



# The Town of East Greenbush

225 Columbia Turnpike, Rensselaer, New York 12144

## TOWN BOARD AGENDA 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

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

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

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

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

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

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

**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 Count.

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

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

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

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

**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:

<b>Fund</b>	<b>Transfer in</b>	<b>Transfer out</b>
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	

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

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



**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 (NYS DOT 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:
Councilor H. Kennedy	VOTED:
Supervisor J. Conway	VOTED:
Councilor R. Matters	VOTED:
Councilor B. Fritz	VOTED:

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

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

**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 15<sup>th</sup>, 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:
Councilor R. Matters	VOTED:
Supervisor J. Conway	VOTED:
Councilor T. Tierney	VOTED:
Councilor H. Kennedy	VOTED:

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

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

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

**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:

<b>Tax Map No.</b>	<b>Address</b>	<b>2019 Assessment</b>	<b>Revised Assessment</b>
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:
Supervisor J. Conway	VOTED:
Councilor T. Tierney	VOTED:
Councilor H. Kennedy	VOTED:
Councilor B. Fritz	VOTED:

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

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

**ADJOURNMENT**

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

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