



# The Town of East Greenbush

225 Columbia Turnpike, Rensselaer, New York 12144

## TOWN BOARD MINUTES SPECIAL MEETING April 10, 2024

The following is a summary of the Town Board Special Meeting as recorded by the Town Clerk.

To view a recording of the full meeting, please see Town Hall Streams link below:

[https://townhallstreams.com/stream.php?location\\_id=119&id=59712](https://townhallstreams.com/stream.php?location_id=119&id=59712)

Or visit Town of East Greenbush Facebook page:

<https://www.facebook.com/TownofEG/videos>

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

### Members of Town Board

Present	Absent	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Supervisor J. Conway
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Councilor H. Kennedy
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Councilor E. Nestler
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Councilor R. Matters
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Councilor J. McHugh

**Communications/Announcements/Reports** – Councilor Kennedy, Councilor Nestler, and Councilor Matters provided their individual comments, community-related information, and/or announcements.

**Open Public Privilege:** Resident, David Terpening, presented his comments to the Town Board.

### Notice of Special Meeting - April 10, 2024

April 5, 2024

The Town Board of the Town of East Greenbush will hold a Special Meeting on Wednesday, April 10 at 6:00 p.m. in East Greenbush Town Hall, 225 Columbia Turnpike in the Town of East Greenbush to conduct business relating to personnel matters and attend to any other business that

may be brought to the Board's attention. The regularly scheduled Pre-Board meeting will be held immediately following the Special Meeting.

**78-2024      A Resolution to Rescind the Appointment of Donald Pierro to the Position of Town Comptroller**

**WHEREAS**, Donald Pierro was appointed to the position of Town Comptroller in Resolution 75-2024 with an anticipated start date of April 1, 2024; and

**WHEREAS**, events in his private life have now precluded Mr. Pierro from accepting the appointment as offered; and

**WHEREAS**, with this resolution the Town Board is formally rescinding the appointment of Donald Pierro to the position of Town Comptroller; and

**WHEREAS**, the Director of Finance confirms that this resolution will not have a material impact on the Town's finances;

now, therefore, be it

**RESOLVED**, that the Town Board of the Town of East Greenbush hereby rescinds Resolution 75-2024 and the appointment of Donald Pierro to the position of Town Comptroller.

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: YES
Councilor H. Kennedy	VOTED: YES
Councilor E. Nestler	VOTED: YES
Councilor R. Matters	VOTED: YES
Councilor J. McHugh	VOTED: YES

**79-2024      A Resolution to Approve a Settlement for Purposes of Retirement with a Certain Town Employee**

**WHEREAS**, a certain employee was terminated by the Town Board; and

**WHEREAS**, the employee filed a grievance through his Union, the Civil Service Employees Association (CSEA), and requested that the case be brought to arbitration; and

**WHEREAS**, the Town, its Labor Attorney, and CSEA met for the arbitration hearing on April 3, 2024 and began by exploring the parameters of a possible settlement that would withdraw the letter of termination for this employee and allow him to retire honorably from Town employment; and

**WHEREAS**, after much discussion, a settlement was reached which allows the employee to retire with his health insurance and pension intact, and the letter of termination removed from his file; and

**WHEREAS**, the employee submitted an irrevocable letter of resignation for purposes of retirement, dated April 3, 2024; and

**WHEREAS**, the Town Board has been informed of the details of the settlement; and

**WHEREAS**, the Director of Finance confirms that this resolution will not have a material impact on the Town's finances;

now, therefore, be it

**RESOLVED**, that the Town Board of the Town of East Greenbush hereby approves the settlement for purposes of retirement with a certain Town employee;

and be it further

**RESOLVED**, that this settlement is effective as of April 3, 2024.

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: YES
Councilor H. Kennedy	VOTED: YES
Supervisor J. Conway	VOTED: YES
Councilor E. Nestler	VOTED: YES
Councilor J. McHugh	VOTED: YES

**xx-2024      A Resolution Authorizing the Town to Award the Contracts for the Upgrades to the Cross Street Pump Station**

**WHEREAS**, the Town of East Greenbush (the “Town”), in partnership with the City of Rensselaer (the “City”), sought proposals from qualified engineering consulting firms to provide various engineering, bidding, and construction-phase services for the design and construction of the upgrades to the Cross Street Pump Station as outlined in the “Water Capacity Analysis” Report prepared by Stantec Consulting Services dated May 5, 2021. Adirondack Mountain Engineering was selected as the lowest responsible bidder; and

**WHEREAS**, the Town and the City each operate their own water supply and delivery systems to supply their customers. Together and jointly, the Town and City own and operate a distribution system consisting of a pump station, mains, two (2) 5 MG water tanks, and related infrastructure (the “distribution system”) that, in turn, supplies each municipality’s separate delivery systems; and

**WHEREAS**, the Cross Street Pump Station is a key element of the distribution system that provides water to both the Town and the City through an inter-municipal agreement with the City of Troy. The Cross Street Pump Station was constructed in 1966 and placed in service in 1968. There are three pumps which currently have variable frequency drives (VFDs) to modulate the speed of the pumps; and

**WHEREAS**, there is a need for additional capacity as a result of planned development and increased existing user needs. The Owners’ Water Department personnel observed that, at high demand periods during 2020, the Cross Street Pump Station ran continuously to keep up with demand. The Owners wish to complete upgrades and replacements at Cross Street Pump Station to serve existing water customers and meet future demands. In addition, since being placed into service over fifty years ago, there is a need to address operational issues and make related station improvements in accordance with contemporary best management practices and operational demands; and

**WHEREAS**, the costs for this stage of the project are to be split with the City at 50% as the original Inter-Municipal Agreement between the Town and City states that Capital Projects shall be divided equally between the two municipalities; and

**WHEREAS**, the Town of East Greenbush will be the Project Manager for this project and will provide regular updates and monthly invoices to the City for the cost of the project; and

**WHEREAS**, the Town Board approved the solicitation of bids for the Cross Street Pump Station Project in Resolution 209-2023 and bids were received and opened on Friday, March 22, 2024 and reviewed by Town Designated Engineer Adirondack Mountain Engineering; and

**WHEREAS**, the Director of Finance confirms that this resolution will have a material impact on the Town’s finances, with funding sources still to be identified; and

**WHEREAS**, the Town Designated Engineer subsequently made a recommendation for award:

**Contract #1 – General Construction – Trinity Construction of Selkirk, NY \$1,398,573;**  
**Contract #2 – Electrical Construction – O’Connell Electric of Schenectady, NY - \$1,164,897;**  
**Contract #3 – HVAC Construction – Kipper Plumbing & Heating of Halfmoon, NY - \$33,250.00;** for a total of \$2,596,720; and

**WHEREAS**, the Commissioner confirmed with Rensselaer Commissioner Jim Brady that they agreed with the recommendations;  
now, therefore, be it

**RESOLVED**, that the Town Board of the Town of East Greenbush hereby approve the recommendation and award the contracts as stated above, *Contract #1 – General Construction – Trinity Construction of Selkirk, NY \$1,398,573; Contract #2 – Electrical Construction – O’Connell Electric of Schenectady, NY - \$1,164,897; Contract #3 – HVAC Construction – Kipper Plumbing & Heating of Halfmoon, NY - \$33,250.00;* for a total of \$2,596,720; and approves the Supervisor to sign the contracts upon review and approval from the Attorney for the Town.

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

Councilor H. Kennedy	VOTED: YES
Councilor J. McHugh	VOTED: YES
Supervisor J. Conway	VOTED: YES
Councilor E. Nestler	VOTED: YES
Councilor R. Matters	VOTED: YES

**ADJOURNMENT – 6:09 PM**

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

Supervisor J. Conway	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Councilor E. Nestler	VOTED: YES
Councilor R. Matters	VOTED: YES
Councilor J. McHugh	VOTED: YES

Respectfully submitted,

Ellen Pangburn  
East Greenbush Town Clerk