



The Town of East Greenbush

225 Columbia Turnpike, Rensselaer, New York 12144

TOWN BOARD AGENDA March 20, 2019

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

Members of Town Board

Present Absent

<input type="checkbox"/>	<input type="checkbox"/>	Supervisor J. Conway
<input type="checkbox"/>	<input type="checkbox"/>	Councilor T. Tierney
<input type="checkbox"/>	<input type="checkbox"/>	Councilor H. Kennedy
<input type="checkbox"/>	<input type="checkbox"/>	Councilor R. Matters
<input type="checkbox"/>	<input type="checkbox"/>	Councilor B. Fritz

Communications/Announcements/Reports

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

Resolutions and Proposals by Town Board Members:

50-2019 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 February 20, 2019 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 February 20, 2019 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:

51-2019 A Resolution Designating April 2019 as National Donate Life Month and April 12, 2019 as Donate Life Blue and Green Day

WHEREAS, National Donate Life Month was established by Donate Life America and its partnering organizations in 2003 and is celebrated through activities to help encourage Americans to register as organ, eye and tissue donors and to celebrate those who have saved lives through the gift of donation; and

WHEREAS, the 2019 National Donate Life Month theme was inspired by bicycles, a symbol of progress, renewal and the moving circle of life, and the phrase “Life is a beautiful ride”;

now therefore be it

RESOLVED, to increase awareness and encourage participation in this lifesaving journey, the East Greenbush Town Board does hereby designate April 2019 as National Donate Life Month in the Town of East Greenbush;

and be it further

RESOLVED, the Town of East Greenbush designates Friday, April 12, 2019 as Donate Life Wear Blue and Green Day to consider our role in this lifesaving and healing journey, and how our residents can inspire others to provide hope through donor registration and living donation.

The foregoing resolution was duly moved by 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:

52-2019 A Resolution Urging Governor Cuomo and the New York State Legislature to Restore Aid and Incentives to Municipalities (AIM) Funding in the State Budget

WHEREAS, Governor Andrew Cuomo recently announced a nearly \$60 million cut in funding for Aid and Incentive to Municipalities (AIM) during the presentation of the New York State budget; and

WHEREAS, towns and villages in Rensselaer County and throughout New York State are highly dependent on this funding for municipal operations throughout the year; and

WHEREAS, the Town of East Greenbush has already established the municipal budget for this year; AIM funding totaled \$73,383.00 for the Town of East Greenbush; in the absence of

AIM funds, the Town may be forced to raise taxes or make cuts to programs and services in order to close budget gaps;

now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush voices its opposition to the cuts in AIM funding and urges Governor Cuomo and the New York State Legislature to restore AIM funding to its previous level in the New York State Budget;

and be it further

RESOLVED, that the Town Board directs the Town Clerk to send a certified copy of this resolution to Governor Andrew Cuomo, Senator Neil Breslin, Senator Daphne Jordan, Assemblyman Jake Ashby, and Assemblyman John McDonald.

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

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

53-2019 A Resolution in Support of Never Forget the Heroes: Permanent Authorization of the September 11th Victim Compensation Fund Act (S.3591 and H.R.7062)

WHEREAS, the September 11th Victim Compensation Fund (VCF) has announced that because of the lack of funding, injured and ill 9/11 responders and survivors will face cuts in compensation for their injuries; and

WHEREAS, this will have a devastating impact on those who are still suffering the impact of the toxins at Ground Zero, the Pentagon and the Shanksville crash site and have been waiting for the help they need and deserve; and

WHEREAS, more than 45,000 people who are in the World Trade Center Health Program are suffering from at least one certified 9/11 condition caused by toxins at Ground Zero, the Pentagon and the Shanksville crash site, while a large percentage have multiple conditions; chronic diseases like asthma, obstructive pulmonary disease, gastroesophageal reflux disease, and cancer continue to plague those who were exposed to the many toxins and carcinogens on 9/11 and in the weeks and months thereafter; over 10,000 of those enrolled in the Health Program have been certified with a 9/11 related cancer, with more being diagnosed every day; thousands more who have been diagnosed with cancer are only now joining the health program, so these numbers will increase dramatically; 9/11 responders and survivors in the Health Program reside in all 50 states and in 434 out of 435 Congressional districts; and

WHEREAS, given the information we now have on the scope of the health crisis and the funding shortfall the VCF faces, it is our hope that Congress will in fact remember 9/11 by providing the needed funds and authorizing a permanent Victim Compensation Fund by passing S. 546/HR. 1327;

now therefore be it

RESOLVED, that the East Greenbush Town Board voices its support for S.3591 AND H.R.7062: Never Forget the Heroes: Permanent Authorization of the September 11th Victim Compensation Fund Act;

and be it further

RESOLVED, that the Town Board directs the Town Clerk to send a certified copy of this resolution to Senator Charles Schumer, Senator Kirsten Gillibrand, and Congressman Paul Tonko.

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

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

54-2019 A Resolution to Appoint Christina Hennessey to the Board of Assessment Review

WHEREAS, the Board of Assessment Review is essential to the public process of determining the outcome of resident appeals on the assessed value of their homes; and

WHEREAS, there is a need to appoint a fifth member to the Board of Assessment Review to replace Carol Orvis who retired from the Board after many years of distinguished service; and

WHEREAS, Christina Hennessey served on the second Board of Assessment Review last year to handle the increased number of grievances following the 2018 town-wide reassessment of real property and is a licensed real estate agent; 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 appoints Christina Hennessey to the Board of Assessment Review for a term to expire on December 31, 2023; and be it further

RESOLVED, that the Town Board thanks Carol Orvis for her service to the Town and its residents and wishes her well in her future endeavors.

This 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:

55-2019 A Resolution to Settle a Tax Certiorari Case

WHEREAS, Mark W. Halsey and the Town of East Greenbush are desirous of having certain assessment issues resolved as to property owned by Mark W. Halsey 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 this resolution will have a non-material impact on the Town’s finances offset from County chargebacks in 2019;

now therefore, be it

RESOLVED, that the Town Board does hereby accept a proposed settlement for the 2018 tax certiorari proceeding filed by Mark W. Halsey in which the 2018 assessed value of the subject property shall be reduced as follows:

Tax Map No.	Address	2018 Assessment	Revised Assessment
144.2-5-20	300 Troy Road	\$369,600	\$325,000

Real Property Tax Law §727 shall apply, and the assessment shall remain unchanged for the 2019, 2020 and 2021 assessment rolls.

and be it further

RESOLVED that Mark W. Halsey shall be entitled to a refund of excess taxes, waiving statutory interest, paid based upon the above revision;

and be it further

RESOLVED, that the Town Board does hereby adopt this resolution to end the litigation between Mark W. Halsey and the Town of East Greenbush as to the above referenced assessment.

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:

56-2019 A Resolution Authorizing the Town of East Greenbush to Forgive Taxes on Certain Parcels Owned by the Town of East Greenbush

WHEREAS, the new Consolidated Water District has been completed and appeared on the Town’s 2019 Property Tax Bill; and

WHEREAS, several parcels appearing below are under the ownership and/or control of the Town of East Greenbush, and others are under private names, which have been erroneously charged, as follows:

144.-3-6.13 Capital City Cemetery, 330 Third Ave. Extension	\$57.37
154.4-16-29 Tn. Of East Greenbush, Arcadia Ave	\$31.28
155.9-10-2 Tn. Of East Greenbush, New Hampshire Ave.	\$60.52
166.5-1-68 Onderdonk Estates, Barber Dr.	\$60.52

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 forgive the taxes on each of the above properties;

and be it further

RESOLVED, that he Town Clerk is directed to give a certified copy of this Resolution to the Receiver of Taxes, so the Warrant can be amended; and a copy to the Comptroller and to the Assessor.

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

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

57-2019 A Resolution Authorizing the Use of GEIS Recreation Funds to Place a Fence Around the Propane Tank and AC Unit Next to the Red Barn in the Town Park

WHEREAS, the Town Board prepared the GEIS document, dated July 2009, to evaluate the cumulative impacts due to growth within the GEIS study area. Mitigation fees were developed for the following critical elements in East Greenbush: land use/GIS, GEIS, water/sewer, recreation, and traffic; and

WHEREAS, the Town Park has had significant impact due to increased usage; and

WHEREAS, fencing around the propane tank and AC units next to the Red Barn is a priority due to safety concerns; and

WHEREAS, the Town has procured quotes for 76’ of vinyl fence with gate and installation; and

WHEREAS, AFSCO Fence Supply has provided the Town with the best product quality and service lowest quote; and

WHEREAS, the GEIS committee has recommended to the Town Board that this is an appropriate use of GEIS recreation funds; and

WHEREAS, the Town Comptroller confirms this resolution will have a negative \$3,986 non-material impact on the Town’s finances charged to GEIS - Recreation code 2374.01.00.04; now therefore be it

RESOLVED, that the Town Board authorizes the GEIS Recreation Fund expenditure of \$3,986 for the purpose of installing fence at the Town Park.

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:

58-2019 A Resolution Recognizing the Establishment of East Greenbush Fire District Number 3

WHEREAS, the Town Board of the Town of East Greenbush, Rensselaer County, is vested with the authority pursuant to Article 11 of the Town Law of the State of New York to establish within its Town boundaries one (1) or more fire districts, which are political subdivisions of the State of New York; and

WHEREAS, an article in the Troy Times dated July 12, 1933, references a resolution giving the Town of East Greenbush authority to create a fire district within the borders of East Greenbush; and

WHEREAS, the article in the Troy Times, dated July 13, 1933, sets forth that the Town of East Greenbush will establish a new third fire district “at its meeting Tuesday night”; and

WHEREAS, the minutes of the meeting of East Greenbush Fire District Number 3 on August 21, 1933, recorded that five (5) Town residents were appointed as Fire District Commissioners, and an official meeting of the new Board of Fire Commissioners of the East Greenbush Fire District Number 3 was held on August 30, 1933; and

WHEREAS, the East Greenbush Fire District Number 3 has collected taxes and provided fire protection service on a continuous basis since 1934; and

WHEREAS, the East Greenbush Fire District Number 3 has at all times from July, 1933, held itself out as a duly established fire district within the Town of East Greenbush, in full compliance with the laws of the State of New York; and

WHEREAS, the District reports that in the course of a recent grant application, it was discovered that the actual Town Board resolution authorizing the District could not be located; and

WHEREAS, the Town Board wishes to confirm, by resolution, the validity of the establishment and continuation of such fire district; 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 East Greenbush Fire District Number 3 was duly established by the Town Board of the Town of East Greenbush in July of 1933, and has been a duly constituted fire district at all times since that date, and that this resolution shall be effective and shall operate *nunc pro tunc*.

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:

59-2019 A Resolution to Create a Surplus Real Property Application

WHEREAS, New York Town Law section 64, subd. 2 empowers town boards, generally, to convey or lease real property in the name of the town upon the adoption of a resolution which shall be subject to permissive referendum; and

WHEREAS, such empowerment includes the disposal of real property that is no longer necessary for the town to carry out its corporate purposes and can, therefore, be deemed by a town board to be surplus to a town’s needs (hereinafter, “Surplus Real Property”); and

WHEREAS, the town of East Greenbush (hereinafter, “Town”) periodically receives requests for the disposal of real property that may potentially be declared as Surplus Real Property; and

WHEREAS, the Town currently has no formal application form and uniform processing requirements and standards (hereinafter, “Surplus Real Property Application”) in place with which to properly consider such requests and ensure that any disposals resulting therefrom are wholly in the Town’s best interests; 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 proposed Surplus Real Property Application, as attached hereto as Exhibit A and made a part hereof, be, and the same hereby is, approved for dissemination, use, and processing;

and be it further

RESOLVED, that the Surplus Real Property Application shall be made available on the Town’s website and in the Town Clerk’s office.

The forgoing 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:

60-2019 A Resolution Authorizing the Purchase of a 2019 Jeep Cherokee Latitude for the Building Department

WHEREAS, the code enforcement inspectors require the use of Town vehicles for the purpose of traveling around Town following up on complaints and code violations; and

WHEREAS, one of the cars currently in use is a 2005 Ford Explorer with 141,000 miles of usage and a recent history of costly repairs; and

WHEREAS, the Town Board authorized the Director of Finance to solicit bids for a new sports utility vehicle for the Building Department with Resolution 218-2018; and

WHEREAS, prices were solicited by advertising on the New York State Vehicle Marketplace; and

WHEREAS, three prices were obtained from the Vehicle Marketplace and the one that best fit the needs of the Department and the amount budgeted for this purchase was obtained from Main Motorcar in Johnstown, New York; and

WHEREAS, the Town Comptroller confirms that this is included in the 2019 Town Budget for account code 36204.01.04 Safety Inspection;
now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush authorizes the purchase of a 2019 Jeep Cherokee Latitude from Main Motorcar in Johnstown, New York for the amount of \$23,440.87.

This 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:

61-2019 A Resolution Authorizing the Solicitation of Pricing for Various Trucks and Equipment at the Department of Public Works

WHEREAS, the Department of Public Works requires the following trucks and equipment to sustain their operations and replace worn and uneconomically repairable trucks;
and

Vacuum Truck/Hydraulic Excavator (Water, Sewer, Highway Departments)
5500 series Dump Truck for patching and hauling asphalt reclaimer (Highway Department)

Asphalt Reclaimer for heating and transporting blacktop (Highway Department)
Two (2) ¾ Ton Pickup Trucks (Water Department and Sewer Department); and

WHEREAS, expenditures for public works projects that exceed \$35,000 are subject to competitive bidding; and

WHEREAS, the Town Comptroller confirms that this resolution will have no material impact on Town finances;
now, therefore, be it

RESOLVED, that the Town Board authorizes the Commissioner of Public Works to solicit bids, or pricing from existing bids, for the purchase of various trucks and equipment listed above.

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

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

62-2019 A Resolution to Authorize a Public Auction of Surplus Equipment

WHEREAS, the Town Board has received a request from the Chief of Police to declare the following Town property to be surplus equipment:

One (1) model year 2009 Dodge Durango VIN 2FABP7BV48X124417 (TownID#307)

WHEREAS, said equipment is not suited for any other Town department; and

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

now therefore be it

RESOLVED, that said property be and hereby is declared to be surplus;

and be it further

RESOLVED that the Chief of Police be authorized to conduct a public auction or sale or otherwise to lawfully dispose of said surplus equipment now owned by and in the custody of the East Greenbush Police Department.

The foregoing resolution was duly moved by Supervisor Conway seconded by Councilor Kennedy and voted as follows:

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

63-2019 A Resolution to Schedule a Public Hearing on the Covered Bridge Village Planned Development District

WHEREAS, Covered Bridge Partners, LLC. (the “Applicant”) has filed an application for site plan approval and establishment of a Planned Development District in connection with the proposed development of 286 apartment units (the “Project”) in the Town of East Greenbush; and

WHEREAS, the location where the Applicant proposes to develop the Project is off of Michael Road approximately 500’ south of the intersection of Michael Road and Red Mill Road (Tax Map Number 156.-6-18.125) in the Town and is currently zoned Residential Buffer (R-B); and

WHEREAS, the Town Planning Board has been duly referred the application materials, has duly held a public hearing a part hereof, and is reviewing those materials in accordance with the Town’s Comprehensive Zoning Law; and

WHEREAS, a copy of the local law for the creation of the Covered Bridge Village Planned Development District has been produced by the Applicant and accompanies the application, but which has not been recommended for approval by the Town Planning Board and is subject to further review, shall be made available with the public hearing notice; and

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

now, therefore, be it

RESOLVED, that the Town Board hereby schedules a public hearing on the proposed establishment of a Planned Development District, said hearing to be held on April 17, 2019, at 6:30 p.m. at the East Greenbush Town Hall, 225 Columbia Turnpike, East Greenbush, New York;

and be it further

RESOLVED, that the Town Clerk shall provide and publish notice of such hearing in accordance with applicable provisions of law.

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:

64-2019 A Resolution to Approve the Appointment of Junior and Senior Summer Camp Directors to the Community & Recreation Services Department

WHEREAS, this resolution was not submitted in time to be considered on the regularly scheduled pre-board meeting of March 13, 2019 and was subsequently presented to the Town Board on March 15, 2019; and

WHEREAS, the Town Board recognizes the importance of the key position, Camp Director to the Department of Community and Recreation; and

WHEREAS, the Town Camp is divided into a Junior Camp for elementary school age children and a Senior Camp for middle school age children, with a need and requirement for a Camp Director to oversee each camp; and

WHEREAS, the Town Comptroller confirms that this resolution is planned for in the 2019 Town budget (account code 73101.01.01);

now, therefore, be it

RESOLVED, that Ryan Dougherty and Sara Fellehner-Endres, be hereby appointed to the position of Co-Camp Directors at a rate of \$15.00 per hour effective April 1, 2019 through August 16, 2019 and consistent with all the terms and conditions of this position as previously set forth by the Town Board;

and be it further

RESOLVED, that Human Resource Manager will take all necessary steps to process the personnel transaction authorized by this resolution.

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:

65-2019 A Resolution Accepting a Reduced Water Bill Settlement with the East Greenbush School District and Agree to Share the cost of Installation of New Water Meters

WHEREAS, this resolution was not submitted in time to be considered on the regularly scheduled pre-board meeting of March 13, 2019 and was subsequently presented to the Town Board on March 15, 2019; and

WHEREAS, in December of 2018 it was brought to the attention of our Water Department that the East Greenbush School District had a second, previously unknown meter installed for irrigation on their athletic fields; and

WHEREAS, based on the reading of this meter, there had been a total of 17,630.00 gallons of water used since the meter was installed in 2004, resulting in a charge of \$70,513.00; and

WHEREAS, members of the Public Works Staff met with representatives of the School District and agreed, subject to approval of both Town and School Boards, that the fairest course of action would be to settle this bill for ½ of the total as the water rate has been adjusted several times since 2004, and further determined that both the meters at the School must be replaced with new compound meters with radio transmitters to improve meter reading accuracy; and

WHEREAS, because the installation of the new meters would benefit the Town as they would more accurately reflect water usage, that the Town would pay \$7,091.55 for half of the cost of the new Compound Meters with the School District; and

WHEREAS, the Town Comptroller has confirmed that the immediate financial impact of this resolution is \$7,091.55 from the Town Water Fund for this meter install expense offset by added revenue from the School;

Fund	Transfer in	Transfer out
2140.05 Metered Water Sales		\$7,092
83404.05.04 Transmission Distribution CE	\$7,092	

now therefore, be it

RESOLVED, that the Town Board approves a settlement of the outstanding water bill for the East Greenbush School District in the amount of \$35,256.60, half of which will be paid in Fiscal Year 2019 and the other half to be paid in Fiscal Year 2020, and that the Town of East Greenbush share the cost of replacing the obsolete meters at a cost not to exceed \$7,091.55 contingent on approval of this agreement by the East Greenbush School Board.

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:

66-2019 A Resolution to Schedule a Public Hearing Relative to the Proposed Continued Holdover of the Contract with W.F. Bruen Emergency Squad, Inc. for Emergency Medical Services

WHEREAS, this resolution was not submitted in time to be considered at the regularly scheduled pre-board meeting of March 13, 2019 and was subsequently submitted for consideration on March 18, 2019; and

WHEREAS, pursuant to New York Town Law § 198, subd. 10-f, the town of East Greenbush (hereinafter, “Town”), for and on behalf of the East Greenbush Ambulance District (hereinafter, “District”), entered into a contract, which commenced on _____, with W.F. Bruen Emergency Squad, Inc. for the provision of emergency medical services for the residents and other inhabitants of the District (hereinafter, the “Contract”); and

WHEREAS, the Contract expired on _____ and has been held over, on a month-to-month basis, by the mutual consent of the parties to the Contract (hereinafter, the “Holdover”); and

WHEREAS, the East Greenbush Town Board (hereinafter, “Board”), acting in its capacity as the governing board of the District, is considering whether the continued Holdover may be in the District’s best interest based upon its prospective deliberation on a number of salient factors, including, but not limited to, such factors conveyed to the Board in the form of input from members of the public via a hearing; and

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

now, therefore, be it

RESOLVED, that a public hearing on a proposed continued Holdover be, and the same hereby is, scheduled to be held on April 10, 2019 at 6:30 p.m. at the East Greenbush Town Hall; and be it further

RESOLVED, that the Town Clerk shall cause notice of such hearing to be published once in the Town’s primary designated newspaper in the manner legally prescribed.

The forgoing 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:

67-2019 A Resolution for a Petty Cash Policy for the Town of East Greenbush

WHEREAS, this resolution was not submitted in time to be considered at the regularly scheduled pre-board meeting of March 13, 2019 and was subsequently submitted for consideration on March 18, 2019; and

WHEREAS, In accordance with Section 64 (1-1), of the Town Law of the State of New York, allowing for the establishment of Petty Cash Funds, and to ensure uniformity and internal controls for the Town of East Greenbush; and

WHEREAS, any department that takes in cash from the public may at the approval of the Town Board, request the establishment of a petty cash fund and it should always total the dollar amount received for the establishment of the fund; and

WHEREAS, the purpose of this fund is the making of change when such is required in the performance of official duties; and the dollar amount of the petty cash funds are as follows:

- Receiver of Taxes Not to exceed \$200 [13304.01.004.00]
- Town Clerk Not to exceed \$50 [14104.01.004.00]
- Court Not to exceed \$200 [11104.01.004.00]

WHEREAS, upon approval by the Town Board to establish petty cash funds, a voucher will be submitted to the Comptroller's Office and a check for the agreed amount will be issued to the approved Town Employee who will then cash the check into the currency needed and place the monies in a cash register in their office; and

WHEREAS, the Town Employee who was issued the check is responsible for ensuring the maintenance of the full dollar amount of the petty cash fund at all times. If upon audit there is less than the original dollar amount received to establish the fund, it becomes the responsibility of the Town Employee to replenish the fund to its full amount or the difference will be withheld from his or her salary and paid back into the petty cash fund per New York State Town Law Section 64 (1-a); and

WHEREAS, an annual accounting of each Petty Cash Fund shall be given to the Comptroller by January 15th of each year; 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 this Petty Cash Policy is presented to and accepted by the Town Board of the Town of East Greenbush.

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

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

68-2019 A Resolution to Accept the Resignation of Matthew Polsinello from the Town Planning Board

WHEREAS, this resolution was not submitted in time to be considered at the regularly scheduled pre-board meeting of March 13, 2019 and was subsequently submitted for consideration on March 19, 2019; and

WHEREAS, Matthew Polsinello has served as a member of the Planning Board for more than ten years, including a term as Chair of that Board; and

WHEREAS, Matthew Polsinello has begun planning a significant development in Town and feels that this would present a conflict of interest if he were to remain on a Board that must review his project; and

WHEREAS, he submitted a letter of resignation on March 14, 2019 that takes effect on that date; and

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

RESOLVED, that the Town Board of the Town of East Greenbush accepts Matthew Polsinello’s resignation from the Planning Board, effective immediately;
and be it further

RESOLVED, that the Town Board thanks Mr. Polsinello for his lengthy service and substantive contributions to the Town’s Planning Board and wishes him well in his future endeavors.

This 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:

69-2019 A Resolution to Accept the Resignation of Jessica B. Mocerine From the Board of Ethics

WHEREAS, this resolution was not submitted in time to be considered at the regularly scheduled pre-board meeting of March 13, 2019 and was subsequently submitted for consideration on March 19, 2019; and

WHEREAS, Jessica B. Mocerine was appointed to the Board of Ethics in January, 2019; and

WHEREAS, the Town’s Code of Ethics, section 19(a)(7)(v), states that a member of the Board of Ethics may only be removed from the Board of Ethics for certain reasons which include “announcing a run for political office”; and

WHEREAS, Jessica B. Mocerine has announced that she is running for the office of East Greenbush Town Justice and, consistent with the ethical comportment that made her a great candidate for the Board of Ethics, has submitted a letter of resignation dated February 27, 2019 which took effect immediately; and

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

RESOLVED, that the Town Board of the Town of East Greenbush accepts the resignation of Jessica B. Mocerine from the Board of Ethics and wishes her well in her future endeavors.

This 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:

70-2019 A Resolution to Acquire and Finance Two Police Patrol Vehicles

WHEREAS, this resolution was not submitted in time to be considered at the regularly scheduled pre-board meeting of March 13, 2019 and was subsequently submitted for consideration on March 19, 2019; and

WHEREAS, it is the intention of the Town to maintain its police vehicles in a safe and mechanically efficient condition; and

WHEREAS, the Chief of Police has reported that two of the Town’s police patrol vehicles have reached the end of their mechanical usefulness and are in need of replacement; and

WHEREAS, Beyer-Warnock Fleet Sales of East Hanover New Jersey, an authorized New York State OGS Contractor and Westchester County Contractor, has quoted a one-time total cost of \$40,577.99 each for two new 2019 Ford Police Interceptor Utility Vehicles, and

WHEREAS, the Town Comptroller confirms that this transaction was originally planned for in the 2018 fiscal year budget but only now has become due and payable with a financial impact of approximately \$81,155.98 from the General Restricted Fund Police Forfeiture Funds as illustrated below;

now therefore be it

Fund	Transfer in	Transfer out
A899 – General Restricted Fund Balance (Police Forfeiture Funds from 2626 Revenue)	--	\$81,155.98
3120.4– Police C/E	\$81,155.98	

RESOLVED, that the Town Comptroller is authorized to perform the fund transfer described herein;

and be it further

RESOLVED, that the proposed quote of Beyer-Warnock Fleet Sales be and hereby is accepted;

and be it further

RESOLVED, that this resolution 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	VOTED:
Councilor T. Tierney	VOTED:
Councilor H. Kennedy	VOTED:
Councilor R. Matters	VOTED:
Councilor B. Fritz	VOTED:

71-2019 A Resolution Adopting a Local Law Amending Chapter 33 of the Code of the Town of East Greenbush, Updating Said Regulations to Conform to Current Requirements and Terminology

WHEREAS, this resolution was not submitted in time to be considered at the regularly scheduled pre-board meeting of March 13, 2019 and was subsequently submitted for consideration on March 19, 2019; and

WHEREAS, a local law has been proposed, making certain changes to Article 33 of the Town Code, updating the regulations for sewers to conform to current requirements and terminology; and

WHEREAS, the Town Board conducted a public hearing on said local law on March 13, 2019; and

WHEREAS, the Town Board has determined that the proposed changes to the sewer regulations in Chapter 33, as set forth in that proposed local law, are valid and should be adopted; and

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

now, therefore, be it

RESOLVED, that the Town Board hereby adopts said proposed local law.

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:

72-2019 A Resolution Establishing the Water and Sewer Billing Office Fee Schedule

WHEREAS, this resolution was not submitted in time to be considered at the regularly scheduled pre-board meeting of March 13, 2019 and was subsequently submitted for consideration on March 19, 2019; and

WHEREAS, the Town Board has adopted a local law amending Chapter 33 of the Code of the Town of East Greenbush, relating to sewer regulations; and

WHEREAS, § 33-14 of the Town Code, as amended by said local law, specifically authorized the Town Board to set the water and sewer billing office fee schedule; and

WHEREAS, the Town Board wishes to establish and confirm said fee schedule; 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 fee schedule annexed hereto is hereby promulgated as the water and sewer billing office fee schedule for the Town of East Greenbush.

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

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

73-2019 A Resolution Appointing Frank Michael as Part-Time MS4 Technician

WHEREAS, this resolution was not able to be submitted in time to be considered on the regularly scheduled pre-board meeting of March 13, 2019 and was subsequently presented to the Town Board on March 20, 2019; and

WHEREAS, the Director of Planning and Zoning is has requested the appointment of a part-time MS4 Technician due to the volume of erosion and sediment control and storm water management infrastructure inspection, compliance, inventorying, and reporting tasks activities required under the Town’s municipal separate storm sewer (MS4) permit and stormwater management program plan (SWMP); and

WHEREAS, Frank Michael has 31 years and 8 months of experience in the Town of East Greenbush Department of Public Works, has extensive construction and maintenance experience with the Town’s stormwater infrastructure, and would be able to handle inspection and other field-based responsibilities associated with the Town’s MS4 program requirements; and

WHEREAS, Frank Michael will be paid via the Town’s payroll software and will continue to submit a bi-weekly timesheet as employees do in accordance with the Town’s Employee Handbook, and will be covered under the Town’s liability insurance while performing official tasks for the Town; and

WHEREAS, the Town Comptroller believes at this time that the cost of this resolution was included in the 2019 budget in (account code 36201.01.01); now, therefore, be it

RESOLVED, that the Town Board appoints Frank Michael as a part time MS4 Technician in the Planning and Zoning Department for the term of March 20, 2019 – December 31, 2019 at a rate of \$20.00 per hour. (hours worked, hours paid)

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:

ADJOURNMENT

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

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