



**Town Board
Town of North Greenbush
Regular Meeting Agenda
February 8, 2028
7:00 p.m.**

CALL TO ORDER:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

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

Announcements from Supervisor Bott:

Comments from Residents on Agenda:

Presentation:

Superintendent Simons, School District Capital Projects

New Business:

- 1.) **Resolution 2024-02-13:** In the matter of appointing Charles Denué, Full-Time Laborer, per budget
- 2.) **Resolution 2024-02-14:** In the matter of the appointing of Patrick Sickles, Part-Time Laborer, per budget
- 3.) **Resolution 2024-02-15:** In the matter of Town Board receipt of the Annual Audit and Examination of records of the Town Justice for the year end December 31, 2023
- 4.) **Resolution 2024-02-16:** In the matter of Scheduling a Public Hearing for The Transportation Corridor Overlay Repeal Law
- 5.) **Resolution 2024-02-17:** In the matter of approving lease agreement for the North Greenbush Police Department

- 6.) **Resolution 2024-02-18:** In the matter of the appointing Janice Kerwin, Registrar of Vital Statistics
- 7.) **Resolution 2024-02-19:** In the matter of the appointing Janet Dickinson, Deputy Registrar of Vital Statistics
- 8.) **Resolution 2024-02-20:** In the matter of the appointing James Miner, Sub-Registrar of Vital Statistics

Department Reports Review:

Approval of Minutes:

Approval of All Meeting Minutes for January 11, 2024 (Organizational and Regular)

Adjournment:

At a Meeting of the Town
Board of the Town of North
Greenbush, held at 7:00 PM
on February 8, 2024, at the
Town Offices

**IN THE MATTER OF APPOINTING CHARLES DENUÉ,
LABORER, PER BUDGET**

BE IT RESOLVED, the Town Board of the Town of North Greenbush does hereby
appoint Charles Denué, to the position of Laborer, payment per budget.

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

Supervisor Bott

Councilwoman Hoffman

Councilwoman Merola

Councilman Gordon

Councilwoman Sabo

RESOLUTION 2024-02-13

At a Meeting of the Town
Board of the Town of North
Greenbush, held at 7:00 PM
on February 8, 2024, at the
Town Offices

**IN THE MATTER OF APPOINTING PATRIUCK SICKLES,
LABORER, PER BUDGET**

BE IT RESOLVED, the Town Board of the Town of North Greenbush does hereby
appoint Charles Denué, to the position of Laborer, payment per budget.

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

Supervisor Bott

Councilwoman Hoffman

Councilwoman Merola

Councilman Gordon

Councilwoman Sabo

RESOLUTION 2024-02-14

At a Regular Meeting of
the Town Board of the
Town of North Greenbush
held at 7:00 p.m. on February
8, 2024 at the Town Offices

IN THE MATTER OF TOWN BOARD RECEIPT
OF THE ANNUAL AUDIT AND EXAMINATION
OF RECORDS OF THE TOWN JUSTICE FOR THE
YEAR ENDING DECEMBER 31, 2023

WHEREAS Section 2019-a of the Uniform Justice Court Act requires every justice of a village or town to submit his/her records and docket to the auditing board of said village or town; and,

WHEREAS Section 2019-a of the Uniform Justice Court Act requires that Justice Court records shall be examined and audited by said auditing board or a certified public accountant; and,

NOW, THEREFORE BE IT RESOLVED that the North Greenbush Town Board directed the Town Comptroller to perform the required audit and examination of the records of the North Greenbush Town Justices for the year ending December 31, 2023; and,

BE IT FURTHER RESOLVED that the findings of said audit and examination were presented to the Town Board of the Town of North Greenbush

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

Councilwoman Hoffman

Councilwoman Merola

Councilwoman Sabo

Councilman Gordon

Supervisor Bott

RESOLUTION 2024-02-15

Appendix 10 – Annual Checklist for Review of Justice Court Records

Name of Municipality: Town of North Greenbush

Month Reviewed: January 2023 Through December 2023

Name of Justice:

Kathryn S. Dell
George B. Burke III

Review Performed By: Michael Charies Sr Date 1/31/2024

Annual Checklist for Review of Justice Court Records

Yes No

Cash Receipts Book

- ▶ Are pre-numbered receipt forms issued for all collections?
- ▶ Are duplicate receipts kept for court records?
- ▶ Are receipts recorded up-to-date?

Last recorded receipt: Burke - GB24955 - 12/11/23 - \$175

Ocell # 0707 Date 12/5/23 Amount \$175

- ▶ Is the receipt book maintained in a manner to identify date received, payer, and the amount of fines, fees, bail and other categories of collection?
- ▶ Are deposits identified?
- ▶ Are duplicate deposit slips kept for court records?
- ▶ Are deposits made within 72 hours of collection (exclusive of Sundays and holidays)?
- ▶ Are deposits recorded up-to-date?

Last recorded deposit: Burke: 12/28/23 - \$40

Ocell Date 12/28/23 Amount \$175

- ▶ Is the receipt book totaled and summarized at the end of each month?

Last Month Totaled and Summarized Ocell - Burke November 2023

Cash Disbursements Book

- ▶ Are pre-numbered checks used for all disbursements other than petty cash?
- ▶ Are all checks signed by the Justice?
- ▶ Are canceled checks (or check images) returned with bank statements and kept for court records?
- ▶ Are checks recorded up-to-date?

Last recorded check: Burke: 1204 - 1/5/24 - \$4,525.00

Ocell # 1279 Date 1/5/2024 Amount \$4,266.00

Bank Reconciliations

- ▶ Are bank accounts reconciled promptly after bank statements are received?

Last Bank Reconciliation for Each Bank Account:

Ocell - Burke Date Performed 1/5/2024 Month Ending December 2023

Additional Supporting Records

- ▶ Is a list of bail maintained?
- ▶ Is a record of uncollected installment payments maintained?

Annual Checklist for Review of Justice Court Records

Yes No

Dockets and Case Files

- ▶ Are separate dockets maintained for various classifications of cases, such as Vehicle and Traffic, Criminal, Civil and Small Claims?
- ▶ Are case files maintained for all cases? If manual, an index is an alphabetical list of cases with case numbers as a cross-reference. This will assist in locating cases since case files are filed by disposition date. If computerized, the index is maintained in the system and can be accessed at any time by name, ticket number or address.
- ▶ Do dockets for disposed cases appear to be complete?
- ▶ Do dockets for disposed cases agree with amounts reported?

Cash Book Reconciliation

- ▶ Is the cash book reconciled to the adjusted bank balances at the end of each month?
- ▶ Does the cash book total agree with the bank reconciliation and supporting information?

Last Cash Reconciliation:

Date Performed 1/5/2024 Month Ending December 2023

Reports to the Division of Criminal Justice Services

- ▶ Are reports made timely to the Division of Criminal Justice Services?
- ▶ Has the court received any notices regarding late reporting?
If yes, why were the reports late and what corrective actions were taken? _____

Reports to the Justice Court Fund

- ▶ Are reports made timely to the Justice Court Fund?
- ▶ Do reported amounts agree with docket dispositions and case files?
- ▶ Do reported amounts agree with cash receipt and disbursement books?
Last report submitted: Month Ending Dec 2023 Date 1/5/24 Burke: \$4,525.00
Amount \$4,266.00
- ▶ Has the court received any notices regarding late reporting?
If yes, why were the reports late and what corrective actions were taken? _____

Annual Checklist for Review of Justice Court Records

Yes No

Reporting to the Department of Motor Vehicles - TSLED Program

- ▶ Has the court received any notices regarding pending cases?
If yes, why were the cases pending and what corrective actions were taken, if any _____

Note: Cases over 60 days are eligible to be Scofflawed. TSLED sends a monthly listing of pending cases to the Court. The court should respond either manually or electronically to TSLED with the outcome of these pending cases.

- ▶ Are reports from TSLED to the court maintained and utilized?
Last TSLED Report Available: Date December 23, 2023 Dell - Burke

Note: Courts can access reports on-line from TSLED at any time.

- ▶ How many cases are shown as pending in the last TSLED report? 301 - Burke 333 - Dell
- Is the number of pending cases reasonable?
 - How many cases are shown as pending for more than 90 days? see above
 - What actions have been taken to dispose of these cases? _____

Suspension for cases - defendants not responding - monitor open dates - no response - separate files

Overall Evaluation

Justice Burke - Justice Dell - Cash receipts + cash disbursement records up to date; bank reconciliations performed monthly - up to date - payments to Justice Court Fund up to date; court receipts up to date.
No discrepancies

Comptroller - Michael Charles 4/11/31/2024

 Court Clerk.  Meghan King
Court Clerk

North Greenbush Town Court
Summary Report of Cases Started
Judge Kathryn S. Dell
 Report date: 01/31/2024

01/01/2023 to 01/01/2024
 All Judges

STATUTE	STARTED	CLOSED	FINE	SURCHG	CIVIL FEE
PL	503	190	6680.00	8490.00	0.00
VTL	1332	693	63276.00	22917.00	0.00
CIV	52	45	0.00	0.00	963.00
TO	1	1	0.00	0.00	0.00
CPL	13	10	0.00	0.00	0.00
ABC	8	7	0.00	0.00	0.00
ECL	3	0	150.00	25.00	0.00
PHL	1	0	0.00	0.00	0.00
TOTALS	1913	946	70106.00	31432.00	963.00

ADDITIONAL INFORMATION

Number of DWIs - 1192:	43	Closed: 29	Fines/Fees: \$10170.00
Number of AUOs - 511:	0	Closed: 0	Fines/Fees: \$0.00
Number of Speeds - 1180:	173		
Number of Defendants:	1049		
Total Number Charges:	1913		
Average Charges/Defendant:	1.82		
Number of Small Claims:	18		

NOTE: Dollars are calculated for fines assessed, not amount collected.

North Greenbush Town Court

Summary Aging Report

Judge Kathryn S. Dell

Report date: 01/31/2024

VTL CHARGES

		# Closed By Year						
	Issued	<2020	2020	2021	2022	2023	2024	Open
<2020	1013	9	0	6	51	35	1	911
2020	219	0	3	1	37	4	0	174
2021	419	0	0	3	211	27	0	178
2022	631	0	0	0	293	144	1	193
2023	637	0	0	0	0	267	37	333
2024	69	0	0	0	0	0	3	66
Total	2988							1855

PL CHARGES

		# Closed By Year						
	Issued	<2020	2020	2021	2022	2023	2024	Open
<2020	175	0	1	2	12	21	2	137
2020	44	0	0	3	15	2	0	24
2021	94	0	0	3	69	9	1	12
2022	225	0	0	0	110	61	3	51
2023	186	0	0	0	0	91	8	87
2024	9	0	0	0	0	0	0	9
Total	733							320

North Greenbush Town Court
Summary Aging Report
Judge George B. Burke III
 Report date: 01/31/2024

VTL CHARGES

	Issued	# Closed By Year						Open
		<2020	2020	2021	2022	2023	2024	
<2020	6837	5227	374	174	39	19	1	1003
2020	754	0	308	283	20	15	0	128
2021	847	1	0	441	164	33	0	208
2022	586	2	1	0	261	141	4	177
2023	689	0	0	0	0	335	53	301
2024	69	0	0	0	0	0	10	59
Total	9782							1876

PL CHARGES

	Issued	# Closed By Year						Open
		<2020	2020	2021	2022	2023	2024	
<2020	1062	785	49	30	10	7	0	181
2020	160	1	53	50	20	2	0	34
2021	87	1	0	33	19	9	0	25
2022	184	0	0	0	59	78	0	47
2023	243	0	0	0	0	60	15	168
2024	9	0	0	0	0	0	3	6
Total	1745							461

**RESOLUTION OF THE TOWN BOARD
IN THE MATTER OF HOLDING A PUBLIC HEARING TO
CONSIDER A LOCAL LAW**

At a meeting of the Town Board held at the Town Office at 2 Douglas Street, Wynantskill, New York 12198 in the Town of North Greenbush, Rensselaer County, New York on February 8, 2024.

Present:	Joseph Bott	Supervisor
	Kelly Hoffman	Councilwoman
	Jim Gordon	Councilman
	Jessica Merola,	Councilwoman
	Mary Frances Sabo	Councilwoman

Whereas, the Town Board of the Town of North Greenbush is interested in adopting a Local Law Repealing Article XVIII of chapter 197 of the North Greenbush Town Code, and

Whereas it is necessary to hold a public hearing on this proposal.

Now therefore, on motion of **Councilperson** _____, seconded, by **Councilperson** _____ all members present voting on roll call, which resulted as follows:

AYES:

NAYS:

ABSENT:

IT IS ORDERED, that the Town Board of the Town of North Greenbush shall hold a public hearing to be held at the Town Office located at 2 Douglas Street, Wynantskill, New York 12198, in the Town of North Greenbush on **March 14, 2024 @ 6:45 P.M.**, consider a Local Law entitled "**Town of North Greenbush The Transportation Corridor Overlay District Repeal Law**" and to hear all persons interested in the subject thereof concerning the same, and for such other action on the part of the Town Board with relation to said Local Law as may be required by law, and it is

FURTHER ORDERED, that the Town Clerk give notice of such hearing by publishing, on or before **March 1, 2024**, in the Town's official newspaper, The Record, a certified copy of this Order and by posting a certified copy of this Order on the signboard of the Town of North Greenbush and on the Town website not less than ten or more than twenty days before such hearing, and it is

FURTHER ORDERED, this proposal is hereby referred to the Town Planning Board for review and recommendation, and it is

FURTHER ORDERED, that this Local Law be referred to the Rensselaer County's Department of Economic Development and Planning in accordance with the New York State Article 12B of the General Municipal Law Section 239, and written notice thereof shall be sent to all entities entitled thereto pursuant to section 197-69 of the North Greenbush Town Code.

RESOLUTION 2024-02-16

Town of North Greenbush
“The Transportation Corridor Overlay District Repeal
Law”

Section 1: Article XVIII of Chapter 197 of the North Greenbush Town Code, added 05/10/1990 by Local Law # 5-1990, is hereby repealed and the official Zoning map of the Town of North Greenbush is amended to delete the Transportation Corridor Overlay District.

Section 2: This Local Law supersedes Chapter 197 of the North Greenbush Town Code to the extent inconsistent therewith.

Section 3: This Local Law shall take effect immediately upon filing with the NYS Department of State. Local and State Laws and Regulations

At a regular Meeting of
the Town Board of the
Town of North Greenbush
held at 7:00 p.m. on February
8, 2024 at the Town Offices

IN THE MATTER OF APPROVING A LEASE
AGREEMENT FOR THE NORTH GREENBUSH
POLICE DEPARTMENT

BE IT RESOLVED that the North Greenbush Town Board hereby approves a renewal for a lease extension with Manor Associates, LLC for the Police Department, and it is further

RESOLVED, that the Supervisor is authorized to sign the attached lease renewal in a form approved by the Town Attorney.

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

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

Resolution 2024-02-17

AMENDMENT TO LEASE

This amendment made this **January 11, 2024**, between Manor Associates LLC, a New York Limited Liability Corporation, having an address of PO Box 370, Rensselaer, NY 12144 and The Town of North Greenbush NY, 2 Douglas St., Wynantskill, NY 12198.

Whereas, the parties hereto entered into a lease which commenced on January 1, 2009, as amended on November 30, 2016 for the possession of a commercial building located at 133 Bloomingrove Drive, in the Town of North Greenbush, County of Rensselaer.

Whereas, the parties agreed to extend the lease for one additional five (5) year term at this time and **new term will be effective 1/1/2024 – 12/31/2028.**

The parties hereto agree as follows:

1. The termination date is modified from December 31, 2023 to December 31, 2028.
2. Exhibit "A" includes the new lease schedule.
3. Exhibit "B" includes modifications to said lease.
4. Exhibit "C" includes the Purchase Option.
5. Exhibit "D" includes the Site Plan.
6. All other terms and conditions of the lease will remain the same.

Tenant: The Town of North Greenbush NY

By: _____

Joseph Bott, Supervisor

Landlord: Manor Associates LLC

By: _____

William J. Ritz, III, Managing Member

EXHIBIT "A"
Rent Schedule

Rent Schedule for (5) Year Lease Extension for 11,800 sf:

	<u>Rate / SF</u>	<u>Yearly</u>	<u>Monthly</u>
1/1/24 – 12/31/24	\$13.25	\$156,350	\$13,029.17
1/1/25 – 12/31/28	\$14.70	\$173,460	\$14,455.00

Town of North Greenbush will continue to be responsible for plowing, shoveling & salting for their demised area.

All other terms and conditions of original lease to remain.

Exhibit "B"
Summary of Lease Modifications

1. Paragraphs 42 & 43 LEASE ADJUSTMENTS, to remain as is.

2. Delete paragraph # 44 – Operating Expenses, # 1 – 13.

Last paragraph to be remain as is, except as per adding "Taxes Only" highlighted clarification:

It is further agreed, however that if Landlord fails to submit a written claim for an Operating Expense (Taxes Only) escalation payment within 2 years from the end of the respective lease year, no payment will be allowed for such period.

For the above purpose, the provisions of this clause shall survive the end of the lease term.

3. Manor Associates LLC, will not seek any LEASE ADJUSTMENTS as per paragraph 42, 43 or 44 for any previous years as part of the execution of this lease extension.

4. Manor Associates LLC to perform the following improvements:

- Repaint tenant space with selection of color provided by tenant.
- Provide and install new 12"x12" VCT & 4" VCB in dispatch office if, it is deemed that the existing tile is beyond its useful life after stripping and waxing, as agreed to by both parties.
- Provide new South gate operator, if deemed required by both parties.

EXHIBIT "C" Purchase Option

The lessee shall continue to have the option to purchase the leased property **during years 2-5** of the lease renewal **term**. The option shall be exercised by giving the lessor written notice of its intent to do so. Upon receipt of this notice, each party shall choose an appraiser **at their expense**, to evaluate the property. The parties shall jointly agree upon a third appraiser, **the cost to be split evenly by both parties**. Upon receipt of three certified appraisals, the parties agree that the purchase price shall be the average of the highest two appraisals.

Upon receipt of all appraisals, the parties shall enter into a written sales agreement with terms standard with such purchases. The sale is contingent upon lessee obtaining financing for the transaction and upon the approval of voters, at a referendum if required.

Lessor shall convey good and marketable title by warranty deed and shall be responsible for the transfer tax.

The sale is also contingent upon subdivision approval, which will be performed by lessor at their expense. Lessee shall waive the fees for such approval.

It is understood that the closing will take place after all approvals are obtained. Each party shall proceed with their respective obligations with due diligence, **approximately 6 months is the anticipated due diligence time period**.

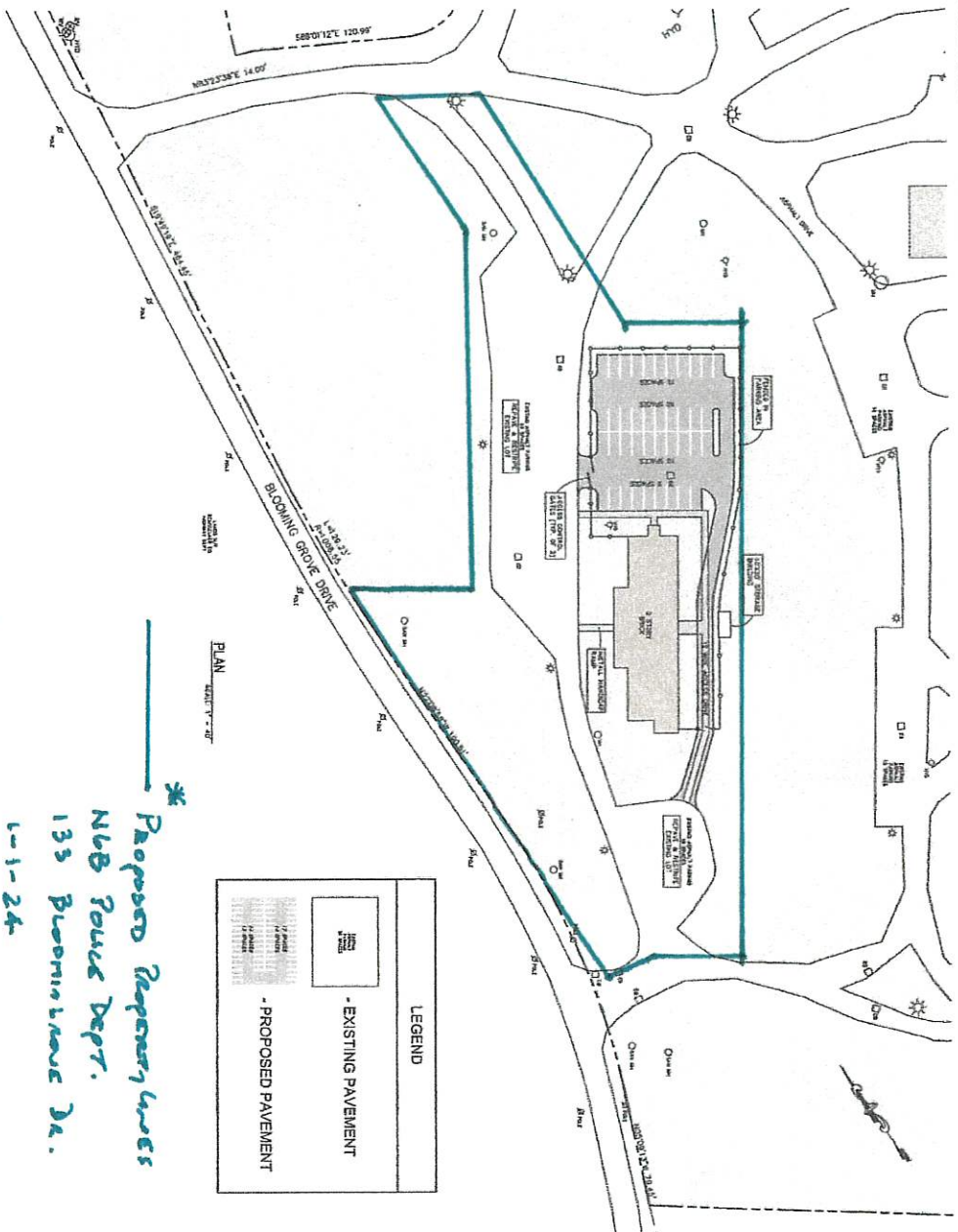
The lessee will receive a *20% credit of the rental payments made up until the actual closing date of the sale; adjustment to be made at closing. This credit shall be used only towards the purchase of leased property.

*Less 9.1% of the actual Property and School taxes paid over term.

If the Landlord receives an offer to purchase from a third party, the Tenant will be given the option to meet the terms of the third-party offer. The Tenant shall still receive the credit as defined above, if they exercise this option.

Manor Associates to perform engineering to sub-divide, **at their expense**. Town of North Greenbush shall pay no fees to Manor Associates for subdivision approval.

EXHIBIT "D"
Site Plan



* Exact Locations to be determined upon
 final engineering. 2.75 Acres +/-

* Proposed Repaving Lines
 NLR Police Dept.
 133 Blooming Grove Dr.
 1-1-24

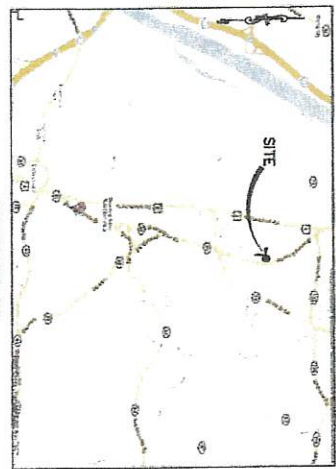
PLAN 1/8" = 1'-0"

LEGEND	
[Symbol]	- EXISTING PAVEMENT
[Symbol]	- PROPOSED PAVEMENT

SITE STATISTICS	
PROPOSED PARKING	40 SPACES

OWNER / APPLICANT	MANOR ASSOCIATES, LLC 298 RIVERSIDE AVENUE RENSSELAER, NY 12144
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TENANT	TOWN OF NORTH GREENBUSH POLICE DEPARTMENT
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MANOR ASSOCIATES, LLC
 298 RIVERSIDE AVENUE
 RENSSELAER, NY 12144
 TEL: 518.537.1234
 FAX: 518.537.1235
 WWW.MANORASSOCIATES.COM

MANOR ASSOCIATES, LLC
 133 BLOOMING GROVE DR.
 BLOOMING GROVE DRIVE
 GREENBUSH, NY 12041
 TEL: 518.537.1234
 FAX: 518.537.1235
 WWW.MANORASSOCIATES.COM

Manor Engineering
 2 Deane Avenue
 Rensselaer, NY 12144
 Phone: 518.537.1234
 Fax: 518.537.1235

PREPARED FOR: MANOR ASSOCIATES, LLC
 PROJECT: 133 BLOOMING GROVE DRIVE
 DATE: AUGUST 15, 2008
 SCALE: 1" = 48'

DATE: August 15, 2008
 SCALE: 1" = 48'
 SHEET: 1 OF 1

At a Meeting of the Town
Board of the Town of North
Greenbush, held at 7:00 PM
on February 8, 2024, at the
Town Offices

**IN THE MATTER OF APPOINTING JANICE KERWIN,
REGISTRAR OF VITAL STATISTICS, PER BUDGET**

BE IT RESOLVED, the Town Board of the Town of North Greenbush does hereby appoint **Janice Kerwin** to the position of Deputy Registrar of Vital Statistics, per budget.

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

- Supervisor Bott
- Councilwoman Hoffman
- Councilwoman Merola
- Councilman Gordon
- Councilwoman Sabo

RESOLUTION 2024-02-18

At a Meeting of the Town
Board of the Town of North
Greenbush, held at 7:00 PM
on February 8, 2024, at the
Town Offices

**IN THE MATTER OF APPOINTING JANET DICKINSON,
DEPUTY REGISTRAR OF VITAL STATISTICS, PER BUDGET**

BE IT RESOLVED, the Town Board of the Town of North Greenbush does hereby
appoint **Janet Dickinson** to the position of Registrar of Vital Statistics, per budget.

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

Supervisor Bott

Councilwoman Hoffman

Councilwoman Merola

Councilman Gordon

Councilwoman Sabo

RESOLUTION 2024-02-19

At a Meeting of the Town
Board of the Town of North
Greenbush, held at 7:00 PM
on February 8, 2024, at the
Town Offices

**IN THE MATTER OF APPOINTING JAMES MINER,
SUB-REGISTRAR OF VITAL STATISTICS, PER BUDGET**

BE IT RESOLVED, the Town Board of the Town of North Greenbush does hereby appoint **James Miner** to the position of Sub-Registrar of Vital Statistics, per budget.

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

Supervisor Bott

Councilwoman Hoffman

Councilwoman Merola

Councilman Gordon

Councilwoman Sabo

RESOLUTION 2024-02-20