



The Town of East Greenbush

225 Columbia Turnpike, Rensselaer, New York 12144

TOWN BOARD AGENDA PRE-BOARD MEETING March 8, 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.

Presentation:

Schedule of Meeting:

44-2023 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 February 8, 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 February 8, 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:

45-2023 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 February 15, 2023 have been presented; and

WHEREAS, the Town Board has reviewed these minutes and any necessary corrections have been made;

now, therefore, be it

RESOLVED, that the minutes of the Town Board Meeting held on February 15, 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:

46-2023 A Resolution Designating April 2023 as National Donate Life Month and April 14, 2022 as Donate Life Blue and Green Day

WHEREAS, National Donate Life Month was established by Donate Life America and its partnering organizations in 2003 and is celebrated through activities to help encourage Americans to register as organ, eye and tissue donors and to celebrate those who have saved lives through the gift of donation; and

WHEREAS, the 2023 National Donate Life Month theme was inspired by the springtime scene of a garden since the garden and the insects within it serve as symbols of hope, courage and transformed life, themes repeatedly found within the donation and transplantation journey;

now, therefore, be it

RESOLVED, to increase awareness and encourage participation in this lifesaving journey, the East Greenbush Town Board does hereby designate April 2023 as National Donate Life Month in the Town of East Greenbush;

and be it further

RESOLVED, that the Town of East Greenbush designates Friday, April 14, 2023 as Donate Life Wear Blue and Green Day to consider our role in this lifesaving and healing journey, and how our residents can inspire others to provide hope through donor registration and living donation.

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

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

47-2023 A Resolution Urging the New York State Attorney General and the National Association of Attorneys General to Take Steps to Reduce the Impact of Commercial Tobacco Imagery on Youth

WHEREAS, a study released by the U.S. Food and Drug Administration (FDA) and the U.S. Centers for Disease Control and Prevention (CDC) found that 2.55 million U.S. middle and high school students reported current e-cigarette use in 2022; and

WHEREAS, nearly half (46%) of high schoolers who vape do so nearly daily, putting them on a trajectory for a potential lifetime of nicotine addiction and at increased risk for addiction to other substances; and

WHEREAS, young people are three times more likely to start vaping when exposed to commercial tobacco imagery in popular streaming and TV shows; and

WHEREAS, commercial tobacco imagery remains rampant in the year's most popular shows, movies, and music videos, helping to fuel the e-cigarette epidemic with research showing that commercial tobacco imagery appeared in 60% of 15-24 year-olds' top 15 new shows in 2020; and

WHEREAS, the pervasiveness of onscreen commercial tobacco imagery points to an overall problem with the normalization and glamorization of smoking and vaping in entertainment media and popular culture; and

WHEREAS, researchers say that young people may be imitating the behaviors manifested in commercial tobacco imagery; and

WHEREAS, the detrimental short- and long-term effects of tobacco use in general, and e-cigarettes in particular have been well documented; and

WHEREAS, the Town Board is committed to improving the health and wellness of the community;

now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush joins with Reality Check of New York and a group of high school students from Columbia High School to urge the New York State Attorney General and the National Association of Attorneys General to call for expanded education, outreach, and research efforts to inform the public, parents, directors, writers and producers of the need for responsible presentation of the realities and danger of tobacco products, including e-cigarettes;

and be it further

RESOLVED, that a copy of this resolution be sent to Capital District Tobacco-Free Communities/Reality Check.

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

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

48-2023 A Resolution to Acquire a Police Vehicle

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

WHEREAS, the Chief of Police has reported that one of the Town’s police vehicles has reached the end of its mechanical usefulness and is in need of replacement; and

WHEREAS, Nielsen Ford Sales of Morristown New Jersey, an authorized New York State OGS Contractor and Westchester County Contractor, has quoted a one-time total cost of \$52,255.25 for a new 2023 Ford Police Interceptor Utility Vehicle; and

WHEREAS, the Town Comptroller confirms that this police vehicle was not budgeted for \$52,255.25 in 2023 and will be funded by the following transfer from the American Recovery Plan Act funds:

Fund	Transfer In	Transfer Out
A691 – General Fund Balance	\$52,255.25	
3089.03.00.107 ARPA Police Equipment		\$52,255.25
31204.03.04.107 Police Equipment	\$52,255.25	

now, therefore, be it

RESOLVED, that the Town Board authorizes the Chief of Police to purchase one (1) new 2022 Ford Police Interceptor Utility Vehicle from Beyer Ford LLC, per the Westchester County Contract # RFB-WC-22336.

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

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

49-2023 A Resolution to Acquire a Police Patrol Vehicle

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

WHEREAS, the Chief of Police has reported that one of the Town’s police patrol vehicles is reaching the end of its mechanical usefulness and is in need of replacement; and

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

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

WHEREAS, the Town Comptroller confirms that this police vehicle was not budgeted for \$58,662.25 in 2023 and will be funded by the following transfer from the American Recovery Plan funds:

Fund	Transfer In	Transfer Out
A691 – General Fund Balance 3089.03.00.107 ARPA Police Equipment	\$58,662.25	\$58,662.25
31204.03.04.107 Police Equipment	\$58,662.25	

now, therefore, be it

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

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 E. Nestler	VOTED:
Councilor B. Fritz	VOTED:

50-2023 A Resolution to Authorize the Chief of Police to Enter into a Five (5) year Agreement for the Use of Subscription Material From Lexipol, LLC by the East Greenbush Police Department

WHEREAS, the East Greenbush Police Department has recognized the need for the outsourcing of administrative services provided by Lexipol, LLC; and

WHEREAS, the utilization of Lexipol, LLC provides the knowledge and assistance required for the implementation of challenging and ever-changing state and federally mandated laws, regulations, court decisions, and evolving best practices; and

WHEREAS, Lexipol, LLC will assist with the development of legally defensible, up to date policies which are the foundation for consistent, safe public safety operations and are key to lowering liability and risk; and

WHEREAS, Lexipol’s daily scenario-based training bulletins are tied to real-world implications and allow officers to apply the agency’s policy content through 2 minute training exercises, thereby providing the agency with on-going training to fulfill accreditation standards; and

WHEREAS, Lexipol, LLC has provided a contract that offers services to assist the East Greenbush Police Department, which would allow for on-site and remote (telephone and e-mail) consulting services to address the specific needs of the East Greenbush Police Department; and

WHEREAS, the fee for the Lexipol, LLC annual subscription would be \$12,056.90 for 2024, \$12,659.75 for 2025, \$13,292.73 for 2026, \$13,957.37 for 2027 and \$14,655.24 for 2028; which will be paid annually; and

WHEREAS, Fleury Risk Management, who has partnered with Lexipol, LLC has granted the East Greenbush Police Department a \$2,500.00 award to contribute towards the implementation costs of the subscription; and

WHEREAS, the Town Comptroller confirms that this police purchase will need to be budgeted in 2024 to 2028 in order to not materially negatively impact the Town’s finances; now, therefore, be it

RESOLVED, that the Town Board does hereby authorize the Chief of Police to enter into the Agreement for Use of Subscription Material between Lexipol, LLC and the East Greenbush Police Department.

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

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

51-2023 A Resolution to Appoint a Part Time Intern in the East Greenbush Police Department

WHEREAS, the East Greenbush Police Department requires part time interns periodically throughout the year to assist in addressing the backlog of preventative maintenance of records, purging of records and compliance with new judicial reforms being imposed upon law enforcement agencies; and

WHEREAS, the East Greenbush Police Department advertised for the intern positions, accepted applications and conducted interviews before deciding to submit the name below to the Town Board; and

WHEREAS, the East Greenbush Police Department has selected Sophia Pioggia based on her ability to handle confidential and sensitive information and her interest in criminal justice as noted in their academic studies; 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 on the recommendation of the Chief of Police the Town Board confirms the appointment for hours worked, hours paid, with no benefits, of Sophia Pioggia effective March 16, 2023 at the rate of \$14.20 per hour. The total amount of this resolution is not to exceed \$5,000.00 as reflected in the 2023 budget. All appointments are consistent with all terms and conditions as previously set forth by the Town Board, for a term to expire at the Town’s next organizational meeting, or otherwise at the pleasure of the Town Board,

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 E. Nestler	VOTED:
Councilor B. Fritz	VOTED:

52-2023 A Resolution Authorizing the Chief of Police to Sign the Purchasing Agreement to Purchase Body-Worn Cameras for the East Greenbush Police Department

WHEREAS, in February of 2023, the Town of East Greenbush accepted funding from the New York State Department of Criminal Justice Services (DCJS) for the purpose of implementing Body Worn Cameras (BWCs) for the police department in the amount of \$60,000.00; and

WHEREAS, the East Greenbush Police Department has received a quote and purchasing agreement for a period of five years from Axon Enterprise, Inc. to purchase 30 BWCs and the necessary hardware, software and installation; and

WHEREAS, the purchasing agreement allows for \$59,998.92 to be paid for the first year of the agreement and the remaining four years to be paid in equal payments of \$27,861.77 annually; and

WHEREAS, the purchase and implementation of BWCs will satisfy guidelines set forth by the Criminal Justice Reform Collaborative Plan therefore enhancing public safety; and

WHEREAS, the Town Comptroller confirms that this police purchase will need to be budgeted in 2024 to 2028 in order to not materially negatively impact the Town’s finances; and the following budgetary transfer addresses the 2023 financial impact utilizing grant funds;

Fund	Transfer In	Transfer Out
3004.01 Police Grant Revenue		\$59,999
31204.01.04 Police CE	\$59,999	

now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush authorizes the Chief of Police to sign the purchasing agreement with Axon Enterprise, Inc. as set forth above to purchase and implement Body Worn Cameras for the police department.

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:

53-2023 A Resolution to Make Staff Appointments for Summer Camp

WHEREAS, the Community and Recreation Department is essential to the work of our Town government as it entails coordinating activities for families, youth and seniors, in addition to managing the Summer Camp program; and

WHEREAS, the Town Camp is divided into a junior camp for children grades 1-5, and senior camp for children grades 6-8; and

WHEREAS, the Town Board recognizes the importance of having experienced and responsible directors to manage the day-to-day operation of the Camp; and

WHEREAS, applicants for the position of Director applied through the Community and Recreation Department and participated in interviews with Town staff; and

WHEREAS, both successful candidates were once campers, counselors and assistant directors at the Town of East Greenbush Summer Camp, further showing the Town’s commitment to providing a safe and enjoyable environment for the youth of our town during the summer months by hiring proven Camp leaders; 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 following candidates are appointed to serve as Summer Camp Staff for the 2023 season;

Ashley Angelo - Summer Camp Director
Katherine Asenbauer - Summer Camp Director

and be it further

RESOLVED, that Katharine Asenbauer and Ashley Angelo will be compensated at the rate of 20.00/hour;

and be it further

RESOLVED, that these appointments are in effect from March 15, 2023 until August 22, 2023.

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

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

54-2023 A Resolution to Establish Summer Camp Fees for 2023

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

WHEREAS, the listed rates for the summer camp program have been established and reviewed by the Town Board; and

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

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

2023 Summer Camp Rates

Prices Per Week	RESIDENT Camp Tuition	NON-RESIDENT Camp Tuition
Full Day	\$185.00	\$210.00
1/2 Day	\$135.00	\$160.00

After Care - per child	\$80.00	\$80.00
Half Day Add on 1 Field Trip	\$30.00	\$30.00
Discounts (10%): Each additional child - Full-day Each additional child – Half-day	\$166.50 \$121.50	\$189.00 \$144.00
Cancellation: Withdrawal fee PRIOR to June 1st *No refunds after June 1st*	\$50.00	\$50.00

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:

55-2023 A Resolution Setting a Date and Time for a Public Hearing on a Proposed Local Law Authorizing a Property Tax Exemption for Certain Volunteer Firefighters and Ambulance Workers

WHEREAS, Section 466-a of the Real Property Tax Law, enacted in 2022 by the New York State Legislature, authorizes municipalities to provide for a real property tax exemption for enrolled members of incorporated volunteer fire companies, fire departments, and incorporated voluntary ambulance services; and

WHEREAS, that legislation authorizes municipalities, such as the Town of East Greenbush, to provide for a property tax exemption of up to 10% to those members owning real property in the Town; and

WHEREAS, the State Legislation provides certain parameters for qualifying for such tax exemption; and

WHEREAS, the Town Board believes that adopting a local law under this provision of state law would encourage volunteers for the vital services provided by these organizations; 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 shall hold a public hearing on a proposed local law, providing real property tax exemptions for volunteer firefighters and ambulance workers pursuant to Section 466-a of the Real Property Tax Law, such hearing to be held at the East Greenbush Town Hall, 225 Columbia Turnpike, Rensselaer, New York 12144 on April 12, 2023 at 6:00 p.m.

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:

56-2023 A Resolution to Appoint Brad Wenskoski to the Town of East Greenbush Conservation Advisory Council (CAC)

WHEREAS, the Conservation Advisory Council is a seven (7) member board with five (5) members; and

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

WHEREAS, Brad Wenskoski 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 February 27, 2023 meeting passed a resolution appointing Brad Wenskoski as member of the Council; 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 Brad Wenskoski is hereby appointed to the Town of East Greenbush Conservation Advisory Council for a term to expire on **[INSERT DATE]**.

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:

57-2023 A Resolution to Waive the Residency Requirement for Corneil Smith, Planner

WHEREAS, the Town Board passed resolution 42-2023 on February 15, 2023, appointing Corneil Smith to the position of Planner in the Department of Planning and Zoning; 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 Corneil Smith be granted a waiver from the Town's residency requirement retroactive to his start date of March 6, 2023 through December 31, 2023.

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

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

58-2023 A Resolution to Assume Lead Agency and Initiate Coordinated Review Under SEQRA for the 164 Columbia Turnpike Martin Electric Major Site Plan (PZD 19-01A)

WHEREAS, Hart Engineering on behalf of Turnpike Redevelopment Group, LLC located at 164 Columbia Turnpike Rensselaer NY 12144, has submitted a site plan review application for a project to construct a 58’ x 62’ canopy above loading dock, two cold storage areas (40’ x 62’ and 48’ x 62’) with roof and sides and a 50’ x 67’ enclosed storage addition to an existing garage and related site improvements known as “Martin Electric Major Site Plan,” located at 164 Columbia Turnpike and identified on the Town’s Tax Roll as Tax Parcel No. 155.13-21-13 (the “Project”); and

WHEREAS, the application was accompanied by a proposed site plan, a Short Environmental Assessment Form and other submittals; and

WHEREAS, at a meeting duly held on December 14, 2022, the Town Planning Board recommended that the Town Board seek lead agency status in connection with a coordinated review under SEQR for the Project; and

WHEREAS, the Town Board wishes to assume lead agency status in connection with a coordinated SEQR review of this unlisted action; 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 Project, which is hereby classified as an unlisted action, will require review under the State Environmental Quality Review Act (“SEQRA”);

and be it further

RESOLVED, that the Town Board wishes to assume lead agency status in connection with a coordinated SEQR review of the Project;

and be it further

RESOLVED, that the Town Board hereby directs that a lead agency coordination letter be sent to all involved agencies requesting their consent to designation of the Town Board as lead agency for SEQR review of the Project.

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

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

59-2023 A Resolution Approving the 2023-2024 Municipal Insurance Proposals Submitted by NFP

WHEREAS, the Town, through its insurance broker NFP (formerly Rose & Kiernan, Inc.), received a proposal for Insurance Coverage for the period of March 1, 2023 – March 1, 2024 as follows:

Carrier	2022-2023 Expiring	2023-2024 Renewal Quote
New York Municipal Insurance Reciprocal	\$232,371.40	\$254,018.40

WHEREAS, the Town has contracted with New York Municipal Insurance Reciprocal (NYMIR) since 2013 and this has proved to be an invaluable resource through providing training, webinars and seminars to employees, safety inspections, and other services in addition to insurance coverage; and

WHEREAS, increases have been seen by all municipalities covered by NYMIR as a result of an increase in claim activity; and

WHEREAS, the Town Comptroller confirms that the provisions of this resolution were planned for in the 2023 Town budget charged to account codes for \$12,438 less than the renewal quote for 19104.01.04, 51104.02.04, 83104.05.04, 81104.07.04 to be funded by the following budgetary transfers;

Fund	Transfer In	Transfer Out
A917 – General Fund Balance		\$3,928
19104.01.04 Insurance CE	\$3,928	

Fund	Transfer In	Transfer Out
DA915 – Highway Fund Balance		\$3,516
51104.02.04 Insurance CE	\$3,516	

Fund	Transfer In	Transfer Out
SW915 – Water Fund Balance		\$3,112
83104.05.04 Insurance CE	\$3,112	

Fund	Transfer In	Transfer Out
SS915 – Sewer Fund Balance		\$1,882
81104.7.04 Insurance CE	\$1,882	

now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush does hereby approve the renewal of the agreement with New York Municipal Insurance Reciprocal (NYMIR), for the policy year March 1, 2023 –March 1, 2024 for the amount of \$254,018.40.

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

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

60-2023 A Resolution to Appoint Noreen Gill to the Board of Assessment Review

WHEREAS, State Law requires that each unit of local government have a Board of Assessment Review, which shall consist of not less than three or more than five members; and

WHEREAS, the Board of Assessment Review is essential to the public process of determining the outcome of resident appeals on the assessed value of their homes; and

WHEREAS, the Board of Assessment Review is appointed by the Town Board to serve as an independent decision-making body so that residents may receive a fair hearing on appeals to have their assessments adjusted; and

WHEREAS, Noreen Gill is a Town resident who has served on the Planning Board and is known to the Town Board as a person of the highest integrity and character; 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 appoints Noreen Gill to the Board of Assessment Review for a term to run through September 30, 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:

61-2023 A Resolution Awarding the Contract for the Hampton Manor Park Improvements to James H. Maloy, Inc. and Approving the Use of Generic Environmental Impact Statement (GEIS) Funds for This Project

WHEREAS, the Town of East Greenbush Hampton Manor Park is in need of Improvements to the Park, Basketball Courts and Tennis Courts; and

WHEREAS, the Town solicited bids and received two bid submissions (as shown below) with the lowest responsible bidder being James H. Maloy, Inc. in the amount of \$259,800.00;

<u>Contractor</u>	<u>Bid Amount</u>
James H. Maloy Inc.	\$259,800.00
New Castle Paving LLC	\$327,144.71

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 GEIS Committee voted to approve the use of \$230,000 in GEIS Recreation funds for this important project; and

WHEREAS, the Town Comptroller confirms that the financial impact of this resolution is \$259,800, with \$230,000 from GEIS 80304.01.04.04 and the balance from 71104.01.04 Parks CE;

Fund	Transfer In	Transfer Out
GEIS Recreation Funds		230,000
80304.01.04.04	230,000	

Fund	Transfer In	Transfer Out
General Fund Balance A917		\$29,800
71104.01.04.04 Parks CE	\$29,800	

now, therefore, be it

RESOLVED, that the Town Board authorizes the Commissioner of Public Works to contract with James H. Maloy, Inc. to make the necessary improvements to Hampton Manor Park in an amount not to exceed \$259,800.00;

and be it further

RESOLVED, that the Town Board affirms the GEIS Committee’s recommendation to use GEIS Recreation funds for this project.

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:

62-2023 A Resolution to Declare Lead Agency for SEQRA, Issue a Positive Declaration, and Schedule a Public Scoping Session for a Generic Environmental Impact Statement (GEIS) for Zoning Text and Map Amendments and Subdivision Regulation Amendments

WHEREAS, on May 19, 2021, the Town Board of the Town of East Greenbush passed resolution 136 of 2021 adopting the 2021 Comprehensive Plan; and

WHEREAS, the 2021 Comprehensive Plan identifies recommendations for future land uses within the Town; and

WHEREAS, all Town land use regulations must be in accordance with the adopted comprehensive plan per Town Law §272-a.11.a; and

WHEREAS, adoption of zoning amendments is a Type 1 action pursuant to the State Environmental Quality Review Act (SEQRA), 6 NYCRR 617.4(b)(2) requiring coordinated review; and

WHEREAS, on February 8, 2023, the Town Board initiated the required coordinated review with involved agencies to declare and serve as lead agency under SEQRA per Resolution #20-2023; and

WHEREAS, no objections were received from involved agencies after 30 days to the Town Board serving as lead agency; and

WHEREAS, pursuant to SEQRA, the Town Board has prepared and completed Parts 1, 2 and 3 of the Full Environmental Assessment Form (FEAF); and the Board has duly reviewed the FEAF and has considered the criteria contained in 6 NYCRR §617.7(c) to determine whether the proposed action will have a significant impact on the environment; 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 determines that the proposed adoption of the zoning text and map and subdivision regulations amendments may have a significant adverse impact on the environment; that the Town Board adopts the findings and conclusions relating to probable environmental impacts contained within the attached FEAF and Positive Declaration and hereby initiates the preparation of a Generic Environmental Impact Statement (GEIS) and for the Town Clerk to file the Positive Declaration in accordance with the applicable provisions of law;

and be it further

RESOLVED, that the Town Board hereby schedules a public scoping session on March 30, 2023 at 6:00 p.m. at Town Hall pursuant to 6 NYCRR §617.8 to provide an opportunity for public participation and will allow for written comments to be received until April 7, 2023 and hereby directs the Town Clerk to notice said public scoping session and make available the draft scope to all involved or interested agencies.

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 E. Nestler	VOTED:
Councilor B. Fritz	VOTED:

63-2023 A Resolution Authorizing Cured-In-Place Pipe Lining to Selected Sewer Main Sections

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, Precision Trenchless LLC has been awarded the Onondaga County Bid for installation of cured-in-place pipe lining and the Bid has been made available to other political subdivisions state-wide; and

WHEREAS, the Commissioner of Public Works has identified specific sections of the sewer collection system that are prone to clogging due to age, or infiltration of roots or other matter; and

WHEREAS, the Commissioner of Public Works has determined that the most cost - effective way to recondition these specific sections is to install cured-in-place pipe lining which will prevent further clogging and will ensure a much longer life in the affected areas; and

WHEREAS, the Commissioner requests the Town Board approve the addition of \$50,000 from the General Sewer Fund SS915 to allow the Commissioner to complete additional projects this year to have the greatest impact on our system; and

WHEREAS, the Town Comptroller confirms that the financial impact of this resolution is \$125,000 from the approved 2023 budget line of 81204.07.04, and an added \$50,000 of Sewer Fund Balance SS915;

Fund	Transfer In	Transfer Out
Sewer Fund Balance SS915		\$50,000
81204.07.04 Sanitary Sewer CE	\$50,000	

now, therefore, be it

RESOLVED, that the Town Board authorizes additional funding in the amount of \$50,000.00 from the General Sewer Fund SS915 to the current budgeted amount; and be it further

RESOLVED, that the Town Board also approves the Commissioner of Public Works to contract with Precision Trenchless LLC to install the lining in the sewer mains identified for a price not to exceed \$175,000.00.

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:

64-2023 A Resolution Authorizing the Purchase of a John Deere 310 P-Tier Backhoe Loader for the Water Department

WHEREAS, the Water Department currently shares a 2004 Caterpillar 416D Backhoe Loader with the Highway Department and is in need of their own Backhoe Loader; and

WHEREAS, the Backhoe Loader is used for water breaks along with lawn repairs in the Water Department as well as many ongoing uses in the Highway Department; and

WHEREAS, John Deere products have proven to be one of the most reliable and maintenance free pieces of equipment on the market; and

WHEREAS, the Commissioner of Public Works along with the General Water Foreman are requesting the purchase of a John Deere 310 P – Tier Backhoe Loader utilizing the Sourcewell Contract # PC69403; and

WHEREAS, the purchase of this piece of equipment will have an estimated life span of 25-30 years; 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 funding for this purchase would be provided through the Water Fund balance account SW-915 in the amount of \$131,140; and

Resolution 64-2023

WHEREAS, the Town Comptroller confirms that the financial impact of this resolution is \$131,140 charged to 83404.05.04 Water Transmission CE using SW915 Water Fund Balance;

Fund	Transfer In	Transfer Out
SW915 Water Fund Balance		\$131,140
80404.05.04 Water Transmission CE	\$131,140	

now, therefore, be it

RESOLVED, that the Town Board authorizes the purchase of a John Deere 310 P-Tier Backhoe Loader on Sourcewell Contract # PC69403 for the amount of \$131,140.00.

This 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:

65-2023 A Resolution Accepting the Resignation for Purposes of Retirement of George A. Lovely Jr.

WHEREAS, George A. Lovely Jr. has been an employee of the Town of East Greenbush Public Works Department since January 4th 1987; and

WHEREAS, Mr. Lovely was employed for 36 years and ended his career as the Chief Waste Water Plant Operator in the Sewer Department; and

WHEREAS, Mr. Lovely has submitted a letter of resignation for the purpose of retirement to the Town Board effective March 24th, 2023; and

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

now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush accepts the resignation of George A. Lovely Jr. effective March 24th, 2023.

and be it further

RESOLVED, that the Town Board thanks George Lovely for his service to the Town and wishes him well in all of his future endeavors.

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

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

66-2023 A Resolution Authorizing Tree Removal by Allmark Tree and Crane Service

WHEREAS, the Highway Department is responsible for removal of dangerous or dead trees in the Town Highway Rights of Way; and

WHEREAS, the Highway General Foreman has identified a number of these trees that are outside of the Highway Department’s ability to safely remove without risk to employees or property; and

WHEREAS, the Rensselaer County bid for Tree and Stump Removal was awarded to Allmark Tree and Crane Services for the period of August 1, 2022 until July 31st, 2023, with option to renew, and the bid award was made available to all municipalities and school districts in Rensselaer County to piggyback on; and

WHEREAS, the Town of East Greenbush Purchasing Policy requires that 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 would not exceed \$45,000.00 from Budget Line 51404.02.04 Brush and Weeds now, therefore, be it

RESOLVED, that the Town Board authorizes the Commissioner of Public Works to contract with Allmark Tree and Crane Service to remove the trees as specified on the estimate attached at a cost not to exceed \$45,000.00.

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

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

67-2023 A Resolution Authorizing Replacement of the Carbon Filter at the Waste Water Treatment Plant

WHEREAS, reducing the objectionable odor at the Town of East Greenbush Waste Water Treatment Plant is a high priority of the Town Board and Department of Public Works; and

WHEREAS, the manufacturer recommends that the carbon in the air filtration system at the Waste Water Treatment Plant should be changed every two years; and

WHEREAS, the carbon contained in the air filtration system at the Waste Water Treatment Plant has not been changed since 2018; and

WHEREAS, in 2018 the non-washable carbon was replaced with washable carbon which lasted twice as long and proved to be economically beneficial; and

WHEREAS, in accordance with the Town of East Greenbush Purchasing Policy three quotes were solicited, with the lowest responsible quote being from _____ in the amount of _____ for installing washable carbon with the necessary modifications to our existing carbon absorber system; and

WHEREAS, that the Town of East Greenbush Purchasing Policy requires that 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 \$_est. \$30,000_____ charged to 81304.07.04 Sewer Treatment CE using SS915 Sewer Fund Balance;

Fund	Transfer In	Transfer Out
SS915 Sewer Fund Balance		\$
81304.07.04 Sewer Treatment CE	\$	

now, therefore, be it

RESOLVED, that the Town Board authorizes the Commissioner of Public Works to contract with _____ to install washable carbon in the existing air filtration system in an amount not to exceed _____

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:

68-2023 A Resolution Authorizing Cured-In-Place Pipe Lining to Selected Storm Sewer lines

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, Precision Trenchless LLC has been awarded the Onondaga County Bid for installation of cured-in-place pipe lining and the Bid has been made available to other political subdivisions state-wide; and

WHEREAS, the Commissioner of Public Works in conjunction with the Highway General Foreman has identified specific sections of the storm sewer collection system that are prone to deterioration, or infiltration of roots or other matter; and

WHEREAS, the Commissioner of Public Works has determined that the most cost-effective way to recondition these specific sections is to install cured-in-place pipe lining which will prevent further clogging and will ensure a much longer life in the affected areas; and

WHEREAS, the Commissioner requests the Town Board approve the addition of \$50,000 from the General Sewer Fund SS915 to allow the Commissioner to complete additional projects this year to have the greatest impact on our system;

WHEREAS, the Town Comptroller confirms that the financial impact of this resolution is \$100,000 from the approved 2023 budget line of 81404.07.04 Storm Sewer CE, and an added \$50,000 of Sewer Fund Balance SS915;

Fund	Transfer In	Transfer Out
Sewer Fund Balance SS915		\$50,000
81404.07.04 Storm Sewer CE	\$50,000	

now, therefore, be it

RESOLVED, that the Town Board authorizes the Transfer funds of \$50,000.00 from the General Sewer Fund SS915 to the current budgeted amount; and be it further

RESOLVED, that the Town Board also approves the Commissioner of Public Works to contract with Precision Trenchless LLC to install the lining in the storm sewers identified for a price not to exceed \$150,000.00.

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:

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: