



The Town of East Greenbush

225 Columbia Turnpike, Rensselaer, NY 12144

TOWN BOARD MEETING AGENDA – TABLE OF CONTENTS

Wednesday, August 15, 2012

7 PM

Call to Order, Pledge to the Flag, Attendance
Public Comment (Related to the Agenda)
Resolutions by Town Board Members

- 121-2012 A Resolution to Approve the Minutes of the July 18, 2012 Town Board Meeting
- 122-2012 A Resolution to Authorize a Contract, Awarded as the Result of an RFP, to Complete the Real Property Reassessment Project (Tabled from July meeting)
- 123-2012 A Resolution to Enter into an Agreement with GTM Payroll Services
- 124-2012 A Resolution authorizing an Agreement with Rensselaer County Concerning snow and ice removal
- 125-2012 Authorization to Prepare Bid Documents, Specifications and Solicit Bids from Qualified Engineering Consultants for the preparation of Engineering report/facility plan for modifications to the existing Wastewater Treatment Plant
- 126-2012 A Resolution to Authorize Budget Transfers
- 127-2012 A Resolution to Award the Hampton Manor Lake Water Quality Improvement Project to the Lowest Qualified Bidder
- 128-2012 A Resolution where the Town Board declares its intent to seek lead agency status under SEQRA for Regeneron Building 85
- 129-2012 A Resolution where the Town Board declares its intent to seek lead agency status under SEQRA for Regeneron Building 12
- 130-2012 A Resolution where the Town Board declares its intent to seek lead agency status under SEQRA for Canterbury Square Major Site Plan
- 131-2012 A Resolution Establishing Highway Equipment Reserve Fund
- 132-2012 A Resolution to Approve the Appointment of Community and Recreation Staff for the summer of 2012
- 133-2012 A Resolution to Schedule a Public Hearing Relative to the Enactment of Local Law Amending the Town Code of Ethics

Public Comment (General Comments)

Page 10 -Adjournment



The Town of East Greenbush

225 Columbia Turnpike, Rensselaer, NY 12144

TOWN BOARD MEETING AGENDA

Wednesday August 15, 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.

121-2012 A Resolution to Approve the Minutes of the July 18, 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 July 18, 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 18, 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	___

122-2012 A Resolution to Authorize a Contract, Awarded as the Result of an RFP, to Complete the Real Property Reassessment Project Tabled Resolution 106 from July 18, 2012 Meeting

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 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	___

123-2012 A Resolution to Enter into an Agreement with GTM Payroll Services

WHEREAS, the Director of Finance and the Town Comptroller have negotiated an agreement with GTM Payroll Services for Payroll Processing with a three-year commitment; and

WHEREAS, the negotiated cost will save the Town \$2,500 annually from what is currently paid to ADP; and

WHEREAS, the quote obtained from GTM offers services additional to those currently received through ADP that will help to increase the efficiency of payroll input and management, and

WHEREAS, the Town Comptroller certifies that the agreement will result in an annual savings of \$2,500; no therefore

BE IT RESOLVED, that the Supervisor, pending approval from the Town Attorney, be authorized to execute said Agreement on behalf of the members of the town Board. A copy of which will be filed with the Town Clerk.

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 O’Brien	VOTED	___
Councilperson Malone	VOTED	___
Councilperson Matters	VOTED	___

124-2012 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 and will provide 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, 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, we have negotiated an agreement with the Rensselaer County Highway Department concerning said snow and ice removal, 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 Councilperson Malone and seconded by Councilperson Matters and brought to a vote resulting as follows:

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

125-2012 Authorization to Prepare Bid Documents, Specifications and Solicit Bids from Qualified Engineering Consultants for the preparation of Engineering report/facility plan for modifications to the existing Wastewater Treatment Plant

WHEREAS, the Town of East Greenbush, Rensselaer County has been issued the 6th modification of the Order of Consent from NYSDEC dated May 17, 2012; and

WHEREAS, the Order of Consent requires that at a minimum the Town’s WWTP shall divert influent to the Rensselaer County Sewer District and/or expand and upgrade the existing WWTP to allow for sustained SPDES Permit compliance and remove inflow and infiltration to the maximum extent practicable; and

WHEREAS, the Town at this time is proceeding with the alternative of expanding and upgrading the existing WWTP, upgrading existing pump stations, as well as completing sewer system rehabilitation, focusing on reducing extraneous flows; and

WHEREAS, the project is necessary to provide the Town of East Greenbush with a means to meet it’s SPDES permit, to satisfy the Order of Consent, and to effectively manage inflow/infiltration within the system; and

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

BE IT RESOLVED, the Town Board hereby authorizes the preparation of bid documents, specifications and the solicitation of bids from qualified Engineering Consultants for the described engineering services.

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 Mangold	VOTED	___
Councilperson Matters	VOTED	___
Councilperson O’Brien	VOTED	___

126-2012 A Resolution to Authorize Budget Transfers

WHEREAS, the Town Board of the Town of East Greenbush, County of Rensselaer, State of New York, has received a request from the Town Comptroller for approval of the following Budget Transfers:

Account Name	Budget Code	Current Budget	Change	Amended Budget	Justification
Planning CE	80204.01	\$965,196.17	\$75,683.73	\$1,040,879.90	Couse Engineering
State Aid	3089.01	\$951,019.17	\$75,683.73	\$1,026,702.90	Couse Engineering
Planning CE	80204.01	\$1,040,879.90	\$2,090.22	\$1,042,970.12	Mannix Rd Engineering
State Aid	3089.01	\$1,026,702.90	\$2,090.22	\$1,028,793.12	Mannix Rd Engineering
Planning CE	80204.01	\$1,042,970.12	\$645.79	\$1,043,615.91	Luther Rd Engineering
State Aid	3089.01	\$1,028,793.12	\$645.79	\$1,029,438.91	Luther Rd Engineering
Parks CE	71104.01	\$18,999.00	\$8,400.00	\$27,399.00	HM Lakehouse Repairs
Insurance Recoveries	2680.01	\$5,000.00	\$8,400.00	\$13,400.00	HM Lakehouse Repairs

WHEREAS, the Town Board is required to approve all Budget Transfers; now therefore **BE IT RESOLVED**, that the transfers recommended by the Town Comptroller are hereby approved. 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 Malone	VOTED	___
Councilperson Matters	VOTED	___

127-2012 A Resolution to Award the Hampton Manor Lake Water Quality Improvement Project to the Lowest Qualified Bidder

WHEREAS, the Town of East Greenbush received bids on August 3, 2012 for work related to the improvement of water quality at Hampton Manor Lake; and
WHEREAS, The work will involve the installation of a new wet storm water management pond, certain new storm sewers and catch basins on Town lands adjacent to the tennis courts; and
WHEREAS, The lowest qualified bidder was Provincial Construction Services LLC of 1572 Columbia Turnpike at a price of \$76,899.00; and
WHEREAS, The cost of this work will be reimbursed from a New York State Department of Environmental Conservation Water Quality Improvement grant received on August 2011; and
WHEREAS, The Town engineer, H.V. LaBarba and Associates has reviewed the bid documents and bidder qualifications, and recommends this award;
WHEREAS, the Town Comptroller has certified that none of the provisions of this Board action shall pose an adverse impact to the town's finances; now therefore, let it be **RESOLVED**, The Town will authorize the Supervisor to sign contract documents pertaining to this work, and that this resolution shall take effect immediately
The foregoing Resolution was duly moved by Supervisor Langley and seconded by Councilperson Mangold and brought to a vote resulting as follows

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

128-2012 A Resolution where the Town Board declares its intent to seek lead agency status under SEQRA for Regeneron Building 85

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;

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

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 Planning Board
NYS Department of Environmental Conservation
Rensselaer County Health Department
Rensselaer County Bureau of Planning
U.S. Army Corps of Engineers
Interested agencies under SEQRA:
East Greenbush Fire District #1
New York State Office of Parks, Recreation & Historic Preservation
Capital District Transportation Authority
Capital District Transportation Committee
New York State Department of Transportation
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 Councilperson Matters and seconded by Councilperson Malone and brought to a vote resulting as follows:

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

129-2012 A Resolution where the Town Board declares its intent to seek lead agency status under SEQRA for Regeneron Building 12

WHEREAS, Stantec Consulting Services, on behalf of Regeneron Pharmaceuticals, Inc, otherwise known as the Regeneron Bldg 12 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.-1-4.1; 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;

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

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 Planning Board
NYS Department of Environmental Conservation
Rensselaer County Health Department
Rensselaer County Bureau of Planning
U.S. Army Corps of Engineers
Interested agencies under SEQRA:
East Greenbush Fire District #1
New York State Office of Parks, Recreation & Historic Preservation
Capital District Transportation Authority
Capital District Transportation Committee
New York State Department of Transportation
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 Councilperson Matters and seconded by Councilperson O’Brien and brought to a vote resulting as follows:

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

130-2012 A Resolution where the Town Board declares its intent to seek lead agency status under SEQRA for Canterbury Square Major Site Plan

WHEREAS, Hart Engineering, on behalf of Brian Hart, otherwise known as the Canterbury Square Site Plan, has submitted a site plan review application for a project located at 337 Columbia Turnpike and identified on the Town’s Tax Roll as Tax Parcel No. 166.00-1-8; 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;

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

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 Planning Board
NYS Department of Environmental Conservation
Rensselaer County Health Department
Rensselaer County Bureau of Planning

Interested agencies under SEQRA:

- East Greenbush Fire District #1
- New York State Office of Parks, Recreation & Historic Preservation
- U.S. Army Corps of Engineers
- New York State Department of Transportation

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 Matters and brought to a vote resulting as follows:

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

131-2012 Resolution Establishing Highway Equipment Reserve Fund

WHEREAS, The Town Board desires to establish a Reserve Fund to finance the future acquisition of Highway equipment, and

WHEREAS, the initial funding for the Reserve Fund will be five thousand dollars (\$5,000) from the sale of surplus millings (Resolution 99-2012); now therefore be it

RESOLVED, that pursuant to Section 6-c of the General Municipal Law, as amended, there is hereby established a capital reserve fund to be known as the “ Highway Equipment Reserve Fund” (hereinafter “Reserve Fund”). The purpose of this Reserve Fund is to accumulate moneys to finance the cost of Highway Equipment; and be it

FURTHER RESOLVED The Comptroller is hereby directed to deposit and secure the moneys of this Reserve Fund in the manner provided by Section 10 of the General Municipal Law. The Comptroller may invest the moneys in the Reserve Fund in the manner provided by Section 11 of the General Municipal Law, and consistent with the investment policy of The Town of East Greenbush. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become part of the Reserve Fund. The chief fiscal officer shall account for the Reserve Fund in a manner which maintains the separate identity of the Reserve Fund and shows the date and amount of each sum paid into the fund, interest earned by the fund, capital gains or losses resulting from the sale of investments of the fund, the amount and date of each withdrawal from the fund and the total assets of the fund, showing cash balance and a schedule of investments, and shall, at the end of each fiscal year, render to the Board a detailed report of the operation and condition of the Reserve Fund; and be it

FURTHER RESOLVED Except as otherwise provided by law, expenditures from this Reserve Fund shall be made only for the purpose for which the Reserve Fund is established. No expenditure shall be made from this Reserve Fund without the approval of this governing board and such additional actions or proceedings as may be required by Section 6-c of the General Municipal Law or any other law, including a permissive referendum if required by subdivision 4 of Section 6-c

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

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

132-2012 A Resolution to Approve the Appointment of Community and Recreation Staff for the Summer of 2012

WHEREAS, the Community an Recreation Department presented the Town Board of the Town of East Greenbush with a list of individuals who sought employment in the Summer Program for the Department of Community and Recreational Services at the May 16, 2012 meeting, and two employees were left off the list, and

WHEREAS, the Town Comptroller has certified that this proposed Town Board action has been planned for in the 2012 Budget and shall pose no adverse impact to the Town’s finances; now therefore

BE IT RESOLVED, that the candidates listed below are appointed to serve as Summer Staff, 2012, for the Department of Community and Recreational Services.

Eric Byerwalters, Counselor \$8.00 Michael Lanni, Counselor \$8.00

The forgoing resolution was duly moved by Councilperson O’Brien and duly seconded by Councilperson Matters and brought to a vote resulting as follows:

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

133-2012 A Resolution to Schedule a Public Hearing Relative to the Enactment of Local Law Amending the Town Code of Ethics

WHEREAS, the Town Board, with all members present and after due consideration of the draft Rules & Regs and of the proposed Amendments, now deems the re-opening of a public hearing originally held June 20, 2012, appropriate at this time in order for the public to review and comment on the proposed Amendments; and

WHEREAS, the town comptroller has heretofore attest that none of the provisions of this resolution shall pose an adverse impact to the Town’s finances; now, therefore,

BE IT RESOLVED, that pursuant to New York municipal home rule law § 20, subd. 5, a public hearing regarding the enactment of local law to provide for the proposed Amendments be, and the same hereby is, scheduled to be held on September 19, 2012 at 6:00pm at the East Greenbush Town Hall; and

BE IT FURTHER RESOLVED, that the Town Clerk shall cause notice of such hearing to be published in the Town designated newspaper and in the manner prescribed to meet the statutory requirement thereof, not less than ten, nor more than twenty, days prior to the date specified for the hearing.

The foregoing resolution was duly moved by Councilperson Matters, seconded by Supervisor Langley, and resulted in the following vote:

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

134-2012 A Resolution to Authorize Certain Paving Expenses

WHEREAS, in accordance with Town Policy and General Municipal Law, all Town expenses of more than \$10,000 require Town Board approval.; and

WHEREAS, the Commissioner of Public Works and the Town Supervisor have reviewed the needs of the Town and determined the following paving (Slurry Seal) projects will be completed this year:

Newbury St
May St
Cliffe Ave
Louis Drive
Jacob St

WHEREAS, the Town Comptroller certifies that all expenses are made utilizing State Contract pricing and are in the 2012 budget; now therefore

BE IT RESOLVED, that the Commissioner of Public Works is hereby authorized to approve paving expenses not to exceed \$40,000 with Gorman Brothers for the milling and paving of the aforementioned Town roads.

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	___

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	___