



The Town of East Greenbush

225 Columbia Turnpike, Rensselaer, New York 12144

TOWN BOARD MINUTES SPECIAL MEETING October 27, 2021

To view a recording of the full meeting, please visit Facebook link below:
https://www.facebook.com/watch/live/?ref=watch_permalink&v=599928771211097

The following is a summary of the Public Hearing as recorded by the Town Clerk.

Call to Order **6:30 PM**
Pledge of Allegiance
Town Board Meeting:

Members of Town Board

Present	Absent	
<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 R. Matters
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Councilor B. Fritz

Schedule of Meeting:

259-2021 A Resolution to Approve Public Hearing Minutes

WHEREAS, the minutes of Town Board meetings, as provided in §106 of Article 7 of the New York Public Officers Law, shall be approved by the Board prior to them being finalized, deemed official and disseminated to the public by the Town Clerk; and

WHEREAS, the minutes of the Public Hearing held on September 29, 2021 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 Public Hearing held on September 29, 2021 are hereby approved as submitted.

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

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

260-2021 A Resolution Proposing the Dissolution of the Best-Luther Fire Protection District (FD009) and the Third Avenue-Mannix Road Fire Protection District (FD010) Pursuant to General Municipal Law Article 17-A

WHEREAS, Title 3 of Article 17-A of the General Municipal Law authorizes the Town Board of a Town upon its own resolution to dissolve a local government entity, including a fire protection district; and

WHEREAS, on July 21, 2021 the Town Board of the Town of East Greenbush determined that the establishment of a fire district was in the public interest of the residents and property owners in an area of the Town and thereby established the Best-Luther Fire District (“B-LFD”); and

WHEREAS, upon the establishment of B-LFD, the pre-existing Best-Luther Fire Protection District and Third Avenue-Mannix Road Fire Protection District were rendered no longer necessary for purposes of providing taxing jurisdictions for the levying of fire protection taxes as that obligation and function was transferred to B-LFD; and

WHEREAS, the Best-Luther Fire Protection District and Third Avenue - Mannix Road Fire Protection District no longer serve a viable purpose for the Town in the provision of fire and emergency services, they may be dissolved; 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 approves the Proposed Plan of Dissolution for the Best-Luther and Third Avenue - Mannix Road Fire Protection District and hereby dissolves the two fire protection districts.

This 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 R. Matters	VOTED: YES
Councilor B. Fritz	VOTED: YES

261-2021 A Resolution to Adopt Local Law No. 04 of 2021 Adopting Article III of Chapter 417 of the Code of the Town of East Greenbush Establishing Capital Charges and Operation and Maintenance Expenses for the Consolidated General Water District

WHEREAS, the consolidation of the Hampton Manor and the General Water Districts was approved by the Town Board on December 19, 2018 (Resolution 232-2018); and

WHEREAS, the Town wishes to update the Town Code by adding an Article III to Chapter 417 which specifies cost allocation and billing provisions for the Consolidated General Water District; and

WHEREAS, a public hearing was held on October 27, 2021 at East Greenbush Town Hall; 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 adopts Local Law No. 04 of 2021 entitled “A Local Law Adopting Article III of Chapter 417 of the Code of the Town of East Greenbush Establishing Capital Charges and Operation and Maintenance Expenses for the Consolidated Water District”, and it is further

RESOLVED, special counsel for the Town of East Greenbush is directed to file Local Law No.04 of 2021 with the New York State Department of State pursuant to Section 27 of the Municipal Home Rule Law.

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: YES
Councilor H. Kennedy	VOTED: YES
Councilor T. Tierney	VOTED: YES
Councilor R. Matters	VOTED: YES
Councilor B. Fritz	VOTED: YES

262-2021 A Resolution to Adopt Local Law No. 05 of 2021 entitled “A Local Law Adopting Article XII of Chapter 315 of the Code of the Town of East Greenbush Establishing Sewer Rates for Capital Charges and Operation and Maintenance Expenses”

WHEREAS, the Town Board wishes to consolidate the four existing sewer districts – General District, Hampton Manor District, Couse District and 3rd Avenue District – and extensions into a single Consolidated General Sewer District with a single price structure for all homes within the new district; and

WHEREAS, a public hearing was held on October 27, 2021 at East Greenbush Town Hall; 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 adopts Local Law No. 05 entitled “A Local Law Adopting Article XII of Chapter 315 of the Code of the Town of East Greenbush Establishing Sewer Rates for Capital Charges and Operation and Maintenance Expenses”,

and be it further

RESOLVED, that special counsel for the Town of East Greenbush is directed to file Local Law No.05 with the New York State Department of State pursuant to Section 27 of the Municipal Home Rule Law.

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

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

263-2021 A Resolution to Schedule a Special Meeting of the East Greenbush Town Board for November 4, 2021

WHEREAS, the East Greenbush Town Board has a previously scheduled Public Hearing on the Preliminary 2022 Budget on the evening of November 4, 2021; and

WHEREAS, the Town Board also has some time-sensitive business that must be conducted that evening; 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 schedules a Special Meeting of the East Greenbush Town Board for November 4, 2021 at 7:00 p.m. at East Greenbush Town Hall, 225 Columbia Turnpike in the Town of East Greenbush and/or by remote means to consider the joint consolidation agreement for the consolidated sewer district and any other matters that may be brought to the Board's attention

This 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 R. Matters	VOTED: YES
Councilor B. Fritz	VOTED: YES

Supervisor Conway made a motion to go into Executive Session to discuss negotiations with two unions, CSEA and Council 82 – one representing the Department of Public Works employees and the other representing the Police Department. Stated their contracts are up in December. The Board would like to invite Commissioner Fiacco, Assistant Chief Reickert, Jay Girvin, Esq., Lisa Borst, Meaghan Hart, and David Gruenberg, Esq., (town attorney.) Supervisor made this motion and seconded by Councilor Tierney.

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

Councilor R. Matters
Councilor B. Fritz

VOTED: YES
VOTED: YES

Exited Executive Session at 7:59 – Moved by Supervisor Conway; seconded by Councilor Fritz.
5-0 Votes.

ADJOURNMENT – 8:00

Motion to adjourn was duly moved by Supervisor Conway and seconded by Councilor Matters and brought to a vote resulting as follows:

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

Respectfully submitted,

Ellen Pangburn, Town Clerk

DRAFT