



# The Town of East Greenbush

225 Columbia Turnpike, Rensselaer, New York 12144

## TOWN BOARD AGENDA PRE-BOARD MEETING August 11, 2021

Call to Order  
Pledge of Allegiance  
Town Board Meeting: 6:00 PM

### Members of Town Board

Present

Absent

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

The resolutions below are provided to the Town Board in advance of the Official Town Board Meeting to allow time for review and research. The purpose of the Pre-Board Meeting is for the Town Board to publicly discuss resolutions and ask any questions, so they may receive information needed to make an informed decision at the Town Board Meeting.

### Presentation:

### Schedule of Meeting:

#### 198-2021 A Resolution to Approve Meeting Minutes

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

**WHEREAS**, that the minutes of the regular Town Board Meeting held on July 21, 2021 have been presented; and

**WHEREAS**, the Town Board has reviewed these minutes and any necessary corrections have been made;

now, therefore, be it

**RESOLVED**, that the minutes of the regular Town Board Meeting held on July 21, 2021 are hereby approved as submitted.

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

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

**199-2021 A Resolution Scheduling a Special Meeting for the Town Clerk to Present the 2022 Tentative Budget to the Town Board**

**WHEREAS**, the Town Clerk of the Town of East Greenbush wishes to schedule a Special Meeting to present the 2022 Tentative Budget to the Town Board as is required by §62 of the New York State Town Law (see Opinion of the State Comptroller No. 82-145); 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 shall conduct a Special Meeting on Tuesday, October 4, 2021 at 5:00 p.m., at the East Greenbush Town Hall, 225 Columbia Turnpike in the Town of East Greenbush, County of Rensselaer, State of New York for the Town Clerk to present the 2021 Tentative Budget to the Town Board;

and be it further

**RESOLVED**, that the Town Clerk of the Town of East Greenbush is hereby authorized and directed to give notice of such Special Meeting as required by law.

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 R. Matters	VOTED:
Councilor B. Fritz	VOTED:

**200-2021 A Resolution to Adjust the Classification and Salary of the Position of Clerk Assigned to the Assessor's Office Currently Held by Ellen Schwab**

**WHEREAS**, Ellen Schwab is currently in the non-union position of Clerk and is assigned to the Assessor's Office on a full-time basis with an annual salary of \$35,525.00; and

**WHEREAS**, it has recently come to the Town's attention that the "Agreement By and Between the Town of East Greenbush and CSEA, Local 1000 AFSCME, AFL-CIO" includes the

following provision in Article II, Section 2 “Recognition and Bargaining Unit”: “The bargaining unit shall include full time employees of the Department of Public Works, the clerical staff of the Water and Sewer Department, the Assessor’s Office and Building Inspector’s Office and shall exclude the Commissioner of Public Works, Deputy Commissioner of Public Works, the Building Inspector, elected officials, appointed officials, temporary, seasonal and part-time employees”; and

**WHEREAS**, the Town believes that Ellen Schwab should be afforded the Union protections intended for her position and that reclassifying her position as a Union job is consistent with the terms of the CSEA contract; and

**WHEREAS**, the CSEA contract sets the base pay rate for a clerk at \$37,191.64; 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 full time position of Clerk assigned to the Assessor’s Office is hereby reclassified as a Union position covered by the CSEA contract;

and be it further

**RESOLVED**, that Ellen Schwab is hereby appointed to said Union position at an annual salary of \$37,191.64;

and be it further

**RESOLVED**, that this appointment shall take effect on August 16, 2021.

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

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

### **201-2021 A Resolution to Increase the Fee for Pistol Permit Applications**

**WHEREAS**, the Town Board is required to establish rates that are to be charged by the East Greenbush Police Department for the Town of East Greenbush; and

**WHEREAS**, the fees have been reviewed and updated by the East Greenbush Police Department; and

**WHEREAS**, the new fee schedule increasing the Pistol Permit application fee from \$30.00 to \$40.00 was submitted to the Town Board for their review and approval; and

**WHEREAS**, the current fee of \$30.00 was established in January 1, 2013 and has not been increased since; and

**WHEREAS**, going forward the fees will be reviewed annually and submitted to the Town Board with recommendations for changes; 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 increased fee schedule for the East Greenbush Police Department is hereby approved and will go into effect immediately.

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

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

**202-2021 A Resolution to Authorize a Public Auction of Surplus Equipment**

**WHEREAS**, the Town Board has received a request from the Chief of Police to declare the following Town property to be surplus equipment;

One (1) model year 1983 Wells Cargo Utility Trailer VIN # 1WC200F23D1029572  
(Town ID #391)

**WHEREAS**, said equipment is not suited for any other Town department; 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 said property be and hereby is declared to be surplus;  
and be it further

**RESOLVED** that the Chief of Police be authorized to conduct a public auction or sale or otherwise to lawfully dispose of said surplus equipment now owned by and in the custody of the East Greenbush Police Department.

The foregoing resolution was duly moved by Councilor Fritz and seconded by Councilor Tierney and voted as follows:

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

**203-2021 A Resolution Authorizing the Finance Office to Solicit Bids for Replacing the Air Conditioner Unit for the Emergency Communications Center**

**WHEREAS**, the Air Conditioning unit that currently cools the Emergency Communications Center is beginning to fail; and

**WHEREAS**, this unit is critical to maintaining a cool environment for the computers and systems that run 24 hours a day, 7 days a week within the Emergency Communications unit; and

**WHEREAS**, BPI Mechanical, the Town contracted HVAC and Plumbing contractors have been out to service the unit on July 7<sup>th</sup> and August 3<sup>rd</sup> and needed to replace refrigerant in the unit and advised that this may be a temporary fix and it would be best to start looking to replace the unit; and

**WHEREAS**, the Town Comptroller confirms that soliciting bids is a non-material impact on Town Finances;

now, therefore, be it

**RESOLVED**, that the Finance Office is hereby authorized to solicit bids for an Air Conditioning Unit for the Emergency Communications Center.

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

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

**204-2021 A Resolution to Settle a Tax Certiorari Case with North Greenbush Associates, LCC**

**WHEREAS**, North Greenbush Associates, LLC and the Town of East Greenbush are desirous of having certain assessment issues resolved as to properties owned by North Greenbush Associates, 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; and

**WHEREAS**, the Town Comptroller that this resolution will have a material negative impact on Town finances;

now, therefore, be it

**RESOLVED**, that the Town Board does hereby accept a proposed settlement for the 2020 tax certiorari proceeding filed by North Greenbush Associates, LLC in which the

assessment of \$1,523,900 on Parcel 144.2-5-3 shall not be reduced and the assessed value of 144.-4-13.2 shall be reduced as follows:

<b>Year</b>	<b>Parcel No.</b>	<b>Prior Assessed Value</b>	<b>Revised Assessed Value</b>	<b>Reduction</b>
2020	144.-4-13.2	\$467,500	\$250,000	\$217,500

Real Property Tax Law §727 shall apply, and the assessment shall remain unchanged for the 2021, 2022 and 2023 assessment rolls;

and be it further

**RESOLVED**, that North Greenbush Associates, LLC shall be entitled to a refund of excess taxes, waiving statutory interest, paid based upon the above revision;

and be it further

**RESOLVED**, that the Town Board does hereby adopt this resolution to end the litigation between North Greenbush Associates, LLC and the Town of East Greenbush as to the above referenced assessment.

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

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

### **205-2021 A Resolution Authorizing the Purchase of Repair Couplings for the Water Department**

**WHEREAS**, on July 20<sup>th</sup>, 2021, the Commissioner of Public Works was advised that our supply of Hymax clamps for repairs on our larger, high pressure, water mains is getting low; and

**WHEREAS**, these clamps are a special order item and it is estimated that it will take two to three weeks for them to be shipped to us; and

**WHEREAS**, in accordance with our Procurement Policy, multiple quotes for these items were obtained and the low quote for the 36” and 24” clamps was from Core and Main at \$11,666.87, and the low quote for the 16” clamp was from Albany Winwater at \$854.80; and

**WHEREAS**, the Town Comptroller confirms that the financial impact of this resolution is \$12,521.67 from the Consolidated General Water Fund charge code 8340.4.05 Transmission Distribution CE;

now, therefore, be it

**RESOLVED**, that the Town Board authorizes the Commissioner of Public Works to purchase the required clamps from the respective suppliers in an amount not to exceed \$12,521.67.

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

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

**206-2021 A Resolution Declaring a Department of Public Works Vehicle as Surplus and Authorize Auctioning of Same**

**WHEREAS**, the Town Board of the Town of East Greenbush has received a request from the Commissioner of Public Works to declare one 2003 Ford F-250 Utility Body Pickup, VIN 1FDNF20L03EA64505 as surplus; and

**WHEREAS**, the above listed equipment is surplus to the DPW's needs and is not economically repairable; and

**WHEREAS**, the Town Comptroller confirms that this resolution has material financial impact;

now therefore, be it

**RESOLVED** that above listed equipment is hereby declared as surplus; and be it further

**RESOLVED** that the Commissioner of Public Works be authorized to conduct a public auction, sale or lawfully dispose of said surplus vehicle now owned by and in the custody of the East Greenbush Public Works Department.

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 R. Matters	VOTED:

**207-2021 A Resolution to Authorize Paving of Lois Lane**

**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**, Lois Lane, a Town Highway in the August Gate development is in need of paving; and

**WHEREAS**, the Commissioner of Public Works desires to add this street to the 2021 paving program so that the entire August Gate development is paved, and that DPW will not have to return to the neighborhood in the near future to pave Lois Lane, and that this project can be paid for by cost savings on other highway paving projects; and

**WHEREAS**, the Commissioner of Public Works estimates that the cost of the work will not exceed \$17,260.00; and

**WHEREAS**, the Town Comptroller believes at this time that this resolution can be funded by 2021 budget line 51104.02;  
now, therefore, be it

**RESOLVED**, that the Commissioner of Public Works is hereby authorized to approve expenses not to exceed \$17,260.00 for the paving of Lois Lane.

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 R. Matters	VOTED:
Councilor B. Fritz	VOTED:

**208-2021 Disbursement of Shortfall Funding for Maintenance-Related Expenses to Greenbush Cemetery Association, Inc.**

**WHEREAS**, the Greenbush Cemetery Association, Inc. (referred to hereinafter as “GCA”), a public cemetery corporation duly created, existing, and currently operating pursuant to article fifteen of the New York Not-for-Profit Corporation Law, currently has proprietary, operational, and maintenance-related charge over real property known as Greenbush Cemetery, located at 264 Columbia Turnpike in the town of East Greenbush, county of Rensselaer, and state of New York (referred to hereinafter as the “Premises”); and

**WHEREAS**, not unlike other public cemetery corporations, GCA derives its operating income from the sale of gravesites, collection of interment fees, and receipt of investment interest/dividends associated with the operation of the Premises; and

**WHEREAS**, notwithstanding the board of trustees of GCA having faithfully and responsibly discharged their fiduciary duties, financial and otherwise, in accordance with GCA’s bylaws, rules, and regulations, GCA’s income has, of late, been insufficient to cover its recurring, maintenance-related expenses (to wit: mowing and headstone trimming) with its contractor, due largely to the relatively low investment yields precipitated by a sluggish economy over approximately the last fifteen years, along with a reduction in the demand for the sale of gravesites; and

**WHEREAS**, pursuant to New York General Municipal Law section 165-a, which provides for a municipal corporation to disburse funding and/or to provide goods and/or services to a public cemetery corporation, GCA has requested, via its letter dated June 10, 2021 to Supervisor John J. Conway (a copy of which is attached hereto and made a part hereof), that the Town of East Greenbush (referred to hereinafter as “Town”) supplement the shortfall of its 2021 budget with a disbursement thereto in the amount of \$10,000.00 to cover its maintenance -related expenses; and

**WHEREAS**, pursuant to New York Town Law section 291, subd. 1, the responsibility



and expenses for the maintenance of the Greenbush Cemetery would pass to the Town if GCA were to be unable to continue with the maintenance thereof; and

**WHEREAS**, the Town Comptroller confirms that the requested amount of disbursement will have a material impact upon Town finances inasmuch as it was unplanned, in account 88104.01 Cemetery CE, but that the Town’s contingency fund currently contains a positive balance that is sufficient to cover such disbursement;

now, therefore, be it

**RESOLVED**, that the Supervisor be, and the same hereby is, authorized to enter into a contract with GCA for a period of three years, to provide for an annual disbursement in an amount not to exceed \$10,000.00, subject to: (a) an annual audit conducted by the Town Comptroller of GCA’s financial records, as reasonably requested by the Town Comptroller, that is deemed by the Supervisor to satisfactorily substantiate each year’s disbursement prior thereto, and (b) any other provisions that the attorney to the town may deem to be in the best interests of the Town.

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

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

**209-2021 A Resolution to Set a Public Hearing on the Town Center Planned Development District Phase 1 Major Site Plan (PZD #17-19a)**

**WHEREAS**, on January 2, 2020 (Resolution 2-2020), the Town Board, after adopting a negative declaration pursuant to the State Environmental Quality Review Act (SEQRA) for this type 1 project, adopted Local Law No. 1 of 2020 establishing the Town Center PDD (the “PDD”); and

**WHEREAS**, 580 Columbia Turnpike LLC., has submitted an application for major site plan approval for the development of Town Center PDD Phase 1, which consists a total of 78 residential units and approximately 19,000 square footage of commercial space in three (3) structures, 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”); and

**WHEREAS**, on September 23, 2020 the Town Planning Board approved a minor amendment to the PDD in accordance with Section 2.9.12 of the Town’s Comprehensive Zoning Law, which amendment allows first floor commercial space of approximately 9,500 square feet and up to 24 residential units in the upper floors, with the 24 residential units to be reallocated to the Future Development Pad area from other phases of the PDD, and, therefore, resulting in no change to the previously approved 275 total number of residential units; and

**WHEREAS**, on October, 14, 2020 the Town Planning Board accepted the proposed sketch plan prepared by Hart Engineering, dated August 15, 2020, with conditions, for a major site plan to be known as Town Center PDD Phase 1; and

**WHEREAS**, on August 11, 2021, the Town of East Greenbush Planning Board recommended to the Town Board that the Town Board 1) find that the Project is consistent with the Town Board’s previously-issued negative declaration and 2) approve the major site plan with conditions; and

**WHEREAS**, the Town Comptroller confirms this resolution will not have a material impact on the Town’s finances;

now, therefore, be it

**RESOLVED**, that the Town Board directs that a public hearing be noticed by the Town Clerk as required by law on the proposed Town Center PDD Phase 1 major site plan with the public hearing to be held at Town Hall at 225 Columbia Turnpike on September 8, 2021 at 6:00 p.m. or by remote means.

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 R. Matters	VOTED:
Councilor B. Fritz	VOTED:

#### **210-2021 A Resolution to Adopt the Lakeshore Drive Complete Streets Traffic Study**

**WHEREAS**, the Town desires to begin a multi-phase effort to transform Lakeshore Drive permanently into a one-way street and implement complete streets enhancements in accordance with the Town’s complete streets policy (the “Project”), the first phase of which is preparing a traffic engineering study to evaluate the proposed Project (the “Study”); and

**WHEREAS**, the Town Board held a public hearing on June 9, 2021 at 6:30 p.m. to hear a presentation from Stantec on the first draft of the Study and to provide the public an initial opportunity for comment on the Project, and the Town Board held a second public hearing dedicated to receiving public input on the Project on July 14, 2021 at 6:00 p.m.; and

**WHEREAS**, the Study involved a Stakeholder Meeting, held on April 27, 2021 and led by the Town’s Designated Engineer for the Study, Stantec Consulting Services, Inc. (“Stantec”), at which stakeholders from East Greenbush Central School District, Clinton Heights Fire Department as well as Town staff, including from the Department of Public Works and East Greenbush Police Department, were engaged to provide input on the Project; and

**WHEREAS**, the Town has received the final draft of the Study, dated July 9, 2021, prepared by Stantec; and

**WHEREAS**, the Town Board has reviewed the final draft of the Study, which, after an engineering analysis of three (3) one-way alternatives (i.e., No-Build, one-way in the clockwise

direction, and one-way in the counter-clockwise direction), recommends transforming Lakeshore Drive into a one-way street in the clockwise direction (i.e., Alternative 2); and

**WHEREAS**, the Town Board has further reviewed the Study’s recommended four (4) alternative levels of improvements along the roadway, ranging from the addition of signing to maintain one-way vehicular circulation, to adding striping to the existing pavement to delineate a pedestrian path or creating a physical buffer between vehicular and pedestrian traffic; and

**WHEREAS**, the Town Board has also considered the public input received during the two (2) public hearings on the Project and the Stakeholder Meeting; and

**WHEREAS**, the Town Comptroller confirms this resolution has no immediate material financial impact on Town finances;

now, therefore, be it

**RESOLVED**, that the Town Board hereby accepts and adopts the Study, which is attached hereto and made a part hereof, and hereby endorses its recommendation that Lakeshore Drive be transformed into a one-way street with travel in the clockwise direction;

and be it further

**RESOLVED**, that the Town Board directs that the Study become a part of the Town’s official planning documents to guide planning, capital programming, and implementation of the complete streets enhancements outlined in the Study;

and be it further

**RESOLVED**, that the Town Board directs the Commissioner of Public Works to provide recommendations to the Town Board concerning the budget and schedule to implement the recommendations outlined in the Study, including four (4) levels of alternatives.

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

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

**211-2021      A Resolution Scheduling a Public Hearing on a Proposed Local Law Imposing a Moratorium on Applications for Permits, Site Plans or Other Land Use Approvals for Large-Scale Solar Energy Systems**

**WHEREAS**, by passage of Local Law No. 1 of 2017 and the amendments included in Local Law No. 3 of 2017 (collectively, the “Solar Energy Law”), the Town Board amended the Comprehensive Zoning Law (CZL) to authorize the installation of large-scale solar energy systems (LSSSES) within the R-OS, A-R, O, OC, OI, and CI zoning districts; and

**WHEREAS**, the Solar Energy Law limited LSSSES installations to a maximum of 2.5 acres in size; and

**WHEREAS**, solar technology, New York State policy, and solar development incentives relating to LSSSES installation have changed since 2017, when the Solar Energy Law was enacted, and in May 2021, the Town Board adopted the 2021 Comprehensive Plan, which provides a future land use vision for the Town; and

**WHEREAS**, among the statements of purpose and legislative intent made by the Town Board with passage of the Solar Energy Law are that the law is intended to “[take] advantage of a safe, abundant, renewable, and non-polluting energy resource” and “[increase] employment and business development in the region by furthering the installation of solar energy systems,” and the Town Board, in view of these benefits, desires to ensure continued support for solar energy development by updating the Solar Energy Law to address the 2.5 acre size limit and provide a uniform siting standards for LSSSES; and

**WHEREAS**, the Town Board wishes to solicit public comment on a proposal to supersede and suspend all of Article 16 of the New York State Town Law Sections Sections 261-285 of the New York State Town Law, as well as jurisdiction of the ZBA to grant relief from the moratorium, in order to preserve the status quo while affording the Town Board sufficient time to adequately study and consider the CZL and the Solar Energy Law as they relate to LSSSES within the various zoning districts in the town; and

**WHEREAS**, the Town Comptroller confirms this resolution will not have a material impact on the Town’s finances;

now, therefore, be it

**RESOLVED**, that the Town Board directs that a public hearing be noticed by the Town Clerk as required by law on the a proposed local law imposing a moratorium on applications for permits, site plans or other land use approvals for large-scale solar energy systems with the public hearing to be held at Town Hall at 225 Columbia Turnpike on September 8, 2021 at 6:30 p.m. or by remote means.

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 R. Matters	VOTED:
Councilor B. Fritz	VOTED:

**212-2021 A Resolution to Appoint Members to the Zoning Law and Subdivision Regulations Update Steering Committee**

**WHEREAS**, on May 19, 2021 (Resolution 136-2021), the Town Board, after adopting a negative declaration pursuant to the State Environmental Quality Review Act (SEQRA), adopted the 2021 Comprehensive Plan; and

**WHEREAS**, in accordance with New York State Town Law Section 272-a, all Town land use regulations must be in accordance with the Town’s adopted comprehensive plan; and

**WHEREAS**, the Town’s current Comprehensive Zoning Law (CZL) was first adopted by the Town Board in 2008, and the Land Subdivision Regulation were first adopted by the Town Board in 1986 (and subsequently amended in 1987 and 1999) and, therefore, are land use regulations that must be updated in order to align with the 2021 Comprehensive Plan; and

**WHEREAS**, the Town Board has retained (Resolution 117-2018) a consultant team led by M.J. Engineering and Land Surveying, P.C. to assist with the update of Town’s Comprehensive Plan, Zoning, and Western Generic Environmental Impact Statement (GEIS); and

**WHEREAS**, the Town Board desires to appoint a committee of Town residents and other stakeholders to assist the Town Board with the zoning law and subdivision regulations update process; and

**WHEREAS**, the Town Board, after due consideration and deliberation, has reviewed a list of potential appointees to said committee; and

**WHEREAS**, the Town Comptroller confirms 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 does hereby authorize creation of the Town of East Greenbush Zoning and Subdivision Regulation Update Steering Committee to assist the Town Board with the zoning law and subdivision regulations update process and approves the appointment of the following members:

[INSERT]  
[INSERT]  
[INSERT]

[INSERT]  
[INSERT]

**RESOLVED**, that the Town Board does not delegate any of its statutory authority to this committee, whose role is advisory only;

and be it further

**RESOLVED**, that this committee shall be dissolved after the zoning and subdivision regulation updates have been completed, as determined by the Town Board;

and be it further

**RESOLVED**, that all meetings of the Town of East Greenbush Zoning and Subdivision Regulation Update Steering Committee shall be open to the public, with prior notice given consistent with the NY State Open Meetings Law.

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 R. Matters	VOTED:
Councilor B. Fritz	VOTED:

**213-2021 A Resolution Authorizing Purchase of Two (2) Pickup Trucks for the (1) Sewer Department and (1) Building Department from NYS OGS Mini Bid**

**WHEREAS**, Resolution 104-2021 authorized the Finance Office to solicit bids for purchase of a pickup truck for the Sewer Department of the Department of Public Works; and

**WHEREAS**, the Town of East Greenbush requested publication of a Mini-Bid through the New York State Office of General Services for one Ton Pickup Truck; and

**WHEREAS**, the lowest responsible bid that met the bid specification was submitted by Beyer Ford for a 2022 Ford F150 Reg Cab XL Pick-up Truck in the amount of \$35,800.00; and

**WHEREAS**, the Building Inspector indicated in his 2022 Department Budget Submission that the Building Department would need to replace the Jeep Liberty and the Finance Office confirmed that this price would extend to two vehicles; and

**WHEREAS**, the Town of East Greenbush Purchasing Policy requires that purchases of \$10,000 or more must be approved by the Town Board; and

**WHEREAS**, the Town Comptroller has confirmed that the financial impact of this resolution is \$35,800.00 from the Sewer Fund Balance for the purchase of the Sewer Truck allocated as follows:

<b>Fund</b>	<b>Transfer in</b>	<b>Transfer out</b>
SW-915 Consolidated General Water Fund Balance		\$35,800.00
8340.4 – Transmission/ Distribution CE	\$35,800.00	

and;

**WHEREAS**, the pickup truck for the Building Department will be budgeted for \$35,800.00 in the 2022 Town Budget as expected delivery is second quarter of 2022;

now, therefore, be it

**RESOLVED**, that the Town Board authorizes the Finance Office to purchase two (2) 2022 Ford F150 Regular Cab XL from Genesse Valley Ford per the results of Mini Bid # 7615 in an amount not to exceed \$71,600.00.

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

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

**214-2021      A Resolution Authorizing the Solicitation of Bids and the Use of GEIS Funds for Final Design, Development of Bid Specifications, Construction Inspection and Administration Services for Upgrades to Certain Portions of the Couse and General Sewer Districts**

**WHEREAS**, the Town Board, by passing resolution 224 of 2019, authorized the Solicitation of Bids and the use of GEIS Funds for a Feasibility and Preliminary Design Report for upgrades to the Couse Sewer District and General Sewer District, as applicable, as identified in the Capacity Report, including upgrades to the Luther Road Pump Station, Commons Pump Station; Hideaway Pump Station, and associated portions of the conveyance system, and the Director of Finance subsequently issued RFP 20-08; and

**WHEREAS**, pursuant to RFP 20-08, the Town Board authorized entering into an agreement with Adirondack Mountain Engineering PC (AME), subject to approval as to form by the Town Attorney, to prepare a feasibility study and preliminary design engineers report as detailed in RFP 20-08; and

**WHEREAS**, after staff review, AME prepared and submitted a final draft of the Couse and General Sewer District Upgrades Engineering Report (the “Engineer’s Report”), dated July 2021; and

**WHEREAS**, the Engineer’s Report develops three (3) alternatives to determine the best opportunities for the Town to continue operation and maintenance of the sewer system, based on an analysis of present operating conditions of the above-mentioned pump stations and approximately 25,000 lineal feet of gravity sewers serving the Couse and General Sewer Districts, and it recommends implementation of a program of projects known as Alternative #2 with an estimated cost of \$2.35 million as the preferred alternative, due primarily to economic considerations; and

**WHEREAS**, it is estimated that Final Design, Development of Bid Specifications, Construction Inspection and Administration Services will cost approximately 15%, or \$352,500.00 of the estimated cost of the Project: and

**WHEREAS**, Town staff have circulated the Engineer’s Report to involved reviewing agencies for their consideration and comment, and the Engineer’s Report has been made available to sponsors of land development projects connecting to those portions of the sanitary sewer system addressed by the Engineer’s Report; and

**WHEREAS**, the Town Comptroller confirms this resolution has no material impact at this time because it is merely requesting the authority to solicit proposals;  
now therefore be it

**RESOLVED**, that the Town Board authorizes the Director of Finance to solicit proposals for Final Design Report, Development of Bid Specifications, Construction Inspection and Administration services for upgrades to the Couse Sewer District and General Sewer District, as applicable, as identified in the Engineer’s Report;

and be it further

**RESOLVED**, that the Town Board approves the use of GEIS Water and Sewer fees for this project as recommended by the GEIS Committee.

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

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

**215-2021      Engineering Services for Upgrades and Replacements at Cross Street Pump Station Via a Mini-Bid**

**WHEREAS**, the Town of East Greenbush has a number of residential and commercial developments pending approval by the Planning and Zoning Board of Appeals; and

**WHEREAS**, Town Water Department Personnel have observed that, at high demand periods during 2020, the Cross Street pump station which provides water to the General Water system in the Town of East Greenbush and the City of Rensselaer ran continuously to keep up with demand; and

**WHEREAS**, the Town Board passed resolution 15-2021 authorizing a Water System Capacity Analysis Report by Stantec Consulting Services which analyzed the ability of the water system to provide adequate water for future growth; and

**WHEREAS**, the Water System Capacity Analysis Report (“Report”) found that Pump #3 at Cross Street Pump Station is showing several of the six major signs that the pump might need to be replaced and said Report recommends upgrading the Cross Street Pump Station by placing all mechanical equipment and instrumentation on the SCADA system, as well as providing a separate Variable Frequency Drive for each pump, and replacement of Pump #3 in addition to other operational recommendations; and

**WHEREAS**, the Department of Public Works and Department of Planning and Zoning are in agreement with the recommended upgrades laid out in the Report; and

**WHEREAS**, pending approval of residential and commercial developments has increased the urgency for recommended upgrades at Cross Street Pump Station; 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 hereby authorizes the Director of Planning and Zoning to solicit proposals to carry out the final design and construction engineering services for upgrades and replacements at Cross Street Pump Station from the approved list of Town Designated Engineers via a “mini-bid.”

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



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

**216-2021      A Resolution Declaring the Sewer District Consolidation to be a Type II Action Under SEQRA, Authorizing the Execution of the Short Environmental Assessment Form (EAF) and Scheduling a Public Hearing**

**217-2021      A Resolution Proposing the Dissolution of the Best-Luther Fire Protection District (FD0009) and the Third Avenue-Mannix Road Fire Protection District (FD010) Pursuant to General Municipal Law Article 17-A and Scheduling Public Hearings**

**ADJOURNMENT**

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

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

**TOWN OF EAST GREENBUSH  
RESOLUTION NO. \_\_\_\_\_**

**(Authorization to accept the Base Percentages, Current Base Percentages, Current Base Proportions, Certificates of Adjusted Base Proportions for the East Greenbush Central School District and the Town of East Greenbush for the 2021-22 year).**

WHEREAS, the Town Board of the Town of East Greenbush, County of Rensselaer, State of New York is required to provide the certified Current Base Percentages, Current Base Proportions and the Adjusted Base Proportions for the Homestead and Non Homestead classes, that have been approved by the State of New York, pursuant to Section 1905 of the Real Property Tax Law, and the Town Board hereby directs the Town Clerk to transmit a certified copy of this Resolution and Certificates to:

East Greenbush Central School District  
29 Englewood Ave., East Greenbush, NY 12061

Carey O’Neill, NYS Department of Tax & Finance  
WA Harriman Campus, Bldg. 8-A, Albany, NY 12227

Certificates of Base Percentages, Current Percentages and Current Base Proportions Pursuant to Article 19 RPTL, for the Levy of Taxes on the 2021 Assessment Roll

<u>Homestead Class</u>		<u>Non Homestead Class</u>
	<b>East Greenbush Central School District</b>	
66.29239		33.70761
	<b>Town of East Greenbush</b>	
65.5921		34.4080

Certificates of Adjusted Base Proportions, Pursuant to Article 19 RPTL,  
for the Levy of Taxes on the 2021 Assessment Roll

<u>Homestead Class</u>		<u>Non Homestead Class</u>
	<b>East Greenbush Central School District</b>	
65.51250		34.48750
	<b>Town of East Greenbush</b>	
65.01000		34.99000

The foregoing Resolution was duly moved by Councilor \_\_\_\_\_,  
and seconded by Councilor \_\_\_\_\_ and brought to a vote  
resulting as follows:

Supervisor Conway	Voted	_____
Councilor Tierney	Voted	_____
Councilor Matters	Voted	_____
Councilor Kennedy	Voted	_____
Councilor Fritz	Voted	_____

Dated: August , 2021

CERTIFICATE OF BASE PERCENTAGES, CURRENT PERCENTAGES AND  
 CURRENT BASE PROPORTIONS PURSUANT TO ARTICLE 19, RPPL, FOR THE  
 LEVY OF TAXES ON THE 2021 ASSESSMENT ROLL

Approved Assessing Unit: Town of East Greenbush  
 Name of Portion: Town of East Greenbush

CERTIFICATION

DETERMINATION OF BASE PERCENTAGES

	(A) 1989 Taxable Assessed Value	(B) 1989 Class Equalization Rate	(C) Estimated Market Value	(D) Base Percentages
Section I				
Class			A/(B*100)	(C/sum of C)
Homestead	162,553,425	64.99	250,120,672	64.0692
Nonhomestead	118,711,034	84.63	140,270,630	35.9308
Total	281,264,459		390,391,302	100.0000

DETERMINATION OF CURRENT PERCENTAGES

	(E) 2020 Taxable Assessed Value	(F) 2020 Class Equalization Rate	(G) Estimated Market Value	(H) Current Percentages
Section II				
Class			E/(F*100)	(G/sum of G)
Homestead	1,193,937,812	100	1,193,937,812	71.82182
Nonhomestead	429,543,825	91.70	468,422,928	28.17818
Total	1,623,481,637		1,662,360,740	100.00000

DETERMINATION OF CURRENT BASE PROPORTIONS

	(I) Local Base Proportion for the 1990 Assessment Roll	(J) Updated Local Base Proportion	(K) Prospective Current Base Column (J) Prorated to 100.00	(L) Adjusted Base Proportion used for Prior Tax Levy	(M) % difference between prior Adjusted Base Proportion and Prospective Current Base Proportion (K/L-1*100)	(N) Maximum Current Base Proportion	(O) Current Base Proportions for 2013 Roll
Section III							
Class		I*(H/D)	{J/sum of J}			(L*1.05)	
Homestead	57.1481	64.0632	65.5921	67.15898	-2.33		65.5921
Nonhomestead	42.8519	33.6060	34.4080	32.84012	4.77		34.4080
Total	100.0000	97.6692	100.0000	100.00000			100.0000

I, the clerk of the legislative body of the approved assessing unit identified above, hereby certify that the legislative body determined on \_\_\_\_\_ that the legislative body determined on \_\_\_\_\_ base percentages, current percentages, and current base proportions as set forth herein for the assessment roll and portion as identified above.

signature

title

date

CERTIFICATE OF ADJUSTED BASE PROPORTIONS PURSUANT TO ARTICLE 19, RPFL  
 FOR THE **2021** ASSESSMENT ROLL

Approved Assessing Unit: Town of East Greenbush  
 Name of Portion: East Greenbush School District  
 Reference Roll: 2020  
 Levy Roll: 2021

CERTIFICATION

DETERMINATION OF PORTION CLASS NET CHANGE IN ASSESSED VALUE DUE TO PHYSICAL AND QUANTITY CHANGES,  
 EQUALIZATION CHANGES AND COMPUTATION OF CLASS CHANGE IN LEVEL OF ASSESSMENT FACTOR

Section I	(A) Total Assessed Value on the Reference Roll	(B) Total Assessed Value of Physical and Quantity Increases Between the Reference Roll and Levy Roll	(C) Total Assessed Value of Physical and Quantity Decreases Between the Reference Roll and Levy Roll	(D) Net Assessed Value of Physical and Quantity Changes	(E) Surplus Total Assessed Value on the Reference Roll
Homestead	1,242,236,832	11,796,609	924,500	10,872,100	1,241,312,332
Nonhomestead	493,410,660	16,709,701	939,657	15,770,044	407,471,003
Class				(B-C)	(A-C)

Section II	(F) Total Assessed Value of Equalization Increases Between the Reference Roll and Levy Roll	(G) Total Assessed Value of Equalization Decreases Between the Reference Roll and Levy Roll	(H) Net Equalization Changes	(I) Change in Level of Assessment Factor	(J) Total Taxable Assessed Value on the Reference Roll (Excluding Roll Sec. 5)	(K) Total Taxable Assessed Value on the Levy Roll at the Reference Roll Level of Assessment (U/I)	(L) Assessed Value of Special Franchise on the Levy Roll at the Reference Roll Level of Assmt	(M) Total Taxable Assessed Value on the Levy Roll at the Reference Roll Level of Assessment (K+L)	(N) Taxable Assessed Value on the Reference Roll	(O) Class Adjustment Factor
Homestead	12,913,947	3,982,566	8,931,401	1,007.20	1,227,960,125	1,225,204,449	0	1,227,960,125	1,225,204,449	1.00725
Nonhomestead	7,092,950	9,613,104	-2,520,154	0.99382	419,723,447	429,562,475	26,910,935	445,733,482	429,562,475	1.03765
Class			(F-G)	(H)/(I)-1						(M/N)

COMPUTATION OF PORTION CLASS ADJUSTMENT FACTOR

COMPUTATION OF ADJUSTED BASE PROPORTIONS

Section III	(P) Current Base Proportions	(Q) Current Base Proportions adjusted for Physical and Quantity Changes (P*O)	(R) Adjusted Base Proportions
Homestead	66.29239	66.4415	66.51236
Nonhomestead	33.70761	34.9765	34.48750
Total	100.00000	101.4180	100.00000

I, the clerk of the legislative body of the approved assessing unit identified above, hereby certify that the legislative body determined on \_\_\_\_\_ base percentages, current percentages, and current base proportions as set forth herein for the assessment roll and portion as identified above.

signature \_\_\_\_\_

title \_\_\_\_\_

date \_\_\_\_\_

CERTIFICATE OF ADJUSTED BASE PROPORTIONS PURSUANT TO ARTICLE 19, RPPL  
 FOR THE 2020 ASSESSMENT ROLL

Approved Assessing Unit: Town of East Greenbush  
 Name of Portion: Town of East Greenbush  
 Reference Roll: 2020  
 Levy Roll: 2021

CERTIFICATION

DETERMINATION OF PORTION CLASS NET CHANGE IN ASSESSED VALUE DUE TO PHYSICAL AND QUANTITY CHANGES,  
 EQUALIZATION CHANGES AND COMPUTATION OF CLASS CHANGE IN LEVEL OF ASSESSMENT FACTOR

Class	(A) Total Assessed Value on the Reference Roll	(B) Total Assessed Value of Physical and Quantity Increases between the Reference Roll and Levy Roll	(C) Total Assessed Value of Physical and Quantity Decreases between the Reference Roll and Levy Roll	(D) Net of Physical and Quantity Changes (B-C)	(E) Surviving Total Assessed Value on the Reference Roll
Homestead	1,249,132,232	117,866,000	924,501	117,041,499	1,248,207,731
Nonhomestead	410,556,880	16,709,701	939,657	15,770,044	409,417,223

Class	(F) Total Assessed Value of Equalization Increases between the Reference Roll and Levy Roll	(G) Total Assessed Value of Equalization Decreases between the Reference Roll and Levy Roll	(H) Net Equalization Changes (F-G)	(I) Change in Level of Assessment Factor (H/EH+1)
Homestead	12,913,949	3,982,546	8,931,403	1.00716 0
Nonhomestead	7,092,950	9,613,104	-2,520,154	0.99384 0

COMPUTATION OF PORTION CLASS ADJUSTMENT FACTOR

Class	(J) Taxable Assessed Value on the Levy Roll (Excluding Roll Sec. 5)	(K) Taxable Assessed Value on the Levy Roll at the Reference Roll Level of Assessment (J/I)	(L) Assessed Value of Special Franchise on the Levy Roll at the Reference Roll Level of Assmnt	(M) Total Taxable Assessed Value on the Levy Roll at the Reference Roll Level of Assessment (K+L)	(N) Taxable Assessed Value on the Reference Roll	(O) Class Adjustment Factor (M/N)
Homestead	1,215,736,740	1,207,099,482	0	1,207,099,482	1,193,937,812	1.01102
Nonhomestead	416,986,740	419,569,385	26,010,019	445,579,404	429,543,825	1.03733

COMPUTATION OF ADJUSTED BASE PROPORTIONS

Class	(P) Current Base Proportions	(Q) Current Base Proportions adjusted for Physical and Quantity Changes (P*O)	(R) Adjusted Base Proportions
Homestead	65.59205	66.31512	65.01000
Nonhomestead	34.40795	35.69246	34.99000
Total	100.00000	102.00758	100.00000

I, the clerk of the legislative body of the approved assessing unit identified above, hereby certify that the legislative body determined on \_\_\_\_\_ base percentages, current percentages, and current base proportions as set forth herein for the assessment roll and portion as identified above.

signature

title

CERTIFICATE OF ADJUSTED BASE PROPORTIONS PURSUANT TO ARTICLE 19, RPFL  
 FOR THE 2021 ASSESSMENT ROLL

Approval Assessing Unit: Town of East Greenbush  
 Name of Portion: East Greenbush School District  
 Reference Roll: 2020  
 Levy Roll: 2021

CERTIFICATION

DETERMINATION OF PORTION CLASS NET CHANGE IN ASSESSED VALUE DUE TO PHYSICAL AND QUANTITY CHANGES,  
 EQUALIZATION CHANGES AND COMPUTATION OF CLASS CHANGE IN LEVEL OF ASSESSMENT FACTOR

Section I	(A)		(B)		(C)		(D)	(E)
	Assessed Value on the Reference Roll	Total	Assessed Value of Physical and Quantity Increases between the Reference Roll and Levy Roll	Total	Assessed Value of Physical and Quantity Decreases between the Reference Roll and Levy Roll	Assessed Value Net of Physical and Quantity Changes		
Class								
Homestead	1,242,286,832	11,785,600	924,500	10,872,100	1,241,312,332	407,471,003		
Nonhomestead	408,410,869	16,769,701	939,637	15,770,044	1,241,312,332			

Class	(F)	(G)		(H)	(I)
		Total Assessed Value of Equalization Increases between the Reference Roll and Levy Roll	Total Assessed Value of Equalization Decreases between the Reference Roll and Levy Roll		
Homestead	12,913,947	3,982,646	8,931,401	1,007,20	1,007,20
Nonhomestead	7,092,850	9,613,104	-2,520,154	0,993,82	0,993,82

COMPUTATION OF PORTION CLASS ADJUSTMENT FACTOR

Section II	(J)	(K)	(L)	(M)	(N)	(O)
Homestead	1,236,795,455	1,227,960,125	0	1,227,960,125	1,225,204,449	1.00225
Nonhomestead	417,127,513	419,723,447	26,010,035	445,733,482	429,562,475	1.03765

COMPUTATION OF ADJUSTED BASE PROPORTIONS

Section III	(P)	(Q)	(R)
Class			
Homestead	66.29239	66.4415	65.51258
Nonhomestead	33.70761	34.9765	34.48750
Total	100.00000	101.4180	100.00000

I, the clerk of the legislative body of the approved assessing unit identified above, hereby certify that the legislative body determined on \_\_\_\_\_ base percentages, current percentages, and current base proportions as set forth herein for the assessment roll and portion as identified above.

Signature

Title

Date