



# The Town of East Greenbush

225 Columbia Turnpike, Rensselaer, New York 12144

## TOWN BOARD AGENDA February 17, 2021

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

### Members of Town Board

Present	Absent	
<input type="checkbox"/>	<input type="checkbox"/>	Supervisor J. Conway
<input type="checkbox"/>	<input type="checkbox"/>	Councilor T. Tierney
<input type="checkbox"/>	<input type="checkbox"/>	Councilor H. Kennedy
<input type="checkbox"/>	<input type="checkbox"/>	Councilor R. Matters
<input type="checkbox"/>	<input type="checkbox"/>	Councilor B. Fritz

### 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:

#### **36-2021      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 January 20, 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 January 20, 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:

**37-2021 A Resolution to Approve Town Board Special Meeting Minutes**

**WHEREAS**, the minutes of Town Board Special 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 Special Meeting held by the Town Board on January 27, 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 Special Meeting held by the Town Board on January 27, 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:

**38-2021 A Resolution Designating March as WOMEN’S HISTORY MONTH**

**WHEREAS**, American women of every race, class, and ethnic background have made historic contributions to the growth and strength of our Nation in countless recorded and unrecorded ways; and

**WHEREAS**, American women have played and continue to play critical economic, cultural, and social roles in every sphere of the life of the Nation by constituting a significant portion of the labor force working inside and outside of the home; and

**WHEREAS**, American women have played a unique role throughout the history of the Nation by providing the majority of the volunteer labor force of the Nation; and

**WHEREAS**, American women were particularly important in the establishment of early charitable, philanthropic, and cultural institutions in our Nation; and

**WHEREAS**, American women of every race, class, and ethnic background served as early leaders in the forefront of every major progressive social change movement; and

**WHEREAS**, American women have served our country courageously in the military; and

**WHEREAS**, American women have been leaders, not only in securing their own rights of suffrage and equal opportunity, but also in the abolitionist movement, the emancipation movement, the industrial labor movement, the civil rights movement, and other movements, including the peace movement, which help create a more fair and just society for all; and

**WHEREAS**, despite these contributions, the role of American women in history has been consistently overlooked and undervalued, in the literature, teaching and study of American history;

now, therefore, be it

**RESOLVED**, by the Town Board that March is hereby designated as Women's History Month in the Town of East Greenbush.

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

**39-2021      A Resolution to Proclaim the Town of East Greenbush a PURPLE HEART TOWN**

**WHEREAS**, the people of East Greenbush have great admiration and the utmost gratitude for all the men and women who have selflessly served their country and this community in the Armed Forces; and

**WHEREAS**, our veterans have paid the high price of freedom by leaving their families and communities and placing themselves in harm's way for the protection of us all; and

**WHEREAS**, the contributions and sacrifices of the men and women from the Town of East Greenbush who have served, or are serving, in the Armed Forces have been vital in maintaining freedom and our way of life; and

**WHEREAS**, the first Purple Heart Medal was awarded on February 22, 1932 which was the 200<sup>th</sup> birthday of George Washington; and

**WHEREAS**, many men and women in uniform have given their lives while serving in the Armed Forces; and

**WHEREAS**, many of our residents have earned the Purple Heart Medal as a result of being wounded while engaged in combat with an enemy force, construed as a singularly meritorious act of essential service; and

**WHEREAS**, the Town Board believes it is critical to remember and recognize veterans who are recipients of the Purple Heart Medal;

now, therefore, be it

**RESOLVED**, that the Town Board hereby proclaims the Town of East Greenbush to be a Purple Heart Town, honoring the service and sacrifice of our nation's men and women in uniform who were wounded or killed by the enemy in the course of defending the freedom we enjoy today;

and be it further

**RESOLVED**, that the Town Board proclaims February 22, 2021 as Purple Heart Medal Day in the Town of East Greenbush to recognize the date that the first Purple Heart Medal was awarded - February 22, 1932, the 200<sup>th</sup> birthday of George Washington.

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

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

**40-2021      A Resolution Authorizing the Town Supervisor to Sign a Renewed Contract with Best-Luther Fire Department for the Furnishing of Fire Protection for the Best-Luther Fire Protection District**

**WHEREAS**, the Town Board of the Town of East Greenbush, County of Rensselaer, State of New York, held a Public Hearing on February 10, 2021 to consider renewal of the contract with the Best-Luther Fire Department, Inc. on behalf of the Best-Luther Fire Protection District; and

**WHEREAS**, all those present were allowed to speak and no objections to the renewal of the contract were communicated to the Town Board; and

**WHEREAS**, the Town Comptroller has confirmed that the provisions of this resolution were planned for in the 2021 Town budget;

now, therefore, be it

**RESOLVED**, that the Town Supervisor be and hereby is authorized to renew the contract for Fire Protection with the Best-Luther Fire Department, Inc. for the year 2021 in a sum not to exceed \$142,000.00

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

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

**41-2021      A Resolution Authorizing the Town Supervisor to Sign a Renewed Contract with Best-Luther Fire Department for the Furnishing of Fire Protection for the Third Avenue Fire Protection District**

**WHEREAS**, the Town Board of the Town of East Greenbush, County of Rensselaer, State of New York, held a public hearing on February 10, 2021, to consider renewal of the contract with the Best-Luther Fire Department, Inc. on behalf of the Third Avenue Fire Protection District; and

**WHEREAS**, all those present were allowed to speak and no objections to the renewal of the contract were communicated to the Town Board; and

**WHEREAS**, the Town Comptroller has confirmed that the provisions of this resolution were planned for in the 2021 Town budget;

now, therefore, be it

**RESOLVED**, that the Town Supervisor be and hereby is authorized to renew the contract for Fire Protection with the Best-Luther Fire Department, Inc. on behalf of the Third Avenue Fire Protection District for the year 2020 in a sum not to exceed \$10,198.00

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:

**42-2021      A Resolution Approving Membership and Fees for the New York State Park and Recreation Society**

**WHEREAS**, the Town Board of the Town of East Greenbush seeks to have a representative of the Community & Recreation Department become a member of the New York State Park & Recreation Society; and

**WHEREAS**, The Town Board of the Town of East Greenbush deems Michael Martin, Recreation Supervisor, the appropriate person to represent the Town of East Greenbush in said society; and

**WHEREAS**, the membership fee of \$125 will be paid to the New York State Recreation and Park Society; and

**WHEREAS**, the Town Comptroller confirms that this resolution will not have a material impact on the Town's finances charged to account 71404.01.04 Community and Recreation CE; now, therefore, be it

**RESOLVED**, that the Community & Recreation Department file the proper paper work to renew its membership in the New York State Park and Recreation Society.

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:

**43-2021      A Resolution Acknowledging the Receipt of the Annual Audit and Examination of Records of the Town Justices for the Year Ending December 31, 2020**

**WHEREAS**, Section 2019-a of the Uniform Justice Court Act requires every justice of a village or town to submit his/her records and docket to the auditing board of said village or town; and

**WHEREAS**, Section 2019-a of the Uniform Justice Court Act requires that Justice Court records shall be examined and audited by said auditing board; and

**WHEREAS**, the East Greenbush Town Board directed the Comptroller to perform the required audit and examination of the records of the East Greenbush Town Justices for the year ending December 31, 2020; and

**WHEREAS**, the Town Comptroller has completed his audit of the records of the Town Justices for 2020; 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 findings of said audit and examination were presented to and accepted by the Town Board of the Town of East Greenbush.

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

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

**44-2021      A Resolution Authorizing the Purchase of Two (2) Mossberg 12 Gauge Shotguns with Orange Stocks and Forearms, Slings, 600 Less Lethal Munition Rounds, and Accessories.**

**WHEREAS**, the Chief of Police has recommended the purchase of two (2) Mossberg 12 gauge shotguns with orange stocks and forearms, and 600 rounds of less lethal munitions to the Town Board as necessary equipment that will enhance the less lethal capabilities of the East Greenbush Police; and

**WHEREAS**, the Town Board agrees with the Chief of Police that these are important factors in realizing its commitment to public safety in the Town of East Greenbush; and

**WHEREAS**, the vendor Atlantic Tactical has provided pricing based on Albany County contract #2017-101 negating the need to request quotes from three (3) vendors; and

**WHEREAS**, a quote based on Albany County contract #2017-101 was submitted by Atlantic Tactical in the amount of \$4,396.50; and

**WHEREAS**, Town Comptroller confirms that this resolution has no material impact on the Town's finances and will be funded from equity use of A917 (1) General Fund 31202.01; now, therefore, be it

**RESOLVED**, that the Town Board of the Town of East Greenbush authorizes the expenditure of \$4,396.50 to purchase two (2) Mossberg 12 gauge shotguns, and 600 less lethal munitions as described above.

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:

**45-2021            A Resolution to Purchase A Supply of Target Ammunition for the East Greenbush Police Department for the Year 2022**

**WHEREAS**, the Town Board intends to provide members of the Town Police Department and EGPD SSRT members with sufficient target ammunition for their respective bi-annual and bi-weekly training in order to maintain their certifications; and

**WHEREAS**, the current supply of ammunition nationwide is depleted and the firearms instructors have been advised by the distributors that there may not be sufficient ammunition necessary for the police department members to qualify for the 2022 upcoming spring and fall range, nor for the SSRT members to continue to train throughout 2022 if the department supply isn't secured in a timely fashion; and

**WHEREAS**, the police firearms instructors and the Chief of Police, have recommended to replenish the 9mm and .223 caliber training and ammunition; and

**WHEREAS**, the Town Comptroller has determined that this resolution will not have a material effect on Town finances;

now, therefore, be it

**RESOLVED**, that the Chief of Police be and hereby is authorized to enter into an agreement with Atlantic Tactical Inc., under NY State Contract Nbr. PC68371, for the purchase and replenishment of the police department's 2022 target ammunition for a total expenditure of \$4,505.52;

and be it further

**RESOLVED**, that this resolution shall take effect immediately.

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

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

**46-2021            A Resolution Authorizing the Supervisor to Sign a Professional Service Agreement for Legal Services with Tabner, Ryan and Keniry, LLP for the Consolidation of the Town's Four Sewer Districts into a Single District**

**WHEREAS**, the Town seeks to consolidate its four existing sewer districts into a single district due to the fact that the rationale for the four districts is now obsolete; and

**WHEREAS**, the Town Board of the Town of East Greenbush seeks equity in the user rates paid by residents of the sewer districts and wishes to rationalize and make consistent the method by the tax rate charged to residents of the districts; and

**WHEREAS**, William F. Ryan, Jr of Tabner, Ryan and Keniry was named in the 2021 Organizational Meeting Agenda as the Town's special counsel for issues pertaining to our water and sewer districts; and

**WHEREAS**, the Town Board requires the lengthy process of consolidating the sewer districts to be completed in time for the changes to be reflected in the 2022 tax bills; and

**WHEREAS**, the Town Comptroller confirms this resolution is budgeted for 2021 under account 81104.07.04 CE Administration Sewer;

now, therefore, be it

**RESOLVED**, that the Town Board of the Town of East Greenbush authorizes the Supervisor to sign a professional service agreement for legal services with Tabner, Ryan and Keniry, LLP for the consolidation of the Town’s four sewer districts into a single district at the rate of \$240.00 per hour for partners, \$170.00 per hour for associates and \$95.00 per hour for paralegals.

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:

**47-2021 A Resolution to Approve 2020 Service Credit for Volunteers of the W. F. Bruen Emergency Squad, Inc.**

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

**WHEREAS**, in accordance with GML §219-m, subdivision 9, the President, Secretary, and Chief of Bruen have duly certified to the East Greenbush Town Board (hereinafter, the “Board”) a list containing those volunteer ambulance workers designated as Program participants who qualify for service credit for fiscal year 2020 (hereinafter, the “List”); and

**WHEREAS**, the Director of Finance, having received and reviewed the List, has not received any information contrary thereto; and

**WHEREAS**, no volunteer worker has requested deletion as a participant from said list; 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 Board acknowledges that no one has qualified for Service Credit for Volunteers of the W.F. Bruen Emergency Squad, Inc. in 2020.

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



**48-2021 A Resolution Authorizing the Supervisor to Sign a Professional Services Agreement for Sewer Rate Restructuring and District Consolidation with Delaware Engineering, D.P.C. for the Consolidation of the Town's Four Sewer Districts into a Single District**

**WHEREAS**, the Town seeks to consolidate its four existing sewer districts into a single district due to the fact that the rationale for the four districts is now obsolete; and

**WHEREAS**, the Town Board of the Town of East Greenbush seeks equity in the user rates paid by residents of the sewer districts and wishes to rationalize and make consistent the method by the tax rate charged to residents of the districts; and

**WHEREAS**, in 2018 the Town engaged Delaware Engineering, D.P.C. to conduct an engineering analysis and rate restructuring for the consolidation of the Town's water districts; and

**WHEREAS**, Delaware Engineering, D.P.C. served as design consultant for the upgrade of the Town's wastewater treatment plant and has consulted on sewer issues for the Town for almost a decade; and

**WHEREAS**, the Town Comptroller confirms this resolution is budgeted for 2021 under account 81104.07.04 CE Administration Sewer;

now, therefore, be it

**RESOLVED**, that the Town Board of the Town of East Greenbush authorizes the Supervisor to sign a Professional Services Agreement for sewer rate restructuring and district consolidation with Delaware Engineering, D.P.C. for the consolidation of the Town's four Sewer districts into a single district at the rates contained in the rate schedule submitted by Delaware Engineering, D.P.C. as approved by the Attorney to the Town.

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

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

**49-2021 A Resolution Authorizing GPI to Resubmit a Bridge NY Grant Application for the Old Troy Road Bridge**

**WHEREAS**, New York State Department of Transportation has announced the solicitation period for BRIDGE NY Grant Funding for replacement and rehabilitation of culverts five feet and larger, and bridges is now open and applications for said funding are due on May 4, 2021; and

**WHEREAS**, the Old Troy Road Bridge, Bridge Identification Number (BIN) 2201570 is deficient in both load bearing capacity and width and meets the criteria for BRIDGE NY Grant Funding; and

**WHEREAS**, it would be to be benefit of the Town of East Greenbush to apply for grant funding to rehabilitate or replace this bridge; and

**WHEREAS**; in 2018, GPI Engineering was selected based on a competitive RFP process to prepare and submit a Bridge NY Application for the Bridge on Old Troy Road on behalf of the Town of East Greenbush; and

**WHEREAS**, the original application was not approved for funding by the NYS Department of Transportation at that time; and

**WHEREAS**, there was a considerable amount of time and research spent by GPI to prepare this funding application and by performing this work, GPI Engineering became the town designated engineering firm that is most qualified to deal with aspects of this project; and

**WHEREAS**, the most cost effective course of action would be to have GPI Engineering resubmit the application that they prepared earlier, updated with the most current bridge inspection data; and

**WHEREAS**, the Town Comptroller confirms that this resolution for the application will not 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 have GPI Engineering update and resubmit the BRIDGE NY Grant Application and supporting documentation for the Old Troy Road Bridge.

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:

**50-2021      A Resolution Authorizing the Town of East Greenbush to Participate in the Houston-Galveston Area Council (HGAC) Cooperative Purchasing Program**

**WHEREAS**, Section 103 of New York State General Municipal Law authorizes any board of a political subdivision to make purchases of apparatus, materials, equipment or supplies, or to contract for such services related to the installation, maintenance or repair of apparatus, materials, equipment, and supplies thru the use of a contract let by the United States of America or any agency thereof if such contract was let in a manner that constitutes competitive bidding consistent with state law and made available for use by other governmental entities; and

**WHEREAS**, the Houston-Galveston Area Council (HGAC) Cooperative Purchasing Program is a national public service agency that exists to provide cooperative purchasing agreements to assist Government and Educational Entities to provide for efficient procurement processes; and

**WHEREAS**, the Town of East Greenbush would benefit by being enrolled in the Houston-Galveston Area Council (HGAC) Cooperative Purchasing Program to obtain the best competitive prices for goods and services by using the Cooperative's bidding process; 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 authorizes the Town Supervisor to enroll the Town of East Greenbush as an end user in the Houston-Galveston Area Council (HGAC) Cooperative Purchasing Program.

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 B. Fritz	VOTED:

**51-2021 A Resolution for the Town Board to Request Lead Agency Status and Initiate a Coordinated Review for the GreenRenewables, Inc. Proposed Material Processing and Storage Facility Site Plan (PZD ID 21-02)**

**WHEREAS**, Steven Hart, P.E. on behalf of East River Holding, LLC, located at 98 Niver St. Cohoes, NY 12047, has submitted a site plan review application to construct a 50,000 square foot building, 30 acres of outdoor storage, 10 acres of raw materials processing area, parking area, and related improvements to process and bag topsoil and mulch products as part of a proposed project known as “GreenRenewable, Inc.” (the “Project”) to be located at 180-200 American Oil Road and identified on the Town’s tax roll as tax parcel numbers 165.-3.2, 165.-1-33.22, 165.-1-4.12, and 165.-1-6.2; and

**WHEREAS**, the application was accompanied by a proposed site plan, Full Environmental Assessment Form Part 1, and other submittals; and

**WHEREAS**, at its January 27, 2021 meeting, the Town of East Greenbush Planning Board recommended that the proposed action be classified as a type 1 and further recommended that the Town Board declare its intent to seek lead agency and initiate a coordinated review under SEQRA; and

**WHEREAS**, the Town Board wishes to assume lead agency status in connection with a coordinated SEQRA review of this type 1 action; 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 GreenRenewables, Inc. proposed material processing and storage facility Project will require review under the State Environmental Quality Review Act (“SEQRA”);

and be it further

**RESOLVED**, that the Town Board hereby wishes to assume lead agency status in connection with coordinated SEQR review of the Project;

and be it further

**RESOLVED**, that the Director of Planning and Zoning must initiate coordinated review and distribute a lead agency coordination letter be to all the involved agencies requesting their consent to designation to the Town Board as lead agency for SEQRA review of the Project.

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:

**52-2021            A Resolution Appointing Fred Henson to the East Greenbush Conservation Advisory Council**

**WHEREAS**, the Town Board created the East Greenbush Conservation Advisory Council (the “Council”) by adopting Local Law 2 of 2020 on May 26, 2020; and

**WHEREAS**, Local Law 2 of 2020 provides that the Town Board appoint no fewer than five (5) and no more than seven (7) members to the Council to serve for terms of two (2) years with the first three (3) initial appointments being staggered and consisting of terms of one (1) year each; and

**WHEREAS**, Local Law #2 of 2020 also provides that persons residing within the Town of East Greenbush who are interested in or have specific skills and training relative to preservation of natural resources, open space conservation and the improvement of environmental quality shall be eligible for appointment as a member of the Council; and

**WHEREAS**, Fred Henson is a Town resident, has expressed an interest in preservation of natural resources, open space conservation, and the improvement of environmental quality; holds a BS in Natural Resources and Conservation and an MS in Fishing and Fisheries Sciences Management from Cornell University and the University of Minnesota, respectively; and has over two decades professional experience in wildlife management; 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 appoints Fred Henson to the East Greenbush Conservation Advisory Council for a term not to exceed one (1) full year.

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

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

**53-2021            A Resolution to Schedule a Special Meeting to Review Documents and Discuss Issues Relating to Funding Mechanisms and Contractual Relationships Involving the Town, Regeneron Pharmaceuticals, Inc. and the New York State Department of Transportation**

**WHEREAS**, there is a need to schedule a special meeting to review documents and discuss issues relating to funding mechanisms and contractual relationships involving the Town, Regeneron Pharmaceuticals, Inc., and the New York State Department of Transportation that are intended to support the construction of certain traffic impact mitigation projects in the Town, and other matters that may come to the Town Board’s attention; 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 schedules a special meeting to review documents and discuss issues relating to funding mechanisms and contractual relationships involving the Town, Regeneron Pharmaceuticals, Inc., and the New York State Department of Transportation that are intended to support the construction of certain traffic impact mitigation

projects in the Town, and any other matters that may come to the Town Board's attention for February 25, 2021 at 6:00 p.m. at East Greenbush Town Hall, 225 Columbia Turnpike, Rensselaer, NY 12144 or by remote means.

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 B. Fritz	VOTED:

**54-2021      A Resolution to Schedule a Public Hearing on the Police Reform and Reinvention Collaborative Plan**

**WHEREAS**, pursuant to Executive Order No. 203 issued by Governor Cuomo, each local government entity which has a police agency must perform a comprehensive review of current police force deployments, strategies, policies, procedures, and practices, and develop a plan for improvement to address the particular needs of the community, promote community engagement, foster trust, fairness, and legitimacy, and to address any racial bias and disproportionate policing of communities of color; and

**WHEREAS**, in response to the Executive Order, the Town Board convened a committee of community stakeholders to develop such plan (the "Plan"); the committee has performed a comprehensive review of current police force deployments, strategies, policies, procedures, and practices; and the committee has developed a draft Plan to improve such deployments, strategies, policies, procedures, and practices; and

**WHEREAS**, the Town Board will offer the Plan in draft form for public comment to all residents in the Town and will consider all public comments prior to adoption of the Plan; 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 schedules the public hearing to consider comments on the Police Reform and Reinvention Collaborative Plan for Wednesday, March 17, 2021 at 6:30 p.m. at the East Greenbush Town Hall located at 225 Columbia Turnpike, Rensselaer, New York or by remote means.

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:

**55- 2021      A Resolution to Schedule a Special Meeting to Adopt the Police Reform and Reinvention Collaborative Plan and to Authorize the Town Supervisor to Complete the Plan Certification Form**

**WHEREAS**, pursuant to Executive Order No. 203 issued by Governor Cuomo, each local government entity which has a police agency must perform a comprehensive review of current police force deployments, strategies, policies, procedures, and practices, and develop a plan for improvement to address the particular needs of the community, promote community engagement, foster trust, fairness, and legitimacy, and to address any racial bias and disproportionate policing of communities of color; and

**WHEREAS**, in response to the Executive Order, the Town Board convened a committee of community stakeholders to develop such plan (the "Plan"); the committee has performed a comprehensive review of current police force deployments, strategies, policies, procedures, and practices; and the committee has developed a draft Plan to improve such deployments, strategies, policies, procedures, and practices; and

**WHEREAS**, the Town Board will offer the Plan in draft form for public comment to all residents in the Town and has scheduled a public hearing to consider comments on the Police Reform and Reinvention Collaborative Plan for Wednesday, March 17, 2021 at 6:30 p.m.; 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 schedules a Special Meeting for Wednesday, March 24, 2021 at 6 p.m. at the East Greenbush Town Hall located at 225 Columbia Turnpike, Rensselaer, New York or by remote means to adopt the Police Reform and Reinvention Collaborative Plan and to authorize the Town Supervisor to complete the Plan Certification Form and to address any other business that may be brought to the attention of 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.

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:

**56-2021      A Resolution Authorizing the Implementation of a Secure VPN and Multi-Factor Authentication for the Existing Remote Access System**

**WHEREAS**, the Town of East Greenbush currently has a Cyber Liability Policy through Beazley Insurance and Beazley continuously monitors the global threat landscape to proactively help their clients mitigate exposures. They recently received information that suggests IP addresses associated with the Town could have potential Remote Desktop Protocol (RDP) and Remote Desktop Gateway (RDG) vulnerabilities. Microsoft RDP and RDG can be used to provide remote

access to computers and networks and are an attractive and common way for hackers to access systems and steal valuable information; and

**WHEREAS**, due to Covid protocols there are a number of employees that currently utilize remote access to work remotely and share documents between departments, such as between Town Hall and the Department of Public Works; and

**WHEREAS**, with Beazley identifying potential vulnerabilities, they have advised that if the issue is not addressed prior to renewal, it could result in Beazley not offering to bind at renewal; and

**WHEREAS**, upon consulting with Diagnostic Services & Installations LLC, the Town’s IT contractor, the Town received a proposal for a Secure VPN and Multi-Factor Authentication (MFA) for the Existing Remote Access System that will address the vulnerabilities identified by Beazley; and

**WHEREAS**, the Secure VPN and MFA solution would cost the Town a one-time expense of \$3,887.00 and a monthly fee of \$200.00 for the user licenses for up to 20 users; 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 of East Greenbush does hereby authorize the purchase and implementation of a Secure VPN and Multi-Factor Authentication for the Existing Remote Access System to address the vulnerabilities discovered by Beazley.

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:

**57-2021 A Resolution Approving the 2021-2022 Professional Services Agreement with New York Municipal Insurance Reciprocal (NYMIR)**

**WHEREAS**, the Town, through its insurance broker Rose & Kiernan, Inc., received a proposal for Insurance Coverage for the period of March 1, 2021 – March 1, 2022, as follows:

Carrier	2020-2021 Expiring	2021-2022 Renewal Quote
New York Municipal Insurance Reciprocal	\$195,255.56	\$199,786.11
Crime Policy	\$3,042.00	\$3,042.00

**WHEREAS**, the Town has contracted with New York Municipal Insurance Reciprocal (NYMIR) since 2013 and this has proved to be an invaluable resource through providing training, webinars and seminars to employees, safety inspections, and other services in addition to insurance coverage; and

**WHEREAS**, increases have been seen by all municipalities covered by NYMIR as a result of an increase in claim activity; and

**WHEREAS**, the Town Comptroller has confirmed that the provisions of this resolution were planned for in the 2021 Town budget charged to account codes 19104.01.04, 51104.02, 83104.05, 81104.7/8/9/10;

now, therefore, be it

**RESOLVED**, that the Town Board of the Town of East Greenbush does hereby approve the renewal of the agreement with New York Municipal Insurance Reciprocal (NYMIR) for the policy year March 1, 2021 –March 1, 2022 for the amount of TBD.

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:

**58-2021 A Resolution Authorizing a Transfer of Funds from Various Departments to the Highway Department**

**WHEREAS**, this resolution was not submitted on time to be considered on the regularly scheduled pre-board meeting of February 10, 2021 and was subsequently presented to the Town Board on February 16<sup>th</sup>, 2021; and

**WHEREAS**, the Town of East Greenbush 2020 Final Budget reflected an amount of \$85,000.00 in Highway Revenue Line D 2801, Interfund Revenues; and

**WHEREAS**, the Highway Department has traditionally been required to fill in when other departments have needed assistance or have been unable to provide the number of personnel to perform their mission; and

**WHEREAS**, the State Comptroller’s Office has opined that the Highway Fund may be used only for work performed for the care and maintenance of highways and bridges while work performed by Highway Department personnel for other Town departments, improvement districts or Town property must be funded by the appropriate fund account (Op. St. Comp. Nos. 81-345; 84-60); and

**WHEREAS**, the Commissioner of Public Works has audited the labor records and determined that the transfer of funds from the departments listed below is required to reimburse the Highway Department for support of operational activities of departments as indicated; and

**WHEREAS**, the Town Comptroller believes at this time that this resolution will have a negative material impact on the Town General Fund Balance A-917 of \$36,438.18 to effect this transfer which will have a positive material impact to the Highway fund DA-917; and it will also likely have a non-material negative impact on the water and sewer fund balances;

now, therefore, be it

**RESOLVED**, that the following transfer of funds is authorized for the Town of East Greenbush Public Highway Department:

<b>Transfer From</b>	<b>Transfer To</b>	<b>Amount</b>
A1620.4 – Buildings CE	D2801 – Highway Interfund Revenues	\$20,387.21
A5410.1 – Sidewalks PS	D2801 – Highway Interfund Revenues	\$3,080.59



A5140.4 – Sidewalks CE	D2801 – Highway Interfund Revenues	\$5,565.60
A8160.4 – Refuse/Garbage CE	D2801 – Highway Interfund Revenues	\$7,405.78
D8340.4.05 – Water Transmission and Distribution CE	D2801 – Highway Interfund Revenues	\$7,260.68
D8120.4.07 – Sanitary Sewers PS	D2801 – Highway Interfund Revenues	\$566.00

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:

**59-2021 A Resolution to Schedule a Public Hearing to Consider the Enactment of a Local Law to Provide for the 2021 Renewal or Updating of 2020 Real Property Town-Tax Exemptions for Eligible Senior and Disabled Assesseees, With and Without In-Person Application**

**WHEREAS**, this resolution was not submitted in time to be considered at the regularly scheduled pre-board meeting held on February 10, 2021 and was subsequently presented to the town board on February 16, 2021; and

**WHEREAS**, the relevant subdivisions of New York Real Property Tax Law sections 467 and 459-c provide for eligible senior-aged and disabled assesseees, respectively, to be granted to each class of assessee a real property tax exemption vis-à-vis the town’s general-fund and highway-fund taxes (hereinafter, collectively, the “Exemptions”) based upon the exclusion of qualifying medical and prescription-drug expenses from exemption-qualifying income; and

**WHEREAS**, the enactment of chapter 381 of the New York session laws of 2020 on December 28, 2020, as prompted by concern for residents coping with the effects of the Covid-19 pandemic, directed every municipal governing body of an assessing unit in New York to: (a) extend to the 2021 assessment roll a renewal of previously granted Exemptions without having to reapply for 2021; (b) provide for non-in-person reapplication if an exemptee’s income change would yield a greater exemption; and (c) consider providing for procedures by which the assessor would, in his/her discretion, require in-person reapplication by an exemptee if the assessor believes that such exemptee’s ownership status has changed; and

**WHEREAS**, to effectuate the foregoing provision on behalf of all eligible exemptees in the town of East Greenbush, the Town Board must pass a local law: 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 shall hold a public hearing on the 17<sup>th</sup> day of March 2021 at 6:45 p.m. at town hall to consider the enactment of a local law that will effectuate the

foregoing Exemptions-related provisions on behalf of all eligible exemptees in the town of East Greenbush;

and be it further

**RESOLVED**, that the Town Clerk shall cause notice of the subject public hearing to be duly published in the town’s officially designated newspaper in accordance with the opportune manner legally prescribed.

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

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

**60-2021 A Resolution Appointing Jennifer Hixon to the East Greenbush Conservation Advisory Council**

**WHEREAS**, this resolution was not submitted in time to be considered at the regularly scheduled pre-board meeting held on February 10, 2021 and was subsequently presented to the town board on February 16, 2021; and

**WHEREAS**, the Town Board created the East Greenbush Conservation Advisory Council (the “Council”) by adopting Local Law 2 of 2020 on May 26, 2020; and

**WHEREAS**, Local Law 2 of 2020 provides that the Town Board appoint no fewer than five (5) and no more than seven (7) members to the Council to serve for terms of two (2) years with the first three (3) initial appointments being staggered and consisting of terms of one (1) year each; and

**WHEREAS** Local Law 2 of 2020 also provides that persons residing within the Town of East Greenbush who are interested in or have specific skills and training relative to preservation of natural resources, open space conservation and the improvement of environmental quality shall be eligible for appointment as a member of the Council; and

**WHEREAS**, Jennifer Hixon, a Town resident, has expressed an interest in preservation of natural resources, open space conservation, and the improvement of environmental quality; and effectively served as a member of the Natural Resources Work Group (NRWG), which prepared the Town’s Natural Resources Inventory (NRI); 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 appoints Jennifer Hixon to the East Greenbush Conservation Advisory Council for a term not to exceed one (1) full year.

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:

**61-2021 A Resolution to Schedule a Public Hearing to Receive Public Comment on the Proposed Comprehensive Plan as Modified**

**WHEREAS**, this resolution was not submitted in time to be considered at the regularly scheduled pre-board meeting held on February 10, 2021 and was subsequently presented to the town board on February 16, 2021; and

**WHEREAS**, the Town of East Greenbush is currently in the process of updating the comprehensive plan; and

**WHEREAS**, by resolution number 21-2019, the Town Board authorized creation of the Comprehensive Plan Steering Committee (CPSC) as a special board under Section 272-a of the NYS Town Law to prepare a proposed comprehensive plan or amendment thereto and appointed members to join the CPSC; and

**WHEREAS**, on December 16, 2020 the Town Board accepted the draft Comprehensive Plan prepared by the CPSC in accordance with Section 272-a; and

**WHEREAS**, on January 13, 2021 the Town Board held a public hearing as part of the Town's ongoing efforts to assure full opportunity for citizen participation in the preparation of the Comprehensive Plan and fulfill obligations under New York State Town Law Section 272-A; and

**WHEREAS**, the Town Board is in the process of carefully reviewing the proposed Comprehensive Plan prepared by the CPSC and, as part of this process, discussed the draft update of the Comprehensive Plan at a Town Board Workshop during Special Meeting held on January 27, 2021; and

**WHEREAS**, the Town Board wishes continue to assure full opportunity for citizen participation in the preparation of the Comprehensive Plan as part of its review process, and that the public be afforded the opportunity to comment on any modifications proposed as a result of this process; 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 shall hold a public hearing to receive comment on the proposed Comprehensive Plan as modified at 6:00 PM on March 24, 2021 at the East Greenbush Town Hall located at 225 Columbia Turnpike, Rensselaer, New York or by remote means.

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:

**ADJOURNMENT**

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

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