



# The Town of East Greenbush

225 Columbia Turnpike, Rensselaer, New York 12144

## TOWN BOARD AGENDA PRE-BOARD MEETING January 9, 2019

**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 R. Matters  
Councilor G. Warner

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.

**Presentation: East Greenbush Lacrosse – Marshall Wagner, Mark Teliska**  
**Pinecrest Business Park Major Site Plan – Steve Hart, George Shannon**  
**Amedore Senior Housing Major Site Plan -Update – Brett L. Steenburgh**

### Schedule of Meeting:

#### 02-2019 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**, that the minutes of the regular Town Board Meeting held on December 19, 2018 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 December 19, 2018 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:

**03-2019      A Resolution to Recognize February as African American History Month in the Town of East Greenbush**

**WHEREAS**, in 1926 the Association for the Study of Negro Life and History announced that the second week of February would be ‘Negro History Week’ because it coincided with the birthdays of Abraham Lincoln (February 12) and Frederick Douglass (February 14); and

**WHEREAS**, with the Civil Rights movement and a growing awareness of black identity fostered by the work of our Civil Rights pioneers; and

**WHEREAS**, from these origins the celebration of the contributions of African Americans to American society increased on an annual basis leading to the Black United Students at Kent State University to propose in 1969 that the celebration be expanded to encompass the entire month of February, a proposal that was implemented at Kent State in 1970; and

**WHEREAS**, within six years Black History Month was being celebrated in educational institutions and community centers all over the country; and

**WHEREAS**, President Gerald Ford officially recognized Black History Month during the celebration of the United States Bicentennial in 1976 urging his fellow Americans to “seize the opportunity to honor the too-often neglected accomplishments of black Americans in every area of endeavor throughout our history;” and

**WHEREAS**, the month-long celebration, now known as African American History Month, has evolved into official recognition at the Federal, State and Local levels of government; and

**WHEREAS**, the contributions of African Americans from all walks of life and their endeavors to learn, thrive and contribute throughout history makes it imperative that we recognize the unforgettable marks made by African American artists, scientists, educators, business people, influential thinkers, members of the faith community, athletes, and political and governmental leaders who have contributed so much to the greatness of America;

now, therefore, be it

**RESOLVED**, that the Town Board of the Town of East Greenbush recognizes February, 2019 as African American History Month in the Town of East Greenbush, and encourages everyone to acknowledge and learn about the contributions of African Americans to our Town, State and Nation.

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:

**04-2019      A Resolution to Approve the Annual Appointment of Part-time Police Dispatchers**

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

**WHEREAS**, these individuals currently meet the presumptive, non-competitive qualifications for this title as established by the Rensselaer County Civil Service Commission and whose names are listed and attached hereto; and

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

**RESOLVED**, that on the recommendation of the Chief of Police, each of the individuals so listed be, and the same hereby is appointed to the position of Part-time Police Dispatcher, consistent with all terms and conditions as previously set forth by the Town Board, for a term to expire at the Town’s next organizational meeting, or otherwise at the pleasure of the Town Board,

Timothy E. Boel	Steven C. Schongar
Michael J. Benson	Daniel P. Farnan
Robert G. Lehmann	Jeffrey G. Tooker
Donna A. Holt	Nicholas J. Liuzzi

and be it further

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

The foregoing resolution was duly moved by Councilor 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:

**05-2019      A Resolution Authorizing the Supervisor to Enter into Agreements for Sewer Services with Individuals/Entities**

**WHEREAS**, the Town Board of the Town of East Greenbush, County of Rensselaer, State of New York, does annually enter into an Agreement for Sewer Services with the following Individuals/Entities: Anthony and Samantha Ayala; Dean and Doris Calamaras; Sean Palmer and Amy Bartlett-Palmer; Vincent E. Sturn and Mary A. Sturn; Love Lutheran Church; Love Lutheran Parsonage and Rita Bernardo; and

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

**RESOLVED**, that the Supervisor of the Town of East Greenbush is hereby authorized to enter into an Agreement for the General Sewer District connections of the aforementioned, at a sum not to exceed One Thousand and Thirty Seven Dollars (\$1,037.00) each; said Agreement to be valid throughout the year 2019 and to expire on December 31, 2019, and that these charges

shall be billed to the owner in four 4 equal installments of (\$259.25 each) during the quarterly billing months of February, May, August and November 2019.

The foregoing resolution was duly moved by Supervisor Conway and 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:

**06-2019 A Resolution Scheduling a Public Hearing to Consider a New Contract with the Best Luther Fire Company, Inc.**

**WHEREAS**, the Town Comptroller has confirmed that none of the provisions of this proposed Board action shall 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, will hold a Public Hearing on the 21st day of February, 2018, at 6:40 p.m. in the evening of said day, at the Town Hall, 225 Columbia Turnpike, in East Greenbush, New York, to consider the entry into a new contract between the Town of East Greenbush and the Best Luther Fire Company, Inc. which agreement will include certain conditions as set forth in the proposed contract and the payment of the sum of \$114,520.00 by the Town of East Greenbush to the Best Luther Fire Company, Inc. for such Fire Protection.

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

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

**07-2019 A Resolution Scheduling a Public Hearing to Consider a New Contract with the Best Luther Company, Inc., on behalf of the Third Avenue Fire Protection District, Inc.**

**WHEREAS**, the Town Comptroller has confirmed that none of the provisions of this proposed Board action will have a material impact on the Town's finances;  
now, therefore, be it

**RESOLVED**, that the Town Board of the Town of East Greenbush, County of Rensselaer, State of New York, will hold a Public Hearing on the 21st day of February, 2018 at 6:50 p.m. in the evening of said day, at the Town Hall, 225 Columbia Turnpike, in East Greenbush, New York, to consider the entry into a new contract between the Town Board of the Town of East Greenbush and the Best Luther Fire Company, Inc., which agreement will include certain conditions as set forth in the proposed contract and the payment of the sum of \$9,070.00 by the Town of East Greenbush to the Best Luther Fire Company, Inc. for such Fire Protection.

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 R. Matters	VOTED:
Councilor B. Fritz	VOTED:

**08-2019      A Resolution Authorizing the Supervisor to Sign a 2019 Animal Shelter Agreement with Mohawk and Hudson River Humane Society**

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

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

**WHEREAS**, the Town of East Greenbush desires to enter into an agreement for such services for 2018 with the Mohawk and Hudson River Humane Society; and

**WHEREAS**, the Town Comptroller has confirmed that this resolution will not have a material impact on the Town's finances;  
now, therefore, be it

**RESOLVED**, that the Supervisor is authorized to enter into an agreement for services in 2019 with the Mohawk and Hudson River Humane Society, upon approval as to form by the attorney to the Town.

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:

**09-2019      A Resolution Authorizing the Town Supervisor to Enter an Agreement to Share the Cost of the Capital Region Solid Waste Management Partnership Planning Unit Recycling Coordinator**

**WHEREAS**, the Town of East Greenbush is currently a member of the Capital Region Solid Waste Management Partnership Planning Unit which has a final Local Solid Waste Management Plan ("LSWMP") which was approved by the New York State Department of Environmental Conservation in November 2014, according to New York State Environmental Conservation Law Section 27-0103; and

**WHEREAS**, the City of Albany has operated the regional solid waste system that serves the members and provides predictable and reasonably priced solid waste disposal services for members of the Planning Unit including the Town of East Greenbush; and

**WHEREAS**, the LSWMP allows the Town of East Greenbush to deliver waste to the regional solid waste system owned by the City of Albany; and

**WHEREAS**, all of the Parties are required to pay specified fees and are required to comply with the SWMP's recycling programs; and

**WHEREAS**, under New York State General Municipal Law Article 5-G, Section 119-o, municipalities have the authority to enter into intermunicipal agreements and jointly perform services regarding subjects each separately has the power to perform; and

**WHEREAS**, the Town Comptroller believes at this time that this resolution will have adequate funding in the 2019 Town budget account code 81604.01.04 Refuse/Garbage CE; now, therefore, be it

**RESOLVED**, that the Town Board of the Town of East Greenbush authorizes the Town Supervisor to enter into an agreement for the Town to participate in the Capital Region Solid Waste Management Partnership Planning Unit for the Period of January 1, 2019 through December 31<sup>st</sup>, 2021.

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:

**10-2019 A Resolution Authorizing the Town Services Coordinator to Hire Part-Time Recreation Assistants**

**WHEREAS**, the Town Services Department provides a wide range of programs for Town residents including programs specifically designed for young people and senior citizens; and

**WHEREAS**, these programs are often held outside of normal working hours, including evenings and weekends, in a number of different venues in Town; and

**WHEREAS**, these programs sometimes require additional staff on an event-by-event basis; and

**WHEREAS**, the Town Services Coordinator has worked with a number of people who now have experience with our programs and have proven to be responsible and reliable employees; and

**WHEREAS**, the Town Comptroller confirms that the cost of this resolution was covered in the 2019 Town Budget;

now, therefore, be it

**RESOLVED**, that the Town Board authorizes the Town Services Coordinator to hire the following people at the hourly rate specified in this resolution:

Tyler Van Cour-Bryant	\$13.00/hour
Nicholas Iula	\$11.10/hour
Michael Iula	\$11.10/hour
Theresa Mulvey	\$11.10/hour
Sarah Smith	\$11.10/hour

This 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:

**11-2019 A Resolution to Authorize a Public Auction of Surplus Equipment**

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

One (1) model year 2009 Dodge Durango VIN 1D8HB38P79F712730 (TownID#307)

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

**WHEREAS**, the Town Comptroller has determined that this resolution will have no material effect on Town finances;

now therefore be it

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

and be it further

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

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

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

**12-2019 A Resolution Authorizing a Family and Medical Leave Act Request**

**WHEREAS**, the Town is in receipt of a request for Family and Medical Leave (FMLA); 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 designated employee has submitted a request for leave to commence on or about January 21, 2019, and to continue for a period up to twelve weeks;

and be it further

**RESOLVED**, that the request for leave of absence under the Family Medical Leave Act, submitted by the designated employee, commencing on or about January 21, 2019, is hereby granted.

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:

**13-2019 A Resolution Creating the Position of MS4 Coordinator-Code Enforcement Officer**

**WHEREAS**, the Town Board believes that it would be beneficial to add the position title of MS4 Coordinator-Code Enforcement Officer to the Town of East Greenbush positions with the Rensselaer County Civil Service Commission; and

**WHEREAS**, the position of MS4 Coordinator-Code Enforcement Officer will work within the Planning and Zoning Department and the Building Department of the Town of East Greenbush as a hybrid position that will work with the Director of Planning and the Code Enforcement Officer to ensure the safety of the Town and enforce Town Code; and

**WHEREAS**, the responsibilities of a MS4 Coordinator require a significant amount of time and attention from the Director of Planning that takes away time from higher priority projects; and

**WHEREAS**, the work of the Building Department is critical for the issuing of building permits, inspecting of buildings and the enforcing of the Uniform Fire Prevention and Building Code; and

**WHEREAS**, the Town relies on the MS4 Coordinator to comply with regulations and reporting requirements to prevent violations and fees and the residents and business in Town rely on the timely operation of the functions of the Code Enforcement Office to complete residential and commercial projects; and

**WHEREAS**, the Town Comptroller confirms that this position was budgeted for in the 2019 Town Budget;

now, therefore, be it

**RESOLVED**, that the Town Board of the Town of East Greenbush does hereby the position of MS4 Coordinator-Code Enforcement Officer in the Planning and Zoning Department and Building Department, effective January 1, 2019, pending the approval of Rensselaer County Civil Service.

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:



**14-2019 A Resolution Approve Three Year Contract with Diagnostic Services Inc., LLC to Provide Town-Wide Information Technology (IT) Support**

**WHEREAS**, all of the Town's departments rely on computer systems to conduct Town business; and

**WHEREAS**, the hardware, software, and network platforms of these computer systems are each complex and unique requiring the need for professional IT service and consultation expertise; and

**WHEREAS**, a professional services proposal has been submitted by Diagnostic Services, Inc. of Troy New York, which quotes all costs and description of services to provide professional IT support to each of the Town's departments and which includes all Town owned IT equipment and devices for a term of three years, at a cost of \$46,958.64 per year (\$3,913.22 per month); and

**WHEREAS**, the Town has already entered into a three year contract in 2018 for E-mail support and Remote Access Support (contracted amounts are calculated into the above annual rate), and due to this, it is the recommendation of the Director of Finance and Senior Dispatcher to keep all services through the same contractor; and

**WHEREAS**, the proposed quote for services includes an increase in provided Man-hours per month (MHR) based off of the average overages the Town incurred the past few years, this should help to reduce any expense above and beyond that provided in the contract; and

**WHEREAS**, the Town Comptroller confirms that this resolution was budgeted for in the 2019 Town Budget;

now, therefore, be it

**RESOLVED**, that the proposal by Diagnostic Services, Inc. be and hereby is approved;

and be it further

**RESOLVED**, that the Town Supervisor is authorized to enter into said agreement;

and be it further

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

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

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

**15-2019 Establishment of Summer Camp Fees for 2019**

**WHEREAS**, the Town is required to establish rates to be charged by the Department of Community and Recreational Services; and

**WHEREAS**, the rates for the summer camp program have been established with careful review by the Director of Finance, the Town Services Coordinator, and the Town Board; and

**WHEREAS**, the Town Comptroller confirms that this resolution was budgeted for in the 2019 Town Budget; and

now, therefore, be it

**RESOLVED**, that the following fees for day camp, half day and extended program 2019 have been established.

**2019 Summer Camp Fees-**

Full Day Program	\$150 /per week one child	\$100/week each sibling
Half Day Program	\$80/per week one child	\$50/week each sibling
After Care Program	\$50/per week each child	(3-5PM)
One- time Non- Resident Fee	\$50	
<p><b>SPECIAL DISCOUNT:</b> Sign up for all six weeks by May 1<sup>st</sup> and take \$100 off your total due!!</p> <p><b>OFFER EXPIRES MAY 1st</b></p>		

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

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

**16-2019 A Resolution Extending the Limit of Town Maintenance on Olcott Lane**

**WHEREAS**, the Town Supervisor received a request from Mr. Terry Monteau, a resident on Olcott Lane requesting the extension of the limits of Town Maintenance of Olcott Lane be officially extended by approximately 300'; and

**WHEREAS**, the current highway inventory shows that the length of Olcott Lane as maintained and controlled by the Town of East Greenbush is 1,108'; and

**WHEREAS**, Section 189 of the New York State Highway Law directs that highways that have been used as public roads and maintained and controlled by the municipality for a period of ten years or more shall be a highway with the same force and effect as if it had been duly laid out and recorded as a highway; and

**WHEREAS**, the Commissioner of Public Works has inspected the road and determined the length of Olcott Lane that has been maintained and controlled by the Town of East Greenbush is 1,400'; and

**WHEREAS**, the Town Comptroller has confirmed that this resolution may have a material impact on the Town's finances;  
now, therefore, be it

**RESOLVED**, the Town Board of the Town of East Greenbush does hereby formally accept the entire maintained length of Olcott Lane as shown below and directs the Commissioner of Public Works to record this roadway as part of the Town's Official Highway Inventory and file the appropriate forms with the New York State Department of Transportation.

Name of Town Highway	From	To	Width	Length
Olcott Lane	Red Mill Road (SR-151) Turn Around		20'	1,480'

This 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:

**17-2019 A Resolution Authorizing the Town of East Greenbush to Forgive Taxes Levied on Certain Parcels Owned by the State of New York**

**WHEREAS**, the new Consolidated General Water District has been completed and appeared on the Town’s 2019 Property Tax Bills; and

**WHEREAS**, it appears that several parcels that are located in the Mandatory Class do not pay any local taxes; and

**WHEREAS**, several parcels under the ownership of the State of New York have been erroneously taxed appearing as follows;

155.17-14-17	\$57.37
155.17-14-18	\$57.37
155.17-14-19	\$28.69
155.17-14-20	\$28.69
155.13-21-38.1	\$86.06

**WHEREAS**, the Town Comptroller has confirmed that this resolution can be funded by account 19304.01 Judgement & Claims budgeted in 2019;

now, therefore, be it

**RESOLVED**, that the Town Board does hereby accept that the State of New York was taxed in error and the Town of East Greenbush forgives the tax amount for 2019;

and be it further

**RESOLVED**, that the Town Clerk is directed to send a certified copy of this Resolution to the Receiver of Taxes so the Warrant can be amended, the Comptroller, the Department of Assessment, and to the State of New York.

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:

**ADJOURNMENT**

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

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

DRAFT