



**Town Board
Town of North Greenbush
Regular Meeting Agenda
May 12, 2022
7:00 p.m.**

CALL TO ORDER:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

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

ANNOUNCEMENTS FROM SUPERVISOR BOTT:

COMMENTS ON AGENDA ITEMS:

DISCUSSION:

Bloomingrove Road/Teliska Avenue Sewer District Extension Proposal

NEW BUSINESS:



**Town Board
Town of North Greenbush
Regular Meeting Agenda
May 12, 2022
7:00 p.m.**

- 1.) **RESOLUTION 2022-5-24:** IN THE MATTER OF HONORING THE AVERILL PARK GIRL'S BASKETBALL TEAM ON WINNING THE 2022 CLASS A NEW YORK STATE PUBLIC SCHOOL ATHELETIC ASSOCIATION (NYSPPSAA) GIRL'S CHAMPIONSHIP
- 2.) **RESOLUTION 2022-5-25:** IN THE MATTER OF APPOINTING TOWN COMPTROLLER FOR THE TOWN OF NORTH GREENBUSH
- 3.) **RESOLUTION 2022-5-26:** IN THE MATTER OF EXPENDING HIGHWAY MONIES PURSUANT TO SECTION 284 OF HIGHWAY LAW
- 4.) **RESOLUTION 2022-5-27:** IN THE MATTER OF AN AGREEMENT WITH THE TRI CITY VALLEYCATS AND NORTH GREENBUSH POLICE BENEVOLENT ASSOCIATION
- 5.) **RESOLUTION 2022-5-28:** IN THE MATTER OF AUTHORIZING THE SUPERVISOR TO SIGN AN AGREEMENT WITH RENSSELAER FOR JOINT HOUSEHOLD HAZARDOUS WASTE COLLECTION
- 6.) **RESOLUTION 2022-5-29:** IN THE MATTER OF HOLDING A PUBLIC HEARING TO CONSIDER THE PETITION FOR THE ESTABLISHMENT OF THE PROPOSED THE SLITERS LANE WATER DISTRICT EXTENSION OF THE NORTH GREENBUSH CONSOLIDATED WATER DISTRICT
- 7.) **RESOLUTION 2022-5-30:** IN THE MATTER OF SUMMER CAMP FEES AND PARK FEES FOR 2022 TO BE ESTABLISHED



**Town Board
Town of North Greenbush
Regular Meeting Agenda
May 12, 2022
7:00 p.m.**

DISCUSSION:

DEPARTMENT REPORTS:

APPROVAL OF MINUTES:

Approval of Meeting Minutes for April 14, 2022 minutes

ADJOURNMENT:

At a Regular Meeting of
the Town Board of the
Town of North Greenbush
held at 7:00 p.m. on May
12th, 2022 at the Town Offices

IN THE MATTER OF HONORING THE AVERILL PARK GIRLS BASKETBALL TEAM ON WINNING
THE 2022 CLASS A NEW YORK STATE PUBLIC SCHOOL ATHLETIC ASSOCIATION (NYSPHSAA)
GIRL'S CHAMPIONSHIP

WHEREAS, the Averill Park Girls Basketball team finished the season with a 25-2 record, including a 12-1 record with in the Suburban Council; and

WHEREAS, the Averill Park Girls Basketball team won the Section 2 title, defeating Burnt Hills 61-46; and

WHEREAS, the Averill Park Girls Basketball team won the Regional title, defeating Bishop Ludden 67-43; and

WHEREAS, the Averill Park Girls Basketball team won the Class A, NYSPHSAA Girls State Championship, defeating Tappan Zee 54-48; and

WHEREAS, through their months of hard work and dedication to the team and each other, these athletes showcased the epitome of perseverance, resilience, discipline, and family; and

WHEREAS, these student-athletes, through this extraordinary season and their accomplishments, teamwork, and sportsmanship, inspired not only younger athletes, but also the entire Averill Park community; and

WHEREAS, the Averill Park Girls Basketball team is led by Head Coach Sean Organ, Assistant Coaches Scott Keegan, James Acker, Ashley Champitto, Athletic Trainer Rachel Brown, and Director of Athletics Mark Bubniak; and

WHEREAS, the members of the team are as follows:

Kayliegh Ahern	Michelina Lombardi
Elizabeth Aiossa	Hannah Stewart
Logan Barsalow	Tatiana Tune
Maisie Dawson	Arianna Verardi
Elizabeth Hansen	Lillian Wohlleber
Taylor Holohan	Amelia Wood
Bailee Lange	

NOW LET IT THEREFORE BE RESOLVED, that the Town Board of the Town of North Greenbush hereby congratulates the Averill Park High School Girls Basketball team and congratulates them in winning the Class A NYSPHSAA State Basketball Championship.

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

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

RESOLUTION 2022-5-24

At a Regular Meeting of
the Town Board of the Town
of North Greenbush held at 7:00
p.m. on May 12, 2022 at the Town
Offices

IN THE MATTER OF APPOINTING TOWN COMPTROLLER
FOR THE TOWN OF NORTH GREENBUSH

WHEREAS, resumes were reviewed and interviews were conducted for the position of Town Comptroller; and,

NOW THEREFORE BE IT RESOLVED, that at the recommendation of the Town Supervisor, effective May 28, 2022, Michael Chaires is hereby appointed as Town Comptroller at an annual salary of \$64,500 in accordance with Article 1, Section 27 of Town Code and will have responsibilities pursuant to NYS Town Law, Section 124 and Section 34, items 1 and 2; and,

BE IT FURTHER RESOLVED, Michael Chaires will also be appointed effective May 2, 2022 thru May 27, 2022 as a temporary service employee to ensure an orderly transition with the current Comptroller; and,

BE IT FURTHER RESOLVED, that the Town Board hereby authorizes an application be made for Mr. Chaires to New York State for a waiver under Section 211 of the Retirement and Social Security Law.

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

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

Resolution 2022-5-25

At a Regular Meeting of
the Town Board of the Town of
North Greenbush held at 7:00
p.m. on May 12, 2022 at the
Town Offices

IN THE MATTER OF EXPENDING HIGHWAY
MONIES PURSUANT TO SECTION 284 OF
HIGHWAY LAW

WHEREAS, pursuant to the provisions of Section 284 of the Highway Law, the North Greenbush Town Board agrees that monies levied and collected for the repair and improvement of highways, and monies received from the state for the repair and improvement of highways contained within the current adopted budget, including Consolidated Local Highway Improvement Assistance Program (CHIPs) monies, shall be expended for the general repairs of town highways, including sluices, culverts and bridges, or the renewal thereof; and,

NOW THEREFORE, BE IT RESOLVED, that the Town Board duly agrees that the Highway Superintendent shall complete the attached projects to the extent practicable and possible subject to the following:

1. The Highway Superintendent shall request at least three bids for all components of the projects, including materials and contractors;
2. Sealed bids will be solicited if required by law;
3. The lowest responsible bid will be accepted, and State and County Contracts (if permissible) shall be considered in seeking the lowest price;
4. All bids will be reviewed and approved by the Town Comptroller prior to awarding a bid;
5. All Contractor signed contracts, with accompanying Insurance and Indemnification Agreements (Exhibit #1), will be reviewed by the Town Supervisor and Town Attorney prior to signing by the Town Highway Superintendent; and
6. The Town Highway Superintendent or designee will review required safety and health procedures with town employees and the safety and health responsibilities of the contractor prior to the start of any work on the job site.

BE IT FURTHER RESOLVED, the Town Board and the Highway Superintendent shall execute a certified copy of this resolution in duplicate, and said certified copy, so signed, shall constitute written agreement between the parties.

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

Councilwoman Hoffman _____

Councilman Rogers _____

Councilwoman Merola _____

Councilman Gordon _____

Supervisor Bott
TOWN OF NORTH GREENBUSH

Exhibit #1 - Insurance and Indemnification Agreement for Paving Projects

The Contractor named below shall purchase and maintain in full force and effect insurance policies with the limits of insurance provided in the contract documents or the following insurance coverage's, whichever is greater. The insurance should be from an insurer that has an A.M. Best Rating of "A" or better.

1. Commercial General Liability with limits not less than \$1,000,000 per occurrence, \$2,000,000 general aggregate, \$1,000,000 and \$2,000,000 products-completed operations aggregate. Such insurance shall cover liability arising from premises, operations, independent contractors, product-completed operations, personal and advertising injury and liability assumed under an insured contract. There shall be no endorsement or modification of the Commercial GL form arising from pollution, explosion, collapse, underground property damage or work performed by subcontractors.
2. Business Automobile Liability with a limit of not less than \$1,000,000 each accident, including owned, non-owned, leased and hired vehicles.
3. Statutory Workers Compensation and employers liability coverage for all employees, including corporate officers and sole proprietors.
4. Umbrella/Excess Liability with a limit of not less than \$1,000,000 per occurrence/aggregate (unless higher limits are required by the Owner).

The "Town of North Greenbush" is to be included as an additional insured on a primary, non-contributory basis (using CG 2010 11/85 or its equivalent) for item 1, including products-completed operations coverage for 3 years, and for items 2 and 4.

Contractor agrees to require any and all subcontractors hired to perform work on the project to obtain insurance coverage as provided above. All such insurance coverage shall name the "Town of North Greenbush" as an Additional Insured on a primary, Non-contributory basis on form CG 2010 11/85 or its equivalent.

All policies required by this paragraph shall include a waiver of subrogation in favor of the Town of North Greenbush.

All policies and certificates of insurance shall expressly provide that the Town of North Greenbush must receive 30 days written notice in the event of material alteration, cancellation or nonrenewal of coverage, including subcontractors' insurance.

Indemnification Agreement

INDEMNIFICATION AGREEMENT (“Agreement”) dated as of the ____ day of _____, 20__, (the “Effective Date”) by and between **the Town of North Greenbush** with a principal business address at 2 Douglas Street, Wynantskill, NY 12198 (the “Owner”) and _____ with a principal business address at _____ (the “Contractor”), attached to and forming a part of the contract between Owner and the Contractor with respect to the project and/or site located at _____. In consideration of the mutual promises contained herein and other good and valuable consideration, the receipt and sufficiency of which is acknowledged, Owner and Contractor agree as follows:

To the fullest extent permitted by law, the Contractor shall indemnify, defend and hold harmless Owner and each of its officers, directors, shareholders, employees and agents from and against any and all claims, actions, damages, losses and expenses, including but not limited to attorneys’ fees, for any actual or alleged injury to any person or persons, including death, or damage to or destruction of property arising out of any act or omission on the part of the Contractor, its employees, agents or subcontractors in connection with any work or services performed on behalf of the Owner.

In the event any provision of this Agreement is held to be unenforceable or voidable by a court of competent jurisdiction, the enforceability of the remaining provisions shall not be affected and, in lieu of such unenforceable or voidable provision, there shall be added automatically provisions as similar in terms as may be enforceable under applicable law. **IN WITNESS WHEREOF**, the parties hereto have executed this Agreement as of the Effective Date.

Town of North Greenbush

Contractor

Town of North Greenbush

Contractor: _____

By: _____

By: _____

Title: _____

Title: _____

PLEASE NOTIFY YOUR INSURANCE COMPANY OF THE ABOVE.

RESOLUTION 2022-5-26

At a Regular Meeting of
the Town Board of the
Town of North Greenbush
held at 7:00 p.m. on May
12th, 2022 at the Town Offices

IN THE MATTER OF AN AGREEMENT WITH THE
TRI CITY VALLEYCATS AND NORTH GREENBUSH
POLICE BENEVOLENT ASSOCIATION

WHEREAS, the Town Police Department and the Tri City ValleyCats have negotiated the terms of a security detail for the 2022 season with the Town to be paid a rate of \$42.00 per hour and,

WHEREAS, a Memorandum of Agreement was negotiated with the Town Police Department PBA for officers to be compensated for the detail at a rate of \$40.00 per hour,

NOW, THEREFORE BE IT RESOLVED, that the Supervisor is hereby authorized to execute a contract with the Tri City Valley Cats and to approve of the MOU with the PBA.

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

Supervisor Bott _____

Councilwoman Hoffman _____

Councilman Rogers _____

Councilwoman Merola _____

Councilman Gordon _____

RESOLUTION 2022-5-27

At a Regular Meeting of
the Town Board of the Town
of North Greenbush held at 7:00
p.m. on May 12, 2022 at the Town
Offices

IN THE MATTER OF AUTHORIZING THE SUPERVISOR TO
SIGN AN AGREEMENT WITH RENSSELAER FOR JOINT
HOUSEHOLD HAZARDOUS WASTE COLLECTION

WHEREAS, Rensselaer County Resolution Number G/153/22 authorized an Agreement with the Town of North Greenbush for Joint Household Hazardous Waste Collection events for town residents; and

WHEREAS, the Town is desirous of providing these important collection services to town residents; and

NOW THEREFORE BE IT RESOLVED, that the Town Supervisor is authorized to execute the attached Agreement with Rensselaer County for up to 100 town users of the household hazardous waste disposal services and authorizes the use of the General Fund Contingency line to pay for these collection services.

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

Councilwoman Hoffman _____

Councilman Rogers _____

Councilwoman Merola _____

Councilman Gordon _____

Supervisor Bott _____

RESOLUTION 2022-5-28

“Resolution to Set Public Hearing”

RESOLUTION OF THE TOWN BOARD FOR THE TOWN OF NORTH GREENBUSH IN THE MATTER OF HOLDING A PUBLIC HEARING TO CONSIDER THE PETITION FOR THE ESTABLISHMENT OF THE PROPOSED **THE SLITERS LANE WATER DISTRICT EXTENSION** OF THE NORTH GREENBUSH CONSOLIDATED WATER DISTRICT

At a meeting of the Town Board held at the Town Offices at 2 Douglas Street, Wynantskill, NY 12198, in the Town of North Greenbush, Rensselaer County, New York on May 12, 2022.

Present: Joe Bott, Supervisor

 Kelly Hoffman, Councilwoman

 Jack Rogers, Councilman

 Jessica Merola, Councilwoman

 James Gordon, Councilman

In the matter of Petition of the owner(s) of more than one-half of the assessed valuation of all the taxable real property of the proposed Sliters Lane WATER DISTRICT EXTENSION of North Greenbush Consolidated Water District in the Town of North Greenbush, County of Rensselaer, State of New York, and according to the latest completed assessment roll of the said Town for the proposed Sliters Lane WATER DISTRICT EXTENSION of North Greenbush Consolidated Water District in the Town of North Greenbush.

WHEREAS, a written request signed and acknowledged by the sole property owners within the proposed Sliters Lane WATER DISTRICT EXTENSION of North Greenbush Consolidated Water District in the Town of North Greenbush, has been presented to and filed with the Town Board of the Town of North Greenbush praying that said district extension be established and which is more particularly bounded as described in Exhibit “A” – Legal Description and Map No. 1 – Boundary Map attached hereto to be Sliters Lane WATER DISTRICT EXTENSION of North Greenbush Consolidated Water District in the Town of North Greenbush and

WHEREAS, the improvement proposed in said Water district extension consists of the connection to an existing Water main and appurtenances as required.

WHEREAS, the overall maximum amount proposed to be expended for the establishment of said Water district extension and the construction therein of said Water system, including the cost of land and rights in lands, is estimated at approximately eleven thousand, one hundred and twenty dollars (\$11,120) and shall be paid entirely by the petitioners listed on ‘Exhibit A’.

WHEREAS, the maximum amount proposed to be expended for said extension by the Town of North Greenbush is ZERO DOLLARS (\$0.00) with the exception of the publication of a legal notice, and

WHEREAS, all expenses occasioned by the establishment and construction of the Sliters Lane WATER DISTRICT EXTENSION of North Greenbush Consolidated Water District in the Town of North Greenbush shall be paid by the petitioners.

WHEREAS, said petitioners further agree to pay their fair share of future costs for the Sliters Lane WATER DISTRICT EXTENSION of North Greenbush Consolidated Water District in the Town of North Greenbush, which will include debt service, Water usage costs and the annual operation and maintenance charges paid to the Town of North Greenbush, and which are estimated to be \$482.00 per unit.

NOW, on motion of _____, seconded by _____, 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 Offices located at 2 Douglas Street, Wynantskill, NY 12198, in the Town of North Greenbush on June 9th at 6:45 PM thereof concerning the same, and for such other action on the part of the Town Board with relation to said Petition 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 May 26, 2022, 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 not less than ten or more than twenty days before such hearing.

RESOLUTION 2022-5-29

At a Regular Meeting of
the Town Board of the Town
of North Greenbush held at 7:00
p.m. on May 12, 2022 at the Town
Offices

**IN THE MATTER OF SUMMER CAMP AND PARK FEES
FOR 2022 TO BE ESTABLISHED**

BE IT RESOLVED, the Town Board of the Town of North Greenbush does hereby establish the North Greenbush Summer Camp and North Greenbush Park fees for the 2022 year, as per attached schedule

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

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

RESOLUTION 2022-5-30