisor Langley	VOTED	___
Councilperson Matters	VOTED	___
Councilperson Malone	VOTED	___

118-2012 A Resolution Appointing Joseph B. Slater, Esq. to the Position of East Greenbush Zoning Board Attorney

WHEREAS, a vacancy for the Zoning Board Attorney has existed since June 13, 2012, and

WHEREAS, it is of great importance that such vacancy be filled as soon as possible to continue the prompt and orderly conduct of the East Greenbush Zoning Board, and

WHEREAS, Joseph B. Slater, a town resident attorney admitted to practice law in the State of New York , has applied for appointment to the position of East Greenbush Town Zoning Board Attorney, and

WHEREAS, the Town Comptroller has certified that none of the provisions of this proposed Board action shall pose an adverse impact to the Town’s finances; and

WHEREAS, the Town Board finds Joe Slater to have appropriate qualifications and to be qualified to hold this position, now, therefore

BE IT RESOLVED, that Joseph B. Slater, Esq. be and is hereby appointed to the position of East Greenbush Zoning Board Attorney on an independent contractor basis per retainer letter to be submitted to the town at an annual rate of \$10,000. effective immediately.

The foregoing Resolution was duly moved by Councilperson O’Brien and seconded by Councilperson Malone and brought to a vote resulting as follows:

Councilperson O’Brien	VOTED
Councilperson Malone	VOTED
Supervisor Langley	VOTED
Councilperson Matters	VOTED
Councilperson Mangold	VOTED

119-2012 A Resolution Appointing Christine Warren, Esq. to the Position of East Greenbush Planning Board Attorney

WHEREAS, a vacancy for the Planning Board Attorney exists as of July 18, and
WHEREAS, it is of great importance that such vacancy be filled as soon as possible to continue the prompt and orderly administration of the East Greenbush Planning Board, and
WHEREAS, Christine Warren, a town resident attorney admitted to practice law in the State of New York, has applied for appointment to the position of East Greenbush Town Justice Planning Board, and
WHEREAS, the Town Comptroller has certified that none of the provisions of this proposed Board action shall pose an adverse impact to the Town’s finances; and
WHEREAS, the Town Board finds Christine Warren to have appropriate qualifications and qualified to hold this position, now, therefore
BE IT RESOLVED, that Christine Warren, Esq. be and is hereby appointed to the position of East Greenbush Planning Board Attorney on an independent contractor basis per retainer letter to be submitted to the town at an annual rate of \$7,000. effective immediately.
The foregoing Resolution was duly moved by Councilperson O’Brien and seconded by Councilperson Mangold and brought to a vote resulting as follows:

Councilperson O’Brien	VOTED
Councilperson Mangold	VOTED
Supervisor Langley	VOTED
Councilperson Matters	VOTED
Councilperson Malone	VOTED

120-2012 A Resolution authorizing the Town Consulting Engineer to submit the revised non-final inter-agency wastewater treatment plan to the New York State Department of Environmental Conservation in anticipation of the resolution of pending litigation arising out of the Consent Order dated May 17, 2012

WHEREAS, On July 9, 2012 the Town Board authorized the Town Engineer and Consulting Engineer to submit the non-final inter-agency waste water treatment plan to the New York State Department of Conservation for review and comment, and
WHEREAS, the Department of Environmental Conservation has communicated with the Town’s Engineers regarding certain specific modifications to such plan, and
WHEREAS, the Town Engineers have revised the plan in accordance with the recommendations of the Department of Environmental Conservation, and
WHEREAS, the Town Comptroller has certified that none of the provisions of the proposed Town Board Action shall pose an impact to the Town’s 2012 Budget, now
BE IT RESOLVED, that the Town Consulting Engineer is hereby authorized to submit the revised non-final inter-agency wastewater treatment plan to the New York State Department of Environmental Conservation for the Departments review and comment in anticipation of the ultimate settlement and resolution of litigation pending arising out of the May 17, 2012 Order of Consent.
The forgoing resolution was duly moved by Supervisor Langley and duly seconded by Councilperson Mangold and brought to a vote resulting as follows:

Supervisor Langley	VOTED
Councilperson Mangold	VOTED
Councilperson Matters	VOTED
Councilperson O’Brien	VOTED
Councilperson Malone	VOTED

Public Comment Period: Members of the public wishing to speak shall state their name and address and will be granted the floor for up to five minutes. The Board thanks everyone in attendance for their understanding and for their desire to actively participate in the decision-making process.

Upon disposal of the resolutions: Members of the public with general comments on Town government will be recognized.

ADJOURNMENT

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

Supervisor Langley	VOTED	___
Councilperson Matters	VOTED	___
Councilperson O'Brien	VOTED	___
Councilperson Malone	VOTED	___
Councilperson Mangold	VOTED	___