



**Town Board
Town of North Greenbush
Meeting Minutes
July 14, 2022
7:00 p.m.**

Supervisor Bott called the meeting to order @7:01 P.M. He proceeded to asked all to rise and say the Pledge of Allegiance. Supervisor Bott then asked the Town Clerk, Janice Kerwin, to do roll call. The following Board Members were present, with 1 exception.

Supervisor Bott	<u>Present</u>
Councilwoman Hoffman	<u>Present</u>
Councilman Rogers	<u>Present</u>
Councilwoman Merola	<u>Present</u>
Councilman Gordon	<u>Absent</u>

Also present at meeting:

Town Clerk, Janice Hannigan Kerwin

Town Attorney, Fred Kirwin

ANNOUNCEMENTS FROM SUPERVISOR BOTT:

Supervisor Bott spoke of the well attendance at the Summer Concerts.

He continued with mentioning the Rt. #4 project is coming to an end, with the exception of a few punch list items being completed, one of the major punch list item will be the traffic light installed at the end of Winter Street Ext. and Rt. #4.

We have paired up with East Greenbush for a CDTA Grant. The study will be conducted on Rt. #4, from the East Greenbush round about, right down Rt. #4. The 1st meeting for this will be August 3, 2022.

Supervisor Bott wanted to remind all those who have received easements for the Teliska Sewer Ext. to please send them back, as we have not received a great response with the easements. The plan will be to go door to door to get the signatures needed for construction of the sewer ext.



Town Board
Town of North Greenbush
Meeting Minutes
July 14, 2022
7:00 p.m.

***Supervisor Bott** made a motion to move the Police appointments up to 1st on the Agenda, due to all their families being present. All Board members were in agreement. Motion carried and the 1st Resolution will be 2022-7-35, then 2022-7-36. Once the 2 resolutions are completed we will follow the agenda in order.

Resolution 2022-7-35: **Supervisor Bott** made a motion in the matter of the appointment of a Police Officer, seconded by **Councilperson Hoffman**. All Board Members present voted Aye, motion carried. Chief Keevern swore in the new officer. Pictures were taken with the Town Board Members that were present at the meeting.

Resolution 2022-7-36: **Councilperson Hoffman** made a motion in the matter of the appointment of a Police Dispatcher, seconded by **Councilperson Rogers**. All Board Members present voted Aye, motion carried. Chief Keevern swore in the new Dispatcher. Pictures were taken with the Town Board Members that were present.

COMMENTS ON AGENDA ITEMS:

Andy Mair, Brinker Drive South, commented on Resolution 2022-7-40 concerns of the scheduling of a public hearing for the rezoning application for 634 Bloomingrove Drive. His concerns relate to State Environmental Quality Review (SEQR) issues. His request was for the application not to be scheduled for a public hearing on August 11 due to unresolved SEQR and related issues. The following 3 items below was his comment for the Town Board.

- 1) The potential for well water contamination: None of the residences on Washington Avenue Extension or Bloomingrove Drive are served by municipal water or sewer. They rely on wells for their drinking and other water needs. With an automotive service facility, there is always the possibility of some fluid spills or leaks such as anti-freeze, oil, transmission fluid or gasoline. So, there is always the possibility through impervious surface runoff and ground water contamination that the wells of nearby residents could become contaminated. The June 28, 2022 Planning Board memo stated: "The impact on the immediately adjacent residences and apartment house needs to be carefully considered with further technical review."(Page 2, #2). What is needed is a hydro-



Town Board
Town of North Greenbush
Meeting Minutes
July 14, 2022
7:00 p.m.

geologic study that addresses these concerns. That is the technical review that is needed. Until such a report is produced, a public hearing should not be scheduled.

- 2) Traffic: The Planning Board (PB) memo points out the short cut ("well-traveled route") nature of Washington Avenue and Bloomingrove between I-90 and Route 4. What will a change to BG zoning and an auto repair facility at the junction of these two short cut legs have on this "well-traveled route?" Add to this the current Quackenderry proposal with two entrances / exits on Bloomingrove also. Quackenderry is two, five story apartment buildings behind CVS with 253 residential units and 596 parking spaces. Traffic along Bloomingrove is going to increase dramatically. The PB report states (page 2, #4): "The zoning change would have traffic impact and would need to be further evaluated." This means a traffic study is needed. Until a traffic study is completed, this matter should not be scheduled for a public hearing.
- 3) Historic Area: He has previously submitted information to the Planning Board documenting the historic nature of this particular neighborhood in DeFrestville. We have the Van Allen House which is on the National Register of Historic Places, the Reformed Church which has a historic plaque in the front yard and the one room school house on Bloomingrove. He'd been told that one of the houses on Washington Avenue used to be a blacksmith's shop. If DeFrestville had a historic District, this would be it. Given the historic nature of this area, a historic architecture inventory and analysis report should be provided to the Town before any public hearing is scheduled.

Conclusion: The next to last paragraph of the PB memo states: "The planning Board views the rezoning of the specific parcel in question; northwest corner of Bloomingrove Drive and Washington Avenue in need of further technical review. The concerns identified in the written public comments raise valid points which require further analysis that is beyond the scope of this report. Detailed technical review regarding traffic and environmental issues can be obtained by the Town Board as part of the SEQRA process which specifically calls for such in depth review." Accordingly, it is his request that a public hearing on this matter not be scheduled until such time as these three reports have been filed and these SEQR and other issues have been addressed.



**Town Board
Town of North Greenbush
Meeting Minutes
July 14, 2022
7:00 p.m.**

Robert Bolt, owner of 3 Walker Ave.

Mr. Bolt was concerned too about the contamination of the wells in this area of Bloomingrove Drive, as the business is uphill and anything spilled would run downhill towards his property and the neighboring homes. He wanted to piggy back off of the presentation that was done by Andy Mair with all of the concerns he mentioned previously.

DISCUSSION/PRESENTATION:

Rezone request 634 Bloomingrove Drive

Open Space Committee Presentation on Natural Resource Inventory:

Committee Member, Keith Hirokawa, had each of his students' present information on the Economic Benefits of Natural Resource Inventory. The presentation started at 7: 24 p.m. with the following students presenting the importance of acting now instead of later to preserve our Natural Inventory.

Brandon

Nicholas

Steve

Brandon

Ray

Sheree Cammer, Open Space Committee Member, 137 Hidley Road, Wynantskill spoke of the Grants that she and the board have received and the Committee truly appreciates the support from the Town Board.

All presentations from each student may be seen on the Town's Streaming of the meeting online. Supervisor Bott appreciates all the hard work they put forth with the committee. He asked if any Board member had any comments.

Councilman Rogers, Chairman of the Open Space Committee, wanted to acknowledge the dedication the committee has shown and would like to thank the Town Board for the support and interest with the work that needs to be continued and completed on these projects.



Town Board
Town of North Greenbush
Meeting Minutes
July 14, 2022
7:00 p.m.

Supervisor Bott wanted to thank the additional committee members, John Greeves and Mary Jude Foley for their involvement with the Open Space Committee too. Councilperson Hoffman stated that the Lake Association works closely with the board on grants from the state and county also. The presentation ended @ 7:48 p.m. Supervisor Bott said that the Town has received \$450,000 in grant money and we plan to do a lot of site work at the town beach as soon as the season ends.

NEW BUSINESS:

Resolution 2022-7-34: Supervisor Bott made a motion in the matter of appointing additional summer staff, seconded by Councilperson Hoffman. All board members present voted Aye, motion carried.

Resolution 2022-7-37: Councilperson Hoffman made a motion in the matter of approving an agreement with The North Greenbush Police Benevolent Association MOA, seconded by Councilperson Rogers. All Board Members present voted Aye, motion carried. Councilperson Hoffman wanted to thank Tony Germano and Sergeant Deeb for their involvement with the negotiations.

Resolution 2022-7-38: Councilperson Rogers made a motion in the matter of authorizing of the execution of an “Out of District User Agreement” for Scott J. Ruscetta, 33 Geiser Road, Wynantskill, NY with the Town of North Greenbush Water District No. 13, seconded by Councilperson Hoffman. All Board Members present voted Aye, motion carried.

Resolution 2022-7-39: Councilperson Merola made a motion in the matter of authorizing of the execution of an “Out of District User Agreement” for Connor and Susan Savage, 23 Geiser Road, Wynantskill, NY with the Town of North Greenbush Water District No. 13, seconded by Supervisor Bott. All Board Members present voted Aye, motion carried.

Mike Miner spoke about the 2 Out of District Resolutions that are on the agenda tonight. He wanted the board to know that this is at no cost to the town, and when the district is formed the 2 parcels will automatically join the district.



Town Board
Town of North Greenbush
Meeting Minutes
July 14, 2022
7:00 p.m.

Resolution 2022-7-40: Supervisor Bott made a motion in the matter of Scheduling a Public Hearing for a Zone change at 634 Bloomingrove Drive, Points North Holding LLC, seconded by **Councilperson Hoffman**.

Supervisor Bott then made a motion to withdrawal his motion, seconded by **Councilwoman Hoffman**. The board felt more information is needed and for additional questions to be answered before they schedule a Public Hearing. All Board Members present voted AYE, motion carried to Table resolution 2022-7-40. A more detailed report should be requested from Kleinke Associates and sent too Mike Miner to review with LaBerge Group before going forward with the Public Hearing so everyone involved can be well educated about the re-zone and concerns. **Supervisor Bott** made a motion to table Resolution 2022-7-40 seconded by **Councilwoman Hoffman**. All Board Members presented voted Aye, motion carried. (TABLED)

Resolution 2022-7-41: In the matter of appointing Utilities Laborer per Budget was removed before meeting, but left on agenda.

Resolution 2022-7-42: Supervisor Bott made a motion in the matter of approving an agreement with the Town Police Department PBA, seconded by **Councilperson Rogers**. All Board Members present voted Aye, motion carried.

Resolution 2022-7-43: Supervisor Bott made a motion in the matter of approving a purchase for a new 2022 International Model HV 507, 4X4 truck for the Highway Department, seconded by **Councilperson Rogers**. All Board Members present voted Aye, motion carried. Mark Premo explained the NY State Bid process and how we were canceled. They usually have a 5% window to cover prices, but it was bumped up to a 25% window, so went in a different direction. Supervisor Bott wanted to thank Mark for all the leg work and savings he accomplished by shopping around and piggy backing off another town's state contract. Councilman Rogers asked about the No Parking signs for Thompson Court. He wanted to know if we have them yet, and when they would be placed. Mark stated they have them and he would put the order in to put them up.

DISCUSSION:



**Town Board
Town of North Greenbush
Meeting Minutes
July 14, 2022
7:00 p.m.**

Michelle Lange, Van Winkle Drive, spoke of a 3 year battle with a child driving an ATV on the road and disturbing the peace. They have tried talking to the parents with no success. The noise, smell and reckless driving are major concerns. She is requesting a Noise Ordinance to be created in town.

Karen Sheridan, Van Winkle Drive, she too would like a Noise Ordinance, as the Chief of Police has tried, and she appreciates his help, but the dusk, fumes noise all hours of the night is beyond what is acceptable. Please consider a Noise Ordinance as soon as possible.

Susan McDonough, Van Wrinkle Drive, spoke of section 197-24 of Town Code. This code states Noise Ordinance for Businesses, why not for homes too. She has been told that there are no recreational Noise Ordinances for example drums, radio, large parties, cars, motor vehicles, ATV. She feels that it is a necessity and the board should look into one right away. She proceeded to list off surrounding towns that do have Noise Ordinances. The situation is beyond out of control as now the parent goes out every night and uses their leaf blower to clean off their driveway of dirt and dust from their child's ATV and blows it into her yard. This needs to stop. The average noise decimal is 70, 85 is damaging to the humans and the ATV is at a level of 85-100. Public Safety told her no to the ordinance as it would cripple the Police Department. Supervisor Bott said perhaps they could do a personal suit against the ATV rider. Fred Kirwin stated that there are different types of suits and they would need to get a private lawyer if they so choose to go in that direction. Chief Keevern will continue to patrol the area and speak to the parents, but he needs to catch the ATV in the road.

DEPARTMENT REPORTS:

Supervisor Bott requested that all Board Members review the reports at their leisure.

APPROVAL OF MINUTES:

Supervisor Bott made a motion to approve the meeting minutes for June 9, 2022 Public Hearing and Regular Monthly Meeting, seconded by **Councilperson Merola**. All Board Members present voted Aye, motion carried.



**Town Board
Town of North Greenbush
Meeting Minutes
July 14, 2022
7:00 p.m.**

ADJOURNMENT:

Councilperson Hoffman made a motion to adjourn the meeting, seconded by **Councilperson Merola**. All Board Members present voted Aye, motion carried. Meeting ended @ 8:46p.m.

- **A COMPLETE ACCOUNTING OF ALL DISCUSSIONS ON THE AGENDA IS AVAILABLE TO REVIEW VIA STREAMING ON THE TOWN'S WEBSITE.**

Respectfully Submitted
Janice Hannigan Kerwin
Town Clerk, Town of North Greenbush