



# The Town of East Greenbush

225 Columbia Turnpike, Rensselaer, New York 12144

## TOWN BOARD Meeting Minutes January 22, 2020

**Call to Order** 7:00 PM  
**Pledge of Allegiance**  
**Town Board Meeting:**

### Members of Town Board

Present

Absent

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

### Communications/Announcements/Reports

#### Town Board comments

##### Councilor Tierney:

- Attended Capital District Conservation Roundtable at Guilderland Public Library. Feature or “show stopping” presentation was by Adam Yagelski and Victoria Manieri from our Natural Resources Inventory work group. They presented on work they had done and everyone was impressed by what we have done in EG over the past two of years.
- Asked by a resident to note on Wed., March 25<sup>th</sup> at 6:30 EG Library will be hosting a discussion about climate crisis with Professor Steven Melbo. Public is invited.

##### Councilor Kennedy:

- EG Library has begun their free tax preparation program for 2020. Call Assessors Office to schedule appointment.
- EG Library Film Festival has been scheduled for February 8<sup>th</sup>. Call library to register.
- Extended congratulations to officers Shelby Proper and Nick Luizzi for graduating on January 15<sup>th</sup> from Zone 5 Police Academy.

##### Councilor Matters:

- Looking forward to a couple of appointees tonight.

### **Supervisor Conway:**

- Live streaming meeting - an important new thing we're doing. If on Facebook and making comments, understand we have no ability to respond. Leave comments if you'd like.
- Participating January 25th at press conference at Rensselaer City Hall re: Dunn Landfill. Speaking on behalf of residents. This had to be regulated better and has to be taken care of better. Mayor of Rensselaer will be there.
- We're in beginning of a transition to new court rules and procedures, and bail reform. Our court has been inundated, with their work almost doubled. Senior clerk was injured in a fall and has been out on worker's compensation. Supervisor acknowledged Stephanie Phillips and Laura Ingelsby who are fighting the good fight and doing a great job under difficult circumstances. Both, as always, have stepped up. Tonight on agenda a part time person will be appointed who will start tomorrow, Jan. 23<sup>rd</sup>, to help, and we hope senior clerk will be back soon as we need her as well.
- During a Public Hearing at last Town Board Meeting, a resident got up at end of session and spoke ill of our Planning Board and made all kinds of charges. The Planning Board for East Greenbush is doing a great job. They are so skilled with so much experience and knowledge. They were not chosen politically. They were chosen for their skills, experience and what they do. They function as a group well. Matt Masten is doing a good job as chair. They have an excellent attorney in Joe Slater. Supervisor continued to defend the Planning Board.

**Open Public Privilege:** NOTE – Each speaker may choose to state name and address prior to addressing the Board and shall be granted the floor for up to five minutes. The Board thanks everyone in attendance for their understanding and also for their desire to actively participate in the decision making process. All speakers must conduct themselves in a civil manner. Personal attacks will not be tolerated.

### **Public comment**

Dave, a resident, commented re: Regeneron and how much money we're not getting in taxes. Mentioned IDA benefits from county should be looked at closely and somewhat mitigated and Board agreed. He presented spreadsheet to Supervisor and Town Board regarding six (6) Regeneron properties. Resident discussed other assessments and tax comparisons.

Supervisor addressed recent tax certiorari cases with Wal-Mart and Target and stated Regeneron gets pilot up front. Town Board does not know when someone applies for a pilot. We get notice for Public Hearing and at that point the deal is pretty much done. Regeneron is a world class corporation, spending money in town directly. Their employees are providing ancillary benefits and a lot of direct benefits with some buying houses now. It's a great company and they do business the right way. Their work with the town has been generous. I'm very proud to have Regeneron in this town and to an effect, build this town around Regeneron. The pilots are a problem, but if anyone is a fair candidate for a pilot it's Regeneron because the IDA was set up to create jobs and to create incentives for the job creation. When they're all done they'll have 4,000 employees in a town of 16,000 people. It has brought a lot of benefits to the town and has raised a whole host of development challenges, but they're aware of it and they work with us.

**Councilor Matters** – discussed one purpose of having pilots is the long term retention of a business. Not within East Greenbush, but we've had localities in the capital district that have experienced businesses after the pilot dries up they leave town. Like the Supervisor mentioned, Regeneron is being looked at as being one of those long term businesses and that's probably where most of the value is to the Town of East Greenbush.

**Councilor Tierney** – circle of peers that I have and Town Clerk, Mrs. Pangburn has too, with younger people looking for jobs and looking for careers in town there is hope that after college or their education that they remain here and that they can work here. The peer group that my children have and their parents are really happy about those opportunities.

**Resident** – Trust but verify. Asked if board they knew the metrics. Super IDA forgiven between 8% and 10% of our tax base.

### **Town Board Workshop: Creation of a Conservation Advisory Council (CAC)**

**Councilor Tierney** – attended roundtable with Adam Yagelski 2 years ago; now in stage of forming a CAC. Developed Natural Resources Inventory to start. Once completed we need to keep it alive. We now need to develop CAC to advise planning decisions and the Board of what our resources are. Excellent work group of volunteers did inventory and put together letter with draft laws and volunteer announcement. Note our strengths and where we need to make modifications to meet our needs.

**Supervisor Conway** – Excellent submission. Victoria's letter was excellent. Like how climate change was mentioned. Receiving a lot of inquiries about this and how we're addressing environmental issues. Something Councilor Tierney has been pushing for four years now. We've been on this track and we've done a lot of work with this.

**Town Board and Dave Gruenberg** – further discussed Conservation Advisory Council (CAC) after having received and reviewed letter. Membership and appointments, Officers Meetings and Committees, budget, Powers and Duties of the Council, resources/library were all further discussed. Recommend research and inform (not report) on standing issues. Town Board to balance these things. Provide format instead of formal structure. State law is very specific. Recommended some changes and consideration of some issues. Town Board will come up with new draft for NRI group to review. Supervisor extended thanks to Victoria. At February Board meeting we'll schedule Public Hearing, probably for March. Board is very much in favor of this.

## Resolutions and Proposals by Town Board Members:

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### 04-2020 A Resolution to Approve Meeting Minutes

**WHEREAS**, the minutes of Town Board meetings, as provided in §106 of Article 7 of the New York Public Officers Law, shall be approved by the Board prior to them being finalized, deemed official and disseminated to the public by the Town Clerk; and

**WHEREAS**, that the minutes of the Town's 2020 Organizational Meeting held on January 2, 2020 have been presented; and

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

now, therefore, be it

**RESOLVED**, that the minutes of the Town's 2020 Organizational Meeting held on January 2, 2020 are hereby approved as submitted.

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

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

### 05-2020 A Resolution Celebrating the 165<sup>th</sup> Anniversary of the Town of East Greenbush

**WHEREAS**, the first settlement of the land now known as East Greenbush was made by tenants under patroon Kiliaen van Rensselaer circa 1630 and was part of the Manor of Rensselaerswyck and Albany and Columbia Counties prior to Rensselaer County's creation in 1791; and

**WHEREAS**, the Town of Greenbush was formed from Rensselaerswyck on April 10, 1792. The Village/Town of Greenbush was mapped out in 1810 and incorporated in 1815. A part of West Sand Lake was separated in 1812. The Towns of Clinton and North Greenbush separated in 1855, leaving the present Town of East Greenbush, the corporate limits of which were defined by legislation passed on April 9, 1852; and

**WHEREAS**, the Town of East Greenbush was formally established in 1855 as Clinton, and its first municipal meeting was held on April 3, 1855 in the William R. DeFreest Hotel (now the Your Day Your Way bridal shop); and

**WHEREAS**, Clinton was renamed East Greenbush in 1858, the name originating in the Dutch words *groen bosch* (literal translation 'green forest'), referring to the pine woods that originally covered the land;

now, therefore be it

**RESOLVED**, the Town Board of the Town of East Greenbush celebrates April 3, 2020 as the 165<sup>th</sup> Anniversary of the Town of East Greenbush.

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: YES
Councilor B. Fritz	VOTED: ABSENT

**Supervisor Conway** – Town Historian, Bobbie Reno, best can figure April 3<sup>rd</sup>, 1855 was first formal meeting of the Town Fathers. Birthday party for East Greenbush at The Red Barn will be held. Activities and food will be set up.

**Town Board** - commented on great work by Town Historian.

**06-2020      A Resolution to Recognize February as AFRICAN AMERICAN HISTORY MONTH in the Town of East Greenbush**

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

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

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

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

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

**WHEREAS**, the month-long celebration, now known as African American History Month, has been officially recognized at the Federal, State and Local levels of government; and

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

now, therefore, be it

**RESOLVED**, that the Town Board of the Town of East Greenbush recognizes February, 2020 as African American History Month in the Town of East Greenbush, and encourages everyone to acknowledge and learn about the contributions of African Americans to our Town, State and Nation;

and be it further

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

The foregoing resolution was duly moved by Supervisor Conway and seconded by Councilor 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: YES
Councilor B. Fritz	VOTED: ABSENT

**Supervisor Conway** – Mover and the seconder should have been reversed as Councilor Tierney basically wrote this.

**07-2020      A Resolution Recognizing February 7, 2020 as National GO RED FOR WOMEN DAY in the Town of East Greenbush**

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

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

**RESOLVED**, that The Town Board of the Town of East Greenbush hereby officially recognizes February 7, 2020 as National Go Red for Women Day in the Town of East Greenbush

The foregoing resolution was duly moved by Councilor Kennedy and seconded by 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: YES
Councilor B. Fritz	VOTED: ABSENT

**08-2020      A Resolution to Approve the Annual Appointment of Part-Time Police Dispatchers**

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

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

**WHEREAS**, the Town Comptroller confirms that the provisions of this resolution were planned for in the current Budget and will not have a material impact on the Town Finances; now, therefore, be it

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

Timothy E. Boel	Steven C. Schongar
Michael J. Benson	Daniel P. Farnan
Robert G. Lehmann	Jeffrey G. Tooker
Cody M. Seeberger	Jonathan M. Smith
Tammy R. Beardsley	

and be it further

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

The foregoing resolution was duly moved by Councilor 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 T. Tierney	VOTED: YES
Councilor B. Fritz	VOTED: ABSENT

**09-2020      A Resolution to Appoint James E. McCarthy Jr. to the Position of Laborer in the Department of Public Works**

**WHEREAS**, the Department of Public Works has an existing vacancy for the position of Laborer at the Transfer Station; and

**WHEREAS**, the Commissioner of Public Works advertised for Laborer in the Town’s Official Newspaper and on the Town’s website; and

**WHEREAS**, applications were received and reviewed, and interviews conducted by the Town Supervisor, the Commissioner of Public Works, Deputy Commissioner of Public Works, and General Foreman of the Highway Division; and

**WHEREAS**, James E. McCarthy Jr. was unanimously selected as the most qualified candidate for the position from a field of four applicants; and

**WHEREAS**, the Town Comptroller has confirmed that this appointment can be funded with the 2020 budget code 81601.01.01;

now, therefore, be it

**RESOLVED**, that the Town Board confirms the appointment of James E. McCarthy Jr. to the position of Laborer in the Department of Public Works, Transfer Station, at the rate of \$21.2326 per hour as specified by the CSEA Collective Bargaining Agreement. This appointment will be effective as of January 13<sup>th</sup>, 2020.

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

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

**Supervisor Conway** - James (Jim or Paco) already transformed Transfer Station. Very excited about this appointment.

**10-2020      A Resolution Authorizing the Supervisor to Enter into Agreements for Sewer Services with Individuals/Entities**

**WHEREAS**, the Town Board of the Town of East Greenbush, County of Rensselaer, State of New York, does annually enter into an Agreement for Sewer Services with the following Individuals/Entities: Anthony and Samantha Ayala; Dean and Doris Calamaras; Sean Palmer and Amy Bartlett-Palmer; Mary A. Sturn; Love Lutheran Church; Love Lutheran Parsonage and Rita Bernardo; 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 Supervisor of the Town of East Greenbush is hereby authorized to enter into an Agreement for the General Sewer District connections of the aforementioned, at a sum not to exceed One Thousand and Thirty Seven Dollars (\$1,037.00) each; said Agreement to be valid throughout the year 2020 and to expire on December 31, 2020, and that these charges shall be billed to the owner in four (4) equal installments of (\$259.25 each) during the quarterly billing months of February, May, August and November 2020.

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

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

**11-2020      A Resolution Scheduling a Public Hearing to Consider a New Contract with the Best Luther Fire Company, Inc.**

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

**RESOLVED**, that the Town Board of the Town of East Greenbush, County of Rensselaer, State of New York, will hold a Public Hearing on the 12th day of February, 2020, at 6:40 p.m. in the evening of said day, at the Town Hall, 225 Columbia Turnpike, in East Greenbush, New York, to consider the entry into a new contract between the Town of East Greenbush and the Best Luther Fire Company, Inc. which agreement will include certain conditions as set forth in the proposed contract and the payment of the sum of \$128,529.00 by the Town of East Greenbush to the Best Luther Fire Company, Inc. for such Fire Protection.

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

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



Councilor B. Fritz

VOTED: ABSENT

**Supervisor Conway** - commented that these guys do a great job.

**12-2020 A Resolution Scheduling a Public Hearing to Consider a New Contract with the Best Luther Fire Company, Inc., on Behalf of the Third Avenue Fire Protection District, Inc.**

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

**RESOLVED**, that the Town Board of the Town of East Greenbush, County of Rensselaer, State of New York, will hold a Public Hearing on the 12th day of February, 2020 at 6:50 p.m. in the evening of said day, at the Town Hall, 225 Columbia Turnpike, in East Greenbush, New York, to consider the entry into a new contract between the Town Board of the Town of East Greenbush and the Best Luther Fire Company, Inc., which agreement will include certain conditions as set forth in the proposed contract and the payment of the sum of \$10,061.00 by the Town of East Greenbush to the Best Luther Fire Company, Inc. for such Fire Protection.

The foregoing resolution was duly moved by 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 T. Tierney	VOTED: YES
Councilor B. Fritz	VOTED: ABSENT

**13-2020 A Resolution Authorizing the Supervisor to Sign a 2020 Animal Shelter Agreement with Mohawk and Hudson River Humane Society**

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

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

**WHEREAS**, the Town of East Greenbush desires to enter into an agreement for such services for 2020 with the Mohawk and Hudson River Humane Society; and

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

**RESOLVED**, that the Supervisor is authorized to enter into an agreement for services in 2020 with the Mohawk and Hudson River Humane Society, upon approval as to form by the attorney to the Town.

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

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

Councilor T. Tierney  
Councilor B. Fritz

VOTED: YES  
VOTED: ABSENT

**14-2020 A Resolution Appointing Thomas A. White, Jr. to the Position of Administrative Assistant**

**WHEREAS**, the Building Department is currently understaffed and we are unable to meet the department's pressing administrative demands; and

**WHEREAS**, any new employees in the Building Department must meet an enrollment deadline of February 11, 2020 for requisite code-compliance training in accordance with standards set forth by the New York State Department of State; and

**WHEREAS**, consistent with the recruiting recently undertaken by other municipalities locally, the pool of qualified candidates yielded by the Town's prior recruitment efforts has been extremely limited; and

**WHEREAS**, in order to meet the needs of the Department it is deemed appropriate to hire a qualified candidate for the position of Administrative Assistant as a means of lessening workload demands and putting a person in the Department who will be able to establish the credentials required to take the examination for the position of Assistant Building Inspector (*both of which positions are* within the competitive classification under New York Civil Service Law); and

**WHEREAS**, the Town Board recently interviewed and examined Thomas A. White, Jr. as a candidate for the position of Administrative Assistant, and determined that he is currently the best qualified candidate for such position; and

**WHEREAS**, the Town Comptroller confirms that the financial impact of provisions of this resolution have been planned in the Town's 2020 annual budget, under charge code 81401.07/08/09/10.01;

now, therefore, be it

**RESOLVED**, that, pursuant to § 64, subd. 5 of New York Town Law, Thomas A. White, Jr. be, and the same hereby is, *provisionally* appointed to the aforementioned position of Administrative Assistant, effective January 23, 2020, at an annual salary of \$40,000.00 plus a stipend of \$2,750.00 to serve as Fire Safety Inspector.

*Rick Matters made the motion to amend the above resolution. Amendments have been made throughout the resolution and are in italics.*

The foregoing amended 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 T. Tierney	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Councilor B. Fritz	VOTED: ABSENT

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

**Councilor Tierney** - along with the rest of the Board – Extended congratulations.

**15-2020 A Resolution Authorizing the Town of East Greenbush to Forgive Taxes Levied on Certain Parcels Owned by the Town of East Greenbush**

**WHEREAS**, the Consolidated General Water District has been completed and appeared on the Town’s 2020 Property Tax Bills; and

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

**WHEREAS**, several parcels under the ownership of the Town of East Greenbush have been erroneously taxed appearing as follows;

155.9-10-2	\$54.99
154.4-16-29	\$27.50

**WHEREAS**, the Town Comptroller has confirmed that this resolution will not have a material impact on the Town’s Finances;

now, therefore, be it

**RESOLVED**, that the Town Board does hereby accepts that the Town was taxed in error and the Town of East Greenbush forgives the tax amounts for 2020.

and be it further

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

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

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

**Supervisor Conway** – This is 82.49 we’re giving back to ourselves.

**16-2020 A Resolution to Make a Conditional Job Offer to Ryan M. Buell**

**WHEREAS**, this Board intends to maintain adequate staffing within the Town Police Department, by appointing qualified individuals to replace positions that become vacant, and a police officer position has become vacant; and

**WHEREAS**, the Town Comptroller has confirmed that this position was included in the 2020 budget for account 31201.01.01; and

**WHEREAS**, Ryan M. Buell who resides in the City of Rensselaer, is a graduate of Schuylerville Central High School and currently a Cambridge- Greenwich Police Officer who has made application for said position, has submitted to a background investigation, has been interviewed by the Town Board; and

**WHEREAS**, said applicant has provided his Roster Card and other credentials to the Rensselaer County Civil Service Commission and meets presumptive qualifications for a lateral transfer, and has otherwise been found to be qualified for this position to the extent allowed by law; and

**WHEREAS**, in order to further advance the lawful requirements of the Town to provide medical, psychological and fingerprint clearance consistent with Homeland Security and Human Rights Law;

now therefore be it

**RESOLVED**, that Ryan M. Buell be and hereby is offered a conditional appointment to the position of Police Officer, subject to the following conditions and stipulations;

- medical, psychological and drug test results meeting the standards of the Bureau for Municipal Police and the Rensselaer County Civil Service Commission;
- satisfactory fingerprint and background check;
- successful completion of the East Greenbush Police Department Field Training Program;
- full compliance with the Rules and Regulations of the Department;

and be it further

**RESOLVED**, that said job offer be affirmed by said appointee within 30 days by executing the oath of office as administered by the Town Clerk, or will be declared null and void;

and be it further

**RESOLVED**, said conditional appointment shall become effective February 12, 2020 and shall be subject to a probationary period of one (1) year, and that upon successful completion of all said conditions and stipulations, shall be, and hereby is made permanent.

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

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

**Supervisor Conway** – Conditional job offer to become an EG Police Officer. Vetted by detectives office and police department and interviewed by Town Board. He was made a conditional job offer and he was very interested. We can now go to final steps with background investigations. He has great references and we need police officers.

**Councilor Matters** – discussion on training costs being a transfer.

**17-2020 A Resolution Awarding County Waste & Recycling of Clifton Park, NY the Bid for Hauling and Disposal of Cake Sludge from the Waste Water Treatment Plant**

**WHEREAS**, the Town’s contract with County Waste & Recycling of Clifton Park, NY (“County Waste”) expired in 2019 and with that contract the Town was paying \$112.00 per ton; and

**WHEREAS**, the Town received bids for the hauling and disposal of cake sludge from the Waste Water Treatment Plant that were opened on December 18, 2019; and

**WHEREAS**, the lowest responsible bidder was County Waste & Recycling of Clifton Park, NY at \$130.00 per ton; and

**WHEREAS**, per the review of the submitted bids by Town Designated Engineer Ed Hernandez, of Adirondack Mountain Engineering, PC, County Waste's bid is in conformance with the project bid requirements and they currently handle disposal of sludge from the Treatment Plant; and

**WHEREAS**, the other bid that was submitted listed contingencies that could result in the bid being non-conforming; and

**WHEREAS**, the current agreement that the Town has with County Waste expired and has been on a month-to-month basis until this bid was approved; and

**WHEREAS**, the Town Comptroller confirms this expenditure was budgeted in 2020 for account 81304.07/08/09/10.04 but at the submitted price this resolution may have a material impact on the Town's finances;

now, therefore, be it

**RESOLVED**, that the Town Board does hereby award the Hauling and Disposal of Cake sludge from the Waste Water Treatment Plant to County Waste & Recycling of Clifton Park.

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: YES
Councilor B. Fritz	VOTED: ABSENT

**18-2020 A Resolution Awarding the Bid for Brush Grinding and Removal at the Transfer Station to Troy Sand & Gravel Co., Inc.**

**WHEREAS**, the Town Board approved the Commissioner of Public Works to solicit bids for Brush Grinding and Removal at the Transfer Station in Resolution 248-2019; and

**WHEREAS**, brush grinding and removal is necessary each year to comply with NYS DEC requirements so as to make room for the additional brush that will accumulate over the next year; and

**WHEREAS**, the Town paid \$24,900 to Troy Sand & Gravel Co., Inc. in 2019 and the aggregate amount would have exceeded \$35,000 within the one year period, prompting the need to solicit bids from interested contractors; and

**WHEREAS**, of the two bids received from contractors, Troy Sand & Gravel Co., Inc. was the lowest responsible bidder at \$31,000.00; and

**WHEREAS**, the City of Rensselaer is responsible to pay for half of the cost of grinding and hauling this material away; and

**WHEREAS**, the Town Comptroller confirms that the financial impact of this resolution is \$31,000 from the Transfer Station account 81604.01.04 offset by half once the City of Rensselaer reimbursement is received;

now, therefore, be it

**RESOLVED**, that the Town Board does hereby award the bid to Troy Sand & Gravel Co., Inc. for brush grinding and removal at the Transfer Station.

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: YES
Councilor B. Fritz	VOTED: ABSENT

**19-2020 A Resolution to Issue a Negative Declaration of Environmental Significance and Major Site Plan Approval for the Regeneron Discovery Drive Building 81 Addition Project (PZD ID 19-14)**

**WHEREAS**, Regeneron Pharmaceuticals, Inc. has submitted to the Town an application for major site plan approval for the expansion of Building 81 at Regeneron’s Discovery Drive Campus (SBL 155.-1-4.131); and

**WHEREAS**, the Town Board of the Town of East Greenbush has reviewed the application and related materials, including the site plan set prepared by Hart Engineering entitled “Regeneron Pharmaceuticals--Building 81 Addition,” dated July 1, 2019, and last revised November 22, 2019, consisting of 12 sheets, as well as the traffic evaluation by CHA, dated November 1, 2019, the SWPPP dated October 1, 2019 and the response to comments prepared by Hart Engineering, dated November 22, 2019; and

**WHEREAS**, the Town Board has also reviewed the comments of the Town’s designated engineers, MJ Engineering and Land Surveying, PC, dated December 27, 2019; and

**WHEREAS**, the Town Board has determined that the proposed project is an Unlisted Action pursuant to SEQRA; and

**WHEREAS**, the Town Board has reviewed the Short Form EAF Part 1; and

**WHEREAS**, the Town Board has coordinated lead agency review with the other involved agencies, declaring its intent to be lead agency; and

**WHEREAS**, no other agency objected to the Town Board being lead agency; and

**WHEREAS**, the Town Board referred the application to both the Town Planning Board and to County Planning as required by the Town Zoning Code and the General Municipal Law; and

**WHEREAS**, the Town Planning Board recommended issuance of a SEQRA negative declaration and approval of the site plan application with conditions and County Planning determined that the proposal does not have a major impact on County plans and that local consideration shall prevail; 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 approves the attached Short Form EAF Parts 2 and 3 and determines that no environmental impact statement will be prepared for this project, instead finding that the Project will have no significant adverse environmental impacts;

and be it further

**RESOLVED**, that the Town Board hereby approves the application for major site plan approval for the Project subject to the following conditions:

1. Prior to issuance of a building permit, Regeneron must address any remaining technical comments from the Town’s designated engineer and the Town Planning and Zoning Department; and

2. Prior to issuance of a building permit, the Commissioner of Public Works must sign the final site plan; and
3. Prior to issuance of a building permit, Regeneron must pay all remaining fees and escrow to the Town, including land development mitigation fees required in connection with the Western East Greenbush Generic Environmental Impact Statement (GEIS), as detailed in the GEIS fee statement provided by the Town; and
4. Prior to issuance of a building permit, Regeneron must establish an escrow account to cover the costs of any necessary third-party inspection services as determined by the Town Planning and Zoning Department prior to issuance of building permit; and
5. Prior to commencing site work, all storm water pollution prevention permits must be obtained and regularly scheduled required inspections must be performed during the permit term by the design engineer or other qualified individual in accordance with the GP-0-15-002, the approved Storm Water Pollution Prevention Plan, and the Town's Comprehensive Zoning Law; and
6. Prior to commencing site work, Regeneron must submit to the Town a fully approved Stormwater Pollution Prevention Plan (SWPPP); and
7. Prior to issuance of certificate of occupancy, Regeneron must execute a stormwater management maintenance agreement in accordance with the approved SWPPP and Town and NYS requirements, and evidence of execution of such maintenance agreement must be submitted to the Town Planning and Zoning Department; and
8. Prior to issuance of certificate of occupancy, Regeneron must update its Industrial User Permit with the Town.

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

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

**Councilor Matters** – Spoke with Director of Planning, Adam Yagelski, regarding traffic and how much more build out. Adam mentioned vertical build not horizontal.

**20-2020      A Resolution to Accept the Resignation of Jessica A. Lansing from the Position of Town Services Coordinator**

**WHEREAS**, Jessica A. Lansing has worked in the Community and Recreation Office for the last six year with most of that time spent in her current position of Town Services Coordinator; and

**WHEREAS**, Jessica Lansing submitted a letter of resignation to the Town Supervisor on January 3, 2020, the letter specifying a final day of January 31, 2020; and

**WHEREAS**, during her tenure as Town Services Coordinator, Jessica ran the summer camp, organized the Town Festival and Music in the Park, organized parties for children at Easter, Halloween, and Christmas, provided senior services including weekly activities, holiday luncheons, and special activities, and served on the GEIS Committee; and

**WHEREAS**, during Jessica’s tenure the Town parks were vastly improved with the construction of the Red Barn, installation of new playground equipment in Hampton Lake Park and the Town Park, and the cleaning up of all parks; and

**WHEREAS**, Jessica Lansing fulfilled the duties of the Town Services Coordinator with skill and professionalism; and

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

now, therefore, be it

**RESOLVED**, that the Town Board of the Town of East Greenbush accepts the resignation of Jessica Lansing, effective January 31, 2020;

and be it further

**RESOLVED**, that the Town Board wishes to thank Jessica for her contributions to the Town and its residents, and wishes her every success in her future endeavors.

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: YES
Councilor B. Fritz	VOTED: ABSENT

**Supervisor Conway** – Jessica did a great job here. Everybody knows her and the work she has done. Her work has impacted so many people in the community. The last two weeks she was a model of class and professionalism. She sat down with anyone who asked for them to understand her work. She wrote beautiful notes to staff and went out with class. Big shoes to fill. Thanked her for her service and great ideas.

**Councilor Tierney** – Personally enjoyed Spotlight on Youth ceremony that she does between the Town and young people in our community. Commented on raking leaves for veterans and volunteers being impressed.

**Councilor Kennedy** – she has done a phenomenal job and she’s going to be missed.

**Councilor Matters** – have seen four individuals in this role and Jessica in my view was the best. She was involved in so many community efforts and giving town exposure. One of the best was the leaf raking for the veterans. Activities brought people more together in town.

## **21-2020          A Resolution to Authorize Employees to Attend the Association of Towns Annual Meeting**

**WHEREAS**, the Association of Towns will hold its 2020 Training School and Annual Meeting at the Marriott Marquis in New York City from February 16-19, 2020; and

**WHEREAS**, the Town Comptroller confirms that the provisions of this resolution can be charged to 14104.01.04 Town Clerk CE in the 2020 Budget and will not have a material impact on the Town finances;

now, therefore be it

**RESOLVED**, that the following person be authorized by the Town of East Greenbush to attend the Annual Meeting of the Association of Towns in New York City, February 16-18, 2020:



Ellen Pangburn  
Stephanie Hicks

and it is further

**RESOLVED**, the Town will pay the lodging expense and conference attendance expense for this employee. Attendees shall advance the cost for transportation and meals and maintain an expense report accompanied by appropriate receipts to be submitted to the Comptroller following the meeting for reimbursement.

The foregoing resolution was duly moved by Supervisor Conway and seconded by Councilor 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: YES
Councilor B. Fritz	VOTED: ABSENT

**22-2020 A Resolution Correcting the Salary of Kevin Hitchcock**

**WHEREAS**, the Town Board recently passed the 2020 Salary Schedule at the Organizational Meeting; and

**WHEREAS**, the salary listed for Code Enforcement Officer – Kevin Hitchcock was listed as the cumulative salary of Code Enforcement Officer and Fire Inspector Part-Time where it should not have been the combined amount; and

**WHEREAS**, the below chart shows what was listed in the Organizational Meeting and what should have been listed.

Position	Organizational Meeting	Corrected Amount
Code Enforcement Officer	\$63,691.00	\$60,900.00
Fire Inspector Part-Time	\$2,750.00	\$2,791.25
Total Salary Combined	\$66,441.00	\$63,691.25

Therefore making the corrected cumulative salary \$63,691.25; and

**WHEREAS**, the Town Comptroller confirms that the corrected amount was budgeted in the 2020 Budget;

now, therefore, be it

**RESOLVED**, that the Town Board does hereby approve the corrected salary for Kevin Hitchcock effective immediately.

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

**23-2020 A Resolution Authorizing Purchase of One 2020 Ford Fusion Unmarked Detective Car for the Police Department from NYS OGS Mini Bid**

**WHEREAS**, Resolution 158-2019 authorized the Director of Finance to solicit bids for purchase of vehicles through the NYS Vehicle Marketplace Mini-Bid system; and

**WHEREAS**, the Town of East Greenbush requested a Mini-Bid through the New York State Office of General Services for one (1) Ford Fusion SE Interceptor AWD; and

**WHEREAS**, the lowest responsible bid that met the bid specification was submitted by Beyer Ford LLC for one (1) 2020 Ford Fusion SE Interceptor AWD in the amount of \$28,491.30; 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 Town Comptroller has confirmed that the financial impact of this resolution is \$ 28,491.30 charged to 31204.01.04; now, therefore, be it

**RESOLVED**, that the Town Board authorizes the Chief of Police to purchase one (1) new 2020 Ford Fusion SE Interceptor AWD from Beyer Ford LLC. per the results of Mini Bid #3028 in an amount not to exceed \$28,491.30.

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: YES
Councilor B. Fritz	VOTED: ABSENT

**24-2020 A Resolution to Appoint Jeannine Muhn to the Position of Part-Time Clerk in the Justice Court Office**

**WHEREAS**, this resolution was not submitted in time to be considered on the regularly scheduled pre-board meeting of January 15, 2020 and was subsequently presented to the Board on January 17, 2020; and

**WHEREAS**, the State of New York has instituted new rules for justice courts and police departments, including changes in the procedures for the presentation and discovery of evidence, and bail reform; and

**WHEREAS**, the transition to the new procedures and the implementation of the procedures themselves require an increase in the workload of the Justice Court Office; and

**WHEREAS**, the Justice Court Office is experiencing a reduction in current staff capability due to the fact that one employee is unable to work due to an injury incurred at work; and

**WHEREAS**, Jeannine Muhn, a part-time employee in the Stockport, New York court office, was interviewed by the Town Supervisor and one Town Justice for a part-time position to assist with the workload in the Justice Court Office; and

**WHEREAS**, Ms. Muhn was adjudged to be an asset in helping alleviate the backlog in the office and is interested in a part-time position with the Town of East Greenbush; and

**WHEREAS**, the Town Comptroller believes this may have a material impact on the Town’s finances depending on how long Ms. Muhn’s assistance is required; now, therefore, be it

**RESOLVED**, that the Town Board of the Town of East Greenbush appoints Jeanne Muhn to the position of part-time Clerk in the Justice Court Office; and be it further

**RESOLVED**, that Ms. Muhn will be compensated at the rate of \$16.00 per hour; and be it further

**RESOLVED**, that this appointment will take effect immediately upon passage of this resolution.

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: YES
Councilor B. Fritz	VOTED: ABSENT

**Supervisor Conway** – We need help and Jeannine will work PT four days a week.

**Councilor Tierney** – Front page issue and this is our first monetary expense based on changes to law that were enacted without input from municipalities, governing boards, our police chief, and justices. Hope we develop some type of tracking for costs incurred. This is the beginning. Making a change to a massive system takes time, planning and review. This needs to be studied.

**25-2020 A Resolution Authorizing Emergency Replacement of the Generator at the Plaza View Pump Station**

**WHEREAS**, this resolution was not submitted in time to be considered on the regularly scheduled pre-board meeting of January 15, 2020 and was subsequently presented to the Board on January 21, 2020: and

**WHEREAS**, during a service call by Cummins Inc. to repair the generator providing backup power at the Plaza View Pump Station, Cummins determined that the generator was not economically repairable; and

**WHEREAS**, the generator provides power to the sewer pump for the Plaza View Development in the event of a power outage, without which a sewage backup would create a public health issue; and

**WHEREAS**, Commissioner of Public Works Dan Fiacco has requested quotes from three qualified companies to replace the affected generator as soon as possible; and

**WHEREAS**, the lowest responsible quote that met the specification was submitted by Capital Power in the amount of \$17,550; 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 Town Comptroller has confirmed that the financial impact of this resolution is \$17,550.00 from the Third Avenue Sewer Fund Balance for this expense;

Fund	Transfer in	Transfer out
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Third Avenue Sewer Fund balance SS917(10)		\$17,550.00
Third Avenue Sewer Department Budget Line 8120.4.10	\$17,550.00	

now, therefore, be it

**RESOLVED**, that the Town Board authorizes the Commissioner of Public Works to order the replacement of the standby generator at the Plaza View Pump Station to be purchased from Capital Power in an amount not to exceed \$17,550.00.

This 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: YES
Councilor B. Fritz	VOTED: ABSENT

**26-2020 A Resolution Accepting the Resignation of Devin C. Jukes**

**WHEREAS**, this resolution was not submitted in time to be considered on the regularly scheduled pre-board meeting of January 15, 2020 and was subsequently presented to the Board on January 21, 2020: and

**WHEREAS**, police officer Devin C. Jukes, has now accepted employment with the North Greenbush Police Department and submitted his resignation to the Town, and

**WHEREAS**, the Town Comptroller has certified that the provisions of this resolution will not have a material impact on the Town Finances;

now, therefore, be it

**RESOLVED**, that the resignation of Devin C. Jukes, effective January 9, 2020, is hereby accepted;

and be it further

**RESOLVED**, the Town Board extends its thanks to Devin C. Jukes for his service to the Town and wish him success in his future endeavors.

This 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: YES
Councilor B. Fritz	VOTED: ABSENT

**Supervisor Conway** – Devon Jukes has transferred to North Greenbush Police Department and we wish him every success and thanked him for his service.

Motion to adjourn into Executive Session to discuss the following:

- 1) Conduct job interview for position of planner
- 2) Brief board on HR issues involving job classifications and civil service titles
- 3) Discuss issue relevant to relations between Board of Ethics and Planning Board

Moved by Supervisor Conway, seconded by Councilor Tierney.

Motion to invite Director of Planning & Zoning, Adam Yagelski, into the Executive Session for first item.

Moved by Supervisor Conway, seconded by Councilor Tierney.

### **ADJOURNMENT**

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

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

Executive Session ended at 9:17 PM. Moved by Supervisor Conway, seconded by Councilor Kennedy. Adjourned at 9:18 PM. Moved by Supervisor Conway, seconded by Councilor Matters. Both votes 4-0.

Respectfully,

Ellen Pangburn  
Town Clerk