



The Town of East Greenbush

225 Columbia Turnpike, Rensselaer, New York 12144

TOWN BOARD MINUTES November 16, 2022

To view a recording of the full meeting, please see Town Hall Streams link below:
https://townhallstreams.com/stream.php?location_id=119&id=48796

Or visit Town of East Greenbush Facebook page:
<https://www.facebook.com/TownofEG/videos/533849044916109>

Call to Order **7:00 PM**
Pledge of Allegiance
Town Board Meeting:

Members of Town Board

Present	Absent	
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<input checked="" type="checkbox"/>	<input type="checkbox"/>	Supervisor J. Conway
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Councilor T. Tierney
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Councilor H. Kennedy
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Councilor B Fritz
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Councilor E. Nestler

Communications/Announcements/Reports

Town Board members provided their individual comments, community-related information, and/or announcements.

Councilor Tierney extended congratulations to our Police Department for their accreditation. Noted accreditation is a progressive way of helping police stations evaluate and improve their overall performance and provides formal recognition of organization that meets or exceeds general expectations for quality in the field.

Supervisor Conway noted that only the best 25% of police departments are accredited in New York State.

Open Public Privilege:

Resident, David Terpening, presented his comments to the Town Board.

Resolutions and Proposals by Town Board Members:

253-2022 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 October 19, 2022 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 October 19, 2022 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: YES
Councilor E. Nestler	VOTED: YES
Supervisor J. Conway	VOTED: YES
Councilor T. Tierney	VOTED: YES
Councilor H. Kennedy	VOTED: YES

254-2022 A Resolution Recognizing November as “Men’s Health Awareness Month”

WHEREAS, “Movember” is an annual campaign that runs throughout the month of November involving the growing of mustaches to "change the face" of men’s health and raise awareness of men’s health issues, such as prostate cancer, testicular cancer, mental health issues, and suicide prevention; and

WHEREAS, significant numbers of male-related health problems could be detected and treated if men’s awareness of these problems was more pervasive. By encouraging men to get involved, Movember aims to increase early cancer detection, diagnosis, effective treatments, and ultimately reduce the number of preventable deaths; and

WHEREAS, men who are educated about the value that preventive health can play in prolonging their lifespan and their role as productive family members will be more likely to participate in health screenings;

now, therefore, be it

RESOLVED, that the Town of East Greenbush wishes to support Men’s Health Awareness Month by raising awareness of the dangers of men’s health issues;

and be it further

RESOLVED, that the Town Board declares November to be Men’s Health Awareness Month in the Town of East Greenbush.

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

Councilor E. Nestler	VOTED: YES
Supervisor J. Conway	VOTED: YES
Councilor T. Tierney	VOTED: YES

Councilor H. Kennedy
Councilor B. Fritz

VOTED: YES
VOTED: YES

255-2022 A Resolution Approving the Adoption of the Annual Budget for Fiscal Year 2023

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 30, 2022 (referred to hereinafter as the “Tentative Budget”); and

WHEREAS, the Tentative Budget provided for no increase in the Town’s Real Property Tax Levy for fiscal year 2023; and

WHEREAS, pursuant to New York Town Law § 106, subd. 4, the East Greenbush Town Board, at the regularly scheduled Town Board meeting held on October 19, 2022 duly approved a Preliminary Budget which was filed in the office of the Town Clerk on October 21, 2021 (referred to hereinafter as the “Preliminary Budget”); and

WHEREAS, pursuant to New York Town Law § 108, the East Greenbush Town Board duly conducted a public hearing on November 10, 2022 on the Preliminary Budget; and

WHEREAS, the Town Comptroller confirms that this resolution will not have a material impact on the Town’s finances because appropriations are matched to revenue and fund balance; now, therefore, be it

RESOLVED, that, pursuant to New York Town Law § 109, subd. 1, the amended Preliminary Budget be, and the same hereby is, duly adopted as the Annual Budget for fiscal year 2023 (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 Tierney and brought to a vote resulting as follows:

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

256-2022 A Resolution to Set the Transfer Station Rates for 2023

WHEREAS, it is required to establish policies and rates for the use of the East Greenbush Transfer Station on an annual basis; and

WHEREAS, the Commissioner of Public Works, Deputy Commissioner of Public Works and Transfer Station Employees met and discussed various fees during the review along with increase in costs charged to the Town by the City of Albany for Landfill Tip Fees, as well as other disposal fees; and

WHEREAS, the annual cost of a Transfer Station permit and punch card will increase for 2023 to help offset the increase in fees that the Town is experiencing, however the Transfer Station still offers a significant savings over garbage pickup options; and

WHEREAS, the Town Comptroller confirms that this resolution may have a positive material impact on the Town’s finances to offset increased recycling and landfill fees; now, therefore, be it

RESOLVED, that the proposed policies and rates for 2023 be made effective for the year 2023.

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

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

257-2022 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 2022-2023 School Resource Officer Program

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 has no 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: YES
Councilor B. Fritz	VOTED: YES
Supervisor J. Conway	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Councilor E. Nestler	VOTED: YES

258-2022 A Resolution Promoting Mark J. Herrington to the Position of Permanent Police Sergeant in the Police Department

WHEREAS, this Town Board intends to maintain adequate supervisory staff within the Town Police Department; and

WHEREAS, the position(s) and rank of Police Sergeant were filled provisionally pending the results of the Rensselaer County Sergeant Civil Service exam; and

WHEREAS, the Town Comptroller has determined that this resolution was planned for in the 2022 Budget; and

WHEREAS, the Rensselaer County Civil Service Commission has established minimum standards of merit and fitness for this position; has administered a written testing for the position; and now has a certified list of eligible candidates who are qualified for the position; and

WHEREAS, these candidates have previously been canvassed and interviewed by this Board in accordance with Town Law and Civil Service Law; and

WHEREAS, Provisional Sergeant Mark J. Herrington has been so examined; having given over 9 years of satisfactory service to the Town and meeting the high standard of merit and fitness as prescribed by the Rensselaer County Civil Service Commission; and now, therefore, be it

RESOLVED, that after due deliberation by this Board, Sergeant Mark J. Herrington be and hereby is appointed to the position of Permanent Police Sergeant of the East Greenbush Police Department;

and be it further

RESOLVED, that said appointment shall have the full force and the same effect as each and every other Police Sergeant of the East Greenbush Police Department, as this position is further described in the Rules and Regulations of the Police Department, the Collective Bargaining Agreement, and the Laws of the State of New York;

and be it further

RESOLVED, that this resolution shall take effect immediately.

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: YES
Supervisor J. Conway	VOTED: YES
Councilor H. Kennedy	VOTED: YES

Councilor B. Fritz
Councilor E. Nestler

VOTED: YES
VOTED: YES

259-2022 A Resolution Promoting Michael J. Herrington to the Position of Permanent Police Sergeant in the Police Department

WHEREAS, this Town Board intends to maintain adequate supervisory staff within the Town Police Department; and

WHEREAS, the position(s) and rank of Police Sergeant were filled provisionally pending the results of the Rensselaer County Sergeant Civil Service exam; and

WHEREAS, the Town Comptroller has determined that this resolution was planned for in the 2022 Budget; and

WHEREAS, the Rensselaer County Civil Service Commission has established minimum standards of merit and fitness for this position; has administered a written testing for the position; and now has a certified list of eligible candidates who are qualified for the position; and

WHEREAS, these candidates have previously been canvassed and interviewed by this Board in accordance with Town Law and Civil Service Law; and

WHEREAS, Provisional Sergeant Michael J. Herrington has been so examined; having given over 13 years of satisfactory service to the Town and meeting the high standard of merit and fitness as prescribed by the Rensselaer County Civil Service Commission;
now, therefore, be it

RESOLVED, that after due deliberation by this Board, Sergeant Michael J. Herrington be and hereby is appointed to the position of Permanent Police Sergeant of the East Greenbush Police Department;
and be it further

RESOLVED, that said appointment shall have the full force and the same effect as each and every other Police Sergeant of the East Greenbush Police Department, as this position is further described in the Rules and Regulations of the Police Department, the Collective Bargaining Agreement, and the Laws of the State of New York;
and be it further

RESOLVED, that this resolution shall take effect immediately.

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: YES
Councilor T. Tierney	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Councilor B. Fritz	VOTED: YES
Councilor E. Nestler	VOTED: YES

260-2022 A Resolution Promoting Jakeb S. Boniface to the Position of Permanent Full Time Police Dispatcher

WHEREAS, public safety in the Town is a priority concern of this Town Board; and

WHEREAS, the Board intends to maintain adequate staffing of the Town's Police and Emergency Communications Center, by appointing qualified individuals to replace positions that become vacant; and

WHEREAS, the Rensselaer County Civil Service Commission has established minimum standards of merit and fitness for this position; has administered a written testing for the position; and now has a certified list of eligible candidates who are qualified for the position; and

WHEREAS, Jakeb S. Boniface, has been so examined; having been provisionally appointed on January 19, 2022 and has been serving as a provisional full-time dispatcher in the Town's Emergency Communications Center and who meets the presumptive qualifications for this position established by the Rensselaer County Civil Service Commission; and

WHEREAS, the Town Comptroller has confirmed that this position was anticipated in the current 2022 Town budget;

now, therefore, be it

RESOLVED, that Jakeb S. Boniface, be and hereby is appointed to the position of Permanent Full Time Police Dispatcher;
and be it further

RESOLVED, that said appointment shall have the same full force and the same effect as each and every other Police Dispatcher of the East Greenbush Police Department, as this position is further described in the Rules and Regulations of the Police Department, the Collective Bargaining Agreement, and the Laws of the State of New York;

and be it further

RESOLVED, that this resolution shall take effect immediately

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: YES
Councilor T. Tierney	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Councilor B. Fritz	VOTED: YES
Councilor E. Nestler	VOTED: YES

261-2022 A Resolution Promoting Kara M. Blakeman to the Position of Permanent Full Time Police Dispatcher

WHEREAS, public safety in the Town is a priority concern of this Town Board; and

WHEREAS, the Board intends to maintain adequate staffing of the Town's Police and Emergency Communications Center, by appointing qualified individuals to replace positions that become vacant; and

WHEREAS, the Rensselaer County Civil Service Commission has established minimum standards of merit and fitness for this position; has administered a written testing for the position; and now has a certified list of eligible candidates who are qualified for the position; and

WHEREAS, Kara M. Blakeman, has been so examined; having been provisionally appointed on December 16, 2021 and has been serving as a provisional full-time dispatcher in the Town's Emergency Communications Center and who meets the presumptive qualifications for this position established by the Rensselaer County Civil Service Commission; and

WHEREAS, the Town Comptroller has confirmed that this position was anticipated in the current 2022 Town budget;

now, therefore, be it

RESOLVED, that Kara M. Blakeman, be and hereby is appointed to the position of Permanent Full Time Police Dispatcher;
and be it further

RESOLVED, that said appointment shall have the same full force and the same effect as each and every other Police Dispatchers of the East Greenbush Police Department, as this position is further described in the Rules and Regulations of the Police Department, the Collective Bargaining Agreement, and the Laws of the State of New York;
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: YES
Councilor B. Fritz	VOTED: YES
Supervisor J. Conway	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Councilor E. Nestler	VOTED: YES

262-2022 A Resolution Accepting the Resignation of Police Intern Seana Yeates

WHEREAS, Part-time Police Intern Seana Yeates, has been offered and accepted a full time position with a law firm as a receptionist, and will no longer be able to work at her intern position, and

WHEREAS, this Board extends its thanks to Seana Yeates for her service to the Town;
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 resignation of Seana Yeates, effective November 3, 2022, is hereby accepted.

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

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

263-2022 A Resolution to Acquire an Unmarked Detective Vehicle

WHEREAS, it is the intention of the Town to maintain its police vehicles in a safe and mechanically efficient condition; and

WHEREAS, the Chief of Police has reported that members selected for assignment to the Detective office are expected to be available after hours and on an on-call basis, therefore an assignment of a designated unmarked vehicle is imperative to the fulfillment of these duties; and

WHEREAS, Nielsen Ford Sales of Morristown New Jersey, an authorized New York State OGS Contractor and Westchester County Contractor, has quoted a one-time total cost of \$43,247 for one new 2022 Ford Police Interceptor Utility Vehicle; and

WHEREAS, the Town Comptroller has identified account code 51324.03.04.107 ARPA Police Equipment CE offset by revenue code 3089.03.000.107 ARPA Police Equipment funded by ARPA funds charged to 691.01 Deferred Inflows;

now, therefore, be it

RESOLVED, that the Town Board authorizes the Police Chief to purchase one (1) new 2022 Ford Police Interceptor Utility Vehicle from Nielsen Ford LLC, per the Westchester County Contract # RFB-WC-19023.

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: YES
Councilor T. Tierney	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Councilor B. Fritz	VOTED: YES
Councilor E. Nestler	VOTED: YES

264-2022 A Resolution to Accept the Offer of Certain Required Improvements Constructed in Connection with the Rysedorph Cluster Subdivision Project at Rysedorph Lane

WHEREAS, the Town Planning Board did grant conditional final plat approval of the Rysedorph Cluster Subdivision on June 13, 2018 for the 27 lots in the Town of East Greenbush prepared by C.T. Male Associates, dated May 24, 2018 (the “Plans”); and

WHEREAS, the approved Plans required the installation of certain improvements, including roadway, water supply, sanitary sewer, stormwater drainage, pedestrian, and other infrastructure (the “Required Improvements”); and

WHEREAS, in August 2018 Kingdom Trust Co Custodian FBO Anne Stuto IRA (“the Developer”) commenced construction of the Required Improvements; and

WHEREAS, the Town’s Designated Engineer, (GPI – Greenman Pedersen Inc.) has conducted regular inspections of the construction of the Required Improvements; and

WHEREAS, the Town’s Designated Engineer has certified, in writing, to the Commissioner of Public Works, Planning Board, and Town Board that they have supervised such improvements and that the completed Required Improvements conform to all approved plans and specifications of the Town; and

WHEREAS, the Commissioner of Public Works has approved in writing the Required Improvements that have been completed; and

WHEREAS, the Developer, at the discretion of the Commissioner of Public Works, has provided a Cash Bond in accordance with the Town of East Greenbush Town Code for the Required Improvements, and said Cash Bond, in the amount of \$110,000.00 has been provided in an amount and form acceptable to the Commissioner of Public Works and the Town Attorney; and

WHEREAS, the developer has submitted written offers of cession for all improvements and interest in all land areas within the Public Right-of-Way to be dedicated to the Town of East Greenbush, including, but not limited to roadways, water and sewer systems, drainage ways and easements; and

WHEREAS, on October 26, 2022, the Planning Board voted to recommend that the Town Board accept the Required Improvements, subject to certain conditions; and

WHEREAS, the Town Comptroller confirms that this resolution will not have a material impact on the Town’s finances as long as the costs are budgeted;

now, therefore, be it

RESOLVED, that notwithstanding that the improvements do not conform to all of the provisions of the street and highway acceptance local law, the Town Board judges that the public interest will best be served by such acceptance;

and be it further

RESOLVED, that the Town Board hereby accepts, in accordance with Section 36-25 of the Town Code, all streets and other Required Improvements, and the Developer's offer of cession of their interest in the Required Improvements and interest in land areas within the public right-of-way to be dedicated to the Town, subject to the following conditions:

1. That the Developer reimburses the Town for all costs and expenses associated with the Planning Board's consultants and inspections of all Required Improvements.
2. The Developer, as soon as practicable in the 2022/2023 construction season, due to delays in aluminum caps needed for right-of-way marker installation, complete the Required Improvements identified as having been incomplete as specified in and as of the date of the Town's designated engineer certification letter, dated February 24, 2022 with subsequent final site visit later, dated September, 27, 2022 which is attached hereto and made a part hereof.
3. The Developer must maintain sufficient financial security with the Town in a form acceptable to the Town until such time as all Required Improvements are completed, certified, and approved in accordance with the Town's requirements, including the required one-year maintenance period.

and be it further

RESOLVED, that the Town Supervisor is hereby authorized to execute documents relating to this offer of cession, provided that 1) the offer of cession and related documents and materials must be approved as to form by the Town Attorney; and 2) any documents to be executed by the Town Supervisor be approved as to form by the Town Attorney.

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: YES
Councilor T. Tierney	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Councilor B. Fritz	VOTED: YES
Councilor E. Nestler	VOTED: YES

265-2022 A Resolution to Authorize a Text Correction to Resolution 40-2022

WHEREAS, Resolution 40-2022 contained a typographical error listing the year as 20218 instead of 2018; and

WHEREAS, a correction needs to be made in the fourth WHEREAS clause of Resolution 40-2022 listing the date as November 20, 2018; and

WHEREAS, the Town Board of the Town of East Greenbush authorizes the Town Clerk to make the necessary correction to Resolution 40-2022; 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 authorizes the Town Clerk to make the above correction to Resolution 40-2022 and to certify such amended copy.

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: YES
Councilor T. Tierney	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Councilor B. Fritz	VOTED: YES
Councilor E. Nestler	VOTED: YES

266-2022 A Resolution to Authorize a Text Correction to Resolution 249-2022

WHEREAS, Resolution 249-2022 contained a typographical error listing the Resolution as 163-2021 instead of 234-2022; and

WHEREAS, a correction needs to be made in the RESOLVED clause of Resolution 249-2022 listing the Resolution as 234-2022; and

WHEREAS, the Town Board of the Town of East Greenbush authorizes the Town Clerk to make the necessary correction to Resolution 249-2022; 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 authorizes the Town Clerk to make the above correction to Resolution 249-2022 and to certify such amended copy.

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: YES
Councilor T. Tierney	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Councilor B. Fritz	VOTED: YES
Councilor E. Nestler	VOTED: YES

267-2022 A Resolution Finalizing the Department of Public Works Paving Projects for 2022

WHEREAS, the Department of Public Works has successfully completed the 2022 Paving Program; and

WHEREAS, the Town Board authorized the initial paving schedule in Resolution 102-2022 as follows: the Commissioner of Public Works states that the estimates for the work will not exceed \$529,100. This amount is the 2022-2023 Consolidated Local Street and Highway Improvement Program (CHIPS) funding, Extreme Winter Recovery (EWR) and PAVE-NY supplemental funding (\$178,500), Water Department (\$38,700) and the paving budget for 2022 (\$311,900); and

WHEREAS, the Town Board in Resolution 169-2022 approved the use of \$250,000.00 of funding from the American Recovery Plan Act (ARPA) to expand and complete the 2022 paving program; and

WHEREAS, the Town Board in Resolution 225-2022 authorized the Commissioner of Public Works to utilize the monies escrowed (\$27,500.00) for the top course of paving on Country Meadow Lane from Torre-Krey Development Group; and

WHEREAS, the revised totals from the New York State Department of Transportation Chips, PAVE NY, EWR and POP programs totaled \$315,526.25; and

WHEREAS, the combined total of CHIPS, PAVE NY, EWR, POP of \$315,526.25, Water Fund amount of \$38,700.00 along with the 2022 paving budget of \$311,900.00 and the American Recovery Plan Act funding of \$250,000.00, and the Country Meadows Escrow amount of \$27,500 totaled \$943,626.25; and

WHEREAS, the breakdown of cost and funding source is provided in the table below:

Roads	Total Amount	Budget Code	Funding Source
Bruen Ct	\$ 19,555.28	51324.03.004.106	ARPA
Crestview Drive	\$ 34,723.85	51324.03.004.106	ARPA
Lakeshore Drive	\$ 22,101.92	51324.03.004.106	ARPA
Mannix Road	\$ 57,908.68	51324.03.004.106	ARPA
Milling - Bruen, Chestnut, Brook, View	\$ 14,809.60	51324.03.004.106	ARPA
Milling - Lakeshore & Old Troy	\$ 14,234.08	51324.03.004.106	ARPA
Oriel Lane	\$ 52,955.40	51324.03.004.106	ARPA
Vermont Ave	\$ 20,479.29	51324.03.004.106	ARPA
View Street	\$ 8,115.54	51324.03.004.106	ARPA
Total Spent	\$ 244,883.64	250,000.00	ARPA Budget
Brookhaven Lane	\$ 59,102.44	51124.02	CHIPS
Elmwood Ave	\$ 17,216.43	51124.02	CHIPS
Englewood Ave	\$ 22,619.74	51124.02	CHIPS
Evergreen Way	\$ 30,826.43	51124.02	CHIPS
Fairview Terrace	\$ 12,888.00	51124.02	CHIPS
Highland Drive	\$ 89,573.48	51124.02	CHIPS
Madeline Lane	\$ 33,244.82	51124.02	CHIPS
Old Troy Road	\$ 50,054.66	51124.02	CHIPS
Adjustment - Old Troy Road (165.76)			
	\$ 315,526.00	\$ 315,526.00	CHIPS Budget
Country Meadow Lane	\$ 26,336.52	200.99.00.96	Escrow
	\$ 26,336.52	\$ 27,500.00	Escrow Amount
Brook Street	\$ 32,281.65	51104.02	General Repairs
Chestnut Ct	\$ 31,962.69	51104.02	General Repairs
Ridge Road	\$ 161,056.75	51104.02	General Repairs
Town Park Parking Lot	\$ 17,035.00	51104.02	General Repairs
Adjustment - Old Troy Road +165.75	\$ 165.76	51104.02	General Repairs
	\$ 242,501.85	\$ 311,900.00	Gen Rep Paving Budget
Connecticut Ave	\$ 17,629.29	SW915	Water Fund Bal.

	\$ 17,629.29	\$ 38,700.00	Water Fund Budget
Total Paving Amount	\$ 846,877.30	\$ 943,626.00	Total Budgeted Amount

;and

WHEREAS, the amount of the 2022 paving program totaled \$846,877.30; and

WHEREAS, the Town Comptroller believes at this time that this resolution will have a 2022 budgeted or designated fund impact on the Town’s finances as follows:

- Account Code 51124.01.04 CHIPS/PAVE-NY for \$315,526.
- Account Code 51104.02.04 General Repairs Paving for \$242,501.85.
- Account Code 83204.05.04 General Consolidated Water for \$17,629.29.
- Account Code 51324.03.04.106 ARPA Paving for \$244,883.64.
- Account Code 200.99.00.96 Country Meadow Lane for \$23,336.52.

now, therefore, be it

RESOLVED, that the Town Board hereby approves the final 2022 paving program in the amount of \$846,877.30.

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: YES |
| Councilor E. Nestler | VOTED: YES |
| Supervisor J. Conway | VOTED: YES |
| Councilor T. Tierney | VOTED: YES |
| Councilor H. Kennedy | VOTED: YES |

268-2022 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;

- 2007 Chevrolet Silverado VIN: 3GCEC14V27G153638
- Dynapack Roller CC92 ID# 60610732

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

WHEREAS, the Town Comptroller confirms that this resolution will not have a material effect on Town finances as long as the Town receives the material best value from the sale;

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 Fritz and seconded by Councilor Nestler and brought to a vote resulting as follows:

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

269-2022 A Resolution Authorizing the Code Enforcement Officer to Demolish a Structure at 7 New Jersey Avenue in the Town of East Greenbush

WHEREAS, the property owner was notified by the Code Enforcement Officer on September 19, 2022 to correct the condemned property situation at 7 New Jersey Avenue; and

WHEREAS, the structure poses a clear and imminent danger to the life, safety, and health of the public, including the adjacent property owner; and

WHEREAS, Section 44-11 of the Town Code authorizes the Town Board, in case of emergency, to authorize the Code official to immediately cause the demolition of an unsafe building; due to imminent danger of collapse and the owners failure to comply; and

WHEREAS, the Town Supervisor, as Chief Executive Officer of the Town of East Greenbush, issued a State of Emergency Declaration under Section 24 of the New York State Executive Law, to preserve the public safety, and a subsequent Emergency Order authorizing the Town to contract with a reputable company to complete the required work to take down the house at 7 New Jersey Avenue; and

WHEREAS, the Town submitted a bid for demolition of 7 New Jersey Avenue on Thursday, October 13, 2022, the lowest responsible bidder being David Frueh Contracting, LLC Inc. in the amount of \$27,500.00; and

WHEREAS, the Town has incurred additional costs in regards to 7 New Jersey Avenue as listed below; and

Company	Task Performed	Cost (estimate)
David Frueh Contracting LLC	Demolition	\$27,500.00
Alpine Environmental Services (tent)	Air Quality Monitoring (Asbestos)	\$425/per day (estimate)

WHEREAS, the Town Comptroller confirms this resolution will have a negative material impact on the Town's finances charged to code 36204.01.04 Safety Inspection CE until it can be recovered with the 2023 Town and County bill;

now, therefore, be it

RESOLVED, that the Code Enforcement Officer of the Town of East Greenbush is hereby authorized to award the bid to David Frueh Contracting LLC for \$27,500.00 and cause the demolition of said unsafe building at 7 New Jersey Avenue;

and be it further

RESOLVED, that the expense of such demolition shall be a charged against the land on which the building is located and shall be assessed, levied and collected as provided in Section 44-10 of Town Code;

and be it further

RESOLVED, that the Assessor be authorized to charge the total cost to repair the damages to the owners next tax bill i.e.: 2023 Town and County bill in the amount of \$27,500.00 plus the additional estimated costs to be documented with a subsequent resolution to:

Parcel code 155.13-8-9.12

Junann Lasher

June Glass

7 New Jersey Avenue, Rensselaer, NY 12144

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

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

270-2022 A Resolution Authorizing the Commissioner of Public Works to sign a Proposal Submitted by FCM Engineering, PLLC for the Design and Construction Inspection of the Old Troy Road Bridge Replacement Project and Approving the Use of GEIS Traffic Fees for This Purpose

WHEREAS, FCM Engineering PLLC, was selected as one of the Town's designated engineering firms and specializes in traffic and bridges; and

WHEREAS, FCM Engineering PLLC, will utilize A. S. Bell Engineering P. C. for the design and construction inspection for the bridge replacement; and

WHEREAS, both firms have over 40 years of experience in the Public Works industry and A. S. Bell has over 49 years of structural engineering experience including bridges; and

WHEREAS, the Supervisor, Commissioner of Public Works, Deputy Commissioner of Public Works and Director of Planning and Zoning met with FCM Engineering and discussed replacing the steel beams along with the decking of the bridge as a best option; and

WHEREAS, FCM Engineering PLLC, has submitted a proposal for lump sum cost of \$12,000.00 to provide replacement design plans for a new superstructure along with construction inspection services; and

WHEREAS, the replacement of the bridge would allow the engineer to gain 2 feet on the width of the design creating a 20 foot wide bridge and allowing 2 motor vehicles to pass with no issues; and

WHEREAS, the Town of East Greenbush has applied for the Bridge NY Grant Funding Program three (3) times for the Old Troy Road Bridge Replacement and was denied each time; and

WHEREAS, the Commissioner of Public Works believes that this is the most cost effective way to replace the bridge by not disturbing the original concrete structure that was built in the 1930's; and

WHEREAS, FCM Engineering PLLC, believes that this can be done for a fraction of the cost compared to the total replacement of the bridge; and

WHEREAS, on October 18th, 2022 the GEIS Committee met and voted to utilize GEIS Traffic Funds to pay for the design engineering, construction inspection and replacement cost associated with the Old Troy Road Bridge; and

WHEREAS, the cost of this resolution would be funded from the GEIS Traffic Fund 80304.01.004.02; and

WHEREAS, the Town Comptroller believes that this will have a material impact to the Town's finances;

now, therefore, be it

RESOLVED, that the Town Board does hereby authorize the Commissioner of Public Works to sign a proposal with FCM Engineering PLLC, in the amount of \$12,000.00 for the design and construction inspection of the Old Troy Road Bridge replacement project;

and be it further

RESOLVED, that the Town Board concurs with the GEIS Committee recommendation and approves the use of GEIS Traffic funds for this purpose.

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: YES
Councilor T. Tierney	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Councilor B. Fritz	VOTED: YES
Councilor E. Nestler	VOTED: YES

271-2022 A Resolution Authorizing the Purchase of a Hamm HD12VV Asphalt Roller for the Water Department from Finke Equipment

WHEREAS, the Water Department currently has a 1999 Dynapac 36 inch CC92 Asphalt roller for patching water breaks; and

WHEREAS, the Mechanics have advised the Commissioner of Public Works that replacement parts are no longer available for the 1999 Dynapac 36 inch CC92 Asphalt Roller; and

WHEREAS, this piece of equipment is essential for the Water Department to perform the necessary road repairs after a water break; and

WHEREAS, the Commissioner of Public Works contacted different paving vendors to inquire about the most cost effective and reliable type of Asphalt Roller on the market, and

WHEREAS, almost all of the paving vendors use Hamm Rollers because of the reliability and design performance; and

WHEREAS, the Commissioner of Public Works contacted Finke Equipment, the area's local Hamm supplier and vendor on the Sourcewell Purchasing Portal for Municipalities; and

WHEREAS, Finke Equipment supplied the Town with a quote for a new Hamm HD12VV Asphalt Roller for the amount of \$46,699.44 based off of the Sourcewell Contract Number: 060122; and

WHEREAS, the Hamm HD12VV Asphalt Roller will be funded from the General Water Fund SW-915; and

WHEREAS, the Town Comptroller confirms this resolution will have a negative material impact on the Town's finances charged to 83402.05.02 Water Equipment EQ; now, therefore, be it

RESOLVED, that the Town Board does hereby authorize the purchase of a Hamm HD12VV Asphalt Roller from Finke Equipment for the amount of \$46,699.44.

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: YES
Councilor E. Nestler	VOTED: YES
Supervisor J. Conway	VOTED: YES

Councilor T. Tierney
Councilor H. Kennedy

VOTED: YES
VOTED: YES

272-2022 A Resolution Authorizing the Purchase of a New Solid Waste Hauling Trailer for the Transfer Station from J&J Truck Bodies & Trailers

WHEREAS, the current Solid Waste Hauling Trailer is a 1996 Manac Trailer Vin# 2M532146826085867 and was purchased used in 2014 and immediately sent out for sand blasting and repairs to make it operational; and

WHEREAS, the current Trailer is the only means for disposal of the Town's Solid Waste it receives at the Transfer Station; and

WHEREAS, the life span of the trailer has reached a point where it is not cost effective to refurbish and would require sand blasting and replacement of steel sections and painting; and

WHEREAS, the Commissioner of Public Works along with the Department of Public Works Senior Mechanic received three (3) separate quotes for a custom trailer that will fit the current Transfer Station Ram and opening specifications; and

WHEREAS, the new trailer will have a 25 year projected life span; and

WHEREAS, the lowest quote received was from J&J Truck Bodies & Trailers located in Somerset Pennsylvania for an amount of \$121,390.00; and

WHEREAS, the price of the New Trailer includes delivery costs and will take an estimated seven to nine (7-9) months to receive it; and

WHEREAS, the Town Comptroller confirms this resolution will have a negative material impact on the Town's finances charged to 81604.01.04 Refuse/Garbage CE; now, therefore, be it

RESOLVED, that the Town Board does hereby authorize the purchase of a New Solid Waste Hauling Trailer for the Transfer Station from J&J Truck Bodies & Trailers in the amount of \$121,390.00.

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

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

273-2022 A Resolution Approving the Replacement of the Town Hall Handicapped Persons Elevator

WHEREAS, the Town Hall elevator for handicapped persons has been identified to be beyond its useful life and needs to be upgraded to an ADA compliant elevator or lift; and

WHEREAS, the Purchasing Clerk solicited bids in RFB 22-10 – Town Hall Handicap Elevator Replacement and bids were received and opened on November 3, 2022; and

WHEREAS, the Town received two (2) bids from vendors and the lowest responsible bidder was McGee Elevators at \$26,274.00; and

WHEREAS, the Town Comptroller does hereby confirm that the elevator replacement was budgeted for in the 2022 Town Budget within the 16204.01 – Buildings CE line;

now, therefore, be it

RESOLVED, that the Town Board does hereby approve the replacement of the Town Hall Handicapped Persons Elevator for an amount not to exceed \$26,274.00 upon review of the contract by the Attorney for the Town.

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: YES
Councilor T. Tierney	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Councilor B. Fritz	VOTED: YES
Councilor E. Nestler	VOTED: YES

274-2022 A Resolution Authorizing the Repair of the 2013 Jeep Patriot Latitude Assigned to the Building Department

WHEREAS, the Building Department requires the use of town vehicles in the course of its daily duties; and

WHEREAS, the 2013 Jeep Patriot Latitude has 67,443 miles, is currently out of service due to frame deterioration; and

WHEREAS, the Building Inspector obtained a quote of \$3,184.50 from our automotive service vendor for necessary repairs to the vehicle; and

WHEREAS, the Town Comptroller states there will be a charge to account code 36204.01.04 Safety Inspection;

now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush authorizes the repair of the 2013 Jeep Patriot Latitude by Automotive Calibration Solutions LLC [formerly Auto Advantage] in East Greenbush, New York for the amount of \$3,184.50.

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

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

275-2022 A Resolution to Close Town Hall to the Public on December 2, 2022 for a Professional Staff Development Day for Town Hall Employees

WHEREAS, the Town of East Greenbush requires Town employees to undergo a series of training programs each year, including workplace violence and sexual harassment prevention; and

WHEREAS, the 2022 training program was delayed by the resignation of the Human Resources Manager; and

WHEREAS, the training program now becomes a high priority since it is this Board and Supervisor's desire to require this training on an annual basis; and

WHEREAS, the 2023 Budget will be adopted tonight and our projects and projections are set for next year, and the Supervisor would like a chance to consider the specifics of the Budget with Town Hall staff so that a clear set of timelines and priorities can be established; 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 approves the Supervisor's plan to close Town Hall to the public on December 2, 2022 for a staff development day that will include the requisite annual training programs, and an afternoon seminar to set strategies and priorities based on the recent passage of the 2023 Town Budget.

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: YES
Councilor T. Tierney	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Councilor B. Fritz	VOTED: YES
Councilor E. Nestler	VOTED: YES

276-2022 A Resolution Authorizing the Purchase of One (1) Multi-Function 36" Scanner/Copier/Printer for the Town Hall

WHEREAS, this resolution was not able to be submitted in time to be considered at the regularly scheduled pre-board meeting of November 9, 2022 and was subsequently presented to the Town Board on November 14, 2022; and

WHEREAS, the Planning and Zoning Department along with other departments would greatly benefit from the purchase of a wide format imaging printer so that maps, plans etc. can be digitized for more efficient storage; and

WHEREAS, the Town has the opportunity to purchase one (1) KIP 770 Wide Format Imaging Multifunction Printer from National Business Technologies located at 505 Bradford Street, Albany NY 12206 at a vastly reduced price; and

WHEREAS, the machine will allow us to print, scan and copy blueprints for not only digitizing the operation but also for use in meetings. All Town offices will have access to this machine as storage at Town Hall is a continual problem and will minimize the amount of paper that we need to keep; and

WHEREAS, we currently have all 3 copiers/printers with National Business Technologies and by using National Business Technologies, we have local service and a quicker response time; and

WHEREAS, the Finance Office received quotes to purchase the unit; two quotes were for just scanners and the 3rd quote was for a multi-function machine as well but the company is located in Texas and service to the machine could be an issue; and

WHEREAS, since our IT Vendor, Diagnostic Services and Installation, Inc., works directly with National Business Technologies, the Finance Office has determined the best value for the Town is to proceed with the following Multifunction Printer from National Business Technologies:

KIP 770 Wide Format Imaging Multifunction Printer:
Original List Price \$17,975.00 (Demonstration Model)

Our Price \$6,900.00

This is an all-inclusive service agreement covering everything except paper for \$75 a month for unlimited scanning, 1,000 sq. ft. a month with an overage of \$.0314 per sq. ft.; and

WHEREAS, the Town Comptroller confirms this purchase can be charged to 16804.01 Data Processing CE;

now, therefore, be it

RESOLVED, that the Town Board does hereby authorize the purchase of the KIP 770 Wide Format Imaging Multifunction Printer from National Business Technologies for a price not to exceed \$6,900.00

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

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

277-2022 A Resolution Authorizing the Town Supervisor to Execute an Agreement (“Healthy Alliance IPA Affiliate Agreement”) Between the Town of East Greenbush and the Healthy Alliance IPA, LLC.

WHEREAS, this resolution was not able to be submitted in time to be considered at the regularly scheduled pre-board meeting of November 9, 2022 and was subsequently presented to the Town Board on November 14, 2022; and

WHEREAS, the Town of East Greenbush recognizes the importance of connecting those in need with the appropriate services; and

WHEREAS, a partnership with Healthy Alliance IPA, LLC, has been recommended by the Chief of Police and Rensselaer County Commissioner of Mental Health; Town officials and law enforcement officers would use the free service to make referrals for citizens with various needs to connect them with social or case workers who can address those needs directly; and

WHEREAS, the Town Board has reviewed the Healthy Alliance, IPA Agreement;

WHEREAS, the Town Comptroller confirms that this resolution has no material impact on the Town’s finances; and

now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush authorizes the Town Supervisor to enter into the Healthy Alliance Agreement with the Town of East Greenbush; 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: YES
Councilor B. Fritz	VOTED: YES
Supervisor J. Conway	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Councilor E. Nestler	VOTED: YES

278-2022 A Resolution to Schedule a Public Hearing on a Proposed Local Law, Providing for the Codification of the Local Laws, Ordinances and Certain Resolutions of the Town of East Greenbush into a Municipal Code Designated the “Code of the Town of East Greenbush”

WHEREAS, this resolution was not able to be submitted in time to be considered at the regularly scheduled pre-board meeting of November 9, 2022 and was subsequently presented to the Town Board on November 14, 2022; and

WHEREAS, the existing Code of the Town of East Greenbush sets forth in codified version the various local laws enacted by the Town; and

WHEREAS, that codified version only includes updates and amendments to Town laws through 2006; exists physically as a book with a limited number of copies, and is difficult for the public and Town employees to access; and

WHEREAS, the Town has been working with General Code, a Rochester, New York firm which specializes in recodifications of local laws enacted by municipalities and that firm has produced an updated recodification of the local laws enacted by the Town of East Greenbush, which includes all of the relevant East Greenbush local laws enacted through this date, deletes certain provisions which are no longer in use; and

WHEREAS, that revised Code, if adopted by the Board, would be made available to the public, East Greenbush officials, and East Greenbush employees, in a convenient, accessible electronic format; 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 hereby schedules a hearing on a proposed “Local law to provide for the codification of the local laws, ordinances, and certain resolutions of the Town of East Greenbush into a Municipal Code to be designated the Code of the Town of East Greenbush”, said hearing to be held at the East Greenbush Town Hall, 225 Columbia Turnpike, East Greenbush, New York, on December 14, 2022 at 6:00 p.m..

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: YES
Councilor T. Tierney	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Councilor B. Fritz	VOTED: YES
Councilor E. Nestler	VOTED: YES

279-2022 A Resolution to Authorize the Supervisor to Execute an Agreement with MetLife to Provide Health Flexible Spending and Dependent Care Flexible Spending Accounts for Town Employees

WHEREAS, this resolution was not able to be submitted in time to be considered at the regularly scheduled pre-board meeting of November 9, 2022 and was subsequently presented to the Town Board on November 14, 2022; and

WHEREAS, the Town has provided employees with flexible spending options such as a Health Flexible Spending Accounts and Dependent Care Flexible Spending Accounts that allow them to set aside money for health care expenses in a manner that is tax-advantaged; and

WHEREAS, currently, the Town contracts with PrimePay to provide these services at a cost of approximately \$5.90 per employee whether they sign up for both accounts or just one; and

WHEREAS, MetLife, due to its extensive scale and experience with delivering these services, has offered a lower price to manage these accounts with the Town being required to pay \$3.15 if an employee utilizes only one of the accounts and \$4.49 per employee if they utilize both accounts; 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 hereby authorizes the Supervisor to execute an agreement with MetLife to provide Health Flexible Spending and Dependent Care Flexible Spending Accounts for Town Employees in 2023.

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

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

280-2022 A Resolution to Set the Capital Costs and Operation and Maintenance Costs for the Consolidated General Water District and Consolidated General Sewer District in 2023

WHEREAS, this resolution was not able to be submitted in time to be considered at the regularly scheduled pre-board meeting of November 9, 2022 and was subsequently presented to the Town Board on November 14, 2022; and

WHEREAS, the Town Board wishes to ensure the fiscal stability of the Consolidated General Water District and Consolidated General Sewer District in 2023 and beyond; and

WHEREAS, funding for the Consolidated General Water and Consolidated General Sewer District must cover capital costs as well as operation and maintenance costs; and

WHEREAS, capital costs will be covered by the cost per unit of assessment charged on the annual tax bill and operation and maintenance costs will be funded by user rates; and

WHEREAS, a public hearing was held on the 2023 water and sewer rates on November 10, 2022 and all comments were heard; and

WHEREAS, the methodology and calculations used to arrive at these costs is affixed hereto as Appendix 2; 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 payment of capital costs for the Town of East Greenbush Consolidated General Water District and Consolidated General Sewer District for the year January 1, 2023 to December 31, 2023 shall be based upon a Unit of Assessment as set forth in Schedule A, attached hereto and made a part hereof;

and be it further

RESOLVED, that the payment of capital costs and debt service, and operation and maintenance expenses for the Town of East Greenbush Consolidated General Water District for the year January 1, 2023 to December 31, 2023 shall be as follows:

Water Rate Type		2023	Change
Water Debt Units	Units in the District	14,784	+ 114
Water Tax Levy	Per Debt Unit Cost	\$32.74	- \$ 1.51
East Greenbush Users	Per 100 Cubic Feet	\$ 3.74	0
	Per 1,000 Gallons	\$ 5.00	0
Out of Town Users	Per 100 Cubic Feet	\$ 7.50	0
	Per 1,000 Gallons	\$ 5.61	0

and be it further

RESOLVED, that the payment of capital costs and debt service, and operation and maintenance expenses for the Town of East Greenbush Consolidated General Sewer District for the year January 1, 2023 to December 31, 2023 shall be as follows:

Sewer Rate Type			2023	Change
Debt Units	Units in the District		13,790	+ 140
Sewer Tax Levy	Per Debt Unit Cost		\$ 80.29	+ \$ 2.47
East Greenbush Users	Per 100 Cubic Feet	Minimum up to 1,400 CF	\$ 40.17	0
		Overage per 100 CF	\$ 2.87	0
	Per 1,000 Gallons	Minimum up to 10,500 G	\$ 40.17	0
		Overage per 1,000 G	\$ 3.84	0
Out of Town Users	Per 100 Cubic Feet	Minimum up to 1,400 CF	\$ 80.34	0
		Overage per 100 CF	\$ 5.74	0
	Per 1,000 Gallons	Minimum up to 10,500 G	\$ 80.34	0
		Overage per 1,000 G	\$ 7.68	0
Sewer only customers			45.91	0

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: YES
Councilor T. Tierney	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Councilor B. Fritz	VOTED: YES
Councilor E. Nestler	VOTED: YES

ADJOURNMENT

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

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

Respectfully submitted,

Ellen Pangburn
East Greenbush Town Clerk