



The Town of East Greenbush

225 Columbia Turnpike, Rensselaer, New York 12144

TOWN BOARD AGENDA PRE-BOARD MEETING April 14, 2021

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

Members of Town Board

Present

Absent

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

The resolutions below are provided to the Town Board in advance of the Official Town Board Meeting to allow time for review and research. The purpose of the Pre-Board Meeting is for the Town Board to publicly discuss resolutions and ask any questions, so they may receive information needed to make an informed decision at the Town Board Meeting.

Presentation: Building Department Software – Dude Solutions

Schedule of Meeting:

82-2021 A Resolution to Approve Meeting Minutes

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

WHEREAS, that the minutes of the Town Board Special Meeting held on February 25, 2021 have been presented; and

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

now, therefore, be it

RESOLVED, that the minutes of the Town Board Special Meeting held on February 25, 2021 are hereby approved as submitted.

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

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

83-2021 A Resolution to Approve Meeting Minutes

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

WHEREAS, that the minutes of the regular Town Board Meeting held on March 17, 2021 have been presented; and

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

now, therefore, be it

RESOLVED, that the minutes of the regular Town Board Meeting held on March 17, 2021 are hereby approved as submitted.

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

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

84-2021 A Resolution Proclaiming the Week of May 10 – May 14, 2021 Police Week in East Greenbush

WHEREAS, in 1962, in recognition of the role that American police officers perform in maintaining domestic tranquility, President John F. Kennedy proclaimed the week of May 15th to be observed as National Police Week; and

WHEREAS, in immediate support of this proclamation, in a joint resolution of Congress, National Police Week was designated to pay special recognition to those law enforcement officers who have lost their lives in the line of duty for the safety and protection of others; and

WHEREAS, in 1974 New York State Police Trooper Emerson J. Dillon, Jr. was slain in the line of duty in the Village of Canestota which would prompt the State Legislature to designate Police Week in New York and would lead to the establishment the Police Memorial now located at the Empire State Plaza, engraved with the names of fallen officers; and

WHEREAS, this Town Board appreciates how employees and residents alike have recognized Police Week locally by contacting Town police officers and offering thanks and encouragement to them; and

WHEREAS, this Board joins with the townspeople of East Greenbush in support of the police officers who serve our communities and encourage them to work safely as they pursue their duties;

now, therefore, be it;

RESOLVED, that the week of May 10-14, 2021 be and hereby is proclaimed Police Week in East Greenbush.

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

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

85-2021 A Resolution Proclaiming April, 2021 Child Abuse Prevention Month in East Greenbush

WHEREAS, every child has the right to safe, secure, and supportive environments, free from abuse and neglect; and

WHEREAS, child abuse is considered to be one of our nation's most serious public health problems, with studies documenting the link between the abuse and neglect of children and a wide range of medical, emotional, psychological, and behavioral disorders; and

WHEREAS, child abuse prevention creates a more compassionate society, one which places a high value on the welfare of children; and

WHEREAS, creating communities where families can access an array of support and resources to address the social, emotional and physical health of their children is the best way to combat child abuse; and

WHEREAS, keeping children safe from abuse means playing an active role in their lives, having check-ins, and teaching them the warning signs of abuse and how to protect themselves; and

WHEREAS, effective child abuse prevention programs succeed because of partnerships between families, social services agencies, schools, faith communities, civic organizations, law enforcement agencies, and the business community; and

WHEREAS, displaying a pinwheel during the month of April will serve as a positive reminder that together, we can prevent child abuse and neglect, and by doing so, keep children safe;

now, therefore, be it;

RESOLVED, that April 2021 be and the same hereby is proclaimed Child Abuse Prevention Month in East Greenbush.

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

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

86-2021 A Resolution in Support of Raising Awareness of Sarcoidosis and Declaring April Sarcoidosis Awareness Month in the Town of East Greenbush

WHEREAS, Sarcoidosis is a disease which can affect multiple organs in the body; and
WHEREAS, Sarcoidosis is an autoimmune disease associated with an abnormal immune response, but the trigger for the abnormal response is unknown; and

WHEREAS, Sarcoidosis most commonly targets the lungs and lymph nodes, but the disease can affect other organs too, such as the skin, eyes, liver, salivary glands, sinuses, kidneys, heart, muscles, bones, the brain and nervous system; and

WHEREAS, the symptoms of Sarcoidosis depends on the organ affected, but generally speaking symptoms will include fever, weight loss, night sweats and an overall feeling of malaise as well as persistent cough, enlarged lymph nodes, shortness of breath, headaches, visual problems, joint pain, eye pain and sinusitis; and

WHEREAS, while there is no cure for Sarcoidosis, there are treatment options; and

WHEREAS, to further the public’s awareness of Sarcoidosis and its effects on those diagnosed with this autoimmune disease, the Town of East Greenbush wishes to encourage Sarcoidosis awareness among residents of the Town of East Greenbush;

now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush wishes to support the raising of awareness of the symptoms and treatment of Sarcoidosis so that more money can be raised to support research and treatment options;

and be it further

RESOLVED, that the Town Board declares April to be Sarcoidosis Awareness month in the Town of East Greenbush.

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

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

87-2021 A Resolution to Purchase a Supply of Duty Ammunition for the East Greenbush Police Department for the Year 2022

WHEREAS, the Town Board intends to provide members of the Town Police Department and EGPD SSRT members with sufficient duty ammunition for their respective bi-annual and bi-weekly training in order to maintain their certifications, and to carry on duty; and

WHEREAS, the current supply of ammunition nationwide is depleted and the firearms instructors have been advised by the distributors that there may not be sufficient ammunition necessary for the police department members to qualify for the 2022 upcoming spring and fall range, nor for the SSRT members to continue to train throughout 2022, and have a sufficient supply to carry on duty if the department supply isn’t secured in a timely fashion; and

WHEREAS, the police firearms instructors and the Chief of Police have recommended to replenish the 9mm and .223 caliber duty ammunition; and

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

RESOLVED, that the Chief of Police be and hereby is authorized to enter into an agreement with Jurek Brothers, Inc. under NYS Contract PC68735, and Eagle Point Gun/TJ Morris and Son under NYS Contract PC68734, for the purchase and replenishment of the police department's 2022 duty ammunition for a total expenditure of \$5,401.85;
and be it further

RESOLVED, that this resolution shall take effect immediately.

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

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

88-2021 A Resolution Authorizing the Supervisor to Sign the 2021 Handicap Parking Agreement with Rensselaer County

WHEREAS, the County of Rensselaer and the Town of East Greenbush share a mutual interest in enforcing existing Handicap Parking laws and in deterring the use and abuse of designated Handicap Parking locations; and

WHEREAS, this goal can be accomplished by increasing public awareness by maintaining a high visibility in the law enforcement area, and by increasing enforcement to deter the motoring public from disobeying the Handicap Parking laws; and

WHEREAS, the County will grant an amount not-to-exceed \$1,875.00 to fund Handicap Parking enforcement, which will be reimbursed in a lump sum at the termination of the patrols; and

WHEREAS, the Town of East Greenbush agrees that special Handicap Parking patrols will be implemented by the Town throughout the calendar year and such patrols will be assigned to road patrols for vehicle and traffic violations of handicap parking offenses only. Emergency situations may be answered to provide initial backup only; and

WHEREAS, the Town of East Greenbush acknowledges and agrees that the services to be provided pursuant to the terms of this agreement are provided as an independent contractor and not as an agent or as employees of Rensselaer County, and agrees to indemnify and hold harmless the County of Rensselaer from and against any and all claims or causes of action; and

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

RESOLVED, that the Town Board of the Town of East Greenbush authorizes the Town Supervisor to execute the 2021 Handicap Parking Agreement with Rensselaer County;
and be it further

RESOLVED, that the term of the contract shall apply retroactively from January 1, 2021 to December 31, 2021.

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

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

89-2021 A Resolution Authorizing the Supervisor to Sign the 2021 STOP-DWI Enforcement Agreement with Rensselaer County

WHEREAS, the County of Rensselaer and the Town of East Greenbush share a mutual interest in enforcing existing DWI laws and in decreasing the number of alcohol-related motor vehicle accidents through special counter-measure enforcement programs; and

WHEREAS, this goal can be accomplished by increasing public awareness of the dangers of impaired driving by maintaining high visibility in the law enforcement area, by increasing enforcement to deter the motoring public from driving while impaired, and by enforcing alcohol laws as they relate to minors; and

WHEREAS, the County will grant an amount not-to-exceed \$4,500.00 to fund STOP-DWI Enforcement Crackdown Patrols, which will be reimbursed in a lump sum at the termination of the patrols; and

WHEREAS, the Town of East Greenbush agrees that special DWI patrols and underage drinking enforcement will be implemented by the Town throughout the calendar year with such patrols staffed by officers who have completed basic training and have experience on road patrols, in particular apprehending and charging impaired drivers; and

WHEREAS, the Town of East Greenbush acknowledges and agrees that the services to be provided pursuant to the terms of this agreement are provided as an independent contractor and not as an agent or as employees of Rensselaer County, and agrees to indemnify and hold harmless the County of Rensselaer from and against any and all claims or causes of action; and

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

now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush authorizes the Town Supervisor to execute the 2021 STOP-DWI Enforcement Agreement with Rensselaer County; and be it further

RESOLVED, that the term of the contract shall apply retroactively from January 1, 2021 to December 31, 2021.

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

90-2021 A Resolution to Settle a Tax Certiorari Case with 4 Mannix Properties, LLC

WHEREAS, 4 Mannix Properties, LLC and the Town of East Greenbush are desirous of having certain assessment issues resolved as to property owned by 4 Mannix Properties, 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; 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 does hereby accept a proposed settlement for the 2020 tax certiorari proceeding filed by 4 Mannix Properties, LLC in which the 2020 assessed value of the subject property shall remain at \$875,000 and Real Property Tax Law §727 shall apply to the \$875,000 assessment for the 2021, 2022 and 2023 assessment roll;

and be it further

RESOLVED that 4 Mannix Properties, LLC shall not be entitled to a refund of excess taxes, as the assessment is not being reduced;

and be it further

RESOLVED, that the Town Board does hereby adopt this resolution to end the litigation between 4 Mannix Properties, LLC and the Town of East Greenbush as to the above referenced assessment.

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

91-2021 A Resolution Adopting Local Law Number 3 of 2021 to Provide for Certain Amendments Relating to the Senior Citizen Real Property Tax Exemption in the Town of East Greenbush

WHEREAS, Local Law No. 3 of 1982 held that the computation of income eligibility for the Town's senior citizen real property tax exemption would not include an offset for certain medical and prescription drugs costs; and

WHEREAS, Local Law No. 1 of 2004 set the maximum annual income eligibility for the senior exemption at \$32,400.00; and

WHEREAS, the Town Board of the Town of East Greenbush wishes to modify certain provisions of its law relating to the granting of senior citizen exemptions for real property taxes imposed by the Town; and

WHEREAS, the Town Board also wishes to allow applicants for such exemption to deduct from their income, for the purposes of such application, all medical and prescription drugs expenses actually paid, which were not reimbursed or paid for by insurance; and

WHEREAS, the Town wishes to amend Local Law No.3 of 1982 by providing an offset to income of medical and prescription drug costs that were actually paid and not reimbursed or paid for by insurance; and

WHEREAS, the Town Board wishes to modify Local Law No. 1 of 2004 by making the senior citizen partial exemption available to seniors earning up to \$37,400.00, to conform to the current maximum under State law; and

WHEREAS, a public hearing was held on April 14, 2021 and everyone who wished to be heard was heard; and

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

now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush hereby adopts Local Law No. 3 of the year 2021 to provide for certain amendments relating to the Senior Citizen Property Tax Exemption as described herein.

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

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

92-2021 A Resolution Authorizing Purchase of a Pickup Truck for the Water Department from NYS OGS Mini Bid

WHEREAS, Resolution 248-2020 authorized the Commissioner of Public Works to solicit bids for purchase of a pickup truck for the Water Division of the Department of Public Works; and

WHEREAS, the Town of East Greenbush requested publication of a Mini-Bid through the New York State Office of General Services for one ½ Ton Pickup Truck; and

WHEREAS, the lowest responsible bid that met the bid specification was submitted by Beyer Ford for a 2021 Ford F150 Four Wheel Drive Truck in the amount of \$30,361.07; 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 \$30,361.07 from the Consolidated General Water Fund Balance for this expense allocated as follows;

Fund	Transfer in	Transfer out
SW-915 Consolidated General Water Fund Balance		\$30,361.07

8340.4 – Transmission/ Distribution CE	\$30,361.07	
---	-------------	--

now, therefore, be it

RESOLVED, that the Town Board authorizes the Commissioner of Public Works to purchase a 2021 Ford F150 Four Wheel Drive Pickup Truck from Beyer Ford per the results of Mini Bid # 23166 in an amount not to exceed \$30,361.07.

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

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

93-2021 A Resolution to Appoint Justin F. DiMartino 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 Commissioner solicited applications for the position; and

WHEREAS, applications were received and reviewed, and interviews of four candidates were conducted by the Town Supervisor, Commissioner of Public Works, Deputy Commissioner of Public Works and the Secretary to the Commissioner of Public Works; and

WHEREAS, Justin F. DiMartino was unanimously selected as the most qualified candidate for the position due to his customer service experience and ability to work independently; and

WHEREAS, the Town Comptroller has confirmed that this appointment can be funded with the 2021 budget code 81601.01.01;

now, therefore, be it

RESOLVED, that the Town Board confirms the appointment of Justin F. DiMartino to the position of Laborer in the Department of Public Works, Transfer Station, at the rate of \$21.5511 per hour as specified by the CSEA Collective Bargaining Agreement. This appointment will be effective as of April 13th, 2021.

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

94-2021 A Resolution to Accept the Resignation of Thomas A. White, Jr from the Position of Code Enforcement Officer (Provisional)

WHEREAS, Thomas A. White, Jr was hired as an Administrative Assistant in the Building Department with Resolution 14-2020 on January 23, 2020; and

WHEREAS, Thomas A. White, Jr was appointed to the position of Code Enforcement Official on a provisional basis on March 17, 2021 with Resolution 75-2021; and

WHEREAS, Thomas A. White, Jr submitted his letter of resignation on April 2, 2021 with his resignation taking effect as of April 16, 2021: and

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

now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush accepts the resignation of Thomas A. White, Jr from the provisional position of Code Enforcement Official, effective April 16, 2021;

and be it further

RESOLVED, that the Town Board thanks Mr. White for his service and wishes him well in his future endeavors.

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

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

95-2021 A Resolution to Authorize the Paving and Surface Treatment of Town Highways

WHEREAS, in accordance with Town policy and General Municipal Law, all public works expenses in excess of \$20,000 require Town Board approval; and

WHEREAS, the Rensselaer County bid for Conventional Asphalt Paving was awarded on March 9, 2021 until December 31st, 2021, and the results of the bid were made available to all municipalities and school districts in the State of New York; and

WHEREAS, the New York State Office of General Services Bid for Comprehensive Liquid Bituminous Materials Award 23188, was awarded on April 1, 2020 until March 30th, 2022 and the results of the bid were made available to all municipalities and school districts in the State of New York; and

WHEREAS, the Commissioner of Public Works has reviewed the needs of the Town and determined that as many of the following pavement preservation projects as possible will be completed this season subject to available funding; and

ROAD NAME	PROCESS	ESTIMATED COST	ROAD NAME	PROCESS	ESTIMATED COST
Alice Lane	Overlay	\$16,000	Honey B Court	Overlay	\$5,500
Avian Drive	Overlay	\$14,600	Justine Court	Overlay	\$15,600

Barber Drive	Overlay	\$18,100	Lakeview Avenue (Water Project)	Overlay	\$15,000
Bridle Place (Water Project)	Overlay	\$7,000	Plaza Avenue	Overlay	\$31,000
Capital Place	Overlay	\$58,000	Robin Lane	Overlay	\$60,300
Carriage Road	Overlay	\$9,300	Rockefeller Boulevard	Overlay	\$33,500
Celeste Drive	Overlay	\$43,100	Rose Lane	Overlay	\$56,000
Connecticut Avenue	Overlay	\$14,300	Sandra Lane	Overlay	\$7,700
Country Lane	T&L, Chipseal	\$29,400	Sienna Lane	Overlay	\$8,100
Daniel Street	Overlay	\$11,000	Spring Avenue E (Water Project)	Overlay	\$40,000
Donna Lynn Drive (Water Project)	Overlay	\$36,600	Stirrup Drive (Water Project)	Overlay	\$11,000
Dover Drive (Water Project)	Overlay	\$5,400	Thrush Terrace	Overlay	\$41,000
Faith Lane	Overlay	\$7,000	Tyler Road	Overlay	\$5,500
Flora Circle	Overlay	\$10,300	Werking Road	Single Chip Seal	\$20,000
Foxwood Circle	Overlay	\$7,300	Yorkshire Drive (Water Project)	Overlay	\$9,000
Heather Lane	Overlay	\$11,700			

WHEREAS, the Commissioner of Public Works states that the estimates for the work will not exceed \$658,300. This amount is the 2021-2022 Consolidated Local Street and Highway Improvement Program (CHIPS) funding, Extreme Winter Recovery (EWR) and PAVE-NY supplemental funding (\$166,000), Water Department (\$124,000) and the paving budget for 2021 (\$368,300); and

WHEREAS, the Town Comptroller believes at this time that this resolution will have a 2021 budgeted or designated fund impact on the Town’s finances as follows:

- Account Code 51124.01.04 CHIPS/PAVE-NY for \$166,000.
 - Account Code 51104.02.04 General Repairs Paving for \$312,500.
 - Account Code 83204.03.04.60 General Consolidated Water for \$124,000.
 - Account Code 14904 Public Works Administration CE for \$55,800;
- now, therefore, be it

RESOLVED, that the Commissioner of Public Works is hereby authorized to approve paving and surface treatment expenses not to exceed \$658,300 for resurfacing of the aforementioned Town roads;

and be it further

RESOLVED, that the Town Board authorizes a Budget Transfer from General Repairs Fund Balance (Code A-915) to Code 14904.01.04 Public Works Administration in the amount of \$55,800.

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

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

96-2021 A Resolution Approving the Aviation Insurance – Drone Insurance General Liability Policy through Dignum & Bame Insurance Agency

WHEREAS, the East Greenbush Police Department has implemented an Unmanned Aerial System (UAS) or Drone program to enhance the Department’s mission of protecting lives and property when other means and resources are not available or are less effective in accomplishing that goal; and

WHEREAS, the East Greenbush Police Department has purchased a DJI Mavi 2 (DUAL) Enterprise Done, with Smart Controller and Fly More Accessory Package and currently has five (5) licensed pilots; and

WHEREAS, the Town has secured two quotes for the General Liability of the Drone which includes Bodily Injury, Property Damage and Personal Injury with a \$1,000,000.00 limit

NYMIR Drone Coverage	\$500 for first 3 Pilots, \$250 each additional Pilot	\$1,000/year for 5 pilots
Dignum & Bame Coverage	No variation on number of Pilots. *Pilots must be Licensed	\$508/year

; and

WHEREAS, the Director of Finance, through conversations with Rose & Kiernan and Officer Griffin Hotaling, recommends adding the General Liability for Aviation –Drone

Insurance through Dignum & Bame Insurance Agency for \$508.00, effective April 22, 2021 – April 21, 2022; and

WHEREAS, the Town Comptroller confirms that this resolution will not have a material impact on 19104.01 unallocated insurance;

now, therefore, be it

RESOLVED; that the Town Board of the Town of East Greenbush does hereby approve the addition of Aviation Insurance – Drone Insurance General Liability Policy through Dignum & Bame Insurance Agency for the policy year of 2021 for a cost not to exceed \$508.00.

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

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

97-2021 A Resolution Adding the Drone to our Inland Marine (Equipment) Coverage through NYMIR for the 2021 Policy Year

WHEREAS, the East Greenbush Police Department has implemented an Unmanned Aerial System (UAS) or Drone program to enhance the Department’s mission of protecting lives and property when other means and resources are not available or are less effective in accomplishing that goal; and

WHEREAS, the East Greenbush Police Department has purchased a DJI Mavi 2 (DUAL) Enterprise Done, with Smart Controller and Fly More Accessory Package and currently has five (5) licensed pilots; and

WHEREAS, the Town has secured two quotes for the Physical Damage to the Drone

NYMIR Drone Coverage – Physical Damage	\$5,000 Value \$250 Deductible	\$110.00/Year \$99.00 Pro-rated amount
Dignum & Bame Coverage – Physical Damage	Drone Value \$3,256 – 5% deductible DJI Controller Value \$1,219 – 10% deductible	\$305.00 \$30.00 Total \$335.00

; and

WHEREAS, the Director of Finance, through conversations with Rose & Kiernan and Officer Griffin Hotaling, recommends adding the Drone to the current NYMIR Inland Marine (Equipment) Policy for the policy year of 2021 at the pro-rated amount of \$99.00 for the remainder of the March 1, 2021- March 1, 2022 policy year; and

WHEREAS, the Town Comptroller confirms that this resolution will not have a material impact on 19104.01 unallocated insurance;

now, therefore, be it

RESOLVED; that the Town Board of the Town of East Greenbush does hereby approve adding the Drone to the current NYMIR Inland Marine (Equipment) Policy for the policy year of

2021 at the pro-rated amount of \$99.00 for the remainder of the March 1, 2021- March 1, 2022 policy year.

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

98-2021 A Resolution Authorizing Urgent Repairs to the Cross Street Pump Station

WHEREAS, in accordance with Town policy and General Municipal Law, all public works expenses in excess of \$10,000 require Town Board approval; and

WHEREAS, on or about April 1st, the Commissioner of Public Works was notified of a problem with Pump 3, the main water pump providing water to the Town of East Greenbush and the City of Rensselaer, as well as a failure of the control system which allows the City of Troy Public Utilities to operate the pump as needed to maintain proper water levels at the storage tanks; and

WHEREAS, the Town Supervisor and Deputy Commissioner of Public Works held a meeting with the Mayor of the City of Rensselaer and the City Commissioner of Public Works and determined that this situation required immediate action to prevent failure of the main water pump; and

WHEREAS, based on his experience and intimate knowledge of our water system, Ed Hernandez P.E. of Adirondack Mountain Engineering met with the Town Supervisor and Commissioner of Public Works and Finance Office to establish an action plan to analyze and address the problems with the pump and the controls both imminently, and long term; and

WHEREAS, Ed Hernandez contacted Troy Industrial Solutions to have a technician evaluate Pump #3 and provide a quote to rebuild the motor, and contacted General Controls to obtain a design and quote on a new control system to replace the inoperable and obsolete pump control; and

WHEREAS, Troy Industrial Solutions and General Controls have provided the following quotes:

Troy Industrial Solutions	Remove & Reinstall of pump Overhaul of the 900 HP GE Motor	\$7,602.00
General Control Systems Integration Services	Includes work at both Cross Street Pump Station and Troy Water Plant to replace inoperable and obsolete Duration Pulse Transmitter and Install new cellular modems.	\$11,305.00
Total Work		\$18,907.00

; and

WHEREAS, the Town Comptroller has confirmed that the financial impact of this resolution is \$18,907.00 from the Water Fund charge code 8320.4.05, offset by a 50% back charge to the City of Rensselaer for its portion of the capital work; now, therefore, be it

RESOLVED, that the Town Board authorizes the Commissioner of Public Works to contract with Troy Industrial Solutions and General Controls to make urgently needed necessary repairs as expeditiously as possible in the amount of \$18,907, with 50% of the cost of the repairs being back charged to the City of Rensselaer.

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

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

99-2021 A Resolution to Appoint Temporary Seasonal Laborers in the Department of Public Works

WHEREAS, the Department of Public Works has a need for Temporary Seasonal Laborers in the Parks Department during the summer months to assist in addressing the backlog of preventative maintenance and mowing; and

WHEREAS, the Public Works Commissioner has selected two individuals based on their prior experience with seasonal positions and demonstrated potential; and

WHEREAS, Willard Clum has had prior experience working with the Town of East Greenbush and has demonstrated the ability to work independently and efficiently; and

WHEREAS, Jack Romer shows promise to be an asset as a Seasonal Laborer in the Parks Department; and

WHEREAS, the Town Comptroller has confirmed that these appointment can be funded with the 2021 Parks Budget Line 71104.01;

now, therefore, be it

RESOLVED, that the Town Board confirms the appointment of Willard Clum effective June 25, 2021 and Jack Romer effective May 10th, 2021 in the Department of Public Works at the rate of \$12.00 per hour with no benefits. All appointments will be ended not later than October 15th, 2021 as per the CSEA Collective Bargaining Agreement.

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

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

100-2021 A Resolution Authorizing Procurement of a Proteus Light Camera Crawler System for the Sewer Department and Authorizing Use of GEIS Funds

WHEREAS, Resolution 181-2020 authorized the Finance Officer to solicit bids for a new Sewer Camera System; and

WHEREAS, Resolution 50-2021 authorized the Town of East Greenbush to Participate in the Houston-Galveston Area Council (H-GAC) Cooperative Purchasing Program; and

WHEREAS, the Commissioner of Public Works has developed specifications for a camera system that has the capabilities that we require including common output file formats and GPS tracking ability; and

WHEREAS, it was determined that the Proteus Light Camera Crawler System meets the specifications that were developed and is available on the Houston-Galveston Area Council Contract Number SC01-21, a copy of which is enclosed; 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 confirms that the financial impact of this resolution is \$49,976.67 from the Water and Sewer GEIS Fees Account 80304.01.04.24 for this expense; now, therefore, be it

RESOLVED, that the Town Board authorizes the Commissioner of Public Works to contract with Cyncon to procure a Proteus Light Camera Crawler System in an amount not to exceed \$49,967.67.

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

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

101-2021 A Resolution Authorizing Replacement of Dump Body on Truck #13

WHEREAS, Truck #13 is a 1997 Mack single axle dump truck in good mechanical condition that is used by the Highway Department as a spare truck in the winter months to haul materials and in the Spring and Fall for brush and leaf pickup; and

WHEREAS, the Air Flo brand dump box on the truck is rusted beyond the point of being economically repairable; and

WHEREAS, quotes for replacement of the dump body were requested from T&T Sales Inc. and Zwack Incorporated; and

WHEREAS, Zwack Incorporated informed us that they could not provide a replacement dump body utilizing the old hoist and hydraulic units, therefore requiring replacement of the entire system at an increased cost; and

WHEREAS, T&T Sales Inc. is the sole source supplier for Air Flo Products in this geographic region; and

WHEREAS, the Town of East Greenbush Purchasing Policy requires that purchases of \$10,000 or more require approval by the Town Board; and

WHEREAS, the Town Comptroller has confirmed that the financial impact of this resolution is \$16,200.00 from the Highway Machinery Line for this expense 51304.02.04; now, therefore, be it

RESOLVED, that the Town Board authorizes the Commissioner of Public Works to purchase an Air Flo 10' dump body as detailed on Quote Q-2692 from T&T Sales Inc. in an amount not to exceed \$16,200.00.

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

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

102-2021 A Resolution to Authorize a Public Auction of a Surplus Vehicle

WHEREAS, the Town Board of the Town of East Greenbush has received a request from the Commissioner of Public Works to declare the following Department of Public Works Vehicle as surplus; and

WHEREAS, said vehicle and equipment consists of the following:
2003 Ford Pickup Truck, VIN Number: 2FTRF17W23CA31821

WHEREAS, the above listed vehicle is not economically repairable and cannot be used in another department; and

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

now, therefore, be it

RESOLVED that above listed vehicle is hereby declared as surplus; and be it further

RESOLVED that the Commissioner of Public Works be authorized to conduct a public auction, sale or lawfully dispose of said surplus vehicle now owned by and in the custody of the East Greenbush Department of Public Works.

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

103-2021 A Resolution Authorizing the Solicitation of Bids for a Stainless Steel Dump Body for Truck #11

WHEREAS, Truck #11 is a 2011 front line plow truck in the Highway Department which is in good mechanical condition, but the integrated sander body made of painted steel is in very poor condition and is not repairable due to the severity of the rust; and

WHEREAS, the Department of Public Works has been replacing painted steel dump bodies with stainless steel bodies due to the durability and lower life-cycle costs; and

WHEREAS, the Town Comptroller confirms this resolution has no material impact at this time because it is merely requesting the authority to solicit bids;

now, therefore, be it

RESOLVED, that the Town Board authorizes the Finance Department to solicit bids for procurement of a stainless steel combination dump box and salt spreader for Truck #11.

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

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

104-2021 A Resolution Authorizing the Solicitation of Bids for a Pickup Truck for the Sewer Department

WHEREAS, the Town of East Greenbush Sewer Department has a need for a new Pickup Truck to replace the current 2003 Pickup Truck which has recently become unserviceable and is used on a daily basis for maintaining the Waste Water Treatment Plant and the fourteen pump stations belonging to the Town; and

WHEREAS, the Commissioner of Public Works has developed specifications for a pickup truck that will perform the aforementioned functions; and

WHEREAS, the Town Comptroller confirms this resolution has no material impact at this time because it is requesting the authority to solicit bids; now, therefore, be it

RESOLVED, that the Town Board authorizes the Finance Officer to Solicit Bids for procurement of a new Pickup Truck for the Sewer Department.

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

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

105-2021 A Resolution Approving the Amendment to the Town of East Greenbush Cafeteria Plan Allowing Certain Temporary Relief for Benefit Plans under the Continuing Appropriations Act of 2021

WHEREAS, the Town of East Greenbush currently offers employees the option to participate in the Flexible Spending Account or the Dependent Care Account; and

WHEREAS, Health Flexible Spending Arrangements (FSAs) and Dependent Care Assistance Programs (DCAPs) may be amended to add the temporary special rules provided in the Coronavirus Response and Relief Supplemental Appropriations Act of 2021 (CRRSAA); and

WHEREAS, the CRRSAA will allow the following changes to be made to the Town’s plans for the 2021 plan year (January – December):

- **FSA Plan Amendments**
 - Rollover of unused FSA Funds to the next plan year: Amend plan year ending 2020 and 2021 to allow Unlimited rollover of full unused funds. Previously there was a \$500 cap of rollover for previous year.
 - Expanded Permissible Election Changes: For the Plan Year ending in 2021, the Health FSA shall allow mid-year changes limited to the participant’s year-to-date reimbursement dollar amount. Employees can add or decrease their annual

amount, but not to an amount less than what was already paid out or deducted from payroll.

- Post-termination Reimbursement: For the Plan Year(s) starting in 2020 and 2021, notwithstanding any other provision of the Plan to the contrary, shall post-termination FSA reimbursements up to the former participant's year-to-date contributions less year to date reimbursements.
- **Dependent Care Assistance Program (DCAP)**
 - Access to Prior Year Balances: For the Play Year(s) starting in 2020 and 2021, notwithstanding any other provision of the Plan to the contrary, the DCAP shall permit an extended Carryover of full unused balance.
 - Extended Dependent Eligibility: For certain DCAP participants as defined below, a qualifying individual shall mean; a dependent of the taxpayer as defined in Code § 152 (a) (1) (i.e., a qualifying child) who has not attained age 14. This change to the definition of qualifying individual applies solely to a Dependent Care FSA participant who has one or more dependents who attain age 13 during the last plan year whose enrollment period ended on or before January 31, 2020 (the "2020 plan year").

; and

WHEREAS, the amendments allow employees who take advantage of the Flexible Spending and/or Dependent Care Accounts to use the money they had elected to deduct, but due to the pandemic were unable to use the funds before the use period window expired and funds were then lost; and

WHEREAS, the Town Comptroller confirms this resolution has no material financial impact because the Flexible Spending Account and Dependent Care Account funds are deducted from employees' paychecks on a bi-weekly basis and held in the Town's Flexible Spending Bank Account until employees seek reimbursement from Prime Pay or for paying for health related expenses using their Prime Pay MasterCard, therefore this should not have a material impact as the funds are already within the account.

now, therefore, be it

RESOLVED, that the Town of East Greenbush does hereby approve the amendments to the Town of East Greenbush Cafeteria Plan allowing certain temporary relief for benefit plans under the Continuing Appropriations Act of 2021.

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

106-2021 A Resolution Authorizing the Town to Contract with Dude Solutions, Inc. for Building Department Software

WHEREAS, the Town Board authorized the Finance Office to solicit proposals from companies for software for the Building Department in Resolution 35-2021; and

WHEREAS, in February 2021 the Town issued a Request for Proposals (RFP) from qualified firms for a solution related to community development that included functionality for electronic permitting, code enforcement, licensing, and recurring inspection services; and

WHEREAS, the Town received nine (9) responses to the RFP that was issued. After careful evaluation, our review panel determined that the top scoring firm is Dude Solutions, Inc.; and

WHEREAS, Dude Solutions Inc.'s software program SmartGov is recommended for the future and growth of the Building Department as the system will automate permitting, licensing and code enforcement processes to reduce processing time, cost, and error. The system will be configured to our rules, regulations, and processes to streamline plan review, reduce liability, and increase transparency with applicants and the community. We believe that SmartGov will provide the Town of East Greenbush with industry leading tools needed to keep up with our thriving community; and

WHEREAS, the Town Comptroller confirms that this will have a material impact on the Town's Finances. The cost of implementation and the annual fee are as follows

Annual Subscription Cost (each year after 2021):	\$18,580.80/year
Pro-rated amount for 2021:	\$12,387.20
Implementation & Services Cost (One-time):	\$26,738.94
Total expense for 2021:	\$39,126.14

The 2021 Town Budget included \$50,000.00 for software implementation for budget code 36204.01; and

WHEREAS, upon approval of this resolution, the project can begin on May 1st and should have the Town ready for launch by the end of 2021;

now, therefore, be it

RESOLVED, that the Town Board does hereby authorize the Town Supervisor to contract with Dude Solutions, Inc. for Building Department Software.

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

107-2021 A Resolution Enabling Recreation Supervisor Michael Martin to Attend the 2021 New York State Parks and Recreation Annual Conference

WHEREAS, the 2021 New York State Parks and Recreation Conference will be held virtually from April 20-22; and

WHEREAS, the conference features representatives from Parks and Recreation departments throughout New York State, and serves as a great opportunity to learn and share ideas with other departments; and

WHEREAS, the Town Comptroller confirms this expense was budgeted under the 71404.01 Community and Recreation code;

now, therefore, be it

RESOLVED, that the following person be authorized by the Town of East Greenbush to attend the annual New York State Parks and Recreation Annual Conference from April 20-22:

Michael Martin

RESOLVED, the town will pay the admission fee of \$40.00 for the employee to attend the Virtual New York State Parks and Recreation Conference

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

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

108-2021 A Resolution to Make Staff Appointments for Summer Camp

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

WHEREAS, the Town Board recognizes the importance of these key positions, Camp Director(s) and Assistant Director(s); and

WHEREAS, the town camp is divided into a junior camp for children grades 1-5, and senior camp for children grades 6-8, with a need and requirement for a camp director and assistant for each camp; and

WHEREAS, applicants applied through the Community and Recreation Department and all participated in interviews with the Recreation Supervisor; and

WHEREAS, all candidates were once campers at the Town of East Greenbush Summer Camp, further showing the Town's commitment to providing a safe and enjoyable environment for the youth of our town during the summer months; and

WHEREAS, the Town Comptroller confirms this resolution impact is budgeted in 2021 with account 73101.01.01;

now, therefore, be it

RESOLVED, that the following candidates are appointed to serve as Summer Camp Staff for the 2021 season;

Caitlin Lallier	Junior Camp Director
Michael Iula	Senior Camp Director
Camryn McHale	Junior Camp Assistant Director
Nicholas Iula	Senior Camp Assistant Director

and be it further.

RESOLVED, that Camp Directors Caitlin Lallier and Michael Iula will be compensated at \$16.00/hour and Assistant Director Nicholas Iula and Camryn McHale will be compensated at \$14.00/hour, and that these appointments are in effect from April 22, 2021 until August 21, 2021.

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

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

109-2021 A Resolution to appoint PT-Clerk to the Community and Recreation Department

WHEREAS, the Community and Recreation Department has a need for a part-time clerk due to the high volume of inquiries regarding summer camp, seasonal events, and increased park rentals; and

WHEREAS, five applicants applied for this position and three were interviewed by the Recreation Supervisor, Town Supervisor, and the Town Board Liaison to the department; and

WHEREAS, Donna Millet has been selected to fill this position due in part to her extensive experience as an Administrative Assistant; and

WHEREAS, the Town Comptroller confirms this resolution is budgeted in 2021 with account 71401.01.01

RESOLVED, that the Town Board confirms the appointment of Donna Millet, at the rate of \$17.00 per hour on a part-time basis, this appointment is effective beginning April 26th, 2021.

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

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

110-2021 Schedule a Public Hearing for the Adoption of the Town’s 2021 Annual Report for Phase II SPDES General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4), GP-0-15-003

WHEREAS, the Town of East Greenbush is subject to Municipal Separate Storm Sewer System (MS4) Phase II requirements of SPDES General Permit GP-0-15-003 Stormwater

management requirements of the National Pollutant Discharge Elimination System (NPDES), for the development and adoption of an Annual Report; and

WHEREAS, a Public Hearing is required for further review and consideration of this annual report and in accordance with the MS4 General Permit requirements; and

WHEREAS, a copy of the Annual Report will be on file for review at the Town Clerk's Office and on the East Greenbush Stormwater web site; and

WHEREAS, the Town Comptroller confirms that this resolution will have no material impact on the Town's finances;

now therefore be it

RESOLVED, that the Town Board of the Town of East Greenbush, County of Rensselaer, State of New York, hold a Public Hearing at the Town Hall, 225 Columbia Turnpike, East Greenbush, New York on the 12th day of May at 5:45 PM to consider adoption of the Town's 2021 Annual Report for Phase II SPDES General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4), GP-0-15-003.

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

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

111-2021 A Resolution to Set a Public Hearing on the "Town Center" Planned Development District (PDD) Major Site Plan (PZD #17-19a)

WHEREAS, on January 2, 2020 (Resolution 2-2020), the Town Board adopted Local Law No. 1 of 2020 establishing the Town Center PDD; and

WHEREAS, 580 Columbia Turnpike LLC., has submitted a major site plan review application for the development of approximately 22,300 sq. ft. of commercial space, a maximum of 78 multi-family residential units, and related site improvements located on Columbia Turnpike identified on the Town's Tax Roll as Tax Parcel No's. 166.-7-5, 166.-7-3.5, and 166.-7-6.51 (the "Project"); and

WHEREAS, the Town Board desires to hold a public hearing as part of the site plan review process in order to receive public input on the Project; and

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

now, therefore, be it

RESOLVED, that the Town Board directs that a public hearing be noticed by the Town Clerk on the proposed Town Center PDD major site plan with the public hearing to be held at Town Hall at 225 Columbia Turnpike on May 12, 2021 at 6:00 p.m. or by remote means.

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

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

112-2021 A Resolution Appointing [] to the Position of Planner in the Department of Planning and Zoning

WHEREAS, the Town of East Greenbush faces a complex array of planning and zoning issues; and

WHEREAS, the Director of Planning and Zoning has indicated an ongoing need for the assistance of a staff Planner within the Department of Planning and Zoning in order to address the recent and sustained increases in the number of land development applications, to provide MS4 program administration support, and to provide assistance on planning- and zoning-related tasks; and

WHEREAS, the essential duties and responsibilities of Planner include the following:

- Act as staff support to boards and committees, as assigned, attending meetings, conducting research, providing information and assistance on a range of technical planning, environmental conservation, and community development issues;
- Draft staff reports, board resolutions, and other materials supporting the Planning Board;
- Assist with interpreting the Comprehensive Zoning Law, Subdivision Regulations, the Comprehensive Plan;
- Provide support to the Town’s Municipal Separate Storm Sewer (MS4) program;
- Respond to inquiries from the public, development community, and other outside organizations;
- Provide professional planning assistance, research, and recommendations for implementation and/or management of special projects on assignments relating to the comprehensive plan, MS4 program, complete streets, conservation advisory council, infrastructure program, and other Town initiatives;
- Help maintain the Department website and assist in developing the Town’s GIS platform;
- Perform related work as required, or as the situation dictates; and

WHEREAS, the Town posted an advertisement seeking qualified applicants for the position of Planner on trade websites, online employment-related platforms, and the Town’s website; and

WHEREAS, the Town’s Search Committee received forty-six (46) applications, conducted six (6) first-round interviews, and interviewed three (3) finalists; and

WHEREAS, [] met all of the qualifications and participated in two interviews with the Search Committee; and

WHEREAS, the Search Committee recommends that [] be appointed to the position of Planner in the Planning and Zoning Department; and

WHEREAS, the Town Comptroller confirms that this position was included in the 2021 budget funding of account 80201.01.01 Planning PS;

now, therefore, be it

RESOLVED, that [] is hereby appointed to the position of Planner in the Department of Planning and Zoning of the Town of East Greenbush at an annual salary of \$45,000.00; and
and be it further

RESOLVED, that this appointment shall take effect immediately.

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
Councilor T. Tierney
Councilor H. Kennedy
Councilor R. Matters
Councilor G. Fritz

VOTED:
VOTED:
VOTED:
VOTED:
VOTED:

**113-2021 A Resolution Authorizing the Town Supervisor to Sign Contract
Amendment No. 3 with H2M Architects and Engineers to Provide Additional
Subsurface Investigation Services in Connection with the Third Avenue &
Barracks Road Pump Station Upgrades**

WHEREAS, in connection with growth and development along the Tempel Lane corridor, including the construction of Regeneron’s Tempel Lane Campus, the Town has identified the public need for the construction of certain improvements to the sanitary sewer collection and conveyance system; and

WHEREAS, Resolution 75-2020 was adopted on March 20, 2020 authorizing the Town Supervisor to sign an agreement with H2M Architects and Engineers (“H2M”) to provide detailed design consulting services to design the necessary improvements to the subject pump stations to accommodate the projected increased flow resulting from the Regeneron’s Tempel Lane Campus; and

WHEREAS, on January 20, 2021 the Town Board authorized (16-2021) the Supervisor to sign contract Amendment No. 1 with H2M Architects and Engineers to provide additional professional services and on January 27, 2021 authorized (34-2021) the Supervisor to sign contract Amendment No. 2 with H2M Architects and Engineers to provide geotechnical services according to optional Task 5 included in H2M’s proposal and existing agreement with the Town; and

WHEREAS, based on the findings of the subsurface investigations completed at the sites to date, additional subsurface investigation to support the project design is required and is summarized in a letter dated April 1, 2021 letter proposed provided by H2M’s subconsultant, MFS Engineers & Surveyors, which is attached hereto; and

WHEREAS, in accordance with a recommendation from the Town’s GEIS Policy Committee, the Town Board previously authorized the use of a portion of the SEQRA mitigation fees paid to the Town by Regeneron for these mitigation projects (Resolution 132-2019), including replacement of the pump stations, as set forth in the Regeneron Development Agreement; and

WHEREAS, the cost of the additional subsurface investigation services to be included with Amendment No. 3 is estimated to be \$28,610.00, which will be processed as a third amendment to the existing agreement between the Town and H2M (“Amendment No. 3”); and

WHEREAS, the total amount of the contract with H2M Architects and Engineers, as amended, will exceed \$800,000, the amount of SEQRA mitigation fees budgeted for this phase of the project as set forth in Town Board resolution 132-2019 and the Regeneron Development Agreement, and

WHEREAS, in accordance with Town Board resolution 132-2019 and the Regeneron Development Agreement, Regeneron will fund the balance of project costs that exceed the \$800,000 committed by the Town, and Regeneron has established and funded an escrow account with the Town in accordance with the Regeneron Development Agreement, which account presently carries a balance sufficient to fund the contract with H2M as amended; and

WHEREAS, the Town Comptroller has confirmed that the financial impact of this resolution cannot be determined until Regeneron places the funding in escrow;
now, therefore be it

RESOLVED, that the Town Board of the Town of East Greenbush hereby authorizes the Supervisor to enter into contract Amendment No. 3 with H2M Architects and Engineers to provide the additional subsurface investigation services to advance the pump station replacement, following approval of said contract amendment as to form by the Town Attorney;
and be it further

RESOLVED, that the Town Board of the Town of East Greenbush affirms that contract Amendment No. 3 is an eligible use of funds in accordance with the Regeneron Development Agreement and stipulates that contract Amendment No. 3 costs be funded from the escrow account established pursuant to the Regeneron Development Agreement.

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

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

114-2021 A Town Board Request to act as Lead Agency for the Third Avenue and Barracks Road Pump Station Upgrade Project

WHEREAS, on June 19, 2019 the Town Board of the Town of East Greenbush passed Resolution 132-2019 authorizing the Supervisor to enter into an agreement with Regeneron Pharmaceuticals, Inc. (the “Regeneron Development Agreement”) which specifies the undertaking of a number of important mitigation measures related to traffic and to sewer facilities in the Town;

WHEREAS, these improvements include upgrades to the Third Avenue Pump Station and Barracks Road Pump Station, which the Town Board identified as necessary mitigation measures in its Amended Statement of Findings issued in accordance with the State Environmental Quality Review Act (SEQRA) for the Regeneron Tempel Lane Campus development project; and

WHEREAS, the Town previously developed a Feasibility Study to further specify necessary improvements in accordance with its SEQR findings and the Regeneron Development Agreement; and

WHEREAS, the Town’s consultant responsible for final design of the necessary improvements, H2M Architects and Engineers (“H2M”) has produced a Feasibility Study and Preliminary Design Evaluation memo, further specifying the required upgrades to the Third Avenue Pump Station, Barracks Road Pump Station, and approximately 1,000 lineal feet of sanitary forcemain along Third Avenue (the “Project”); and

WHEREAS, a proposed site plan and a short environmental assessment form for the Project have been developed and are attached herewith; and

WHEREAS, the Town Board wishes to assume lead agency status in connection with coordinated SEQRA review of this unlisted action;

WHEREAS, the Director of Planning and Zoning has initiated coordinated review and distributed a lead agency coordination letter to all the involved agencies requesting their consent to designation of the Town Board as lead agency for SEQRA review of the Project; and

WHEREAS, the Town Comptroller confirms that this resolution will have no material impact on the Town's finances;

now, therefore, be it

RESOLVED, that the Project will require review under the State Environmental Quality Review Act ("SEQRA");

and be it further

RESOLVED, the Town Board wishes to assume lead agency status in connection with coordinated SEQRA review of the Project.

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

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

115-2021 A Resolution to Schedule a Public Hearing to Receive Public Input on the Draft Gilligan Road Complete Streets Enhancements Feasibility Study

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

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

WHEREAS, the Town Board desires to hold a public hearing to receive public input on the draft Study, which is attached hereto; and

WHEREAS, the Town Comptroller confirms that this resolution will have no material impact on the Town's finances;

now, therefore, be it

RESOLVED, that the Town Board hereby schedules a Public Hearing to receive public input on the draft Gilligan Road Complete Streets Enhancements Feasibility Study to be held at the East Greenbush Town Hall, 225 Columbia Turnpike Rensselaer, NY 12144 on June 9, 2021, at 6:00 p.m., or by remote means, and directs the Town Clerk to publish and post notice of such hearing.

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

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

116-2021 A Resolution Authorizing the Supervisor to Execute a Memorandum of Understanding with the Capital District Transportation Committee (CDTC) for a Community and Transportation Linkage Study for 2020 for the US Route 4 Corridor Between Mannix Road and NY Route 43

WHEREAS, on November 18, 2020, the Town Board (resolution 233-2020) previously approved and endorsed the application for grant funding from the Capital District Transportation Committee (CDTC) to update the 2006 Route 4 Corridor Study; and

WHEREAS, the application for a 2006 Route 4 Corridor Study update project to be undertaken jointly with the Town of North Greenbush, with the Town of East Greenbush as the lead project sponsor, called the “Route 4 Corridor Study: Inter-Municipal Update” (the “Project”), was submitted to CDTC; and

WHEREAS, CDTC has awarded the Town’s application for grant funding for the Project; and

WHEREAS, CDTC has requested that the Town and CDTC enter into a memorandum of understanding (MOU) in support of the Project, which MOU is attached hereto; and

WHEREAS, the MOU outlines certain commitments required of the Town of financial (local match funding) and staff resources as well as other technical and administrative support for the Project, and includes a recommended schedule which, broadly, outlines a duration of major project activities occurring between October 2021 and November 2022; and

WHEREAS, the Town Board previously approved (resolution 233-2020) use of \$22,500 in GEIS Traffic mitigation funds as the required local match funding; and

WHEREAS, the Town Comptroller confirms this resolution has a material impact on the finances of \$22,500 charged to 80304.01.04.02 GEIS Traffic CE reconfirming the same obligation of resolution 233-2020;

now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush hereby authorizes the Supervisor to enter into an MOU with the CDTC upon its approval as to form by the Town Attorney; and

and be it further

RESOLVED, that the Town Board of the Town of East Greenbush hereby reaffirms its support for the Project, and hereby conveys its desire that staff, technical, and administrative resources necessary to complete the Town’s obligation under the aforementioned MOU be allocated to completing the Project.

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

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

117-2021 Resolution to Schedule a Public Hearing Relative to the Proposed Enactment of an East Greenbush Local Law That Would Provide for the Establishment, Imposition, and Collection of Monetary Charges Against Property Owners Whose Alarm Systems Falsely Summon Emergency Services Within the Town’s Corporate Limits

WHEREAS, various owners of real property within the corporate limits of the town of East Greenbush (referred to hereinafter as “Town Owners”) maintain alarm systems that periodically summon various emergency services to their respective properties, be they for fire-related, police-related, or medical-related emergencies; and

WHEREAS, on occasion, such alarm systems, whether due to their mechanical and/or electronic defectiveness or some other reason, falsely summon such emergency services, either directly or via a third-party, to such properties (referred to hereinafter as “False Alarms”); and

WHEREAS, False Alarms are not only costly to the tax payers of the town relative to the unnecessary deployment of public personnel, equipment and other resources, but also relative to the unavailability of such resources for actual emergencies encountered by town residents and business owners while being unnecessarily deployed; and

WHEREAS, in order to establish a deterrent against False Alarms, the town board wishes to consider the enactment of a local law that would provide for the establishment, imposition, and collection of monetary charges against Town Owners in instances of False Alarms; and

WHEREAS, the Town Comptroller attests that none of the provisions of this resolution shall pose an impact to the town’s finances;
now, therefore, be it

RESOLVED, that the Town Board shall conduct a public hearing on the 19th day of May 2020 at 6:45 p.m. at town hall to duly accept all comments made by members of the public relative to the town board’s consideration of the proposed enactment of the local law described herein;

and be it further

RESOLVED, that the Town Clerk shall notice of the afore-scheduled public hearing to be duly prepared, posted, and published in the statutorily prescribed manner.

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

ADJOURNMENT

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

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

DRAFT