



## Resolutions and Proposals by Town Board Members:

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### 267-2021 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 October 20, 2021 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 October 20, 2021 are hereby approved as submitted.

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

### 268-2021 A Resolution Recognizing November as “Men’s Health Awareness Month”

**WHEREAS**, “Movember” is an annual campaign that runs throughout the month of November involving the growing of mustaches to "change the face" of men’s health and raise awareness of men’s health issues, such as prostate cancer, testicular cancer, mental health issues, and suicide prevention; and

**WHEREAS**, significant numbers of male-related health problems could be detected and treated if men’s awareness of these problems was more pervasive. By encouraging men to get involved, Movember aims to increase early cancer detection, diagnosis, effective treatments, and ultimately reduce the number of preventable deaths; and

**WHEREAS**, men who are educated about the value that preventive health can play in prolonging their lifespan and their role as productive family members will be more likely to participate in health screenings;

now, therefore, be it

**RESOLVED**, that the Town of East Greenbush wishes to support Men’s Health Awareness Month by raising awareness of the dangers of men’s health issues; and be it further

**RESOLVED**, that the Town Board declares November to be Men’s Health Awareness Month in the Town of East Greenbush.

This resolution was duly moved 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 T. Tierney	VOTED: YES

Councilor R. Matters  
Councilor B. Fritz

VOTED: ABSENT  
VOTED: YES

**269-2021 A Resolution Recognizing and Congratulating Green Meadow Elementary School for Being Named A National Blue Ribbon School**

**WHEREAS**, the National Blue Ribbon Schools Program recognizes public and private elementary, middle, and high schools based on their overall academic excellence or their progress in closing achievement gaps among student subgroups. Every year the U. S. Department of Education seeks out and celebrates great American schools, schools demonstrating that all students can achieve to high levels; and

**WHEREAS**, since 1982, the coveted National Blue Ribbon School award is both a high aspiration and a potent resource of practitioner knowledge that affirms the hard work of students, educators, families, and communities in creating safe and welcoming schools where students master challenging and engaging content; and

**WHEREAS**, Green Meadow Elementary School in the East Greenbush Central School District was named a 2021 National Blue Ribbon School by the U.S. Department of Education; and

**WHEREAS**, the National Blue Ribbon Award is the highest award bestowed to schools by the U.S. Department of Education and brings welcomed and deserved attention and recognition to Green Meadow as one of only 325 schools in the country, and one of only 19 schools in New York to receive the 2021 award; and

**WHEREAS**, Green Meadow was selected as an Exemplary High-Performing School and is among New York State's highest performing schools as measured by state assessments or nationally normed tests. The award affirms the hard work of students, educators, families, and community in their commitment to academic excellence and the success of all students;

now therefore, be it

**RESOLVED**, that the East Greenbush Town Board does hereby recognize and congratulate Green Meadow Elementary School and the East Greenbush Central School District for receiving this outstanding award, and for determinedly working to foster a culture of great expectation and achievement for all students.

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

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

Karina Mahar – Spoke on behalf of Principal, Dan Garab. Mentioned how the school, staff, and students are so proud of this award. Commended Bobbie Reno, Town Historian, for visiting her 5<sup>th</sup> grade class and talking to her students.

**270-2021 A Resolution Approving Line Item Changes from the Preliminary to the Final Annual Budget for Fiscal Year 2022**

**WHEREAS**, the East Greenbush Town Board is adjusting line items of the Preliminary 2022 Budget with the Final 2022 Budget on the 2022 Tax Levy Cap Calculation page 4 of 18 of the Budget; and

**WHEREAS**, the 2022 Tax Levy Cap Calculation page 4 of 18 of the 2022 Final Budget is attached to this resolution with the proposed changes marked with triple asterisks(\*\*\*); and

**WHEREAS**, the Town Comptroller confirms that this resolution will not have a material impact on the Town's finances because appropriations are matched to revenue and fund balance; now, therefore, be it

**RESOLVED**, that, the 2022 Preliminary Budget is modified for the line items marked with triple asterisks(\*\*\*) on page 4 of 18 of the 2022 Final Budget attached.

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

**271-2021 A Resolution Approving the Adoption of the Annual Budget for Fiscal Year 2022**

**WHEREAS**, pursuant to New York Town Law § 106, subd. 2, the East Greenbush Town Supervisor duly filed a Tentative Budget and budget message in the Office of the Town Clerk on September 30, 2021 (referred to hereinafter as the "Tentative Budget"); and

**WHEREAS**, the Tentative Budget provided for an increase of 1.5% in the Town's Real Property Tax Levy for fiscal year 2022; and

**WHEREAS**, pursuant to New York Town Law § 106, subd. 4, the East Greenbush Town Board, at the regularly scheduled Town Board meeting held on October 20, 2021 duly approved a Preliminary Budget which was filed in the office of the Town Clerk on October 21, 2021 (referred to hereinafter as the "Preliminary Budget"); and

**WHEREAS**, pursuant to New York Town Law § 108, the East Greenbush Town Board duly conducted a public hearing on November 4, 2021 on the Preliminary Budget; and

**WHEREAS**, the Town Board line item amended the Preliminary 2022 Budget for the 2022 Final with the previous resolution; and

**WHEREAS**, the Town Comptroller confirms that this resolution will not have a material impact on the Town's finances because appropriations are matched to revenue and fund balance; now, therefore, be it

**RESOLVED**, that, pursuant to New York Town Law § 109, subd. 1, the amended Preliminary Budget be, and the same hereby is, duly adopted as the Annual Budget for fiscal year 2022 (referred to hereinafter as the "Adopted Budget");

and be it further

**RESOLVED**, that the Town Clerk shall cause a copy of the Adopted Budget to be duly filed in her office, forthwith, following receipt thereof from the Comptroller;

and be it further

**RESOLVED**, that, pursuant to New York Town Law § 109, subd. 3, the Supervisor, Director of Finance, Comptroller, Receiver of Taxes, and Assessor take all respective action required and/or appropriate relative to the implementation of the Adopted Budget.

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

**272-2021 A Resolution to Set the Transfer Station Rates for 2022**

**WHEREAS**, it is required to establish policies and rates for the use of the East Greenbush Transfer Station on an annual basis; and

**WHEREAS**, the annual cost of a Transfer Station permit and punch card is still a significant savings over garbage pickup options; and

**WHEREAS**, the Town Comptroller confirms that this resolution may have a positive material impact on the Town's finances to offset increased recycling and landfill fees; now, therefore, be it

**RESOLVED**, that the policies and rates utilized in 2021 be made effective for the year 2022.

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

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

**273-2021 A Resolution to Appoint Meaghan L. Hart to the Position of Deputy Commissioner of Public Works**

**WHEREAS**, the Department of Public Works has functioned best when there is both a full time Commissioner and full time Deputy Commissioner of Public Works; and

**WHEREAS**, Scott F. Gallerie, Sr currently holds the Deputy Commissioner of Public Works title on a part-time basis but will vacate the slot at the end of the year when he assumes the office of Town Supervisor in Sand Lake, NY; and

**WHEREAS**, Meaghan L. Hart has been employed by the Town of East Greenbush since June 15, 2012 and has served most recently as Director of Finance, where she has overseen the development of the Town budget, managed all human resources, payroll and insurance functions, and supervised the procurement function; and

**WHEREAS**, Meaghan L. Hart also has a Master's Degree in Public Administration from Marist College and has served as the Town's Deputy Supervisor; and

**WHEREAS**, the Department of Public Works requires a Deputy Commissioner who has experience with municipal budgeting and procurement practices; and

**WHEREAS**, the Town Comptroller confirms this resolution has a non material impact on the Towns Finances because it is include in the 2022 Budget;  
now, therefore, be it

**RESOLVED**, that the Town Board of the Town of East Greenbush appoints Meaghan L. Hart to the position of Deputy Commissioner of Public Works at an annual salary of \$67,500.00; and be it further

**RESOLVED**, that this appointment is effective as of November 1, 2021.

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

### **Supervisor Conway Appoints Colleen Lallier to the Position of Director of Finance**

#### **274-2021 A Resolution to Set the Salary for the Newly Appointed Director of Finance**

**WHEREAS**, the position of Director of Finance is a Supervisor's appointment and Supervisor Conway has appointed Colleen Lallier to the position; and

**WHEREAS**, salaries are determined by the Town Board; and

**WHEREAS**, the Town Comptroller confirms this resolution has a non material impact on the Towns Finances because it is include in the 2022 Budget;  
now, therefore, be it

**RESOLVED**, that the annual salary for Colleen Lallier is set at \$50,000.00; and be it further

**RESOLVED**, that this appointment is effective as of November 1, 2021.

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

#### **275-2021 A Resolution to Appoint Phillip Elacqua to the Position of Light Equipment Operator in the Department of Public Works**

**WHEREAS**, the Department of Public Works has an existing vacancy for the position of Light Equipment Operator in the Sewer Department; and

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

**WHEREAS**, applications were received and reviewed, and interviews conducted by a committee consisting of the Commissioner of Public Works, Town Supervisor, Deputy Commissioner of Public Works, Finance Officer, Human Resources Director, and the Secretary to the Commissioner of Public Works; and

**WHEREAS**, Phillip Elacqua was unanimously selected as the most qualified candidate for the position based on his experience and background; and

**WHEREAS**, Phillip Elacqua meets the requirements of the position including the successful completion of a background screening and a pre-employment drug test; and

**WHEREAS**, the Town Comptroller confirms that this appointment can be funded with the 2021 budget code line 8120.1.07;

now, therefore, be it

**RESOLVED**, that the Town Board confirms the appointment of Phillip Elacqua to the position of Light Equipment Operator in the Department of Public Works, Sewer Department, at the rate of \$22.0911 per hour as specified by the CSEA Collective Bargaining Agreement. This appointment will be effective as of 1 November 2021.

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

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

#### **276-2021 A Resolution Amending the Paving Cost for Various Town Highways**

**WHEREAS**, Resolution 95-2021 authorized a total amount of \$81,300.00 for paving of the Robin Lane Development, and a total amount of \$145,800.00 for the Capital View Development; and

**WHEREAS**, the actual costs for these two projects came in at \$111,879.81 and \$229,663.03 respectively, a net total of \$114,442.84 over the estimated amount due to the profiles of the roads being severely degraded requiring additional milling to remove high spots, and additional blacktop to fill in low spots, and handwork; and

**WHEREAS**, the Commissioner of Public Works requests that the following paving projects be deferred to Fiscal Year 2022 and the budgeted amount be reallocated to pay for the additional project costs of the Robin Lane Development and the Capital View Development:

Flora Circle	\$10,300.00
Foxwood Circle	\$7,300.00
Highland Drive	\$44,000.00
Tyler Road	\$5,500.00
<u>Vermont Avenue</u>	<u>\$14,831.00</u>
Total Savings:	\$81,931.00; and

**WHEREAS**, the Town Comptroller believes at this time that this resolution will have an impact of \$32,511.84 on the Town's finances in budget line D5110.4.02 offset by an anticipated underrun in the 90608.02.08 medical insurance;

now, therefore, be it

**RESOLVED**, that the Town Board authorizes the deferral of the projects listed above; and be it further

**RESOLVED**, that the following budget transfer is authorized:

<b>Fund</b>	<b>Increased</b>	<b>Decreased</b>
90608.02.08 Medical Insurance		\$32,512.00
51104.02.04 General Repairs CE	\$32,512.00	

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

**277-2021 A Resolution to Accept the Offer of Certain Required Improvements Constructed in Connection with the Witbeck Cluster Subdivision Project at Wyatt’s Circle**

**WHEREAS**, the Town Planning Board granted conditional final plat approval of the Witbeck Cluster Subdivision on November 14, 2018 for the 54 lots in the Town of East Greenbush prepared by Hart Engineering, dated July 27, 2016 and last revised October 18, 2018 (the “Plans”); and

**WHEREAS**, the approved Plans required the installation of certain improvements, including roadway, water supply, sanitary sewer, stormwater drainage, pedestrian, and other infrastructure (the “Required Improvements”); and

**WHEREAS**, in July 2018, DeGraff Bloom (the “Developer”) commenced construction of the Required Improvements; and

**WHEREAS**, the Town’s Designated Engineer, (GPI – Greenman Pedersen Inc.) has conducted regular inspections of the construction of the Required Improvements; and

**WHEREAS**, the Town’s Designated Engineer has certified, in writing, to the Commissioner of Public Works, Planning Board, and Town Board that they have supervised such improvements and that the completed Required Improvements conform to all approved plans and specifications of the Town; and

**WHEREAS**, the Commissioner of Public Works has approved in writing the Required Improvements that have been completed; and

**WHEREAS**, the Developer, at the discretion of the Commissioner of Public Works, has provided a Letter of Credit in accordance with the Town of East Greenbush Town Code for the Required Improvements, and said Letter of Credit, in the amount of \$255,650.00 and expiring on July 2, 2022, has been provided in an amount and form acceptable to the Commissioner of Public Works and the Town Attorney; and

**WHEREAS**, the Developer has submitted written offers of cession for all improvements and interest in all land areas within the Public Right-of-Way to be dedicated to the Town of East Greenbush, including, but not limited to roadways, water and sewer systems, drainage ways and easements; and

**WHEREAS**, on October 27, 2021, the Planning Board voted to recommend that the Town Board accept the Required Improvements, subject to certain conditions; and

**WHEREAS**, the Commissioner of Public Works confirms that the Developer has addressed the ponding of stormwater at the northerly Wyatt's Circle and Phillips Road intersection, as specified in the October 27, 2021 Planning Board recommendation; and

**WHEREAS**, the Town Comptroller confirms this resolution will likely have material impacts on the Town Budgeting in the future to maintain;

now, therefore, be it

**RESOLVED**, that notwithstanding that the improvements do not conform to all of the provisions of the street and highway acceptance local law, the Town Board judges that the public interest with best be served by such acceptance;

and be it further

**RESOLVED**, that the Town Board hereby accepts, in accordance with Section 36-25 of the Town Code, all streets and other Required Improvements, and the Developer's offer of cession of their interest in the Required Improvements and interest in land areas within the public right-of-way to be dedicated to the Town, subject to the following conditions:

1. That the Developer reimburses the Town for all costs and expenses associated with the Planning Board's consultants and inspections of all Required Improvements.

2. The Developer, as soon as practicable during the 2022 construction season, complete the Required Improvements identified as having been incomplete as specified in and as of the date of the Town's designated engineer certification letter, dated September 23, 2021, which is attached hereto and made a part hereof.

3. The Developer must maintain sufficient financial security with the Town in the form of a Letter of Credit or other acceptable financial security until such time as all Required Improvements are completed, certified, and approved in accordance with the Town's requirements.

4. The final certificate of occupancy for the last of the fifty-four (54) lots to be developed must not be issued until all the Required Improvements are completed, certified, and approved in accordance with the Town's requirements;

and be it further

**RESOLVED**, that the Town Supervisor is hereby authorized to execute documents relating to this offer of cession, provided that 1) the offer of cession and related documents and materials must be approved as to form by the Town Attorney; and 2) any documents to be executed by the Town Supervisor be approved as to form by the Town Attorney.

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

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

**278-2021 A Resolution in Support of Seeking Federal Grant Funding Support to Implement Gilligan Road Complete Streets Enhancements and Authorizing the Use of and Encumbering of GEIS Traffic Funds**

**WHEREAS**, with substantial technical assistance support from the Capital District Transportation Committee (CDTC) and the Capital District Regional Planning Commission (CDRPC), and in accordance with the Town’s Complete Streets program and planning documents, the Town undertook a process to analyze application of complete streets enhancements in order to increase non-motorized transportation safety, mobility, and accessibility along the Gilligan Rd corridor; and

**WHEREAS**, the Planning and Zoning Department has developed a draft Gilligan Road Complete Streets Enhancements Feasibility Study (the “Study”) which summarizes recommendations, including a preferred multi-use path alignment and other complete streets treatment projects along the Gilligan Road corridor, outlines a framework for implementation, and also describes the process and stakeholder input involved in developing the Study and its recommendations; and

**WHEREAS**, on June 9, 2021, the Town Board held a public hearing to receive public comment on a first draft of the Gilligan Road Complete Streets Enhancements Feasibility Study (the “Study”); and

**WHEREAS**, at the aforementioned public hearing a number of comments supporting the project from those in attendance were received, including comments from East Greenbush Central School District (the “District”) representatives; and

**WHEREAS**, since June 9, 2021, several meetings were held between Town and District officials and consultants, including a presentation to the District’s BRAC, and the Town’s Planning and Zoning Department and consultant on this project, GPI, have released a revised final draft of the Study, with revisions to the concept alignment and technical specifications, incorporating items discussed and decisions made during these meetings; and

**WHEREAS**, according to the cost estimates included in the final draft Study and other information provided by the Town’s consultant, the project cost estimate, including design, construction inspection, right-of-way, and construction, is approximately, \$2.1 million; and

**WHEREAS**, the CDTC has released a call for transportation projects to be included in the Transportation Improvement Program (TIP) for the Federal Fiscal Year period of 2022-2027 (October 1, 2022 – September 30, 2027), which funding source if awarded for the project outlined in the Study requires that the Town provide first instance funding but would ultimately provide at least 80% of project costs or approximately \$1.6 M with the local share estimated to be \$420,000; and

**WHEREAS**, the GEIS Committee on October 4, 2021 voted to recommend that the proposed Gilligan Road Complete Streets Enhancements project as outlined in the Study is an eligible use of GEIS Traffic funds; and

**WHEREAS**, the Town Board desires to hold a public hearing on the final draft of the Study prior to formally adopting the Study, which public hearing was scheduled for November 10, 2021, could not be held on that date, and is now anticipated to be scheduled for December 15, 2021; and

**WHEREAS**, the Town Comptroller confirms that this resolution will have a material negative impact on the Town’s finances if awarded and accepted;  
now, therefore, be it

**RESOLVED**, that the Town Board hereby supports an application to be made to CDTC for federal grant funding as part of the 2022 to 2027 TIP for the Gilligan Road Complete Streets Enhancements project, as outlined in the Study, and authorizes the Town Supervisor to sign a letter endorsing the Town's TIP application;

and be it further

**RESOLVED**, that the Gilligan Road Complete Streets Enhancements project, as outlined in the Study, is an eligible use GEIS Traffic funds, which eligibility encompasses the above-mentioned \$420,000 in local match should federal grant funding be awarded.

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

**279-2021 A Resolution to Schedule a Special Meeting of the East Greenbush Town Board for December 2, 2021**

**WHEREAS**, the Town Board held a well-attended public hearing on the Dunn Landfill on September 29, 2021 and at that hearing promised that it would hold a second session to allow people a chance to express their concerns; and

**WHEREAS**, the Town Board wishes to facilitate an exchange of views in the form of a panel discussion which would include experts and government officials; and

**WHEREAS**, arrangements have been made for the participants' to free their schedules to attend on December 2, 2021; 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 will hold a Special Meeting on December 2, 2021 at 6:00 p.m. at the Red Barn in the Town Park, 100 Town Park Road, East Greenbush 12061 to discuss the Dunn Landfill and attend to any other business that may be brought to the Town's attention.

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

**280-2021 A Resolution to Re-Schedule the Public Hearing for the Approval of a Cable Television Agreement between Spectrum Northeast, LLC and the Town of East Greenbush**

**WHEREAS**, a public hearing on the approval of a Cable Television Agreement with Spectrum Northeast, LLC had been scheduled for November 10, 2021 at 5:45 p.m. but had to be postponed; and

**WHEREAS**, the Town Comptroller confirms that this resolution will not have a material negative 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 8th day of December 2021, at 5:45 p.m., at the Town Hall, 225 Columbia Turnpike, in said Town, regarding granting a cable television franchise agreement by and between the Town of East Greenbush and Spectrum Northeast, LLC, an indirect subsidiary of Charter Communications. The purpose of the hearing is to consider a new Franchise Agreement with Spectrum Northeast, LLC and the Town of East Greenbush and which would approve Spectrum Northeast, LLC cable television franchise for fifteen (15) years and shall take effect and be in full force from and after the issuance of a Certificate of Conformation/order of approval by the PSC. The Agreement, if approved by the Town Board, shall not take effect without prior approval of the New York State Public Service Commission. A copy of the Franchise Renewal agreement will be available for public inspection at the Town Clerk’s Office during normal business hours. At such public hearing, all persons will be given the opportunity to be heard. Written and oral statement will be taken at this time. Time limitations may be imposed for each oral statement, if necessary. Interested persons may file comments or objections with the New York State Public Service Commission, Three Empire Plaza, Albany, New York 12223.

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

**281-2021 A Resolution to Re-Schedule a Public Hearing on a Proposed Local Law Imposing a Moratorium on Applications for Permits, Site Plans or Other Land Use Approvals for Large-Scale Solar Energy**

**WHEREAS**, this resolution, which was passed at the August 18, 2021 Town Board meeting but, due to a procedural matter, the public hearing scheduled for September 8, 2021 at 6:30 p.m. was unable to be conducted, is re-presented in order to reschedule said public hearing; and

**WHEREAS**, the re-scheduled public hearing was to be held on November 10, 2021 at 6:15 but had to be postponed; and

**WHEREAS**, by passage of Local Law No. 1 of 2017 and the amendments included in Local Law No. 3 of 2017 (collectively, the “Solar Energy Law”), the Town Board amended the

Comprehensive Zoning Law (CZL) to authorize the installation of large-scale solar energy systems (LSES) within the R-OS, A-R, O, OC, OI, and CI zoning districts; and

**WHEREAS**, the Solar Energy Law limited LSES installations to a maximum of 2.5 acres in size; and

**WHEREAS**, solar technology, New York State policy, and solar development incentives relating to LSES installation have changed since 2017, when the Solar Energy Law was enacted, and in May 2021, the Town Board adopted the 2021 Comprehensive Plan, which provides a future land use vision for the Town; and

**WHEREAS**, among the statements of purpose and legislative intent made by the Town Board with passage of the Solar Energy Law are that the law is intended to “[take] advantage of a safe, abundant, renewable, and non-polluting energy resource” and “[increase] employment and business development in the region by furthering the installation of solar energy systems,” and the Town Board, in view of these benefits, desires to ensure continued support for solar energy development by updating the Solar Energy Law to address the 2.5 acre size limit and provide a uniform siting standards for LSES; and

**WHEREAS**, the Town Board wishes to solicit public comment on a proposal to supersede and suspend all of Article 16 of the New York State Town Law Sections Sections 261-285 of the New York State Town Law, as well as jurisdiction of the ZBA to grant relief from the moratorium, in order to preserve the status quo while affording the Town Board sufficient time to adequately study and consider the CZL and the Solar Energy Law as they relate to LSES within the various zoning districts in the town; 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 directs that a public hearing be noticed by the Town Clerk as required by law on the a proposed local law imposing a moratorium on applications for permits, site plans or other land use approvals for large-scale solar energy systems with the public hearing to be held at Town Hall at 225 Columbia Turnpike on December 15, 2021 at 6:15 p.m. or by remote means.

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

**282-2021      A Resolution to Re-Schedule a Public Hearing to Receive Public Input on the Revised Final Draft Gilligan Road Complete Streets Enhancements Feasibility Study**

**WHEREAS**, on June 9, 2021, the Town Board held a public hearing to receive public comment on a first draft of the Gilligan Road Complete Streets Enhancements Feasibility Study (the “Study”); and

**WHEREAS**, at the aforementioned public hearing a number of favorable comments from those in attendance were received; and

**WHEREAS**, among the comments received were from representatives of the East Greenbush Central School District, which owns the Goff Middle School property and is a key landowner, stakeholder, and partner, and it was decided that additional technical discussion and stakeholder engagement with the District was needed to finalize the Study; and

**WHEREAS**, since June 9, 2021, several meetings were held between Town and District officials and consultants, including a presentation to the District's BRAC, and the Town's Planning and Zoning Department and consultant on this project, GPI, are in the process of making final revisions to the concept alignment, technical specifications, and Study which incorporate items discussed and decisions made during these meetings; and

**WHEREAS**, the Town Board desires to hold a second public hearing to receive public input on the final draft Study, which is currently being revised and had scheduled that public hearing for November 10, 2021 at 6:00 p.m. but the hearing had to be postponed; 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 schedules a Public Hearing to receive public input on the draft Gilligan Road Complete Streets Enhancements Feasibility Study to be held at the East Greenbush Town Hall, 225 Columbia Turnpike Rensselaer, NY 12144 on December 15, 2021, at 6:00 p.m., or by remote means, and directs the Town Clerk to publish and post notice of such hearing.

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

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

**283-2021      A Resolution to Schedule a New Public Hearing on a Local Law to Amend the Code of the Town of East Greenbush with Respect to Water Rents and Regulations**

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

now, therefore, be it

**RESOLVED**, the Town Board of the Town of East Greenbush hereby schedules a public hearing to be conducted on December 8, 2021 at 6:00 p.m. at East Greenbush Town Hall, 225 Columbia Turnpike, East Greenbush, New York to consider the adoption of a local law amending the Code of the Town of East Greenbush establishing water rents for the Consolidated General Water District;

and it is further

**RESOLVED**, the Town Clerk of the Town of East Greenbush is authorized to publish notice of the public hearing on this matter for the date, time and location set forth within this Resolution;

and it is further

**RESOLVED**, a copy of the proposed local law is attached hereto and made a part hereof.

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

**284-2021 A Resolution to Schedule a New Public Hearing on a Local Law to Amend the Code of the Town of East Greenbush with Respect to Sewer Rents and Regulations**

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

now, therefore, be it

**RESOLVED**, the Town Board of the Town of East Greenbush hereby schedules a public hearing to be conducted on December 8, 2021 at 6:20 p.m. at East Greenbush Town Hall, 225 Columbia Turnpike, East Greenbush, New York to consider the adoption of a local law amending the Code of the Town of East Greenbush with respect to sewer rents and regulations; and it is further

**RESOLVED**, the Town Clerk of the Town of East Greenbush is authorized to publish notice of the public hearing on this matter for the date, time and location set forth within this Resolution;

and it is further

**RESOLVED**, a copy of the proposed local law is attached hereto and made a part hereof.

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

**285-2021 A Resolution to Schedule a Public Hearing on a Proposed Local Law Requesting the Cannabis Control Board to Prohibit the Establishment of On-Site Consumption Licenses for Cannabis Within the Town of East Greenbush**

**WHEREAS**, this resolution was not able to be submitted in time to be considered at the regularly scheduled pre-board meeting of November 10, 2021 and was subsequently presented to the Town Board on November 16, 2021; and

**WHEREAS**, the State of New York has enacted a Cannabis Law, authorizing the establishment of retail locations for the sale of cannabis, and locations for the on-site consumption of cannabis; and

**WHEREAS**, Section 131 of the Cannabis Law authorizes the Town Board to adopt a local law, requesting the Cannabis Control Board to prohibit the establishment of cannabis retail

dispensary licenses on and/or on-site consumption licenses within the Town of East Greenbush;  
and

**WHEREAS**, the Town believes that retail establishments will provide a needed source of revenue to the Town, but believes that sites providing for on-site consumption of cannabis do not benefit the residents of 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 a proposed local law, requesting the Cannabis Control Board to prohibit the establishment of on-site consumption licenses for cannabis within the jurisdiction of the Town of East Greenbush, and that such public hearing shall be held on December 2, 2021, at 5:30 p.m. at the Red Barn in the Town Park, 100 Town Park Road, East Greenbush, NY 12061 and/or by remote means.

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

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

**286-2021 A Resolution to Appoint Lynn Laya to the Position of Part-Time Court Clerk**

**WHEREAS**, this resolution was not able to be submitted in time to be considered at the regularly scheduled pre-board meeting of November 10, 2021 and was subsequently presented to the Town Board on November 16, 2021; and

**WHEREAS**, the court clerk for Town Justice Jessica Mocerine must have two surgeries in the months of November and December, and will not be able to work for a period of six to eight weeks while she recovers; and

**WHEREAS**, the work of the Town Court and Justice Mocerine continue apace, and our Town Court is one of the busiest courts in Rensselaer County, making it essential that we hire a part-time court clerk to fill in; and

**WHEREAS**, Lynn Laya was employed by the New York State Unified Court System as the Deputy Chief Clerk for the Rensselaer County Supreme and County courts; and

**WHEREAS**, Lynn Laya is a resident 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 of the Town of East Greenbush hereby appoints Lynn Laya to the position of Court Clerk on a part-time basis;

and be it further

**RESOLVED**, that Lynn Laya will be compensated at the rate of \$20.00 per hour;

and be it further

**RESOLVED**, that this appointment is effective as of November 18, 2021.

This 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 T. Tierney	VOTED: YES
Councilor R. Matters	VOTED: ABSENT
Councilor B. Fritz	VOTED: YES

**287-2021 A Resolution Authorizing the Recreation Supervisor to Submit an Application to the National Fitness Campaign for an Outdoor Fitness Court for the Town Park**

**WHEREAS**, this resolution was not able to be submitted in time to be considered at the regularly scheduled pre-board meeting of November 10, 2021 and was subsequently presented to the Board on November 16, 2021; and

**WHEREAS**, in partnership with MVP Healthcare, the National Fitness Campaign has identified East Greenbush as a location of interest to build its state of the art fitness court; and

**WHEREAS**, this fitness court is designed to provide a full body workout in 7 minutes with 7 movements and is constructed to be ADA compliant; and

**WHEREAS**, as a result of multiple meetings with the National Fitness Campaign and representatives from MVP Healthcare, the Town of East Greenbush is eligible to submit an application to pursue approval from the committee; and

**WHEREAS**, the application process is of no charge to the Town and if approved, would allow the Town to move forward with this project with the assistance of the National Fitness Campaign; and

**WHEREAS**, the Application deadline is Friday, November 19<sup>th</sup> at the close of business; 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 authorizes the Recreation Supervisor to submit an Application to the National Fitness Campaign for an Outdoor Fitness Court for the Town Park

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

**ADJOURNMENT to Executive Session**

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

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

Executive Session ended at 10:08 PM. Moved by Supervisor Conway; seconded by Councilor Fritz; 4-0 votes.

Adjourned at 10:08 PM. Moved by Supervisor Conway; seconded by Councilor Tierney; 4-0 votes.

Respectfully submitted,

Ellen Pangburn, Town Clerk

DRAFT