



# The Town of East Greenbush

225 Columbia Turnpike, Rensselaer, New York 12144

## TOWN BOARD AGENDA June 20, 2018

**Call to Order** 7:00 PM  
**Pledge of Allegiance**  
**Town Board Meeting:**

### Members of Town Board

Present

Absent

  
  
  
  
  
  
  
  

Supervisor J. Conway  
Councilor T. Tierney  
Councilor H. Kennedy  
Councilor R. Matters  
Councilor G. Warner

### Communications/Announcements/Reports

**Open Public Privilege:** NOTE – Each speaker may choose to state name and address prior to addressing the Board and shall be granted the floor for up to five minutes. The Board thanks everyone in attendance for their understanding and also for their desire to actively participate in the decision making process. All speakers must conduct themselves in a civil manner. Personal attacks will not be tolerated.

### Resolutions and Proposals by Town Board Members:

#### 121-2018 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 May 16, 2018 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 May 16, 2018 are hereby approved as submitted.

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

Councilor R Matters	VOTED:
Councilor G. Warner	VOTED:
Supervisor J. Conway	VOTED:
Councilor T. Tierney	VOTED:
Councilor H. Kennedy	VOTED:

**122-2018 A Resolution Honoring the Columbia High School Class AA Section II Baseball Champions**

**WHEREAS**, the sports programs at Columbia High School contribute to the learning experiences of the athletes who participate, teaching important lessons in teamwork, discipline and sportsmanship; and

**WHEREAS**, the sports programs at Columbia High School bring excitement, pride and a heightened sense of community for the residents of East Greenbush; and

**WHEREAS**, the Columbia High School varsity baseball team capped a successful season by winning the Class AA Section II championship by defeating Ballston Spa by a score of 3-1 in a game played at Joe Bruno Stadium; and

**WHEREAS**, the baseball team is led by Head Coach Chris Dedrick and Assistant Coaches Brian Marsh and Chris LeGare; and

**WHEREAS**, the members of the team are as follows:

Steve Blydenburgh	Zachary Oliven
Zach Eldred	Brandon Ostiguy
Carmen Erno	Justin Pangburn
Kyle Fortin	Evan Primo
Jack Hernandez	Brendan Russo
Matt LaHera	Nic Stagnitta
Mike Mahar	Willie Terrell
Ryan Nista	Danny Watson
Brandon Nusbaum	Matt Wimmer

now, therefore, be it

**RESOLVED**, that the Town Board of the Town of East Greenbush hereby honors the Columbia High School varsity baseball team and congratulates them on their accomplishment in winning the Class AA Section II baseball championship.

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

Councilor T. Tierney	VOTED:
Councilor G. Warner	VOTED:
Supervisor J. Conway	VOTED:
Councilor H. Kennedy	VOTED:
Councilor R. Matters	VOTED:

**123-2018 A Resolution Honoring the Columbia High School Class AA Section II Varsity Softball Team**

**WHEREAS**, the sports programs at Columbia High School contribute to the learning experiences of the athletes who participate, teaching important lessons in teamwork, discipline and sportsmanship; and

**WHEREAS**, the sports programs at Columbia High School bring excitement, pride and a heightened sense of community for the residents of East Greenbush; and

**WHEREAS**, the Columbia High School varsity softball team had an outstanding season which culminated in an appearance in the Class AA Section II championship game; and

**WHEREAS**, the softball team is led by Head Coach Chris Ciccone and Assistant Coach Jaclyn Michalski; and

**WHEREAS**, the members of the team are as follows:

Grace Bayly	Abby Farnan
Sierra Buechs	Madison Hogan
Madison Burns	Maeve Marra
Melissa Daigneault	Natalie Obermayer
Marissa Daley	Alexis O'Brien
Meghan Dougherty	Taylor O'Brien
Haley Earing	Jessica Patterson

now, therefore, be it

**RESOLVED**, that the Town Board of the Town of East Greenbush hereby honors the Columbia High School varsity softball team and congratulates them on their highly successful season and for reaching the Section II Championship Game.

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

Councilor G. Warner	VOTED:
Supervisor J. Conway	VOTED:
Councilor T. Tierney	VOTED:
Councilor H. Kennedy	VOTED:
Councilor R. Matters	VOTED:

**124-2018 A Resolution Honoring the Members of the Columbia Varsity Track & Field Team Who Placed in the Section II Championships**

**WHEREAS**, the sports programs at Columbia High School contribute to the learning experiences of the athletes who participate, teaching important lessons in teamwork, discipline and sportsmanship; and

**WHEREAS**, the sports programs at Columbia High School bring excitement, pride and a heightened sense of community for the residents of East Greenbush; and

**WHEREAS**, the Track & Field team is coached by Ryan Jones, Chris Hosley and Courtney Hammond; and

**WHEREAS**, the following athletes placed in the Section II Championships:

Cooper Zwanka	1 <sup>st</sup> Place in the High Jump
A.J. Weinstein	2 <sup>nd</sup> Place in the Long Jump and 2 <sup>nd</sup> Place in the Triple Jump
Dustin Chambers	6 <sup>th</sup> Place in the 3,000-meter Steeplechase

John Powhida, Tommy Donahue, Jack Palumbo, Sam Kromer – 6<sup>th</sup> place in the 4 by 800 yard relay;

now, therefore, be it

**RESOLVED**, that the Town Board of the Town of East Greenbush honors the above-named athletes for their outstanding performances in the Section II Track & Field Championships.

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

Councilor R. Matters	VOTED:
Councilor H. Kennedy	VOTED:
Supervisor J. Conway	VOTED:
Councilor T. Tierney	VOTED:
Councilor G. Warner	VOTED:

**125-2018 A Resolution Authorizing the Supervisor to Enter Into an Agreement with C.T. Male Associates for the Preparation of Applications Pursuant to the New York State Department of Transportation Transportation Alternatives Program (TAP)**

**WHEREAS**, the Town of East Greenbush wishes to retain the services of an experienced grants writer so that we may apply for funding from the New York State Department of Transportation Transportation Alternatives Program (TAP); and

**WHEREAS**, the Town Board authorized a Request for Proposals for engineering services in Resolution 50-2016 so that we would have qualified firms available for a wide variety of engineering services; and

**WHEREAS**, the Town Board selected eight engineering firms in Resolution 121-2016 in response to the Request for Proposals and C.T. Male Associates was selected for grants writing; and

**WHEREAS**, TAP is federal transportation funding utilized to plan, design, and construct off-road and on-road facilities to promote pedestrian and bicycle safety and connect such facilities to existing trails or gaps in existing sidewalks, bike lanes, and other community trail systems, is reimbursable at eighty percent of eligible project costs, and State Parks Grant funds (if awarded) could be eligible source of the required local match; and

**WHEREAS**, the proposed Hampton Lake Loop Trail Parks Grant Application to be prepared by C.T. Male Associates on behalf of the Town can be augmented with an application to TAP in order to maximize funding opportunities and help leverage the State Parks Grant funds (if awarded); and

**WHEREAS**, C.T. Male Associates, after meeting with Town staff, has submitted a proposal to prepare one (1) application for the Town for funding from TAP; and

**WHEREAS**, the Town Comptroller confirms that this cost was include in the 2018 budget for the appropriate code 80204.01 grants writer;

now, therefore, be it

**RESOLVED**, that the Town Board of the Town of East Greenbush authorizes the Town Supervisor to enter into an agreement with C.T. Male Associates for the preparation of one (1) grant application to be submitted to programs funded under the New York State DOT TAP program for an amount not to exceed \$4,000.00.

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

Councilor T. Tierney VOTED:  
Councilor G. Warner VOTED:  
Supervisor J. Conway VOTED:  
Councilor H. Kennedy VOTED:  
Councilor R. Matters VOTED:

**126-2018 A Resolution Authorizing the Town of East Greenbush to Settle a Tax Certiorari Case with the R&T Witbeck Irrevocable Trust**

**WHEREAS**, R&T Witbeck Irrevocable Trust and the Town of East Greenbush are desirous of having certain assessment issues resolved as to property owned by R&T Witbeck Irrevocable Trust 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 Comptroller has confirmed that this resolution can be funded by account 19304.01 Judgement & Claims using \$1,046 of the \$20,000 budgeted in 2018; and

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

now, therefore, be it

**RESOLVED** that the Town Board does hereby accept a proposed settlement for the 2017 tax certiorari proceeding filed by R&T Witbeck Irrevocable Trust in which the 2017 assessed value of the subject property shall be reduced as follows:

<u>Year</u>	<u>Parcel No.</u>	<u>Prior Assessed Value</u>	<u>Revised Assessed Value</u>	<u>Reduction</u>
2017	166.-7-6.14	\$920,000	\$763,600	\$156,400

and be it further

**RESOLVED** that R&T Witbeck Irrevocable Trust shall be entitled to a refund of excess taxes, waiving statutory interest, paid based upon the above revision; the fiscal impact to the Town of East Greenbush shall not exceed one thousand forty-six dollars (\$1,046.00);

and be it further

**RESOLVED**, that the Town Board does hereby adopt this resolution to end the litigation between R&T Witbeck Irrevocable Trust 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 Warner and brought to a vote resulting as follows:

Councilor R. Matters VOTED:  
Councilor G. Warner VOTED:  
Supervisor J. Conway VOTED:  
Councilor T. Tierney VOTED:  
Councilor H. Kennedy VOTED:

**127-2018 A Resolution to Make a Conditional Job Offer to Devin C. Jukes**

**WHEREAS**, this Board intends to maintain adequate staffing within the Town Police Department, by appointing qualified individuals to fill positions that become vacant, and police officer positions have become vacant; and

**WHEREAS**, the Town Comptroller has confirmed that the financial impact of this position was included in the 2018 Budget; and

**WHEREAS**, Devin C. Jukes, a graduate of Columbia High School and Hudson Valley Community College has made application for said position, undergone a background investigation, been interviewed by the Town Board and been found to be eligible and qualified according to the Rensselaer County Civil Service Commission, and

**WHEREAS**, in order to further advance the lawful recruiting requirements of the Town consistent with Homeland Security and Human Rights Law; now therefore be it

**RESOLVED**, that Devin C. Jukes be and hereby is offered a conditional appointment to the position of Police Officer, subject to the following conditions and stipulations;

- final approval of all medical and psychological evaluations by the Rensselaer County Civil Service Commission;
- satisfactory fingerprint and background check;
- successful completion of the Basic School for Police prescribed by the Bureau for Municipal Police and successful completion of the Field Training Program of the East Greenbush Police Department;

and be it further

**RESOLVED**, that said job offer be affirmed by said candidate within ten days by executing the oath of office as administered by the Town Clerk, or, after which said offer shall become null and void;

and be it further

**RESOLVED**, that said conditional appointment, shall commence on or about July 2, 2018; shall be subject to a probationary period of one (1) year; and, that upon successful completion of all said conditions and stipulations, shall be, and hereby is made permanent.

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 G. Warner	VOTED:

**128-2018 A Resolution to Make a Conditional Job Offer to Anthony F. Gullo**

**WHEREAS**, this resolution was not able to be submitted in time to be considered on the regularly scheduled pre-board meeting of June 13, 2018 and was subsequently presented to the Town Board on June 19, 2018; and

**WHEREAS**, this Board intends to maintain adequate staffing within the Town Police Department, by appointing qualified individuals to fill positions that become vacant, and police officer positions have become vacant; and

**WHEREAS**, the Town Comptroller has confirmed that this position was included in the current budget and will have no material impact on Town finances; and

**WHEREAS**, Anthony F. Gullo, a graduate of Columbia High School, a first responder and Emergency Medical Technician, has made application for said position, has undergone a background investigation, has been interviewed by the Town Board and has been found to be eligible and qualified according to the Rensselaer County Civil Service Commission; and

**WHEREAS**, in order to further advance the lawful recruiting requirements of the Town consistent with Homeland Security and Human Rights Law; now, therefore be it

**RESOLVED**, that Anthony F. Gullo be and hereby is offered a conditional appointment to the position of Police Officer, subject to the following conditions and stipulations;

- final approval of all medical and psychological evaluations by the Rensselaer County Civil Service Commission;
- satisfactory fingerprint and background check;
- successful completion of the Basic School for Police prescribed by the Bureau for Municipal Police and successful completion of the Field Training Program of the East Greenbush Police Department;

and be it further

**RESOLVED**, that said job offer be affirmed by said candidate within ten days by executing the oath of office as administered by the Town Clerk, or, after which said offer shall become null and void,

and be it further

**RESOLVED**, that said conditional appointment, shall commence on or about July 2, 2018; shall be subject to a probationary period of one (1) year; and, that upon successful completion of all said conditions and stipulations, shall be, and hereby is made permanent.

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 G. Warner	VOTED:

### **129-2018 A Resolution to Make a Conditional Job Offer to Max J. Scheibly**

**WHEREAS**, this Board intends to maintain adequate staffing within the Town Police Department, by appointing qualified individuals to fill positions that become vacant, and police officer positions have become vacant; and

**WHEREAS**, the Town Comptroller has confirmed that the financial impact of this position was included in the 2018 Budget; and

**WHEREAS**, Max J. Scheibly, a graduate of Columbia High School and the holder of Bachelor of Arts and Masters of Arts in Criminal Justice from the University at Albany, has made application for said position, has undergone a background investigation, has been interviewed by the Town Board and has been found to be eligible and qualified according to the Rensselaer County Civil Service Commission, and

**WHEREAS**, in order to further advance the lawful recruiting requirements of the Town consistent with Homeland Security and Human Rights Law; now therefore be it

**RESOLVED**, that Max J. Scheibly be and hereby is offered a conditional appointment to the position of Police Officer, subject to the following conditions and stipulations;

- final approval of all medical and psychological evaluation by the Rensselaer County Civil Service Commission;
- satisfactory fingerprint and background check;
- successful completion of the Basic School for Police prescribed by the Bureau for Municipal Police and successful completion of the Field Training Program of the East Greenbush Police Department;

and be it further

**RESOLVED**, that said job offer be affirmed by said candidate within ten days by executing the oath of office as administered by the Town Clerk, or, after which said offer shall become null and void,

and be it further

**RESOLVED**, that said conditional appointment, shall commence on or about July 2, 2018; shall be subject to a probationary period of one (1) year; and, that upon successful completion of all said conditions and stipulations, shall be, and hereby is made permanent.

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 G. Warner	VOTED:

**130-2018      A Resolution to Approve the Appointment of Community and Recreation Staff for the Summer of 2018**

**WHEREAS**, the Community and Recreation Department is required by the Rensselaer County Health Department to employ staff and meet certain counselor/camper ratio requirements; and

**WHEREAS**, it is unknown when additional applications will be received and the need to hire immediately may be necessary during the six week camp program; and

**WHEREAS**, any hiring procedures and processes will be coordinated with the Human Resources Manager; and

**WHEREAS**, the Town Comptroller has confirmed that the financial impact of this proposed Town Board action has been planned for in the 2018 Budget;

now, therefore, be it

**RESOLVED**, that the Town Services Coordinator be authorized to approve and hire additional staff in consultation with the Human resources Manager on an as-needed basis for the Summer Camp program ending on August 17, 2018.

and be it further

**RESOLVED**, that only appointments that are included in the 2018 Town Budget are covered by this resolution.

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 G. Warner	VOTED:

**131-2018 A Resolution to Authorize a Public Auction of Surplus Equipment**

**WHEREAS**, the Town Board of the Town of East Greenbush, County of Rensselaer, State of New York has received a request from the Commissioner of Public Works to declare the following equipment as surplus; and

**WHEREAS**, said equipment consists of the following:

One 1991 Ford F-800 Single Axle Dump Truck, VIN Number: 1FDXK84A5MVA03233

One 1997 Mack Heavy Hauler, VIN Number: 1M1P267Y3VM029841

**WHEREAS**, said equipment is not suited for any other Town department; 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 said equipment listed 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 equipment now owned by and in the custody of the East Greenbush Public Works Department.

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

Councilor T. Tierney	VOTED:
Councilor G. Warner	VOTED
Supervisor J. Conway	VOTED:
Councilor H. Kennedy	VOTED:
Councilor R. Matters	VOTED:

**132-2018 A Resolution Adopting Local Law No. 4 of the Year 2018**

**WHEREAS**, a public hearing was held on June 13, 2018 on a proposed local law to amend § 36-26 of the Town Code to authorize alternative methods to secure the completion of certain streets within the Town; and

**WHEREAS**, the Town Board wishes to allow the Town Planning Board, and the Commissioner of Public Works more flexibility in providing security to the Town for the completion of street and road projects by authorizing other forms of security; and

**WHEREAS**, the Town Board has determined that the provisions of said Local Law will provide such flexibility to owners and developers, while adequately protecting the Town’s interest in the completion of roads and streets; and

**WHEREAS**, a duly noticed public hearing on this Local Law was held on June 13, 2018; 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 hereby adopts Local Law No.4 of the year 2018.

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 R. Matters	VOTED:
Councilor G. Warner	VOTED:

**133-2018 A Resolution Authorizing the Supervisor to Reimburse Schoharie County for Certain Expenses Relating to Police Officer Griffin Hotaling**

**WHEREAS**, the Town of East Greenbush recently hired Griffin Hotaling as a police officer in the Town; and

**WHEREAS**, prior to being hired by the Town of East Greenbush, Griffin Hotaling was employed by the Schoharie County Sheriff's Department; and

**WHEREAS**, pursuant to General Municipal Law §72-c, when a new-hire law enforcement employee is hired by one municipality, and then transfers to another municipality as a law enforcement officer within three years, the original municipality is entitled to reimbursement from the receiving municipality for a proportionate share of employee training expenses, including salary, tuition, books, and the costs of transportation to and from the police academy; and

**WHEREAS**, the County of Schoharie has requested reimbursement for such officer in the amount of \$11,480.02, and provided adequate documentation of the expenditures, and the share due to Schoharie County from the Town of East Greenbush; and

**WHEREAS**, the Town Comptroller confirms that this resolution will charge an unbudgeted cost of \$11,480.02 to account 31204.01.04 (CE);

<b>Fund</b>	<b>Transfer In</b>	<b>Transfer Out</b>
31204.01.04 Police CE	\$11,481	
General Fund Balance A-917		\$11,481

now, therefore, be it

**RESOLVED**, that the Supervisor is authorized to reimburse Schoharie County in the amount of \$11,480.02, the amount due to that county.

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

Supervisor J. Conway	VOTED:
Councilor G. Warner	VOTED:
Councilor T. Tierney	VOTED:
Councilor H. Kennedy	VOTED:
Councilor R. Matters	VOTED:

**134-2018 A Resolution Authorizing the Town Supervisor to Enter into a Contract with East National Water, LLC to Install Water Meters in Homes in the Hampton Manor Water District as part of the Hampton Manor Water Improvement Project**

**WHEREAS**, the East Greenbush Town Board authorized the Town to solicit competitive bids from contractors for the installation of water meters in homes in the Hampton Manor Water District in Resolution 79-2018; and

**WHEREAS**, the Town of East Greenbush solicited sealed competitive bids from qualified contractors to install the Water Meters as part of the Hampton Manor Water Improvement Project by issuing RFB 18-05 Hampton Manor Water Meter Installation; and

**WHEREAS**, two bids were received on May 21, 2018, and they were reviewed by the Commissioner of Public Works, Deputy Commissioner of Public Works, General Foreman of the Water Department, Director of Finance, Comptroller and Town Supervisor; and

**WHEREAS**, the lowest responsible bidder was determined to be East National Water, LLC; and

**WHEREAS**, the Town Comptroller has confirmed that this resolution will be funded by the following budgetary transfers to account 83204.03.04.60 (CE) at a not to exceed cost of \$400,000.00; and to account 50204.08.04 (CE) at a not to exceed cost of \$323,960.00;

<b>Fund</b>	<b>Transfer In</b>	<b>Transfer Out</b>
83204.03.04.60 Hampton Manor Water Hook up	\$400,000.00	
50204.08.04 Hampton Manor Sewer Share of Meter installs	\$323,960.00	
Hampton Manor Sewer Fund Balance SS-915 (08 Sewer)		\$323,960.00
5710.03 Serial Bond Hampton		\$400,000.00

now, therefore, be it

**RESOLVED**, that the East Greenbush Town Board does hereby authorize the Town Supervisor to enter into a contract with East National Water, LLC at a price not to exceed \$723,960.00, upon review of the contract documents 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 R. Matters	VOTED:
Councilor G. Warner	VOTED:

**135-2018 A Resolution Authorizing Purchase of Two (2) 2018 Ford UI Explorers for the Police Department from NYS OGS Mini Bid**

**WHEREAS**, Resolution 113-2018 authorized the Director of Finance to solicit bids for purchase of vehicles through the NYS Vehicle Marketplace Mini-Bid system; and

**WHEREAS**, the Town of East Greenbush requested a Mini-Bid through the New York State Office of General Services for two (2) Police Interceptor SUVs; and

**WHEREAS**, the lowest responsible bid that met the bid specification was submitted by Beyer Ford LLC for two (2) 2018 Ford Utility Interceptor Explorers in the amount of \$81,155.98; and

**WHEREAS**, the lowest bidder was disqualified from award of contracts due to not being “a Ford Qualified Vehicle Modifier” as specified in the Bid Specifications, that a disqualification was verified by NYS Vehicle Marketplace, and documented as necessary, the \$373.98 price difference was not significant enough to approve a non-qualified vehicle modifier; 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 \$81,155.98 from the Police Forfeiture Fund for this expense;

<b>Fund</b>	<b>Transfer in</b>	<b>Transfer out</b>
Forfeiture Account (A-899)		\$81,155.98
3120.2 – Police & Constable EQ	\$81,155.98	

now, therefore, be it

**RESOLVED**, that the Town Board authorizes the Police Chief to purchase two (2) new 2018 Ford Utility Interceptor Explorers from Beyer Ford LLC. per the results of Mini Bid #18050112 in an amount not to exceed \$81,155.98.

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:
Councilor H. Kennedy	VOTED:
Supervisor J. Conway	VOTED:
Councilor R. Matters	VOTED:
Councilor G. Warner	VOTED:

**136-2018 A Resolution Authorizing the Town of East Greenbush to Retain Municipal Solutions, Inc. for Long Term Serial Bond Borrowing**

**WHEREAS**, this resolution was not able to be submitted in time to be considered on the regularly scheduled pre-board meeting of June 13, 2018 and was subsequently presented to the Town Board on June 18, 2018; and

**WHEREAS**, the Town of East Greenbush is issuing Long Term Serial Bond Borrowing to acquire the sewer assets and pay down financing previously issued in 2008 with the Rensselaer County Water\Sewer Authority; and

**WHEREAS**, the Town is continuing to retain the working relationship for professional services on the debt offering with Municipal Solutions, Inc.; and

**WHEREAS**, the Town Comptroller has confirmed that the fiscal impact of this resolution to the Town of East Greenbush shall not exceed \$9,375.00 and that it can be funded by the debt issue;

now, therefore, be it

**RESOLVED** that the Town Board does hereby authorize the Town Supervisor to contract with Municipal Solutions, Inc. to assist the Town with the debt offering to acquire the

sewer assets and pay down financing previously issued in 2008 with the Rensselaer County Water\Sewer Authority.

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:
Councilor H. Kennedy	VOTED:
Supervisor J. Conway	VOTED:
Councilor R. Matters	VOTED:
Councilor G. Warner	VOTED:

**137-2018 A Resolution Authorizing the Town of East Greenbush to Retain Municipal Solutions, Inc. for Debt Continuing Disclosure**

**WHEREAS**, this resolution was not able to be submitted in time to be considered on the regularly scheduled pre-board meeting of June 13, 2018 and was subsequently presented to the Town Board on June 18, 2018; and

**WHEREAS**, the Town of East Greenbush is required to complete debt continuing disclosures to the US Government; and

**WHEREAS**, the Town is continuing to retain the working relationship for professional services on the debt offering for these disclosures with Municipal Solutions, Inc., and

**WHEREAS**, the Town Comptroller has confirmed the fiscal impact of this resolution to the Town of East Greenbush shall not exceed \$2,400.00 and that it can be funded by the 2018 Town Budget account 13154.01 Comptroller CE;

now, therefore, be it

**RESOLVED** that the Town Board does hereby authorize the Town Supervisor to contract with Municipal Solutions, Inc. to assist the Town with the debt continuing disclosure requirements.

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

Councilor G. Warner	VOTED:
Councilor H. Kennedy	VOTED:
Supervisor J. Conway	VOTED:
Councilor T. Tierney	VOTED:
Councilor R. Matters	VOTED:

**138-2018 A Resolution Authorizing the Town of East Greenbush to Settle a Tax Certiorari Case with Robert T. Norton**

**WHEREAS**, this resolution was not able to be submitted in time to be considered on the regularly scheduled pre-board meeting of June 13, 2018 and was subsequently presented to the Town Board on June 18, 2018; and

**WHEREAS**, Robert T. Norton and the Town of East Greenbush are desirous of having certain assessment issues resolved as to property owned by Robert T. Norton 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 has confirmed that this resolution can be funded by account 19304.01 Judgement & Claims budgeted in 2018;

now, therefore, be it

**RESOLVED**, that the Town Board does hereby accept a proposed settlement for the 2017 tax certiorari proceeding filed by Robert T. Norton in which the 2017 assessed value of the subject property shall be reduced as follows:

<u>Year</u>	<u>Parcel No.</u>	<u>Prior Assessed Value</u>	<u>Revised Assessed Value</u>	<u>Reduction</u>
2017	177.8-7-13.3	\$1,065,000	\$820,000	\$245,000

and it is further

**RESOLVED** that Robert T. Norton shall be entitled to a refund of excess taxes, waiving statutory interest, paid based upon the above revision;

and it is further

**RESOLVED**, that the Town Board does hereby adopt this resolution to end the litigation between Robert T. Norton 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 Warner and brought to a vote resulting as follows:

Councilor R. Matters	VOTED:
Councilor G. Warner	VOTED:
Supervisor J. Conway	VOTED:
Councilor T. Tierney	VOTED:
Councilor H. Kennedy	VOTED:

### **139-2018 A Resolution to Approve Special Meeting Minutes**

**WHEREAS**, this resolution was not able to be submitted in time to be considered on the regularly scheduled pre-board meeting of June 13, 2018 and was subsequently presented to the Town Board on June 19, 2018; and

**WHEREAS**, the special meeting 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 special meeting minutes of the regular Town Board Meeting held on May 23, 2018 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 special meeting minutes of the regular Town Board Meeting held on May 23, 2018 are hereby approved as submitted.

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

Councilor R. Matters	VOTED:
Councilor G. Warner	VOTED:
Supervisor J. Conway	VOTED:
Councilor T. Tierney	VOTED:
Councilor H. Kennedy	VOTED:

**140-2018 A Resolution to Schedule a Special Meeting**

**WHEREAS**, this resolution was not able to be submitted in time to be considered on the regularly scheduled pre-board meeting of June 13, 2018 and was subsequently presented to the Town Board on June 20, 2018; and

**WHEREAS**, on April 24 and 25 the United States Environmental Protection Agency (EPA) conducted an audit of the Town’s Stormwater Management Plan, issued a finding that the Town is in violation of the Clean Water Act, and has ordered that the Town complete a list of Compliance Items to address the EPA finding, all of which must be completed by October 1<sup>st</sup>, pursuant to an EPA Order and Audit Report; and

**WHEREAS**, to address certain Compliance Items by the October 1<sup>st</sup> deadline, the Town will need specialized GIS-based mapping, planning, and environmental engineering services; 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 hereby schedules a special meeting at 7:00 p.m. on June 25, 2018 at East Greenbush Town Hall, 225 Columbia Turnpike, Rensselaer, NY 12144 to select an engineering consultant to assist with our response to the EPA audit, and any other matters that may come to the Town Board’s attention; and

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 G. Warner	VOTED:

**ADJOURNMENT**

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

Supervisor J. Conway	VOTED:
Councilor G. Warner	VOTED:
Councilor T. Tierney	VOTED:
Councilor H. Kennedy	VOTED:
Councilor R. Matters	VOTED: