

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

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

64-2023 A Resolution Proclaiming the Week of May 14 - May 20, 2023 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 14 - May 20, 2023; 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 14-20, 2023 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:
Councilor T. Tierney	VOTED:
Supervisor J. Conway	VOTED:
Councilor B. Fritz	VOTED:
Councilor E. Nestler	VOTED:

65-2023 A Resolution Proclaiming April, 2023 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 2023 be and the same hereby is proclaimed Child Abuse Prevention Month in the Town of 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:
Supervisor J. Conway	VOTED:
Councilor H. Kennedy	VOTED:
Councilor B. Fritz	VOTED:
Councilor E. Nestler	VOTED:

66-2023 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 depend 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.

The 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 B. Fritz	VOTED:
Councilor E. Nestler	VOTED:

67-2023 A Resolution to Purchase 26 Replacement Glock Handguns Equipped with Optics and 26 Safariland Holsters for the East Greenbush Police Department

WHEREAS, the East Greenbush Police Department has demonstrated a need to replace their current duty handguns for new handguns equipped with modern optics; and

WHEREAS, the police department has received bids to replace said handguns from three vendors and the lowest bid was \$21,120.32 from AmChar Wholesale Inc.; and

WHEREAS, the bid also includes a credit of \$315.00 for each current, duty handgun traded back to AmChar Wholesale Inc., estimated to be a total value of \$8,190.00; and

WHEREAS, the police department will need to replace their current holsters to accommodate the new handguns and optics; and

WHEREAS, Wicked Smart Apparel has submitted a quote for said holsters for the amount of \$4,810.00; and

WHEREAS, the Town Comptroller confirms that this resolution will have a material negative impact on the Town Finances to be determined charged to 31204.01.04 Police CE; now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush approves the purchase of 26 new handguns equipped with modern optics for the police department from AmChar Wholesale Inc. and 26 holsters from Wicked Smart Apparel.

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

68-2023 A Resolution Allowing the Town of East Greenbush to Levy Additional Taxes on the Tax Bill for 7 New Jersey Avenue

WHEREAS, the Purchasing Department solicited bids for the demolition of 7 New Jersey Avenue as it was identified as an unsafe structure and an Order of Condemnation was issued to the property owner on June 17th, 2021; and

WHEREAS, David Frueh Contracting demolished the structure on February 27, 2023; and

WHEREAS, the total costs associated with this demolition, and;

David Frueh Contracting LLC	\$27,500.00 [per bid ITB #22-09]
Allmark Tree Service	\$3,000.00 [part of ITB #22-09]
Alpine Environmental Services	\$1,430.00 [Air Quality Monitoring/ Asbestos]

TOTAL COST OF DEMOLITION: \$31,930.00

WHEREAS, Section 11-10 of the Town Code authorizes the Town Board, to levy onto the 2024 Property Taxes the total amount of \$31,930.00 to the Owner:

Parcel code 155.13-8-9.12

Junann Lasher
June Glass
7 New Jersey Avenue, Rensselaer, NY 12144

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 2024 Town and County bill;

now, therefore, be it

RESOVLED, that the Town Board does hereby authorize the levy onto the 2024 property taxes.

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

69-2023 A Resolution to Schedule a Public Hearing for the Adoption of the Town’s 2022-2023 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 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, will hold a Public Hearing at the Town Hall, 225 Columbia Turnpike, East Greenbush, New York on May 10, 2023 at 6:00 p.m. to consider adoption of the Town’s 2022-2023 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 Kennedy and seconded by Councilor Nestler and brought to a vote resulting as follows:

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

70-2023 A Resolution to Accept the Proposed Sketch Plan and Schedule a Public Hearing in connection with Mabey’s Realty Proposed Storage Warehouse and Retail Buildings Major Site Plan (PZD# 19-02a)

WHEREAS, Hart Engineering on behalf of Mabey’s Realty, Inc., located at 486 3rd Avenue Extension, Rensselaer, NY, 12144, has submitted site plan review and special use permit applications for ‘phase two’ of a project located at 486 3rd Avenue Extension, Tax Parcel No. 144.-3-6.2; and

WHEREAS, on September 21, 2022 (resolution 219-2022) the Town Board declared its intent to seek lead agency status in connection with coordinated SEQR review of the Project; and

WHEREAS, the Town Comptroller has confirmed 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, will hold a Public Hearing at the Town Hall, 225 Columbia Turnpike, East Greenbush, New York on May 19, 2023 at 6:20 p.m. to accept public comment on the proposed major site plan.

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

71-2023 A Resolution to Authorize the Town Supervisor to Sign a Contract Amendment with M.J. Engineering and Land Surveying, P.C. in Connection with the Initiative to Update the Town’s Comprehensive Plan, Zoning Law and Subdivision Regulations, and Western Generic Environmental Impact Statement (GEIS)

WHEREAS, on May 23, 2018 (Resolution 117-2018), the Town Board authorized entering into a contract with M.J. Engineering and Land Surveying, P.C. (“MJ Engineering”) to provide services in connection with an initiative to update the Town’s Comprehensive Plan, Zoning Law and Subdivision Regulations, and Western Generic Environmental Impact Statement (GEIS), and the Town and MJ Engineering subsequently entered into an agreement on July 9, 2018; and

WHEREAS, the Town, with support from MJ Engineering, has completed task 1 to update the comprehensive plan, with the 2021 Town of East Greenbush Comprehensive Plan adopted by the Town Board on May 19, 2021 (resolution 136-2021) (“2021 Comprehensive Plan Project”), which completed MJ Engineering’s services with respect to that aspect of the above-mentioned initiative; and

WHEREAS, the Town, with support from MJ Engineering, is approaching the completion of task 2 to update the zoning and subdivision regulations and official zoning map with the Zoning & Subdivision Regulations Update Committee (“Zoning Update Committee”) substantially complete with their participation in the update and with drafted zoning regulations and draft zoning map posted to the project website (www.egzoningupdate.com/documents); and

WHEREAS, in order to complete task 3, update to the GEIS, the Town’s project management team requires additional services from M.J. Engineering, which were not anticipated to be needed at the time the Town engaged MJ Engineering and which were not included in the 2021 Comprehensive Plan Project budget; and

WHEREAS, the need for the above-mentioned additional services and budget increase arose principally from the need to expand the scope of the GEIS update to include additional gathering of Town data and modelling of the existing water and sewer conveyance system; and

WHEREAS, the Town Board has moved to commence work on the next phase of the above-described initiative by initiating SEQRA Coordinated Review for the zoning text and map amendments (resolution 20 -2023) and by issuing a positive declaration under SEQRA and holding a public scoping session March 30th, 2023 (resolution 62-2023) for the draft scoping document, with support from M.J. Engineering; and

WHEREAS, M.J. Engineering has submitted a proposed contract amendment that includes a revised scope, schedule, and budget in order to provide services to complete the above-described initiative, and this proposed contract amendment accounts for the additional services needed to complete the GEIS update; and

WHEREAS, the GEIS Committee voted to approve the use of \$44,000.00 in GEIS Administration funds and \$140,900 in Geis Water and Sewer funds for this important GEIS update; and

WHEREAS, the Town Comptroller confirms that this resolution for MJ Contract -Phase 3, Task 3 will be charged to Account 80304.01.004.01 – GEIS Administration (\$44,000.00) and Account 80304.01.004.24 – GEIS Water/Sewer (\$140,900.00); and
now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush does hereby authorize the Town Supervisor to sign a contract amendment with M.J. Engineering for services

to be rendered in connection with the Town’s initiative to update the Town’s Comprehensive Plan, Zoning, and Western Generic Environmental Impact Statement (GEIS), which contract amendment must not exceed \$184,900.00 upon its approval 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:
Councilor T. Tierney	VOTED:
Councilor H. Kennedy	VOTED:
Councilor E. Nestler	VOTED:
Councilor B. Fritz	VOTED:

72-2023 A Resolution to Accept the Resignation of Corneil Smith from the Position of Planner

WHEREAS, the Town Board passed resolution 42-2023 on February 15, 2023, appointing Corneil Smith to the position of Planner in the Department of Planning and Zoning; and

WHEREAS, on April 7th, 2023, Corneil Smith submitted his letter of resignation to take effect on April 21, 2023; 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 formally accepts the resignation of Corneil Smith from the position of Planner, effective April 21st, 2023;

and be it further

RESOLVED, that the Town Board thanks Corneil Smith for his service and wishes him well in his future endeavors.

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

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

73-2023 A Resolution to Authorize the Supervisor to Sign a New Contract with the Civil Service Employees Association, Inc., Local 1000, American Federation of State, County and Municipal Employees. AFL-CIO, Town of East Greenbush Unit #8257 of the Rensselaer County Local #842

WHEREAS, the Civil Service Employees Association, Inc., Local 1000, American Federation of State, County and Municipal Employees. AFL-CIO, Town of East Greenbush Unit #8257 of the Rensselaer County Local #842 has been without a contract since the current contract expired on December 31, 2021; and

WHEREAS, the Town of East Greenbush, County of Rensselaer, State of New York is in receipt of a proposed CSEA contract for the years 2022, 2023, and 2024; and

WHEREAS, the Town Comptroller confirms that this resolution has a material impact on the Town’s finances to be determined;

now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush does hereby enter into the Contract as agreed with the Civil Service Employees Association, Inc., Local 1000, American Federation of State, County and Municipal Employees. AFL-CIO, Town of East Greenbush Unit #8257 of the Rensselaer County Local #842 with all the terms and conditions agreed by the parties for the period of January 1, 2022 through December 31, 2024;

and be it further,

RESOLVED, that the Town Board does hereby authorize the Supervisor to enter into and sign the aforesaid Contract by and on behalf of the Town Board.

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

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

74-2023 A Resolution Approving the Purchase of Additional Modules for the Enhanced Business Systems Accounting Software

WHEREAS, the Finance Department of the Town of East Greenbush seeks to purchase additional modules for use with our current accounting software and;

WHEREAS, the additional modules will provide Electronic Purchase Order tracking and an Accounts Receivable System for all departments; and will establish a Town wide Fixed Asset System to manage all Town Inventory; and

WHEREAS, the fee of \$4,000 will cover the cost of the 3 modules and training for each module and will be allocated from account 1315.4 Comptroller CE; and

WHEREAS, the Town Comptroller confirms this is funded by the following transfer:

Fund	Transfer In	Transfer out
A917- General Fund Balance		\$4,000
1315.4	\$4,000	

now, therefore, be it

RESOLVED, that the purchase of Enhanced Business Systems Accounting Software be approved for an amount not to exceed \$4,000.00.

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

75-2023 A Resolution Authorizing Replacement of the Headworks Spiral Assembly at the Waste Water Treatment Plant

WHEREAS, the spiral assembly is a critical piece of equipment on the bar screens located in the Headworks building at the Waste Water Treatment Plant; and

WHEREAS, this piece of equipment is responsible for discharging rags, wipes and other large objects on to the conveyor belt at the Waste Water Treatment Plant; and

WHEREAS, the Spiral Assembly is a sole source item and a quote was provided from SHRIER-MARTIN Process Equipment for the amount of \$15,611.20; and

WHEREAS, there are currently two headworks bar screens located at the Waste Water Treatment Plant and it would be beneficial to purchase two of the spiral assembly units to have one as a spare; and

WHEREAS, the cost for the two units would be \$31,222.40; and

WHEREAS, that the Town of East Greenbush Purchasing Policy requires that purchases of \$10,000 or more require approval by the Town Board; and

WHEREAS, the Town Comptroller confirms that the financial impact of this resolution is \$31,222.40 charged to 81304.07.04 Sewer Treatment CE using SS915 Sewer Fund Balance;

Fund	Transfer In	Transfer Out
SS915 Sewer Fund Balance		\$31,222.40
81304.07.04 Sewer Treatment CE	\$31,222.40	

now, therefore, be it

RESOLVED, that the Town Board authorizes the Commissioner of Public Works to purchase two Spiral Assembly Units from SHRIER – MARTIN Process Equipment in the amount of \$31,222.40.

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

76-2023 A Resolution Accepting the Resignation of Jakob L. Nestler

WHEREAS, Jakob L. Nestler has been an employee of the Town of East Greenbush Public Works Department since August 12th, 2022; and

WHEREAS, Mr. Nestler has submitted a letter of resignation to the Town Board effective March 31st, 2023; and

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

now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush accepts the resignation of Jakob L. Nestler effective March 31st, 2023.

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

77-2023 A Resolution Authorizing the Purchase of a New Sewer Jet Truck

WHEREAS, the Commissioner of Public Works has identified the need for a new Sweeper Truck for the Department of Public Works due to the current Sewer Jet Truck being a 1997 Ford F800 Jet Truck; and

WHEREAS, the Commissioner is working with the Sewer Department to build the Sewer Jet Truck specifications and has reviewed available purchase options through the cooperative Sourcewell as approved by the Town Board in Resolution 31-2023; and

WHEREAS, the Commissioner and Sewer Department met with a representative from CYNCON Equipment Inc. who was is an authorized sales agent through Sourcewell; and

WHEREAS, the Commissioner has received a quote for a 800-HPR-ECO Series IV Truck Mounted High Pressure Sewer Cleaner from Sourcewell Contract #101221-SCA for the amount of \$254,680.30; and

WHEREAS, the Town Comptroller confirms that the financial impact of this resolution is \$254,680.30 charged to 81204.07.04 Sewer Treatment CE using SS915 Sewer Fund Balance;

Fund	Transfer In	Transfer Out
SS915 Sewer Fund Balance		\$254,680.30
81204.07.04 Sewer Treatment CE	\$254,680.30	

now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush does hereby authorize the Commissioner of Public Works to purchase the 800-HPR-ECO Series IV Truck Mounted High Pressure Sewer Cleaner from Sourcewell Contract #101221-SCA for the amount of \$254,680.30.

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 B. Fritz	VOTED:
Councilor E. Nestler	VOTED:

78-2023 A Resolution Authorizing the Purchase of a New Sweeper Truck

WHEREAS, the Commissioner of Public Works has identified the need for a new Sweeper Truck for the Department of Public Works due to the current sweeper being a 1996 Elgin Sweeper; and

WHEREAS, the Town Board authorized the Commissioner to solicit quotes or utilize cooperative purchasing agreements, such as Sourcewell to procure a new sweeper; and

WHEREAS, the Commissioner met with a representative from CYNCON Equipment Inc. who was is an authorized sales agent through Sourcewell for Johnston Sweepers on the Boucher Municipal Contract; and

WHEREAS, the Commissioner has received a quote for a Bucher/Johnston Sweepers V65T Vacuum Street Sweeper from Sourcewell Contract #093021-BUC for the amount of \$285,972.00; and

WHEREAS, the V65T Vacuum Street Sweeper is mounted on a 2023 Freightliner M2 and has been reviewed by the Commissioner and the General Foreman of Highway; and

WHEREAS, the Town Comptroller confirms this will have a material impact of \$285,972.00 on the finances of the Town;

Fund	Transfer In	Transfer Out
A917 – General Fund (50%)		\$142,986.00
DA915 – Highway Fund Balance		\$71,493.00
SW915 – General Water Fund (25%)		\$71,493.00
51104.02 – General Repairs CE	\$285,972.00	

now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush does hereby authorize the Commissioner of Public Works to purchase the Bucher/Johnston Sweeper V65T Vacuum Street Sweeper from Sourcewell Contract #093021-BUC for the amount of \$285,972.00.

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

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

79-2023 A Resolution Authorizing the Purchase of a John Deere 624 P-Tier Wheel Loader for the Department of Public Works

WHEREAS, the Department of Public Works currently has a 2017 John Deere 624 K-11 Wheel Loader that was purchased in 2017 by resolution 92-2017; and

WHEREAS, the authorized purchase price for the John Deere 624 K-11 Loader in 2017 was \$165,533.76; and

WHEREAS, this piece of equipment is essential to the day-to-day operations of the Department of Public Works and is used by each department from Parks and Transfer Station, Highway, Water and Sewer; and

WHEREAS, United Ag & Turf of Clifton Park is the sole source provider for John Deere equipment and has provided the Town of East Greenbush with a quote for a new John Deere 624 P-Tier Wheel Loader off of the Sourcewell Cooperative Contract #PC69403 for the amount of \$239,000.00; and

WHEREAS, the Sourcewell Cooperative Contract provides a cost savings of 39% through NYS Contract PC69403; and

WHEREAS, United Ag & Turf has provided the Town with a trade in value of \$125,000.00 for the current 2017 John Deere 624 P-Tier Loader and the Commissioner of Public works believes that this is a fair amount based on auction sale prices of \$70,000.00 to \$150,000.00; and

WHEREAS, the Town of East Greenbush Purchasing Policy requires that purchases of \$10,000 or more require approval by the Town Board; and

WHEREAS, the total price is \$114,000.00 with the trade in of the existing 2017 John Deere Loader; and

WHEREAS, the Town Comptroller confirms that the financial impact of this resolution is \$114,000.00 funded equally by the General Fund, Highway Fund, General Sewer Fund and the General Water Fund;

Fund	Transfer In	Transfer Out
A917 General Fund Balance		\$28,500.00
DA915 – Highway Fund Balance		\$28,500.00
SS915 – General Sewer Fund Balance		\$28,500.00
SW915 – General Water Fund Balance		\$28,500.00
51104.02 – General Repairs CE	\$114,000.00	

now, therefore, be it

RESOLVED, that the Town Board authorizes the Commissioner of Public Works to purchase a John Deere 624 P-Tier Wheel Loader from United Ag & Turf of Clifton Park, New York for the total amount of \$239,000.00 with a trade in of the 2017 John Deere 624 K-11 Wheel Loader of \$125,000.00.

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

80-2023 A Resolution Approving Advanced Engineering & Surveying, PLLC to perform a Hydraulic Modeling and Topographic Survey for the Hudson Ave

WHEREAS, the Commissioner of Public Works has identified the need to review the drainage system that runs behind Town Hall down Hudson Avenue to address a number of drainage and erosion issues that have developed; and

WHEREAS, the Commissioner met with Town Designated Engineer, FCM Engineering, PLLC to discuss the project and completed a site visit where it was recommended that the Town complete a hydraulic modeling study in order to calculate the required size of culvert pipe; and

WHEREAS, it was also recommended that the Town complete a survey of all the utilities and existing drainage system prior to the installation of the closed drainage system; and

WHEREAS, the completion of the hydraulic modeling and survey will determine what size culvert pipe is required along with mapping the installation of the pipe along Hudson Avenue; and

WHEREAS, Town Designated Engineer, FCM Engineering, PLLC has recommended Advanced Engineering & Surveying, PLLC who specializes in this type of engineering service for this project; and

WHEREAS, the cost of the engineering services, the hydraulic study and surveying, by Advanced Engineering & Surveying, PLLC is \$8,750.00;

WHEREAS, the Town Comptroller confirms that the financial impact of this resolution is \$8,750.00 and would be paid from the Sewer Fund balance and transferred to budget line 81404.07 Storm Sewer; and

Fund	Transfer In	Transfer Out
SW915 – Sewer Fund		\$8,750.00
81404.07 Comptroller CE	\$8,750.00	

now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush authorizes Advanced Engineering & Surveying, PLLC to perform a Hydraulic Modeling Study and Topographic Surveying for the Hudson Ave West Drainage project.

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:
- Councilor H. Kennedy VOTED:
- Supervisor J. Conway VOTED:
- Councilor T. Tierney VOTED:
- Councilor B. Fritz VOTED:

81-2023 A Resolution Authorizing Paving for the East Greenbush Cemetery

WHEREAS, the East Greenbush Cemetery is in dire need of paving resurfacing for a large portion of its road; and

WHEREAS, the East Greenbush Cemetery has limited financial means to do repairs, maintenance and relies on the Town of East Greenbush to subsidize funding for certain maintenance projects; and

WHEREAS, the Town of East Greenbush has helped fund the increases in mowing cost annually; and

WHEREAS, it is in the best interest of the Town of East Greenbush to help with said maintenance cost associated with the Cemetery; and

WHEREAS, the Commissioner of Public Works would utilize the Rensselaer County Highway Department to pave the existing roadway, and

WHEREAS, the estimated tonnage for the project would be 450 ton of type 6 & 7 hot mix asphalt with an estimated cost \$30,000.00; and

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

Fund	Transfer In	Transfer Out
A917-Fund Balance		\$30,000
88104.01-Cemetery CE	\$30,000	

now, therefore, be it

RESOLVED, that the Town Board does hereby approve the Commissioner of Public Works to pave the road of the East Greenbush Cemetery for a cost not to exceed \$30,000.00.

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

82-2023 A Resolution to Settle a Tax Certiorari Case with 2429 Old Coach Property, LLC

WHEREAS, 2429 Old Coach Property, LLC and the Town of East Greenbush are desirous of having certain assessment issues resolved as to property owned by 2429 Old Coach Property, LLC in the Town of East Greenbush, and

WHEREAS, a settlement proposal resolving tax certiorari litigation was recommended by the Vincelette Law Firm, special counsel to the Town of East Greenbush, and reviewed by the East Greenbush Town Board at its regular monthly meeting, and

WHEREAS, such a proposed settlement would present the parties with an expeditious and economic alternative to further litigation so as to resolve issues between the parties, and

WHEREAS, the Town Board has determined that the proposed settlement is in the best interests of the Town; now

WHEREAS, the Town Comptroller confirms that this resolution will not have a material impact on this year’s budget but will have an impact included in the 2024 Town Budget; now, therefore, be it

RESOLVED, that the Town Board does hereby accept a proposed settlement for the 2022 tax certiorari proceeding filed by 2429 Old Coach Property, LLC in which the 2022 assessed value of the subject property will be set as follows:

<u>Year</u>	<u>Parcel No.</u>	<u>Assessed Value</u>	<u>Revised Assessed Value</u>
2022	155.-10-8.11	\$2,089,200	\$787,500

In 2023 the assessed value would be set at \$970,000 and Real Property Tax Law §727 shall apply, and the assessment shall remain unchanged for the 2024, 2025 and 2026 assessment rolls. and it is further

RESOLVED, that the Town Board does hereby adopt this resolution to end the litigation between 2429 Old Coach Property, LLC and the Town of East Greenbush as to the above referenced assessment.

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

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

83-2023 A Resolution to Approve 2022 Service Credit for Volunteers of the W. F. Bruen Emergency Squad, Inc.

WHEREAS, the Town of East Greenbush in the County of Rensselaer, State of New York (hereinafter, the “Town”), is the sponsor of a service award program (hereinafter, “Program”) for the volunteer ambulance workers of W. F. Bruen Emergency Squad, Inc. (hereinafter, “Bruen”), the Town’s contracted provider of emergency medical service for the East Greenbush Ambulance District, pursuant to New York General Municipal Law (hereinafter, “GML”) article 11-AAA; and

WHEREAS, in accordance with GML §219-M, Subdivision 9, the President, Secretary, and Chief of Bruen have duly certified to the East Greenbush Town Board (hereinafter, the “Board”) a list containing those volunteer ambulance workers designated as Program participants who qualify for service credit for fiscal year 2022 (hereinafter, the “List”); and

WHEREAS, the Board, having received and reviewed the List (a copy of which is attached hereto and made a part hereof), has not received any information contrary thereto; and

WHEREAS, no volunteer worker has requested deletion as a participant from said list; and

WHEREAS, Town Comptroller has certified this Town Board’s action has been planned for in the 2023 budget and will have no adverse impact on the Town Finances; now, therefore, be it

RESOLVED, that the Board, pursuant to GML §219-M, Subdivisions 10 and 11, hereby: (1) approves the List and (2) authorizes the Town Clerk to: (a) execute all necessary documentation on behalf of the Board relative to such approved List; (b) return the approved List and any other relevant documentation to Bruen for further processing; and c) return a copy of the approved List to Bruen with instructions that the List be posted at Bruen’s principle headquarters for not less than 30 days.

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

84-2023 A Resolution Authorizing the Supervisor to Execute an Inter-Municipal Agreement with the City of Rensselaer for Repairs and Upgrades to the Cross Street Pump Station

WHEREAS, the Town Board tabled the original resolution 207-2022 in September 2022 and tabled a second resolution 34-2023; and

WHEREAS, pursuant to New York State General Municipal Law Article 5-G the Town of East Greenbush is authorized to participate in and approve Municipal Cooperation Agreements with nearby municipalities for joint, cooperative, Multi-Jurisdictional Projects, and has approved such projects in the past in the best interests of the residents of the Town of East Greenbush; and

WHEREAS, the Town of East Greenbush has carefully reviewed the attached Inter-Municipal Agreement with the City of Rensselaer for repair and upgrades to the jointly owned

Cross Street Pump Station servicing the Joint Water District of the Municipalities, and believes approval of same is in the best interests of the residents of the Town of East Greenbush; and

WHEREAS, the Town Comptroller confirms that this resolution will have a material financial impact that is yet to be determined;

now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush hereby approves and ratifies the attached Inter-Municipal Agreement with the City of Rensselaer, and authorizes the Town Supervisor to execute such agreement on behalf of the Town of East Greenbush.

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

ADJOURNMENT

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

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