



# The Town of East Greenbush

225 Columbia Turnpike, Rensselaer, New York 12144

## TOWN BOARD AGENDA SPECIAL MEETING September 5, 2019

**Call to Order**                                  **6:00 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

### Schedule of Meeting:

**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.

**178- 2019      A Resolution Authorizing the Town Supervisor to Execute an Agreement (“School Resource Officer Agreement”) Between the Town of East Greenbush and the East Greenbush Central School District Regarding the School Resource Officer Program**

**WHEREAS**, the 2019-2020 Enacted New York State Budget included amendments to Education Law §2801-a to require that beginning with the 2019-20 school year, and every school year thereafter, school districts and charter schools adopt a written contract or agreement that is developed with stakeholder input, that defines the relationship between a school district or charter school, school personnel, students, visitors, law enforcement, and public or private security personnel. The written contract or agreement must clearly delegate the role of school discipline to school administration and be consistent with the code of conduct. Such contract or agreement is required to be incorporated and published as part of the school district safety plan. The amendments became effective on July 1, 2019; and

**WHEREAS**, the Town and the East Greenbush Central School District have enjoyed a long-standing and successful agreement to jointly share the cost of providing a town police officer to serve as a full-time School Resource Officer; and

**WHEREAS**, the School District and the Town have determined that it is in their mutual best interests to enter into this agreement to provide for the assignment of one or more police officer(s) employed by the Town to serve as School Resource Officers at the School District; and

**WHEREAS**, at a Regular Meeting of the Board of Education of the East Greenbush Central School District held on August 21, 2019 approved the intermunicipal agreement between the District and Town for School Resource Officer services and authorized the Superintendent of Schools to execute the intermunicipal agreement in the form approved by legal counsel; and

**WHEREAS**, the Town Comptroller confirms that this resolution has no material impact on the Town's finances; and

**WHEREAS**, the Town Board has reviewed the School Resource Officer Agreement; now, therefore, be it

**RESOLVED**, that the Town Board of the Town of East Greenbush authorizes the Town Supervisor to enter into the School Resource Officer Agreement with the East Greenbush Central School District;

and be it further

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

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

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

**179-2019 A Resolution to Settle a Tax Certiorari Case with Christopher Webb and Kevin Webb**

**WHEREAS**, Christopher Webb and Kevin Webb and the Town of East Greenbush are desirous of having certain assessment issues resolved as to property owned by Christopher Webb and Kevin Webb in the Town of East Greenbush; and

**WHEREAS**, a settlement proposal resolving tax certiorari litigation was recommended by the Vincelette Law Firm, special counsel to the Town of East Greenbush, and reviewed by the East Greenbush Town Board at its regular monthly meeting; and

**WHEREAS**, such a proposed settlement would present the parties with an expeditious and economic alternative to further litigation so as to resolve issues between the parties; and

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

**WHEREAS**, the Town Comptroller confirms that this resolution has no material impact on the Town's finances; now, therefore, be it

**RESOLVED**, that the Town Board does hereby accept a proposed settlement for the 2019 tax certiorari proceeding filed by Christopher Webb and Kevin Webb in which the 2019 taxable values of the subject properties shall be revised as follows:

<b>Tax Map No.</b>	<b>2019 Assessment</b>	<b>Revised Taxable Value</b>
165.-1-32	\$43,000	\$15,500
165.-1-4.11	\$229,000	\$198,500
165.-1-22.111	\$251,700	\$42,000
176.-2-2	\$26,400	\$6,500
165.-1-7	\$262,000	\$211,800

and it is further

**RESOLVED** that Christopher Webb and Kevin Webb shall be entitled to a refund of excess taxes for any property tax bill based upon the original 2019 taxable value, waiving statutory interest, paid based upon the above revision;

and it is further

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

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:

**180-2019 A Resolution Authorizing the Supervisor to Sign a Memorandum of Agreement Between the East Greenbush Police Officers Union and the Town of East Greenbush**

**WHEREAS**, the Chief of Police seeks to create a Patrol Swing Shift Sergeant assignment to cut the cost of on-call supervision; and

**WHEREAS**, the East Greenbush Police Officers Union was willing to discuss the details of this change within the context of a Memorandum of Agreement which would serve as an addendum to the union contract; and

**WHEREAS**, the Chief of Police, in consultation with the Town Supervisor, entered into discussions with the Union and was able to reach agreement on the particulars of the Patrol Swing Shift Sergeant; and

**WHEREAS**, the President of the Police Officers Union and the Town Supervisor have signed a Memorandum of Agreement relating to the Swing Shift Sergeant in the Police Department; and

**WHEREAS**, this Agreement is not formally agreed until the text has been approved by the Town Board; and

**WHEREAS**, the members of the Town Board have reviewed the text of the document; and

**WHEREAS**, the Town Comptroller confirms this will likely have no material impact on the Town's finances;

now, therefore, be it

**RESOLVED**, that the Town Board of the Town of East Greenbush authorizes the Supervisor to sign a Memorandum of Agreement relating to the creation of a Swing Shift Sergeant in the Police Department;

and be it further

**RESOLVED**, that this Memorandum of Agreement takes effect immediately upon passage by the Town Board.

This 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:

**181-2019      A Resolution Authorizing the Director of Planning and Zoning to Issue a Request for Proposals for the Construction of Tempel Lane Extension and Certain Related Improvements**

**WHEREAS**, in connection with growth and development along the Tempel Lane corridor, including the construction of Regeneron's Tempel Lane Campus, the Town has identified the public need for the construction of certain improvements; and

**WHEREAS**, these improvements include the extension of the existing Tempel Lane to a point of intersection with Third Avenue Extension and associated stormwater, water supply, sanitary sewer improvements and items related to this proposed roadway extension ("Tempel Lane Extension"); and

**WHEREAS**, the public need for such improvements have been established in the following documents: Amended SEQRA Findings Statement for Regeneron Pharmaceuticals, Inc. Tempel Lane Campus (November 20, 2018); Western East Greenbush Final Generic Environmental Impact Statement (July 2009); Town of East Greenbush Town Board Village at Tempel Farm Resolution (24-2008) for Conditional Site Plan Approval (January 9, 2008); Route 4 Corridor Study (2006); and Final Generic Environmental Impact Statement Mill Creek Commerce Park (February 14, 2002); and

**WHEREAS**, the Amended SEQRA Statement of Findings issued in November of 2018 by the Town Board as lead agency addressed both the Regeneron Tempel Lane Campus and the reconstruction of Tempel Lane; and

**WHEREAS**, the Town has received \$2.0 million in grant funding from Empire State Development in order to implement infrastructure projects with total cost of \$10,637,200 aimed at supporting the Town's need to address growth and support economic development in the Tempel Lane Corridor, including the funding of certain off-site traffic mitigation items, pump

station replacement, Tempel Lane pavement rehabilitation, and the Tempel Lane Extension project (collectively, the “Program”); and

**WHEREAS**, in order to advance the Program, professional engineering and program management services are needed to develop 100% Design Plans and Bid Specifications and related administrative and construction inspection support for the Tempel Lane Extension project and to assist Town staff with overall program coordination and in addressing the ESD grant requirements; and

**WHEREAS**, the Town Comptroller has confirmed that none of the provisions of this proposed Board action will have a material impact on the Town’s finances, because the purchase and funding is not authorized;

now, therefore be it

**RESOLVED**, that the Town Board authorizes the Director of Planning and Zoning to issue a request for proposals to solicit proposals from qualified consultants for the aforementioned services needed to advance the aforementioned Program, including the Tempel Lane Extension project.

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

## **ADJOURNMENT**

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

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