

At a meeting of the Town Board of the Town
of North Greenbush held at
7pm on August 13, 2026, at Town Offices

**IN THE MATTER OF APPOINTING RAYMOND WHITE
TO THE POSITION OF
CHIEF OF POLICE FOR THE TOWN OF NORTH GREENBUSH**

WHEREAS, a vacancy has occurred in the permanent position of Chief of Police within the Town of North Greenbush Police Department following the retirement of former Chief David M. Keevern; and

WHEREAS, Raymond White has effectively served the Town of North Greenbush as Acting Chief of Police since May 2026; and

WHEREAS, Raymond White has demonstrated exceptional leadership, dedication, and professional excellence throughout his career in law enforcement; and

WHEREAS, Raymond White meets all civil service qualifications and legal requirements necessary to hold the position of Chief of Police under New York State law; and

WHEREAS, the Rensselaer County Civil Service Commission administered a competitive civil service examination for the position of Chief of Police, and a certified Eligible List has been established following said examination; and

WHEREAS, Raymond White has successfully completed all civil service testing components and ranks as the number one (#1) eligible candidate on the certified North Greenbush list, and number 2 (#2) on the Civil Service Eligible List for Rensselaer County; and

WHEREAS, the Town Board has determined that Raymond White possesses the experience, vision, and integrity required to lead the Town of North Greenbush Police Department and serve the community effectively; and

WHEREAS, it is the intent of the Town Board of the Town of North Greenbush to formally appoint Raymond White to the position of Chief of Police; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of North Greenbush, Rensselaer County, New York, hereby appoints Raymond White to the full-time position of Chief of Police for the Town of North Greenbush; and

BE IT FURTHER RESOLVED, that this appointment is made in strict accordance with the rules and regulations of New York State Civil Service Law and the Rensselaer County Civil Service Commission, subject to any standard statutory probationary period; and

BE IT FURTHER RESOLVED, that this appointment shall become effective as of September 1, 2026, at an annual salary of \$114,400.00, and with standard benefits, terms and conditions [established in accordance with the current Town of North Greenbush budget and employment terms set by the Town Board] [of employment provided to Town department heads]; and

BE IT FURTHER RESOLVED, that Chief Raymond White shall take the Constitutional Oath of Office and file the same with the Town Clerk prior to performing any official duties of the position.

On motion of **Supervisor Bott** seconded by **Councilperson Hoffman**, members present voting on roll call, which resulted as follows:

Supervisor Bott	<u>AYE</u>
Councilwoman Hoffman	<u>AYE</u>
Councilwoman Merola	<u>ABSENT</u>
Councilman Gordon	<u>AYE</u>
Councilwoman Sabo	<u>ABSENT</u>

RESOLUTION 2026-08-75

At a Regular Meeting of the Town Board
of the Town of North Greenbush, held on
August 13, 2026, at 7:00 p.m. at the Town offices

**IN THE MATTER OF AMENDING CHAPTER 189 (WATER),
ARTICLE VIII OF THE CODE OF THE TOWN OF NORTH GREENBUSH TO
ESTABLISH A MANDATORY METER ACCESS POLICY AND
NON-ACCESS INFRASTRUCTURE SURCHARGE**

WHEREAS, the Town Board of the Town of North Greenbush operates municipal water districts and manages the billing and collection of water rents and water usage fees pursuant to Chapter 189 of the Town Code; and

WHEREAS, certain properties feature water meters displaying zero or non-communicating readings, indicating mechanical failure or electronic obstruction requiring physical repair or replacement by the Utilities Department; and

WHEREAS, the current minimum water baseline rate of \$29.75 per quarter fails to capture the true, unmetered usage of properties with non-functioning meters, resulting in an estimated annual revenue loss of \$22,480.00 across approximately 80 non-compliant properties; and

WHEREAS, the Town Board desires to amend Chapter 189 of the Town Code to establish a recurring surcharge from those not permitting access to Town employees for the purpose of installing new water meters;

WHEREAS, the failure of a property owner to grant reasonable access to Town personnel to inspect, repair, or replace a faulty water meter shifts an unfair financial distribution burden onto the Town and its residents;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of North Greenbush hereby amends Chapter 189, Article VIII of the Town Code to add a new Section 189-16.1, to read as follows:

“§ 189-16.1 Mandatory Meter Access and Non-Access Surcharge.

A. Right of Access. The Superintendent of Water or their authorized representative shall have access to any premises served by municipal water at reasonable hours for the purpose of reading, inspecting, repairing, or replacing water meters.

B. Non-Access Infrastructure Surcharge. In the event a water meter records a continuous "zero" or non-communicating reading, and the property owner fails or refuses to grant physical access to Town personnel to replace or repair the meter within sixty (60) days of a written request, a \$150.00 Quarterly Non-Access Surcharge shall be applied to the account.

C. Billing and Accumulation. This \$150.00 surcharge shall be billed quarterly in addition to the standard minimum water rate of \$29.75. It shall repeat every consecutive billing cycle until a functioning meter is successfully installed by the Town.

D. Application to Historic Violations. Any property with a documented history of non-communication or a "zero" reading spanning twelve (12) months or greater prior to the adoption of this statute shall be issued an immediate 60-day final warning. Failure to comply within sixty (60) days of said notice will trigger immediate enrollment into the quarterly surcharge schedule at the next standard billing cycle.

E. Tax Relevy Authorization. Pursuant to General Municipal Law § 452, any unpaid Non-Access Infrastructure Surcharges remaining outstanding at the end of the annual collection cycle shall become a direct lien against the real property and shall be certified for relevy onto the Town and County real property tax roll."

BE IT FURTHER RESOLVED, that this amendment shall take effect immediately upon formal adoption by the Town Board and filing with the New York State Secretary of State.

BE IT FURTHER RESOLVED, that the Town Supervisor and/or Town Comptroller is authorized to take all actions necessary to effectuate the terms of this Resolution, including making necessary budget modifications and ensuring compliance with all grant requirements and reporting procedures; and

Supervisor Bott moved, Councilperson Hoffman seconded, and the Town Board voted as follows:

Supervisor Bott	<u>AYE</u>
Councilperson Hoffman	<u>AYE</u>
Councilperson Merola	<u>AYE</u>
Councilperson Gordon	<u>AYE</u>
Councilperson Sabo	<u>ABSENT</u>

RESOLUTION 2026-08-76

At a Regular Meeting
of the Town Board of
the Town of North Greenbush
held at 7:00 p.m. on August
13, 2026 at the Town Offices

**RESOLUTION IN THE MATTER OF THE AMENDMENT TO CHAPTER 189
(WATER), ARTICLE X OF THE CODE OF THE TOWN OF NORTH GREENBUSH
TO ESTABLISH AN ADMINISTRATIVE WATER RELEVY FEE**

WHEREAS, the Town Board of the Town of North Greenbush operates municipal water districts and manages the billing and collection of water rents and water usage fees pursuant to Chapter 189 of the Town Code; and

WHEREAS, accounts remaining delinquent at the close of the designated billing collection period must be certified, processed, and transferred onto the upcoming Town and County real property tax roll for relevy; and

WHEREAS, the clerical, administrative, and processing operations required to audit, compile, and execute this tax roll transfer incur direct operational and administrative costs to the Town; and

WHEREAS, the Town Board desires to establish a flat administrative cost-recovery fee to ensure that these specific transfer costs are borne solely by the delinquent account holders rather than the Town and its residents;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of North Greenbush hereby amends and restates in its entirety Section 189-26 (Delinquent Accounts) of Chapter 189, Article X ("Water Billing Charges") as follows:

"1. Relevy: On November 1 of each year, the Clerk of the district shall furnish Rensselaer County Bureau of Real Property Taxes a list of all delinquent water bills for relevy and collection which will be added to the property tax bill pursuant to § 198-3 of the General Municipal Law.

2. Administrative Relevy Fee: Any municipal water account balance that remains unpaid past the final annual local billing deadline and is subsequently certified to the Rensselaer County Bureau of Real Property Tax Services for relevy onto the real property tax roll shall be assessed a flat administrative fee of \$150.00.

3. Application of Fee: This \$150.00 administrative fee shall be appended directly to the delinquent balance at the time of tax certification and shall become a part of the total lien against the real property."

BE IT FURTHER RESOLVED, that this amendment shall take effect immediately upon formal adoption by the Town Board and filing with the New York State Secretary of State.

BE IT FURTHER RESOLVED, that the Town Supervisor and/or Town Comptroller is authorized to take all actions necessary to effectuate the terms of this Resolution, including making necessary budget modifications and ensuring compliance with all grant requirements and reporting procedures; and

Councilperson Merola moved, Supervisor Bott seconded, and the Town Board voted as follows:

Supervisor Bott	<u>AYE</u>
Councilperson Hoffman	<u>AYE</u>
Councilperson Merola	<u>AYE</u>
Councilperson Gordon	<u>NAY</u>
Councilperson Sabo	<u>ABSENT</u>

RESOLUTION 2026-08-77

At a Regular Meeting of the Town Board of
the Town of North Greenbush, held on
August 13, 2026, at 7:00 P.M. at the Town
Offices

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE
AN AGREEMENT WITH CAPITALAND CARNIVAL COMPANY
FOR AMUSEMENT RIDES AND CONCESSIONS
FOR THE TOWN FAIR WEEKEND TO BE HELD ON SEPTEMBER 11-13, 2026

WHEREAS, the Town of North Greenbush organizes a Town celebration weekend each year in September for the benefit of the community; and

WHEREAS, in addition to music, food, and crafts, the Town also contracts with a certified vendor to supply amusement rides for the enjoyment of children and their families; and

WHEREAS, the Town desires to contract with an amusement company to provide amusement rides and related services for the annual Town Fair to be held on September 11-13, 2026; and

WHEREAS, the Town Board recommends entering into an agreement with Capitaland Carnival Company (the "Amusement Vendor") for the provision of such services, whereby the Town receives a percentage of the revenue derived by the Amusement Company for its services provided plus a concession fee per day; and

WHEREAS, it is necessary for the Town Board to authorize the Town Supervisor to execute the agreement on behalf of the Town; and

WHEREAS, it is in the best interest of the Town to require the Amusement Vendor to provide adequate insurance coverage, including naming the Town as an additional insured, to protect the Town from potential liabilities, and proof that the rides have been properly inspected;

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of North Greenbush as follows:

1. That the Town Supervisor is hereby authorized to execute an agreement with the Amusement Vendor for the provision of certified amusement rides and related services at the Town Fair to be located at Town Hall, 2 Douglas Street, Wynantskill, New York from September 11-13, 2026, the terms and conditions of which shall be subject to the approval of the Town Attorney.
2. That the agreement shall include a provision requiring the Amusement Vendor to obtain and maintain commercial general liability insurance in the amount of at least \$2,000,000 per occurrence, together with a contractual indemnity clause covered by said insurance; all deemed appropriate by the Town Attorney, naming the Town of North Greenbush as an additional insured.

3. That Amusement Vendor shall, prior to the date of the Town Fair, provide the Town with a certificate of insurance demonstrating compliance with the insurance requirements set forth in the agreement and proof that the rides have been properly inspected and deemed safe.

NOW, THEREFORE, on motion of **Supervisor Bott** seconded by **Councilperson Merola**,
all members present voting on roll call, which resulted as follows:

Supervisor Bott	<u>AYE</u>
Councilperson Hoffman	<u>AYE</u>
Councilperson Merola	<u>AYE</u>
Councilperson Gordon	<u>AYE</u>
Councilperson Sabo	<u>ABSENT</u>

RESOLUTION NO. 2026-08-78

**APPROVAL AUTHORIZING AN EXTENSION OF THE ADVERTISEMENT
FOR PUBLIC BIDDING
ROUTE 4 SEWER EXTENSION**

At a regular meeting of the Town Board (Board) of the Town of North Greenbush (Town), State of New York, held on August 13, 2026, the following resolution was made by **Supervisor Bott** and was subsequently seconded by **Councilwoman Hoffman**.

WHEREAS, Laberge Group, a duly licensed Engineering firm permitted to practice in the State of New York, had previously been retained by the Town to prepare Contract Documents for ROUTE 4 SEWER EXTENSION (Project), and

WHEREAS, Laberge Group has prepared the required Contract Documents necessary for the Project;

NOW THEREFORE BE IT RESOLVED, the Town Clerk is authorized to extend the advertisement for construction bids for the Project using the aforesaid Contract Documents with a bid opening date of September 1, 2026 at 11:00 A.M.

	AYES:	NAYS:	
Joseph Bott, Supervisor	☒	☐	
Kelly Hoffman, Board Member	☒	☐	
Mary Frances Sabo, Board Member	☒	☐	
Jessica Merola, Board Member	☐	☐	ABSENT
James Gordon, Board Member	☒	☐	

RESOLUTION 2026-08-79

At a Meeting of the Town Board of the
Town of North Greenbush, held on August
13, 2026, at 7:00 P.M. at the Town Offices

**In the Matter of the Authorization of the Execution of an
"Out of District Water User Agreement"
for Adam Kohler located at 226 Snyder Lake Road and 232 Snyders Lake Road
within the Town of North Greenbush
Consolidated Water District formally known as Water District No. 12**

WHEREAS, that Adam Kohler is the owner of record of real property at 226 Snyders Lake Road in the Town of North Greenbush, New York and bearing tax map identifier 134.-2-23 on the tax rolls of the Town of North Greenbush; and

WHEREAS, that Adam Kohler is the owner of record of real property at 232 Snyders Lake Road in the Town of North Greenbush, New York and bearing tax map identifier 134.-2-23.2 on the tax rolls of the Town of North Greenbush; and

WHEREAS, that the properties above referenced are not located within any water district; and

WHEREAS, that such property does not have adequate water supply from an existing well and a connection to municipal water can be achieved at a reasonable expense to the property owners and the cost of a well with unknown water supply and quality may be excessive; and

WHEREAS, that the property owner desires to enter into an agreement with the Town of North Greenbush whereby they can be considered an "Out of District Water User" and be connected to The North Greenbush Consolidated Water District, formally known as Water District No. 12; and

WHEREAS, the Town Utilities Department has determined there is sufficient capacity to serve the requested locations; and

WHEREAS, the Town Board has considered the situation and desires to make suitable and potable water available to the Town resident; and

NOW THEREFORE, IT IS HEREBY RESOLVED BY THE TOWN BOARD OF THE TOWN OF NORTH GREENBUSH, that the Town Supervisor is hereby authorized to enter into agreements with Adam Kohler located at 226 Snyders Lake Road, Wynantskill, NY 12198 and bearing tax map identifier 134.-2-23 and 232 Snyders Lake Road, Wynantskill, NY 12198 and bearing tax map identifier 134.-2-23.2 for the provision of municipal water to them from formally known Water District No. 12, which is now The Town of North Greenbush Consolidated Water District, upon terms and conditions as set forth in the attached "Out of District Water User Agreement", a copy of which is on file with the Town Clerk;

NOW, THEREFORE, on motion of **Supervisor Bott** seconded by **Councilperson Hoffman**, members present voting on roll call, which resulted as follows:

Supervisor Bott	<u>AYE</u>
Councilperson Hoffman	<u>AYE</u>
Councilperson Merola	<u>AYE</u>
Councilperson Gordon	<u>AYE</u>
Councilperson Sabo	<u>ABSENT</u>

RESOLUTION 2026-08-80

RESOLUTION OF THE TOWN BOARD FOR THE TOWN OF NORTH GREENBUSH IN
THE MATTER OF SCHEDULING A PUBLIC HEARING TO CONSIDER THE PETITION
FOR THE SEWER DISTRICT EXTENSION OF THE NORTH GREENBUSH
CONSOLIDATED SEWER DISTRICT TO SERVICE 88 MACHA LANE

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 **August 13, 2026**.

In the Matter of Petition of the owner of more than one-half of the assessed valuation of all the taxable real property of the proposed 88 MACHA LANE SEWER DISTRICT EXTENSION of North Greenbush Consolidated Sewer 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 88 MACHA LANE SEWER DISTRICT EXTENSION of North Greenbush Consolidated Sewer District in the Town of North Greenbush.

WHEREAS, a written request signed and acknowledged by the sole property owner within the proposed SEWER DISTRICT EXTENSION of North Greenbush Consolidated Sewer 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 88 MACHA LANE SEWER DISTRICT EXTENSION of North Greenbush Consolidated Sewer District in the Town of North Greenbush and

WHEREAS the improvements proposed in said Sewer District Extension consist of the construction erosion and sediment control, sewer main, sewer lateral, standard and doghouse manholes, general restoration and appurtenances as required, all of which, other than the sewer lateral, will be owned by the Town of North Greenbush; and

WHEREAS the overall maximum amount proposed to be expended for the establishment of said Sewer District Extension and the construction therein of said Sewer system, including the cost of land and rights in lands, is estimated to be approximately Thirty-Six Thousand and NO/100 (\$36,000.00) Dollars, and

WHEREAS the cost of the construction of the said Sewer District Extension shall be paid entirely by the Town in consideration of the easement granted by David M. Testo and Kari L. Testo, the property owners of 88 Macha Lane, Wynantskill, NY 12198, to the Town; and

WHEREAS the maximum amount proposed to be expended for said extension by the Town of North Greenbush in an amount not to exceed Eighteen Thousand and NO/100 (\$18,000.00) Dollars including the cost of the publication of a legal notice, and

WHEREAS all expenses occasioned by the establishment and construction of the 88 MACHA LANE SEWER DISTRICT EXTENSION of North Greenbush Consolidated Sewer District in the Town of North Greenbush shall be paid by the Town in an amount not to exceed Eighteen Thousand and NO/100 (\$18,000.00) Dollars.

WHEREAS, said Petitioner further agrees to pay his or her fair share of future costs for the 88-MACHA LANE SEWER DISTRICT EXTENSION of North Greenbush Consolidated Sewer District in the Town of North Greenbush, which will include debt service, Sewer usage costs and the annual operation and maintenance charges paid to the Town of North Greenbush, and which are estimated to be \$919.92. There is currently no debt service.

NOW, on motion of **Supervisor Bott**, seconded by **Councilman Merola**, all members present voting on roll call, which resulted as follows:

Supervisor Bott	<u>AYE</u>
Councilperson Hoffman	<u>AYE</u>
Councilperson Merola	<u>AYE</u>
Councilperson Gordon	<u>AYE</u>
Councilperson Sabo	<u>ABSENT</u>

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 **September 10, 2026, at 6:50 p.m.**, to consider the said Petition 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 Petition as may be required by law, and it is

FURTHER ORDERED, that the Town Clerk give notice of such hearing by publishing, **not earlier than August 21, 2026, and not later than August 31, 2026**, 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 2026-08-81

At a meeting of the Town Board of the
Town of North Greenbush held at
7pm on August 13, 2026 at Town Offices

IN THE MATTER OF RETAINING THE
VINCELETTE LAW FIRM AS SPECIAL COUNSEL
TO THE TOWN OF NORTH GREENBUSH FOR
2026 TAX CERTIORARI MATTERS

WHEREAS, on or before July 31, 2026, the Town Clerk and/or the Town Assessor were served with Petitions filed in Rensselaer County Supreme Court challenging the 2026 Assessments of various properties within the Town of North Greenbush, and

WHEREAS, the Town of North Greenbush requires legal services from Special Counsel pertaining to Tax Certiorari matters;

WHEREAS, The Vincelette Law Firm specializes in the area of Tax Certiorari proceedings and is currently working with the Town on certain Tax Certiorari matters pertaining to prior years;

NOW, THEREFORE, BE IT RESOLVED that, the Town Board hereby retains The Vincelette Law Firm as Special Counsel to the Town of North Greenbush, to provide legal services pertaining to 2026 Tax Certiorari matters at the current rate being paid to The Vincelette Law Firm; and

BE IT FURTHER RESOLVED, that the Town Board authorizes the Supervisor to execute an engagement agreement for The Vincelette Law Firm, to provide 2026 Tax Certiorari services to the Town as reflected herein.

Councilperson Hoffman moved, Supervisor Bott seconded, and the Town Board voted as follows:

Supervisor Bott	<u>AYE</u>
Councilperson Hoffman	<u>AYE</u>
Councilperson Merola	<u>AYE</u>
Councilperson Gordon	<u>AYE</u>
Councilperson Sabo	<u>ABSENT</u>

RESOLUTION 2026-08-82

At a meeting of the Town Board of the
Town of North Greenbush held at
7pm on August 13, 2026 at Town Offices

IN THE MATTER OF RETAINING THE
VINCELETTE LAW FIRM AS SPECIAL COUNSEL
TO THE TOWN OF NORTH GREENBUSH FOR
2026 TAX CERTIORARI MATTERS

WHEREAS, on or before July 31, 2026, the Town Clerk and/or the Town Assessor were served with Petitions filed in Rensselaer County Supreme Court challenging the 2026 Assessments of various properties within the Town of North Greenbush, and

WHEREAS, the Town of North Greenbush requires legal services from Special Counsel pertaining to Tax Certiorari matters;

WHEREAS, The Vincelette Law Firm specializes in the area of Tax Certiorari proceedings and is currently working with the Town on certain Tax Certiorari matters pertaining to prior years;

NOW, THEREFORE, BE IT RESOLVED that, the Town Board hereby retains The Vincelette Law Firm as Special Counsel to the Town of North Greenbush, to provide legal services pertaining to 2026 Tax Certiorari matters at the current rate being paid to The Vincelette Law Firm; and

BE IT FURTHER RESOLVED, that the Town Board authorizes the Supervisor to execute an engagement agreement for The Vincelette Law Firm, to provide 2026 Tax Certiorari services to the Town as reflected herein.

Councilperson Hoffman moved, Supervisor Bott seconded, and the Town Board voted as follows:

Supervisor Bott	<u>AYE</u>
Councilperson Hoffman	<u>AYE</u>
Councilperson Merola	<u>AYE</u>
Councilperson Gordon	<u>AYE</u>
Councilperson Sabo	<u>ABSENT</u>

RESOLUTION 2026-08-82

At a meeting of the Town Board of the
Town of North Greenbush held at
7pm on August 13, 2026, at Town Offices

**RESOLUTION APPOINTING SPECIAL LEGAL COUNSEL TO REPRESENT THE
TOWN OF NORTH GREENBUSH IN THE MATTER OF
BDC VANDENBURGH LLC V. TOWN OF NORTH GREENBUSH**

WHEREAS, a legal action has been commenced in the Supreme Court of the State of New York, County of Rensselaer, under Index No. EF2026-283482, by Plaintiff BDC Vandenburg LLC against the Town of North Greenbush (the "BDC Vandenburg Lawsuit"); and

WHEREAS, the BDC Vandenburg Lawsuit challenges the validity and enforcement of a local law enacted by the Town Board in March 2026 regarding rental restrictions on the subject property; and

WHEREAS, the Town Board of the Town of North Greenbush recognizes that this litigation involves complex land use, zoning, and municipal law issues that require specialized legal expertise; and

WHEREAS, the Town Attorney has recommended the retention of independent special counsel to defend the interests of the Town, its officials, and its residents in this matter; and

WHEREAS, the Town Attorney has recommended The Vincelette Law Firm, as they possess the necessary expertise and qualifications to effectively represent the Town in municipal litigation;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of North Greenbush hereby appoints Daniel Vincelette of The Vincelette Law Firm as Special Counsel to represent the Town of North Greenbush and its named officials in the defense of the BDC Vandenburg Lawsuit; and

BE IT FURTHER RESOLVED, that the Town Board hereby authorizes the Town Supervisor to execute a legal services agreement and engagement letter with said firm, subject to approval as to form by the Town Attorney; and

BE IT FURTHER RESOLVED, that compensation for said Special Counsel shall be billed at an hourly rate of \$175.00 per hour, plus reasonable out-of-pocket expenses, with total expenditures under this authorization not to exceed \$10,00.00 without further authorization and amendment by this Town Board; and

BE IT FURTHER RESOLVED, that the funds for these legal services shall be allocated from the Town's General Fund - Legal Services A1420.4 budget line.

On motion of **Supervisor Bott** seconded by **Councilperson Hoffman**, members present voting on roll call, which resulted as follows:

Supervisor Bott	<u>AYE</u>
Councilperson Hoffman	<u>AYE</u>
Councilperson Merola	<u>AYE</u>
Councilperson Gordon	<u>AYE</u>
Councilperson Sabo	<u>ABSENT</u>

RESOLUTION 2026-08-83

At a meeting of the Town Board of the
Town of North Greenbush held at
7pm on August 13, 2026 at Town Offices

**A RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO EXECUTE A
STORMWATER MANAGEMENT FACILITY MAINTENANCE AGREEMENT FOR
PROPERTY LOCATED AT
13 PHEASANT LANE, 24 PHEASANT LANE AND 34 PHEASANT LANE**

WHEREAS, the Town of North Greenbush is a regulated Municipal Separate Storm Sewer System (MS4) community, required by federal and state regulations to ensure the long-term maintenance of post-construction stormwater management practices; and

WHEREAS, CAPITAL AREA PROPERTIES, LLC (the "Owner") is the owner of certain real property located at 13 PHEASANT LANE, further identified as Tax Map Section 123.11-7-1, 24 PHEASANT LANE, further identified as Tax Map Section 123.11-7-1 and 34 PHEASANT LANE, further identified as Tax Map Section 123.11-7-12 (collectively, the "Property"); and

WHEREAS, the Owner has secured final approval for a project known as Pheasant Lane and Meadowlark Lane Subdivision (the "Project"), which requires the installation of stormwater management facilities to comply with Town and State stormwater mitigation regulations; and

WHEREAS, the Town of North Greenbush Town Code requires that a Stormwater Management Facility Maintenance Agreement (the "Agreement") be executed and recorded in the Rensselaer County Clerk's Office to ensure that the stormwater management facilities remain privately owned, operated, and maintained by the Owner, their successors, or assigns in perpetuity; and

WHEREAS, the Town Engineer and Town Attorney have reviewed the proposed Stormwater Management Facility Maintenance Agreement and found it acceptable as to form and content.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF NORTH GREENBUSH AS FOLLOWS:

1. **Authorization:** The Town Board hereby authorizes the Town Supervisor to execute the Stormwater Management Facility Maintenance Agreement with Capital Area Properties, LLC for the privately owned stormwater management facilities associated with the Pheasant Land and Meadowlark Lane Project.
2. **Recording Requirement:** The Owner shall be responsible for filing and recording said Agreement in the office of the Rensselaer County Clerk at the Owner's sole expense, and shall provide a recorded copy of the document to the Town Clerk prior to the issuance of any Certificate of Occupancy or final sign-off.

3. **Covenants:** The Agreement shall constitute a covenant running with the land and shall be binding upon all subsequent owners, successors, and assigns of the Property.

NOW, on motion of **Councilman** _____, seconded by **Councilwoman** _____, all members present voting on roll call, which resulted as follows:

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

RESOLUTION 2026-08-84

At a meeting of the Town Board of the Town
of North Greenbush held at
7pm on August 13, 2026 at Town Offices

**A RESOLUTION RATIFYING AND AUTHORIZING THE PAYMENT OF 1,000 TO
CONTI APPRAISAL & CONSULTING, LLC FOR AN APPRAISAL OF
TOWN-OWNED PROPERTY ADJACENT TO 4 CRIMSON CIRCLE**

WHEREAS, the Town of North Greenbush commissioned a professional real estate appraisal to determine the fair market value of a 0.558-acre parcel of town-owned real property located adjacent to 4 Crimson Circle in anticipation of a potential sale; and

WHEREAS, the cost for said professional appraisal services is One Thousand and 00/100 Dollars (\$1,000.00); and

WHEREAS, the Town Board has reviewed the expenditure and desires to formally ratify the procurement of the appraisal and authorize the disbursement of funds to cover the cost;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of North Greenbush hereby ratifies the action taken to secure the appraisal of the town-owned property adjacent to 4 Crimson Circle; and

BE IT FURTHER RESOLVED, that the Town Supervisor or Town Comptroller is authorized and directed to issue payment in the amount of One Thousand and 00/100 Dollars (\$1,000.00) to Conti Appraisal & Consulting, LLC from the appropriate town account.

On motion of **Supervisor Bott** seconded by **Councilperson Merola**, members present voting on roll call, which resulted as follows:

Supervisor Bott	<u>AYE</u>
Councilwoman Hoffman	<u>AYE</u>
Councilwoman Merola	<u>AYE</u>
Councilman Gordon	<u>AYE</u>
Councilwoman Sabo	<u>ABSENT</u>

RESOLUTION 2026-08-85

At a meeting of the Town Board of the
Town of North Greenbush held at
7pm on August 13, 2026 at Town Offices

**A RESOLUTION AUTHORIZING THE SALE AND CONVEYANCE OF
APPROXIMATELY 0.558 ACRES OF TOWN-OWNED REAL PROPERTY TO THE
ADJACENT PROPERTY OWNER AT 4 CRIMSON CIRCLE,
SUBJECT TO A PERMISSIVE REFERENDUM**

WHEREAS, the Town of North Greenbush is the owner of a certain small parcel of real property, consisting of approximately 0.558 acres of vacant land, and located on the east side of Winter Street, which land constitutes excess or surplus lands and is not required for any municipal or public purpose; and

WHEREAS, Brendan Jones, the owner of the adjoining residential property located at 4 Crimson Circle, North Greenbush, NY (SBL 123.11-5-12) has offered to purchase said 0.558-acre parcel, as set forth on the attached survey (the "Parcel") for the sum of \$5,500.00, representing fair market value as determined by an independent appraisal, plus closing costs, if any, so that he may install a new driveway that will be in compliance with the 2025 New York State Fire Code Appendix D; and

WHEREAS, the Town Board has determined that it is in the best interest of the Town and its residents to sell this surplus parcel to the adjacent landowner, subject to the retention by the Town of North Greenbush of an access and utility easement over the Parcel on the terms and conditions as are determined by the Town Attorney; and

WHEREAS, pursuant to New York State Town Law § 64(2) and § 90, any conveyance of town real property is subject to permissive referendum requirements;

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of North Greenbush hereby authorizes the Town Supervisor sign a purchase contract and deed transferring the Parcel to Brendan Jones, for the consideration of \$5,500.00, plus closing costs, if any, contingent upon the receipt a satisfactory legal description consistent with the survey and subject to (a) an access and utility easement to the Town of North Greenbush and (b) an easement to the Westview Estates Homeowners' Association to maintain their sign, all in form and substance, satisfactory to the Town Attorney; and be it further

RESOLVED, that this resolution is adopted subject to a permissive referendum as provided in Article 7 of the New York State Town Law and be it further

RESOLVED, that the Town Clerk shall, within ten (10) days of adoption, publish and post a notice setting forth the abstract of this resolution and advising the public that it is subject to a permissive referendum; and be it further

RESOLVED, that this resolution takes effect 30 days after adoption, or upon the approval of a majority of qualified electors if a valid petition for a referendum is filed under Town Law § 91.

On motion of Councilperson Merola seconded by Supervisor Bott, members present voting on roll call, which resulted as follows:

Supervisor Bott	<u>AYE</u>
Councilperson Hoffman	<u>AYE</u>
Councilperson Merola	<u>AYE</u>
Councilperson Gordon	<u>AYE</u>
Councilperson Sabo	<u>ABSENT</u>

RESOLUTION 2026-08-86

At a Regular Meeting of the
Town Board of the Town of
North Greenbush held at
7:00p.m. on August 13, 2026
at the Town Offices

**RESOLUTION AUTHORIZING THE EXTENSION OF
A TEMPORARY CONSTRUCTION EASEMENT**

WHEREAS, the Town of North Greenbush ("Town") and the City of Rensselaer ("City") previously entered into a Temporary Construction Easement Agreement, approved by the Town of North Greenbush on April 9, 2026, Resolution 2026-04-40, with of James R. Boyer, the owner of the home at 106 Mountain View Avenue (the "Property"), partially in the City of Rensselaer and partially in the Town of North Greenbush; and

WHEREAS, the Temporary Construction Easement was secured to facilitate a private construction project on the Property, specifically the temporary use said Town-owned property for the purpose of staging, storing and marshaling construction materials, equipment, and related supplies necessary; and

WHEREAS, the original expiration date of the temporary construction easement is set to expire on August 31, 2026; and

WHEREAS, due to delays, the construction project cannot be fully completed prior to the current expiration date; and

WHEREAS, the Town, the City, and the Property Owner mutually desire to extend the term of the Temporary Construction Easement to allow for the safe and proper completion of the remaining construction, without altering any other core terms or provisions of the original agreement;

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of North Greenbush agrees as follows:

1. **Extension of Term:** The expiration date of the Temporary Construction Easement by and between the Town, the City, and James R. Boyer is hereby extended from August 31, 2026 to December 31, 2026, unless all construction and site restoration activities are formally signed off and completed earlier.
2. **Ratification of Prior Agreement:** Except as expressly modified by this Resolution and any corresponding extension amendment document, all other terms, conditions, covenants, and indemnifications of the original Temporary Construction Easement Agreement shall remain in full force and effect.

3. **Authorization to Execute:** The Town Supervisor is hereby authorized and directed to execute an Amendment to the Temporary Construction Easement Agreement, subject to review and approval by the Town Attorney

NOW THEREFORE, on motion of Supervisor Bott moved, Councilperson Hoffman seconded, and the Town Board voted as follows:

Supervisor Bott	<u>AYE</u>
Councilperson Hoffman	<u>AYE</u>
Councilperson Merola	<u>AYE</u>
Councilperson Gordon	<u>AYE</u>
Councilperson Sabo	<u>ABSENT</u>

RESOLUTION 2026-08-87