

Pete S. Stated that he wanted to formally request an excel copy of the tentative budget.

206-2016 A Resolution to Adopt the Preliminary Budget for 2017

WHEREAS, the Supervisor submitted the 2017 Tentative Budget to the Town Clerk on September 29, 2016 and the Town Board met on October 4, 2016 so that the Town Clerk could distribute copies of the Tentative Budget to the members of the Town Board; and

WHEREAS, the Town Board has had time to review the Tentative Budget and seek additional information by meeting and asking questions of Town staff, and suggest revisions and additions to the Tentative Budget; and

WHEREAS, based on this review the Tentative Budget has been amended to produce the Preliminary Budget that is appended hereto and made a part of this agenda; and

WHEREAS, this Preliminary Budget will be subject to a public hearing on November 3, 2016 at 6:00 p.m. at East Greenbush Town Hall, 225 Columbia Turnpike, Rensselaer, NY 12144; and

WHEREAS, the Town Comptroller asserts the resolution for adopting the 2017 Preliminary Budget will have revenue offset by appropriations and use of fund balance; now, therefore, be it

RESOLVED, that the Town Board adopts the 2017 Preliminary Budget as appended hereto and directs the Town Clerk to keep copies in her office for public review and post it on the Town website.

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

Supervisor Conway stated that the following has changed from the tentative to the preliminary:

The most significant change is that the tax rate has changed from 0.9% to a 1.5% tax increase. He explained that the changes and handed the clerk a print out for the record.

The Supervisor explained the fund appropriation changes to the water sewer funds. He also explained that he added items to the General fund. The items added are \$2500.00 to the Board of Ethics for staff training, \$50,000.00 to replace the telephone system, \$5000.00 to the web site upgrade, \$15,000.00 to the contingency fund in case there was a raise for the dispatchers. He added \$10,000.00 for salary adjustments in case of changes in the New Year. He also added \$50,000.00 to the paving budget. The Town roads are a mess. Our new Commissioner of Public Works is remeasuring the road and adding roads to the road index. The roads have not been updated in years and we will receive a lot more money once it is done properly. Scott believes we will get \$70 to \$75,000.00 more in chips money once the road index is done. We also added \$10,000.00 to build a security fence around the sink hole on Celeste Drive. We are in a Court case regarding this property right now, and we are doing this now for the safety of the residents. The print out stated the changes.

Tax Rate:

Tentative Budget	Preliminary Budget	Variance
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Proposed Appropriations	\$17,961,247	\$18,088,747	\$127,500
Estimated Revenues	\$4,408,643	\$4,408,643	0
Appropriated Fund Balance	\$229,880	\$284,880	\$55,000
Taxes to Be Levied	\$9,043,857	\$9,091,811	\$47,954
Tax Increase	+0.9%	+1.5%	+0.6%

General Fund Appropriations:

Tentative Budget:	\$8,508,936
Preliminary Budget:	\$8,591,436
Variance:	+\$82,500

Change Items:

Board of Ethics Training	Add \$2,500	(Line – 1220.4 Supervisor CE)
Phone System for Town Hall	Add \$50,000	(Line – 1620.4 Buildings CE)
Website Upgrade	Add \$5,000	(Line – 1680.4 Data Processing CE)
Raise for Dispatchers	Add \$15,000	(Line – 1990.4 Contingency)
Salary Adjustments	Add \$10,000	(Line - 1990.4 Contingency)

Highway Fund Appropriations:

Tentative Budget:	\$2,502,819
Preliminary Budget:	\$2,562,819
Variance:	+\$60,000

Change Items:

Paving	Add \$50,000	(Line – 5110.4 General Repairs CE)
Security Fence	Add \$10,000	(Line – 5020.4 Engineering CE)

Councilor Tierney had questions on some of the figures and Supervisor Conway stated that he will get her the exact figures.

Councilor Grant stated that the tentative budget would have resulted in a tax increase of just under \$4.00 with a home assessed at \$100,000.00. He questioned if we have figures with the proposed preliminary budget.

Supervisor Conway stated that we do, but he explained that the general fund and the highway fund are a town wide taxes, so everybody pays that. How much more you pay depends on the water and sewer district you are in. So any attempt to say at per \$100,000 of assessed value really depends on where you live. The average number was about \$6.49 per \$100,000 of assessed value.

Councilor Matters stated that she had a sense of assurance that the revenue projection for this budget were estimated conservatively which is always a positive approach, and a credit to our comptroller. She also stated that she does not agree however, with all the Supervisor's planned expenditures.

She explained that her biggest issue is with the tax increase of 1 ½ %. She finds that this is completely unnecessary given that it is easy to overcome by invoking just a moderate amount of austerity. Councilor Matters stated that there are a few areas of the budget where she has concerns.

Councilor Matters went on to explain that the general fund spending seems to increase. Recently incurred debt service from the waste Water Treatment Plant can account for some of the overall spending increase, increased spending in the general fund is seemingly excessive in her view.

Councilor Matters continues to be concerned about the finances for the ambulance district fund. She stated that the town has continued to accrue a continuous deficit fund balance in the ambulance fund. The total fund balance as of the end of this year is a deficit of \$179,162. She does not believe the fund should be accruing deficit.

Councilor Matters stated that regarding salaries of non-unionized employees that the town needs an across the board comprehensive analysis of position classification and compensation to be commissioned. This study could lead to equitable compensation of all town positions and correct the current unclassified and misclassified positions while removing the subjectiveness upon which salaries are often based in the case of collective bargaining negotiated. She does not feel that the employees' salaries that would be adjusted would be any more or less deserving of an adjustment.

Councilor Matters explained her stance on overtime. She stated that overtime is an issue that she has raised on many occasions with this Board. She explained to the Board that this excess is extremely costly and unnecessary. Councilor Matters went on to explain her stance on overtime.

Councilor Matters also stated that she was concerned with the amount that was budgeted for the pay down of the inter-fund borrowing debt. Councilor Matters went on to explain that the money that was allocated in 2016 to pay down the debt was not used for that purpose.

Councilor Matters summarized that a strong case could be made against a tax increase in 2017. She stated that East Greenbush has one of the highest tax rates in the region and every effort should be taken to reduce the tax burden.

Supervisor Conway- commented that the inter-fund borrowing debt will be paid by the end of the year, and that we may pay more than what was budgeted. We have to figure where we are at the end of the year.

He commented on over time. He explained that we are down 3 police officers and 5 people in the Department of Public Works. Supervisor Conway stated that we have to pay overtime. In regards to the police; when our officers are in mandatory training, when there is Halloween or the 4th of July you have to have extra Police Officers out on the street. HE stated that understaffing is an issue and we are hiring 3 new Police Officers and are hiring 2 new hires in DPW. The underfunding of this Government by past administrations have left us stripped bare, and we are paying overtime because of that. Supervisor Conway went on to state that no tax increases for two years has been one of the most irresponsible public policy decisions made

by this town. To think that it could go on for a third year is hollow, unfair, and mathematically inaccurate.

Councilor Grant stated that we are still under the tax cap.

Councilor Tierney stated that she had a couple of questions for Councilor Matters. She asked if Councilor matters had vendors in mind for the Consultant commissioned for the Non unionized study and if she has a cost for it. **Councilor Matters** stated that she does not. Councilor Tierney wanted to know how far she went in her research. Councilor Matters explained that she would not do the research unless she had support for it.

Councilor Grant stated that with the employees we have on staff he feels that have the experience and knowledge to do a very effective work force study in house in which they have. He feels that they have saved the town \$30,000.00 right off the get go.

Councilor Tierney and Councilor Matters and the rest of the Board went on to discuss Councilor Matters statements. They discussed Part time Police Officers and spoke with Chief Lavin regarding this recommendation. He explained that it would be difficult to hire part time because of the training that is entailed for Police Officers. He also went on to explain that he does not want to discourage this and to look into it further.

Supervisor Conway	VOTED:	YES
Councilor DiMartino	VOTED:	YES
Councilor Grant	VOTED:	YES
Councilor Matters	VOTED:	NO
Councilor Tierney	VOTED:	YES

207-2016 A Resolution to Award the Outfall Upgrade Contract No. 1 and Reject Bids for Paving and Landscaping Contract No. 2 for the Town of East Greenbush Wastewater Treatment Plant Improvement Project

WHEREAS, on September 21, 2016, the Town Board authorized bidding of two construction contracts in furtherance of the final phase of the Wastewater Treatment Plant (WWTP) Improvement Project, including Contract No. 1 for Outfall Upgrades and Contract No. 2 for Paving and Landscaping at the WWTP site; and,

WHEREAS, the Outfall Upgrades were required by NYS Department of Environmental Conservation as a condition of approval of the WWTP Improvement project and the State Pollutant Discharge Elimination System (SPDES) permit for the WWTP, and Paving and Landscaping work that was incorporated in the original General Construction Contract was not completed; and,

WHEREAS, the Town advertised for bids for both contracts on September 22, 2016 with bids returnable to the Town Hall by 2:00 PM on October 13, 2016 at which time the bids were opened and read aloud by the Town Clerk; and

WHEREAS, three bids were received for Contract No. 1 Outfall Upgrades and one bid was received for Contract No. 2 Paving and Landscaping; and

WHEREAS, Delaware Engineering, DPC has reviewed the bids for conformity with the project specifications and bid requirements and provided a letter of recommendation to award Contract No. 1 to the low bidder Wm. J. Keller and Sons in the amount of \$1,237,000.00 and due to a lack of competition, alternative methods of accomplishing the work, and project budget, reject all bids for Contract No. 2; and,

WHEREAS, on September 22, 2016 the Town closed on long term financing for the WWTP Improvement Project through the Clean Water State Revolving Loan Fund and additional proceeds are available immediately to finance the costs of Contract No. 1 leaving additional contingency in the budget as is prudent; and,

WHEREAS, the Town Comptroller confirmed the Contract No. 1 for Outfall Upgrades has funding for this financial impact in the Sewer WWTP Capital Project Funding pending the release of proceeds from the September 22, 2016 Clean Water State Revolving Loan Fund; and

now, therefore, be it

RESOLVED, that the Town Board awards Contract No. 1 for Outfall Upgrades to Wm. J. Keller and Sons in the amount of \$1,237,000.00;

and be it further

RESOLVED, that the Town Board authorizes Delaware Engineering, DPC to issue Notice of Award to Wm. J. Keller and Sons, and upon receipt of bonds, insurance certificates and executed construction contracts, issue a Notice to Proceed,

and be it further

RESOLVED, that the Town Board rejects all bids for Contract No. 2 Paving and Landscaping.

The foregoing resolution was duly moved by Councilor Grant and seconded by Councilor Tierney and resulted in the following vote:

Councilor Grant	VOTED:	YES
Councilor Tierney	VOTED:	YES
Supervisor Conway	VOTED:	YES
Councilor DiMartino	VOTED:	YES
Councilor Matters	VOTED:	YES

208-2016 A Resolution Authorizing the Supervisor to Execute a Memorandum of Agreement Between the Town of East Greenbush and Council 82 AFSCME, AFL-CIO, Local 1571 – East Greenbush

WHEREAS, the Town and its police officers union, Council 82 AFSCME, AFL-CIO, Local 1571 – East Greenbush, wish to enter into an agreement with regard to modifying the existing residency policy for East Greenbush police officers; and

WHEREAS, as of the signing of this Memorandum of Agreement, East Greenbush police officers must live in Rensselaer County or any contiguous county, and this stipulation is a term and condition of employment with the Town of East Greenbush Police Department; and

WHEREAS, any East Greenbush Police Officer residing outside of the Town of East Greenbush will forfeit three (3) days of vacation time for each calendar year in which they are not a resident of the Town of East Greenbush, although officers in their first year of service with the Town will not forfeit three (3) days of vacation time for that year alone. If the Officer chooses to move back into the Town of East Greenbush, the above stated reduction in vacation time will cease; and

WHEREAS, the Town Comptroller asserts this resolution will have no negative impact on the Town finances due to pay and benefits being substantially equal with the possible exception of savings of vacation days forfeited;

now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush authorizes the Town Supervisor to execute a Memorandum of Agreement Between the Town of East Greenbush and Council 82 AFSCME, AFL-CIO, Local 1571 – East Greenbush to modify the existing residency policy for East Greenbush Police Officers;

and be it further

RESOLVED, that this Memorandum of Agreement takes effect immediately upon execution of the agreement.

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

Supervisor Conway stated that this is eliminating the residency requirements for the East Greenbush Police Officers. He stated that this has the Chief’s support and his support. They are trying to make lateral hires from other Police Departments rather than spending the money to send them to the academy. Without the residency requirement we have a larger pool of experienced Police Officers.

Councilor Grant stated that this was at the request of the Police Union.

Councilor Matters commented that she feels residency requirements should be addressed comprehensively and not for a particular group. She does feel it is a benefit to broaden the pool of qualified candidates. Councilor Matters went on to explain her stance for dropping residency requirements across the board.

Councilor Grant	VOTED:	YES
Supervisor Conway	VOTED:	YES
Councilor DiMartino	VOTED:	YES
Councilor Matters	VOTED:	YES
Councilor Tierney	VOTED:	YES

209-2016 A Resolution Authorizing a Purchase of FP PostBase85 Postage Meter

WHEREAS, the Town has identified the need for a new postage meter. The current postage meter, a Pitney Bowes DM-500, is over 10 years old and will be decommissioned by Pitney Bowes in early 2017, and there is no guarantee that if anything goes wrong with the DM-500 that spare parts will be found. There have been four service calls between January and July of this year; and

WHEREAS, the Town has historically entered into maintenance agreements that annually provided for the term of the contract through The Remi Group, a third party vendor, and service was not always prompt; and

WHEREAS, this contract would provide for an annual service agreement; and

WHEREAS, the firm providing the service, National Business Equipment is currently successfully maintaining two large copiers for the Town; and

WHEREAS, in demonstrations of the two competitive positively locally reviewed products the FP PostBase85 Postage Meter was not only preferred by numerous Town employees it also had the low bid on the proposal summary; and

WHEREAS, this Town has received favorable reviews from NY local governments that have purchased the FP PostBase85 Postage Meter; and

WHEREAS, the Town Comptroller has confirmed that the financial impact of this

resolution is approximately \$4,699.00 from the General Fund for this expense;

Fund	Transfer in	Transfer out
A917 – General Fund Balance	--	\$4,699.00
1620.4– Buildings C/E	\$4,699.00	

now, therefore, be it

RESOLVED, that the Town Board does hereby approve the purchase of the FP PostBase 85 postage meter.

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

Supervisor Conway	VOTED:	YES
Councilor DiMartino	VOTED:	YES
Councilor Matters	VOTED:	YES
Councilor Grant	VOTED:	YES
Councilor Tierney	VOTED:	YES

210-2016 Resolution Approving and Ratifying a Settlement Agreement by and Among the Town of East Greenbush, Civil Service Employees Association, Inc., Local 1000, AFSCME, AFL-CIO, and a Town Employee

WHEREAS, an employment issue has arisen between a town employee, the union representative, and the Town of East Greenbush; and

WHEREAS, the Town, the union, and the employee are desirous of resolving that matter through a settlement agreement, and without the need for further litigation; and

WHEREAS, such personnel matters are handled in a confidential manner, and the Board members have reviewed the Settlement Agreement; and

WHEREAS, the Town Comptroller asserts this resolution will have no negative impact on the Town finances,

now, therefore, be it

RESOLVED, that the agreement between the above parties, which has been reviewed by Town Board members dated October 21, 2016, be, and hereby is, ratified and affirmed

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

Councilor DiMartino stated that this is a well thought out strong settlement offer but she cannot vote yes on this. This specific employee has a deplorable work ethic and has been written up several times. She cannot find a resolution that supported his hire.

Supervisor Conway	VOTED:	YES
Councilor Tierney	VOTED:	YES
Councilor DiMartino	VOTED:	NO
Councilor Matters	VOTED:	YES
Councilor Grant	VOTED:	YES

ADJOURNMENT

Motion to adjourn by Supervisor Conway at 7:03 and seconded by Councilor Grant and brought to a vote as follows:

Supervisor Conway	VOTED:	YES
Councilor Grant	VOTED:	YES
Councilor DiMartino	VOTED:	YES
Councilor Matters	VOTED:	YES
Councilor Tierney	VOTED:	YES