



# The Town of East Greenbush

225 Columbia Turnpike, Rensselaer, New York 12144

## TOWN BOARD MEETING MINUTES March 20, 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=59201](https://townhallstreams.com/stream.php?location_id=119&id=59201)

Or visit Town of East Greenbush Facebook page:

<https://www.facebook.com/TownofEG/videos/920301842888956>

**Call to Order**  
**Pledge of Allegiance**  
**Town Board Meeting:**

**6:00 PM**

### Members of Town Board

Present

Absent

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

**Communications/Announcements/Reports** – Councilor Kennedy, Councilor McHugh, and Supervisor Conway provided their individual comments, community-related information, and/or announcements.

**Open Public Privilege:** Resident presented their comments to the Town Board.

## Resolutions and Proposals by Town Board Members:

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### **52-2024      A Resolution Honoring, In Memoriam, Chief Warrant Officer 2 Casey N. Frankoski**

**WHEREAS**, this resolution was not able to be submitted in time to be considered at the regularly scheduled pre-board meeting held on March 13, 2024 and was subsequently presented to the town board on March 19, 2024; and

**WHEREAS**, on March 8, 2024, Chief Warrant Officer 2 Casey N. Frankoski of the United States Army National Guard, tragically lost her life in a helicopter accident while on a border reconnaissance mission; and

**WHEREAS**, Casey, who was born on April 11, 1995 to James and Jill Frankoski, was lovingly raised to succeed at Columbia High School and Schenectady County Community College, both from which she graduated, as well as at Excelsior College from which she was scheduled to graduate this year with a baccalaureate degree in emergency management; and

**WHEREAS**, during her formative years in the town of East Greenbush, and later years in the city of Rensselaer, Casey thrived during her time as a Girl Scout (including a most recent tour of an Army hangar that she conducted for South Texas Girl Scout Troop 1050 which included instruction on aviation and aeromechanics), as a cheerleader for East Greenbush Pop Warner Football, playing in the East Greenbush Girls' Softball League, as a member of a travel bowling league, as a summer camp counselor for the town, as a volunteer firefighter for the Best-Luther Fire Department, as a member of the Environmental Conservation Corp., and as a member of the American Legion Gerald O'Neil Post 1683; and

**WHEREAS**, in pursuit of her dream of selfless public service, Casey enlisted in the United States National Guard in October of 2016, was deployed to Kuwait in November of 2018 where she courageously served until September 2019 with the 245th Aviation Regiment as a mission planner, graduated from warrant officer school and was promoted to chief warrant officer in November of 2019, graduated from flight school and was promoted to chief warrant officer 2 in 2021, and was deployed to the state of Texas in October of 2023 with the 224th Aviation Regiment to patrol the United States/Mexico border as a pilot aboard a UH-72 Lakota helicopter; and

**WHEREAS**, during her military service, Casey received many decorations, including the Army Commendation Medal, Army Achievement Medal, National Defense Service Medal, Global War on Terrorism Expeditionary Medal, Army Service Ribbon, Armed Forces Service Medal, Non-Commissioned Officer Professional Development Ribbon, Armed Forces Reserve Medal, Basic Aviator Badge, and the Basic Aviation Badge;

now, therefore, be it

**RESOLVED**, that Chief Warrant Officer 2 Casey N. Frankoski, a native daughter of the town of East Greenbush and hometown hero who blessed everyone she met with her empathy, infectious smile, sunshine on rainy days, and fun-loving determination, be, and the same hereby is, honored, in memoriam, by this Town Board for having made the ultimate sacrifice in her valiant service to our country;

and be it further

**RESOLVED**, that this Town Board extends to the parents and family of Chief Warrant Officer 2 Casey N. Frankoski, its deepest condolences and heartfelt sorrow for their loss.

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

Councilor Matters and voted 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

**53-2024 A Resolution to Approve the 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**, a Special Meeting of the Town Board was held on February 14, 2024; and

**WHEREAS**, that the minutes of the Special Meeting Minutes held on February 14, 2024 have been presented; and

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

now, therefore, be it

**RESOLVED**, that the minutes of the Special Meeting held on February 14, 2024 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

**54-2024 A Resolution to Approve Public Hearing 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**, a Public Hearing was held by the Town Board on February 14, 2024; and

**WHEREAS**, that the minutes of the Public Hearing Meeting Minutes held on February 14, 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 Public Hearing held on February 14, 2024 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

**55-2024            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 February 21, 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 Board Meeting held on February 21, 2024 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: ABSTAIN

**56-2024            A Resolution Designating April 2024 as National Donate Life Month and April 12, 2024 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 2024 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 2024 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 12, 2024, 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 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

**57-2024 A Resolution to Authorize Ellen Pangburn to Attend the NYS Town Clerks Association (NYSTCA) 42<sup>nd</sup> Annual Conference**

**WHEREAS**, the Director of Finance confirms that the provisions of this resolution were planned for in the 2024 Town Budget in charge code 1410.4 Town Clerk CE;  
now, therefore, be it

**RESOLVED**, that the following person be authorized by the Town of East Greenbush to attend the NYS Town Clerks Association Annual Conference to be held at the Crowne Plaza, The Desmond, Albany, NY:

Ellen Pangburn

and be it further

**RESOLVED**, that the Town will pay conference attendance expenses for this employee on April 21, 2024 through April 24, 2024. Attendee shall advance the cost for transportation and meals and maintain an expense report accompanied by appropriate receipts to be submitted to the Director of Finance following the meeting for reimbursement.

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

**58-2024 A Resolution to Settle a Tax Certiorari Proceeding with Rensselaer County Plaza Associates**

**WHEREAS**, Rensselaer County Plaza Assoc c/o Wal-Mart #US01940 and the Town of East Greenbush are desirous of having certain assessment issues resolved as to property owned by Rensselaer County Plaza Assoc c/o Wal-Mart #US01940 at 277-279 Troy Road 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;

now, therefore, be it

**RESOLVED**, that the Town Board does hereby accept a proposed settlement for the 2023 tax certiorari proceeding filed by Rensselaer County Plaza Assoc c/o Wal-Mart #US01940 in which the 2023 proceeding will be discontinued in exchange for the 2024 assessed value of the subject property to be set as follows:

Parcel No.     2024 Assessed Value  
144.-4-42.1     \$16,650,000

Real Property Tax Law §727 shall apply, and the assessment shall remain unchanged for the 2025, 2026 and 2027 assessment rolls.

and it is further

**RESOLVED**, that the Town Board does hereby adopt this resolution to end the litigation between Rensselaer County Plaza Assoc c/o Wal-Mart #US01940 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

**59-2024     A Resolution Authorizing the Payment for Emergency Water Main Repairs to WM. J. Keller & Sons Construction Corp.**

**WHEREAS**, the Town of East Greenbush identified a water main break on the main transmission line on Glenmore Road in North Greenbush around 8:00 AM on the morning of Wednesday, February 14, 2024; and

**WHEREAS**, the Water Departments from the Town of East Greenbush and City of Rensselaer quickly responded to the scene and contacted Wm. J. Keller & Sons Construction Corp (Keller) to assist with the repair due to their experience and equipment availability; and

**WHEREAS**, Wm. J. Keller & Sons Construction Corp submitted an invoice in the amount of \$32,186.41 for the repairs that includes labor and equipment; and

**WHEREAS**, the water system is jointly owned by the Town of East Greenbush and City of Rensselaer and per the Agreement of Municipal Cooperation for Construction, Financing and Operation of a Joint Water District:

“The cost of operation and maintenance of the joint water system shall be apportioned annual between said City of Rensselaer and said Town of East Greenbush on the ratio of water consumed by each community ... and it is the intent of this agreement that the cost of operation and maintenance shall be shared by Rensselaer and East Greenbush on the ratio of such water consumption.”

**WHEREAS**, the Town of East Greenbush will submit an invoice to the City of Rensselaer for their share of the repair; and

**WHEREAS**, the Director of Finance confirms that this resolution will have a material impact on the General Water Fund to be paid from account 83404.05, Transmission and Distribution CE;

now, therefore, be it

**RESOLVED**, that the Town Board does hereby authorize the payment to Wm. J. Keller & Sons Construction Corp for the amount of \$32,186.41 and will submit an invoice to the City of Rensselaer for their share of the repairs.

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

**60-2024 A Resolution to Appoint Michael S. Tierney to the Town of East Greenbush Planning Board**

**WHEREAS**, a vacancy was created on the Town’s Planning Board when Donald Panton submitted his letter of resignation to the Planning Office on February 12, 2024; and

**WHEREAS**, Michael S. Tierney is a Senior Project Manager for St. Peter’s Health Partners dealing with facilities, planning, design and construction, and has twenty-five years of experience with St. Peter’s; and

**WHEREAS**, Michael Tierney has managed multiple health care construction projects ranging in value from \$200,000.00 to \$41,000,000.00; and

**WHEREAS**, Michael Tierney has a B.A. in Economics from Siena College and an M.B.A. from the College of St. Rose; and

**WHEREAS**, the Director of Finance confirms that this position was included in the 2024 Final Budget;

now, therefore, be it

**RESOLVED**, that the Town Board of the Town of East Greenbush hereby appoints Michael S. Tierney to the Planning Board for a term that expires on 12/31/2026;

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

**61-2024 A Resolution Accepting the Resignation of Police Officer Matthew J. Bruno**

**WHEREAS**, Matthew J. Bruno was appointed to the position of East Greenbush Police Officer on April 17, 2023 via Resolution 102-2023; and

**WHEREAS**, Police Officer Matthew J. Bruno has submitted his resignation to the Town; and

**WHEREAS**, this Board extends its thanks to Matthew J. Bruno for his service to the Town and wishes him success in his future endeavors; and

**WHEREAS**, the Director of Finance 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 hereby accepts the resignation of Police Officer Matthew J. Bruno, effective February 18, 2024.

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

**62-2024 A Resolution to Retain Industrial & Utility Valuation Consultants, Inc to Produce a Systematic Review of Town Assessments of Real Property**

**WHEREAS**, a Town-wide Revaluation of Real Property was last done in 2018, resulting in a 100% Equalization Rate; and

**WHEREAS**, since 2018 the Town’s Equalization Rate has fallen to 80.3%, which this Town Board feels is an unacceptably low rate; and

**WHEREAS**, the Town Board remains committed to the goal of a 100% Equalization Rate because this means that within the parameters of the mathematical model employed, the tax burden can be presumed to be equitably distributed; and

**WHEREAS**, in 2023 we requested a proposal from Industrial & Utility Valuation, the Town’s professional services consultant for assessment issues, and also the firm that did the 2013 and 2018 Revaluations for the Town; and

**WHEREAS**, the proposal was submitted on July 31, 2023 but the Board decided to wait another year before undertaking a Systematic Review of Real Property; and

**WHEREAS**, Industrial & Utility Valuation Consultants agreed to accept the cost proposal submitted in 2023 without change; and

**WHEREAS**, the Director of Finance confirms that this will have a material impact on the General Fund for 2024 that can be funded with a budget transfer and the balance of the contract can be planned for in the 2025 budget;

Fund	Transfer In	Transfer Out
A917 – General Fund		\$100,500.00
1355.4 Assessor CE	\$100,500.00	

now, therefore, be it

**RESOLVED**, that the Town Board agrees to retain Industrial & Utility Valuation Consultants to Produce a Systematic Review of real property assessments for a total cost not to exceed \$201,000.00 due and payable in ten monthly installments of \$20,100.

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



**63-2024 A Resolution Approving the 2024-2025 Municipal Insurance Proposals Submitted by our Insurance Broker - NFP**

**WHEREAS**, the Town, through its insurance broker NFP, received a proposal for Insurance Coverage for the period of March 1, 2023 – March 1, 2024 as follows:

<b>Carrier</b>	<b>2023-2024 Expiring</b>	<b>2024-2025 Renewal Quote</b>
New York Municipal Insurance Reciprocal	\$254,018.40	\$283,710.66

**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 Director of Finance confirms that the provisions of this resolution were planned for in the 2024 Town budget charged to account codes for \$3,911 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:

<b>Fund</b>	<b>Transfer In</b>	<b>Transfer Out</b>
<b>A917 – General Fund Balance</b>		\$1,916
<b>19104.01.04 Insurance CE</b>	\$1,916	

<b>Fund</b>	<b>Transfer In</b>	<b>Transfer Out</b>
<b>DA915 – Highway Fund Balance</b>		\$587
<b>51104.02.04 Insurance CE</b>	\$587	

<b>Fund</b>	<b>Transfer In</b>	<b>Transfer Out</b>
<b>SW915 – Water Fund Balance</b>		\$704
<b>83104.05.04 Insurance CE</b>	\$704	

<b>Fund</b>	<b>Transfer In</b>	<b>Transfer Out</b>
<b>SS915 – Sewer Fund Balance</b>		\$704
<b>81104.7.04 Insurance CE</b>	\$704	

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, 2024 –March 1,2025 in the amount of \$283,710.66.

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

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

**64-2024 A Resolution Authorizing the Acceptance of a Grant from the Justice Court Assistance Program (JCAP)**

**WHEREAS**, the Justice Court Assistance Program (JCAP) was established by the New York State Legislature in 1999, at the request of the Unified Court System, to help provide our State’s town and village courts with the resources and equipment necessary to fulfill their critical role in our justice system; and

**WHEREAS**, the East Greenbush Town Court is one of the busiest Town courts in the Capital Region; and

**WHEREAS**, Court Clerk Stephanie Hicks did an inventory of pressing needs for the office and completed an application to JCAP in their 2023-2024 funding cycle; and

**WHEREAS**, on March 4, 2024, Ms. Hicks received a letter from the Unified Court System informing her that the East Greenbush Town Court has been awarded a grant of \$23,300.00 from JCAP; and

**WHEREAS**, this money will pay for the cost of a Bullet Resistant Window, Intercom System, new counter-top and shelves, copy machine and security camera; and

**WHEREAS**, the Director of Finance 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 East Greenbush Town Court to accept a grant from the Unified Court System’s Justice Court Assistance Program in the amount of \$23,300.00; and be it further.

**RESOLVED**, that the Town Board thanks Stephanie Hicks for going above and beyond the call of duty (grant writing is not part of her job description) and demonstrating a commitment to the work of her office that speaks to her skill and professionalism.

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

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

**65-2024 A Resolution Authorizing the Solicitation of Bids for One (1) Sports Utility Vehicle for the Commissioner of Public Works through the NYS Vehicle Marketplace**

**WHEREAS**, the Commissioner of Public Works has identified the need for one (1) Sports Utility Vehicle (SUV) for the Department of Public Works to allow the Sewer Department to utilize the Ford F150 truck currently used by the Commissioner of Public Works; and

**WHEREAS**, the SUV will provide the Commissioner a vehicle that would allow more than one (1) additional person to ride in the vehicle to site visits and meetings, where the truck currently only allows for two people to ride in the truck at a time; and

**WHEREAS**, the Commissioner is requesting that the Purchasing Clerk publish a solicitation via a Mini-Bid through the New York State Office of General Services for one (1) SUV; and

**WHEREAS**, the Director of Finance confirms that the act of soliciting bids will not have a material impact on the 2024 Town Budget;

now, therefore, be it

**RESOLVED**, that the Town Board authorizes the Commissioner of Public Works to work with the Purchasing Clerk to solicit bids through the NYS Vehicle Marketplace for one (1) SUV.

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

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

**66-2024 A Resolution to Appoint Brian Jaggernaut to the Position of Light Equipment Operator in the Sewer Department**

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

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

**WHEREAS**, applications were received and reviewed, and an interview conducted by the Commissioner of Public Works, Deputy Commissioner of Public Works, and Human Resources Manager; and

**WHEREAS**, Brian Jaggernaut was unanimously selected as a qualified candidate for the position of Light Equipment Operator based on his experience and background; and

**WHEREAS**, Brian Jaggernaut meets the requirements of the position, and has successfully completed the pre-employment screenings; and

**WHEREAS**, Brian Jaggernaut is currently working to obtain New York State Class B Permit and is working on completing training and will have six (6) months to obtain his Class B License; and

**WHEREAS**, the Director of Finance confirms that this appointment is funded in the 2024 Town Budget;

now, therefore, be it

**RESOLVED**, that the Town Board confirms the provisional appointment of Brian Jaggernaut to the position of Light Equipment Operator in the Sewer Department at the rate of \$27.4836 per hour (less \$0.25 per hour during probationary period) as specified by the CSEA Collective Bargaining Agreement. This appointment will be effective as of March 21, 2024. This appointment is provisional until the successful completion of training and Mr. Jaggernaut obtains his Class B Commercial Driver’s License within six (6) months from date of hire.

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

**67-2024 A Resolution to Appoint Daniel Nolette to the Position of Laborer in the Water Department**

**WHEREAS**, the Department of Public Works has a vacancy for the position of Laborer in the Sewer Department; and

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

**WHEREAS**, applications were received and reviewed, and an interview conducted by the Commissioner of Public Works, Deputy Commissioner of Public Works, and Director of Finance; and

**WHEREAS**, Daniel Nolette was unanimously selected as a qualified candidate for the position of Laborer based on his experience and background; and

**WHEREAS**, Daniel Nolette meets the requirements of the position, and has successfully completed the pre-employment screenings; and

**WHEREAS**, the Director of Finance confirms that this this appointment is funded in the 2024 Town Budget;

now, therefore, be it

**RESOLVED**, that the Town Board confirms the provisional appointment of Daniel Nolette to the position of Laborer in the Water Department at the rate of \$26.8175 per hour (less \$0.25 per hour during probationary period) as specified by the CSEA Collective Bargaining Agreement. This appointment will be effective as of March 21, 2024.

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

**68-2024 A Resolution to Settle a Tax Certiorari Proceeding with Greenbush Hotels, LLC**

**WHEREAS**, Greenbush Hotels II, LLC and the Town of East Greenbush are desirous of having certain assessment issues resolved as to property owned by Greenbush Hotels, LLC 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; now, therefore, be it

**RESOLVED**, that the Town Board does hereby accept a proposed settlement for the 2020, 2021, 2022 and 2023 tax certiorari proceedings filed by Greenbush Hotels II, LLC in which the assessed values of the subject property at 8 Empire Drive, will be set as follows:

<u>Year</u>	<u>Parcel No.</u>	<u>Assessed Value</u>	<u>Revised Assessed Value</u>
2020	155.-4-4	\$5,608,500	\$5,608,500 (No change)
2021	155.-4-4	\$5,608,500	\$3,600,000
2022	155.-4-4	\$5,608,500	\$3,350,000
2023	155.-4-4	\$5,608,500	\$4,200,000

Real Property Tax Law §727 shall apply to the 2023 assessed value, and the assessment shall remain unchanged for the 2024, 2025 and 2026 assessment rolls.

and be it further

**RESOLVED**, that the Town Board does hereby adopt this resolution to end the litigation between Greenbush Hotels II, LLC 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 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

**69-2024 A Resolution Authorizing the Supervisor to Sign a Communication to the New York State Liquor Authority, Advising that the Town Has No Objection to the Issuance of an On-Premises Liquor License to BMT Juniors 580, LLC on Premises Located at 580 Columbia Turnpike in the Town, and Waiving the Thirty-Day Advance Notice Requirement to East Greenbush as a Local Municipality**

**WHEREAS**, the Town Board has been advised that BMT Juniors 580, LLC will be applying to the New York State Liquor Authority for an on-premises liquor license for premises located at 580 Columbia Turnpike in East Greenbush; and

**WHEREAS**, the LLC making such application to the State Liquor Authority has requested that the Town waive the thirty-day notification period required by the SLA, so that the application can be submitted as promptly as possible; and

**WHEREAS**, the Town Board has determined that it has no objection to this application; and

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

now, therefore, be it

**RESOLVED**, that the Supervisor is hereby authorized to execute a communication to the New York State Liquor Authority, stating that the Town has no objection to said application, and waives the thirty-day notice requirement.

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

**70-2024 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 Right of Way; and

**WHEREAS**, the Highway General Foreman has identified a number of these trees that are beyond 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 award was extended to Allmark Tree and Crane Services for the period of July 31, 2023 through July 31, 2024, with an option to renew, and the bid award was made available to all municipalities and school districts in Rensselaer County to piggyback from, 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 Director of Finance confirms that the financial impact of this resolution will not exceed \$45,000.00 from Budget Line D5140.4 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 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

**71-2024      A Resolution to Extend the General Water District to Include Certain Premises Known as 70 Ridge Road, owned by Brittany Langley and Ryan Kenyon**

**WHEREAS**, Brittany Langley and Ryan Kenyon have filed a petition addressed to the Town Board of the Town of East Greenbush, acknowledged on January 31, 2024; and

**WHEREAS**, said petition requests an extension of the General Water District of the Town of East Greenbush to property known as 70 Ridge Road, a parcel of 23.0 +/- acres located near the intersection of Ridge Road with Celeste Drive; and

**WHEREAS**, said petition is signed and acknowledged as required by law; and

**WHEREAS**, submitted with said petition was a certain “Water District Extension Report for Ridge Ext. No. 1” prepared by Hart Engineering, duly licensed by the State of New York; and

**WHEREAS**, a hearing on such petition, notice of which was duly published and posted, was held before the Town Board on March 13, 2024, at which the public had the opportunity to comment on this petition; and

**WHEREAS**, the Town Director of Finance 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 as follows:

FIRST, that the petition referenced above was signed and acknowledged as required by law and is otherwise sufficient;

SECOND, that all of the property and property owners within the proposed extension are benefited thereby;

THIRD, that all of the property and property owners benefited are included within the limits of the proposed extension;

FOURTH, that it is in the public interest to grant in whole the relief sought in the petition;

and be it further

**RESOLVED**, that the Board having determined in the affirmative all of the questions set forth in §194(1) of the Town Law that the extension of the District, to include premises known as 70 Ridge Road, and as more fully described at Schedule “A” annexed to said petition, is approved.

and be it further

**RESOLVED**, that the Town Board hereby approves the extension of the General Water District to include said premise.

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

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

**72-2024      A Resolution to Amend Resolution 43-2024 Regarding the Citrine Power Large Scale Solar Installation (PZD 23-27)**

**WHEREAS**, on February 21, 2024, the Town of East Greenbush passed Resolution 43-2024 titled "A Resolution to Assume Lead Agency and Initiate Coordinated Review Under SEQRA for the Citrine Power, LLC Large Scale Solar Installation (PZD 23-27)"; and

**WHEREAS**, it has been identified that certain details of the project description require revision to accurately reflect the scope of the project; and

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

now, therefore, be it

**RESOLVED**, that Resolution 43-2024 is hereby amended as follows:

1. In the first paragraph, replace "Citrine Power, LLC" with "CP East Greenbush 1, LLC".
2. In the first paragraph, update the description of the project to state: *"large-scale solar project to construct one 4.8 MW solar installation and related improvements encompassing 29+- acres of total physical disturbance located at 82 Moore Road and identified on the Town of East Greenbush's Tax Roll as Tax Parcels Nos. 156.-3-26.1, 156.-3-26.2, and 167.-4-8.3 (hereinafter the "Project")"*.
3. Any other necessary updates to reflect the changes made above.

and be it further

**RESOLVED**, that all other provisions of Resolution 43-2024 remain unchanged.

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

**73-2024      A Resolution for SEQRA Determination for Miller Road Solar, LLC & Miller Road Solar West, LLC**

**WHEREAS**, the Town of East Greenbush received an application from Miller Road Solar, LLC & Miller Road Solar West, LLC for the site plan review of the large-scale solar project to construct two 4.975 MW solar installations and related improvements encompassing 51.1 acres of total physical disturbance located at 405 Miller Road and identified on the Town of East Greenbush's Tax Roll as Tax Parcels Nos. 167.-4-36 and 167.-4-37 (herein after the "Project"); prepared by Bohler Engineering; and

**WHEREAS**, the application was accompanied by a proposed site plan, Part 1 of a Full Environmental Assessment Form ("FEAF") and other supporting information; and

**WHEREAS**, upon the recommendation of the Planning Board, the Town Board determined the proposed project was a Type I Action; and

**WHEREAS**, the Planning Board, after considering the comments and opinions of the Project Review Team and the Town's Designated Engineer, and after reviewing the proposed site plan, took a hard look at the potential environmental impacts of this project by carefully considering and reviewing the Full Environmental Assessment Form, considered all the



Applicant’s proposed mitigation measures as they relate to environmental issues and more particularly to decommissioning, operations and maintenance, fire protection, emergency services and MS-4 storm water management and recommended that the Town Board issue a Negative Declaration under SEQRA; and

**WHEREAS**, the Town Board has determined that the action will not result in any large or important impacts; and

**WHEREAS**, the Director of Finance has confirmed that this resolution will not have a material impact on the Town’s finances;

now, therefore, be it

**RESOLVED**, that the Town Board hereby finds that the Project will not have a significant impact on the environment and issues a Negative Declaration for the Project with the following conditions:

1. Implementation of a Storm Water Pollution Prevention Plan (SWPPP) that provides improved storm water management.
2. Decommissioning and Site Restoration: Establish requirements for the decommissioning and site restoration of the solar installations at the end of its operational lifespan, including the removal of all equipment, structures, and infrastructure associated with the project, and the restoration of the site to its pre-development condition.
3. Emergency Response Plan: Require the submission and approval of an emergency response plan outlining procedures for addressing any potential incidents or emergencies related to the solar installations, including fire, hazardous materials spills, or extreme weather events.
4. Wildlife Habitat Preservation: Implement measures to protect and preserve existing wildlife habitats within the project area, including designated buffer zones or wildlife corridors.
5. Implementation of Visual Screening Measures: Require the installation of appropriate landscaping or other visual screening measures to mitigate the visual impact of the solar installations on surrounding properties and scenic views.
6. The applicant, Miller Road Solar, LLC & Miller Road Solar West, LLC, must continue to address all concerns and recommendations outlined in Stantec's ongoing review of reports received on March 4, 2024, as well as address concerns from any future reports to be reviewed by Stantec, ensuring compliance with applicable regulations and best practices.

Supervisor Conway made the motion to table the above resolution and was 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

The tabled 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  
Councilor R. Matters

VOTED: YES  
VOTED: YES

**74-2024      A Resolution Authorizing the Town Supervisor to Sign a Task Order with Greenman-Pedersen, Inc. to Perform a Drainage Study, Mitigation Recommendations and Prepare a Site Plan on the Horizon Ridge Apartments Retention Pond**

**WHEREAS**, the Commissioner of Public Works contacted Town Designated Engineer Greenman-Pedersen, Inc. (GPI) regarding a drainage study needed to respond to repeated flooding within a neighborhood during heavy rain events; and

**WHEREAS**, when discussing the drainage within the area, both the Commissioner of Public Works and an Engineer from GPI believe that the root cause of the flooding is due to the retention pond at the Horizon View Apartments; and

**WHEREAS**, the Town initially completed a Stormwater Pond Inspection dated August 14th 2020, that identified areas of concern and functionality. The Owner of the property hired Barber Engineering to address the Town's concerns. Barber Engineering prepared their own inspection report for the site dated April 7th 2021, and provided comments that further detailed the items of concern identified by the Town. Dawn Homes Management, who is responsible for maintaining Horizon Ridge Apartments, confirmed in an email on September 28, 2021, that the deficiencies identified in the inspection report had been completed with the exception of removing sediment. Since these corrective actions have been completed, neighbors downstream of the facility have had major flooding on multiple occasions rendering suspect the corrective measures that were performed; and

**WHEREAS**, this preliminary information was used in preparation of this proposal. The following is the engineering scope of work:

Scope of Services:

1. To facilitate the development of a recommended action plan, a preliminary base map will be prepared for the site utilizing readily available online resources such as LIDAR topography, USGS aerial imagery, and GIS tax parcel data.
2. A site visit will be completed to investigate existing drainage patterns and verify the accuracy of the prepared base map. GPI will utilize hand held GPS equipment and a laser level to estimate the overall basin extents and record key elevations of inlet and outlet piping and basin depth.
3. GPI will complete a hydrologic and hydraulic stormwater analysis of the 1-, 5-, 10-, 25-, 50-, and 100-year storm events based upon the upstream sub-catchment area from the parcel. The analysis will be completed using HydroCad modeling software. The analysis will be used to determine the available storage capacity of the basin assuming adjustments are made to the outlet control structure.
4. GPI will prepare a Drainage Study letter report detailing the stormwater analysis along with our proposed mitigation recommendations. The report will include a site plan identifying recommended improvements along with other additional relevant information in the appendices that support our recommendations. The Hydrocad modeling report and our stormwater sizing calculations will also be included.

**WHEREAS**, the Director of Finance confirms this will have a material impact on the budget that can be funded with the following budget transfer;

Fund	Transfer In	Transfer Out
SW915 – General Sewer		\$11,200
81404.07 – Storm Sewer CE	\$11,200	

now, therefore, be it

**RESOLVED**, that the Town Board does hereby authorize the Town Supervisor to sign the Task Order with Greenman-Pedersen, Inc. for the Horizon Ridge Apartments Drainage Study in an amount not to exceed \$11,200.

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

**75-2024 A Resolution to Appoint Donald Pierro to the Position of Town Comptroller**

**WHEREAS**, this resolution was not able to be submitted in time to be considered at the regularly scheduled pre-board meeting of March 13, 2024 and was subsequently presented to the Town Board on March 18, 2024; and

**WHEREAS**, the resignation for purposes of retirement of Town Comptroller George Phillips was accepted by the Town Board with Resolution 37-2024 on February 21, 2024; and

**WHEREAS**, the Finance Office advertised the vacancy and received a number of resumes and statements of interest; and

**WHEREAS**, two excellent candidates were interviewed by the Town Supervisor, Director of Finance, and Human Resources Manager, and one was interviewed the whole Town Board; and

**WHEREAS**, the Town Board decided that Donald A. Pierro was the best qualified candidate, based on years of experience with municipal accounting in Rye, New York and Athens, New York, other experiences in the world of finance, an Accounting B.S. degree from Mercy College in Dobbs Ferry, NY, and the fact that he served in the United States Army; and

**WHEREAS**, Mr. Pierro was offered the job and accepted; and

**WHEREAS**, the Director of Finance confirms that this resolution was planned for in the Town's 2024 Budget;

now, therefore, be it

**RESOLVED**, that the Town Board of the Town of East Greenbush hereby appoints Donald A. Pierro to the position of Town Comptroller at an annual salary of \$80,000.00; and be it further

**RESOLVED**, that this appointment is effective as of April 1, 2024.

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

**76-2024      A Resolution to Appoint Cassandra Maloy to the Position of Secretary of the Board of Assessment Review**

**WHEREAS**, this resolution was not able to be submitted in time to be considered at the regularly scheduled pre-board meeting of March 13, 2024 and was subsequently presented to the Town Board on March 18, 2024; 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 meets on the fourth Tuesday of May, which this year falls on May 28, 2024; and

**WHEREAS**, the Board requires secretarial assistance to complete its task; and

**WHEREAS**, Cassandra Maloy served on the Board of Assessment Review for years, including time as the Chairperson of that Board, and she has expressed a willingness to serve as Secretary this year; and

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

now, therefore, be it

**RESOLVED**, that Cassandra Maloy is hereby appointed to the position of Secretary to the Board of Assessment Review for a term that will expire on September 30, 2025.

This 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

**77-2024      A Resolution Approving the Contractors for Two Options of the Town Park Upper Pavilion Renovation Project and Approving the Use of Generic Environmental Impact Statement (GEIS) Funds for the Project**

**WHEREAS**, this Resolution was not able to be submitted in time to be considered at the regularly scheduled pre-board meeting of March 13, 2024 and was subsequently presented to the Town Board on March 19, 2024; and

**WHEREAS**, the Commissioner of Public Works along with the Recreation Supervisor and Purchasing Clerk have met and published bid RFB 24-01 – Town Park Upper Pavilion Renovation Project for necessary updates to the Upper Pavilion at the East Greenbush Town Park; and

**WHEREAS**, the Upper Pavilion is a Town Facility that is rented most often throughout the summer months into the Fall and requires a number of updates for safety and usage; and

**WHEREAS**, the bid was built to allow for all of the proposed renovations to be completed, or to allow the Town to select the most critical options for completion this year; and

**WHEREAS**, the bid was broken into options as follows:

**Option #1:** Remove and Replace Bathrooms and make ADA Compliant. Install Industrial Epoxy Floor in both bathrooms, Install new Countertops and Industrial Epoxy Floor in Kitchen;

**Option #2:** Replace deck with Trex decking and railing system and add additional floor joists according OR replace deck with concrete and install aluminum railings;

**Option #3:** Install new concrete steps and walkway from the side of the pavilion leading down the hill;

**Option #4:** Install Industrial Epoxy Floor in Pavilion area where concrete already exists; and

**WHEREAS,** bids were opened on Tuesday, March 19, 2024 and the results were presented as follows:

<b>Contractor</b>	<b>Option #1 Price</b>	<b>Option #2 Price</b>	<b>Option #2 of 2 Price</b>	<b>Option #3 Price</b>	<b>Option #4 Price</b>
NCS Enterprises LLC	\$243,400	\$140,100	\$150,800	\$125,000	\$28,350
JF Management Group	\$61,688	\$86,126	\$154,654	\$75,664	\$19,990
Shinas Construction	\$131,000	\$68,000	\$125,000	\$125,000	\$15,000
Davco Masonry	\$117,280	\$85,525	\$159,700	\$86,580	\$22,000
Sam Greco Construction	\$115,000	\$69,000	\$118,000	\$133,000	\$21,000

; and

**WHEREAS,** the Commissioner of Public Works recommends the Town complete Option 1 and 3 of the bid and recommends awarding the contract to JF Management Group to complete Option 1 at the cost of \$61,688 and Option 3 at the cost of \$75,664; and

**WHEREAS,** Option 2 and Option 4 will be reconsidered at another time; and

**WHEREAS,** the Director of Finance does hereby confirm the 2024 budget has \$86,000 in account 7110.04 Parks CE and GEIS Recreation has \$53,000 in account 80304.01.004 to fund the project:

now, therefore, be it

**RESOLVED,** that the Town Board does hereby approve the Commissioner's recommendation for the Town Park Upper Pavilion Upgrade Project to be completed as follows: JF Management to complete Option 1 at \$61,688 and Option 3 by at \$75,664 for a total project cost of \$137,352.

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

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

**ADJOURNMENT – 6:52 PM**

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

Respectfully submitted,

Ellen Pangburn  
East Greenbush Town Clerk

DRAFT

## SCHEDULE "A" LEGAL DESCRIPTION

ALL that tract or parcel or land situate in the Town of East Greenbush, County of Rensselaer and State of New York, being bounded and described as follows:

Beginning at a capped iron rod found in westerly line of Ridge Road at the northeasterly corner of lands described in a deed from Sunoco Inc. to Daniel T. Baylinson dated May 10, 1999 and recorded May 17, 1999 in the Rensselaer County Clerk's Office in Roll 139 of Deeds at Frame 2452..

Thence South 07 degrees 47 minutes 40 seconds West for a distance of 315.00 feet, along the westerly line of said Ridge Road, to a capped iron rod set.

Thence North 73 degrees 10 minutes 00 seconds West for a distance of 2662.56 feet to a capped iron rod set in the westerly line of lands of said Baylinson. Said line passing over capped iron rods set on line at distances of 143.75 feet and 2559.77 feet from the beginning of the course.

Thence North 12 degrees 53 minutes 35 seconds East for a distance of 489.44 feet, along the division line of lands of said Baylinson on the east and lands now or formally of Amtrak on the west, to a capped iron rod found.

Thence the following two courses along lands of Baylinson on the south and lands known as Orchard Heights Subdivision on the north;

1) South 64 degrees 58 minutes 00 seconds East for a distance of 354.10 feet to a round iron monument labeled Sun Oil Company;

2) South 69 degrees 13 minutes 05 seconds East for a distance of 561.89 feet to a capped iron rod found;

Thence the following courses along lands of Baylinson on the south and lands now or formally of Keith A. Langley and Lois C. Langley on the north;

1) South 67 degrees 44 minutes 45 seconds East for a distance of 200.20 feet;

2) South 70 degrees 36 minutes 45 seconds East a distance 518.25 feet to a capped iron rod found at the southeasterly corner of lands of said Langley;

Thence South 70 degrees 34 minutes 55 seconds East for a distance of 1019.66 feet, along the division line of lands of said Baylinson on the South and lands now or formally of Davison in part, Robetow in part and Weeks in part on the north to the point of beginning.

Containing 23.075 +/- acres of land.

All as shown as LOT 4 on a subdivision plat entitled "proposed subdivision of lands to be conveyed to Daniel T. Baylinson and Judith A. Baylinson" dated May 1, 1999, last revised May 13, 1999, filed in the Rensselaer County Clerk's Office, on May 20, 1999 as Map No. 38 in drawer 1999