

Resolutions and Proposals by Town Board Members:

91-2022 A Resolution to Approve Town Board 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 March 16, 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 March 16, 2022 are hereby approved as submitted.

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

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

92-2022 A Resolution to Approve Special Meeting Minutes

WHEREAS, the minutes of the Town Board Special meeting, 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 Special Meetings held on March 9, March 14, March 21, and March 30, 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 Special Meetings held on March 9, March 14, March 21 and March 30, 2022 are hereby approved as submitted.

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

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

93-2022 A Resolution Proclaiming the Week of May 15 - May 21, 2022 Police Week in East Greenbush

WHEREAS, in 1962, in recognition of the role that American police officers perform in maintaining domestic tranquility, President John F. Kennedy proclaimed the week of May 15th to be observed as National Police Week; and

WHEREAS, in immediate support of this proclamation, in a joint resolution of Congress, National Police Week was designated to pay special recognition to those law enforcement officers who have lost their lives in the line of duty for the safety and protection of others; and

WHEREAS, in 1974 New York State Police Trooper Emerson J. Dillon, Jr. was slain in the line of duty in the Village of Canastota which would prompt the State Legislature to designate Police Week in New York and would lead to the establishment of the Police Memorial now located at the Empire State Plaza, engraved with the names of fallen officers; and

WHEREAS, this Town Board appreciates how employees and residents alike have recognized Police Week locally by contacting Town police officers and offering thanks and encouragement to them; and

WHEREAS, according to National Police Week.Com, the dates for this year's Police Week are May 15 - May 21, 2022; and

WHEREAS, this Board joins with the residents of East Greenbush in support of the police officers who serve our communities and encourage them to work safely as they pursue their duties;

now, therefore, be it;

RESOLVED, that the week of May 15-21, 2022 be and hereby is proclaimed Police Week in East Greenbush.

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

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

94-2022 A Resolution Proclaiming April, 2022 Child Abuse Prevention Month in East Greenbush

WHEREAS, every child has the right to safe, secure, and supportive environments, free from abuse and neglect; and

WHEREAS, child abuse is considered to be one of our nation's most serious public health problems, with studies documenting the link between the abuse and neglect of children and a wide range of medical, emotional, psychological, and behavioral disorders; and

WHEREAS, child abuse prevention creates a more compassionate society, one which places a high value on the welfare of children; and

WHEREAS, creating communities where families can access an array of support and resources to address the social, emotional and physical health of their children is the best way to combat child abuse; and

WHEREAS, keeping children safe from abuse means playing an active role in their lives, having check-ins, and teaching them the warning signs of abuse and how to protect themselves; and

WHEREAS, effective child abuse prevention programs succeed because of partnerships between families, social services agencies, schools, faith communities, civic organizations, law enforcement agencies, and the business community; and

WHEREAS, displaying a pinwheel during the month of April will serve as a positive reminder that together, we can prevent child abuse and neglect, and by doing so, keep children safe;

now, therefore, be it;

RESOLVED, that April 2022 be and the same hereby is proclaimed Child Abuse Prevention Month in East Greenbush.

The foregoing resolution was 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	VOTED: ABSENT
Councilor E. Nestler	VOTED: YES

95-2022 A Resolution in Support of Raising Awareness of Sarcoidosis and Declaring April Sarcoidosis Awareness Month in the Town of East Greenbush

WHEREAS, Sarcoidosis is a disease which can affect multiple organs in the body; and

WHEREAS, Sarcoidosis is an autoimmune disease associated with an abnormal immune response, but the trigger for the abnormal response is unknown; and

WHEREAS, Sarcoidosis most commonly targets the lungs and lymph nodes, but the disease can affect other organs too, such as the skin, eyes, liver, salivary glands, sinuses, kidneys, heart, muscles, bones, the brain and nervous system; and

WHEREAS, the symptoms of Sarcoidosis depends on the organ affected, but generally speaking symptoms will include fever, weight loss, night sweats and an overall feeling of malaise as well as persistent cough, enlarged lymph nodes, shortness of breath, headaches, visual problems, joint pain, eye pain and sinusitis; and

WHEREAS, while there is no cure for Sarcoidosis, there are treatment options; and

WHEREAS, to further the public's awareness of Sarcoidosis and its effects on those diagnosed with this autoimmune disease, the Town of East Greenbush wishes to encourage Sarcoidosis awareness among residents of the Town of East Greenbush;

now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush wishes to support the raising of awareness of the symptoms and treatment of Sarcoidosis so that more money can be raised to support research and treatment options;

and be it further

RESOLVED, that the Town Board declares April to be Sarcoidosis Awareness month in the Town of East Greenbush.

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

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

96-2022 A Resolution Celebrating the 25th Anniversary of Lapinski Dental in the Town of East Greenbush

WHEREAS, Lapinski Dental opened at 114 Troy Road in East Greenbush on April 1, 1997, with two employees; and

WHEREAS, the business was founded by Dr. Joseph Lapinski, DDS, a graduate of the University at Albany, and the University at Maryland, Baltimore College of Dental Surgery, is a member of the American Dental Association, the New York State Dental Society, and the Past President of the Troy Dental Study Club; and

WHEREAS, in the years that followed the founding of Lapinski Dental, the practice and customer base has expanded and the business doubled the size of their building; and

WHEREAS, Lapinski Dental has continuously provided exceptional and uninterrupted service to their patients during the COVID-19 pandemic and has thrived during challenges brought on by increasing regulations and a continually changing health care environment; and

WHEREAS, today, the business has two dentists, a dozen employees, and serves thousands of patients each year from throughout the region, and makes generous contributions to numerous local organizations; and

WHEREAS, Lapinski Dental could not have set the standard for exemplary care without their world class employees and their shared dedication to excellence; now therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush recognizes the positive impact Lapinski Dental has had on the Town of East Greenbush for the past 25 years, as congratulates them on their 25th anniversary.

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

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

97-2022 A Resolution Authorizing the Purchase of Ammunition for Rifle and Handgun, and 12 Gauge Less Lethal Munitions for 2023

WHEREAS, the Town Board intends to provide members of the Town Police Department and EGPD SSRT members with sufficient ammunition for their respective bi-annual and bi-weekly training in order to maintain their certifications as well as for their daily use; and

WHEREAS, the current supply of ammunition nationwide is depleted and the firearms instructors have been advised by the distributors that there may not be sufficient ammunition necessary for the police department members to qualify for the 2023 upcoming spring and fall

range, nor for the SSRT members to continue to train throughout 2023 if the department supply isn't secured in a timely fashion; and

WHEREAS, the police firearms instructors and the Chief of Police have recommended to replenish the Federal 9mm duty and practice ammunition, Winchester .223 caliber duty and practice ammunition, and 12 gauge less lethal munitions; and

WHEREAS, a quote based on current NYS Contract pricing from Jurek Brothers for Winchester ammunition was submitted totaling \$5,749.23; and

WHEREAS, a quote based on current NYS Contract pricing from Eagle Point Guns/TJ Morris and Son for Federal ammunition was submitted totaling \$3,617.44; and

WHEREAS, a quote based on Albany County contract #2020-121 was submitted by Atlantic Tactical in the amount of \$681.00; and

WHEREAS, the total cost amounts to \$10,047.67; and

WHEREAS, Town Comptroller confirms that this resolution will not have a material impact on the Town's finances and will be charged to SSRT account code 31204.01.04.07 SSRT Police CE;

now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush authorizes the expenditure of \$10,047.67 to replenish the Police Department's supply of practice and duty ammunition for rifle and handgun, and 12 gauge less lethal munitions.

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

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

98-2022 A Resolution Authorizing the Use of Forfeiture Funds for Payment Of the Gracie Survival Tactics Training

WHEREAS, the East Greenbush Police Department has recognized the need for a department member to attend the Gracie Survival Tactics Course, a Live Instructor Certification Program; and

WHEREAS, this live Instructor Certification Program is essential in order to ensure that department members are afforded the most up to date use of force training available; and

WHEREAS, the Town Comptroller confirms that the financial impact of this resolution is \$ 1,200.00 from police forfeiture 2626.01;

now, therefore, be it

RESOLVED, that the Town Board authorizes the Police Chief to use these funds to register a department member for the Gracie Survival Tactics Course.

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

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

Councilor B. Fritz
Councilor E. Nestler

VOTED: ABSENT
VOTED: YES

99-2022 A Resolution to Approve the Appointment of Part-Time Police Dispatcher Peter Foust

WHEREAS, the Town currently retains the services of Part-time Police Dispatchers in the Emergency Communications Center; and

WHEREAS, these individuals currently meet the presumptive, non-competitive qualifications for this title as established by the Rensselaer County Civil Service Commission and whose names are listed and attached hereto; and

WHEREAS, the Town Comptroller confirms that this resolution was planned for in the current Budget and will have no material impact on the Town Finances; now, therefore, be it

RESOLVED, that on the recommendation of the Chief of Police, Peter Foust is hereby appointed to the position of Part-time Police Dispatcher, consistent with all terms and conditions as previously set forth by the Town Board, for a term to expire at the Town's next organizational meeting, or otherwise at the pleasure of the Town Board; and be it further

RESOLVED, that said part-time dispatchers be compensated as set forth in the appropriate Collective Bargaining Agreement.

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

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

100-2022 A Resolution to Approve American Recovery Plan Act (ARPA) Funding for the Purchase of One Police Patrol Vehicle

WHEREAS, Resolution 148-201 authorized the Chief of Police to purchase one (1) new 2021 Ford Police Interceptor Utility Vehicle from Beyer Ford LLC at a price set under Westchester County Contract #RFB-WC-19023; and

WHEREAS, the financial impact statement prepared by the Town Comptroller for Resolution 148-2021 acknowledged that the funding for the car in the amount of \$48,118.75 was "to be determined"; and

WHEREAS, the 2021 Ford Police Interceptor Utility Vehicle was ordered pursuant to Resolution 148-2021 and has now arrived so the funding source for the vehicle must be identified before the purchase requisition can be completed and the invoice for the car paid; and

WHEREAS, this purchase is an eligible expense under the American Recovery Plan Act (ARPA) as determined by the Town Supervisor (Chief Financial Officer) and Town Comptroller; 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 of the Town of East Greenbush approves the use of American Recovery Plan Act (ARPA) funds to pay for the 2021 Ford Police Interceptor Utility Vehicle from Beyer Ford LLC with a price set under Westchester County Contract #RFB-WC-19023.

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 B. Fritz	VOTED: ABSENT
Councilor E. Nestler	VOTED: YES

101-2022 A Resolution Authorizing Payment to Kenyon Pipeline Inspection, LLC for Urgent Sewer Repairs to Pinehurst Ave

WHEREAS, the Commissioner of Public Works authorized Precision Trenchless LLC to perform Cured in Place Slip Lining on various sewer mains in the Town of East Greenbush in 2021; and

WHEREAS, 455 feet of Pinehurst Ave was identified as Cast Iron Pipe that had blistered from an 8 inch inside diameter to a restricted 5.5 inch inside diameter; and

WHEREAS, the Commissioner of Public Works contacted H.V. Labarba (one of the Town's Designated Engineers) for options to perform urgent repairs to the sewer main on Pinehurst Ave; and

WHEREAS, H. V. Labarba recommended Kenyon Pipeline Inspection, LLC to perform a chain grinding specialized cleaning of the blistered pipe; and

WHEREAS; the Commissioner of public works contacted Kenyon Pipeline Inspection, LLC to get a cost estimate for the scope of work; and

WHEREAS, Kenyon Pipeline Inspection, LLC performed the work and restored the sewer main back to the original inside diameter at an hourly rate of \$400 per hour; and

WHEREAS, the cost to replace the 455 feet of sewer main along with paving repairs was estimated at \$180,000.00; and

WHEREAS, the final cost to perform the work is \$ 12,600.00, charged to account 81204.07 Sanitary Sewer CE and will be funded from the S917 Sewer Fund; and

WHEREAS, the Town Comptroller believes at this time that this resolution will have a negative material impact on the Town's finances;

now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush authorizes the payment of \$12,600.00 to Kenyon Pipeline Inspection, LLC for the Urgent Sewer Repair on Pinehurst Ave.

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: ABSENT
 VOTED: YES

102-2022 A Resolution to Authorize Paving and Surface Treatment of Town Highways

WHEREAS, in accordance with Town policy and General Municipal Law, all public works expenses in excess of \$10,000 require Town Board approval; and

WHEREAS, the Rensselaer County bid for Conventional Asphalt Paving was awarded on March 9, 2021 and extended until December 31st, 2022, and the results of the bid were made available to all municipalities and school districts in the State of New York, and

WHEREAS, the New York State Office of General Services Bid for Comprehensive Liquid Bituminous Materials, was awarded on April 1, 2022 until March 30th, 2024 and the results of the bid were made available to all municipalities and school districts in the State of New York; and

WHEREAS, the Commissioner of Public Works has reviewed the needs of the Town and determined that as many of the following pavement preservation projects as possible will be completed this season subject to available funding, and

ROAD NAME	PROCESS	ESTIMATED COST	ROAD NAME	PROCESS	ESTIMATED COST
Bruen Court	Mill & Fill	\$29,700	Highland Drive	Mill & Fill	\$74,000
Chestnut Court	Mill & Fill	\$19,200	Old Troy Road	Overlay	\$48,100
Connecticut Avenue (Water Project)	Mill & Fill	\$25,100	Onderdonk Avenue	Overlay	\$7,000
Crestview Drive	T&L, Chipseal	\$30,600	Oriel Lane	Overlay	\$49,800
Elmwood Avenue	Overlay	\$15,700	Ridge Road	T&L, Chipseal	\$173,600
Englewood Avenue (Water Project)	Overlay	\$13,600	Vermont Avenue	Mill & Fill	\$24,300
Fairview Terrace	Overlay	\$7,700	View Street	Mill & Fill	\$10,700

WHEREAS, 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 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 \$178,500.

Account Code 51104.02.04 General Repairs Paving for \$311,900.

Account Code 83204.03.04.60 General Consolidated Water for \$38,700.

now, therefore, be it

RESOLVED, that the Commissioner of Public Works is hereby authorized to approve paving and surface treatment expenses not to exceed \$529,100 for resurfacing of the aforementioned Town roads and;

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

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

103-2022 A Resolution to Appoint Mary Farnan-Dugan to the Board of Assessment Review

WHEREAS, State Law requires that each unit of local government must have a Board of Assessment Review, which shall consist of not less than three or more than five members; and

WHEREAS, the Board of Assessment Review is essential to the public process of determining the outcome of resident appeals on the assessed value of their homes; and

WHEREAS, the Board of Assessment Review is appointed by the Town Board to serve as an independent decision-making body so that residents may receive a fair hearing on appeals to have their assessments adjusted; and

WHEREAS, Mary Farnan-Dugan is a Town resident who has kept current on issues and events in the Town, and is known to the Town Board as a person of the highest integrity and character; 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 appoints Mary Farnan-Dugan to the Board of Assessment Review for a term to run through September 30, 2025.

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	VOTED: ABSENT
Councilor E. Nestler	VOTED: NO

104-2022 A Resolution Setting the Terms of Office for Members of the Conservation Advisory Council (CAC)

WHEREAS, the Town Board created the East Greenbush Conservation Advisory Council (the “Council”) by adopting Local Law 2 of 2020 on May 26, 2020; and

WHEREAS, Local Law 2 of 2020 provides that the Town Board appoint no fewer than five (5) and no more than seven (7) members to the Council to serve for terms of two (2) years with the first three (3) initial appointments being staggered and consisting of terms of one (1) year each; and

WHEREAS, the original five members of the Conservation Advisory Council were appointed for one-year terms so the Council could begin to function with the intention of creating staggered terms once the Council is up and running; and

WHEREAS, the Chair of the CAC, Jennifer Dean, has canvassed the members and proposed a staggered plan for delineating terms of office; and

WHEREAS, the Town Board agrees with her proposal; 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 following terms are established for the members of the Conservation Advisory Council:

Jennifer Dean:	term ends on March 31, 2024
Fred Henson:	term ends on March 31, 2024
Adam Tobey:	term ends on March 31, 2024
Jennifer Hixon:	term ends on March 31, 2023
Victoria Manieri	term ends on March 31, 2023

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 B. Fritz	VOTED: ABSENT
Councilor E. Nestler	VOTED: YES

105-2022 A Resolution to Accept the Resignation of Michael Martin From the Position of Recreation Supervisor

WHEREAS, Michael Martin was appointed to the position of Recreation Supervisor with Resolution 43-2020 on February 3, 2020; and

WHEREAS, Michael Martin discharged the duties of his office for more than two years but has now resigned to seek other employment opportunities; and

WHEREAS, Mr. Martin submitted his resignation in writing to the Town on April 4, 2022 with an effective date of April 15, 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 of the Town of East Greenbush hereby accepts the resignation of Michael Martin from the position of Recreation Supervisor, effective April 15, 2022;

and be it further

RESOLVED, that the Town Board thanks Mr. Martin for the work he did for the Town and wishes him well in all of his future endeavors.

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

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

106-2022 A Resolution to Accept the Resignation of Tracy Church from the Position of Code Enforcement Officer PT

WHEREAS, Tracy Church was appointed to the position of Code Enforcement Officer – Part-Time on May 19, 2021 via Resolution 167-2021; and

WHEREAS, Tracy Church, citing personal and family reasons, submitted his resignation from the position on March 25, 2022; and

WHEREAS, Mr. Church’s letter of resignation was effective immediately; 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 accepts the resignation of Tracy Church from the position of Code Enforcement Officer – Part Time, effective as of March 25, 2022.

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

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

107-2022 A Resolution to Adjust the Hourly Compensation of the Clerk- PT in the Community and Recreation Department

WHEREAS, Donna Millet was hired as the Clerk – Part-Time in the Community and Recreation Department on April 21, 2021 via Resolution 109-2021 at the hourly rate of \$17.00/hour; and

WHEREAS, Ms. Millet has done an excellent job in this role, and has recently taken on more responsibility with the reorganization of the Department; and

WHEREAS, Donna Millet has also assisted other departments on an as-needed basis and is highly regarded by those she has assisted; 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 adjusts the hourly compensation rate for Donna Millet, the Clerk – PT in the Community and Recreation Department, to \$20.00/hour;
and be it further

RESOLVED, that this new rate will be in effect as of April 18, 2022.

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

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

108-2022 A Resolution to Accept the Resignation of Paige Moore from the Position of Police Dispatcher – PT

WHEREAS, Paige Moore served as a Full Time Police Dispatcher for the Town of East Greenbush until she decided to take another job, at which time she requested appointment to the position of Police Dispatcher – Part-Time; and

WHEREAS, the Police Department and the Town Board agreed that since Ms. Moore had done a good job we would accede to her wish to be appointed on a part-time basis; and

WHEREAS, now, due to family issues and the demands of her new job, Paige Moore has submitted a letter of resignation from the Part-Time position of Police Dispatcher; and

WHEREAS, her last day of work was March 25, 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 of the Town of East Greenbush hereby accepts the resignation of Paige Moore from the position of Police Dispatcher – Part Time, effective as of March 25, 2022.

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

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

109-2022 A Resolution to Authorize the Town Supervisor to Make an Award to Carver Companies, Inc. for Construction of the Tempel Lane Extension Roadway Project

WHEREAS, on March 16, 2022 (Resolution 76-2022) the Town Board authorized the Commissioner of Public Works to solicit bids for construction of Tempel Lane Extension and certain other traffic mitigation projects (the “Tempel Lane Extension Roadway Project”); and

WHEREAS, in accordance with this authorization, on March 25, 2022, the Town advertised Invitation to Bid (ITB) 22-04, with bids for the Tempel Lane Extension Roadway Project due at 11:00 P.M. on April 15, 2022, and the Town received five (5) responsive bids; and

WHEREAS, Greenman-Pedersen, Inc. (GPI), selected pursuant to RFP 19-10 and Town Board Resolution 49-2020, is providing the Town engineering and other services, including bid support, for the Tempel Lane Extension Roadway Project, has reviewed the five responsive bids, and recommends that an award be made to Carver Companies, Inc., as the lowest responsive and responsible bidder; and

WHEREAS, the Commissioner of Public Works and other members of the Town’s Project Management Team for the Tempel Lane Extension Roadway Project have also reviewed the five responsive bids and concur with GPI’s recommendation that an award be made to Carver Companies, Inc.; and

WHEREAS, the price of Carver Companies, Inc.’s bid for construction of the Tempel Lane Extension Roadway Project is \$6,394,114.00; and

WHEREAS, in accordance with the Development Agreement between the Town and Regeneron Pharmaceuticals, Inc. (“Regeneron”), funding to construct the Tempel Lane Extension Roadway Project will be provided by Regeneron, with costs also eligible for reimbursement by NYS Empire State Development (ESD) under the Incentive Proposal contract entered into between the Town and ESD, which reimbursement will not exceed \$2,000,000.00 for the program of improvements identified in the aforementioned incentive proposal, including the Tempel Lane Extension Roadway Project; and

WHEREAS, the Town has acquired the lands needed to construct the Tempel Lane Extension Roadway Project from the Capital City Cemetery Corporation, and is in the process of acquiring lands from Regeneron Pharmaceuticals, Inc., which, pursuant to the Development Agreement between the Town and Regeneron Pharmaceuticals, Inc., has agreed to transfer to the Town the needed lands; and

WHEREAS, on December 15, 2021 (Resolution 317-2021) the Town Board adopted a negative declaration for the Tempel Lane Extension Roadway Project, finding that the proposed Tempel Lane Extension Project is consistent with the above-referenced Amended SEQRA Statement of Findings, and that no Supplemental Environmental Impact Statement is necessary because the Project remains within the impact thresholds and mitigation established in the November 2018 Amended SEQRA Statement of Findings for the Regeneron Tempel Lane Campus project; and

WHEREAS, the Town Comptroller confirms that whatever the cost of this resolution, it is not funded unless the new contribution are received from Regeneron prior to contract award; now, therefore, be it

RESOLVED, that the Town Board hereby authorizes the Town Supervisor to make an award of the contract for construction of the Tempel Lane Extension Roadway Project, sought by the Commissioner of Public Works in accordance with ITB 22-04, to Carver Companies, Inc. as the lowest responsible and responsive bidder, for a price not to exceed \$6,394,114.00; and

and be it further

RESOLVED, that the Town Board hereby authorizes the Town Supervisor to execute all necessary documents in connection with the award to Carver Companies, Inc., upon approval as to form, except that such execution must not be provided until 1) the Town has acquired all lands needed in order to construct the Tempel Lane Extension Roadway Project and 2) Regeneron provides funding to the Town in an amount sufficient to fund the contract with Carver Companies, Inc.

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

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

110-2022 A Resolution to Schedule a Public Hearing for the Adoption of the Town's 2022 Annual Report for Phase II SPDES General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4), GP-0-15-003

WHEREAS, the Town of East Greenbush is subject to Municipal Separate Storm Sewer System (MS4) Phase II requirements of SPDES General Permit GP-0-15-003 stormwater management requirements of the National Pollutant Discharge Elimination System (NPDES), for the development and adoption of an Annual Report; and

WHEREAS, a Public Hearing is required for further review and consideration of this annual report and in accordance with the MS4 General Permit requirements; and

WHEREAS, a copy of the Annual Report will be on file for review at the Town Clerk's Office and on the East Greenbush Stormwater web site; 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, County of Rensselaer, State of New York, hold a Public Hearing at the Town Hall, 225 Columbia Turnpike, East Greenbush, New York on the 11th day of May at 5:45 PM to consider adoption of the Town's 2022 Annual Report for Phase II SPDES General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4), GP-0-15-003.

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: ABSENT

111-2022 A Resolution to Authorize the Town Supervisor to Sign an Agreement for Maintenance of Post-Construction Stormwater Management Facilities (SWMFs) Installed in Connection with 580 Columbia Turnpike LLC. “Town Center” Planned Development District (PDD) Phase 1 (PZD File #17-19a)

WHEREAS, the Town of East Greenbush is subject to Municipal Separate Storm Sewer System (MS4) Phase II requirements of State Pollutant Discharge Elimination System (SPDES) General Permit GP-0-15-003 stormwater management requirements of the National Pollutant Discharge Elimination System (NPDES); and

WHEREAS, 580 Columbia Turnpike LLC is undertaking the development of Town Center PDD Phase 1 which consists of three buildings, with a total of 78 residential units and approximately 19,000 square footage of commercial space and associated sewer, water and stormwater utilities and parking and accessways located on Columbia Turnpike, identified on the Town’s Tax Roll as Tax Parcel No’s. 166.-7-5, 166.-7-3.5, and 166.-7-6.51 (the “Project”);

WHEREAS, the Project is subject to the requirements of NYSDEC General Permit for Stormwater Discharges from Construction Activity (Permit Number GP-0-15-002) and the Town’s Comprehensive Zoning Law (CZL), including Section 3.13 Erosion, Sediment Control and Stormwater Management, and installed Post-Construction Stormwater Management Facilities (SWMFs) which are to be privately owned and operated; and

WHEREAS, 580 Columbia Turnpike LLC is the owner or operator of the Project and SWMFs (SPDES Permit Number NYR11J316) and has submitted to the Town a partially executed Stormwater Management Facilities Maintenance and Easement Agreement (the “Agreement”), which is attached hereto; and

WHEREAS, the attached Agreement is substantially consistent with the Town’s Template Agreement, as approved by Town Board resolution 221-2019; and

WHEREAS, the MS4 Coordinator and Town Attorney have reviewed the attached Agreement and approve of the Agreement as consistent with the project specifics and applicable requirements; and

WHEREAS, the Town Comptroller confirms that this resolution will likely have a material impact on the Town’s finances;

now, therefore, be it

RESOLVED, that the Town Board hereby authorizes the Town Supervisor to execute the attached Agreement; and

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

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

112-2022 A Resolution to Authorize the Town Supervisor to Sign an Agreement for Maintenance of Post-Construction Stormwater Management Facilities (SWMFs) Installed in Connection with Regeneron Pharmaceuticals, Inc.’s Building 85 Expansion Project (PZD File #12-11p)

WHEREAS, the Town of East Greenbush is subject to Municipal Separate Storm Sewer System (MS4) Phase II requirements of State Pollutant Discharge Elimination System (SPDES) General Permit GP-0-15-003 stormwater management requirements of the National Pollutant Discharge Elimination System (NPDES); and

WHEREAS, Regeneron Pharmaceuticals, Inc. (Regeneron) undertook the expansion of Building 85 at Regeneron’s Discovery Drive Campus (SBL 155.00-1-4.21) (the “Project”), which is subject to the requirements of NYSDEC General Permit for Stormwater Discharges from Construction Activity (Permit Number GP-0-15-002) and the Town’s Comprehensive Zoning Law (CZL), including Section 3.13 Erosion, Sediment Control and Stormwater Management, and installed Post-Construction Stormwater Management Facilities (SWMFs) which are to be privately owned and operated; and

WHEREAS, Regeneron is the owner or operator of the Project and SWMFs (SPDES Permit Number NYR11E558) and has submitted to the Town a partially executed Stormwater Management Facilities Maintenance and Easement Agreement (the “Agreement”), which is attached hereto; and

WHEREAS, the attached Agreement is substantially consistent with the Town’s Template Agreement, as approved by Town Board resolution 221-2019; and

WHEREAS, the MS4 Coordinator, Special Counsel, and Town Attorney have reviewed the attached Agreement and have sent comments to Regeneron concerning certain of the proposed changes to the Town’s Template Agreement;

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 authorizes the Town Supervisor to execute an agreement for maintenance of Post-Construction Stormwater Management Facilities (SWMFs) installed in connection with Regeneron Pharmaceuticals, Inc.’s Building 85 Expansion Project upon approval as to form by the Town Attorney.

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

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

113-2022 A Resolution Authorizing Cured-In-Place Pipe Lining to Selected Storm Sewer Sections

WHEREAS, this resolution was not able to be submitted in time to be considered at the regularly scheduled pre-board meeting of April 13, 2022 and was subsequently presented to the Town Board on April 19, 2022

WHEREAS, in accordance with Town policy and General Municipal Law, all public works expenses in excess of \$10,000 require Town Board approval; and

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

WHEREAS, the Commissioner of Public Works in conjunction with the Deputy Commissioner has identified specific sections of the storm sewer system that are prone to clogging due to age, or infiltration of roots or other matter; and

WHEREAS, the Commissioner of Public Works has determined that the most cost effective way to recondition these specific sections is to install cured-in-place pipe lining which will prevent further clogging and will ensure a much longer life in the affected areas; and

WHEREAS, the Town Comptroller confirms that the financial impact of this resolution is \$100,000.00 from the approved 2022 budget line 81404.07 Storm Sewer CE; now, therefore, be it

RESOLVED, that the Town Board authorizes the Commissioner of Public Works to contract with Precision Trenchless LLC to install cured -in -place pipe lining in various areas of storm sewers for a price not to exceed \$100,000.00.

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

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

114-2022 A Resolution to Appoint John Battle to the Board of Assessment Review

WHEREAS, this resolution was not able to be submitted in time to be considered at the regularly scheduled pre-board meeting of April 13, 2022 and was subsequently presented to the Town Board on April 19, 2022

WHEREAS, State Law requires that each unit of local government must have a Board of Assessment Review, which shall consist of not less than three or more than five members; and

WHEREAS, the Board of Assessment Review is essential to the public process of determining the outcome of resident appeals on the assessed value of their homes; and

WHEREAS, the Board of Assessment Review is appointed by the Town Board to serve as an independent decision-making body so that residents may receive a fair hearing on appeals to have their assessments adjusted; and

WHEREAS, John Battle is a Town resident who has worked for the State agency, Homes and Community Renewal (formerly the Division of Housing and Community Renewal) for thirty three years and is known to the Town Board as a person of the highest integrity and character; 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 appoints John Battle to the Board of Assessment Review for a term to run through September 30, 2025.

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	VOTED: ABSENT
Councilor E. Nestler	VOTED: YES

115-2022 A Resolution Authorizing the Settlement of a Lawsuit Brought by National Power Corporation d/b/a National Grid Against 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 April 13, 2022 and was subsequently presented to the Town Board on April 19, 2022

WHEREAS, Niagara Mohawk Power Corporation D/B/A National Grid has filed and served a lawsuit against the Town of East Greenbush, arising out of damage to the plaintiff's service lines and facilities in the vicinity of 41 Oriel Lane in the town, resulting in damages of \$4,166.17; and

WHEREAS, upon consultation with the Commissioner of Public Works, it appears that the Town may have some exposure in this matter; and

WHEREAS, the Town Board desires to resolve this matter in a prompt and reasonable manner, without expending substantial attorneys' fees; and

WHEREAS, the parties through their attorneys, have negotiated a proposed settlement in the amount of \$2,800.00; and

WHEREAS, the Town Comptroller confirms that this cost can be charged to the account for Judgement and Claims CE 19304.01.04; now, therefore, be it

RESOLVED, that the Supervisor of the Town of East Greenbush is authorized to enter into a settlement agreement with the plaintiff in this action in the amount of \$2,800.00, and to execute any documents necessary to effect that settlement.

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

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

116-2022 A Resolution to Authorize the Town Clerk to Attend the 2022 Annual New York Association of Local Government Records Officers School (NYALGRO)

WHEREAS, this resolution was not able to be submitted in time to be considered at the regularly scheduled pre-board meeting of April 13, 2022 and was subsequently presented to the Town Board on April 19, 2022

WHEREAS, the Town Comptroller confirms that the provisions of this resolution were planned for in the 2022 Town Budget in account;
now, therefore, be it

RESOLVED, that the following person be authorized by the Town of East Greenbush to attend the 2022 Annual New York Association of Local Government Records Officers School (NYALGRO) June 13, 2022 and June 14, 2022 in Albany, NY:

Ellen Pangburn

and be it further

RESOLVED, the Town will pay conference attendance expense for this employee from June 13, 2022 and June 14, 2022. Attendee shall advance the cost for transportation and maintain an expense report accompanied by appropriate receipts to be submitted to the Comptroller following the meeting for reimbursement.

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

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

Motion to reschedule Public Hearing on Local Law prohibiting smoking, vaping and the use of smokeless tobacco in all Town facilities and on all Town properties, to May 11, 2022 at 6:00 PM at Town Hall.

Motion 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: ABSENT
Councilor E. Nestler	VOTED: YES

ADJOURNMENT

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

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

Councilor T. Tierney
Councilor B. Fritz
Councilor E. Nestler

VOTED: YES
VOTED: ABSENT
VOTED: YES

Respectfully submitted,

Ellen Pangburn
East Greenbush Town Clerk

DRAFT