



The Town of East Greenbush

225 Columbia Turnpike, Rensselaer, New York 12144

TOWN BOARD MINUTES June 21, 2023

To view a recording of the full meeting, please see Town Hall Streams link below:
https://townhallstreams.com/stream.php?location_id=119&id=53274

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

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

Members of Town Board

Present

Absent

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

Communications/Announcements/Reports

Town Board members provided their individual comments, community-related information, and/or announcements.

Open Public Privilege: NA

Resolutions and Proposals by Town Board Members:

135-2023 **A Resolution to Approve Meeting Minutes**

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

WHEREAS, that the minutes of the Town Board Meeting held on May 17, 2023 have been presented; and

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

now, therefore, be it

RESOLVED, that the minutes of the Town Board Meeting held on May 17, 2023 are hereby approved as submitted.

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

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

136-2023 A Resolution Honoring the Columbia High School New York State Class A Baseball Champions

WHEREAS, the athletic 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 Columbia High School Varsity Baseball team achieved the highest level of success in 2023; the team capped their successful season of 20 wins and only 6 losses by defeating Albany Academy by a score of 5 - 3 in 10 innings in front of family and friends at The Joe to win the Section II – Class A title, by defeating Jamesville – DeWitt by a score of 3 – 2 in 8 innings in the Class A State Quarterfinals at Onondaga Community College, by defeating West Babylon by a score of 3 – 0 in the Class A State Semi-finals at Binghamton University, and by defeating Walter Panas by a score of 5-1 in the New York State Championship held at Binghamton University on June 10, 2023; and

WHEREAS, the Baseball team’s success brought excitement, pride, and a heightened sense of community for all residents of East Greenbush; and

WHEREAS, the members of the 2023 Columbia baseball team are:

Max Armando	Steven Heller
Shane Baker	Ronan Kreshik
Jack Bennet	Korin Laurilla
Kyle Blake	Cole Mellen
Elias Conway	Nolan Romanowski
John DeGrosso	Aidan Scott
Colin DeMarco	Jacob Skarlis
Ben Dikant	Jake Tucker
Andrew Gabriel	Peyton Walters
Naim Greenberg-Nielsen	Caleb Welcome

WHEREAS, the Baseball team is led by Head Coach Chris Dedrick and Assistant Coaches Tyler Rose and Jeff Rose;

now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush hereby honors the Columbia High School Varsity Boys' Baseball team for their triumphant season and congratulates them for winning the Class A Section II Championship, the New York State Regional Championship, and for winning the 2023 Class A New York State Championship.

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

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

137-2023 A Resolution Proclaiming June 2023 as Pride Month in East Greenbush

WHEREAS, the Town Board of East Greenbush supports the rights, freedoms, and equality of persons who are lesbian, gay, bisexual, transgender, and queer (LGBTQ); and

WHEREAS, our nation was founded on the principle of equal rights for all people, but the fulfillment of this has been long in coming for many Americans; and

WHEREAS, in the movement toward equal rights for lesbian, gay, bisexual, transgender, and queer people a historic turning point occurred on June 28, 1969 in New York City with the onset of the Stonewall Riots; and

WHEREAS, throughout the country, LGBTQ Pride Month is celebrated each year in the month of June to honor the 1969 Stonewall Uprising in Manhattan; and

WHEREAS, East Greenbush has a diverse LGBTQ community that includes people of all ethnicities, religions, professions and color; and

WHEREAS, everyone should be able to live without fear of prejudice, discrimination, violence and hatred based on race, religion, gender identity, or sexual orientation;

now, therefore, be it

RESOLVED, on behalf of all residents of East Greenbush, the Town Board of the Town of East Greenbush does hereby proclaim June 2023 as Pride Month in East Greenbush and urges all residents to respect and honor our diverse community, and to celebrate and help build a culture of inclusiveness and acceptance.

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

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

138-2023 A Resolution Authorizing the Acceptance of a Grant from The Arts Center of the Capital Region "Arts in the Parks"

WHEREAS, The Arts Center of the Capital Region is a creative and responsive organization with deep roots in the community, exciting collaborations and an expansive vision

of how the arts can flourish in our region by helping to foster a supportive, inclusive and livable community and enable people to create and engage in the arts; and

WHEREAS, East Greenbush resident, Dr. Lisa D’Adamo-Weinstein, in conjunction with the Town, submitted an application to The Arts Center of the Capital Region for a Community Arts Grant in order to offer a series of community-based free arts and culture experiences in several parks in Town; and

WHEREAS, the grant application was successful and \$3,700.00 was the amount of the grant: and

WHEREAS, the Community & Recreation Department will coordinate this grant to serve the residents of East Greenbush through art programs for the children through seniors; and

WHEREAS, on May 30, 2023 the Town received a check from The Arts Center of the Capital Region for \$3,700.00 to be used for the “Arts in the Parks” Program here in East Greenbush; and

WHEREAS, this money will be used to purchase easels and art supplies for the art classes that will be scheduled from account 71404.01, Community & Rec CE; 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 authorizes the East Greenbush Community & Recreation Department to accept this grant from The Arts Center of the Capital Region in the amount of \$3,700.00;

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

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

139-2023 A Resolution Authorizing the Purchase of a Speed Monitoring Trailer for the East Greenbush Police Department

WHEREAS, the Town of East Greenbush Police Department utilizes Speed Monitoring Trailers to gather traffic data and meet the needs of the public when addressing traffic issues; and

WHEREAS, the East Greenbush Police Department has received a quote from MPH Industries, Inc. to purchase a Speed Monitoring Trailer, and related software to record data, on New York State Contract for \$13,137.00; and

WHEREAS, the Speed Monitoring Trailer will be utilized to address and gather data throughout the Town’s neighborhoods, and roadways to address traffic concerns; and

WHEREAS, the Town Comptroller confirms that this resolution requires the following transfer;

Fund	Transfer In	Transfer Out
A917 – General Fund Balance		\$13,137.00
31204.01.04 – Police CE	\$13,137.00	

now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush authorizes the purchase of a Speed Monitoring Trailer from MPH Industries, Inc. at the quoted, NYS Contract price of \$13,137.00.

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

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

140-2023 A Resolution to Approve the Appointment of Part-Time Police Dispatcher Matthew Merlino

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

WHEREAS, Matthew Merlino currently meets the presumptive, non-competitive qualifications for this title as established by the Rensselaer County Civil Service Commission; and

WHEREAS, the Town Comptroller confirms that the provisions of this resolution were planned for in the current Budget and will not have a material impact on the Town Finances; now, therefore, be it

RESOLVED, that on the recommendation of the Chief of Police, Matthew Merlino is hereby appointed to the position of Part-time Police Dispatcher, effective June 22, 2023, consistent with all terms and conditions as previously set forth by the Town Board, for a term to expire at the Town’s next organizational meeting, or otherwise at the pleasure of the Town Board,

and be it further

RESOLVED, that Mr. Merlino will be compensated as set forth in the appropriate Collective Bargaining Agreement.

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

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

141-2023 A Resolution Closing Out the Mannix Road Culvert Project

WHEREAS, The Town has completed the Mannix Road Culvert Project; and

WHEREAS, the Town has been reimbursed 100% for all costs of the project; and

WHEREAS, the Town General Fund was designated as the source of funds to pay for this project beginning in 2020 and completed in July, 2022; and

WHEREAS, the Town Comptroller confirms that Town General Fund has been reimbursed 100% by NYS DOT in the amount of \$385,850.60; now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush, Rensselaer County, State of New York, hereby closes out the Mannix Road Culvert Project in Fiscal Year 2023.

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

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

142-2023 A Resolution Authorizing the Purchase of a 61” Ferris Zero Turn Mower for the Parks

WHEREAS, the Working Foreman of the Parks Department has informed the Commissioner of Public Works that the department is down one (1) mower and would like to purchase a new mower to maintain operations and efficiency; and

WHEREAS, the Parks Department is responsible for mowing the Albany Hudson Electric Trail, all along the sidewalks in Town installed by NYS-DOT, and maintaining all of the Town Parks; and

WHEREAS, to maintain the efficiency of Parks Department Operations the requisition of a new 61” Ferris Zero Turn Mower in the amount of \$11,204.17 from Abele Tractor & Equipment is necessary; and

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

Fund	Transfer In	Transfer Out
A917-Fund Balance		\$11,204.17
71104.01.04 Parks CE	\$11,204.17	

now, therefore, be it

RESOLVED, that the Town Board does hereby approve the purchase of a 61” Ferris Zero Turn Mower for the Parks Department from Abele Tractor & Equipment.

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

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

143-2023 A Resolution Authorizing Cured-In-Place Pipe Lining to a Portion of Mohawk Avenue

WHEREAS, the Town Board authorized the Commissioner of Public Works to work with Precision Trenchless LLC for slip lining of selected sections of the Town’s Sanitary Sewer Mains in Resolution 63-2023; and

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

WHEREAS, Precision Trenchless LLC has been awarded the Onondaga County Bid for

installation of cured-in-place pipe lining and the Bid has been made available to other political subdivisions state-wide; and

WHEREAS, the Commissioner has identified a section of Mohawk Avenue as an additional section of sanitary sewer pipe from the sections already allocated through Resolution 63-2023. The section of Mohawk Ave has 285’ of 8” pipe for a cost of \$18,235.50; and

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

WHEREAS, the Town Comptroller confirms that the financial impact of this resolution is \$18,235.50 from the Sewer account code 81204.07.04 Sanitary Sewer CE; now, therefore, be it

RESOLVED, that the Town Board authorizes the Commissioner of Public Works to contract with Precision Trenchless LLC to install the lining in the sewer main of the identified section of Mohawk Ave for an amount not-to-exceed \$18,235.50.

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

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

144-2023 A Resolution to Appoint Temporary Seasonal Laborers in the Department of Public Works

WHEREAS, the Department of Public Works has a need for Temporary Seasonal Laborers in the Parks Department and Sewer Department during the summer months to assist in addressing the backlog of preventative maintenance and mowing; and

WHEREAS, the Commissioner of Public Works has selected three (3) individuals based on their prior experience with seasonal positions and demonstrated potential; and

WHEREAS, William Clum has had prior experience working with the Town of East Greenbush and has demonstrated the ability to work independently and efficiently; and

WHEREAS, Samuel Gamello has been recommended by the Highway General Foreman based on his experience and ability to work independently and efficiently; and

WHEREAS, David Romer has been recommended by the Commissioner of Public Works based on his experience and ability to work independently and efficiently; and

WHEREAS, the Town Comptroller confirms that these appointments can be funded with the 2023 Parks Budget Line 71101.01 and 2023 Sewer Budget Line 81201.07; now, therefore, be it

RESOLVED, that the Town Board confirms the appointment of David Romer and Samuel Gamello effective June 1, 2023, and William Clum effective June 23, 2023, in the Department of Public Works at the rate of \$14.20 per hour with no benefits. All appointments will be ended not later than October 15th, 2023 per the CSEA Collective Bargaining Agreement.

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

Councilor H. Kennedy	VOTED: YES
Councilor T. Tierney	VOTED: YES

Supervisor J. Conway VOTED: YES
Councilor B. Fritz VOTED: YES
Councilor E. Nestler VOTED: YES

145-2023 A Resolution Authorizing the Solicitation of Bids for Two (2) Dump Trucks for the Department of Public Works through the NYS Vehicle Marketplace

WHEREAS, the Commissioner of Public Works has identified the need for two (2) new Dump Trucks (F-550 or comparable) for the Department of Public Works, one (1) for the Water Department and one (1) for the Sewer Department; and

WHEREAS, the Commissioner is requesting that the Purchasing Clerk publish a solicitation via a Mini-Bid through the New York State Office of General Services for two (2) dump trucks (F550 or comparable); and

WHEREAS, the Town Comptroller confirms that this act of soliciting bids will not have an impact on the 2023 Town Budget;
now, therefore, be it

RESOLVED, that the Town Board authorizes the Commissioner of Public Works to work with the Purchasing Clerk to solicit bids through the NYS Vehicle Marketplace for two (2) dump trucks.

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

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

146-2023 A Resolution Authorizing 60 Feet of 18 Inch Cured-In-Place Pipe Lining to a Culvert on Lakeshore Drive

WHEREAS, the Town Board authorized the Commissioner of Public Works to work with Precision Trenchless LLC for slip lining of selected sections of the Town’s Storm Sewer lines in Resolution 68-2023; and

WHEREAS, in accordance with Town policy and General Municipal Law, all public works expenses in excess of \$10,000.00 require Town Board approval; and

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

WHEREAS, the Commissioner has identified the section of culvert pipe on Lakeshore Drive as an additional section of sanitary storm pipe from the sections already allocated through Resolution 68-2023. The section is approximately 60 feet of 18-inch pipe at a cost not to exceed \$9,900.00; and

WHEREAS, the Commissioner of Public Works has determined that the most cost-effective way to recondition these specific sections is to install cured-in-place pipe lining which will prevent a sink hole or collapse of the roadway; and

WHEREAS, the Town Comptroller confirms that the financial impact of this resolution is \$9,900.00 and is funded under the budget line 81404.07.04 Storm Sewer CE;

now, therefore, be it

RESOLVED, that the Town Board authorizes the Commissioner of Public Works to contract with Precision Trenchless LLC to install the lining of storm sewer located on Lakeshore drive between Madison Ave East and Spring Ave East to the outfall retention area near the lake.

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

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

147-2023 A Resolution Approving the Contribution of the 2022 Volunteer Ambulance Work Service Award Program to Penflex Actuarial Services, LLC.

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

WHEREAS, the Town of East Greenbush's program contribution due in 2023 to the Volunteer Ambulance Work Trust Fund is \$6,432; and

WHEREAS, the Town Comptroller confirms that this was planned for in the 2023 Town Budget charged to account code 45408.13;

now, therefore, be it

RESOLVED, that the Town Board does hereby approve the contribution of \$6,432 be made for the 2022 Volunteer Ambulance Work Service Award Program to Penflex Actuarial Services, LLC.

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

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

148-2023 A Resolution Authorizing the Purchase of Two Everest Plows for the Highway Department

WHEREAS, the Town of East Greenbush utilizes eight plow trucks which cover approximately 84 miles of Town Roads along with additional County Roads (for which the Town contracts for snow removal); and

WHEREAS, one of the plows has been deemed inoperable and is in need of replacing; and

WHEREAS, in accordance with Town policy and General Municipal Law, all public works expenses in excess of \$10,000.00 require Town Board approval; and

WHEREAS, the Commissioner of Public Works and the Highway General Foreman believe it is beneficial to purchase two plows equipped with plow frames and cylinders in the event that one plow breaks; and

WHEREAS, the additional plow can be used on any of the plow trucks as they are all Everest Plows and thus interchangeable; and

WHEREAS, the Commissioner has received a quote from Zwack Inc. who is the Eastern New York Sole Source Dealer for Everest Plows; and

WHEREAS, the cost of two plows would be \$29,136.00 and will be available for the 2023 plowing season; and

WHEREAS, the Commissioner of Public Works has confirmed that the plows are equipped with carbide blades and all the necessary equipment to attach to any of the Eight Plows the Town currently owns; and

WHEREAS, the Town Comptroller confirms that the financial impact of this resolution is \$29,136.00 and will be funded under budget code 51304.02.04 Machinery CE;

now, therefore, be it

RESOLVED, that the Town Board authorizes the Commissioner of Public Works to purchase two Everest Plows from Zwack Inc. located at Route 22 Stephentown, New York 12168 for the amount of \$29,136.00.

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

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

149-2023 A Resolution to Express Opposition to a New State Law that Would Change the Terms of Local Elected Officials

WHEREAS, the Town of East Greenbush from time to time has felt compelled to advocate and take a stance on issues of importance under consideration by various legislative bodies, whether local or national, which would have a direct impact on the Town of East Greenbush and its residents; and

WHEREAS, the New York State Legislature has passed a bill amending the Town Law, the Village Law, the County Law, and the Municipal Home Rule law to require certain local elections outside of New York City to be moved from odd-numbered years to even-numbered years (5350-B, A-4282-B); and

WHEREAS, the justification for such amendments is stated as to achieve cost savings and to reduce voter confusion; and

WHEREAS, this proposed legislation, in our opinion, will only cause greater voter confusion by adding additional races to the already crowded calendar of state and federal elections; and

WHEREAS, local races will cease to get a spotlight and be overshadowed by larger races for State and Federal offices, thus reducing voter engagement on critical matters of local importance; and

WHEREAS, the suggested cost savings will likely not be achieved due to the number of offices such as County Court Judge, Surrogate Court Judge, County Clerk, and Sheriff not being subject to this proposed legislation; and

WHEREAS, this proposed legislation has been considered and advanced at the end of session with little to no input from the local municipalities or the residents it impacts, and is opposed by the New York State Association of Counties;

now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush affirms its support for the principles of Municipal Home Rule, the preservation of New York State Counties, Towns and Villages to establish and control their elected officials' terms of office and elections, and states its opposition to this legislation;

and be it further

RESOLVED, that the Town Clerk of the Town of East Greenbush is hereby directed to transmit certified copies of this Resolution to Governor Kathy Hochul, State Senator Jacob Ashby, and State Assemblyman John McDonald.

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

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

150-2023 A Resolution Authorizing the Supervisor to Enter into an Agreement with Integra HR, LLC to Update the Town's Employee Handbook and Provide Mentoring and Training for the Human Resources Manager

WHEREAS, the Town's Employee Handbook was last updated in December, 2017 and there have been numerous changes and updates to policies, laws and regulations since then; and

WHEREAS, the Town Board is committed to providing clear, concise and up-to-date explanations of policies so that non-union Town employees know and understand the terms of their employment; and

WHEREAS, Integra HR, LLC is a full-service human resource consulting firm that develops innovative human resource solutions and sustainable outcomes; and

WHEREAS, Integra HR, LLC did an excellent job in the training of all Town employees on the Code of Ethics; and

WHEREAS, one of the sustainable outcomes in this proposal is that our Human Resources Manager will work in consort with Integra HR staff to develop the language for the update and, in the process, receive mentoring and training in various aspects of human resources management, which, combined with her already excellent credentials and job performance, will improve our ability to serve Town employees; and

WHEREAS, Integra HR, LLC has submitted a proposal which estimates that the project has a potential cost of \$10,500.00, including a 22% discount in the hourly rate of the principal service delivery expert; and

WHEREAS, the Town Comptroller confirms that this will require the following budget transfer:

Fund	Transfer In	Transfer Out
A917 – General Fund Balance		\$10,500.00
14304.01.04 – Personnel CE	\$10,500.00	

now, therefore, be it

RESOLVED, that the Town Board authorizes the Supervisor to execute an agreement with Integra HR, LLC to update the employee handbook and provide mentoring and training for the Human Resources Manager at a cost not-to-exceed \$10,500.00.

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

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

151-2023 A Resolution to Accept the Resignation of Richard K. Matters from the Board of Ethics

WHEREAS, Richard K. Matters was appointed to the Board of Ethics at the 2022 Organizational Meeting in January, 2022; and

WHEREAS, Richard K. Matters served as the Chair of the Board of Ethics and did so with distinction, submitting all annual reports on time and organizing the training of all Town employees on the Code of Ethics; and

WHEREAS, Mr. Matters has now been nominated to run for office this year and has submitted his resignation, effective June 6, 2023; and

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

now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush hereby accepts the resignation of Richard K. Matters from the Board of Ethics, effective immediately;

and be it further

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

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

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

152-2023 A Resolution to Adopt Local Law No. 4 of 2023 Entitled “A Local Law Increasing the Penalties for Certain Parking Offenses Within the Town and Imposing Additional Fines for Delay in Payment”

WHEREAS, the East Greenbush Chief of Police suggested that certain fines imposed for parking within the Town of East Greenbush should be increased, and certain penalties for failure to pay those fines in a timely fashion should also be increased; and

WHEREAS, a notice of a public hearing on a proposed local law addressing this issue, was duly posted and printed by the East Greenbush Town Clerk, said local law titled “A local law increasing the penalties for certain parking offenses within the Town and imposing additional fines for delay in payment”; and

WHEREAS, that notice directed the public’s attention to the availability for inspection of that proposed local law in the Town Clerk’s Office, and on the Town’s website; and

WHEREAS, the Town Board duly held the public hearing set forth in that notice, on May 10, 2023, at the East Greenbush Town Hall, to receive comments from the public about said proposed local law; and

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

WHEREAS, the Town Board has concluded that it is in the best interest of the residents of the Town of East Greenbush to increase the parking violation fees and late penalties as set forth in the proposed local law.

now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush hereby adopts Local Law No. 4 of 2023 entitled “A local law increasing the penalties for certain parking offenses within the Town and imposing additional fines for delay in payment”.

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

153-2023 A Resolution to Authorize the Supervisor to Enter into a Three-Year Agreement with Capital EAP for the Provision of an Employee Assistance Program for Town Employees

WHEREAS, the Town of East Greenbush recognizes that the physical, mental and emotional health of its employees is paramount to maintaining a healthy and productive workforce; and

WHEREAS, the Director of Finance and Town Supervisor have concluded that an Employee Assistance Program (EAP) is essential to maximize production and provide critical services for employees that are beyond the Town’s ability to provide directly; and

WHEREAS, providing an Employee Assistance Program is required for the Police Department to maintain its status as an Accredited Police Agency; and

WHEREAS, Capital EAP provides these services at the cost of \$28.00 per employee which is a lower rate than any other program we researched; and

WHEREAS, the Town currently has ninety-six (96) full-time employees; with potential additions to department rosters the Town would seek to enter this agreement with the thought of funding this program for up to one hundred (100) full-time employees, bringing the total cost to \$2,800.00; and

WHEREAS, the Town Comptroller confirms this resolution can be charged to account 90608.01.08 Medical Insurance CE;
now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush authorizes the Town Supervisor to enter into a three-year agreement ending May 31, 2026 with Capital EAP for the provision of an Employee Assistance Program at a cost not to exceed \$28.00 per employee.

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 T. Tierney	VOTED: YES
Councilor B. Fritz	VOTED: YES
Councilor E. Nestler	VOTED: YES

154-2023 A Resolution to Report Standard Work Day for Certain Employees

WHEREAS, this report of the standard work day for Edward Nestler, Jr was included as Resolution 136-2022 in a previous agenda but the paperwork was never transmitted to the State Comptroller by the HR Office; Councilor Nestler complied with all requirements in a timely manner; and

WHEREAS, the NYS Comptroller has adopted revised regulations for reporting days worked by elected and appointed officials to the New York State and Local Retirement System; and

WHEREAS, anyone not participating in the Town’s time keeping system has prepared and submitted a log of their work-related activities for three consecutive months; and

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

now, therefore, be it

RESOLVED, that the Town of East Greenbush hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees’ Retirement System based on the record of activity maintained and submitted by these officials to the clerk of this body.

Title	Name	Standard Work Day (Hrs/Day)	Term Begins/Ends	Participates in Employer’s Time Keeping System	Not Submitted	Days/Month (based on Record of Activities)
Elected Officials						
Town Board Member	Edward W Nestler Jr	6	01/01/2022 - 12/31/2025	N		3.97

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: YES
Councilor B. Fritz	VOTED: YES
Supervisor J. Conway	VOTED: YES

Councilor T. Tierney
Councilor E. Nestler

VOTED: YES
VOTED: YES

155-2023 A Resolution to Settle a Tax Certiorari Case Against the Town of East Greenbush

WHEREAS, this resolution was not able to be submitted in time to be considered at the regularly scheduled pre-board meeting of June 14, 2023 and was subsequently presented to the Town Board on June 20, 2023; and

WHEREAS, Partition Street Corporation and the Town of East Greenbush are desirous of having certain assessment issues resolved as to properties owned by Partition Street Corporation 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 confirms that this resolution will not have a material impact on this year's budget but will have to be included in the 2024 Town Budget; 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 2022 tax certiorari proceeding filed by Partition Street Corporation in which the 2022 assessed value of the subject properties will be set as follows:

<u>Year</u>	<u>Parcel No.</u>	<u>Assessed Value</u>	<u>Revised Assessed Value</u>
2022	144.-1-16.4	\$206,000	\$100,000
2022	144.-1-16.1	\$297,700	\$273,800

Real Property Tax Law §727 shall apply, and the assessment shall remain unchanged for 2023, 2024 and 2025.

and it is further

RESOLVED, that the Town Board does hereby adopt this resolution to end the litigation between Partition Street Corporation and the Town of East Greenbush as to the above referenced assessment.

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

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

156-2023 A Resolution to Approve Three (3) Public Hearing Minutes

WHEREAS, this resolution was not able to be submitted in time to be considered at the regularly scheduled pre-board meeting of June 14, 2023 and was subsequently presented to the Town Board on June 20, 2023; and

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

WHEREAS, that the minutes of three (3) Public Hearing Meeting held on May 10, 2023 at 6:00 p.m., 6:15 p.m. and 6:25 p.m. 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 three (3) Public Hearing Meeting held on May 10, 2023 are hereby approved as submitted.

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

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

157-2023 A Resolution Authorizing the Commissioner of Public Works to Engage FCM Engineering, PLLC, for Preliminary Engineering for the Development of a Shared Services Police Firing Range

WHEREAS, this resolution was not able to be submitted in time to be considered at the regularly scheduled pre-board meeting of June 14, 2023 and was subsequently presented to the Town Board on June 20, 2023; and

WHEREAS, FCM Engineering PLLC was selected as one of the Town's designated engineering firms because of experience in traffic, road development, and site engineering; and

WHEREAS, the Shared Services police departments – East Greenbush, North Greenbush, Rensselaer and Schodack – are continuing to have trouble finding range time for practice and qualifying requirements, and sometimes have to wait up to three months before time can be scheduled; and

WHEREAS, the Town of East Greenbush owns sufficient land to develop a police firing range and is desirous of getting this project done in a reasonable amount of time with the help of our shared services partners; and

WHEREAS, the preliminary engineering will focus on feasibility, siting, and practicality so that a projected development plan and budget can be created for the project; and

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

now, therefore, be it

RESOLVED, that the Town Board authorizes the Commissioner of Public Works to engage FCM Engineering PLLC to conduct preliminary engineering analyses for the development of a Shared Services Police Firing Range;

and be it further

RESOLVED, that the cost of preliminary engineering shall not exceed \$10,000.00.

Councilor Tierney made the motion to table the above resolution and was seconded by Councilor Kennedy and brought to a vote resulting as follows:

Councilor T. Tierney	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Supervisor J. Conway	VOTED: NO
Councilor B. Fritz	VOTED: YES
Councilor E. Nestler	VOTED: YES

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

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

158-2023 A Resolution to Appoint Joshua A. Giller to the Position of Director of Planning and Zoning

WHEREAS, this resolution was not able to be submitted in time to be considered at the regularly scheduled pre-board meeting of June 14, 2023 and was subsequently presented to the Town Board on June 20, 2023; and

WHEREAS, the position of Director of Planning and Zoning became vacant when Anna Feltham submitted her resignation to accept another position; and

WHEREAS, the Human Resources Manager directed a search for a new Director of Planning and Zoning, and after reviewing and screening applicants, five interviews were conducted with potential candidates, including two finalists who were interviewed by the Town Board; and

WHEREAS, Joshua A. Giller was determined to be the best candidate based on his excellent interviews and knowledge of the field of Planning, his Master of Arts degree from The New School for Social Research, and his experience as the Assistant Planner for the City of Cohoes, NY; and

WHEREAS, the Town Comptroller confirms that this position was planned for in the 2023 Final Budget;

now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush hereby appoints Joshua A. Giller to the position of Director of Planning and Zoning at an annual salary of \$70,000.00;

and be it further

RESOLVED, that this appointment will take effect on June 26, 2023.

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: YES
Councilor H. Kennedy	VOTED: YES

Supervisor J. Conway	VOTED: YES
Councilor B. Fritz	VOTED: YES
Councilor E. Nestler	VOTED: YES

ADJOURNMENT – To Executive Session for the purpose of conducting an interview for the part-time position of code enforcement official and to discuss one salary issue that we have to discuss. Supervisor Conway asked the indulgence of the Town Board to invite Colleen Lallier, Director of Finance, and Kate Knight, HR Manager, into the Executive Session.

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

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

Executive Session – Town Board came out of and adjourned at 7:15 PM; Supervisor Conway moved both and Councilor Kennedy seconded both. 5-0 votes on both.

Respectfully submitted,

Ellen Pangburn
East Greenbush Town Clerk

Approved: July 19, 2023