



The Town of East Greenbush

225 Columbia Turnpike, Rensselaer, New York 12144

TOWN BOARD MEETING MINUTES January 17, 2024

The following is a summary of the Town Board Meeting as recorded by the Town Clerk.

To view a recording of the full meeting, please see Town Hall Streams link below:

https://townhallstreams.com/stream.php?location_id=119&id=58152

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

Members of Town Board

Present

Absent

Supervisor J. Conway
Councilor H. Kennedy
Councilor E. Nestler
Councilor R. Matters
Councilor J. McHugh

Presentations: **Assemblyman John McDonald, 2024 Legislative Agenda**
Superintendent of Schools Jeff Simons, 2024 Capital Project Planning

Communications/Announcements/Reports:

Town Board members provided their individual comments, community-related information, and/or announcements.

Open Public Privilege: Four (4) Evergreen Way residents spoke regarding storm drainage issues, however, only (3) stated their name - Paul Guenette, Kimberley Harden, and Lou Isenbergh.

Resolutions and Proposals by Town Board Members:

01-2024 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 December 20, 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 December 20, 2023 are hereby approved as submitted.

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

Councilor E. Nestler	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Supervisor J. Conway	VOTED: YES
Councilor R. Matters	VOTED: YES
Councilor J. McHugh	VOTED: YES

02-2024 A Resolution to Approve Special 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 Town’s Special Meeting held on December 20, 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’s Special Meeting held on December 20, 2023 are hereby approved as submitted.

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

Councilor J. McHugh	VOTED: YES
Councilor E. Nestler	VOTED: YES
Supervisor J. Conway	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Councilor R. Matters	VOTED: YES

03-2024 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 Town’s 2024 Organizational Meeting held on January 2, 2024 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’s 2024 Organizational Meeting held on January 2, 2024 are hereby approved as submitted.

The foregoing resolution was duly moved by Councilor McHugh and seconded by

Councilor Nestler and brought to a vote resulting as follows:

Councilor J. McHugh	VOTED: YES
Councilor E. Nestler	VOTED: YES
Supervisor J. Conway	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Councilor R. Matters	VOTED: YES

04-2024 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 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 been officially recognized 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, 2024 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;

and be it further

RESOLVED, that the Town Board dedicates African American History Month to the memory of Edmonia Lewis, a 19th century Greenbush native and a woman who struggled with racial and gender discrimination to go on to become a world-famous sculptor.

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: YES
Councilor R. Matters	VOTED: YES
Councilor H. Kennedy	VOTED: YES

Councilor E. Nestler
Councilor J. McHugh

VOTED: YES
VOTED: YES

05-2024 A Resolution Recognizing February 2, 2024 as National GO RED FOR WOMEN DAY in the Town of East Greenbush

WHEREAS, the Town Board of the Town of East Greenbush seeks to continue to recognize and support National Go Red For Women Day in support of women’s heart health; and

WHEREAS, the Go Red for Women campaign is designed to advocate for more research and swifter action for women’s heart health issues; By wearing red and donating to this campaign we help support educational programs to increase women’s awareness and critical research to discover new scientific knowledge about cardiovascular health; now, therefore, be it

RESOLVED, that The Town Board of the Town of East Greenbush hereby officially recognizes February 2, 2024 as National Go Red for Women Day in the Town of East Greenbush

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

Councilor H. Kennedy	VOTED: YES
Supervisor J. Conway	VOTED: YES
Councilor E. Nestler	VOTED: YES
Councilor R. Matters	VOTED: YES
Councilor J. McHugh	VOTED: YES

06-2024 A Resolution Approving the Renewal of Membership Fees for the New York State Recreation and Park Society

WHEREAS, the Town Board of the Town of East Greenbush seeks to continue having a representative of the Community & Recreation Department as a member of the New York State Recreation and Park Society; and

WHEREAS, the New York State Recreation and Park Society connects Parks and Recreation professionals across the state as it seeks to further the advancement of recreational opportunities for all New Yorkers; and

WHEREAS, the Town Board of the Town of East Greenbush will select the appropriate person to continue representing the Town of East Greenbush in said organization; and

WHEREAS, the membership fee of \$150.00 will be paid to the New York State Recreation and Park society; 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 Community and Recreation Department file the appropriate paperwork to renew its membership in the New York State Recreation and Park Society.

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

Councilor J. McHugh	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Supervisor J. Conway	VOTED: YES

Councilor E. Nestler
Councilor R. Matters

VOTED: YES
VOTED: YES

07-2024 A Resolution Authorizing the Town of East Greenbush to Pay Music Licensing Fees to ASCAP (American Society of Composers, Authors and Publishers)

WHEREAS, the Town of East Greenbush Community and Recreation Department hosts a Music in The Park summer concert series each year; and

WHEREAS, music licensing is required to be obtained by all venues hosting live music, or playing music of any kind that might prevent royalties from being paid to the original artists; and

WHEREAS, the Town of East Greenbush is required to obtain licensing through ASCAP for the Music in the Park series for 2024; 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 authorizes the Town Supervisor to execute the Swank Motion Picture License agreement, and authorize payment not to exceed \$500.00.

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

Councilor H. Kennedy	VOTED: YES
Councilor J. McHugh	VOTED: YES
Supervisor J. Conway	VOTED: YES
Councilor E. Nestler	VOTED: YES
Councilor R. Matters	VOTED: YES

08-2024 A Resolution to Accept the Board of Ethics’ 2023 Annual Report

WHEREAS, inasmuch as the Town Board of Ethics (hereinafter, “BOE”) was created and charged by the Town Board with the responsibility to engage in certain activities relative to the mandates contained in the Town’s Code of Ethics, the BOE has a reciprocal obligation, pursuant to § 23 of such Code of Ethics, to be accountable to the Town Board by annually submitting thereto a report detailing such activities in which it has engaged; 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 BOE’s annual report of its activities in which it has engaged during the year 2023 (a copy of which is attached hereto and made a part hereof) be, and the same hereby is, accepted;
and be it further

RESOLVED, that the Town Board acknowledges with special gratitude and appreciation the exemplary service and leadership of Rick Matters during his tenure as chairperson of the BOE, such tenure having ended via resignation effective June 5, 2023;
and be it further

RESOLVED, that a copy of the 2023 annual report shall be posted on the Town’s website.

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: YES
Councilor H. Kennedy	VOTED: YES
Councilor E. Nestler	VOTED: YES
Councilor R. Matters	VOTED: YES
Councilor J. McHugh	VOTED: YES

09-2024 A Resolution to Establish Summer Camp Fees for 2024

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:

2024 Summer Camp Rates

Prices Per Week	RESIDENT Camp Tuition	NON-RESIDENT Camp Tuition
Full Day	\$200.00	\$225.00
1/2 Day	\$150.00	\$175.00
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	\$180.00 \$135.00	\$202.50 \$157.50
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 McHugh and brought to a vote resulting as follows:

Supervisor J. Conway	VOTED: YES
Councilor J. McHugh	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Councilor E. Nestler	VOTED: YES
Councilor R. Matters	VOTED: YES

10-2024 A Resolution to Settle a Tax Certiorari Case with Lawrence J. Meracle, Jr. and April L. Meracle

WHEREAS, Lawrence J. Meracle, Jr. and April L. Meracle and the Town of East Greenbush are desirous of having certain assessment issues resolved as to property owned by Lawrence J. Meracle, Jr. and April L. 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 that this resolution has no material impact but will have to be accounted for in future Town budgets;

now, therefore, be it

RESOLVED, that the Town Board does hereby accept a proposed settlement for the 2022 and 2023 tax certiorari proceeding filed by Lawrence J. Meracle, Jr. and April L. Meracle in which the assessed value of the subject property will be set as follows:

<u>Year</u>	<u>Parcel No.</u>	<u>Assessed Value</u>	<u>Revised Assessed Value</u>
2022	165.-1-19.2	\$990,000	\$688,000
2023	165.-1-19.2	\$990,000	\$688,000

Real Property Tax Law §727 shall apply, and the assessment shall remain unchanged for the years 2024, 2025 and 2026. Petitioner will be entitled to refunds. The County of Rensselaer will be paying the Town’s portion of the refunds and it will be treated as a charge back to the Town; and be it further

RESOLVED, that the Town Board does hereby adopt this resolution to end the litigation between Lawrence J. Meracle, Jr. and April L. Meracle and the Town of East Greenbush as to the above referenced assessment.

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

Councilor E. Nestler	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Supervisor J. Conway	VOTED: YES
Councilor R. Matters	VOTED: YES
Councilor J. McHugh	VOTED: YES

11-2024 A Resolution to Amend Certain Provisions of the Town’s 2024 Organizational Meeting Agenda

WHEREAS, the 2024 Organizational Meeting was held on January 2, 2024 in East Greenbush Town Hall; and

WHEREAS, an error, a missing assignment and an omission were discovered in the post-Organizational Meeting review and need to be corrected; and

WHEREAS, the annual salary of Stephanie Scheibly for the position of Typist to the Chief of Police was incorrectly listed as \$69,000.00; and

WHEREAS, Alison Lovely was not appointed to be the Secretary of the Conservation Advisory Council; and

WHEREAS, FCM Engineering was mistakenly omitted from the list of Town Designated Engineers; 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 Stephanie Scheibly's 2024 annual salary will be \$70,000.00;

and be it further

RESOLVED, that Alison Lovely is hereby appointed to the position of Secretary to the Conservation Advisory Council;

and be it further

RESOLVED, that FCM Engineering is hereby added to the formal list of Town Designated Engineers for the year 2024;

and be it further

RESOLVED, that all of these amendments to the Organizational Meeting agenda are effective as of January 2, 2024.

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: YES

Councilor R. Matters VOTED: YES

Councilor H. Kennedy VOTED: YES

Councilor E. Nestler VOTED: YES

Councilor J. McHugh VOTED: YES

12-2024 A Resolution to Designate No Parking on Certain Streets in Town

WHEREAS, the Commissioner of Public Works has reviewed a number of complaints that the Department of Public Works has received from residents and has made a recommendation to the Town Board to designate certain sections of Town Roads as "No Parking" zones to address safety concerns; and

WHEREAS, pursuant to §20-2 of the East Greenbush Town Code, the Town Board may designate highways within Town on which vehicles may not be parked; and

WHEREAS, such designation, when so made and completed, shall be filed in the office of the Town Clerk; and

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

WHEREAS, the Commissioner has made a recommendation for the designation of No Parking on the following Town Roads:

Point View Drive – from US Route 9 & 20 to 100' on the North Side;

Park Drive – from Point View Drive – 100' South East

now, therefore, be it

RESOLVED, the Town Board does hereby designate that there shall be No Parking on the sections of road identified above;

and be it further

RESOLVED, that the Commissioner of Public Works shall arrange that sections of road identified within this resolution be marked by conspicuous signs which shall be visible at all times.

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

Councilor R. Matters	VOTED: YES
Supervisor J. Conway	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Councilor E. Nestler	VOTED: YES
Councilor J. McHugh	VOTED: YES

13 -2024 A Resolution Accepting the Resignation for Purposes of Retirement of Sergeant John J. Martyn

WHEREAS, John J. Martyn was proudly sworn in as a police officer with the Town of East Greenbush Police Department on January 24, 2011 after having professionally served with the City of Rensselaer Police Department since July of 2003; and

WHEREAS, the Town Board has received a letter of retirement from Sergeant Jay Martyn of the East Greenbush Police Department effective January 30, 2024 having completed over 13 years of dedicated service to the Town of East Greenbush; and

WHEREAS, Sergeant Martyn has served in many roles throughout his law enforcement career, including having been a School Resource Officer assigned to the East Greenbush Central School District as well as a Tactical Team Operator since 2004 ultimately ending his career as Team Leader of the Shared Services Response Team, in addition Sergeant Martyn has been a Firearms Instructor, Taser Instructor and Field Training Officer, and

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

RESOLVED, that the Town Board of the Town of East Greenbush accepts the resignation for purposes of retirement of Sergeant John J. Martyn and wishes him an enjoyable and extremely well-earned retirement, and many congratulations on a professional career, during which he has greatly impacted his fellow officers, and will be truly missed.

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

Councilor J. McHugh	VOTED: YES
Councilor E. Nestler	VOTED: YES
Supervisor J. Conway	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Councilor R. Matters	VOTED: YES

14-2024 A Resolution Confirming the Years of Service to the Town of East Greenbush for Kevin Hitchcock

WHEREAS, Kevin Hitchcock has been employed by the Town of East Greenbush since 1/10/2005 with a break in service from 1/2014-7/5/2016; and

WHEREAS, in July of 2024 Kevin will have 17 years of service to the Town, although not consecutive; and

WHEREAS, upon retirement, employees hired prior to January 1, 2017 must have at least 10 years of service; have retired directly from the Town; be at least 55 years of age; and

have been granted a retirement benefit from NYS Employees' Retirement System will qualify for 100% coverage of medical insurance for individual coverage; and

WHEREAS, the Town Comptroller confirms that the financial impact will have to be budgeted in future years;

now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush does hereby approve and confirm that Kevin Hitchcock qualifies for health insurance benefits upon retirement under the terms of the Employee Handbook.

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: YES
Councilor H. Kennedy	VOTED: YES
Councilor E. Nestler	VOTED: YES
Councilor R. Matters	VOTED: YES
Councilor J. McHugh	VOTED: YES

15-2024 A Resolution to Authorize Colleen Lallier to Attend the Association of Towns Annual Meeting and Training School

WHEREAS, the Town Comptroller has confirmed that the provisions of this resolution were planned for in the 2024 Town Budget in charge code 13104.01 Director of Finance CE;

now, therefore, be it

RESOLVED, that the following person be authorized by the Town of East Greenbush to attend the Association of Towns Annual Meeting and Training School to be held at the New York Marriott Marquis:

Colleen Lallier

and be it further

RESOLVED, that the Town will pay lodging expense and conference attendance expense for this employee for February 18, 2024 through February 21, 2024. Attendee shall advance the cost for transportation and meals and maintain an expense report accompanied by appropriate receipts to be submitted to the Comptroller following the meeting for reimbursement.

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

Supervisor J. Conway	VOTED: YES
Councilor E. Nestler	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Councilor R. Matters	VOTED: YES
Councilor J. McHugh	VOTED: YES

16-2024 A Resolution Cancelling the Award of Contract for the Mountain View Water Line Replacement Project

WHEREAS, the Town of East Greenbush solicited bids for the Mountain View Water Line Replacement Project in a Request for Bids (RFB) and the three lowest bids were reviewed for completeness by the Town Designated Engineer Hank LaBarba, who has recommended Next

Generation Services WSL LLC as the Lowest Responsible Bidder for this project with a bid in the amount \$165,000.00; and

WHEREAS, this project was awarded in Resolution 166-2023; and

WHEREAS, the project was unable to be completed within the 2023 construction season and the Town Supervisor, Commissioner of Public Works, and the General Foreman of the Water Department agree that the award for this project should be cancelled and the project marked “to be completed in-house”; and

WHEREAS, the Town Comptroller confirms that the \$165,000 prior financial impact can be disencumbered;

now, therefore, be it

RESOLVED, that the Town Board does hereby cancel the Award of Contract for the Mountain View Water Replacement Project with Next Generation Services WSL LLC for the amount of \$165,000.00.

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

Councilor J. McHugh	VOTED: YES
Councilor R. Matters	VOTED: YES
Supervisor J. Conway	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Councilor E. Nestler	VOTED: YES

17-2024 A Resolution Authorizing the Payment to Wm. J. Keller & Sons Construction Corp. for the Urgent Repair of a Sewer Force Main Repair on Route 4

WHEREAS, on the morning of December 19, 2023, the Water Department notified the Commissioner of Public Works of a potential water break along Route 4 in front of the old Wojeski Building located at 75 Troy Road. The Water Department quickly mobilized to site, and with the Sewer Department arriving to mark out the utilities, it was determined that it was not a water break, but actually a sewer break on the Force Main that comes from the Commons Pump Station; and

WHEREAS, the Water Department continued to mark out utilities, while the Sewer Department took over responsibility of the location. With the Commissioner and Deputy Commissioner present, contact was made with Wm. J. Keller & Sons Construction Corp to assist with the repair of the break as they have done a number of times in 2023; and

WHEREAS, the repairs to the force main were completed and the location restored by December 20, 2023 for a total amount of \$14,331.64; and

WHEREAS, the Town Comptroller confirms that this resolution can be charged back to 2023 in account code 81204.07.04 Sanitary Sewers CE; and now, therefore, be it

RESOLVED, that the Town Board does hereby authorize the payment of \$14,331.64 to Wm. J. Keller & Sons Construction Corp for the Urgent Repair to the Force Main on Route 4 on December 19-20th.

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: YES
Councilor R. Matters	VOTED: YES
Councilor H. Kennedy	VOTED: YES

Councilor E. Nestler
Councilor J. McHugh

VOTED: YES
VOTED: YES

18-2024 A Resolution Amending Resolution 241-2023 Regarding Change Order No. 1 in Connection with the Tempel Lane Extension Project for Greenman-Pedersen, Inc. to Carver Construction Inc.

WHEREAS, Resolution 241-2023 authorized the Town Supervisor to sign Change Order No. 1 with Greenman-Pedersen, Inc. in the amount of \$35,480.50 for the proposed pull-off area to be constructed along Tempel Lane Extension at the request and expense of Regeneron; and

WHEREAS, the Change Order Details were submitted by the Engineer on the Tempel Lane Extension and Third Avenue Improvements Project, Greenman-Pedersen, Inc. for the Prime Contractor Carver Construction Inc. in the amount of \$35,480.50 for the Regeneron Pull Off area along Tempel Lane between Sta T35+00 to T36+50lt.; and

WHEREAS, the resolution should be amended to “Resolution 241-2023 – A Resolution Authorizing the Town Supervisor to Sign Change Order No. 1 with Carver Construction Inc., in Connection with the Tempel Lane Extension Project”; and

WHEREAS, the Town Comptroller confirms that this resolution will not have a material impact on the project budget as it was previously approved and paid for out of the funds within the Regeneron Escrow account for the Tempel Lane Extension and Third Avenue Improvements Project;

now, therefore, be it

RESOLVED, that the Town Board does hereby approve the amendment to Resolution 241-2023 that changes Change Order No. 1 Greenman-Pedersen, Inc. to Change Order No. 1 Carver Construction for the amount of \$35,480.50 for the Regeneron Pull Off area along Tempel Lane between Sta T35+00 to T36+50lt.

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

Councilor H. Kennedy	VOTED: YES
Councilor J. McHugh	VOTED: YES
Supervisor J. Conway	VOTED: YES
Councilor E. Nestler	VOTED: YES
Councilor R. Matters	VOTED: YES

19-2024 A Resolution to Reappoint Francis T. Coppa to the Board of Ethics

WHEREAS, Francis T. Coppa, pursuant to resolution no. 151-2019 adopted by the town board at its regular meeting held on July 17, 2019, was duly appointed on such date to serve as a member of the Board of Ethics for a term that expired on December 31, 2023; and

WHEREAS, the Town Board, having recognized Mr. Coppa’s conscientious, dedicated, and contributory service to the Board of Ethics, wishes to reappoint him to the same; 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 Francis T. Coppa be, and the same hereby is, reappointed as a member of the board of ethics for a term to commence retroactively on January 1, 2024 and

to expire on December 31, 2028.

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

Councilor J. McHugh	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Supervisor J. Conway	VOTED: YES
Councilor E. Nestler	VOTED: YES
Councilor R. Matters	VOTED: YES

20-2024 A Resolution Reclassifying One (1) Motorized Equipment Operator (Heavy) Position as a Working Foreman in the Sewer Department

WHEREAS, the Department of Public Works operates and maintains the Town's Highway, Water, Waste Water Systems, Parks, Transfer Station and Buildings; and

WHEREAS, the Commissioner of Public Works has determined that the duties and responsibilities being undertaken by the current Motorized Equipment Operator (Heavy) Douglas Hanks in the Sewer Department are commensurate with those of a Working Foreman; and

WHEREAS, the Commissioner of Public Works requests that the Town Board approve the reclassification of one (1) Motorized Equipment Operator (Heavy) position in the Sewer Department to that of Working Foreman; 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 approves the reclassification of one (1) Motorized Equipment Operator (Heavy) to a Working Foreman in the Sewer Department in the Department of Public Works effective December 12, 2023.

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

Councilor E. Nestler	VOTED: YES
Councilor R. Matters	VOTED: YES
Supervisor J. Conway	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Councilor J. McHugh	VOTED: YES

21-2024 A Resolution to Schedule a Public Hearing to Consider Amendments to Section 65-4 and Section 65-58 of the East Greenbush Code Relating to Property Tax Exemptions for Senior Citizens and Persons with Disabilities

WHEREAS, Sections 467 and 459-c of New York State's Real Property Tax Law, authorizing eligible seniors and persons with disability respectively, to be granted real property tax exemptions in relation to the Town's general-fund and highway-fund taxes based upon their annual income; and

WHEREAS, the State of New York amended said sections of the Real Property Tax Law on 2022 to allow town boards to increase the income cap for the granting of such exemptions; and

WHEREAS, in order to effectuate the foregoing provisions, the Town Board must pass a Local Law amending the provisions of the Code that set forth the income caps for the granting of such exemptions in the Town of East Greenbush; 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 the 14th day of February, 2024 at 6:00 p.m. at the East Greenbush Town Hall, to consider the enactment of a Local Law that will increase the income level for which property tax exemptions may be granted;
and be it further

RESOLVED, that the Town Clerk shall cause notice of the subject public hearing to be duly published in the Town’s officially designated newspaper, in accordance with the manner legally prescribed.

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

Councilor E. Nestler	VOTED: YES
Councilor R. Matters	VOTED: YES
Supervisor J. Conway	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Councilor J. McHugh	VOTED: YES

22-2024 A Resolution to Grant Permanent Status to Ellen B. Schwab in Her Position as Clerk in the Assessor’s Office

WHEREAS, this resolution was not able to be submitted in time to be considered at the regularly scheduled pre-board meeting of January 10, 2024 and was subsequently presented to the Town Board on January 16, 2024; and

WHEREAS, Ellen B. Schwab was a part-time Clerk in the Assessor’s Office from January 4, 2016 until March 18, 2020 when she was appointed to the position of full-time Clerk in the Assessor’s Office on a Provisional Basis with Resolution 62-2020; and

WHEREAS, Ellen Schwab took the Clerk’s exam given by Rensselaer County for this position and finished second, making her eligible for a permanent appointment to her current position; 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 Ellen B. Schwab to the position of Clerk in the Assessor’s Office on a permanent basis, effective immediately upon passage of this resolution.

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

Councilor E. Nestler	VOTED: YES
Councilor R. Matters	VOTED: YES
Supervisor J. Conway	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Councilor J. McHugh	VOTED: YES

23-2024 A Resolution to Appoint Rebekah Timerman to the Position of Full-Time Clerk in the Water and Sewer Billing Office on a Probationary Basis

WHEREAS, this resolution was not able to be submitted in time to be considered at the regularly scheduled pre-board meeting of January 10, 2024 and was subsequently presented to the Town Board on January 16, 2024; and

WHEREAS, there is an opening for a Clerk in the Water and Sewer Billing Office due to the resignation of Denise Ferrari on December 20, 2023 (see Resolution 283-2023); and

WHEREAS, Rebekah Timerman took the Rensselaer County Civil Service exam for this position and passed with a reachable grade; and

WHEREAS, Ms. Timerman has experience with billing and processing payments, and all of the other requirements of the position of Clerk in the Water and Sewer Billing Office; and

WHEREAS, Ms. Timerman was interviewed by the Human Resources Manager, Director of Finance, Deputy Commissioner of Public Works, and Town Supervisor and was found to be an excellent candidate; and

WHEREAS, the Town Comptroller confirms that this Resolution was planned for in the Final 2024 Town Budget;

now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush hereby appoints Rebekah Timerman to the position of Full-Time Clerk in the Water and Sewer Billing Office on a Probationary Basis subject to the conditions and provisions of the CSEA labor contract, including salary and benefits;

and be it further

RESOLVED, that the probationary period for Ms. Timerman is 120 days from the effective date of this appointment;

and be it further

RESOLVED, that this appointment will take effect on March 4, 2024.

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

Councilor H. Kennedy	VOTED: YES
Councilor J. McHugh	VOTED: YES
Supervisor J. Conway	VOTED: YES
Councilor E. Nestler	VOTED: YES
Councilor R. Matters	VOTED: YES

ADJOURNMENT

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

Supervisor J. Conway	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Councilor E. Nestler	VOTED: YES
Councilor R. Matters	VOTED: YES
Councilor J. McHugh	VOTED: YES