



The Town of East Greenbush

225 Columbia Turnpike, Rensselaer, New York 12144

TOWN BOARD AGENDA December 20, 2023

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 B Fritz |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor E. Nestler |

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:

264-2023 **A Resolution to Approve Public Hearing 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 Public Hearing held on November 9, 2023 at 6:00pm have been presented to the Town Board; 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 Public Hearing held on November 9, 2023 at 6:00pm are hereby approved as submitted.

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

265-2023 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 November 15, 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 November 15, 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: |
| Councilor E. Nestler | VOTED: |
| Supervisor J. Conway | VOTED: |
| Councilor T. Tierney | VOTED: |
| Councilor H. Kennedy | VOTED: |

266-2023 A Resolution to Schedule the 2024 Organizational Meeting

WHEREAS, the Town Board of the Town of East Greenbush is required to schedule an Organizational Meeting for 2024; 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 shall conduct the 2024 Organizational Meeting at 6:00 PM on Tuesday, January 2, 2024 at the East Greenbush Town Hall, 225 Columbia Turnpike in the Town of East Greenbush, County of Rensselaer and State of New York;

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 Organizational Meeting.

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: |
| Councilor E. Nestler | VOTED: |
| Councilor T. Tierney | VOTED: |
| Councilor H. Kennedy | VOTED: |
| Councilor B. Fritz | VOTED: |

267-2023 A Resolution Authorizing the Supervisor to Sign a 2024 Animal Shelter Agreement with the Town of East Greenbush Dog Control Officer, Bob Guyer

WHEREAS, the Town has certain statutory obligations relating to dogs, pursuant to the Agricultural and Markets Law; and

WHEREAS, such duties include the obligation to seize certain dogs, and to assure that the dogs are properly sheltered, fed and watered; and

WHEREAS, Bob Guyer has his facility located in the Town of East Greenbush and it is inspected annually by NYS Agriculture and Markets, and it is state regulated; and

WHEREAS, the Town of East Greenbush desires to enter into an agreement for such services for 2024 with the Town of East Greenbush Dog Control Officer, Bob Guyer; 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 Supervisor is authorized to enter into an Animal Shelter Agreement for services in 2024 with Bob Guyer, upon approval as to form by the attorney to the Town.

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

268-2023 A Resolution to Establish Community and Recreation Department Fees for 2024

WHEREAS, the Town Board of the Town of East Greenbush is required to establish rates charged by the Community and Recreation Department; and

WHEREAS, these fees are vital as they are the main source of revenue for the Community and Recreation department and allow the Town to continue to bring exemplary recreational opportunities to all its residents; and

WHEREAS, the rates will not increase for the year of 2024; and

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

| Community and Recreation Department Fees 2024 | | | | | | |
|--|-------------------------------|-----------------------------|-------------------------|-----------------------------|--|----------------|
| | Resident Weekend | Non Resident Weekend | Resident Weekday | Non Resident Weekday | School Groups or Community Youth Groups | |
| | | | | | Weekday | Weekend |
| Red Barn | \$550.00 | \$700.00 | \$450.00 | \$600.00 | \$100.00 | \$225.00 |
| Lower Pavilion Add on Fee | \$100.00 | \$100.00 | \$100.00 | \$100.00 | - | - |
| Upper Pavilion | \$250.00 | \$400.00 | \$150.00 | \$350.00 | \$75.00 | \$200.00 |
| Onderdonk Pavilion | \$150.00 | \$250.00 | \$100.00 | \$200.00 | \$50.00 | \$50.00 |
| Hampton Manor Beach House | \$100.00 | \$200.00 | \$75.00 | \$150.00 | \$50.00 | \$50.00 |
| Softball Field at Town Park | No fee but reservation needed | | | | | |
| Alcohol Permit | \$50.00 | \$50.00 | \$50.00 | \$50.00 | n/a | n/a |
| Each hour after 8PM | \$75.00 | \$75.00 | \$75.00 | \$75.00 | \$75.00 | \$75.00 |
| Cancellation Fee if 2 weeks or more prior | \$75.00 | \$75.00 | \$75.00 | \$75.00 | \$75.00 | \$75.00 |
| Security Deposit (Red Barn ONLY) | \$250.00 | \$250.00 | \$250.00 | \$250.00 | | |
| No Refunds for Events cancelled less than 2 weeks prior to the event. | | | | | | |
| Certificate of Insurance required for all rentals. | | | | | | |
| 50% deposit due at time of reservation. | | | | | | |

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

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

269-2023 A Resolution Accepting the Resignation for Purposes of Retirement of Assistant Chief Jonathan E. Reickert

WHEREAS, Jonathan E. Reickert was proudly sworn in as a police officer with the Town of East Greenbush Police Department on November 18, 2020 after having professionally served with the Town of Schodack Police Department since May of 1996; and

WHEREAS, the Town Board has received a letter of retirement from Assistant Chief Jonathan E. Reickert of the East Greenbush Police Department effective December 29, 2023, having completed over 3 years of dedicated service to the Town of East Greenbush; and

WHEREAS, Assistant Chief Reickert has served in many roles throughout his law enforcement career, including serving as a Tactical Team Operator and Team Leader of the Community Emergency Response Team, now known as the Shared Services Response Team, and held the ranks of Sergeant and Lieutenant during his time with the Schodack Police Department, and now retires holding the rank of Assistant Chief of Police with the East Greenbush Police Department; and

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

now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush accepts the resignation for purposes of retirement of Assistant Chief Jonathan E. Reickert and wishes him an enjoyable and extremely well-earned retirement;

and be it further

RESOLVED, that the Town Board thanks Chief Reickert for his professionalism, integrity, effectiveness, and reasonableness, and for his tireless efforts to keep the Towns of Schodack and East Greenbush safe.

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 B. Fritz | VOTED: |
| Councilor E. Nestler | VOTED: |

270-2023 A Resolution to Approve the Annual Appointment of Part-time Police Dispatchers

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

WHEREAS, these individuals currently meet the presumptive, non-competitive qualifications for this title as established by the Rensselaer County Civil Service Commission and whose names are listed and attached hereto; 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, each of the individuals so listed be, and the same hereby is appointed to the position of Part-time Police Dispatcher, 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,

| | |
|-------------------|-------------------|
| Peter F. Foust | Daniel P. Farnan |
| Robert G. Lehmann | Jeffrey G. Tooker |
| Makayla G. Maxian | |

and be it further

RESOLVED, that said part-time dispatchers be compensated as set forth in the appropriate Collective Bargaining Agreement.

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 E. Nestler | VOTED: |

271-2023 A Resolution to Approve the Annual Appointment of Part-time Police Department Interns

WHEREAS, the Town currently retains the services of Part-time Police Department Interns throughout the year to assist in addressing the backlog of preventative maintenance of records, purging of records and compliance with new judicial reforms; and

WHEREAS, these individuals currently have prior experience with the Town, have the ability to handle confidential and sensitive information; and

WHEREAS, the Town Comptroller confirms that the provisions of this resolution were planned for in the current Budget and will have no material impact on the Town Finances; now therefore be it

RESOLVED, that on the recommendation of the Chief of Police the Town Board confirms the appointment for hours worked, hours paid, with no benefits, of Seana Yeates and Cole Daniels effective January 1, 2024 at the rate of \$15.00 per hour. The total amount of this resolution is not to exceed \$10, 000 as reflected in the 2024 budget. All appointments are 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;

Sophia Pioggia

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: |
| Councilor E. Nestler | VOTED: |
| Supervisor J. Conway | VOTED: |
| Councilor T. Tierney | VOTED: |
| Councilor H. Kennedy | VOTED: |

272-2023 A Resolution to Acquire a Police Patrol Vehicle

WHEREAS, it is the intention of the Town to maintain its police vehicles in a safe and mechanically efficient condition; and

WHEREAS, the Chief of Police has reported that one of the Town’s police patrol vehicles (Unit 306- VIN # 1FM5K8AR8HGD57730) was involved in an accident and deemed a total loss; and

WHEREAS, Nielsen Ford Sales of Morristown New Jersey, an authorized New York State OGS Contractor and Westchester County Contractor, has quoted a one-time total cost of \$58,662.25 for one new 2023 Ford Police Interceptor Utility Vehicle, and

WHEREAS, the Chief of Police has requested a quote for a 2024 Ford Police Interceptor Utility Vehicle and is unable to obtain said quote until early 2024, and it’s anticipated that the cost of a 2024 vehicle will be closer to \$60,000.00, and

WHEREAS, production and delivery of police package vehicles is extremely delayed and this vehicle will be replacing a vehicle in 2024; and

WHEREAS, the Town Comptroller confirms that the financial impact of this purchase will be charged to 31204.01.04, Police CE; the resolution is further offset by an insurance claim received and booked in October 2023 to revenue code 2680.01 for \$42,855.00; with the remaining cost to be funded by Town general fund balance A917;

now, therefore, be it

RESOLVED, that the Town Board authorizes the Police Chief to purchase one (1) new 2023 Ford Police Interceptor Utility Vehicle from Beyer Ford LLC, per the Westchester County Contract # RFB-WC-22336, or one (1) 2024 Ford Police Interceptor Utility Vehicle from same pending receipt of the 2024 quote.

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 B. Fritz | VOTED: |
| Councilor E. Nestler | VOTED: |

273-2023 A Resolution to Authorize a Public Auction of Surplus Equipment

WHEREAS, the Town Board has received a request from the Chief of Police to declare the following Town property to be surplus equipment;

One (1) model year 2017 FORD Explorer (Vin # 1FM5K8AR1HGD57729)

WHEREAS, said equipment is not suited for any other Town department; and

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

now, therefore, be it

RESOLVED, that said property be and hereby is declared to be surplus;

and be it further

RESOLVED that the Chief of Police be authorized to conduct a public auction or sale or other wise to lawfully dispose of said surplus equipment now owned by and in the custody of the East Greenbush Police Department.

The foregoing resolution was duly moved by Supervisor Conway seconded by Councilor Kennedy and voted as follows:

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

274-2023 A Resolution Amending Resolution 12-2023 of January 18, 2023 to Authorize the Use of \$60,460 of American Rescue Plan Act (ARPA) Funds for the Cross Street Pump Station Upgrade Project with the Balance Charged to Water Operations

WHEREAS, Resolution 12-2023 authorized using \$158,000 of ARPA Funds to award to Adirondack Mountain Engineering and the Town Board wishes to amend that to charge only \$60,460, account code 51324.03.04.18 ARPA Water CE and the balance of \$97,540 to Water Operating fund 83404.05.04; and

WHEREAS, the Town Comptroller identifies account code 51324.03.04.18 ARPA Water CE offset by revenue code 3089.03.000.18 ARPA Water funded by ARPA funds charged to 691.01 Deferred Inflows in the amount of \$60,460; and the balance of \$97,540 charged to 83404.05.04 charged to Water Fund Balance SW 915 to cover the \$158,000 contract;

now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush hereby amends resolution 12-2023 to authorize the use of American Rescue Plan Act (ARPA) funds to pay for only \$60,460 with the balance of \$97,540 charged to 83404.05.04 for the contract award of \$158,000.00 with Adirondack Mountain Engineering.

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

275-2023 A Resolution Authorizing the Town Supervisor to Sign the Contract with Jefferson Solutions, Inc. for GASB 75 Post-Retirement Medical Actuarial Valuation

WHEREAS, the Town wishes to obtain a GASB 75 post-retirement medical actuarial valuations for the Town’s 2023 Financial Statements; and

WHEREAS, the Comptroller has worked successfully in the past with Jefferson Solutions to obtain this actuarial valuation; and

WHEREAS, the Town Comptroller confirms that the financial impact of \$4,150.00 of this resolution is budgeted in 2024 as follows:

| | |
|-------------------------------|-----------|
| 13154.01 - Comptroller CE | \$2033.50 |
| 51104.02 - General Repairs CE | \$622.50 |
| 83104.05 – Administration CE | \$747.00 |
| 81104.07 – Administration CE | \$747.00 |

now, therefore, be it

RESOLVED, that the Town Supervisor is hereby authorized to sign the GASB 75 post-retirement medical actuarial valuation contract with Jefferson Solutions, Inc.

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

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

276-2023 A Resolution to Authorize Jim McHugh to Attend the Association of the Towns (AOT) Newly Elected Town Officials 2024 Training School

WHEREAS, Jim McHugh will be sworn in as a Town Board Member on January 1, 2024. Jim will be attending Association of the Towns Newly Elected Town Officials Training School in January; and

WHEREAS, the Town Comptroller confirms that this resolution will not have a material impact on the Town’s finances and can be funded through Account 1220.4 Supervisor CE; now, therefore, be it

RESOLVED, that the following person be authorized by the Town of East Greenbush to attend the Association of the Towns Newly Elected Town Officials Training School to be held at the Albany Marriott:

Jim McHugh

and be it further

RESOLVED, the Town will pay conference attendance expense for this employee for January 17, 2024 through January 19, 2024. Attendee shall advance the cost for transportation and meals and maintain an expense report accompanied by appropriate receipts to be submitted to the Comptroller following the meeting for reimbursement.

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 B. Fritz | VOTED: |
| Councilor E. Nestler | VOTED: |

277-2023 A Resolution to Accept the Resignation of Jennifer Hixon from the Conservation Advisory Council (CAC)

WHEREAS, the Town’s Conservation Advisory Council (CAC) was empaneled to advise Town boards on issues of conservation; and

WHEREAS, Jennifer Hixon has served on the CAC with distinction since her appointment via Resolution 60-2021 which was approved on February 17, 2021; and

WHEREAS, Jennifer Hixon has submitted her resignation, which has been accepted by the CAC; 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 Jennifer Hixon from the Conservation Advisory Council, effective immediately, and the Board thanks Ms. Hixon for her stellar work on the CAC and wishes her success and good health in the future.

The foregoing resolution was 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 B. Fritz | VOTED: |
| Councilor E. Nestler | VOTED: |

278-2023 A Resolution Authorizing the Purchase of a Truck for the Department of Public Works

WHEREAS, the Town Board authorized the Commissioner to solicit bids through the New York State Vehicle Marketplace for (1) Ram 2500 Crew Cab Pickup Truck for the Highway Department; and

WHEREAS, the Purchasing Clerk and Deputy Commissioner of Public Works built the specifications and solicited the bids per the new NYS Vehicle Marketplace process and have reviewed all the submissions to confirm which bids met the specifications; and

WHEREAS, the following bids were received:

| Bid Info | Dealership | Truck | Total Price |
|----------|--------------------|---------------------------------|-------------|
| 23-11 | Central Dodge Inc. | 2024 RAM 2500 Big Horn Crew Cab | \$66,015.05 |
| | Main Motorcar | **Did not meet Specifications** | |

the bid from Central Dodge includes the 2024 Dodge Ram 2500 6.7 Liter Cummins Diesel Engine with all the safety features, and light package; and

WHEREAS, the estimated delivery time is six (6) months from date of award; and

WHEREAS, the Comptroller confirms that this will have a material financial impact that will be funded as follows;

| Fund | Transfer In | Transfer Out |
|------------------------------------|-------------|--------------|
| 51304.02.004.00 Machinery CE | \$66,015.05 | |
| 87604.02.004.00 Emergency Disaster | | \$66,015.05 |

now, therefore, be it

RESOVLED, that the Town Board does hereby approve the purchase of a Truck from Central Dodge Inc. for the Highway Department.

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

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

279-2023 A Resolution Authorizing the Purchase of a New Wood Chipper for the Department of Public Works

WHEREAS, the Commissioner of Public Works has identified the need to replace the existing Wood Chipper as equipment for the Department of Public Works; and

WHEREAS, the wood chipper is a piece of equipment that gets utilized regularly for maintenance and is essential during storms where large branches and trees have fallen; and

WHEREAS, the current chipper is a 2003 model and has needed a number of repairs over the last few years which hinders the Department of Public Works ability to complete tasks in an efficient manner; and

WHEREAS, after discussions with multiple sales companies, the Highway Foreman and Mechanic recommend the Intimidator 19XPC from Ground Equipment Inc. utilizing the Sourcewell Contract for the amount of \$85,086.40; and

WHEREAS, the Comptroller confirms that this will have a material impact that will be funded as follows;

| Fund | Transfer In | Transfer Out |
|---|--------------------|---------------------|
| 51304.02.004.00 Machinery CE | \$85,086.40 | |
| 87604.02.004.00 Emergency Disaster | | \$85,086.40 |

now, therefore, be it

RESOLVED, that the Commissioner of Public Works is hereby authorized by the Town Board to purchase the Intimidator 19XPC Wood Chipper for the Department of Public Works from Ground Equipment Inc for the amount of \$85,086.40.

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

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

280-2023 A Resolution Authorizing the Extension of the County Waste Sludge Hauling Contract

WHEREAS, the Wastewater Treatment Plant currently uses County Waste to haul away the Sludge; the existing contract expired on November 20, 2023 and after review with the Purchasing Clerk an extension has been reviewed and proposed for consideration; and

WHEREAS, the expired contract included the hauling of a 30-yard dumpster with liner, five (5) times per week pick up at \$162.00 per ton; and

WHEREAS, upon review of the proposed extension, the Deputy Commissioner of Public Works and the Purchasing Clerk noted that the extension would cost the Town an additional \$66,000 per year so the Purchasing Clerk began discussions with County Waste as to why such a significant increase was being proposed without prior notice; and

WHEREAS, using strong negotiation skills, the Purchasing Clerk was able to negotiate the following rates for the extension from December 1, 2023 through November 30, 2024, a slight increase in price per ton, from \$162.00 to \$175.00 per ton with no hauling fee; and

WHEREAS, the Commissioner of Public Works agrees that this extension is in the best interest of the Town and would recommend extending this one time and working with Town Designated Engineer, Adirondack Mountain Engineering, on updating the Sludge Hauling Bid with anticipation of soliciting bids for late summer 2024 in anticipation of the extension ending on November 30, 2024; and

WHEREAS, the Town Comptroller confirms this is budgeted in 2024 charged to 81304.07.04 Treatment/Disposal CE;
now, therefore, be it

RESOLVED, that the Town Board hereby authorizes the extension of the County Waste Sludge Hauling Contract for the period of December 1, 2023 through November 30, 2024 at the rate of \$175.00 per ton.

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

281-2023 A Resolution Authorizing Grinding of Wood and Brush

WHEREAS, the Town of East Greenbush Transfer Station receives wood and brush from residents and commercial vendors; and

WHEREAS, the wood and brush must be ground and removed from the Town of East Greenbush Transfer Station when deemed necessary by the Commissioner of Public Works; and

WHEREAS, the Town solicited bids and received four bid submissions (as shown below) with the lowest responsible bidder being S.M. Gallivan LLC in the amount of \$38,400;

| <u>Contractor</u> | <u>Bid Amount</u> |
|----------------------------|--------------------------|
| Advantage Tree Service LLC | \$46,665 |
| Troy Sand & Gravel | \$54,900 |
| S.M. Gallivan LLC | \$38,400 |

and

WHEREAS, the Town of East Greenbush Purchasing Policy requires that purchases of \$10,000 or more must be approved by the Town Board; and

WHEREAS, the Town Comptroller confirms that the financial impact of this resolution is \$38,400 from the Transfer Station account code 81604.01 for this expense;

now, therefore, be it

RESOLVED, that the Town Board authorizes the Commissioner of Public Works to contract with S.M. Gallivan LLC to grind the wood and brush, and remove it from the Transfer Station to a permitted dump site in an amount not to exceed \$38,400.

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

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

282-2023 A Resolution to Authorize the Sale of Surplus Equipment to the Town of Nassau

WHEREAS, the Town of East Greenbush declared its 1997 Ford Elgin Sweeper as scrap in Resolution 252-2023 in November 2023; and

WHEREAS, the Department of Public Works is declaring the 2003 Bandit 15” Wood Chipper, Identification Number: SYS14092 as scrap; and

WHEREAS, the Town of Nassau contacted the Commissioner of Public Works interested in purchasing the two pieces of equipment directly from the Town and both Towns agreed on the following prices:

| Equipment Information | Price |
|--|--------------|
| 1997 FORD SWEEPER VIN: 1FDYH81E8VVA25559 | \$4,000.00 |
| 2003 Bandit 15” Wood Chipper Identification Number: SYS14092 | \$10,000.00 |
| | |

; 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 upon receipt of approval and payment from the Town of Nassau, the Commissioner of Public Works is authorized to release the equipment to the Town of Nassau.

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

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

283-2023 A Resolution to Accept the Resignation of Denise Ferrari from the Position of Clerk in the Water and Sewer Billing Office

WHEREAS, Denise Ferrari was hired by the Town via Resolution 316-2021 on December 2, 2021 to the position of Clerk in the Water and Sewer Billing Office; and

WHEREAS, Denise Ferrari tendered her resignation to the Town Supervisor and Director of Finance on November 28, 2023 with an effective end date of December 8, 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 Denise Ferrari’s resignation from the position of Clerk in the Water and Sewer Billing Office; and be it further

RESOLVED, that the Town Board hereby thanks Ms. Ferrari for her service and wishes her well in her future endeavors.

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 B. Fritz | VOTED: |
| Councilor E. Nestler | VOTED: |

284-2023 A Resolution to Approve a Notice of Termination for a Certain Town Employee

WHEREAS, the Town has been presented with a situation in which a certain Town employee has violated Town and Department policy in a manner that the employee has been counseled on repeatedly over a long period of time; and

WHEREAS, the number of problematic write-ups and Notices of Discipline for this employee has reached a level that is unacceptable to management and that hinders the Department’s ability to successfully complete its tasks; 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 approves a Notice of Termination for a certain Town employee;

and be it further

RESOLVED, that this Notice of Termination is effective as of December 9, 2023.

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 B. Fritz | VOTED: |
| Councilor E. Nestler | VOTED: |

285-2023 A Resolution to Approve a Notice of Discipline and ‘Last Chance Agreement’ with a Certain Town Employee

WHEREAS, the Town has been presented with a situation in which a certain Town employee has violated Town and Department policy repeatedly; and

WHEREAS, the employee’s performance has resulted in a Notice of Discipline based on a consistent pattern of behavior that is unacceptable to management and that hinders the Department’s ability to successfully complete its tasks; and

WHEREAS, the Town has offered a ‘Last Chance Agreement’ to this employee as an alternative to termination. The agreement specifies the conditions under which the employee can keep their job; 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 approves a Notice of Discipline and a ‘Last Chance Agreement’ for a certain Town employee;

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 B. Fritz | VOTED: |
| Councilor E. Nestler | VOTED: |

286-2023 A Resolution Authorizing the Commissioner of Public Works to Solicit Bids for the Town Hall Windows Project

WHEREAS, Town Hall is the face of the Town of East Greenbush for people who live, work and play in our Town; and

WHEREAS, the Town has received a DASNY [Dormitory Authority of State of New York] Grant for the cost of the Town Hall windows in the amount of \$300,000; and

WHEREAS, Town Hall is home for all residents and guests of East Greenbush. The windows are extremely drafty during the winter, making it very difficult to work in that environment, and increasing the energy bills for the Town; and

WHEREAS, the Comptroller confirms that soliciting bids will not have a material impact on the Town’s Finances;
now, therefore, be it

RESOLVED, that the Commissioner is hereby authorized to solicit bids for Town Hall Windows.

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 E. Nestler | VOTED: |

287-2023 A Resolution Authorizing a Sales Agreement with Revize – The Government Website Experts -to Upgrade the Town Website in 2024

WHEREAS, the Town would like to update the Town’s website and;

WHEREAS, the current issues identified with the website are:

- Updating the Town’s website is time consuming and lacks the functionality to provide basic services to residents – such as a functioning Town calendar; and

WHEREAS, upgrading the website would not only create a user- friendly, responsive site for the Town, it would create a site that is easier for the Town to maintain; and

WHEREAS, upgrading the website will provide Town residents with the ability to print, save to PDF and/or email every page on the website, easily download PDFs, a functioning calendar of events, as well as an easy-to-use Contact Form that would send an email to a desired department, thus increasing the accountability and transparency of the Town; and

WHEREAS, the upgrade includes project planning, design, transfer of data from the old website to the new website, online interactive forms application, alert center with email and text notifications, customized department sub-site design for the East Greenbush Police Department, as well as training and support for Town employees; and

WHEREAS, the Town Comptroller has confirmed that the financial impact of this resolution is \$21,010 for the first year and \$4,850 for the remaining 4 years of the agreement and is budgeted in account 1680.4 Data Processing CE in 2024;

now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush does hereby approve the upgrade of the Town Website by Revize for a total investment price of \$21,010 50% due at initial engagement and 50% due upon phase 7 of the design of the website.

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

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

288-2023 A Resolution Authorizing the Supervisor to Enter into Agreements for Sewer Services with Individuals/Entities

WHEREAS, the Town Board of the Town of East Greenbush, County of Rensselaer, State of New York, does annually enter into an Agreement for Sewer Services with the following Individuals/Entities: Anthony and Samantha Ayala; Dean and Doris Calamaras; William Wood; Mary A. Sturn; Ashley & Dakota Ostrander; Harold Criswell; 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 Supervisor of the Town of East Greenbush is hereby authorized to enter into an Agreement for the General Sewer District connections of the aforementioned, at a sum not to exceed One Thousand and Thirty Seven Dollars (\$1,037.00) each; said Agreement to be valid throughout the year 2024 and to expire on December 31, 2024, and that these charges shall be billed to the owner in four (4) equal installments of (\$259.25 each) during the quarterly billing months of February, May, August and November 2024.

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

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

289-2023 A Resolution Approving the Construction of a By-Pass at Commons Pump Station

WHEREAS, this resolution was not able to be submitted in time to be considered at the regularly scheduled pre-board meeting of December 13, 2023 and was subsequently presented to the Town Board on December 18, 2023; and

WHEREAS, Commons Pump Station has been identified as one of the Town’s Sanitary Sewer Pump Stations that is in need of critical repairs according to Town Designated Engineers, Adirondack Mountain Engineering and HV LaBarba; and

WHEREAS, one of the first steps to reviewing the upgrade of the Commons Pump Station, located near 77 Troy Road, would be to run a bypass to allow for the upgrades to take place without disrupting the flow of the Sanitary system in this section of Town; and

WHEREAS, the Commissioner of Public Works upon discussion with HV LaBarba and the Town’s Industrial Mechanic Contractor JP Industrial, it was recommended to begin with the by-pass, which is the same process the Town utilized with upgrades to the Corliss Pump Station; and

WHEREAS, the Commissioner began to request quotes from Contractors that the Town has worked on similar projects with to begin the process to see where bids would be coming in and the following have been received:

| Contractor | Amount |
|--|---------------|
| Wm. J Keller & Sons Contracting | \$32,984.00 |
| American Evergreen | \$17,400.00 |
| Carver Companies | \$46,145.00 |

; 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, the Town Comptroller confirms that this will have a material impact and will be charged to 8120.4 Sanitary Sewer CE;
now, therefore, be it

RESOLVED, the Town Board does hereby authorize the Commissioner of Public Works to contract with American Evergreen for the construction of a by-pass at the Commons Pump Station as part of the Commons Pump Station Upgrade Project for an amount not to exceed \$17,400.00.

The foregoing resolution was duly moved by Councilor Fritz and seconded by Councilor Tierney 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 E. Nestler VOTED:

290-2023 A Resolution Authorizing Insurance Overage Payment to W.F. Bruen Rescue Squad

WHEREAS, this resolution was not able to be submitted in time to be considered at the regularly scheduled pre-board meeting of December 13, 2023 and was subsequently presented to the Town Board on December 18, 2023; and

WHEREAS, W.F. Bruen Rescue Squad is the Town’s contracted ambulance service and;

WHEREAS, in 2022 Bruen recovered \$609,658.37 in Insurance Reimbursement and per the contract the Town receives \$470,000.00 and the remaining amount is to be returned to Bruen to be used for Operational Purposes and;

WHEREAS, Bruen has requested the Town remit \$139,658.37 for the insurance reimbursement overage for 2022 and;

WHEREAS, this money is in the Ambulance Fund Balance; and

WHEREAS, the Town Comptroller has confirmed that the financial impact of this resolution is \$139,658.37 from Ambulance Fund Balance;

now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush does hereby approve the Finance Department to process payment to W.F. Bruen Rescue Squad in the amount of \$139,658.37.

The foregoing resolution was duly moved by Supervisor Conway 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 B. Fritz VOTED:
Councilor E. Nestler VOTED:

291-2023 A Resolution Approving a Memorandum of Agreement Between the Town of East Greenbush, the Civil Service Employees’ Association, Inc. Local 1000, AFSCME, AFL-CIO and Employee Philip Elacqua

WHEREAS, this resolution was not able to be submitted in time to be considered at the regularly scheduled pre-board meeting of December 13, 2023 and was subsequently presented to the Town Board on December 18, 2023; and

WHEREAS, the Deputy Commissioner of Sewer has recommended an employee from the Sewer Department to complete the training and/or attend school to obtain their Grade 2A License to the Commissioner of Public Works and Town Supervisor; and

WHEREAS, Phillip Elacqua is currently a Heavy Equipment Operator (HEO) with the Sewer Department who is a perfect candidate to attend school and/or training to obtain a Grade 2A license to become a Sewage Treatment Plant Operator upon successful completion of the program. Phillip Elacqua has worked with the Sewer Department of the Town of East

Greenbush since November 2021, having successfully completed the required two (2) years of experience needed to apply to the program; and

WHEREAS, upon review and discussion a Memorandum of Agreement By and Between The Town of East Greenbush and Civil Service Employees' Association, Inc. Local 1000, AFSCME, AFL-CIO and Philip Elacqua to outline the terms of the agreement was drafted; and

WHEREAS, the terms of this agreement include repayment of expenses to attend school including but not limited to travel, lodging, meals tuition and books on a prorated basis if Phil should leave the Town within 3 years of obtaining his 2A license; and

WHEREAS, the Town Comptroller confirms that the cost of classes/books of \$2,450 does not have a material impact on the budget and can be funded from 81104.07.04 Administration CE;

now, therefore, be it

RESOLVED, that the Town Board does hereby approve this Memorandum of Agreement to send Town Employee Philip Elacqua to school and/or training to obtain a Grade 2A license for the Wastewater Treatment Plant.

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

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

292-2023 A Resolution to Promote James T. Condo to the Position of Police Sergeant in the Police Department

WHEREAS, this resolution was not able to be submitted in time to be considered at the regularly scheduled pre-board meeting of December 13, 2023 and was subsequently presented to the Town Board on December 18, 2023; and

WHEREAS, this Town Board intends to maintain adequate supervisory staff within the Town Police Department; and

WHEREAS, the Town Comptroller has determined that this resolution was planned for in the 2024 Budget; and

WHEREAS, the Rensselaer County Civil Service Commission has established minimum standards of merit and fitness for this position; has administered and scored the written testing for the position; and now has a certified list of eligible candidates who are qualified for the position; and

WHEREAS, the candidate has been canvassed and interviewed by this Board in accordance with Town Law and Civil Service Law; and

WHEREAS, Officer James T. Condo has been so examined; having given over 32 years of satisfactory service to the Town and meeting the high standard of merit and fitness as prescribed by the Rensselaer County Civil Service Commission; and, after due deliberation by this Board

now, therefore, be it

RESOLVED, that Officer James T. Condo be and hereby is appointed to the position of Police Sergeant of the East Greenbush Police Department, contingent on final certification by

Rensselaer County Civil Service, and successful completion of the Basic Police Supervisory School of the Bureau for Municipal Police;

and be it further

RESOLVED, that said appointment shall have the full force and the same effect as each and every other Police Sergeant of the East Greenbush Police Department, as this position is further described in the Rules and Regulations of the Police Department, the Collective Bargaining Agreement, and the Laws of the State of New York;

and be it further

RESOLVED, that this resolution shall take effect immediately, and said Appointment, shall take effect upon the Appointee taking the Oath of Office administered by the Town Clerk or her designee;

and be it further

RESOLVED, that upon completion of all said conditions and stipulations, said appointment to the rank of Police Sergeant shall be, and hereby is made permanent.

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

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

ADJOURNMENT

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

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