



# The Town of East Greenbush

225 Columbia Turnpike, Rensselaer, New York 12144

## TOWN BOARD AGENDA August 16, 2023

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

### Members of Town Board

Present

Absent

Supervisor J. Conway  
Councilor T. Tierney  
Councilor H. Kennedy  
Councilor B Fritz  
Councilor E. Nestler

### Communications/Announcements/Reports

**Open Public Privilege:** NOTE – Each speaker may choose to 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. All speakers must conduct themselves in a civil manner. Personal attacks will not be tolerated.

### Resolutions and Proposals by Town Board Members:

#### 176-2023 A Resolution to Approve Special Meeting Minutes

**WHEREAS**, the minutes of the 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 Meeting held on July 12, 2023 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 Meeting held on July 12, 2023 are hereby approved as submitted.

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

Councilor E. Nestler	VOTED:
Councilor B. Fritz	VOTED:
Supervisor J. Conway	VOTED:
Councilor T. Tierney	VOTED:
Councilor H. Kennedy	VOTED:

**177-2023 A Resolution to Approve Meeting Minutes**

**WHEREAS**, the minutes of the 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 Town Board Meeting held on July 19, 2023 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 Town Board Meeting held on July 19, 2023 are hereby approved as submitted.

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

Councilor B. Fritz	VOTED:
Councilor E. Nestler	VOTED:
Supervisor J. Conway	VOTED:
Councilor T. Tierney	VOTED:
Councilor H. Kennedy	VOTED:

**178-2023 A Resolution Honoring Ralph and Karen Rickert of Sunnyside Garage on Their Retirement And 38 Plus Years of Service**

**WHEREAS**, Ralph and Karen Rickert have been married for 48 years and have four children; Keri, Amanda, Nicole, and Ralphie, and 3 grandchildren; Mateo, Valentina, and Gaige; and

**WHEREAS**, Ralph and Karen started Sunnyside Garage 38 ½ years ago on the corner of Westbrook Drive and John Street in Nassau, NY on January 2<sup>nd</sup>, 1985; and

**WHEREAS**, Ralph and Karen moved their business to Rt. 20 in Schodack from 1986 to 1992, and then to another location on Rt. 20 in Schodack from 1992 to 2004; and

**WHEREAS**, Ralph and Karen moved their business to its final location in 2004 to Rt. 9 in Schodack; and

**WHEREAS**, Sunnyside Garage has served the Town of East Greenbush and the Town’s Emergency Services for over 38 years with professionalism and integrity, providing vehicle tows, heavy wrecker tows, a secure vehicle impound, junk cars at no cost for training, and on many occasions providing a late-night winch out for many of the area police agencies where Ralph would “keep it between us”; and

**WHEREAS**, Ralph and Karen have announced their retirement from the business and intend to enjoy their well-earned time with family.

now, therefore, be it

**RESOLVED**, that the Town Board of the Town of East Greenbush hereby thanks Ralph and Karen Rickert for their 38 ½ years of honorable, dedicated, and often charitable, service to the Town of East Greenbush and our Emergency Services, and be it further resolved that the Town Board of the Town of East Greenbush wishes Karen and Ralph Rickert great joy with their beautiful family and their well-earned retirement.

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

Councilor T. Tierney	VOTED:
Councilor B. Fritz	VOTED:
Supervisor J. Conway	VOTED:
Councilor H. Kennedy	VOTED:
Councilor E. Nestler	VOTED:

**179-2023 A Resolution Scheduling a Special Meeting for the Town Clerk to Present the 2024 Tentative Budget to the Town Board**

**WHEREAS**, the Town Clerk of the Town of East Greenbush wishes to schedule a Special Meeting to present the 2023 Tentative Budget to the Town Board as is required by §62 of the New York State Town Law (see Opinion of the State Comptroller No. 82-145); and

**WHEREAS**, the Town Comptroller confirms that this resolution will not have a material impact on the Town’s finances;

now, therefore, be it

**RESOLVED**, that the Town Board of the Town of East Greenbush shall conduct a Special Meeting on Monday, October 2, 2023 at 6:00 p.m., at the East Greenbush Town Hall, 225 Columbia Turnpike in the Town of East Greenbush, County of Rensselaer, State of New York for the Town Clerk to present the 2023 Tentative Budget to the Town Board and to address any other matters that may be brought to the Board’s attention;

and be it further

**RESOLVED**, that the Town Clerk of the Town of East Greenbush is hereby authorized and directed to give notice of such Special Meeting as required by law.

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

Supervisor J. Conway	VOTED:
Councilor T. Tierney	VOTED:
Councilor H. Kennedy	VOTED:
Councilor B. Fritz	VOTED:
Councilor E. Nestler	VOTED:

**180-2023 A Resolution to Accept the Base Percentage, Current Base Percentage, Current Base Proportion, Certificates of Adjusted Base Proportions for the East Greenbush Central School District and the Town of East Greenbush for the 2023-24 year.)**

**WHEREAS**, the Town Comptroller confirms that this resolution will not have a material impact on the Town’s finances; and

**WHEREAS**, The Town Board of the Town of East Greenbush, County of Rensselaer, State of New York is required to provide the certified Current Percentages, Current Base Proportions and the Adjusted Base Proportions for the Homestead Class and the Non Homestead Class, that have been approved by the New York State Department of Taxation and Finance, pursuant, to Section 1905 of the Real Property Tax Law and the Town Board hereby directs the Town Clerk to transmit a certified copy of this Resolution and Certificates to:

East Greenbush Central School District  
29 Englewood Avenue, East Greenbush, NY 12061

Mr. Carey O’Neil, Department of Tax & Finance  
W.A. Harriman Campus, Bldg. #8-A, Albany, NY 12227

Certificates of Base Percentages

**EAST GREENBUSH CENTRAL SCHOOL DISTRICT**

<u>Homestead Class.</u>	<u>Non Homestead Class</u>
65.54979	34.45021

**TOWN OF EAST GREENBUSH**

68.0963	31.9037
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Certificates of Adjusted Base Proportions, for the levy of taxes on the 2023 Assessment Roll:

**EAST GREENBUSH CENTRAL SCHOOL DISTRICT**

<u>Homestead Class</u>	<u>Non Homestead Class</u>
65.45228	34.54772

**TOWN OF EAST GREENBUSH**

69.05270	30.94730
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The foregoing resolution was duly moved by Councilor Nestler and seconded by Councilor Tierney and brought to a vote resulting as follows:

Councilor E. Nestler	VOTED:
Councilor T. Tierney	VOTED:
Supervisor J. Conway	VOTED:
Councilor H. Kennedy	VOTED:
Councilor B. Fritz	VOTED:

**181-2023 A Resolution Accepting the Resignation of Town of East Greenbush Part-Time Police Dispatcher Matthew Merlino**

**WHEREAS**, Part-Time Police Dispatcher Matthew Merlino has submitted his resignation from the East Greenbush Police Department with an effective date of August 02<sup>nd</sup>, 2023, and

**WHEREAS**, this Board extends its thanks to Matthew Merlino for his service to the Town and community, and wishes Matthew well in his future endeavors; and

**WHEREAS**, the Town Comptroller confirms that this resolution will not have a material impact on the Town Finances;

now, therefore, be it

**RESOLVED**, that the resignation of Matthew Merlino, effective August 2, 2023, is hereby accepted

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

Supervisor J. Conway	VOTED:
Councilor T. Tierney	VOTED:
Councilor H. Kennedy	VOTED:
Councilor B. Fritz	VOTED:
Councilor E. Nestler	VOTED:

**182-2023      A Resolution Setting the Date and Time for a Public Hearing, Relating to a Proposed Local Law Making the Provisions of Certain Sections of the Vehicle and Traffic Law Enforceable in Parking Lots Within the Town of East Greenbush**

**WHEREAS**, the East Greenbush Chief of Police has requested authority for officers of the Department to issue tickets for the violation of State Vehicle and Traffic Laws in parking lots within the Town; and

**WHEREAS**, State Law allows local governments to authorize violations of the Vehicle and Traffic Law in parking lots within the municipality, by enacting a local law to that effect; and

**WHEREAS**, the Town Comptroller confirms that this resolution will not have a material impact on the Town Finances;  
now, therefore, be it

**RESOLVED**, that the Town Board will hold a public hearing at the East Greenbush Town Hall, 225 Columbia Turnpike, at 6:00 p.m. on September 20, 2023, to receive public comment on such proposed local law; and it is further

**RESOLVED**, that the Town Clerk is directed to post and publish due notice of this public hearing, and to provide the opportunity for the public to review the proposed local law in her office, and online at the Town website.

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

Supervisor J. Conway	VOTED:
Councilor T. Tierney	VOTED:
Councilor H. Kennedy	VOTED:
Councilor B. Fritz	VOTED:
Councilor E. Nestler	VOTED:

**183-2023      A Resolution Approving Attendance at the 2023 New York State Assessors' Association's Seminar on Assessment Administration**

**WHEREAS**, the State of New York, Department of Taxation and Finance requires all Assessors to maintain 12 continuing education credits per year to hold the position of Assessor; and

**WHEREAS**, the New York State Assessor's Association is holding their 2023 seminar on Assessment Administration at the Saratoga Hilton in Saratoga Springs, New York from October 3 - October 6, 2023; and,

**WHEREAS**, the employee who will attend the conference is:

Susan McCarthy

**WHEREAS**, the Town Comptroller confirms that this resolution will not have a material impact on the Town’s finances;  
now, therefore be it

**RESOLVED**, that the Town Board approves the attendance of the Assessor, Susan McCarthy, at the New York State Assessors’ Association’s Seminar on Assessment Administration in Saratoga Springs, New York from October 3-October 6, 2023  
and be it further

**RESOLVED**, attendees shall advance the cost for transportation and meals and maintain an expense report accompanied by appropriate receipts to be submitted to the Comptroller following the meeting for reimbursement.

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

Councilor Nestler	VOTED:
Councilor Kennedy	VOTED:
Supervisor Conway	VOTED:
Councilor Tierney	VOTED:
Councilor Fritz	VOTED:

**184-2023      A Resolution Authorizing Cured-in-Place Pipe Lining in Additional Sections of Storm Sewer Lines**

**WHEREAS**, the Town Board authorized the Commissioner of Public Works to work with Precision Trenchless LLC for slip lining of selected sections of the Town’s Storm Sewer lines in Resolution 68-2023; and

**WHEREAS**, in accordance with Town policy and General Municipal Law, all public works expenses in excess of \$10,000.00 require Town Board approval; and

**WHEREAS**, Precision Trenchless LLC has been awarded the Onondaga County Bid for installation of cured-in-place pipe lining and the Bid has been made available to other political subdivisions state-wide; and

**WHEREAS**, the Commissioner has identified the following sections of culvert pipe as in critical need of repair:

- Town Park Road 24” x 48’    \$11,825.60
- Washington Ave West 12” x 28’                                      \$2,523.84
- Western Ave (by Wash. Ave W) 12” x 28’                      \$2,523.84
- Southern Ave 12” x 24’    \$2,234.72; and

**WHEREAS**, the Commissioner of Public Works has determined that the most cost - effective way to recondition these specific sections is to install cured-in-place pipe lining which will prevent a sink hole or collapse of the roadway; and

**WHEREAS**, the Town Comptroller confirms that the financial impact of this resolution is \$19,108.00 and is funded under the budget line 81404.07.04 Storm Sewer CE;

Fund	Transfer In	Transfer Out
81401.07.001.00 Storm Swr PS		\$7108.00
81404.07.004.00 Storm Swr CE	\$7108.00	

now, therefore, be it

**RESOLVED**, that the Town Board authorizes the Commissioner of Public Works to contract with Precision Trenchless LLC to install the lining of storm sewer on the identified pipes listed above.

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

Councilor E. Nestler	VOTED:
Councilor H. Kennedy	VOTED:
Supervisor J. Conway	VOTED:
Councilor T. Tierney	VOTED:
Councilor B. Fritz	VOTED:

**185-2023 A Resolution Authorizing the Solicitation of Bids for One (1) Dump Truck for the Parks Department through the NYS Vehicle Marketplace**

**WHEREAS**, the Commissioner of Public Works has identified the need for one (1) new Dump Truck (F-550 or comparable) for the Parks Department of Public Works; and

**WHEREAS**, the Commissioner is requesting that the Purchasing Clerk publish a solicitation for bids via a Mini-Bid through the New York State Office of General Services for one (1) dump trucks (F550 or comparable); and

**WHEREAS**, the Town Comptroller confirms that the act of soliciting bids through the NYS Vehicle Marketplace will not have an impact on the 2023 Town Budget;  
now, therefore, be it

**RESOLVED**, that the Town Board authorizes the Commissioner of Public Works to work with the Purchasing Clerk to solicit bids through the NYS Vehicle Marketplace for one (1) dump truck.

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

Councilor H. Kennedy	VOTED:
Councilor B. Fritz	VOTED:
Supervisor J. Conway	VOTED:
Councilor T. Tierney	VOTED:
Councilor E. Nestler	VOTED:

**186-2023 A Resolution Declaring a Department of Public Works Vehicle and Equipment as Surplus and Authorize Auctioning of Same**

**WHEREAS**, the Town Board of the Town of East Greenbush has received a request from the Commissioner of Public Works to declare the following items as surplus,

- Bobcat Snowblower SB240 73-inch attachment;
- 9' Rugby Dump Body;
- 83" Sweepster Broom;
- 72" Bobcat Broom;
- 3 Steps – 75" wide x 23" high; and

**WHEREAS**, the above listed equipment is surplus to the Department of Public Work’s needs and is not economically repairable; and

**WHEREAS**, the Town Comptroller asserts this resolution will not have a material impact on the Town’s finances;

now therefore, be it

**RESOLVED** that above listed equipment is hereby declared as surplus; and be it further

**RESOLVED** that the Commissioner of Public Works be authorized to conduct a public auction, sale or lawfully dispose of said surplus vehicle now owned by and in the custody of the East Greenbush Public Works Department.

The foregoing Resolution was duly moved by Councilor Kennedy and seconded by Councilor Fritz and brought to a vote resulting as follows:

Councilor H. Kennedy	VOTED:
Councilor B. Fritz	VOTED:
Supervisor J. Conway	VOTED:
Councilor T. Tierney	VOTED:
Councilor E. Nestler	VOTED:

**187-2023 A Resolution to Approve and Endorse the Application for Grant Funding for the Justice Court Office for the 2023-2024 Grant Cycle**

**WHEREAS**, in 2022 the Town of East Greenbush purchased and upgraded security equipment and office furniture; and

**WHEREAS**, our Court Office is a fast-paced environment in which the clerks work and perform daily task while also providing help to members of the community and collecting fines; and

**WHEREAS**, a grant application has been prepared for submission to the Justice Court Assistance Program (JCAP); and

**WHEREAS**, the purpose of this grant is to reconfigure the office front window countertop area with bullet proof glass, security cameras and speaker unit; and

**WHEREAS**, the Town Comptroller confirms that this resolution will not have a material impact on Town finances; and

**WHEREAS**, it is anticipated that the grant, if awarded, could provide the Justice Court with up to \$30,000.00 to pay for upgrades and reconfiguration of the Court Office; now, therefore, be it

**RESOLVED**, that the Town Board of the Town of East Greenbush hereby authorizes the East Greenbush Town Court to apply for a Justice Court Assistance Program Grant in the 2023-24 grant cycle for an amount up to \$30,000.00.

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

Councilor T. Tierney	VOTED:
Supervisor J. Conway	VOTED:
Councilor H. Kennedy	VOTED:
Councilor B. Fritz	VOTED:
Councilor E. Nestler	VOTED:



**188-2023      A Resolution to Authorize Two Employees to Attend the NYS Association Magistrates Court Clerks Training**

**WHEREAS**, the yearly training conference for Court Clerks is being held September 17-20, 2023 in Verona, NY; and

**WHEREAS**, the following employees have been authorized by the Supervisor to attend, pending Town Board approval. The two employees are:

Stephanie Hicks  
Eileen Donahue

**WHEREAS**, Stephanie Hicks has applied for and received the Sybil Kennedy Scholarship for the conference attendance fee; and

**WHEREAS**, attendance for Eileen Donahue was planned for in the 2023 budget; and

**WHEREAS**, the Town Comptroller confirms that the provisions of this resolution were planned for in the 2023 Town Budget in charge code 11104.01.004.00;

now, therefore, be it

**RESOLVED**, that Stephanie Hicks and Eileen Donahue are authorized by the Town of East Greenbush to attend the NYS Association Magistrates Court Clerks training in Verona, NY on September 17-20, 2023:

and be it further

**RESOLVED**, the Town will pay the registration fee for Stephanie Hicks and the lodging expense and conference attendance expense for Eileen Donahue. Attendees shall advance the cost for transportation and meals and maintain an expense report accompanied by appropriate receipts to be submitted to the Comptroller following the meeting for reimbursement.

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

Councilor E. Nestler	VOTED:
Councilor T. Tierney	VOTED:
Supervisor J. Conway	VOTED:
Councilor H. Kennedy	VOTED:
Councilor B. Fritz	VOTED:

**189-2023      A Resolution Authorizing the Purchase of a Station Folder Inserter for Town Hall**

**WHEREAS**, the Town would like to purchase a Quadient DS64I 2 Station Folder Inserter as the Town has been notified that the manufacturer has discontinued production of parts for our current unit; and

**WHEREAS**, Town employees are increasingly encountering difficulties with the operations of this machine, jamming continuously, slowing down work and negatively affecting productivity; and

**WHEREAS**, the Finance Office has received quotes to replace the unit from Metroland based on NYS Contract #PM69832; and

**WHEREAS**, the Finance Office received quotes from Metroland Business Systems (current vendor) to replace the Neopost DS62 Sorter/Folder Inserter with comparable new

models. The Finance Office has determined that the best value for the Town is to proceed with the following Folder Inserter from Metroland Business Systems:

QUADIENT DS64I 2 Station Folder Inserter \$8,427.25  
 Equipment Maintenance \$ 850/year

**WHEREAS**, the Town Comptroller confirms this purchase will not have a material impact on the budget that can be funded as follows:

Fund	Transfer In	Transfer Out
16704.01.004.00 Central Print	\$2,809.08	
A917 General Fund		\$2,809.08
83104.05.004 General Water Administration CE	\$2,809.08	
SW915 Water Fund Balance		\$2,809.08
81104.07.004 General Sewer Administration CE	\$2,809.09	
SS915 Sewer Fund Balance		\$2,809.09

now, therefore, be it

**RESOLVED**, that the Town Board hereby authorizes the purchase of the new 2 Station Folder Inserter and the yearly maintenance contract to service the unit for a purchase cost not to exceed \$8,427.25.

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

Councilor H. Kennedy VOTED:  
 Councilor E. Nestler VOTED:  
 Supervisor J. Conway VOTED:  
 Councilor T. Tierney VOTED:  
 Councilor B. Fritz VOTED:

**190-2023 A Resolution Authorizing the Purchase of a Landscape Trailer for the Parks Department**

**WHEREAS**, the Commissioner of Public Works and the Working Foreman of the Parks Department have identified the need for a trailer to store and transport the equipment of the Parks Department; and

**WHEREAS**, a landscape trailer, or covered trailer would provide the Department with a useable workspace where equipment and tools can be safely stored while the crews are out working in the field, essentially a workshop & shed on wheels; and

**WHEREAS**, in accordance with Town policy and General Municipal Law, all public works expenses in excess of \$10,000.00 require Town Board approval; and

**WHEREAS**, the Commissioner of Public Works has solicited quotes from vendors for a 8.5' x 20' Trailer. Stew's Trailers is the most reasonable and responsible quote which is \$9,695.00 including delivery; and

**WHEREAS**, this purchase was not budgeted for the 2023 fiscal year; and

**WHEREAS**, the Town Comptroller confirms that this resolution can be funded as follows:

Fund	Transfer In	Transfer Out
A917 General Fund Balance		\$9,695.00
71104.01.004.00 Parks CE	\$9,695.00	

now, therefore, be it

**RESOLVED**, that the Town Board does hereby approve the purchase of a landscape trailer for the Parks Department from Stew's Trailers in the amount of \$9,695.00.

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

Councilor E. Nestler	VOTED:
Councilor H. Kennedy	VOTED:
Supervisor J. Conway	VOTED:
Councilor T. Tierney	VOTED:
Councilor B. Fritz	VOTED:

### **191-2023 A Resolution to Adjust the Salary of Court Clerk Stephanie Hicks**

**WHEREAS**, the East Greenbush Town Court is one of the busiest courts in Rensselaer County; and

**WHEREAS**, Stephanie Hicks has served as a Court Clerk for the Town of East Greenbush on a full-time basis since August 24, 2015 and has a current salary of \$40,000.00; and

**WHEREAS**, in the last two years, Ms. Hicks has had to assume additional responsibilities during staff shortages, including office duties and court nights, and has distinguished herself by applying for and receiving two grants related to updating our Courtroom, and applying for and receiving the Sybil Kennedy Scholarship to attend training in Verona, NY in September of this year; and

**WHEREAS**, an adjustment to her salary was first proposed by Town Justice Jessica Mocerine, the jurist for whom Stephanie Hicks serves as Court Clerk, and it was a proposal that the Supervisor agreed with and is bringing before the Town Board; and

**WHEREAS**, the Town Comptroller confirms that this resolution will not have a material impact on the Town's finances in 2023;

now, therefore, be it

**RESOLVED**, that the Town Board of the Town of East Greenbush hereby approves an adjustment to the salary of Court Clerk Stephanie Hicks based on job performance and the assumption of new responsibilities;

and be it further

**RESOLVED**, that Stephanie Hicks annual salary will be adjusted to \$48,200, effective August 21, 2023.

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

Supervisor J. Conway	VOTED:
Councilor H. Kennedy	VOTED:
Councilor T. Tierney	VOTED:
Councilor B. Fritz	VOTED:
Councilor E. Nestler	VOTED:

**192-2023      A Resolution Authorizing the Town Supervisor to Execute an Agreement (“School Resource Officer Agreement”) Between the Town of East Greenbush and the East Greenbush Central School District Regarding the 2023-2025 School Resource Officer Program**

**WHEREAS**, this resolution was not able to be submitted in time to be considered at the regularly scheduled pre-board meeting of August 9, 2023 and was subsequently presented to the Town Board on August 11, 2023; and

**WHEREAS**, the 2019-2020 Enacted New York State Budget included amendments to Education Law §2801-a to require that beginning with the 2019-20 school year, and every school year thereafter, school districts and charter schools adopt a written contract or agreement that is developed with stakeholder input, that defines the relationship between a school district or charter school, school personnel, students, visitors, law enforcement, and public or private security personnel. The written contract or agreement must clearly delegate the role of school discipline to school administration and be consistent with the code of conduct. Such contract or agreement is required to be incorporated and published as part of the school district safety plan. The amendments became effective on July 1, 2019; and

**WHEREAS**, the Town and the East Greenbush Central School District have enjoyed a long-standing and successful agreement to jointly share the cost of providing a town police officer to serve as a full-time School Resource Officer; and

**WHEREAS**, the School District and the Town have determined that it is in their mutual best interests to enter into this agreement to provide for the assignment of one or more police officer(s) employed by the Town to serve as School Resource Officers at the School District; and

**WHEREAS**, at a Regular Meeting of the Board of Education of the East Greenbush Central School District held on November 9, 2022 approved the intermunicipal agreement between the District and Town for School Resource Officer services and authorized the Superintendent of Schools to execute the intermunicipal agreement in the form approved by legal counsel; and

**WHEREAS**, the Town Comptroller confirms that this resolution will not have a material impact on the Town’s finances; and

**WHEREAS**, the Town Board has reviewed the School Resource Officer Agreement; now, therefore, be it

**RESOLVED**, that the Town Board of the Town of East Greenbush authorizes the Town Supervisor to enter into the School Resource Officer Agreement with the East Greenbush Central School District;

and be it further

**RESOLVED**, that this resolution shall take effect immediately.

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

Councilor T. Tierney	VOTED:
Councilor B. Fritz	VOTED:
Supervisor J. Conway	VOTED:
Councilor H. Kennedy	VOTED:
Councilor R. Nestler	VOTED:

**193-2023 A Resolution to Authorize the Supervisor to Sign a New Contract with Council 82 AFSCME, AFL-CIO, Local 3708 – East Greenbush**

**WHEREAS**, this resolution was not able to be submitted in time to be considered at the regularly scheduled pre-board meeting of August 9, 2023 and was subsequently presented to the Town Board on August 11, 2023; and

**WHEREAS**, the Town Board of the Town of East Greenbush, County of Rensselaer, State of New York, is in receipt of a Proposed Dispatch Contract for the years 2023, 2024, and 2025; and

**WHEREAS**, the Town Board recognizes the outstanding work of the East Greenbush dispatch workforce and believes it to be imperative that our unionized employees always have a fair and current contract in place; and

**WHEREAS**, the Town Comptroller confirms that the proposed salary increase for 2023 will have a material impact on the Town’s finances; now, therefore, be it

**RESOLVED**, that the Town Board does hereby approve the Contract with Council 82 AFSCME, AFL-CIO, Local 3708 – East Greenbush for the period of January 1, 2023 – December 31, 2025 with all the terms and conditions agreed by the parties;

and be it further

**RESOLVED**, that the Town Board does hereby authorize the Supervisor to enter into and sign the aforesaid Contract by and on behalf of the Town Board.

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

Supervisor J. Conway	VOTED:
Councilor T. Tierney	VOTED:
Councilor H. Kennedy	VOTED:
Councilor B. Fritz	VOTED:
Councilor E. Nestler	VOTED:

**194-2023 A Resolution to Deem the Draft Generic Environmental Impact Statement (DGEIS) for Zoning Text and Map Amendments and Subdivision Regulation Amendments Complete for Public Review.**

**WHEREAS**, this resolution was not able to be submitted in time to be considered at the regularly scheduled pre-board meeting of August 9, 2023 and was subsequently presented to the Town Board on August 11, 2023; and

**WHEREAS**, on May 19, 2021, the Town Board of the Town of East Greenbush passed Resolution #136-2021 adopting the 2021 Comprehensive Plan; and

**WHEREAS**, the 2021 Comprehensive Plan identifies recommendations for future land uses within the Town; and

**WHEREAS**, all Town land use regulations must be in accordance with the adopted comprehensive plan per Town Law §272-a.11.a; and

**WHEREAS**, adoption of zoning amendments is a Type 1 action pursuant to the State Environmental Quality Review Act (SEQRA), 6 NYCRR 617.4(b)(2) requiring coordinated review; and

**WHEREAS**, on February 8, 2023, the Town Board initiated the required coordinated review with involved agencies to declare and serve as lead agency under SEQRA per Resolution #20-2023; and

**WHEREAS**, no objections were received from involved agencies after 30 days for the Town Board serving as lead agency; and

**WHEREAS**, pursuant to SEQRA, the Town Board has prepared and completed Parts 1, 2 and 3 of the Full Environmental Assessment Form (FEAF); and the Board has duly reviewed the FEAF and has considered the criteria contained in 6 NYCRR §617.7(c) to determine whether the proposed action will have a significant impact on the environment; and

**WHEREAS**, on March 15, 2023 per Resolution #62-2023 the Town Board determined the proposed adoption of the zoning text and map and subdivision regulations amendments may have a significant adverse impact on the environment; that the Town Board adopts the findings and conclusion relating to probable environmental impacts contained within the FEAF and Positive Declaration and initiated the preparation of a Generic Environmental Impact Statement (GEIS); declared a Positive Declaration and initiated preparation of a draft Scoping Document; and

**WHEREAS**, on March 30, 2023 the Town Board held a public scoping session pursuant to 6 NYCRR §617.8 to provide an opportunity for public participation and allowed for written comments to be received until April 7, 2023 and duly noticed said public scoping session and made available the draft scope to all involved or interested agencies and considered all public input received; and

**WHEREAS**, after consideration of public comments received, the Town Board adopted by resolution the final Scoping Document on April 19, 2023; and

**WHEREAS**, that based upon the Final Scoping Document adopted by the Town Board on April 19, 2023, the Town Board caused the preparation of the Draft Generic Environmental Impact Statement ("DGEIS") by its consultants, MJ Engineering; and

**WHEREAS**, the DGEIS has been reviewed by the Town Board; now, therefore, be it

**RESOLVED**, that the Town Board hereby finds that the DGEIS addresses all of the items in the Final Scoping Document and accepts the DGEIS as complete for the purposes of commencing public review pursuant to 6 NYCRR 617.12 (Please see attached Notice of Completion for publication and circulation in accordance with SEQR); and be it further

**RESOLVED**, that a public hearing will be held on September 20, 2023 at 7:00 p.m. at the Town of East Greenbush Town Hall located at 225 Columbia Turnpike, Rensselaer, NY 12144 and that the written comment period will end (must be at least 10 days after) on October 1, 2023 and that the public is encouraged to submit written public comments to the Town Planning Department via email at [jgiller@eastgreenbush.org](mailto:jgiller@eastgreenbush.org) or via U.S. Mail at 225 Columbia Turnpike, Rensselaer, NY 12144 (Please see attached Notice of Public Hearing on the DGEIS)

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

Councilor T. Tierney	VOTED:
Councilor B. Fritz	VOTED:
Supervisor J. Conway	VOTED:
Councilor H. Kennedy	VOTED:
Councilor R. Nestler	VOTED:

**195-2023 A Resolution to Award the Old Troy Road Bridge Superstructure Replacement Project to Town and County Bridge and Rail Inc. and Approve the Use of GEIS Traffic Funds for This Project**

**WHEREAS**, this resolution was not able to be submitted in time to be considered at the regularly scheduled pre-board meeting of August 9, 2023 and was subsequently presented to the Town Board on August 14, 2023; and

**WHEREAS**, on June 21<sup>st</sup>, 2022 the Town of East Greenbush received a Red Flag from New York State Department of Transportation Region #1; and

**WHEREAS**, on June 22<sup>nd</sup>, 2022 the Commissioner of Public Works contacted one of the Town designated engineers that specializes in Traffic and Highway construction; and

**WHEREAS**, on July 6<sup>th</sup>, 2022 members of Town staff including the Town Supervisor, the Commissioner of Public Works, the Deputy Commissioner of Public Works and the Town Director of Planning met with FCM Engineering, PLLC to discuss the Bridge closure plan and recommendation for repairing the required items listed in the Red Flag Report from NYSDOT; and

**WHEREAS**, William J. Keller & Sons Construction Corp. performed the required repairs as listed on the NYSDOT Red Flag Report on a time and material basis and the work was inspected by A.S. Bell Engineering, PC; and

**WHEREAS**, the Red Flag Notice was removed by NYSDOT on September 2<sup>nd</sup>, 2022 and the Bridge was reopened on September 9<sup>th</sup>, 2022; and

**WHEREAS**, the Town Board held two (2) Public Hearings for residents to address the Town Board about their concerns with the Old Troy Road Bridge; and

**WHEREAS**, the Town Board approved the Commissioner of Public Works to solicit bids for the Old Troy Road Bridge Superstructure Replacement project in Resolution 164-2023; and

**WHEREAS**, bids were solicited and the Town received five (5) bids from contractors on Thursday, August 10, 2023 with results as follows:

<b>Contractor :</b>	<b>Total Lump Sum Price:</b>
Town and County Bridge and Rail Inc.	\$287,380.00
Wm. J. Keller & Sons Construction Corp.	\$323,500.00
Bette Cring Construction Group	371,000.00
James H. Maloy Inc.	\$415,000.00
OCS Industries, Inc.	\$749,369.19

;and

**WHEREAS**, the Town Designated Engineer for this project, FCM Engineering PLLC and A.S. Bell Engineering, PC presented the proposed renovation of the Old Troy Road Bridge to the Commissioner and Deputy Commissioner of Public Works; and

**WHEREAS**, on July 14, 2023, the Town received a Yellow Flag Notice from NYSDOT for the Girder Web Section Loss at the Interface with the Bottom Flange for areas not noted in the 2022 Red Flag Notice; and

**WHEREAS**, the Commissioner and the Town Designated Engineer have communicated with NYSDOT of the pending repair and will remain in communication with them throughout the project to be sure that everything is replaced to meet NYSDOT specifications; and

**WHEREAS**, the GEIS Committee recommended the use of GEIS Traffic funds for this project by a vote of 5-0; and

**WHEREAS**, the Town Comptroller confirms that this can be charged to GEIS Traffic CE 80304.01.04.02 using A915 GEIS Fund Balance;

now, therefore, be it

**RESOLVED**, that the Town Board does hereby approve the replacement of the Old Troy Road Bridge Superstructure and award the contract to Town and County Bridge and Rail Inc. in the amount of \$287,380.00;

and be it further

**RESOLVED**, that the Town Board approves the use of GEIS Traffic funds to fund this project.

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

Supervisor J. Conway	VOTED:
Councilor H. Kennedy	VOTED:
Councilor T. Tierney	VOTED:
Councilor B. Fritz	VOTED:
Councilor E. Nestler	VOTED:

### **196-2023      A Resolution to Schedule a Special Meeting of the East Greenbush Town Board**

**WHEREAS**, this resolution was not able to be submitted in time to be considered at the regularly scheduled pre-board meeting of August 9, 2023 and was subsequently presented to the Town Board on August 14, 2023; and

**WHEREAS**, the Planning and Zoning Office is currently understaffed with only the Director of Planning and Zoning, Joshua Giller, and the Secretary Alison Lovely currently on board; and

**WHEREAS**, a second person in the position of Planner is required to complete the staffing of the Planning and Zoning Office; and

**WHEREAS**, the Human Resources Manager posted the position and conducted phone pre-screening interviews which resulted in five candidates being interviewed, with one, Joshua Giller, already hired as Director of the Department; and

**WHEREAS**, the Town Board is desirous of making an appointment to the position of Planner and needs to get that person on-board as quickly as possible due to the workload in the Office and the need to finish the Zoning Map and Subdivision Regulations Update and the Generic Environmental Impact System (GEIS) before the end of the year; and

**WHEREAS**, the Town Comptroller confirms that holding a Special Meeting will not have a material impact on the Town's finances;

now, therefore, be it



**RESOLVED**, that the Town Board of the Town of East Greenbush will hold a Special Meeting on Wednesday, August 23, 2023 at 6:00 p.m. at East Greenbush Town Hall, 225 Columbia Turnpike, Rensselaer, NY 12144 for the purpose of making an appointment to the position of Planner and to attend to any other business that may be brought to the Town Board's attention.

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

Supervisor J. Conway	VOTED:
Councilor T. Tierney	VOTED:
Councilor H. Kennedy	VOTED:
Councilor B. Fritz	VOTED:
Councilor E. Nestler	VOTED:

### **ADJOURNMENT**

Motion to adjourn by Supervisor Conway and seconded by Councilor Tierney and brought to a vote resulting as follows:

Supervisor J. Conway	VOTED:
Councilor T. Tierney	VOTED:
Councilor H. Kennedy	VOTED:
Councilor B. Fritz	VOTED:
Councilor E. Nestler	VOTED: