The Town of East Greenbush

225 Columbia Turnpike, Rensselaer, New York 12144

TOWN BOARD MINUTES
May 17, 2023

To view a recording of the full meeting, please see Town Hall Streams link below:
https://townhallstreams.com/stream.php?location_id=119&id=52865

Or visit Town of East Greenbush Facebook page:
https://www.facebook.com/TownofEG/videos/1540718129752718

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

Members of Town Board

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

Communications/Announcements/Reports
Town Board members provided their individual comments, community-related information, and/or announcements.

Open Public Privilege:
Residents presented their respective comments to the Town Board.

Presentation: **Conservation Advisory Council (CAC) on Hampton Lake and New Mapping Capabilities**
Presented by Jennifer Dean (Chair), Victoria Manieri, and Fred Henson.

Attachment: Natural Resources Inventory (NRI) Online Map Viewer

Resolutions and Proposals by Town Board Members:

111-2023 A Resolution to Approve Special Meeting Minutes

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

WHEREAS, that the minutes of the Special Meeting held on April 11, 2023 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 Special Meeting held on April 11, 2023 are hereby approved as submitted.

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

112-2023 A Resolution to Approve Public Hearing Minutes

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

WHEREAS, that the minutes of the Public Hearing Meeting held on April 12, 2023 have been presented; and

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

now, therefore, be it

RESOLVED, that the minutes of the Public Hearing Meeting held on April 12, 2023 are hereby approved as submitted.

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

113-2023 A Resolution to Approve Meeting Minutes

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

WHEREAS, that the minutes of the Town Board Meeting held on April 19, 2023 have been presented; and

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

now, therefore, be it

RESOLVED, that the minutes of the Town Board Meeting held on April 19, 2023 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

114-2023 A Resolution Accepting the Resignation of Police Dispatcher Jakeb Boniface

WHEREAS, the Town Board has received a notice of resignation from Police Dispatcher Jakeb Boniface; and

WHEREAS, Dispatcher Boniface has served as an effective and dedicated member of the Police Department's Communications Division, and has now accepted full time employment with the Town of East Greenbush as a police officer; and

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

now, therefore, be it

RESOLVED, that the resignation of Jakeb Boniface from the position of Police Dispatcher is hereby accepted and will take effect on June 18, 2023.

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

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

115-2023 A Resolution to Make a Conditional Job Offer to Jason A. LaFountain to the Position of 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 replace positions that become vacant, and a position has become vacant; and

WHEREAS, the Town Comptroller confirms that this position was anticipated in the current 2023 Town budget; and

WHEREAS, Jason A. LaFountain, a police dispatcher with more than twenty years of experience, most recently employed with the Village of Menands Police Department, and previously employed as a police dispatcher with the City of Albany Police Department, who is

also currently serving as a part-time dispatcher in the Town's Emergency Communications Center, and who meets the presumptive qualifications for this position established by the Rensselaer County Civil Service Commission;

now, therefore, be it

RESOLVED, that Jason A. LaFountain, be, and hereby is offered a conditional appointment to the position of Full Time Police Dispatcher, subject to the final eligibility leading to the position of Full Time Police Dispatcher as determined by reinstatement approval of 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, said conditional appointment **s**hall become effective immediately and shall be subject to a probationary period of one (1) year, and that upon successful completion of all said conditions and stipulations, shall be, and hereby is, made permanent.

The foregoing resolution was duly moved by 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

116-2023 A Resolution to Appoint Maxwell Martin, P.E. to the Town of East Greenbush Conservation Advisory Council (CAC)

WHEREAS, the Conservation Advisory Council is a seven (7) member board that currently has only six (6) members; and

WHEREAS, the CAC has actively sought to recruit new members, with a posting in September 2022; and

WHEREAS, Maxwell Martin, P.E. submitted his resume and letter of interest to the CAC members and was found to have experience and expertise relevant to the important work of the CAC; and

WHEREAS, the CAC, at its May 1, 2023 meeting passed a resolution appointing Maxwell Martin, P.E. as member to the CAC; and

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

TABLED

now, therefore, be it

RESOLVED, that Maxwell Martin, P.E. is hereby appointed to the Town of East Greenbush Conservation Advisory Council for a term to expire on December 31, 2025.

Councilor Tierney made the motion to table the above resolution 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

The above tabled 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

117-2023 A Resolution to Adopt the Town's 2022-2023 Annual Report for Phase II SPDES General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4), GP-0-15-003

WHEREAS, the Town of East Greenbush is subject to Municipal Separate Storm Sewer System (MS4) Phase II requirements of SPDES General Permit GP-0-15-003 stormwater management requirements of the National Pollutant Discharge Elimination System (NPDES), for the development and adoption of an Annual Report; and

WHEREAS, a copy of the Annual Report has been on file for review at the Town Department of Planning & Zoning Office and the Town of East Greenbush website; 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, County of Rensselaer, State of New York, does hereby adopt the Town's 2022-2023 Annual Report for Phase II SPDES General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4), GP-0-15-003.

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

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

118-2023 A Resolution to Adopt the Report Entitled, "Hampton Manor Lake Assessment, Strategies for Improving the Health of the Lake and Enjoyment by Residents" as written by the Town of East Greenbush Conservation Advisory Council (CAC)

WHEREAS, the Town Board of the Town of East Greenbush authorized, via resolution 158-2022 on June 15th, 2022, the Conservation Advisory Council (CAC) to review and make recommendations for improving the health of Hampton Manor Lake so that water quality and

usability can be improved and Hampton Lake's important position as a Town amenity can be preserved and enhanced; and

WHEREAS, Hampton Manor Lake is an important resource and amenity for Town residents but has been experiencing a decline in health for many years and for many reasons; and

WHEREAS, one indicator of the health of a lake concerns the animal and plant populations that reside in and around it, and though no formal longitudinal study has been conducted of natural populations, Hampton Manor Lake is still home to a variety of flora and fauna, indicating that the lake is declining, not dead; and

WHEREAS, numerous residents have expressed their concern about the need to improve the water quality and usability of the lake; and

WHEREAS, the CAC have worked over many months to assess the existing conditions and challenges of Hampton Manor Lake and have produced a comprehensive report with four strategies to improve the health of Hampton Manor Lake; and

WHREEAS, the CAC, at its May 1, 2023 meeting passed a resolution recommending adoption by the Town Board of their report titled, "Hampton Manor Lake Assessment, Strategies for Improving the Health of the Lake and Enjoyment by Residents"; and

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

now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush hereby adopts the report entitled, "Hampton Manor Lake Assessment, Strategies for Improving the Health of the Lake and Enjoyment by Residents" with the intent to act upon one or more of the recommended strategies when and as appropriate.

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

119-2023 A Resolution to Issue a Negative Declaration of Environmental Significance under SEQRA and Issue a Major Site Plan Approval for Mabey's Realty Phase 2 (PZD File #19-02a)

WHEREAS, Mabey's Realty, Inc. ("Owner") and Hart Engineering, authorized representative of the Owner, have submitted an application for a major site plan and Special Use Permit to construct an approximately 30,566 square foot warehouse storage building and related improvements, Phase 2, ("the Project") located at 486 3rd Avenue Extension, Town of East Greenbush, New York. Tax Parcel No. SBL: 144.-3-6.2; and

WHEREAS, on September 21, 2022, the Town Board passed Resolution 219 of 2022, and classified the project as an unlisted action under the State Environmental Quality Review Act (SEQRA) and declared its intent to seek lead agency in connection with a coordinated review under SEQRA; and

WHEREAS, the original approval of Mabey's located at 486 3rd Avenue Extension included a proposed 'Phase 2' for development of a single-story 15,000 sq. ft. building for multi-

tenant retail/commercial and a single-story 5,460 sq. ft. retail/commercial building, for which approval of the original 'Phase 2' could have been reviewed by the Planning Board as a site plan modification if it was "substantially similar" to the original 'Phase 2' proposal; and

WHEREAS, the proposal was found to not be substantially similar to the original 'Phase 2' proposal and is therefore considered a major site plan, the Project consists of a proposed single-story 30,566 sq. ft. warehouse storage building and a proposed 'Phase 3' consisting of a single-story 5,460 sq. ft. retail/commercial building; and

WHEREAS, the Town Board of the Town of East Greenbush has reviewed the application and related materials, including the site plan entitled "Mabey's Realty Storage & Commercial Buildings – Phase 2" 16 sheets in total as prepared by Hart Engineering dated August 2022 most recently revised March 21, 2023; and

WHEREAS, the Town Board has also reviewed the short EAF and accompanying correspondence and reports addressing potential environmental impacts of the project; and

WHEREAS, the Planning Board carefully considered the comments of and recommendation of its Town Designated Engineer, MJ Engineering, as well as the responses to those comments and recommendations provided by the Applicant and recommended on April 26, 2023 that the Town Board issue a negative declaration under SEQRA and approve the major site plan; and

WHEREAS, the Town Board had a duly noticed public hearing on May 10th, 2023 on the application and carefully considered all comments received; and

WHEREAS, the project was referred to Rensselaer County as required by the General Municipal Law and the County determined that local consideration shall prevail; and

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

now, therefore, be it

RESOLVED, that the Town Board hereby declares itself lead agency in connection with a coordinated review under SEQRA;

and be it further

RESOLVED, that the Town Board hereby issues a negative declaration finding that the proposed application for major site plan and Special Use Permit for the Mabey's Realty Phase 2 project, an unlisted action, will not result in any significant adverse environmental impacts;

and be it further

RESOLVED, that the Town Board hereby approves the major site plan application as set forth in the Site Plans entitled, "Mabey's Realty Storage & Commercial Buildings – Phase 2" 16 sheets in total as prepared by Hart Engineering dated August 2022 most recently revised March 21, 2023, subject to the following conditions:

1. Prior to issuance of a building permit, the Applicant must address any remaining technical comments from the Town's Planning and Zoning Department.
2. Approval of Major Site Plan is contingent upon approval of Special Use Permit under review by the Town's Planning Board.
3. The plans are subject to any conditions and time limitations which are attached to approval of the Special Use Permit by the Planning Board and must be modified accordingly. The plans must also include a note stating the date of Planning Board Special Use Permit approval and any conditions required as part of said approval.
4. There shall be no outside parking or storage of commercial vehicles or heavy moving vehicles on a long-term basis on site.

5. Prior to issuance of a building permit, all remaining fees and escrow must be paid to the Town, including land development mitigation fees required in connection with the Western East Greenbush Generic Environmental Impact Statement (GEIS) as detailed in the GEIS fee statement provided by the Town.
6. The plans must be signed by the Planning Board Chairperson and the Commissioner of Public Works.
7. A Department of Public Works Utility Permit, as determined by the Commissioner of Public Works, must be obtained for any work involving connection to the Town's sanitary and/or water supply systems.
8. A NYSDOT highway work permit must be obtained for all work within the NYS right-of-way. Additional grading is being proposed within the NYS Route 43 right-of-way, the applicant should coordinate this work with the Region 1 office of the NYSDOT.
9. Prior to site work and/or issuance of a building permit, all storm water pollution prevention permits must be obtained. Required periodic Storm Water Pollution Prevention Plan (SWPPP) inspections must be performed during the permit term by the design engineer or other qualified individual in accordance with the GP-0-15-002, the approved SWPPP, and the Town's Comprehensive Zoning Law.
10. Prior to issuance of a Certificate of Occupancy, the property owner or Mabey's Realty, Inc. must enter into a Stormwater Facility Maintenance Agreement with the Town to ensure proper maintenance of all stormwater facilities in perpetuity.
11. Prior to issuance of a Building Permit, the property owner or Mabey's Realty, Inc. must retain a New York State licensed professional land surveyor, engineer, registered architect or landscape architect to submit the completed form entitled, attached to the Planning Board resolution, "Professional Certification Commitment For Site Plan And/Or Special Use Permit Approval, Town of East Greenbush" and comply with said form by making periodic observations of the site and providing copies of all site reports to the Building and Codes Department and Planning and Zoning Department.
12. Provided the Phase 3 development proposal is substantially similar to that which is shown on the approved site plan, consisting of a single-story 5,460 sq. ft. retail/commercial building, it is subject to further Planning Board approval as a site plan modification.

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

120-2023 A Resolution to Appoint Thomas A. White Jr. to the Position of Laborer in the Parks Department

WHEREAS, the Department of Public Works has a vacancy for the position of Laborer in the Parks Department due to the retirement of an employee; and

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

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

WHEREAS, Thomas A. White Jr. was unanimously selected as a qualified candidate for the position of Laborer based on his experience and background; and

WHEREAS, Thomas A. White Jr. meets the requirements of the position, and the offer is contingent upon the successful completion of a background screening and a pre-employment drug test; and

WHEREAS, Thomas A. White Jr. has previously worked for the Town of East Greenbush and was a great employee and has always been interested in working for the Department of Public Works. He also has experience in landscaping that will be helpful to his position as a Laborer with the Parks Department; and

WHEREAS, the Town Comptroller confirms that this appointment is funded in the 2023 Town Budget;

now, therefore, be it

RESOLVED, that the Town Board confirms the appointment of Thomas A. White Jr. to the position of Laborer in the Parks Department at the rate of $26.1634 per hour (less $0.25 per hour during probationary period) as specified by the CSEA Collective Bargaining Agreement. This appointment will be effective as of May 30, 2023.

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

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

121-2023 A Resolution to Appoint Timothy R. Foust to the Position of Light Equipment Operator in the Highway Department

WHEREAS, the Department of Public Works has an upcoming vacancy for the position of Light Equipment Operator in the Highway Department due to resignations of employees; and

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

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

WHEREAS, Timothy R. Foust was unanimously selected as a qualified candidate for the position of Light Equipment Operator based on his experience and background; and

WHEREAS, Timothy R. Foust meets the requirements of the position, and the offer is contingent upon the successful completion of a background screening and a pre-employment drug test; and

WHEREAS, Timothy R. Foust has over five (5) years of experience working in the City of Rensselaer as a Heavy Equipment Operator and currently possesses a New York State Class B Commercial Driving License (CDL); and

WHEREAS, the Town Comptroller confirms that this appointment is funded in the 2023 Town Budget;

now, therefore, be it

RESOLVED, that the Town Board confirms the appointment of Timothy R. Foust to the position of Light Equipment Operator in the Highway Department at the rate of $26.8133 per hour (less $0.25 per hour during probationary period) as specified by the CSEA Collective Bargaining Agreement. This appointment will be effective as of June 5, 2023.

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

122-2023 A Resolution to Appoint Nicholas A. Mokhiber to the Position of Senior Auto Mechanic in the Department of Public Works

WHEREAS, the Department of Public Works has a vacancy for the position of Senior Auto Mechanic in the Department with the recent resignation of our Senior Auto Mechanic; and

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

WHEREAS, applications were received and reviewed, and an interview conducted by the Commissioner of Public Works, Town Supervisor, Deputy Commissioner of Public Works, Human Resources Director, Director of Finance and the General Foreman of the Highway Department; and

WHEREAS, Nicholas A. Mokhiber was unanimously selected as the most qualified candidate for the position based on his experience and background; and

WHEREAS, Nicholas A. Mokhiber meets the requirements of the position, and the offer is contingent upon the successful completion of a background screening and a pre-employment drug test; and

WHEREAS, Nicholas A. Mokhiber has experience working on large trucks and heavy equipment; and

WHEREAS, the Town Comptroller confirms that this appointment is funded in the 2023 Town Budget;

now, therefore, be it

RESOLVED, that the Town Board confirms the appointment of Nicholas A. Mokhiber to the position of Senior Auto Mechanic in the Department of Public Works at the rate of $29.6866 per hour (less $0.25 per hour during probationary period) as specified by the CSEA Collective Bargaining Agreement. This appointment will be effective as of June 2, 2023.

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

123-2023 A Resolution to Appoint Joshua A. Nye to the Position of Light Equipment Operator in the Highway Department

WHEREAS, the Department of Public Works has an upcoming vacancy for the position of Light Equipment Operator in the Highway Department due to resignations of employees; and

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

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

WHEREAS, Joshua A. Nye was unanimously selected as a qualified candidate for the position of Light Equipment Operator based on his experience and background; and

WHEREAS, Joshua A. Nye meets the requirements of the position, and the offer is contingent upon the successful completion of a background screening and a pre-employment drug test; and

WHEREAS, Joshua A. Nye has over six (6) years of experience working in the City of Rensselaer as a Heavy Equipment Operator and currently possesses a New York State Class B Commercial Driving License (CDL); and

WHEREAS, the Town Comptroller confirms that this appointment is funded in the 2023 Town Budget;

now, therefore, be it

RESOLVED, that the Town Board confirms the appointment of Joshua A. Nye to the position of Light Equipment Operator in the Highway Department at the rate of $26.8133 per hour (less $0.25 per hour during probationary period) as specified by the CSEA Collective Bargaining Agreement;

and be it further

RESOLVED, that this appointment will be effective as of June 5, 2023.

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

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

124-2023 A Resolution to Appoint Ryan Rigsbee to the Position of Heavy Equipment Operator in the Highway Department

WHEREAS, the Department of Public Works has an upcoming vacancy for the position of Heavy Equipment Operator in the Highway Department due to resignations of employees; and

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

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

WHEREAS, Ryan Rigsbee was unanimously selected as a qualified candidate for the position of Heavy Equipment Operator based on his experience and background; and

WHEREAS, Ryan Rigsbee meets the requirements of the position, and the offer is contingent upon the successful completion of a background screening and a pre-employment drug test; and

WHEREAS, Ryan Rigsbee currently possesses his New York State Class A Permit and is working on completing training and will have six (6) months to obtain his Class A License; and

WHEREAS, the Town Comptroller confirms that this appointment is funded in the 2023 Town Budget;

now, therefore, be it

RESOLVED, that the Town Board confirms the provisional appointment of Ryan Rigsbee to the position of Heavy Equipment Operator in the Highway Department at the rate of $28.2966 per hour (less $0.25 per hour during probationary period) as specified by the CSEA Collective Bargaining Agreement. This appointment will be effective as of June 6, 2023. This appointment is provisional until the successful completion of training and Mr. Rigsbee obtains his Class A Commercial Driver's License within six (6) months from Date of Hire.

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

125-2023 A Resolution to Authorize Paving and Surface Treatment of Town Highways

WHEREAS, in accordance with Town policy and General Municipal Law, all public works expenses in excess of $10,000.00 require Town Board approval; and

WHEREAS, the Rensselaer County bid for Conventional Asphalt Paving was awarded on April 1, 2023 and extended until December 31st, 2023, and the results of the bid were made available to all municipalities and school districts in the State of New York; and

WHEREAS, the New York State Office of General Services Bid for Comprehensive Liquid Bituminous Materials, was awarded on April 1, 2023 until March 30th, 2024 and the results of the bid were made available to all municipalities and school districts in the State of New York; and

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

ROAD NAME	Process	Cost	Funding
BERKSHIRE DRIVE	Mill & Fill	$ 30,800.00	CHIPS

CHINQUAPIN	Mill & Fill	$ 28,600.00	CHIPS
HALL STREET	Mill & Fill	$ 23,100.00	CHIPS
HIGHVIEW PLACE	Mill & Fill	$ 22,000.00	CHIPS
HOLLY CIRCLE	Mill & Fill	$ 8,800.00	CHIPS
MADISON AVE W	Mill & Fill	$ 27,500.00	CHIPS
MOHAWK AVE	Mill & Fill	$ 22,000.00	CHIPS
MOUNT MARCY	Mill & Fill	$ 8,800.00	CHIPS
MULBERRY	Mill & Fill	$ 12,100.00	CHIPS
NEW JERSEY	Mill & Fill	$ 38,170.00	CHIPS
ONTARIO AVE	Mill & Fill	$ 14,300.00	CHIPS
SOUTHERN AVE	Mill & Fill	$ 48,100.00	CHIPS
WASHINGTON AVE W	Mill & Fill	$ 18,000.00	CHIPS
LAKESHORE DRIVE	Crack Seal Micro-pave	$ 70,000.00	Budget
DPW PARKING LOT	Mill & Fill	$ 100,000.00	Budget
SOFTBALL FIELD REPAIRS	Mill & Fill	$ 10,000.00	Budget
ONTARIO AVE BBAL COURT	Mill & Fill	$ 15,000.00	Budget
SPRING AVE W	Mill & Fill	$ 10,700.00	Budget

WHEREAS, the Commissioner of Public Works states that the cost of the work will not exceed $578,136.20. This amount is the 2023-2024 Consolidated Local Street and Highway Improvement Program (CHIPS) funding of $190,915.83, Extreme Winter Recovery (EWR) funding of $37,381.47, PAVE-NY supplemental funding of $44,889.20, and Pave our Potholes (POP) funding of $29,949.70, and the paving budget for 2023 ($275,000.00); and

WHEREAS, the Town Comptroller believes at this time that this resolution will have a 2023 budgeted or designated fund impact on the Town's finances as follows:

Account Code 51124.01.04 CHIPs/PAVE-NY for $168,500.00.

Plus Additional program funding of $134,636.20

Account Code 51104.02.04 General Repairs Paving for $275,000.00.

Fund	**Increase Expense**	**Increase Revenue**
3501.02 State Aid /CHIPS		$134,636.00

51124.02.04 Permanent Improvement CHIPs/Pave NY	$134,636.00	

now, therefore, be it

RESOLVED, that the Commissioner of Public Works is hereby authorized to approve paving and surface treatment expenses not to exceed $578,136.20 for resurfacing of the aforementioned Town roads.

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

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

126-2023 A Resolution to Rescind the Appointment of Leslie Carroll to the Position of Code Enforcement Official

WHEREAS, the Building Department has been understaffed for years and development and construction in the Town of East Greenbush is rapidly increasing demand for the Department's services; and

WHEREAS, the Town Board sought to remedy the problem by appointing Leslie Carroll as a Code Enforcement Official with Resolution 93-2023; and

WHEREAS, Resolution 93-2023 appointed Ms. Carroll with an effective date of May 1, 2023; and

WHEREAS, we have been unable to establish contact with Ms. Carroll despite repeated efforts by the Human Resources Manager to email, call and mail a letter seeking to establish contact; 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 rescinds Resolution 93-2023 and with it, the appointment of Leslie Carroll to the position of Code Enforcement Official.

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

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

127-2023 A Resolution to Appoint Alison Lovely to the Position of Secretary of the Conservation Advisory Council (CAC)

WHEREAS, the Town Board established the East Greenbush Conservation Advisory Council (CAC) in 2020 and tasked it with advising 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, particularly as they relate to environmental quality, biological integrity, natural beauty and other conservation factors and, in relation to human activities and development, the CAC would advise the Town Board on major threats posted to environmental quality; and

WHEREAS, the CAC shall provide the Planning Board, developers and residences with a source of information about natural resources and potential environmental impacts; create checklists and best practice guidelines as a planning tool for improvement projects; and carry out other duties as may be assigned from time to time by the Town Board; and

WHEREAS, the CAC requires the consistent participation of a secretary to organize meetings, write minutes and maintain the Council's schedule, a request was made for the Town to provide a person to serve in this position; and

WHEREAS, Alison Lovely is the Secretary to the Planning and Zoning Office, the Planning Board and the Zoning Board of Appeals and is willing to add the CAC secretarial function to her duties; and

WHEREAS, since Ms. Lovely has the full confidence of this Board and taking on this assignment has been approved by her supervisor; 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 Alison Lovely is hereby appointed to the position of Secretary to the Conservation Advisory Council, effective immediately, at a rate of $90.00 per CAC session.

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

128-2023 A Resolution Authorizing the Commissioner of Public Works to Solicit Bids for Water Line Replacement

WHEREAS, the Town Board authorized the Commissioner of Public Works to work with H.V. Larbarba to draft the bid specifications for Water Line Replacement Projects in Resolution 30-2023; and

WHEREAS, the Commissioner of Public Works is seeking authorization to solicit bids for the following projects:

- Phillips Road Water Line Replacement;
- Ridge Road Water Line Replacement;
- Mountview Avenue Water Line Replacement;

and

WHEREAS, annual water main replacement projects are critical to maintaining infrastructure, eliminating many breaks that occur on roads annually and supplying additional connections for water in case of breaks that do occur; and

WHEREAS, the Town Comptroller confirms that the act of soliciting bids will not have a material impact on the Town's 2023 Budget;

now, therefore, be it

RESOLVED, the Town Board does hereby authorize the Commissioner of Public Works to Solicit Bids for Water Line Replacement on Phillips Road, Ridge Road and Mountainview Avenue.

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

129-2023 A Resolution Authorizing the Emergency Repairs on Lakeshore Drive

WHEREAS, this resolution was not able to be submitted in time to be considered at the regularly scheduled pre-board meeting of May 10, 2023 and was subsequently presented to the Town Board on May 16, 2023; and

WHEREAS, the Deputy Commissioner of Public Works was notified by the Sewer Department of a collapsed sewer pipe under Lakeshore Drive. The Deputy Commissioner notified the Town Supervisor of the issue and an Emergency Declaration was made to authorize emergency repairs to repair the collapsed pipe; and

WHEREAS, after issuing the State of Emergency Declaration, Wm.J.Keller & Sons Construction Corp was contacted as a contractor that the Town has worked with previously on similar repairs and issues; and

WHEREAS, the Sewer Department worked through the night with Keller to make the necessary repairs within 24 hours of the emergency declaration; the cost of the emergency repair was $34,743.77; and

WHEREAS, the Town Comptroller confirms that the financial impact of this resolution is $34,743.77 from the Sewer Fund …

Fund	**Increase Expense**	**Decrease Funds**
81204.07.04 Director of Finance CE	$34,743	
SS915 Fund Balance		$34,743

now, therefore, be it

RESOLVED, that the Town Board authorizes payment of $34,743.77 to Wm. J. Keller & Sons Construction Corp for the emergency repairs to the sanitary sewer pipe under Lakeshore Drive.

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

Councilor H. Kennedy	VOTED: YES

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

130-2023 A Resolution Authorizing the Purchase and Installation of SonicWall Software and Licenses for Remote Access for Eleven (11) Police Vehicles

WHEREAS, this resolution was not able to be submitted in time to be considered at the regularly scheduled pre-board meeting of May 10, 2023 and was subsequently presented to the Town Board on May 16, 2023; and

WHEREAS, the Chief of Police has recommended the purchase of eleven (11) SonicWall Mobile Remote Access and Licenses to the Town Board as necessary equipment that will assist the East Greenbush Police Department in being able to access the department's records management system, the department's shared drive which houses all departmental databases, documentation and NYS forms while using their mobile access devices and being able to complete NYS reports, statements and accusatories while on the scene of an incident, all the while helping to make the residents of the Town of East Greenbush safer, and

WHEREAS, the Town Board agrees with the Chief of Police that these are important factors in realizing its commitment to public safety in the Town of East Greenbush; and

WHEREAS, the Town of East Greenbush requested a quote through Diagnostic Services & Installations, LLC., a preferred contracted vendor, for eleven (11) SonicWall Remote Access Software; and

WHEREAS, quote #5033 was submitted by Diagnostic Services & Installation, LLC. in the amount of $15,053.00; and

WHEREAS, the Town Comptroller confirms that the financial impact of this resolution is $ 15,053.00 from the following fund transfer:

Fund	**Increase Expense**	**Decrease Funds**
31204.01.04 Police CE	$ 15,053.00	
A917 Fund Balance		$ 15,053.00

now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush authorizes the expenditure of $15,053.00 to purchase eleven (11) SonicWall Remote Access as described above.

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

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

131-2023 A Resolution to Accept the Resignation of Anna Feltham from the Position of Director of Planning and Zoning

WHEREAS, this resolution was not able to be submitted in time to be considered at the regularly scheduled pre-board meeting of May 10, 2023 and was subsequently presented to the Town Board on May 16, 2023; and

WHEREAS, Anna Feltham was appointed to the position of Planner with Resolution 112-2021 on April 21, 2021; and

WHEREAS, Anna Feltham was promoted to the position of Director of Planning and Zoning with Resolution 155-2022 on June 15, 2022; and

WHEREAS, Ms. Feltham has now submitted her letter of resignation to accept another position; 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 accepts the resignation of Anna Feltham from the position of Director of Planning and Zoning, effective June 8, 2023;

and be it further

RESOLVED, that the Town Board thanks Ms. Feltham for her excellent work for the Town and wishes her the best in all of her future endeavors.

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

132-2023 A Resolution to Approve an Amended Purchasing Policy

WHEREAS, this resolution was not able to be submitted in time to be considered at the regularly scheduled pre-board meeting of May 10, 2023 and was subsequently presented to the Town Board on May 16, 2023; and

WHEREAS, a formally promulgated and up-to-date Purchasing Policy is necessary to ensure that the Town receives best value on its purchases and follows all applicable laws and regulations; and

WHEREAS, the Town's existing Purchasing Policy is more than ten years old, contains less information than necessary, and is unable to provide comprehensive guidance for more complex procurement issues; and

WHEREAS, the previous Director of Finance, the Purchasing Clerk and the current Director of Finance all worked diligently to update the document so that it better meets our needs; and

WHEREAS, the Town Board has been provided with a copy of the changes for its 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 of the Town of East Greenbush hereby approves the amended Purchasing Policy;

and be it further

RESOLVED, that the new policy takes effect immediately upon the passage of this resolution.

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

133-2023 A Resolution to Authorize the Purchase of Operational Budget Modules from ClearGov for Preparation of Town Budgets

WHEREAS, this resolution was not able to be submitted in time to be considered at the regularly scheduled pre-board meeting of May 10, 2023 and was subsequently presented to the Town Board on May 16, 2023; and

WHEREAS, the Town already uses the ClearGov Digital Budget Book as a way to facilitate the presentation of the Town's Annual Budget; and

WHEREAS, the Director of Finance and Town Supervisor participated in a demonstration of operational modules that will continue to make the preparation of the Annual Budget easier by providing Department Heads with the ability to prepare and submit their budgets and budget notes electronically using the additional modules from ClearGov, and the Director of Finance with the ability to edit and modify department budgets and communicate with Department Heads; and

WHEREAS, the Director of Finance and Town Supervisor believe that the additional modules from ClearGov will help facilitate and organize the budget process, and allow them to communicate more clearly and effectively with Department Heads; and

WHEREAS, the cost to the Town would be pro-rated for the remaining seven months of the year for the operational modules at a cost of $9,986.67; and

WHEREAS, the Town Comptroller confirms that this resolution will have a material impact on the Town's finances funded by the following transfer:

Fund	**Increase Expense**	**Decrease Funds**
13104.01.04 Director of Finance CE	$9,987	
A917 Fund Balance		$9,987

now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush hereby authorizes the Director of Finance to purchase the ClearGov Operational Budgeting modules at a cost not to exceed $9,986.67.

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

134-2023 A Resolution to Adjust the Salary of the Chief of Police

WHEREAS, this resolution was not able to be submitted in time to be considered at the regularly scheduled pre-board meeting of May 10, 2023 and was subsequently presented to the Town Board on May 17, 2023; and

WHEREAS, the Chief of Police, Elaine Rudzinski-Miano, has performed superbly in the position and has successfully ushered the Police Department through the Covid Pandemic and an extreme staffing shortage; and

WHEREAS, the Police Department was re-accredited following its five-year review and has received unprecedented approval ratings from the community; and

WHEREAS, the Town Board wishes to raise the salary of the Chief of Police to reflect the excellence of her performance, and to ensure that her salary remains competitive; and

WHEREAS, the Town Comptroller confirms that this resolution will have a material impact on the Town's finances;

now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush hereby raises the salary of the Chief of Police to $145,000.00 per year;

and be it further

RESOLVED, that this salary adjustment is effective as of May 29, 2023.

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

ADJOURNMENT – 7:02 PM

Motion to adjourn 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

Respectfully submitted,

Ellen Pangburn, East Greenbush Town Clerk

Approved: June 21, 2023