



**Town Board
Town of North Greenbush
Agenda
July 13, 2023
7:00 p.m.**

**CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL**

Supervisor Bott _____
Councilwoman Hoffman _____
Councilman Rogers _____
Councilwoman Merola _____
Councilman Gordon _____

Also present at meeting:
Town Clerk, Janice Hannigan Kerwin
Town Attorney, Fred Kirwin

Announcements:
Comments from Residents:
New Business:

- 1.) **Resolution 2023-07-53:** In the matter of approving an MOA to upgrade Vision benefits
- 2.) **Resolution 2023-07-54:** In the Matter of approving the investment of town funds
- 3.) **Resolution 2023-07-55:** In the matter of appointing summer beach staff for 2023 per budget
- 4.) **Resolution 2023-07-56:** In the matter of applying for funding through the 2023 Consolidated Funding Application (CFA) process for NYS Department of State Smart Growth Community Planning & Zoning Grant
- 5.) **Resolution 2023-07-57:** In the matter of purchasing lawn mowers to maintain town properties



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- 6.) Resolution 2023-07-58:** In the matter of scheduling a Public Hearing for the Tax Exemption for Volunteer Firefighters and Ambulance workers
- 7.) Resolution 2023-07-59:** In the matter of awarding a RFQ for a project management and energy service company for The Town of North Greenbush

Discussion:

Department Reports Review:

Approval of Minutes:

July 13, 2023, meeting minutes

Adjournment:

At a Regular Meeting of
the Town Board of the
Town of North Greenbush
held at 7:00 p.m. on
July 13, 2023, at the
Town Offices

IN THE MATTER OF APPROVING AN MOA
TO UPGRADE VISION BENEFITS

WHEREAS a collective bargaining agreement exists between the Town of North Greenbush and the Civil Service Employees Association., Local 1000, AFSCME, AFL-CIO, Rensselaer County Local 842 which is in effect between January 1st, 2020, and December 31st, 2025; and,

WHEREAS, the collective bargaining agreement, designated the CSEA Employee Benefit Fund Silver 12 Vision Plan for covered employees; and,

WHEREAS, at the recommendation of the President Local 842 and the Town Board has determined that it is in the best interest of the town and employees of Local 842 to upgrade the vision benefit plan to the Gold 12 Vision Plan effective July 1, 2023; and,

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor is hereby authorized to execute the attached Memorandum of Agreement between the Town of North Greenbush and the Civil Service Employees Association., Local 1000, AFSCME, AFL-CIO.

Councilperson moved, **Councilperson**
seconded and the Town Board voted as follows:

Councilwoman Hoffman	_____
Councilwoman Merola	_____
Councilman Rogers	_____
Councilman Gordon	_____
Supervisor Bott	_____

RESOLUTION 2023-07-53

At a Meeting of the Town Board of
the Town of North Greenbush held
at 7:00 p.m. on July 13, 2023, at the
Town Offices

IN THE MATTER OF APPROVING THE INVESTMENT
OF TOWN FUNDS

WHEREAS The Town Board of the Town of North Greenbush wishes to invest portions of the town funds available in cooperation with other municipalities and/or school districts pursuant to the New York Cooperative Liquid Asset Security System (NYCLASS) Municipal Cooperation Agreement Amended and Restated as of March 28, 2019; and

WHEREAS the Town intends to invest available funds in a local government investment pool that provides safe and liquid investment opportunities;

BE IT RESOLVED that the Town Board authorizes the Comptroller to invest available town funds with NYCLASS professional investment services. The Comptroller has ensured that the firm is creditworthy and capable. The Comptroller has ensured that the investment of town funds is in compliance with the Town of North Greenbush Investment Policy and all applicable laws and regulations. The Comptroller will provide the Town Board with monthly reports of earnings and account balances.

Councilperson moved, **Councilperson**
seconded and the Town Board voted as follows:

Councilman Gordon _____

Councilwoman Merola _____

Councilwoman Hoffman _____

Councilman Rogers _____

Supervisor Bott _____

At a Meeting of the Town
Board of the Town of North
Greenbush, held at 7:00 PM
On July 13, 2023, at the Town Office

**IN THE MATTER OF APPOINTING
SUMMER BEACH STAFF**

BE IT RESOLVED, the Town Board of the Town of North Greenbush does hereby appoint **Owen Scannell** to the position of Lifeguard and payment per budget .

Councilperson moved, **Councilperson** seconded, and the Town Board voted as follows:

Supervisor Bott	_____
Councilwoman Hoffman	_____
Councilman Rogers	_____
Councilman Gordon	_____
Councilwoman Merola	_____

RESOLUTION 2023-07-55

AT A REGULAR MEETING OF
 THE TOWN BOARD OF THE
 TOWN OF NORTH GREENBUSH
 HELD AT 7:00 P.M. ON JULY 13, 2023,
 AT THE TOWN OFFICES

RESOLUTION TO APPLY FOR FUNDING THOROUGH THE 2023 CONSOLIDATED FUNDING APPLICATION (CFA) PROCESS FOR A NYS DEPARTMENT OF STATE (DOS) - SMART GROWTH COMMUNITY PLANNING & ZONING GRANT

WHEREAS, the Town of North Greenbush, after due consideration, has determined it is desirable and in the public interest to undertake the necessary activities for the submittal of a Consolidated Funding Application under the 2023 NYS DOS Smart Growth Community Planning & Zoning Grant program; and

WHEREAS, the Town will seek grant funding for the development of a Town of North Greenbush Smart Growth Comprehensive Plan to replace the Town's current 2009 Plan; and

WHEREAS, the Town intends to establish a Comprehensive Plan Committee (CPC) to guide preparation of the new Comprehensive Plan; and

WHEREAS, the Town has secured grant funds from the Hudson River Valley Greenway to assist with key elements of the Comprehensive Plan update; and

WHEREAS, the 2023 NYS DOS Smart Growth Community Planning & Zoning Grant program requires a minimum local match of 10% of the total project costs.

NOW THEREFORE BE IT RESOLVED, that the Town of North Greenbush Town Board authorizes and directs Supervisor Bott to submit an application for the "Town of North Greenbush Smart Growth Comprehensive Planning Project" under the Smart Growth Community Planning & Zoning Grant Program through NYS DOS and to execute all documents necessary for the implementation of this work relating to the financial and/or administrative processes of the grant program; and

BE IT FURTHER RESOLVED, the Town of North Greenbush commits the required matching funds of a minimum of 10% as required by the grant program.

On a motion by _____ seconded by _____, the foregoing Resolution was adopted on a vote of ___ Ayes, ___ Nays and ___ Absents. The Supervisor declared the Resolution adopted.

Town Board present were:

	AYE	NAY
Supervisor Bott		
Councilwoman Hoffman		
Councilman Rogers		
Councilwoman Merola		
Councilman Gordon		

RESOLUTION 2023-07-56

At a Regular Meeting of
the Town Board of the
Town of North
Greenbush held at 7:00
p.m. on July 13, 2023,
at the Town Offices

**IN THE MATTER PURCHASING LAWN MOWERS TO
MAINTAIN TOWN PROPERTIES**

WHEREAS, the Town Utility Department is in need of replacing the SCAG Zero-Turn lawn mower (2000) and the John Deere 425 (1996), both of which have exceeded the normal service life. The lawn mowers are used for lawn care at the town hall, baseball fields and a total of approximately 30 plots that are owned and maintained by the Town of North Greenbush; and;

WHEREAS, in accordance with Town Procurement Policy, the Town Utilities Department Supervisor recommends the purchase of new ProZ-Zero Turn lawn mower and bagger attachments for the total cost of \$12,680.00 from Country True Value, North Greenbush, New York and a John Deere X738 lawn mower and bagger attachments for a total of \$13,457.22 under New York State Contract #PC69683 from United Ag & Turk, Clifton Park, New York ; and,

NOW THEREFORE BE IT RESOLVED, the Town Board hereby authorizes the purchase of the ProZ-Zero Turn lawn mower and attachments from Country True Value, North Greenbush for the estimated cost of \$12, 680.00 and the John Deere X738 and attachments for the estimated cost of \$13,457.22 from United Ag& Turf, Clifton Park, New York and authorizes the Comptroller to make necessary budget adjustments for this purchase.

Councilman moved, **Councilman** seconded and the Town Board voted as follows:

Councilwoman Hoffman	_____
Councilman Gordon	_____
Councilman Rogers	_____
Councilwoman Merola	_____
Supervisor Bott	_____

RESOLUTION 2023-07-57

At a Regular Meeting of the
Town Board of North Greenbush,
held on July 13, 2023, at the Town
Offices

**In the Matter of Scheduling a Public Hearing for
The Tax Exemption for Volunteer Firefighters and
Ambulance Workers**

WHEREAS, New York State has enacted Chapter 670 of the Laws of 2022, which allows the Town of North Greenbush to provide a 10% tax exemption for the residential property of Volunteer Firefighters and Ambulance Workers; and

NOW, THEREFORE, BE IT RESOLVED, that a public hearing will be held on **August 10, 2023, at 6:30 p.m.** at the Town Offices, 2 Douglas Street, Wynantskill, NY, for the purpose of having the Town Board meet and hear any objections that may be made to the 10% Tax Exemption for Volunteer Firefighters and Ambulance Worker's residential property; and, be it further

RESOLVED, that the Town Clerk shall cause notice of this public hearing to be properly posted and published in the official Town newspaper.

Councilperson _____ **moved, Councilperson** _____ **seconded,**
and the Town Board voted as follows:

- Supervisor Bott _____
- Councilwoman Hoffman _____
- Councilperson Rogers _____
- Councilwoman Merola _____
- Councilman Gordon _____

LOCAL LAW AUTHORIZING
REAL PROPERTY TAX EXEMPTION
FOR VOLUNTEER FIREFIGHTERS AND
VOLUNTEER AMBULANCE MEMBERS
IN THE TOWN OF NORTH GREENBUSH

BE IT ENACTED by the Town Board of the Town of North Greenbush (“Town”), in the County of Rensselaer, State of New York for inclusion into Chapter 169 of the Code of North Greenbush, as follows:

Section 1. Purpose

The state Real Property Tax Law was amended by Chapter 670 of the Laws of 2022 by the addition of a new Section 466-a providing for a ten percent (10%) partial real property tax exemption of the assessed value of the primary residence owned by a qualified enrolled member of an incorporated volunteer fire company, volunteer fire department or incorporated volunteer ambulance service that serves the Town. The intent of this Local Law is to permit the partial real property tax exemption for such qualified enrolled members of said emergency services organizations for real property taxes imposed by the town.

Section 2. Authority

Pursuant to Chapter 670 of the Laws of 2022 effective December 9, 2022, the state Real Property Tax Law was amended by adding a new Section 466-a authorizing local governments including towns to enact by local law, ordinance or resolution such partial tax exemption for Town real property taxes to qualified enrolled members of said emergency services organizations, following a public hearing.

Section 3. Grant of exemption

The primary residential real property located in the Town that is owned by an enrolled member of an incorporated volunteer fire company, volunteer fire department or incorporated volunteer ambulance service that provides services within the Town shall be exempt from taxation and assessments levied by the Town to the extent of ten percent (10%) of the assessed value of such property, exclusive of special assessments, subject to the requirements set forth in this herein.

Section 4. Authority Having Jurisdiction

For purposes of this Local Law the “Authority Having Jurisdiction” shall mean:

- A. In the case of a fire district, the Board of Fire Commissioners of the fire district;
- B. In the case of a contract fire department in a fire protection district, the Town Board;
- C. In the case of an incorporated voluntary ambulance service, the Town Board.

Section 5. Eligibility

Such exemption shall not be granted unless:

- A. The applicant resides in the Town, which is served by such incorporated volunteer fire company, volunteer fire department or incorporated voluntary ambulance services of which the applicant is a qualified enrolled member.
- B. The property is the primary residence of the applicant.
- C. The property is used exclusively for residential purposes; provided, however, that if any portion of such property is not used exclusively for the applicant's residence but is used for other purposes, such portion shall be subject to taxation and the remaining portion only shall be entitled to the exemption provided by this Local Law; and
- D. The applicant has been certified by the authority having jurisdiction for the incorporated volunteer fire company, volunteer fire department, or voluntary ambulance service as an enrolled member who has served such incorporated volunteer fire company, volunteer fire department or voluntary ambulance service for at least two (2) years; and
- E. The applicant must submit said certification from the authority having jurisdiction, or it's designee, together with the tax exemption application.

Section 6. Grant of Lifetime Exemption

Any enrolled member of an incorporated volunteer fire company, volunteer fire department or incorporated volunteer ambulance service who accrues more that twenty years of active service, and is so certified by the authority having jurisdiction for the incorporated volunteer fire company, volunteer fire department, or incorporated voluntary ambulance service, shall be granted the ten percent (10%) exemption authorized by this Local Law for the remainder of his or her life as long as his or her primary residence is located within the county.

Section 7. Surviving, Un-Remarried Spousal Exemption for Volunteer Firefighters or Volunteer Ambulance Workers Killed in the Line of Duty.

The property tax exemption authorized by this Local Law and granted to an enrolled member of an incorporated volunteer fire company, volunteer fire department, or incorporated voluntary ambulance service shall, upon application, be continued to such deceased enrolled member's un-remarried spouse if such member is killed in the line of duty, provided that:

- A. Such un-remarried spouse is certified by the authority having jurisdiction for the incorporated volunteer fire company, volunteer fire department, or incorporated voluntary ambulance service as an un-remarried spouse of such enrolled member who was killed in the line of duty;
- B. Such deceased volunteer had been an enrolled member for at least five (5) years; and

- C. Such deceased volunteer had been receiving the exemption prior to his or her death.

Section 8. Surviving Un-Remarried Spousal Exemption for Deceased Volunteer Firefighters or Volunteer Ambulance Workers with Twenty Years of Enrolled Member Service.

The property tax exemption authorized by this Local Law and granted to an enrolled member of an incorporated volunteer fire company, volunteer fire department, or incorporated voluntary ambulance service shall, upon application, be continued to such deceased enrolled member's un-remarried spouse, provided that:

- A. Such un-remarried spouse is certified by the authority having jurisdiction for the incorporated volunteer fire company, volunteer fire department, or incorporated voluntary ambulance service as an un-remarried spouse of such enrolled member;
- B. Such deceased volunteer had been an enrolled member for at least twenty (20) years; and
- C. Such deceased volunteer and un-remarried spouse had been receiving the exemption for such property prior to the death of such volunteer.

Section 9. Application

An application from such exemption and a certification provided by the appropriate authority having jurisdiction shall be filed with the Assessor for the Town on or before the taxable status date of each year as otherwise required as prescribed by New York State. The Town Assessor is hereby authorized to certify eligibility provided satisfactory proof of such eligibility is submitted with the application.

Section 10. No Diminution of Benefits

No applicant who is a volunteer firefighter or volunteer ambulance worker who by reason of such status is receiving any benefit under the provisions of Article 4 of the state Real Property Tax Law on the effective date of this Local Law shall suffer any diminution of such benefit because of the provisions of this local law.

Section 11. Effective Date

This Local Law shall take effect immediately upon filing with the Secretary of State.

Section 12. Supersession

This Local Law supersedes all inconsistent provisions of the Laws of the New York State Real Property Tax Law and Town Code of the Town of North Greenbush.

At a Meeting of the Town Board of the Town of North Greenbush held at 7:00 p.m. on July 13, 2023 at the Town Offices

IN THE MATTER OF THE TOWN AWARDED THE CONTRACT TO AN ENERGY SERVICES COMPANY

WHEREAS, The Town Board of the Town of North Greenbush issued an Request For Qualifications (RFQ) seeking services from an energy services company to assist the Town to become as energy efficient as possible through the implementation of energy efficiency measures. The energy services company will also provide project management services for the construction of other facility improvements; and

WHEREAS, the Town Board and the Comptroller reviewed the responses to the RFQ submitted by responsible vendors and determined that Siemens, Inc. will be awarded the contract to provide all services listed in the RFQ for a period of five years.

BE IT RESOLVED, the Town Board authorizes the Supervisor to sign the energy performance contract with Siemens, Inc., designated as the Town of North Greenbush energy services company.

Councilperson moved, **Councilperson**
seconded and the Town Board voted as follows:

- Councilman Gordon _____
- Councilwoman Merola _____
- Councilwoman Hoffman _____
- Councilman Rogers _____
- Supervisor Bott _____

RESOLUTION 2023-07-59