



# The Town of East Greenbush

225 Columbia Turnpike, Rensselaer, New York 12144

## TOWN BOARD AGENDA SPECIAL MEETING October 27, 2021

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

### Members of Town Board

Present    Absent

<input type="checkbox"/>	<input type="checkbox"/>	Supervisor J. Conway
<input type="checkbox"/>	<input type="checkbox"/>	Councilor T. Tierney
<input type="checkbox"/>	<input type="checkbox"/>	Councilor H. Kennedy
<input type="checkbox"/>	<input type="checkbox"/>	Councilor R. Matters
<input type="checkbox"/>	<input type="checkbox"/>	Councilor B. Fritz

### Schedule of Meeting:

**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.

### 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**, that 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:
Councilor B. Fritz	VOTED:
Supervisor J. Conway	VOTED:
Councilor T. Tierney	VOTED:
Councilor H. Kennedy	VOTED:

**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 Protection 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**, as 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:
Councilor T. Tierney	VOTED:
Councilor H. Kennedy	VOTED:
Councilor R. Matters	VOTED:
Councilor B. Fritz	VOTED:

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

**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 3<sup>rd</sup> 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**, 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:
Councilor R. Matters	VOTED:
Supervisor J. Conway	VOTED:
Councilor T. Tierney	VOTED:
Councilor H. Kennedy	VOTED:

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

**ADJOURNMENT**

Motion to adjourn 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 R. Matters	VOTED:
Councilor B. Fritz	VOTED: