



PUBLIC HEARING MINUTES
Town Board
Town of North Greenbush
May 11, 2023
6:45 p.m.

Supervisor Bott called the meeting to order @ 6:45 PM. He asked all to rise for The Pledge of Allegiance. Supervisor Bott then asked the Town Clerk, Janice Hannigan Kerwin, to do roll call. All Board Members were present.

Present
Present
Present
Present
Present

Supervisor Bott
Councilwoman Hoffman
Councilman Rogers
Councilwoman Merola
Councilman Gordon

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

To consider an application for a variance from North Greenbush Local Law #2 of 2022 in connection with the project at 128-130 Main Avenue.

Discussion:

Supervisor Bott asked if anyone had any comments on the agenda. Councilman Rogers stated that the property at 128-130 Main Avenue is an eyesore now and believes this is a good decision, but going forward we should go by the Moratorium that the board passed.



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- 1.) Mike Myer, Evergreen Lane, Wynantskill. Recommends to the town board to table this item but does echoes Councilman Rogers opinion on the vacant lot. He, however, does not see where the concern for a variance and what is the extraordinary hardship is they are saying. He then asked if the board had the designated number of public meetings. The clerk was asked for the meeting dates and Fred Kirwin, Town Attorney said we did meet all meetings criteria.
- 2.) Mary Frances Sabo, Buckbee Road stated she too echoes Mike Myer's opinion and they have not been shown what extraordinary hardship is. She is for projects like this, but we must set precedence for future projects requesting exemption from the Moratorium. Supervisor Bott said the hardship is only just 1 of the components for the variance. He asked Mr. Dingley to come forward and explain his request. Mr. Dingley stated that he purchased the property with intent to build on 2 separate lots, a two-story building with 2 units on each level, which was allowed at the time of purchase. He is only asking for 1 additional unit on each level for 1 building. By delaying his construction until the 1-year Moratorium time frame is over, there is no guarantee that it will be released or extended. He feels the design for this area is not a dramatic impact on the current area of Main Avenue.

Supervisor Bott read the Planning Board's recommendation letter.

- 3.) Andrew Maire, Defreestville, New York, asked the same question:

What is extraordinary hardship, he feels it's too vague. What will the next person have to prove to the board to get this type of variance The board needs to set a precedence now going forward and be prepared to handle requests using such reasons to get a project in. The hardship reason needs to be better categorized for the future.



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Adjournment:

Supervisor Bott made a motion for adjournment, Councilman Gordon motioned, seconded by, Councilwoman Merola. All members voted Aye; meeting closed at 7:00 p.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



**Town Board
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7:00 p.m.**

Supervisor Bott called the meeting to order @7:00 P.M., he proceeded to ask all to rise and say the Pledge of Allegiance. Supervisor Bott then asked the Town Clerk, Janice Hannigan Kerwin, to do roll call. All Board Members were present.

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

Also present at meeting:

Town Clerk, Janice Hannigan Kerwin
Town Attorney, Fred Kirwin

Announcements:

Supervisor Bott opened the meeting by happily announcing that the Route #43 Water project had started up on May 8, 2023. Their completion date should be around October 24, 2023. He announced that the Memorial Day Parade will be on the 29th and will kick off @ 1:00 p.m. from Town Hall.

The building at Synder's Lake is coming up out of the ground and poured the walls today.



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The Wreath Ceremony starts Memorial Day morning @9:45 A.M. from the Bloomingrove Cemetery and will continue around town to the monuments, with the final ceremony at town hall after the parade.

Councilwoman Hoffman wanted to acknowledge all the help on the Memorial Day parade, she thanked Kathleen Allen, Councilwoman Merola, Supervisor Bott and Town Clerk Janice Kerwin.

Comments from Residents on Agenda Items:

- 1.) Mary Frances Sabo, Buckbee Road, asked what the need was for an extra \$250,000.00 of Greenspace funds. Supervisor Bott explained that the board wanted to make the building out at the lake be a nice one for the town residents. Pricing of materials has increased since Covid and it is necessary to continue and complete the project and that money is allocated to that. Her second question was who the contract with for the building was. Supervisor Bott explained that we are doing the building in stages. Highway, Utilities are doing a major part of the work and then bid out items like the foundation, footings and retaining walls. We have a bid out now for the Dock System for the water. Mary Frances Sabo asked if it was being competitively bid on, she didn't recall any resolution being voted on or accepted, she knows there is a dollar amount that needs to have a resolution. Supervisor Bott asked the Town Comptroller, Michael Chaires, to explain the process being done. Michael explained that he looked at the 2016 Financial Statement and there was \$202,000.00 sitting there and 1 of the uses for the money is recreation, he felt this was an excellent time to use that money for the project. He continued with the process of the bids. He has a centrally located file within the building Department of all the quotes and bids for each step of construction. We are following General Municipal Law and are in compliance with the law.



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2.) Michael Myer, Evergreen Lane. Resolution 2023-05-37 He wanted to know the rate as it just says at the rate of and it's blank on the resolution. Supervisor Bott said we did not have the process and got it back and now will fill in the resolution with current Kilowatt rate plus % 20. Mr. Myer asked if we are using a 3rd party to bill, Supervisor Bott said yes. Mr. Myer encouraged the board to charge for time of use instead of a set rate. Supervisor Bott said they just went online and if we need to adjust the rate they will so accordingly. Mr. Myer then asked would the board then amend this resolution, Supervisor Bott said that would be the process if needed.

New Business:

With no more public comment Supervisor Bott went right into the resolutions.

Resolution 2023-05-32: Supervisor Bott made a motion in the matter of in the matter of an application for a variance for 128-130 Main Avenue, seconded by **Councilman Gordon**. All board members present voted Aye, motion carried.

Resolution 2023-05-33: Councilwoman Hoffman made a motion in the matter of scheduling a Public Hearing to amend a 2 way stop to a 4 way stop intersection, seconded by **Supervisor Bott**. All board members present voted Aye, motion carried.

There will be a Public Safety meeting on May 23rd to review this resolution before the Public Hearing in June.

Resolution 2023-05-34: Councilwoman Merola made a motion in the matter of town committing greenspace funds for the Synder's Lake Capital Project, seconded by **Councilwoman Hoffman**. All board members present voted Aye, motion carried.



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Resolution 2023-05-35: Councilman Gordon made a motion in the matter of issuing a request for proposal to obtain professional investment services, seconded by **Supervisor Bott**. All board members present voted Aye, motion carried.

Michael Chaires discussed the benefits of making this resolution this way.

Resolution 2023-05-36: Councilman Rogers made a motion in the matter of town changing the water billing cycle to complete the software upgrade, seconded by **Councilwoman Merola**. All board members present voted Aye, motion carried.

Councilman Rogers asked if it would be better to wait until January 1st, Michael Chaires stated that he also asked that, and they said no as the new Financial Management System will be intergraded and it would be better for both to start together. Councilman Gordon asked about the penalty fees, will the quarterly billing have any additional penalty? Michael Chaires stated no, as the penalty will only be added to the use of each quarterly bill instead of the previous balance plus the new quarterly billing with penalty.

Resolution 2023-5-37: Supervisor Bott made a motion in the matter of the town establishing a price schedule for the use of the EV Charging Stations, seconded by **Councilman Gordon**. All board members present voted Aye, motion carried.

Resolution 2023-5-38: Councilwoman Hoffman made a motion in the matter of appointing of Adam Tobey to the Open Space and Climate Smart Committee, seconded by **Supervisor Bott**. All board members present voted Aye, motion carried. Councilman Rogers stated that Open Space Committee scheduling a meeting to get together to meet Adam for the end of the month.



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Fred Kirwin, Town Attorney, mentioned that the umbrella would be \$1,000,000.00 for the following resolution and that he has it in hand. Additionally, he will also prepare an agreement that St. Jude's will leave the town's property the same condition or better than they found it. Supervisor Bott explained that St. Jude the Apostle is looking to rent the town's property.

Resolution 2023-5-39: Supervisor Bott made a motion in the matter of approving the use of town property, seconded by **Councilman Rogers**. All board members present voted Aye, motion carried.

Discussion:

Susan McDonough, Van Winkle Drive, asked about the situation with Animal Control. Where are the animals being kept now that the County does not have a facility for the surrounding towns to use. Bob Guyer, Animal Control set up rooms at the old Police Station/ Utilities Garage. Supervisor Bott spoke of an idea all the towns were discussion with the old transfer station out on 66 by Algonquin Middle School. She worked many years in law enforcement and feels that is no place for animals.

Department Reports Review:

Supervisor Bott asked each board member to review the reports at their leisure.

Approval of Minutes:

Supervisor Bott made a motion to accept the April 13, 2023, Meeting minutes, seconded by **Councilman Rogers**. All board members that were present voted Aye, Councilwoman Merola abstained, motion carried.



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Adjournment:

Councilwoman Hoffman made a motion to adjourn the meeting, seconded by **Councilman Gordon**. All board members present voted Aye, motion carried.

The Town Board meeting ended at 7:30 p.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