



The Town of East Greenbush

225 Columbia Turnpike, Rensselaer, New York 12144

TOWN BOARD AGENDA PRE-BOARD MEETING Wednesday, November 9, 2016

Call to Order 6:00 PM
Pledge of Allegiance
Town Board Meeting:

Members of Town Board

Present

Absent

Supervisor Conway
Councilor DiMartino
Councilor Matters
Councilor Grant
Councilor Tierney

Schedule of Meeting:

Executive Session for the purpose of interviewing a Candidate for a Police Officer Position.

Presentation: Sonny Bonacio, Thompson Hill Residential PDD

211-2016 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 October 19, 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 October 19, 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
Councilor Matters
Councilor DiMartino
Councilor Grant
Councilor Tierney

VOTED:
VOTED:
VOTED:
VOTED:
VOTED:

212-2016 A Resolution Honoring Gerald Middleton for Fifty Years of Service to the Best-Luther Fire Department

WHEREAS, the brave members of the Best-Luther Fire Department protect the lives and property of the people of East Greenbush through fire prevention, fire response and public education and have done so for seventy years; and

WHEREAS, they respond to calls regarding building collapses, structure fires, hazardous material incidents, vehicle accidents, water main breaks, utility emergencies and other non-fire situations; and

WHEREAS, firefighters bravely face possible injury and even death in the performance of their duties, sometimes working long and straining hours to protect members of our community; and

WHEREAS, Gerald Middleton has been a member of the Best-Luther Fire Department for fifty years, having joined on his sixteenth birthday; and

WHEREAS,

Supervisor Conway
Councilor DiMartino
Councilor Matters
Councilor Grant
Councilor Tierney

VOTED:
VOTED:
VOTED:
VOTED:
VOTED:

213-2016 A Resolution Authorizing the Purchase of a Point of Sale System Computer for the Town Clerk's Office

WHEREAS, the Town Clerk has identified the need for updating the Point of Sale System Computer for the Town Clerk's Office; and

WHEREAS, the Town Clerk currently uses her individual work space to process various licenses and permits, which result in the interruption of other tasks, such as Town Board Meeting Minutes, check deposits and responding to electronic communications such as emails and FOIL requests; and

WHEREAS, the new Point of Sale System Computer would allow for the office functions to be mainstreamed increasing accountability, functionality and efficiency by using the new computer terminal to process the various licenses and permits; and

WHEREAS, the result of the new computer would allow for the Town Clerk's individual work space to be separate and more secure; and

WHEREAS, Diagnostic Services & Installation has provided a quote to the Town in the amount of \$3,983.50 for the Point of Sale System Computer, which includes a new Personal Computer, receipt printer, cash drawer, barcode scanner, price display, and QuickBooks Point of Sale Basic Edition; and

WHEREAS, the Town Comptroller has confirmed that the financial impact of this resolution is approximately \$3,984.00 from the General Fund for this expense;

Fund	Transfer in	Transfer out
A917 – General Fund Balance	--	\$3,984.00
1410.4– Town Clerk C/E	\$3,984.00	

now, therefore, be it

RESOLVED, that the Town Board does hereby approve the purchase of the Point of Sale System Computer for the Town Clerk’s office.

This resolution was duly moved by Supervisor Conway and 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:

214-2016 A Resolution to Extend the General Water District to Include Certain Premises Known as 150 Ridge Road, owned by Kamal Swami and Avani Swami

WHEREAS, Kamal Swami and Avani Swami have filed a petition addressed to the Town Board of the Town of East Greenbush, acknowledged on October 31, 2016; and

WHEREAS, said petition requests an extension of the General Water District of the Town of East Greenbush to property known as 150 Ridge Road, a parcel of 26.3 +/- acres located near the intersection of Ridge Road with Celeste Drive; and

WHEREAS, submitted with said petition was a certain “Water District Extension Report for Ridge Ext. No. 1” prepared by HV LaBarba & Associates, engineers duly licensed by the State of New York; and

WHEREAS, a hearing on such petition, notice of which was duly published and posted, was held before the Town Board on November 16, 2016, at which the public had the opportunity to comment on this petition; and

WHEREAS, the Town Comptroller asserts this resolution will have no material financial impact;

now, therefore, be it

RESOLVED, that the Town Board hereby determines as follows:

FIRST, that the petition referenced above was signed and acknowledged as required by law and is otherwise sufficient;

SECOND, that all of the property and property owners within the proposed extension are benefited thereby;

THIRD, that all of the property and property owners benefited are included within the limits of the proposed extension;

FOURTH, that it is in the public interest to grant in whole the relief sought in the petition;

and be it further

RESOLVED, that the Board having determined in the affirmative all of the questions set forth in §194(1) of the Town Law that the extension of the District, to include premises known as 150 Ridge Road, and as more fully described at Exhibit “A” annexed to said petition, is approved.

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

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

215-2016 A Resolution Adopting Local Law #4 of the Town of East Greenbush, Adopting and Ratifying the Land Subdivision Regulations of the Planning Board and Adopting an Amendment Thereto

WHEREAS, the East Greenbush Town Planning Board has requested the Town Board to adopt a certain amendment to Article VI, Section 4, (E)(2) of its Land Subdivision Regulations relating to providing notice of public hearings regarding major subdivisions to owners of land within 200 feet of the land involved in such application; and

WHEREAS, a proposed local law ratifying and adopting the existing Land Subdivision Regulations, and making said requested amendment, has been submitted to the Town Board, and

WHEREAS, the Town Board previously, by Resolution 200-2016 determined the proposed local law would have no significant environmental impact; and

WHEREAS, a public hearing was held before the Town Board on said proposed local law, upon due notice to the public, on November 16, 2016; and

WHEREAS, the Town Board believes that the existing Subdivision Regulations should be fully and formally adopted by the Town Board, and the amendment made to said regulations; and

WHEREAS, the Town Comptroller has confirmed that this resolution will not have a negative impact on the Town’s finances;

now, therefore, be it

RESOLVED, that the Town Board hereby adopts and approves said proposed Local Law #4 of the Year 2016 of the Town of East Greenbush as attached hereto.

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

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

216-2016 A Resolution to Authorize the Refund of the Filing Fee For the Small Claims Assessment Hearing

WHEREAS, Section 730 of the New York State Real Property Tax Law authorizes the Small Claims Assessment Hearing Officers to award to the petitioner, the cost of the filing fee that was paid to the County of Rensselaer; and

WHEREAS, the Small Claims Assessment Hearing Officer may make awards not exceeding \$30.00 (Thirty dollars and no cents); and

WHEREAS, the Town Comptroller believes at this time that this resolution will not have a material negative impact on the Town's finances charged to Town General Fund account 1355.5 Assessor Contractual Expense;

now, therefore, be it

RESOLVED that the Town of East Greenbush will refund to the following Petitioner's not exceeding \$30.00;

Dwayne & Vera Childers
21 Roberts Lane
Rensselaer, NY 12144
\$15.00 Refund

20 Hallenbeck Hills
East Greenbush NY 12061
\$30.00 Refund

Jeffrey Gaul
24 May Street
Rensselaer, NY 12144
\$30.00 Refund

Erica & Carlos Puentes
40 Morgan Road
East Greenbush, NY 12061
\$30.00 Refund

Theodore J. Valenti

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

Councilor Matters
Councilor DiMartino
Supervisor Conway
Councilor Grant
Councilor Tierney

VOTED:
VOTED:
VOTED:
VOTED:
VOTED:

217-2016 A Resolution Approving the Authorized Personnel Positions for the Department of Public Works

WHEREAS, the Department of Public Works exists to operate and maintain the Town's Highway, Water, Waste Water Systems; Parks, Transfer Station and Buildings; and

WHEREAS, the Public Works Commissioner has determined that the authorized personnel positions as depicted in the attached Organization Chart are the minimum required to operate and maintain the abovementioned systems; and

WHEREAS, the Public Works Commissioner requests that the Town Board approve the authorized personnel positions of the Public Works Department as described; and

WHEREAS, the Town Comptroller has confirmed that this resolution will not have a negative impact on the Town's finances;

now therefore, be it

RESOLVED, that the Town Board approves the authorized personnel positions of the Public Works Department as described on the enclosed Organizational Chart.

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:

218-2016 A Resolution authorizing an Agreement with Rensselaer County Concerning Snow and Ice Removal

WHEREAS, it is in the best interest of the residents of East Greenbush to receive quicker service during snow and ice storm conditions; and

WHEREAS, this agreement between the Town and the County has existed since 2000; and

WHEREAS, continuance of the co-operative agreement is in the best interest of our community; and

WHEREAS, we have negotiated an agreement with the Rensselaer County Highway Department concerning said snow and ice removal; and

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

now, therefore, be it

RESOLVED, that the Supervisor is authorized to enter into an agreement with Rensselaer County concerning snow and ice removal for Phillips Road, Sherwood Avenue, Hampton Avenue and Old Red Mill Road as defined in Schedule A of said agreement.

The foregoing 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:

219-2016 A Resolution Authorizing the Purchasing Clerk to Solicit Bids for a High Flow Articulated Compact Loader for Snow and Ice Removal on Sidewalks

WHEREAS, the Department of Public Works needs to remove snow and ice from sidewalks and has identified that a High Flow Articulated Loader is the piece of equipment that best meets their needs; and

WHEREAS, expenditures for public works projects that exceed \$35,000 are subject to competitive bidding; and

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

now therefore, be it

RESOLVED, that the Town Board authorizes the Purchasing Clerk to solicit bids for the purchase of a High Flow Articulated Compact Loader for snow and ice removal on sidewalks.

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 DiMartino	VOTED:
Councilor Matters	VOTED:
Councilor Tierney	VOTED:

220-2016 A Resolution to Provisionally Appoint Christopher Ochs to the Position of Motorized Equipment Operator Heavy (MEOH) in the Department of Public Works

WHEREAS, the Department of Public Works has an existing vacancy for the position of Motorized Equipment Operator Heavy (MEOH) in the Water Department; and

WHEREAS, the Public Works Commissioner advertised for an MEOH in the Town's Official Newspaper and on the Town's website; and

WHEREAS, Applications were received and reviewed, and interviews conducted by the Town Supervisor, the Commissioner of Public Works, and the Water Department Foreman; and

WHEREAS, Christopher Ochs was unanimously selected as the most qualified candidate for the position from a field of seven applicants; and

WHEREAS, the Town Comptroller has confirmed that this appointment can be funded with the 2016 budget;
now, therefore, be it

RESOLVED, that the Town Board confirms the provisional appointment of Christopher Ochs to the position of Motorized Equipment Operator Heavy (MEOH) in the Department of Public Works Water Division at the rate of \$21.4445 per hour as required by the CSEA Collective Bargaining Agreement. This appointment is effective as of December 5, 2016, subject to approval of the Rensselaer County Civil Service Commission and the successful completion of a 120-day probationary period.

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:

221-2016 A Resolution Approving the Adoption of the Annual Budget for Fiscal Year 2017

WHEREAS, pursuant to New York Town Law § 106, subd. 2, the East Greenbush Town Supervisor duly filed a Tentative Budget and budget message in the Office of the Town Clerk on September 29, 2016 (referred to hereinafter as the "Tentative Budget"); and

WHEREAS, the Tentative Budget provided for a 0.90% increase in the Town’s Real Property Tax Levy for fiscal year 2017; and

WHEREAS, pursuant to New York Town Law § 106, subd. 4, the East Greenbush Town Board, at a special meeting held on October 19, 2016 and with dissenting votes cast by Councilor Matters, duly approved a preliminary budget which was duly filed in the office of the Town Clerk on October 24, 2016 (referred to hereinafter as the “Preliminary Budget”); and

WHEREAS, the Preliminary Budget provided for, among other things, a tax increase of 1.5% in the Town’s Real Property Tax Levy for fiscal year 2017, along with a spending increase; and

WHEREAS, pursuant to New York Town Law § 108, the East Greenbush Town Board duly conducted a public hearing on the Preliminary Budget; and

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

now, therefore, be it

RESOLVED, that, pursuant to New York Town Law § 109, subd. 1, the Preliminary Budget be, and the same hereby is, duly adopted as the Annual Budget for fiscal year 2017 (referred to hereinafter as the “Adopted Budget”);

and be it further

RESOLVED, that the Town Clerk shall cause a copy of the Adopted Budget to be duly filed in her office, forthwith, following receipt thereof from the Comptroller; and be it further

RESOLVED, that, pursuant to New York Town Law § 109, subd. 3, the supervisor, Director of Finance, Comptroller, Receiver of Taxes, and Assessor take all respective action required and/or appropriate relative to the implementation of the Adopted Budget.

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:

222-2016 A Resolution Approving the Addition of CPDHP EPO 120 Plan to the Town Policy

WHEREAS, the Town Board approved the CDPHP Platinum 120 EPO Plan for Employees in Resolution 177-2016; and

WHEREAS, subsequent to approval of the EPO 120 Plan, CDPHP notified the Town of a 20% copayment for most medications administered in-office, such as allergy shots, chemotherapy drugs, cortisone shots, etc.; and

WHEREAS, due to this late policy notification, upon recommendation from CDPHP and Amsure, the Human Resources Manager and Director of Finance agree with adding CDPHP Copayment 100 Platinum Standard plan as an alternative to the EPO 120 Copayment Plan for Town Employees; and

WHEREAS, CDPHP and Amsure will have held an informational meeting for employees to break down the differences in policies so that employees are able to make the best selection for their family’s health care needs; and

WHEREAS, the EPO 120 Copayment Plan is marginally less expensive than the CDPHP EPO 100 Copayment Plan, and offers employees a comparable plan without the 20% copayment of office administered medications; and

WHEREAS, the Town Comptroller believes at this time that this resolution will not have a material negative impact on the Town's finances;
now, therefore, be it

RESOLVED, that the Town Board the Town of East Greenbush does hereby approve the addition of the CDPHP Copayment 100 Platinum Standard to the Town's 2017 offered insurance policies.

The foregoing resolution was duly moved by Supervisor Conway and 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:

223-2016 A Resolution to Refer the Application for the L. Browe Asphalt Services Pavement Batch Plant Planned Development District to the Town Planning Board for Review and Recommendation

WHEREAS, the Town of East Greenbush is in receipt of an application for a Pavement Batch Plant Industrial Planned Development District (PDD) for ±10.75 acres located on tax map parcel #165.-1-3.11, 3.12, 3.13; and

WHEREAS, a pre-application meeting was conducted before the Town Board's pre-board meeting on October 12th 2016 at town hall; and

WHEREAS, application materials were submitted in accordance to Section 2.9 of the Town's Comprehensive Zoning Law; and

WHEREAS, the Applicant consented to the Town's request for a time extension in order to provide the time necessary to properly review the proposed application; and

WHEREAS, the Town Comptroller believes at this time that this resolution will not have a negative impact on the Town's finances;
now, therefore be it

RESOLVED, that the Town Board of the Town of East Greenbush, County of Rensselaer, State of New York, hereby refers the application for the L. Browe Asphalts Services Pavement Batch Plant Planned Development District to the Town Planning Board and its planning staff for review and recommendation according to the Section 2.9 of the Town's Comprehensive Zoning Law; and

be it further

RESOLVED, that the Town Board directs the Town Planning Board and planning staff to include in their review, at minimum, the following areas of inquiry as they relate to the project:

1. Potential Air impacts and proposed best practices.
2. Potential Noise impacts including expected sound level impacts for adjoining areas.
3. Potential Traffic impacts, proposed truck routes, and proposed traffic mitigation.
4. Potential Visual impacts on adjoining areas.
5. Potential Odor and Light Impacts

- 6. Impacts on human health (if any)
- 7. Impacts related to development within the floodplain (if any)

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

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

224-2016 A Resolution Creating the Position of Assistant Building Inspector/Code Enforcement Officer and Appointing Nicholas Petramale as Assistant Building Inspector/Code Enforcement Officer and Part-Time Fire Inspector

WHEREAS, the Town Board believes that it would be beneficial to add the position title of Assistant Building Inspector/Code Enforcement Officer to the Town of East Greenbush positions with the Rensselaer County Civil Service Commission; and

WHEREAS, the position of Assistant Building Inspector/Code Enforcement Officer will work within the Building Department of the Town of East Greenbush with the Code Enforcement Officer to ensure the safety of the Town and enforce Town Code; and

WHEREAS, the Building Department is understaffed as a result of the resignation of Ronald G. Stark; and

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

WHEREAS, the department is down one part-time fire inspector since the resignation of Ronald Stark; and

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

WHEREAS, Nicholas Petramale has been identified as an ideal candidate for the Building Department as he has all of his fulfilled all of his certification requirements and they are up-to date; and

WHEREAS, the appointment as Building Inspector will be provisional until Rensselaer County Civil Service offers the Building Inspector test and Nicholas Petramale successfully passes the test; and

WHEREAS, the Town Comptroller believes at this time that this resolution will not have a negative impact on the Town's finances; now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush appoints Nicholas Petramale provisionally to the position of Building Inspector in the Building Department for an annual Salary of \$40,000.00 and also the position of Part-Time Fire Inspector for an annual salary of \$2,500, effective November 17, 2016, pending the approval of Rensselaer County Civil Service.

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

Supervisor Conway
Councilor Grant
Councilor DiMartino
Councilor Matters
Councilor Tierney

VOTED:
VOTED:
VOTED:
VOTED:
VOTED:

Executive Session for the purpose of interviewing a Candidate for a Police Officer Position.

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:

DRAFT

DRAFT

DRAFT

LOCAL LAW # 4 OF THE YEAR 2016 OF THE TOWN OF EAST GREENBUSH

LOCAL LAW ADOPTING AND RATIFYING THE LAND SUBDIVISION
REGULATIONS OF THE PLANNING BOARD OF THE TOWN OF
EAST GREENBUSH, AND MAKING AMENDMENTS THERETO

Be it enacted by the Town Board of the Town of East Greenbush as follows:

Section 1 –

The Land Subdivision Regulations, as adopted by the Planning Board on May 28, 1986 and approved by the Town Board on June 4, 1986, and as amended by resolution of the Town Board on April 22, 1987, and by Local Law on August 11, 1999, are hereby adopted and confirmed by the Town Board of the Town of East Greenbush, pursuant to Section 271(13) of the Town Law.

Section 2 –

Said Land Subdivision Regulations are hereby amended, by adding to Article VI, Section 4,(E) (2) the following paragraph:

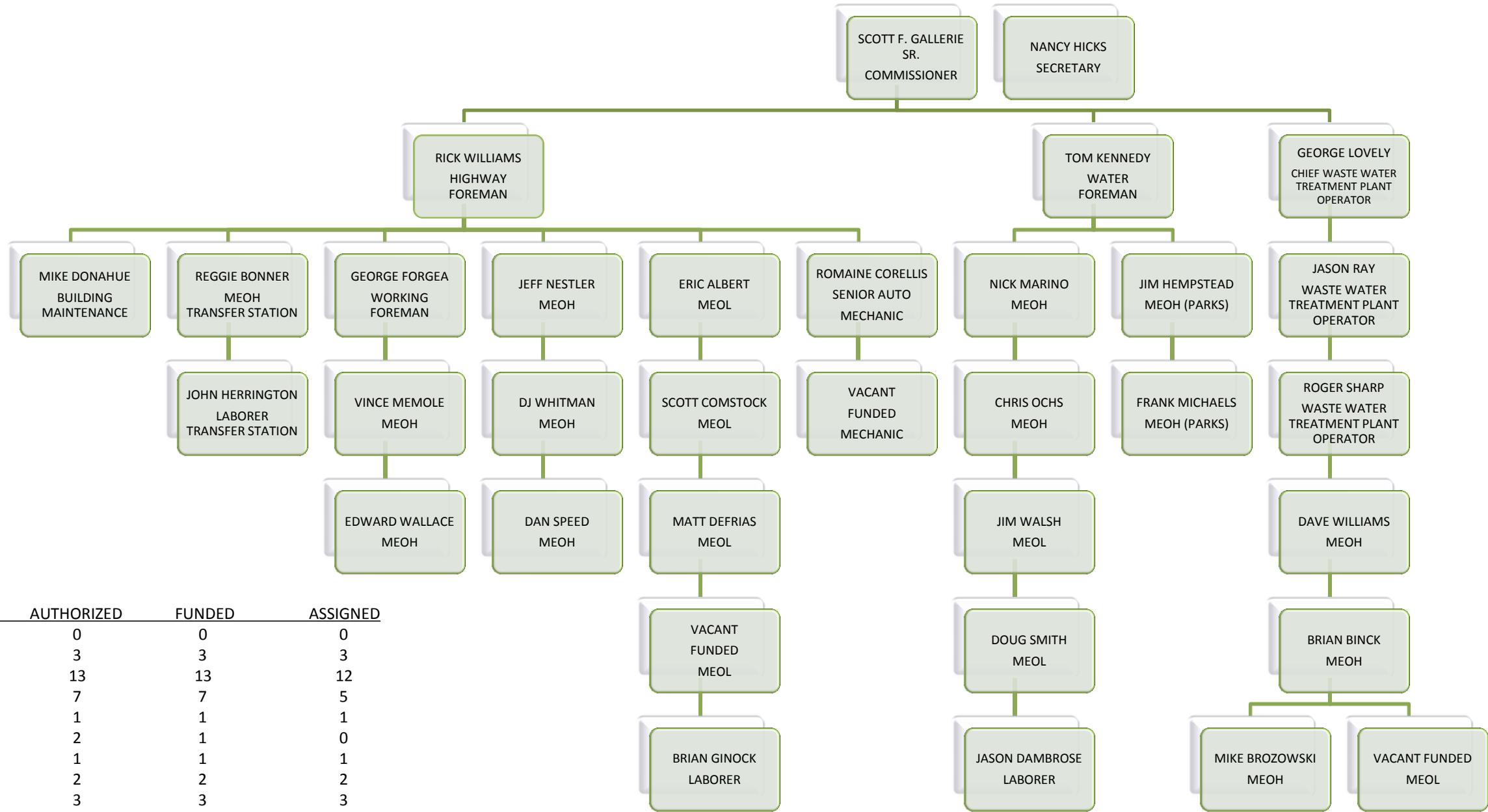
“The Secretary of the Planning Board shall provide notice of any public hearing regarding a major subdivision, including data regarding the substance of the application, to the owners of all property within two hundred (200) feet of the land involved in such application. Notice shall be provided by either certified or registered mail at least seven (7) calendar days prior to the hearing with costs to be borne by the applicant.”

Section 3 –

This local law shall take effect immediately.

TOWN OF EAST GREENBUSH DEPARTMENT OF PUBLIC WORKS

December 5, 2016



TITLE	AUTHORIZED	FUNDED	ASSIGNED
General Foreman	0	0	0
Working Foreman	3	3	3
MEOH (HEO)	13	13	12
MEOL (LEO)	7	7	5
Sr. Auto Mechanic	1	1	1
Auto Mechanic	2	1	0
Chief S.T.P.O.	1	1	1
S.T.P.O	2	2	2
Laborer	3	3	3
Building Maintenance	1	1	1
TOTALS	32	32	28

DRAFT