



# The Town of East Greenbush

225 Columbia Turnpike, Rensselaer, New York 12144

## TOWN BOARD AGENDA PRE-BOARD MEETING May 10, 2023

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

### Members of Town Board

Present

Absent

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

The resolutions below are provided to the Town Board in advance of the Official Town Board Meeting to allow time for review and research. The purpose of the Pre-Board Meeting is for the Town Board to publicly discuss resolutions and ask any questions, so they may receive information needed to make an informed decision at the Town Board Meeting.

### Public Hearings:

- 6:00 p.m. MS4 Annual Report
- 6:15 p.m. Mabey’s Major Site Plan
- 6:25 p.m. Adjust the Amount of Parking Fines

### Presentation:

- 6:35 p.m. Superintendent of Schools Jeff Simons will present the District’s 2024 Budget

### Schedule of Meeting:

#### 111-2023 A Resolution to Approve Special 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 Special Meeting held on April 11, 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 Special Meeting held on April 11, 2023 are hereby approved as submitted.

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

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

**112-2023 A Resolution to Approve the Public Hearing 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 Public Hearing Meeting held on April 12, 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 Public Hearing Town Board Meeting held on April 12, 2023 are hereby approved as submitted.

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

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

**113-2023 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 April 19, 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 April 19, 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:

**114-2023 A Resolution Accepting the Resignation of Police Dispatcher Jakeb Boniface**

**WHEREAS**, the Town Board has received a notice of resignation from Police Dispatcher Jakeb Boniface; and

**WHEREAS**, Dispatcher Boniface has served as an effective and dedicated member of the Police Department’s Communications Division, and has now accepted full time employment with the Town of East Greenbush as a police officer; and

**WHEREAS**, the Town Comptroller confirms that the provisions of this resolution will not have a material impact on the Town Finances;  
now, therefore, be it

**RESOLVED**, that the resignation of Jakeb Boniface from the position of Police Dispatcher is hereby accepted and will take effect on June 18, 2023.

The foregoing resolution was duly moved 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:

**115-2023 A Resolution to Make a Conditional Job Offer to Jason A. LaFountain to the Position of Full Time Police Dispatcher**

**WHEREAS**, public safety in the Town is a priority concern of this Town Board; and

**WHEREAS**, the Board intends to maintain adequate staffing of the Town’s Police and Emergency Communications Center by appointing qualified individuals to replace positions that become vacant, and a position has become vacant; and

**WHEREAS**, the Town Comptroller confirms that this position was anticipated in the current 2023 Town budget; and

**WHEREAS**, Jason A. LaFountain, a police dispatcher with more than twenty years of experience, most recently employed with the Village of Menands Police Department, and previously employed as a police dispatcher with the City of Albany Police Department, who is also currently serving as a part-time dispatcher in the Town’s Emergency Communications Center, and who meets the presumptive qualifications for this position established by the Rensselaer County Civil Service Commission;  
now, therefore, be it

**RESOLVED**, that Jason A. LaFountain, be, and hereby is offered a conditional appointment to the position of Full Time Police Dispatcher, subject to the final eligibility leading to the position of Full Time Police Dispatcher as determined by reinstatement approval of the Rensselaer County Civil Service Commission, as well as compliance with the Rules and Regulations of the Town including successful completion of the Dispatcher Training Program;

and be it further

**RESOLVED**, that this conditional offer be valid for a period of 30 days, to be affirmed by said appointee by executing the oath of office as administered by the Town Clerk;

and be it further

**RESOLVED**, said conditional appointment shall become effective immediately and shall be subject to a probationary period of one (1) year, and that upon successful completion of all said conditions and stipulations, shall be, and hereby is, made permanent.

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:

**116-2023 A Resolution to Appoint Maxwell Martin, P.E. to the Town of East Greenbush Conservation Advisory Council (CAC)**

**WHEREAS**, the Conservation Advisory Council is a seven (7) member board that currently has only six (6) members; and

**WHEREAS**, the CAC has actively sought to recruit new members, with a posting in September 2022; and

**WHEREAS**, Maxwell Martin, P.E. submitted his resume and letter of interest to the CAC members and was found to have experience and expertise relevant to the important work of the CAC; and

**WHEREAS**, the CAC, at its May 1, 2023 meeting passed a resolution appointing Maxwell Martin, P.E. as member to 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 Maxwell Martin, P.E. is hereby appointed to the Town of East Greenbush Conservation Advisory Council for a term to expire on December 31, 2025.

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

**117-2023      A Resolution to Adopt the Town’s 2022-2023 Annual Report for Phase II SPDES General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4), GP-0-15-003**

**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 Department of Planning & Zoning Office and the Town of East Greenbush website; 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, County of Rensselaer, State of New York, does hereby adopt the Town’s 2022-2023 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 Tierney and seconded by Councilor Kennedy and brought to a vote resulting as follows:

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

**118-2022      A Resolution to Adopt the Report Entitled, “Hampton Manor Lake Assessment, Strategies for Improving the Health of the Lake and Enjoyment by Residents” as written by the Town of East Greenbush Conservation Advisory Council (CAC)**

**WHEREAS**, the Town Board of the Town of East Greenbush authorized, via resolution 158-2022 on June 15<sup>th</sup>, 2022, the Conservation Advisory Council (CAC) to review and make recommendations for improving the health of Hampton Manor Lake so that water quality and usability can be improved and Hampton Lake’s important position as a Town amenity can be preserved and enhanced; and

**WHEREAS**, Hampton Manor Lake is an important resource and amenity for Town residents but has been experiencing a decline in health for many years and for many reasons; and

**WHEREAS**, one indicator of the health of a lake concerns the animal and plant populations that reside in and around it, and though no formal longitudinal study has been conducted of natural populations, Hampton Manor Lake is still home to a variety of flora and fauna, indicating that the lake is declining, not dead; and

**WHEREAS**, numerous residents have expressed their concern about the need to improve the water quality and usability of the lake; and

**WHEREAS**, the CAC have worked over many months to assess the existing conditions and challenges of Hampton Manor Lake and have produced a comprehensive report with four strategies to improve the health of Hampton Manor Lake; and

**WHREAS**, the CAC, at its May 1, 2023 meeting passed a resolution recommending adoption by the Town Board of their report titled, “Hampton Manor Lake Assessment, Strategies for Improving the Health of the Lake and Enjoyment by Residents”; 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 adopts the report entitled, “Hampton Manor Lake Assessment, Strategies for Improving the Health of the Lake and Enjoyment by Residents” with the intent to act upon one or more of the recommended strategies when and as appropriate.

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:

**119-2023      A Resolution to Issue a Negative Declaration of Environmental Significance under SEQRA and Issue a Major Site Plan Approval for Mabey’s Realty Phase 2 (PZD File #19-02a)**

**WHEREAS**, Mabey’s Realty, Inc. (“Owner”) and Hart Engineering, authorized representative of the Owner, have submitted an application for a major site plan and Special Use Permit to construct an approximately 30,566 square foot warehouse storage building and related improvements, Phase 2, (“the Project”) located at 486 3<sup>rd</sup> Avenue Extension, Town of East Greenbush, New York. Tax Parcel No. SBL: 144.-3-6.2; and

**WHEREAS**, on September 21, 2022, the Town Board passed Resolution 219 of 2022, and classified the project as an unlisted action under the State Environmental Quality Review Act (SEQRA) and declared its intent to seek lead agency in connection with a coordinated review under SEQRA; and

**WHEREAS**, the original approval of Mabey’s located at 486 3<sup>rd</sup> Avenue Extension included a proposed ‘Phase 2’ for development of a single-story 15,000 sq. ft. building for multi-tenant retail/commercial and a single-story 5,460 sq. ft. retail/commercial building, for which approval of the original ‘Phase 2’ could have been reviewed by the Planning Board as a site plan modification if it was “substantially similar” to the original ‘Phase 2’ proposal; and

**WHEREAS**, the proposal was found to not be substantially similar to the original ‘Phase 2’ proposal and is therefore considered a major site plan, the Project consists of a proposed single-story 30,566 sq. ft. warehouse storage building and a proposed ‘Phase 3’ consisting of a single-story 5,460 sq. ft. retail/commercial building; and

**WHEREAS**, the Town Board of the Town of East Greenbush has reviewed the application and related materials, including the site plan entitled “Mabey’s Realty Storage & Commercial Buildings – Phase 2” 16 sheets in total as prepared by Hart Engineering dated August 2022 most recently revised March 21, 2023; and

**WHEREAS**, the Town Board has also reviewed the short EAF and accompanying correspondence and reports addressing potential environmental impacts of the project; and

**WHEREAS**, the Planning Board carefully considered the comments of and recommendation of its Town Designated Engineer, MJ Engineering, as well as the responses to those comments and recommendations provided by the Applicant and recommended on April 26, 2023 that the Town Board issue a negative declaration under SEQRA and approve the major site plan; and

**WHEREAS**, the Town Board had a duly noticed public hearing on May 10<sup>th</sup>, 2023 on the application and carefully considered all comments received; and

**WHEREAS**, the project was referred to Rensselaer County as required by the General Municipal Law and the County determined that local consideration shall prevail; 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 declares itself lead agency in connection with a coordinated review under SEQRA;

and be it further

**RESOLVED**, that the Town Board hereby issues a negative declaration finding that the proposed application for major site plan and Special Use Permit for the Mabey's Realty Phase 2 project, an unlisted action, will not result in any significant adverse environmental impacts;

and be it further

**RESOLVED**, that the Town Board hereby approves the major site plan application as set forth in the Site Plans entitled, "Mabey's Realty Storage & Commercial Buildings – Phase 2" 16 sheets in total as prepared by Hart Engineering dated August 2022 most recently revised March 21, 2023, subject to the following conditions:

1. Prior to issuance of a building permit, the Applicant must address any remaining technical comments from the Town's Planning and Zoning Department.
2. Approval of Major Site Plan is contingent upon approval of Special Use Permit under review by the Town's Planning Board.
3. The plans are subject to any conditions and time limitations which are attached to approval of the Special Use Permit by the Planning Board, if any, and must be modified accordingly. The plans must also include a note stating the date of Planning Board Special Use Permit approval and any conditions required as part of said approval.
4. There shall be no outside parking or storage of commercial vehicles or heavy moving vehicles on a long-term basis on site.
5. Prior to issuance of a building permit, all remaining fees and escrow must be paid to the Town, including land development mitigation fees required in connection with the Western East Greenbush Generic Environmental Impact Statement (GEIS) as detailed in the GEIS fee statement provided by the Town.
6. The plans must be signed by the Planning Board Chairperson and the Commissioner of Public Works.
7. A Department of Public Works Utility Permit, as determined by the Commissioner of Public Works, must be obtained for any work involving connection to the Town's sanitary and/or water supply systems.
8. A NYSDOT highway work permit must be obtained for all work within the NYS right-of-way. Additional grading is being proposed within the NYS Route 43 right-of-way, the applicant should coordinate this work with the Region 1 office of the NYSDOT.

9. Prior to site work and/or issuance of a building permit, all storm water pollution prevention permits must be obtained. Required periodic Storm Water Pollution Prevention Plan (SWPPP) inspections must be performed during the permit term by the design engineer or other qualified individual in accordance with the GP-0-15-002, the approved SWPPP, and the Town’s Comprehensive Zoning Law.
10. Prior to issuance of a Certificate of Occupancy, the property owner or Mabey’s Realty, Inc. must enter into a Stormwater Facility Maintenance Agreement with the Town to ensure proper maintenance of all stormwater facilities in perpetuity.
11. Prior to issuance of a Building Permit, the property owner or Mabey’s Realty, Inc. must retain a New York State licensed professional land surveyor, engineer, registered architect or landscape architect to submit the completed form entitled, attached to the Planning Board resolution, “Professional Certification Commitment For Site Plan And/Or Special Use Permit Approval, Town of East Greenbush” and comply with said form by making periodic observations of the site and providing copies of all site reports to the Building and Codes Department and Planning and Zoning Department.
12. Provided the Phase 3 development proposal is substantially similar to that which is shown on the approved site plan, consisting of a single-story 5,460 sq. ft. retail/commercial building, it is subject to further Planning Board approval as a site plan modification.

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

**120-2023      A Resolution to Appoint Thomas A. White Jr. to the Position of Laborer in the Parks Department**

**WHEREAS**, the Department of Public Works has a vacancy for the position of Laborer in the Parks Department due to the retirement of an employee; and

**WHEREAS**, the Commissioner of Public Works solicited applications for the position; and

**WHEREAS**, applications were received and reviewed, and an interview conducted by the Commissioner of Public Works, Deputy Commissioner of Public Works, Town Supervisor, Director of Finance and Human Resources Manager; and

**WHEREAS**, Thomas A. White Jr. was unanimously selected as a qualified candidate for the position of Laborer based on his experience and background; and

**WHEREAS**, Thomas A. White Jr. meets the requirements of the position, and the offer is contingent upon the successful completion of a background screening and a pre-employment drug test; and

**WHEREAS**, Thomas A. White Jr. has previously worked for the Town of East Greenbush and was a great employee and has always been interested in working for the Department of Public Works. He also has experience in landscaping that will be helpful to his position as a Laborer with the Parks Department; and



**WHEREAS**, the Town Comptroller confirms that this appointment is funded in the 2023 Town Budget;

now, therefore be it

**RESOLVED**, that the Town Board confirms the appointment of Thomas A. White Jr. to the position of Laborer in the Parks Department at the rate of \$26.1634 per hour (less \$0.25 per hour during probationary period) as specified by the CSEA Collective Bargaining Agreement. This appointment will be effective as of May 30, 2023.

The foregoing resolution was duly moved 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:

**121-2023 A Resolution to Appoint Timothy R. Foust to the Position of Light Equipment Operator in the Highway Department**

**WHEREAS**, the Department of Public Works has an upcoming vacancy for the position of Light Equipment Operator in the Highway Department due to resignations of employees; and

**WHEREAS**, the Commissioner of Public Works solicited applications for the position; and

**WHEREAS**, applications were received and reviewed, and an interview conducted by the Deputy Commissioner of Public Works, Town Supervisor, Director of Finance and Human Resources Manager; and

**WHEREAS**, Timothy R. Foust was unanimously selected as a qualified candidate for the position of Light Equipment Operator based on his experience and background; and

**WHEREAS**, Timothy R. Foust meets the requirements of the position, and the offer is contingent upon the successful completion of a background screening and a pre-employment drug test; and

**WHEREAS**, Timothy R. Foust has over five (5) years of experience working in the City of Rensselaer as a Heavy Equipment Operator and currently possesses a New York State Class B Commercial Driving License (CDL); and

**WHEREAS**, the Town Comptroller confirms that this appointment is funded in the 2023 Town Budget;

now, therefore, be it

**RESOLVED**, that the Town Board confirms the appointment of Timothy R. Foust to the position of Light Equipment Operator in the Highway Department at the rate of \$26.8133 per hour (less \$0.25 per hour during probationary period) as specified by the CSEA Collective Bargaining Agreement. This appointment will be effective as of June 5, 2023.

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

**122-2023 A Resolution to Appoint Nicholas A. Mokhiber to the Position of Senior Auto Mechanic in the Department of Public Works**

**WHEREAS**, the Department of Public Works has a vacancy for the position of Senior Auto Mechanic in the Department with the recent resignation of our Senior Auto Mechanic; and

**WHEREAS**, the Commissioner of Public Works solicited applications for the position; and

**WHEREAS**, Applications were received and reviewed, and an interview conducted by the Commissioner of Public Works, Town Supervisor, Deputy Commissioner of Public Works, Human Resources Director, Director of Finance and the General Foreman of the Highway Department; and

**WHEREAS**, Nicholas A. Mokhiber was unanimously selected as the most qualified candidate for the position based on his experience and background; and

**WHEREAS**, Nicholas A. Mokhiber meets the requirements of the position, and the offer is contingent upon the successful completion of a background screening and a pre-employment drug test; and

**WHEREAS**, Nicholas A. Mokhiber has experience working on large trucks and heavy equipment; and

**WHEREAS**, the Town Comptroller confirms that this appointment is funded in the 2023 Town Budget;

now, therefore, be it

**RESOLVED**, that the Town Board confirms the appointment of Nicholas A. Mokhiber to the position of Senior Auto Mechanic in the Department of Public Works at the rate of \$29.6866 per hour (less \$0.25 per hour during probationary period) as specified by the CSEA Collective Bargaining Agreement. This appointment will be effective as of June 2, 2023.

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

**123-2023 A Resolution to Appoint Joshua A. Nye to the Position of Light Equipment Operator in the Highway Department**

**WHEREAS**, the Department of Public Works has an upcoming vacancy for the position of Light Equipment Operator in the Highway Department due to resignations of employees; and

**WHEREAS**, the Commissioner of Public Works solicited applications for the position; and

**WHEREAS**, applications were received and reviewed, and an interview conducted by the Deputy Commissioner of Public Works, Town Supervisor, Director of Finance and Human Resources Manager; and

**WHEREAS**, Joshua A. Nye was unanimously selected as a qualified candidate for the position of Light Equipment Operator based on his experience and background; and

**WHEREAS**, Joshua A. Nye meets the requirements of the position, and the offer is contingent upon the successful completion of a background screening and a pre-employment drug test; and

**WHEREAS**, Joshua A. Nye has over six (6) years of experience working in the City of Rensselaer as a Heavy Equipment Operator and currently possesses a New York State Class B Commercial Driving License (CDL); and

**WHEREAS**, the Town Comptroller confirms that this appointment is funded in the 2023 Town Budget;

now, therefore, be it

**RESOLVED**, that the Town Board confirms the appointment of Joshua A. Nye to the position of Light Equipment Operator in the Highway Department at the rate of \$26.8133 per hour (less \$0.25 per hour during probationary period) as specified by the CSEA Collective Bargaining Agreement;

and be it further

**RESOLVED**, that this appointment will be effective as of June 5, 2023.

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

**124-2023      A Resolution to Appoint Ryan Rigsbee to the Position of Heavy Equipment Operator in the Highway Department**

**WHEREAS**, the Department of Public Works has an upcoming vacancy for the position of Heavy Equipment Operator in the Highway Department due to resignations of employees; and

**WHEREAS**, the Commissioner of Public Works solicited applications for the position; and

**WHEREAS**, applications were received and reviewed, and an interview conducted by the Deputy Commissioner of Public Works, Town Supervisor, Director of Finance and Human Resources Manager; and

**WHEREAS**, Ryan Rigsbee was unanimously selected as a qualified candidate for the position of Heavy Equipment Operator based on his experience and background; and

**WHEREAS**, Ryan Rigsbee meets the requirements of the position, and the offer is contingent upon the successful completion of a background screening and a pre-employment drug test; and

**WHEREAS**, Ryan Rigsbee currently possesses his New York State Class A Permit and is working on completing training and will have six (6) months to obtain his Class A License; and

**WHEREAS**, the Town Comptroller confirms that this appointment is funded in the 2023 Town Budget;

now, therefore, be it

**RESOLVED**, that the Town Board confirms the provisional appointment of Ryan Rigsbee to the position of Heavy Equipment Operator in the Highway Department at the rate of \$28.2966 per hour (less \$0.25 per hour during probationary period) as specified by the CSEA

Collective Bargaining Agreement. This appointment will be effective as of June 6, 2023. This appointment is provisional until the successful completion of training and Mr. Rigsbee obtains his Class A Commercial Driver’s License within six (6) months from Date of Hire.

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

**125-2023 A Resolution to Authorize Paving and Surface Treatment of Town Highways**

**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 Rensselaer County bid for Conventional Asphalt Paving was awarded on April 1, 2023 and extended until December 31<sup>st</sup>, 2023, and the results of the bid were made available to all municipalities and school districts in the State of New York, and

**WHEREAS**, The New York State Office of General Services Bid for Comprehensive Liquid Bituminous Materials, was awarded on April 1, 2022 until March 30<sup>th</sup>, 2024 and the results of the bid were made available to all municipalities and school districts in the State of New York, and

**WHEREAS**, the Commissioner of Public Works has reviewed the needs of the Town and determined that as many of the following pavement preservation projects as possible will be completed this season subject to available funding, and

ROAD NAME	PROCES S	ESTIMATE D COST	ROAD NAME	PROCES S	ESTIMATED COST

<Road list to be provided following Pre-Board>

**WHEREAS**, the Commissioner of Public Works states that the estimates for the work will not exceed \$578,136.20. This amount is the 2023-2024 Consolidated Local Street and Highway Improvement Program (CHIPS) funding of \$190,915.83, Extreme Winter Recovery (EWR) funding of \$37,381.47, PAVE-NY supplemental funding of \$44,889.20, and Pave our Potholes (POP) funding of \$29,949.70, and the paving budget for 2022 (\$275,000); and

**WHEREAS**, the Town Comptroller believes at this time that this resolution will have a 2022 budgeted or designated fund impact on the Town’s finances as follows:

Account Code 51124.01.04 CHIPS/PAVE-NY for \$168,500.

Plus Additional program funding of \$134,636.20

Account Code 51104.02.04 General Repairs Paving for \$275,000.00.

now, therefore, be it

**RESOLVED**, that the Commissioner of Public Works is hereby authorized to approve paving and surface treatment expenses not to exceed \$578,136.20 for resurfacing of the aforementioned Town roads and;

The foregoing resolution was duly moved 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:

**126-2023      A Resolution to Rescind the Appointment of Leslie Carroll to the Position of Code Enforcement Official**

**WHEREAS**, the Building Department has been understaffed for years and development and construction in the Town of East Greenbush is rapidly increasing demand for the Department's services; and

**WHEREAS**, the Town Board sought to remedy the problem by appointing Leslie Carroll as a Code Enforcement Official with Resolution 93-2023; and

**WHEREAS**, Resolution 93-2023 appointed Ms. Carroll with an effective date of May 1, 2023; and

**WHEREAS**, we have been unable to establish contact with Ms. Carroll despite repeated efforts by the Human Resources Manager to email, call and mail a letter seeking to establish contact; 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 rescinds Resolution 93-2023 and with it, the appointment of Leslie Carroll to the position of Code Enforcement Official.

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:

**127-2023      A Resolution to Appoint Alison Lovely to the Position of Secretary of the Conservation Advisory Council (CAC)**

**WHEREAS**, the Town Board established the East Greenbush Conservation Advisory Council (CAC) in 2020 and tasked it with advising the Town Board on matters affecting the preservation, development and use of natural and human made resources, features and conditions within the Town of East Greenbush, particularly as they relate to environmental quality,

biological integrity, natural beauty and other conservation factors and, in relation to human activities and development, the CAC would advise the Town Board on major threats posted to environmental quality; and

**WHEREAS**, the CAC shall provide the Planning Board, developers and residences with a source of information about natural resources and potential environmental impacts; create checklists and best practice guidelines as a planning tool for improvement projects; and carry out other duties as may be assigned from time to time by the Town Board; and

**WHEREAS**, the CAC requires the consistent participation of a secretary to organize meetings, write minutes and maintain the Council’s schedule, a request was made for the Town to provide a person to serve in this position; and

**WHEREAS**, Alison Lovely is the Secretary to the Planning and Zoning Office, the Planning Board and the Zoning Board of Appeals and is willing to add the CAC secretarial function to her duties; and

**WHEREAS**, since Ms. Lovely has the full confidence of this Board and taking on this assignment has been approved by her supervisor; 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 Alison Lovely is hereby appointed to the position of Secretary to the Conservation Advisory Council, effective immediately, at a rate of \$90.00 per CAC session.

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

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

**128-2023      A Resolution Authorizing the Commissioner of Public Works to Solicit Bids for Water Line Replacement**

**WHEREAS**, the Town Board authorized the Commissioner of Public Works to work with H.V. Larbarba to draft the bid specifications for Water Line Replacement Projects in Resolution 30-2023; and

**WHEREAS**, the Commissioner of Public Works is seeking authorization to solicit bids for the following projects:

- Phillips Road Water Line Replacement;
- Ridge Road Water Line Replacement;
- Mountview Avenue Water Line Replacement;

and

**WHEREAS**, annual water main replacement projects are critical to maintaining infrastructure, eliminating many breaks that occur on roads annually and supplying additional connections for water in case of breaks that do occur; and

**WHEREAS**, the Town Comptroller confirms that the act of soliciting bids does not have a material impact on the Town’s 2023 Budget;

now, therefore, be it

**RESOLVED**, the Town Board does hereby authorize the Commissioner of Public Works to Solicit Bids for Water Line Replacement on Phillips Road, Ridge Road and Mountainview Avenue.

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:

**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: