



The Town of East Greenbush

225 Columbia Turnpike, Rensselaer, New York 12144

TOWN BOARD MINUTES May 20, 2020

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

Members of Town Board

Present

Absent

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

Communications/Announcements/Reports

Supervisor Conway stated tonight's meeting was needing to be held in Court Room instead of via Zoom as there is an Executive Session afterwards regarding HR issues and meeting in person in Community Room was necessary. Plenty of space to keep socially distant from one another.

Town Clerk mentioned Shredding Day, Saturday, May 23rd, 9:00-12:00 out in front of Town Hall for East Greenbush, Schodack and City of Rensselaer residents. Town Staff will be there to take any boxes out of cars.

Councilor Tierney: Extended thanks to Dan Fiacco, DPW Commissioner, for all of his efforts to have improvements done in Town Hall. Moving into reopening phase, feeling both apprehension and excitement. Wishes everyone best of health and hope we proceed cautiously. Mentioned while we're staying home, community pride has swelled.

Councilor Kennedy: Announced having Virtual Memorial Day Parade on Saturday, May 23rd, at 9:00 a.m. on Town's YouTube channel and Facebook page. Followed by live stream ceremony at East Greenbush Reformed Church Cemetery at 10:00 a.m. Comments from commanders of both Veterans' posts – Ed Nestler, of VFW Post #7338, and Hugh Blake, of Melvin Roads American Legion Post #1231, along with CTown dignitaries. Community Library will begin a phase reopening. A Special Meeting with Board of Trustees in set for Saturday. Returns starting next Thursday, May 28th, pending approval. Items will be quarantined for 72 hours. Reopening plan will also include drive-thru lending the following week. Community and Recreation

Department continues their Trivia Night on Tuesday's and Friday's. Email Mike Martin, Director, for further information. Also mentioned Heroes of the Pandemic that Mike and Taylor have been working on. Interviews can be seen on our Town's Facebook page.

Councilor Matters: During this time, is reminded that we have so much for which we can be thankful for. Thanked Supervisor for what he has done during this time and with Department Heads. Discussed local and state reopening phases and how challenging that work is.

Councilor Fritz: Mentioned there's excitement with reopening phases yet we do need to be cautious.

Supervisor Conway: Discussed working on plan for reopening Town Hall. Looking at a partial reopening on June 1st, with public coming in by appointment only. There will be a scheduler. Resident will be signed in by Town Staff manning front door. Guidelines will be specifically set in place. Impressed with the public, wearing masks and keeping their distance. Mentioned reopening of parks, yet playground and Dog Park will remain closed until further notice. Complimented on how well Memorial Day Virtual Parade is going to be. Commented on how great Mike and Taylor are doing in Community and Recreation Department. Inspirational to see how our community has dealt with this. Thanked Town employees for being productive and working. Mentioned weekly Friday morning meetings with Jeff Simons, Superintendent of EGCSO, Jill Hughes from library, Shannon Romanowski from the YMCA, and Elaine Ruzinski, Chief of Police. Each of these leaders are who our community needs now in these positions. Commented on Jeff Simons and his fine leadership and organization.

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:

100-2020 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, the minutes of the regular Town Board Meeting held on April 15, 2020 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 April 15, 2020 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: YES
Councilor B. Fritz	VOTED: YES
Supervisor J. Conway	VOTED: YES
Councilor T. Tierney	VOTED: YES
Councilor H. Kennedy	VOTED: YES

101-2020 A Resolution Designating a Portion of Lakeshore Drive from Onderdonk Park to Hampton Lake Park as One-Way for the Period of May 26, 2020 through September 8, 2020, the Installation of Necessary Signage and Traffic Control Devices to Safely and Appropriately Accomplish the Same

WHEREAS, this action has generated positive feedback from the residents using the roadway as it facilitates walking, bicycling and fishing along that portion of the roadway; and

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

now therefore, be it

RESOLVED, that Lake Shore Drive from Onderdonk Park to Hampton Lake Park shall be designated one-way during the period from May 26, 2020 through September 8, 2020, with the Commissioner of Public Works installing the appropriate signage to advise users of this designation.

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

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

Supervisor Conway: For DPW Commissioner, being no more school buses this year sign can go up earlier, on May 26th.

102-2020 A Resolution Authorizing the Town of East Greenbush to Retain T Tech, LLC

WHEREAS, the Town of East Greenbush contracts with Muncity Software Consulting Associates to operate and manage our in-house Utility Billing System; and

WHEREAS, the Town of East Greenbush wishes to have the ability to collect water and sewer quarterly payments using credit cards, debit cards, and electronic checks; and

WHEREAS, in Resolution 68-2020, the Town Board authorized the Town Supervisor to modify the contract with Muncity Software Consulting Associates to add an additional \$300.00/year for an online payment option for water and sewer bill payments; and

WHEREAS, Resolution 68-2020 did not specify the name of the company that will process the payments for the Town and the Attorney for the Town recommends that the Town Board add a clarifying resolution to this agenda that specifies T Tech, LLC as the vendor that will provide this service for the following Fees:

<u>Payment Method</u>	<u>Fee</u>
Credit/Debit Cards	2.95%/\$5 minimum charge
Electronic Check	\$4 per transaction

WHEREAS, the Town Comptroller confirms this has no material impact on Town finances charged to account 81104.07.04 Admin Sewer CE and 83104.05.04 Admin Water CE; now, therefore, be it

RESOLVED that the Town Board does hereby authorize the Town Supervisor to contract with T Tech LLC to assist the Town with processing credit, debit; and electronic checks.

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

Supervisor Conway: Stated this is another step in doing payments electronically. Thanked Colleen Lallier for some background work on this.

103-2020 A Resolution Authorizing Installation of a Bypass Valve at the Corliss Pump Station Using GEIS Funds

WHEREAS, Resolution 194-2018 authorized the solicitation of bids for the upgrade of the Corliss Pump Station using GEIS Sewer/Water Funds; and

WHEREAS, as part of the upgrade project it is necessary to install a bypass valve so that the pumps can be replaced; and

WHEREAS, Request for Bid 20-07 was published to solicit bids for the installation of the bypass valve; and

WHEREAS, the lowest responsible bid that met the specification was submitted by Wm. J. Keller & Sons Construction Corporation in the amount of \$20,000; 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 \$20,000.00 from the GEIS Water/Sewer Fund for this expense; code 2189.01.00.24; now, therefore, be it

RESOLVED, that the Town Board authorizes the Commissioner of Public Works to contract with Wm. J. Keller & Sons Construction Corporation to install the bypass valve per the bid specifications contained in RFB 20-07 in an amount not to exceed \$20,000.00.

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

104-2020 A Resolution Awarding the Bid for Demolition and Removal of Water Tanks

WHEREAS, Resolution 189-2019 authorized the solicitation of bids for the demolition and removal of the decommissioned water tanks of the former Hampton Manor Water District and the former Rensselaer Water District; and

WHEREAS, a Request for Bids was published to solicit bids for the aforementioned project; and

WHEREAS, four bids were received and reviewed for completeness, qualifications, experience and cost; and

WHEREAS, the lowest responsible bid that met the specification was submitted by Total Wrecking and Environmental LLC in the amount of \$93,346.00; 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 \$93,346.00 from Water Consolidation Capital Project account 81204.03.04.60; now, therefore, be it

RESOLVED, that the Town Board authorizes the Commissioner of Public Works to contract with Total Wrecking and Environmental LLC to demolish and remove the old drinking water tanks on Hudson Avenue and Grandview Terrace per the bid specifications in an amount not to exceed \$93,346.00.

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

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

Councilor Tierney: Pointed out that it's very important to follow through with something that was started and to do what's best for the community.

105-2020 A Resolution Authorizing the Town of East Greenbush to Retain Municipal Solutions, Inc. for Continuing Disclosure

WHEREAS, the Town of East Greenbush is required to complete continuing disclosures pursuant provisions of Security Exchange Commission (SEC) Rule 15c2-12; and

WHEREAS, the Town is continuing to retain the working relationship for professional services on the debt offering for these disclosures with Municipal Solutions, Inc.; and

WHEREAS, the Town Comptroller confirms the fiscal impact of this resolution to the

Town of East Greenbush shall not exceed \$2,400.00 and that it can be funded by the 2020 Town Budget account 13154.01 Comptroller CE;

now, therefore, be it

RESOLVED that the Town Board does hereby authorize the Town Supervisor to contract with Municipal Solutions, Inc. to assist the Town with the continuing disclosure requirements in an amount not to exceed \$2,400.

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

106-2020 A Resolution Authorizing the Town of East Greenbush to Conduct Banking Business with the Bank of Greene County

WHEREAS, the Town of East Greenbush wishes to generate additional revenue from having another bank deposit investment option; and

WHEREAS, the Town Board included the Bank of Greene County as an official designated bank for the Town to do business with in accordance with Section 64 Subdivision 1 of Town Law at its 2020 Organizational Meeting; and

WHEREAS, the Town Comptroller confirms that a resolution specifically authorizing the Town to utilize the services of the Bank of Greene County is a necessary adjunct to the generic permission afforded by the Organizational Meeting Agenda; and

now, therefore, be it

RESOLVED that the Town Board of the Town of East Greenbush does hereby formally authorize the Town Supervisor to open bank accounts with the Bank of Greene County.

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

107-2020 A Resolution Authorizing the Supervisor to Sign a Memorandum of Understanding with the County of Rensselaer, Establishing East Greenbush as the Immediate Backup Site for the County 911 Emergency Communications Center

WHEREAS, the Town of East Greenbush maintains a facility for receiving emergency communications; and

WHEREAS, Rensselaer County also operates an Emergency Communication Center (“ECC”), for handling fire, EMS and law enforcement dispatch services for the County; and

WHEREAS, the County desires to establish an “Immediate Backup Site” for the ECC maintained by the County, in the event of interruption of services; and

WHEREAS, the Town wishes to assist the County by providing its facility and communication structure as a backup center for the County ECC; 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 Supervisor is authorized to execute a memorandum of understanding between the Town of East Greenbush and the County of Rensselaer, providing for the establishment of such immediate backup site at the East Greenbush Emergency Communications Center, such memorandum to be subject to review as to form by the attorney to the Town.

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: YES
Councilor B. Fritz	VOTED: YES
Councilor T. Tierney	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Councilor R. Matters	VOTED: YES

Councilor Tierney: Thanked Supervisor Conway and Dave Gruenberg for their work on this. Some valid questions were addressed. This is an example of thoroughness, collaboration and an example of working during challenging times.

108-2020 A Resolution to Adopt an Order Pursuant to Section 193(1)(a) of the Town Law, To set a Date and Time for the Town Board to Consider a Petition for the Extension of the Water District Together with any Public Comment Thereon

WHEREAS, the Town Board has received a petition, from Lawrence E. Sanders and Clara Ines Sanders, property owners with property located at 90 Ridge Road (Tax Map No.: 165-1-0.12), consisting of 24.358± acres, requesting an extension of the water district to include their property; and

WHEREAS, said petition, and the map, description, and the supplement to the petition submitted by Daniel R. Hershberg, a licensed engineer, have been reviewed and are in proper form; and

WHEREAS, the Town Law requires the Board to adopt and ratify an order relating to setting a date for a public hearing to consider such petition, and to accept comments thereon;

WHEREAS, the proposed order to set the date and time of such meeting for consideration and receipt of public comment is annexed hereto; 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 adopts the order annexed hereto as the order pursuant to the Town Law Section 193(1)(a), and schedules the public hearing for June 17, 2020 at 6:45 p.m. at Town Hall, 225 Columbia Turnpike in the Town of East Greenbush or by virtual means if necessary.

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

Supervisor Conway: Stated that the Public Hearing is scheduled for June 17th at 6:45 PM and will either be here in the Court Room or by virtual means if necessary.

Dave Gruenberg: Indicated the order was previously sent to the Town Board and will be included in the Minutes.

109-2020 A Resolution Authorizing the Purchase of a Rubber Tracked Mini Excavator from New York State OGS Contract

WHEREAS, the Town’s Water and Sewer Departments require a Rubber Track Mini Excavator to install new water and sewer lines and to maintain the storm sewer practices throughout the Town; and

WHEREAS, The State of New York has awarded a contract for the purchase of Heavy Duty Equipment – (Group Number 40625, Contract Number PC 67693) including a Kubota KX040 Rubber Tracked Mini Excavator; and

WHEREAS, an essential component of the contracts entered into by the State of New York provides that said materials and respective bid prices received by the State shall be made available to units of local government in New York State; and

WHEREAS, the Town Comptroller confirms that the financial impact of this resolution would not exceed \$63,186.09 from the Water and Sewer Fund Balance for this expense:

Fund	Transfer in	Transfer out
General Sewer Fund Balance (07) SS-917		\$31,593.05
Consolidated General Water Fund Balance (05) SS-917		\$31,593.04
8130.2.7 General Sewer Treatment/Disposal Equipment	\$31,593.05	
8340.2.5 Consolidated General Water Fund		

Transmission/Distribution Equipment	\$31,593.04	
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now, therefore be it

RESOLVED, that the Town Board hereby authorizes the Commissioner of Public Works to purchase a Kubota KX040 Rubber Tracked Mini Excavator with options indicated on the attached Quote from the above contract for a price not to exceed \$63,186.09.

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

110-2020 A Resolution Authorizing the Town Supervisor to Enter Into a Contract with Maser Consulting for Design, Bid Specifications, and Construction Inspection Services in Connection with a Project to Replace the Culvert Carrying Morner Rd over Mill Creek (NYS DOT P.I.N. 1761.10)

WHEREAS, the Town Board authorized the implementation and funding of the costs of a transportation project, funded under the BRIDGE NY/Culvert program, to replace the culvert carrying Morner Road over Mill Creek in the Town (the "Project") by passing Town Board Resolution 72-2020; and

WHEREAS, the Commissioner of Public Works issued RFP 20-06 to solicit firms to provide services in connection with the project, including Design, Right-of-Way Acquisition, Bid Phase Support, and Construction Inspection services pursuant to Town Board Resolution 72-2020; and

WHEREAS, eight (8) responsive proposals were received and evaluated by a Selection Committee comprised of the Commissioner of Public Works, Deputy Commissioner of Public Works, and Director of Planning and Zoning, which conducted short-list interviews with three (3) firms and has recommended selection of the firm Maser Consulting; and

WHEREAS, the selected consultant, Maser Consulting, will provide a scope and fee in an amount not to exceed the funding approved by the Town Board in Resolution 72-2020 to provide Design, Right-of-Way, Bid Phase, and Construction Inspection support services in connection with the Project, which will be reviewed and approved by the Selection Committee members; and

WHEREAS, the Town of East Greenbush previously expressed a desire to advance the Project by making a commitment of 100% of the first instance funding required to implement the Project, as evidenced by Resolution 72-2020; and

WHEREAS, the Town Comptroller confirms that this resolution will have a material impact on the Town's finances charged to account code 51124.03.04.101;

now therefore, be it

RESOLVED, that the Town Board hereby approves the selection of Maser Consulting to provide Design, Right-of-Way Acquisition, Bid Phase Support, and Construction Inspection services for a transportation project, funded under the BRIDGE NY/Culvert program, to replace the culvert carrying Morner Road over Mill Creek in the Town;
and be it further

RESOLVED, that the Town Supervisor of the Town of East Greenbush be and is hereby authorized to execute an Agreement with Maser Consulting, in an amount not to exceed \$496,720.00 to provide Design, Right-of-Way Acquisition, Bid Phase Support, and Construction Inspection services in connection with the Project.

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

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

Supervisor Conway confirmed to Councilor Matters that at this point this is for design services. Maser will also do construction inspection. Stated they will prepare bid specs and help with the bidding for us to select the contractor who will do the actual construction.

111-2020 A Resolution Authorizing the Town Supervisor to Enter Into a Contract with GPI/Greenman-Pedersen, Inc. for Design, Bid Specs, and Construction Inspection Services in Connection with a Project to Replace the Culvert Carrying Mannix Rd over Mill Creek (NYSDOT P.I.N. 1761.11)

WHEREAS, the Town Board authorized the implementation and funding of the costs of a transportation project, funded under the BRIDGE NY/Culvert program, to replace the culvert carrying Mannix Road over Mill Creek in the Town (the "Project") by passing Town Board Resolution 71-2020; and

WHEREAS, the Commissioner of Public Works issued RFP 20-03 to solicit firms to provide services in connection with the project, including Design, Right-of-Way Acquisition, Bid Phase Support, and Construction Inspection services pursuant to Town Board Resolution 71-2020; and

WHEREAS, eight (8) responsive proposals were received and evaluated by a Selection Committee comprised of the Commissioner of Public Works, Deputy Commissioner of Public Works, and Director of Planning and Zoning, which, along with the Town Supervisor conducted short-list interviews with three (3) firms and has recommended selection of the firm GPI/Greenman-Pedersen, Inc.; and

WHEREAS, the selected consultant GPI/Greenman-Pedersen, Inc., will provide a scope and fee in an amount not to exceed the funding approved by the Town Board in Resolution 71-2020 to provide Design, Right-of-Way, Bid Phase, and Construction Inspection support services in connection with the Project, which will be reviewed and approved by the Selection Committee members; and

WHEREAS, the Town of East Greenbush previously expressed a desire to advance the Project by making a commitment of 100% of the first instance funding required to implement the Project, as evidenced by Resolution 71-2020; and

WHEREAS, the Town Comptroller confirms that this resolution will have a material impact on the Town's finances charged to account code 51124.03.04.102; now therefore, be it

RESOLVED, that the Town Board hereby approves the selection of GPI/Greenman-Pedersen, Inc. to provide Design, Right-of-Way Acquisition, Bid Phase Support, and Construction Inspection services for a transportation project, funded under the BRIDGE NY/Culvert program, to replace the culvert carrying Mannix Road over Mill Creek in the Town; and be it further

RESOLVED, that the Town Supervisor of the Town of East Greenbush be and is hereby authorized to execute an Agreement with GPI/Greenman-Pedersen, Inc., in an amount not to exceed \$517,942.00 to provide Design, Right-of-Way Acquisition, Bid Phase Support, and Construction Inspection services in connection with 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: YES
Councilor H. Kennedy	VOTED: YES
Supervisor J. Conway	VOTED: YES
Councilor R. Matters	VOTED: YES
Councilor B. Fritz	VOTED: YES

Supervisor Conway: Stated this is similar to last resolution.

Councilor Matters: Thanked Dan Fiacco and Supervisor.

112-2020 A Resolution Authorizing the Repair of the Salt Shed at the Highway Garage

WHEREAS, the foundation on the northeast side of the Salt Shed at the Highway Garage is failing due to age and the deteriorated condition of the reinforcing rod inside the concrete wall; and

WHEREAS, this condition compromises the structural integrity of the building and could cause a collapse in the event of a heavy snow load; and

WHEREAS, the Commissioner of Public Works has determined that the most economic approach would be to repair the foundation by pouring a new 12 inch thick wall inside of the salt shed to reinforce the existing wall; and

WHEREAS, in accordance with the Town of East Greenbush Procurement Policy, three quotes were obtained for the project; and

WHEREAS, Speedcor Industries has been identified as the lowest qualified quote for this project; and

WHEREAS, in accordance with the Town Procurement Policy, expenditures of \$10,000 or more require Town Board approval; and

WHEREAS, the Town Comptroller confirms that the financial impact of this resolution is \$12,580.00 from the charge code 51324.01.04, which will consume Town General Fund balance covered by the following budgetary transfer;

Fund	Transfer in	Transfer out
Town General Fund balance A917(5)		\$12,580.00
51324.01.04 Garage CE	\$12,580.00	

now therefore, be it

RESOLVED, that the Town Board authorizes the Commissioner of Public Works to enter into a contract with Speedcor Industries to repair the Salt Shed in an amount not to exceed \$12,580.

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

113-2020 A Resolution Authorizing Purchase of a Used 2007 Freightliner MT 55 Step Van for the Highway Department

WHEREAS, the 1985 Ford Utility Van assigned to the Highway Department for storing and hauling all of their drainage equipment including concrete tools, transits and an array of power and hand tools for installation and repair of catch basins, drainage systems and culverts; and

WHEREAS, during the course of servicing the van, it was discovered that there are mechanical and frame issues which render the van unserviceable and unsafe for use; and

WHEREAS, the cost of repairing the identified shortcomings would be well in excess of the cost of replacing the van; and

WHEREAS, the Public Works Department does not have another vehicle to perform the function of both storing and moving equipment for the important drainage functions; and

WHEREAS, this vehicle is important to departmental operations to store and transport the aforementioned tools and equipment, and the lack of it will hamper the department's ability to perform the drainage work scheduled for this construction season; and

WHEREAS, the Town of East Greenbush Purchasing Policy requires purchases of \$10,000 or more require approval by the Town Board; and

WHEREAS, the Town Comptroller confirms that the financial impact of this resolution is \$13,000.00 from the charge code 51304.02.04;

now, therefore, be it

RESOLVED, that the Town Board authorizes the Commissioner of Public Works to purchase a used 2007 Freightliner MT 55 Step Van for the Highway Department in the amount of \$13,000.00.

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

114-2020 A Resolution to Appoint a Temporary Seasonal Laborer in the Parks Department

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

WHEREAS, the Public Works Commissioner has selected this individual based on his prior experience with the Town; and

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

WHEREAS, the Town Comptroller has confirmed that this appointment can be funded with the 2020 budget Parks 71104.01;

now therefore, be it

RESOLVED, that the Town Board confirms the appointment for hours worked, hours paid of William Clum effective May 21, 2020, at the rate of \$12.00 per hour with no benefits. The total amount of this resolution is not to exceed \$5,000.00 as reflected in the 2020 Budget. This appointment will be ended not later than October 15th, 2020 as per the CSEA Collective Bargaining Agreement.

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

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

115-2020 A Resolution to Adopt the Town of East Greenbush's 2019-2020 Annual MS4 Report

WHEREAS, the Town of East Greenbush is subject to Municipal Separate Storm Sewer System (MS4) Phase II requirements of SPDES General Permit GP-0-15-003 stormwater management requirements of the National Pollutant Discharge Elimination System (NPDES), for the development and adoption of an Annual Report; and

WHEREAS, a copy of the Annual Report has been on file for review at the Town Clerk's Office and the Town of East Greenbush web site; and

WHEREAS, a public hearing on the Annual MS4 Report was held on May 13, 2020 in a virtual medium following guidelines established by the State of New York for open meetings during the Covid-19 pandemic; and

WHEREAS, the Town Comptroller confirms that the filing of the 2019-2020 Annual MS4 Report poses no adverse impact to the Town’s 2020 budget;
now therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush, County of Rensselaer, State of New York, does hereby adopt of the Town’s 2019-2020 Annual Report for Phase II SPDES General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4), GP-0-15-003.

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

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

116-2020 A Resolution Authorizing Intermunicipal Agreements for Police Tactical Team Cooperation and High Intensity Law Enforcement Activity

WHEREAS, the Town Board of the Town of East Greenbush, does maintain Intermunicipal Agreements for a Police Shared Services Tactical Team with the Town of Schodack, Town of North Greenbush and the City of Rensselaer; and

WHEREAS, the Police Shared Services Tactical Team described above, along with each respective municipality, have identified the potential benefits of agreeing with the City of Troy and it’s Police Tactical Team for Tactical and High Intensity Law Enforcement Cooperation, and

WHEREAS, this agreement is permitted under Article 5-G, subdivision 3 of Section 119-o of the General Municipal Law; and

WHEREAS, the Town Attorney has reviewed these agreements for proper form and content; 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 East Greenbush authorizes the Supervisor to enter into the two (2) attached Intermunicipal Agreements for Police Tactical Team and High Intensity Law Enforcement Activity.

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

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

117-2020 A Resolution to Approve 2019 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 2019 (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 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 2019.

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

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

118-2020 A Resolution to Settle a Tax Certiorari Case

WHEREAS, this resolution was not submitted in time for the regularly scheduled Pre-Board meeting of May 13, 2020 and was subsequently brought to the attention of the Board on May 19, 2020; and

WHEREAS, April Meracle and Lawrence Meracle and the Town of East Greenbush are desirous of having certain assessment issues resolved as to property owned by April Meracle and Lawrence Meracle 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; and

WHEREAS, the Town Comptroller confirms this resolution will have a non-material impact on the Town’s finances offset from County chargebacks in 2021;

now, therefore be it

RESOLVED, that the Town Board does hereby accept a proposed settlement for the 2019 tax certiorari proceeding filed by April Meracle and Lawrence Meracle in which the 2019 assessed value of the subject property shall be reduced as follows:

Tax Map No.	Address	2019 Assessment	Revised Assessment
165.-1-19.2	3275 River Road	\$1,200,000	\$550,000

Real Property Tax Law §727 shall apply;

and it is further

RESOLVED that April Meracle and Lawrence Meracle shall be entitled to a refund of excess taxes, waiving statutory interest, paid based upon the above revision;

and be it further

RESOLVED, that the Town Board does hereby adopt this resolution to end the litigation between April Meracle and Lawrence Meracle 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: YES
Supervisor J. Conway	VOTED: YES
Councilor T. Tierney	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Councilor B. Fritz	VOTED: YES

119-2020 A Resolution to Schedule a Special Meeting on May 26, 2020

WHEREAS, this resolution was not submitted in time to be considered on the regularly scheduled pre-board meeting of May 13, 2020 and was subsequently presented to the Town Board on May 19, 2020; and

WHEREAS, the Town Board of the Town of East Greenbush is interested in scheduling a Special Meeting to hear the Superintendent of Schools make a presentation of his 2020-2021 Budget and also to address any other matters brought to the 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 of the Town of East Greenbush hereby schedules a Special Meeting for May 26, 2020 at 6:00 p.m. at Town Hall, 225 Columbia Turnpike in the Town of East Greenbush or by virtual means if necessary.

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: YES
Councilor T. Tierney	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Councilor R. Matters	VOTED: YES
Councilor B. Fritz	VOTED: YES

120-2020 A Resolution Accepting the Resignation of Marie E. Abraham From the Position of Police Officer

WHEREAS, this resolution was not submitted in time to be considered on the regularly scheduled pre-board meeting of May 13, 2020 and was subsequently presented to the Town Board on May 20, 2020; and

WHEREAS, police officer Marie E. Abraham, has now accepted employment with the Mechanicville Police Department and submitted her resignation to the Town; and

WHEREAS, this Board extends its thanks to Marie Abraham for her service to the Town and wishes her success in her future endeavors; and

WHEREAS, the Town Comptroller has confirmed that this resolution will not have a material impact on the Town Finances;

now, therefore, be it

RESOLVED, that the resignation of Marie E. Abraham from the position of Police Officer, effective May 27, 2020, is hereby accepted.

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

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

121-2020 A Resolution Authorizing the Acceptance of an Easement Over Certain Lands Owned by TDT Realty Corp. For the Construction of the Albany-Hudson Electric Trail

WHEREAS, this resolution was not submitted in time to be considered on the regularly scheduled pre-board meeting of May 13, 2020 and was subsequently presented to the Town Board on May 20, 2020; and

WHEREAS, the Greenway Conservancy for the Hudson River Valley, Inc., a New York public benefit corporation, is engaged in constructing a recreational trail for use by the general public, known as the Albany-Hudson Electric Trail running from Albany to Hudson; and

WHEREAS, a portion of that trail runs through the Town of East Greenbush; and

WHEREAS, that trail will generally be constructed along lands owned by National Grid, but for convenience may, at certain points, be routed through adjacent lands owned by private owners; and

WHEREAS, the Greenway Conservancy wishes to establish a portion of the trail in the Town of East Greenbush over property owned by TDT Realty Corp.; and

WHEREAS, the Greenway Conservancy has requested that the Town of East Greenbush accept an easement from TDT Realty Corp., and enter into a license agreement with the Conservancy for the use of said portion of the trail; and

WHEREAS, the Town wishes to facilitate the construction and location of this trail including on the portion running through property owned by TDT Realty Corp.; and

WHEREAS, the Conservancy shall pay all of the costs of purchasing said easement from TDT Realty Corp., and will pay for the title insurance costs for the town for such easement, thus, requiring no expenditure by the Town; 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 authorizes the acceptance of an easement from TDT Realty over a parcel of land more fully described on Schedule “A” provided with this resolution;

and it is further

RESOLVED, that upon approval by the attorney to the Town as to the form and content of the conveying instruments and the title insurance policy provided, the Town hereby accepts the grant of such agreement.

Councilor Tierney made the motion to amend the above resolution to now read:

WHEREAS, this resolution was not submitted in time to be considered on the regularly scheduled pre-board meeting of May 13, 2020 and was subsequently presented to the Town Board on May 20, 2020; and

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

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

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

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

ADJOURNMENT

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

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

Executive Session ended 9:58 PM – Supervisor Conway moved and Councilor Matters seconded. 5-0 Vote.

Adjourned meeting at 9:59 PM – Supervisor Conway moved and Hollie Kennedy seconded. 5-0
Vote.

Respectfully,

Ellen Pangburn
East Greenbush Town Clerk

Approved: June 17, 2020