



The Town of East Greenbush

225 Columbia Turnpike, Rensselaer, New York 12144

TOWN BOARD MINUTES January 19, 2022

To view a recording of the full meeting, please visit Town Hall Streams link below:
https://townhallstreams.com/stream.php?location_id=119&id=43102

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

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

Members of Town Board

Present	Absent	
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Supervisor J. Conway
Councilor T. Tierney
Councilor H. Kennedy
Councilor B. Fritz
Councilor E. Nestler

Communications/Announcements/Reports

Councilor Kennedy, Councilor Fritz, and Supervisor Conway each provided their individual comments, community-related information, and announcements.

Open Public Privilege:

Residents: Frank Fiacco and David Terpening - addressed their comments to the Town Board.

Presentation on plate readers for Police Department:

Assistant Chief Jon Reickert; District Attorney, Mary Pat Donnelly; and Police Chief, Elaine Rudzinski each presented to the Town Board their supporting facts as well as several situations where the Town of East Greenbush has benefited from plate readers. They hope to gain support of the Town Board to keep this useful resource in place.

Resolutions and Proposals by Town Board Members:

05-2022 A Resolution to Approve Meeting and Public Hearing Minutes

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

WHEREAS, that the minutes of the regular Town Board Meeting and Public Hearing held on December 15, 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 and Public Hearing held on December 15, 2021 are hereby approved as submitted.

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: YES
Councilor B. Fritz	VOTED: YES
Supervisor J. Conway	VOTED: YES
Councilor T. Tierney	VOTED: YES
Councilor E. Nestler	VOTED: YES

06-2022 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 2022 Organizational Meeting held on January 3, 2022 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 2022 Organizational Meeting held on January 3, 2022 are hereby approved as submitted.

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

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

07-2022 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, 2022 as African American History Month in the Town of East Greenbush, and encourages everyone to acknowledge and learn about the contributions of African Americans to our Town, State and Nation;

and be it further

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

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

08-2022 A Resolution Recognizing and Congratulating Town Historian Roberta Reno on her Achievement in Helping to Honor American Sculptor Edmonia Lewis on a Commemorative Postage Stamp

WHEREAS, the East Greenbush Town Historian, Roberta Reno has undertaken many projects to convey and preserve the rich history of our community. These projects include, “The History of Hampton Manor: The Past to the Present”, “An Injustice at Greenbush Cantonment, the Execution of Pvt. Samuel Helms”, “The Story of Betsy Doyle”, and “Edmonia Lewis: An Artist of Determination and Courage”; and

WHEREAS, Roberta Reno has developed presentations for schools, senior residences, civic organizations, and the general public that educate and connect us to people and events that were significant milestones in our community’s past; and

WHEREAS, Roberta Reno has been a tireless advocate for correcting historical injustices and recognizing and celebrating the accomplishments of others; and

WHEREAS, in March 2020 Roberta Reno submitted an application to the United States Postal Service requesting a commemorative stamp honoring Edmonia Lewis, a Native American, African American, and Roman Catholic woman born in Greenbush, New York who overcame prejudice to become a sought-after sculptor in late 19th-century Europe; and

WHEREAS, the Postal Service announced that the 45th stamp in the Black Heritage series will honor Edmonia Lewis as the first African American and Native American sculptor to earn international recognition; and

WHEREAS, in their announcement, the Postal Service noted, “With heightened attention to Lewis’s life and career in recent decades, previously unlocated works have come to light, and she has become more widely represented in museums and private collections. As the public continues to discover the beautiful subtleties of Lewis’s work, scholars will further interpret her role in American art and the ways she explored, affirmed, or de-emphasized her complex cultural identity to meet or expand the artistic expectations of her day.”; and

WHEREAS, the Edmonia Lewis stamp is being issued by the United States Postal Service as a Forever stamp available on Wednesday, January 26, 2022;
now, therefore, be it

RESOLVED, the East Greenbush Town Board would like to express deep gratitude to Roberta Reno for her effort and contributions in securing the commemorative postage stamp and congratulate her on her service empowering Edmonia Lewis and other under-recognized individuals while helping to foster a more just, equitable, and inclusive community.

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 B. Fritz	VOTED: YES
Councilor E. Nestler	VOTED: YES

09-2022 A Resolution Recognizing Allie Naverette for her Participation in the 2022 New York State of the State Address

WHEREAS, on Wednesday, January 5, 2022, Governor Kathy Hochul gave her first State of the State Address at the New York State Capitol; and

WHEREAS, Governor Hochul invited East Greenbush Resident and recent Bronze Award recipient Allie Navarette to recite the Pledge of Allegiance at this historic event; and

WHEREAS, the Bronze Award is one of the highest honors bestowed upon a Girl Scout and is given when a scout teams up with a local organization to complete a successful community improvement project; and

WHEREAS, for her Bronze Award project, Allie Navarette and five of her other troop members teamed up and produced bags for children in the hospital to provide them a sense of comfort; and

WHEREAS, Allie Navarette is the daughter of Kristen Navarette, a former girl scout herself, and current leader of Troop 1143 and she has clearly demonstrated the compassion and leadership abilities needed to be not only an exemplary Girl Scout, but a great member of her community; and

WHEREAS, Allie Navarette's perseverance in rising through the ranks to secure the Bronze Award as well as her participation in the 2022 New York State of the State Address is a strong indication of her ability to accomplish great things;

now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush hereby recognizes and congratulates Town resident Allie Navarette for her participation in the 2022 New York State of the State Address and wishes her well in all of her future endeavors.

This 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 B. Fritz	VOTED: YES
Councilor E. Nestler	VOTED: YES

10-2022 A Resolution Recognizing February 4, 2022 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 4, 2022 as National Go Red for Women Day in the Town of East Greenbush

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

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

Councilor H. Kennedy VOTED: YES
Councilor E. Nestler VOTED: YES

11-2022 A Resolution Authorizing Adjustments in Water, Sewer and Highway Permit Fee Schedule for 2022

WHEREAS, the Town of East Greenbush has long established fees for the issuance of sewer, water, and highway permits as required by Town Code; and

WHEREAS, these permit fees were last adjusted in 2021; and

WHEREAS, it is necessary to adjust the fees occasionally to cover the Town's cost of materials and labor; 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 adopts the pricing for water, sewer and highway permits as shown in the attached schedules effective January 1, 2022, and

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

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

12-2022 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; William Wood; Mary A. Sturn; Love Lutheran Church; Samantha Tedford and Jason Bauer, 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 2022 and to expire on December 31, 2022, 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 2022.

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

Councilor B. Fritz	VOTED: YES
Councilor H. Kennedy	VOTED: YES

Supervisor J. Conway	VOTED: YES
Councilor T. Tierney	VOTED: YES
Councilor E. Nestler	VOTED: YES

13-2022 A Resolution Accepting the Resignation of Part Time Police Dispatcher Jakeb S. Boniface

WHEREAS, part-time Dispatcher Jakeb S. Boniface, has been offered and accepted a provisional full time dispatcher position with the East Greenbush Police Department Communications Center, and

WHEREAS, this Board extends its thanks to Jakeb S. Boniface for his service to the Town; and

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

RESOLVED, that the resignation of Jakeb S. Boniface, effective January 19, 2022, is hereby accepted.

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

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

14-2022 A Resolution to Make a Conditional Job Offer to Jakeb S. Boniface to the Position of Provisional Full Time Police Dispatcher

WHEREAS, public safety in the Town is a priority concern of this Town Board; and

WHEREAS, the Board intends to maintain adequate staffing of the Town’s Police and Emergency Communications Center by appointing qualified individuals to fill positions that become vacant, and a position has become vacant; and

WHEREAS, the Town Comptroller confirms that this position was anticipated in the current 2022 Town budget; and

WHEREAS, Jakeb S. Boniface, a 2018 graduate of Columbia High School in East Greenbush, New York, earned an Associate’s Degree in Business in 2020 from Hudson Valley Community College, and is currently in his final year at Siena College earning his Bachelor’s Degree in Finance, and is serving as a part-time dispatcher in the Town’s Emergency Communications Center and who meets the presumptive qualifications established by the Rensselaer County Civil Service Commission for this position;

now, therefore, be it

RESOLVED, that Jakeb S. Boniface, be, and hereby is offered a conditional appointment to the position of Provisional Full Time Police Dispatcher, subject to the examination, testing and final eligibility leading to the position of Permanent Full Time Police Dispatcher as determined by the Rensselaer County Civil Service Commission, as well as

compliance with the Rules and Regulations of the Town including successful completion of the Dispatcher Training Program;

and be it further

RESOLVED, that this conditional offer be valid for a period of 30 days, to be affirmed by said appointee by executing the oath of office as administered by the Town Clerk;

and be it further

RESOLVED, that said conditional position shall be subject to a probationary period of one (1) year; be compensated according to the appropriate collective bargaining agreement, and, that upon the administration of the oath of office shall become effective 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: YES
Supervisor J. Conway	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Councilor B. Fritz	VOTED: YES
Councilor E. Nestler	VOTED: YES

15-2022 A Resolution Allowing Senior Citizens and Persons With Disabilities to Have Their 2022 Property Tax Exemptions Renewed Without Filing Renewal Applications

WHEREAS, Section 467 of the Real Property Tax Law authorizes local governments to provide a partial exemption from real property taxes to certain property owners over 65 years of age, based upon income guidelines; and

WHEREAS, Section 459 of the Real Property Tax Law permits localities to authorize a partial exemption from real property taxes for individuals who are physically disabled; and

WHEREAS, the Town of East Greenbush has authorized such real property tax exemptions pursuant to both of these sections of State Law; and

WHEREAS, current law requires the beneficiaries of such exemptions to file an annual application for the continuance of this tax exemption; and

WHEREAS, Governor Hochul has issued Executive Order No. 11.1, which allows municipalities to waive the application requirement for the tax roll being prepared in 2022, as requested by the New York State Assessor's Association; and

WHEREAS, the Town Board believes this is a just and reasonable policy to adopt in light of the ongoing effects of COVID on the people of the Town of East Greenbush; and

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

now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush hereby directs the East Greenbush assessor to grant exemptions pursuant to sections 459 and 467 of the Real Property Tax Law on the 2022 assessment roll to all property owners who received that exemption on the 2021 assessment roll, thereby dispensing with the need for renewal applications from such persons, and further dispenses the requirement for the assessor to mail renewal applications to such persons. Persons seeking an exemption for the first time will still have to complete the application.

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

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

16-2022 A Resolution Approving the Renewal of Membership Fees for the New York State Recreation and Park Society

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

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

WHEREAS, the Town Board of the Town of East Greenbush deems Michael Martin, Recreation Supervisor, the appropriate person to continue representing the Town of East Greenbush in said organization; and

WHEREAS, the membership fee of \$125 will be paid to the New York State Recreation and Park society; and

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

RESOLVED, that the Community and Recreation Department file the appropriate paperwork to renew its membership in the New York State Recreation and Park Society.

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

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

17-2022 A Resolution to Authorize Michael Martin to Attend the New York State Recreation and Park Society Annual Upstate Conference

WHEREAS, the New York State Recreation and Park Society Annual Upstate Conference serves as an educational forum for Park and Recreation professionals across New York State; and

WHEREAS, in 2021, the annual conference was held via remote means through Zoom but this year is expected to be a live event; and

WHEREAS, the Town Comptroller confirms that this resolution was planned for in the 2022 Town Budget in account 71404.01 Community and Recreation; now, therefore, be it

RESOLVED, that the following person be authorized by the Town of East Greenbush to attend the annual New York State Recreation and Parks Society Upstate Conference from April 26, 2022 to April 28, 2022:

Michael Martin

and be it further

RESOLVED, the Town will pay lodging expense and conference attendance expense for this employee from April 26, 2022 to April 28, 2022. Attendee shall advance the cost for transportation and meals and maintain an expense report accompanied by appropriate receipts to be submitted to the Comptroller following the meeting for reimbursement.

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

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

18-2022 A Resolution Authorizing the Town of East Greenbush to Pay Music Licensing Fees to ASCAP (American Society of Composers, Authors and Publishers)

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

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

WHEREAS, the Town of East Greenbush is required to obtain licensing through ASCAP for the Music in the Park series for 2022; and

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

RESOLVED, that the Town Board authorizes the Town Supervisor to execute the Swank Motion Picture License agreement, and authorize payment not to exceed \$500.00.

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

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

19-2022 A Resolution Authorizing the Town of East Greenbush to Pay Movie Licensing Fees to Swank Motion Pictures

WHEREAS, the Town of East Greenbush Community and Recreation Department has successfully held "Movie in the Park" each of the past two summers; and

WHEREAS, movie licensing is required to be obtained by all venues showing motion pictures, so as not to prevent royalties from being paid to original artists; and

WHEREAS, the Town of East Greenbush is therefore required to obtain licensing for the Movie in The Park events for 2022; 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 Swank Motion Picture License agreement, and authorize payment not to exceed \$500.00.

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

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

20-2022 A Resolution to Adopt and Allocate Funds for an Outdoor Fitness Court as Part of the 2022 National Fitness Campaign

WHEREAS, the Town Board granted Recreation Supervisor Michael Martin permission to pursue this project (Resolution 287-2021) and submit an application seeking grant funding on behalf of the Town of East Greenbush at the November 2021 meeting of the Town Board; and

WHEREAS, in December 2021, the Town of East Greenbush submitted the aforementioned Grant Application to National Fitness Campaign (NFC) for participation in their 2022 initiative to install and activate outdoor Fitness Courts® in 200 cities and schools across the country; and

WHEREAS, upon receiving notice of procurement in regards to this grant, the Town of East Greenbush will accept a \$50,000 National Grant from the NFC Grant Committee and Statewide Partners, and provide a local match in the amount of \$90,000.00 to promote and implement a free-to-the-public outdoor Fitness Court®; and

WHEREAS, the Town of East Greenbush will seek to secure supplemental funding as needed through community sponsors, which will be made available and committed to this program for the purchase of the outdoor Fitness Court®; and

WHEREAS, the Town of East Greenbush will commit to construction and launch of the outdoor Fitness Court® by the end of the 2022 calendar year; and

WHEREAS, the Town Board of the Town of East Greenbush believes the outdoor Fitness Court® is an important wellness ecosystem that supports healthier communities, commits to funding/fundraising to participate in NFC's 2022 Campaign, and will earn local and national recognition as a leader in providing affordable health and wellness; and

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

RESOLVED, that the Town Board of the Town of East Greenbush approves the allocation of funds to collaborate with NFC to purchase and implement the outdoor Fitness Court® and make fitness free to community residents and visitors.

Supervisor Conway made the motion to table this resolution and seconded by Councilor Tierney and brought to a vote resulting as followed:

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

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

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

21-2022 A Resolution Accepting the Resignation of James J. Hallenbeck From the Position of Police Officer

WHEREAS, Police Officer James J. Hallenbeck, has now accepted employment with the Troy Police Department and submitted his resignation to the Town; and

WHEREAS, this Board extends its thanks to James J. Hallenbeck for his service to the Town and wishes him success in his future endeavors; 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 resignation of James J. Hallenbeck from the position of Police Officer is hereby accepted;
and be it further

RESOLVED, that this resignation is effective as of January 17, 2022

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 B. Fritz	VOTED: YES
Councilor E. Nestler	VOTED: YES

22-2022 A Resolution Appointing Lynn Laya to the Position of Part-Time Court Clerk on an As-Needed Basis

WHEREAS, East Greenbush Town Court is one of the busiest courts in Rensselaer County; and

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

WHEREAS, Lynn Laya was appointed as a part-time court clerk in the East Greenbush Town Court (Resolution 286-2021) on November 17, 2021 and filled in for a Clerk who was on medical leave; and

WHEREAS, the quality of Ms. Laya's work was excellent; and

WHEREAS, the Town Comptroller confirms that this resolution was planned for in the 2022 Town Budget;

now, therefore, be it

RESOLVED, that Lynn Laya is hereby appointed to the position of Part-Time Court Clerk on an as-needed basis with an hourly rate of \$22.50;

and be it further

RESOLVED, that this appointment is effective immediately upon passage of this resolution.

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

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

23-2022 A Resolution to Approve the Annual Appointment of Part-time Police Department Interns

WHEREAS, the Town currently retains the services of part-time Police Department Interns throughout the year to assist in addressing the backlog of preventative maintenance of records, purging of records and compliance with new judicial reforms; and

WHEREAS, these individuals currently have prior experience with the Town, have the ability to handle confidential and sensitive information, and have proven to be extremely reliable interns; and

WHEREAS, the names of the interns to be appointed are:

Seana Yeates Cole Daniels

WHEREAS, the Town Comptroller confirms that this resolution was planned for in the 2022 Town Budget;

now, therefore, be it

RESOLVED, that on the recommendation of the Chief of Police, the Town Board confirms the appointment for hours worked, hours paid, with no benefits, of Seana Yeates and Cole Daniels effective January 1, 2022 at the rate of \$13.20 per hour. The total amount of this resolution is not to exceed \$5, 000 as reflected in the 2022 budget. All appointments are 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.

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

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

24-2022 A Resolution Authorizing the Finance Office to Join the Equitable Business Opportunities (EBO) System

WHEREAS, New York State Department of Transportation [NYSDOT] will grant Town of East Greenbush access to the Equitable Business Opportunities [EBO] System maintained and operated by NYSDOT. The EBO System is for official business relating to our participation in construction, consultant engineering and professional services contracts/bids awarded by NYSDOT or other Federal Aid sub-recipients. The purpose of the system includes the administration of civil rights requirements associated with Federal Aid Projects; and

WHEREAS, NYSDOT requires us to comply with NYSDOT's Information Security policies, procedures and directives to the full extent required by NYSDOT's Information Security Officer, NYSDOT's Office of Information Services (OIS) and NYSDOT's EBO System Administrator; and

WHEREAS, the Town of East Greenbush would benefit by being enrolled in the Equitable Business Opportunities (EBO) System to participate in current and future federal aid projects.; and

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

now, therefore, be it

RESOLVED, that the Town Board authorizes the Town Supervisor to enroll the Town of East Greenbush as an end user in the Equitable Business Opportunities (EBO) System.

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 B. Fritz	VOTED: YES
Councilor E. Nestler	VOTED: YES

25-2022 A Resolution to Appoint a Member to the Zoning Law and Subdivision Regulations Update Steering Committee

WHEREAS, on May 19, 2021 (Resolution 136-2021), the Town Board, after adopting a negative declaration pursuant to the State Environmental Quality Review Act (SEQRA), adopted the 2021 Comprehensive Plan; and

WHEREAS, on October 20, 2021 (Resolution 257-2021), the Town Board authorized creation of the Town of East Greenbush Zoning and Subdivision Regulations Update Steering Committee (“Steering Committee”) to assist the Town Board with the zoning law and subdivision regulations update process; and

WHEREAS, the Town Board has previously approved the appointment of five (5) members to the Steering Committee since its creation; and

WHEREAS, with passage of Local Law 2 of 2020, the Town Board created the Conservation Advisory Council (CAC) which, inter alia, has the power and duty to “Advise the Town Board on matters affecting the preservation, development and use of natural and human-made resources, features and conditions within the Town of East Greenbush...and in so doing enhance the short term or long range value of the environment to the people of the Town of East Greenbush”; and

WHEREAS, the Town Board desires the CAC’s involvement in the zoning law and subdivision regulations update process as a matter potentially affecting, over the long term, the preservation, development, and use of environmental resources in the Town; and

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

now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush does hereby approve the appointment of the following members to the Steering Committee:

One representative of the Conservation Advisory Council (CAC) to be officially determined by the CAC, which representative may rotate among CAC Members, at the discretion of the CAC.

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 B. Fritz	VOTED: YES
Councilor E. Nestler	VOTED: YES

26-2022 A Resolution Authorizing an Amendment to the Contract with Callanan Industries, Inc. for Construction of Sidewalks from Bruen Court to the City of Rensselaer Line

WHEREAS, the Town has commenced the construction phase of a transportation federal-aid project for the construction of sidewalks and certain related improvements along Columbia Turnpike (i.e., US 9 and US 20) from Bruen Court to the Rensselaer City Line NYSDOT P.I.N. 1043.58 (the “Project”); and

WHEREAS, as one of the steps to commence construction of the Project, on July 21, 2021 (Resolution 187-2021), the Town Board approved the award of the Construction Contract for the Project to Callanan Industries, Inc. (“Callanan”), which Construction Contract was subsequently executed; and

WHEREAS, on August 3, 2021 a pre-construction meeting was held with representatives from NYSDOT, Callanan Industries, Inc., and the Town, and on August 6, 2021 the Town issued a notice to proceed to Callanan; and

WHEREAS, Callanan subsequently experienced difficulty procuring plastic pipe for the proposed closed stormwater drainage system and Town staff, in concert with Callanan, the Town's consultant on the Project, CHA Consulting, Inc., and in coordination with NYSDOT and the Capital District Transportation Committee (CDTC), decided to postpone construction in order that the required plastic pipe might be obtained; and

WHEREAS, Callanan has obtained and is storing the plastic pipe and, in continued consultation with representatives of Callanan and CHA Consulting, Inc., Town staff have indicated that, in accordance with the revised project schedule, construction of the Project should begin during the 2022 construction season; and

WHEREAS, Callanan has indicated that no material cost increases are anticipated as a result of the revised project, which assertion has been confirmed by CHA Consulting, Inc. and Town staff; and

WHEREAS, Article 3 – Contract Times of Town's Construction Contract with Callanan - stipulates that the Project will be substantially completed on or before October 29, 2021 and ready for final payment on or before November 12, 2021, which Article 3 now needs revision to accommodate the revised project schedule; and

WHEREAS, the Town Comptroller confirms the financial impact of this resolution is to be determined;

now, therefore, be it

RESOLVED, that the Town Board approves an Amendment to the Construction Contract for the Project with Callanan Industries, Inc. to modify Article 3 - Contract Times - to stipulate that the Project be substantially completed by July 31, 2022 and completed and ready for final payment on or before August 15, 2022;

and be it further

RESOLVED, that the Town Supervisor is authorized, upon approval as to form by the Town Attorney, to execute the aforementioned Amendment to the Construction Contract with Callanan Industries, Inc.

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

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

27-2022 A Resolution Authorizing the Director of Finance to Request Proposals for Town Designated Engineer Services

WHEREAS, having issued RFP 19-06, on July 17, 2019 (Resolution 147-2019) the Town Board approved Term Services Agreements with seven (7) firms to serve as Town-Designated Engineers (TDEs) and provide services on a variety of Special Projects on an as-needed basis for Town Departments, including Public Works, Building and Codes, Parks and Recreation, the Town Board, and the Supervisor's Office; and

WHEREAS, the Term Services Agreements with the firms are valid for three (3) years from the date of execution, and while the expiration dates of said Agreements vary among the

seven (7) TDEs according to the actual dates of execution, all Agreements expire by December 31, 2022; and

WHEREAS, a successor Term Service Agreement is now needed for services the Town requires, including engineering, planning, and/or technical services associated with design, inspection and/or analysis of the following: Structures; Highway; Hydrology; Storm Water and Drainage; Erosion and Sediment Control; Sanitary; Potable Water Service; Environmental; Traffic; Survey; Planning; Construction; Grant Writing and Applications; Economic Development; Park Design; and Land Development Project Application Review; and

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

now, therefore, be it

RESOLVED, that the Town Board authorizes the Director of Finance to request proposals from qualified consultants, individuals, and/or firms in order to develop a short list of Town Designated Engineers to provide the required services under a successor Term Services Agreement to be developed and executed with short listed firms.

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

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

28-2022 A Resolution Adopting Local Law No. 1 of 2022 Imposing a Moratorium on Applications for Permits, Site Plans or Other Land Use Approvals for Large-Scale Solar Energy Systems

WHEREAS, the Town Board has considered a proposed local law to supersede and suspend all of Article 16 of the New York State Town Law Sections 261-285 of the New York State Town Law, as well as jurisdiction of the ZBA to grant relief from the moratorium, in order to preserve the status quo while affording the Town Board sufficient time to adequately study and consider the Comprehensive Zoning Law and the Solar Energy Law as they relate to Large-Scale Solar Energy Systems (LSSSES) within the various zoning districts in the town; and

WHEREAS, a proposed local law imposing a temporary moratorium on applications for permits, site plans or other land use approvals for LSSSES within the Town was introduced as "Local Law No. 10 of 2021" to the Town Board; and

WHEREAS, after the introduction of a proposed local law imposing a temporary moratorium on applications for permits, site plans or other land use approvals for LSSSES within the Town, a public hearing was held by the Town Board on December 15, 2021; and

WHEREAS, in accordance with New York State Town Law Section 239-m, the proposed local law was referred to the County planning agency and the County planning agency responded that "the proposal does not have a major impact on County plans and that local consideration shall prevail"; and

WHEREAS, the Town Board, having received and carefully considered public comment and the County planning agency recommendation on the proposed Local Law, has decided to adopt such Local Law, now renumbered as "Local Law No. 1 of 2022"; and

WHEREAS, adoption of a land use moratorium is a type 2 action under the State Environmental Quality Review Act (SEQRA) and 6 NYCRR section 617.5(c)(30); 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 adopts Local Law No. 1 of 2022, titled "A Local Law Establishing a Temporary Moratorium on the Issuance of Special Use Permits for Large-Scale Solar Energy Systems."

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 B. Fritz	VOTED: YES
Councilor E. Nestler	VOTED: YES

Supervisor Conway - noted again they have 6 months from now.

29-2022 A Resolution Amending a Certain Condition of the Approval of a Site Plan for the "Town Center" Planned Development District (PDD) Phase 1

WHEREAS, on September 15, 2021 (Resolution 233-2021), the Town Board issued approval for the major site plan as shown on plans entitled "Town Center Development Phase 1" prepared by Hart Engineering, dated December 2020, and last revised July 12, 2021 (the "Project"), subject to certain conditions; and

WHEREAS, among those conditions (i.e., identified in resolution 233-2021 as number 3.a) was that, prior to issuance of a building permit for any work in connection with the Project, "A copy of the approved NYS Department of Transportation highway work permit for construction of a new commercial entrance onto US Route 9 & 20 (aka Columbia Turnpike) and connection to the NYS-owned drainage facilities located therein must be submitted to the Town Planning and Zoning Department"; and

WHEREAS, in their August 5, 2021 letter, NYSDOT, having reviewed the plans for the Project, concurred with the proposed modifications to the NYS right of way, including drainage modifications and proposed access drive configuration and operation, among other changes, and indicated that the permit process may begin upon Town approval; and

WHEREAS, the Developer, 580 Columbia Turnpike LLC, has stated to Planning and Zoning Department staff that they wish to secure the required NYSDOT permits at a future date after their request for a building permit to commence site work, i.e., at application for a building permit for vertical construction; and

WHEREAS, Planning and Zoning Department staff concur with the Developer's proposal and recommend that the Town Board consider approving this amendment; and

WHEREAS, the Town Comptroller confirms the financial impact of this resolution is to be determined;
now, therefore, be it

RESOLVED, that the Town Board hereby approves the amendment to resolution 233 of 2021 with respect to site plan approval condition 3.a, and said condition shall instead read as follows:

“The above-mentioned requirement for “any work in connection with this Project” notwithstanding, a copy of the approved NYS Department of Transportation highway work permit for construction of a new commercial entrance onto US Route 9 & 20 (aka Columbia Turnpike) and connection to the NYS-owned drainage facilities located therein must be submitted to the Town Planning and Zoning Department prior to the issuance of a building permit for the erection of any structures.”

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

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

30-2022 A Resolution to Approve a Deed Restriction Protecting the Proposed Buffer and Open Space Areas In Connection with the “Town Center” Planned Development District (PDD) Phase 1

WHEREAS, on September 15, 2021 (Resolution 233-2021), and pursuant to Local Law 1 of 2020, the Town Board issued approval for the major site plan as shown on plans entitled “Town Center Development Phase 1” prepared by Hart Engineering, dated December 2020, and last revised July 12, 2021 (the “Project”), subject to certain conditions; and

WHEREAS, Local Law 1 of 2020, which establishes the PDD zoning and related requirements for the Project, sets forth, at Section 7(A)(1)(iii), that “The buffer and any open space shall be protected by a deed restriction provided by the Developer and approved by the Town Board”; and

WHEREAS, the Developer, 580 Columbia Turnpike, LLC, has submitted to the Planning and Zoning Department a draft proposed deed restriction in accordance with the aforementioned section of Local Law 1 of 2020; 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 draft proposed deed restriction submitted to the Town Board in accordance with Section 7(A)(1)(iii) of Local Law 1 of 2020, upon its review and approval by the Planning and Zoning Department and Planning Board Chairperson, and subject to approval as to form by the Town Attorney and Assistant Town Attorney for the Planning Board.

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

Councilor T. Tierney	VOTED: YES
Councilor E. Nestler	VOTED: YES
Supervisor J. Conway	VOTED: YES

Councilor H. Kennedy
Councilor B. Fritz

VOTED: YES
VOTED: YES

31-2022 A Resolution Authorizing the Purchase of a Trailer for the Water Department

WHEREAS, the Commissioner of Public Works has identified the need for the Water Department to purchase a new 10-Ton Trailer to transport the new Rubber Tracked Excavator the department purchased in December; and

WHEREAS, the Water Department General Foreman received quotes from three vendors and the lowest responsible quote is from Syracuse Trailer Sales, Service, Leasing, Inc. in the amount of \$14,820.00 and the quotes are listed below;

Syracuse Trailer Sales, Service, Leasing, Inc.	\$14,820.00
Trailers, LLC	\$15,627.00
Elm City Trailer, LLC	\$37,997.00

;and

WHEREAS, the purchase of the new trailer will allow the Water Department to transport the Rubber Tracked Excavator to job sites conveniently so it won't need to be driven down the busy roads; and

WHEREAS, the purchase of the trailer is budgeted through 83404.05 – Transmission/Distribution C.E.; and

WHEREAS, the Comptroller confirms this can be charged to 83404.05 if the account expenditures stay under budget for 2022;

now, therefore, be it

RESOLVED, that the Town Board does hereby authorize the purchase of the 2020 Pitts TA10 Tag Trailer from Syracuse Trailer Sales, Service, Leasing, Inc. in the amount of \$14,820.00.

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

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

32-2022 A Resolution to Extend the Town-Wide Information Technology (IT) Support Contract

WHEREAS, Town departments rely heavily on an array of information technology systems to conduct Town business; and

WHEREAS, the hardware, software, and network platforms of these computer systems are each complex and unique requiring the need for professional IT service and consultation expertise; and

WHEREAS, a contract extension proposal has been submitted by Diagnostic Services, Inc. of Troy New York, which quotes all costs and description of services to provide professional Town Board Meeting of December 15, 2021

IT support to each of the Town’s departments and which includes all Town-owned IT equipment and devices for a term of two years, at a cost of \$48,292.59 per year; and

WHEREAS, the Town Comptroller confirms this can be charged to 16804.01.04 if the account expenditures stay under budget for 2022 and 2023;

now, therefore, be it

RESOLVED, that the contract extension with Diagnostic Services, Inc. be and hereby is approved;

and be it further

RESOLVED, that the Town Supervisor is authorized to enter into said agreement;

and be it further

RESOLVED, that this resolution shall take effect immediately.

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

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

33-2022 A Resolution to Authorize Solicitation of Bids for Tree Clearing and Brush Removal in Connection with the Tempel Lane Extension Roadway Project

WHEREAS, on December 15, 2021 (Resolution 317-2021) the Town Board issued a negative declaration in accordance with the State Environmental Quality Review Act (SEQRA) for the Tempel Lane Extension Roadway Project (the “Project”); and

WHEREAS, design plans of the proposed roadway alignment for the Project have advanced to a stage of completeness such that the land that needs to be cleared of trees and brush has been identified, and the clearing must take place on or before March 31, 2022 in order to address potential impacts to threatened and/or endangered species, as identified in the Town Board’s SEQRA determination; and

WHEREAS, the Town of East Greenbush must solicit bids from qualified contractors for safe and timely clearing of trees and brush and removal of any wood chips and other residue from the lands to be cleared before the March 31st deadline, as well as installation of fencing, signage, and other durable field markings of the Project limit of disturbance; and

WHEREAS, Greenman-Pedersen, Inc. (GPI) was selected pursuant to RFP 19-10 and Town Board Resolution 49-2020 to provide engineering and other services, including bid support, surveying, and other construction phase services for the Project, and GPI will provide support for the procurement process associated with this phase of the project; and

WHEREAS, this phase of the Project is being implemented by the Town in accordance with the Town Board’s Amended SEQRA Statement of Findings for Regeneron’s Tempel Lane Campus Development (Resolution 244-2018) and the Development Agreement entered into by the Town and Regeneron Pharmaceuticals (Resolution 132-2019); and

WHEREAS, the Town is in the process of acquiring lands needed for the future Tempel Lane Extension right-of-ways, and any services or work procured under this solicitation will commence only after site control has been obtained; and

WHEREAS, the Comptroller confirms that the solicitation of bids will not have a material impact on the Town’s finances charged to Account Code 51124.03.04.104 (Escrow-Tempel Lane);

now, therefore, be it

RESOLVED, that the Town Board does hereby authorize the Commissioner of Public Works to solicit bids for Tree Clearing and Brush Removal from those lands identified as necessary in order to construct the Tempel Lane Extension Roadway Project, as identified on the current design plans.

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

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

34-2022 A Resolution to Amend Town Board Resolution 251-2021 to Authorize the Director of Planning and Zoning to Sign a Task Order Agreement with Foit-Albert Associates Architecture, Engineering and Surveying, PC to Conduct MS4 Training for Department of Public Works Staff

WHEREAS, the Town Board authorized the Director of Planning and Zoning to Sign a Task Order Agreement with Colliers Engineering and Design to conduct MS4 Training for Planning Board Members on October 20, 2021 (Resolution 251 of 2021); and

WHEREAS, Wayne Bonesteel’s training, experience, and prior delivery of MS4-related training to public works staff uniquely qualifies him to provide MS4 training services to DPW staff; and

WHEREAS, Wayne Bonesteel, P.E. has changed jobs and now works for Foit-Albert Associates Architecture, Engineering and Surveying, PC; and

WHEREAS, at the Organizational Meeting on January 3, 2022 the Town Board did designate Wayne Bonesteel, P.E. of Foit-Albert Associates, to provide MS4 permit compliance, drainage, highway, and other civil and traffic engineering services to the Department of Public Works and Planning and Zoning Department; and

WHEREAS, the Town Comptroller confirmed that Resolution 251-2021 was included in the MS4 budget and expenses incurred must be charged to 81404.07.04 – Storm Sewer CE (MS4 Training – Officials);

now, therefore, be it

RESOLVED, that the Town Board hereby amends Town Board Resolution 251 of 2021 to authorize the Director of Planning and Zoning to execute a task order with Wayne Bonesteel, P.E. of Foit-Albert Associates Architecture, Engineering and Surveying, PC to provide the MS4 DPW training services, provided that the scope of services and budget approved under Resolution 251 of 2021 remain unchanged.

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

Councilor E. Nestler	VOTED: YES
Supervisor J. Conway	VOTED: YES

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

35-2022 A Resolution to Amend Town Board Resolution 254-2021 to Authorize the Director of Planning and Zoning to Sign a Task Order Agreement with Foit-Albert Associates Architecture, Engineering and Surveying, PC to Conduct MS4 Training for Planning Board Members

WHEREAS, the Director of Planning and Zoning, in coordination with members of the Planning Board, issued a task order request to the list of seven pre-qualified consulting firms (“mini-bid”) seeking training services, to be provided under the term services agreement executed with each firm; and

WHEREAS, the Town received five (5) negative responses from the pre-qualified firms and one (1) positive response, negative responses indicating that firms are not interested in the opportunity and positive responses indicating interest in the opportunity and provision of a scope and budget; and

WHEREAS, Wayne Bonesteel, P.E., then affiliated with Colliers Engineering and Design, submitted the only positive response, including a scope of services and budget, and Wayne Bonesteel, P.E. whom Colliers proposed to provide the training services, is qualified to provide the training services based on prior service to the County as County Engineer and the County’s MS4 program, as well as having provided town-designated engineer services to the towns, including to planning boards; and

WHEREAS, the Town Board authorized the Director of Planning and Zoning to sign a Task Order Agreement with Colliers Engineering and Design to Conduct MS4 Training for Planning Board Members on October 20, 2021 (Resolution 254-2021); and

WHEREAS, Wayne Bonesteel, P.E. is presently with Foit-Albert Associates Architecture, Engineering and Surveying, PC; and

WHEREAS, at the Organization Meeting January 3, 2022 the Town Board did designate Wayne Bonesteel, P.E., presently of Foit-Albert Associates, to provide MS4 permit compliance, drainage, highway, and other civil and traffic engineering services to the Department of Public Works and Planning and Zoning Department; and

WHEREAS, the Town Comptroller confirmed that Resolution 254-2021 was included in the MS4 budget and expenses incurred must be charged to 81404.07.04 – Storm Sewer CE (MS4 Training – Officials);

now, therefore, be it

RESOLVED, that the Town Board hereby amends Town Board Resolution 254- 2021 to authorize the Director of Planning and Zoning to execute a task order with Wayne Bonesteel, P.E. of Foit-Albert Associates Architecture, Engineering and Surveying, PC to provide the MS4 Planning Board training services, provided that the scope of services and budget remain unchanged.

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: YES
Councilor B. Fritz VOTED: YES
Supervisor J. Conway VOTED: YES

Councilor T. Tierney
Councilor E. Nestler

VOTED: YES
VOTED: YES

36-2022 A Resolution Scheduling a Public Workshop to Provide Information and Answer Questions about Construction of Tempel Lane Extension and Certain Related Improvements

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; and

WHEREAS, these improvements include the extension of the existing Tempel Lane to a point of intersection with Third Avenue Extension and associated stormwater, water supply, sanitary sewer improvements and items related to this proposed roadway extension and other traffic mitigation projects on Third Avenue Extension and the existing Tempel Lane (“Tempel Lane Extension”); and

WHEREAS, the public need for such improvements has been established in the following documents: Amended SEQRA Findings Statement for Regeneron Pharmaceuticals, Inc. Tempel Lane Campus (November 20, 2018); Western East Greenbush Final Generic Environmental Impact Statement (July 2009); Town of East Greenbush Town Board Village at Tempel Farm Resolution (24-2008) for Conditional Site Plan Approval (January 9, 2008); Route 4 Corridor Study (2006); and Final Generic Environmental Impact Statement Mill Creek Commerce Park (February 14, 2002); and

WHEREAS, the Amended SEQRA Statement of Findings issued in November of 2018 by the Town Board as lead agency addressed both the Regeneron Tempel Lane Campus and the reconstruction of Tempel Lane; and

WHEREAS, funding for Tempel Lane Extension is being provided by Regeneron Pharmaceuticals, Inc. and NYS Empire State Development and is being advanced and sponsored by the Town of East Greenbush; and

WHEREAS, the Town’s design consultant for Tempel Lane Extension, Greenman-Pedersen, Inc. (GPI) has advanced the design for this project such that the proposed roadway alignment and other improvements are substantially complete; and

WHEREAS, now that the design is substantially complete, the Town Board desires to conduct a public workshop in order to provide information about Tempel Lane Extension to residents, the public, and other stakeholders, which public workshop is a part of an ongoing public engagement effort related to Tempel Lane Extension, the Regeneron Tempel Lane Campus, and other recent public improvements either planned for or under construction in this part of Town that has included several public hearings and presentations; and

WHEREAS, the Town Comptroller has confirmed that the provisions of this proposed Board action will not have a material impact on the Town’s finances, although the cost to Account Code 51124.03.04.104 will be for an amount to be determined;

now, therefore, be it

RESOLVED, that the Town Board hereby schedules a public workshop on February 22, 2022 at 6:30 P.M., to be conducted by remote means, in order to provide information about the construction of Tempel Lane Extension and related public improvements, and a question and answer portion.

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 B. Fritz	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Councilor E. Nestler	VOTED: YES

37-2022 A Resolution for the Town Board to Request to act as Lead Agency and Initiate a Coordinated Review Under SEQRA for a Project to Construct Certain Sanitary Sewer Upgrades Along Third Avenue Extension

WHEREAS, this resolution was not able to be submitted in time to be considered at the regularly scheduled pre-board meeting of January 12, 2022 and was subsequently presented to the Town Board on January 13, 2022; and

WHEREAS, in connection with growth and development along the Tempel Lane corridor, including the construction of Regeneron's Tempel Lane Campus, and in the area of the Town in the General Sewer District that discharges through the 3rd Ave Extension and Barracks Rd Pump Stations, the Town has identified the public need for the construction of certain improvements to a portion of the gravity sanitary sewers along 3rd Avenue Extension; and

WHEREAS, these improvements include replacement of approximately 1,649 lineal feet of gravity sewer, from manhole T-49 to T-43, along 3rd Avenue Extension, in order to increase the size of the pipes to accommodate additional flow as identified in the Design Report for the 3rd Avenue Extension and Barracks Road Pump Station Upgrades prepared by H2M Architects and Engineers (the "Project"); and

WHEREAS, the public need for the Project was identified by the Town Board 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, 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 to the Town Board as lead agency for SEQR review of the Project;

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 Project will require review under the State Environmental Quality Review Act ("SEQRA") as an unlisted action;

and be it further

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

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

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

38-2022 A Resolution to Appoint Camerron Poli to the Position of Code Enforcement Officer in the Building Department on a Provisional Basis

WHEREAS, this resolution was not able to be submitted in time to be considered at the regularly scheduled pre-board meeting of January 12, 2022 and was subsequently presented to the Town Board on January 18, 2022; and

WHEREAS, Camerron Poli was appointed to the position of Administrative Assistant (Building Department) at the 2022 Organizational Meeting since we had not received the Transmittal Nomination Memorandum reclassifying Mr. Poli’s position yet; and

WHEREAS, Camerron Poli has now completed the requirements for the Civil Service position of Code Enforcement Officer and we have received the Transmittal Nomination Memorandum with the determination of Eligibility marked “Approved;” 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 Camerron Poli is appointed to the position of Code Enforcement Officer on a provisional basis at a salary of \$44,050.00; and be it further

RESOLVED, that Camerron Poli will have to successfully complete the Civil Service exam for this position when it is given in order to be eligible for permanent appointment to the Code Enforcement Officer position..

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

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

39-2022 A Resolution to Appoint Scott F. Gallerie to the Position of Liaison to the Highway Department

WHEREAS, this resolution was not able to be submitted in time to be considered at the regularly scheduled pre-board meeting of January 12, 2022 and was subsequently presented to the Town Board on January 18, 2022; and

WHEREAS, the Department of Public Works has occasional requirements for technical assistance in the areas of highway program management, project management, and project budgeting; and

WHEREAS, Scott F. Gallerie has demonstrated competence in these areas while serving as East Greenbush’s Public Works Commissioner and Deputy Commissioner since August 2016, and as a Town and County Highway Superintendent since January of 2000; and

WHEREAS, the Town Supervisor and Public Works Commissioner would like to have Scott’s expertise in the area of highway operations available to the Department as needed for specific projects on an as-needed basis; and

WHEREAS, the Town Comptroller confirms that this resolution could be funded within the Department of Public Works 2022 Budget;

now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush appoints Scott F. Gallerie to the position of Liaison to the Highway Department for the Town of East Greenbush at an hourly rate of \$40.00, as needed by the Commissioner of Public Works; and be it further

RESOLVED, that this appointment shall be effective as of January 19, 2022.

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 B. Fritz	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Councilor E. Nestler	VOTED: YES

ADJOURNMENT to Executive Session – 8:20 PM

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

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

Executive Session ended at 8:46 PM. Moved by Supervisor Conway; seconded by Councilor Nestler; 5-0 votes.

Adjourned at 8:46 PM. Moved by Supervisor Conway; seconded by Councilor Kennedy; 5-0 votes.

Respectfully submitted,

Ellen Pangburn, Town Clerk