

At a Regular Meeting of the
Town Board of North Greenbush,
held on October 13, 2022 at the Town
Offices

**In the Matter of Scheduling a Public Hearing for
Special District Assessment Rolls**

WHEREAS, the Assessment Rolls for the Special Improvement Districts within the Town of North Greenbush have been completed; and

NOW, THEREFORE, BE IT RESOLVED, that a public hearing will be held on **November 10, 2022 at 6:00** p.m. at the Town Offices, 2 Douglas Street, Wynantskill, NY, for the purpose of having the Town Board meet and hear any objections that may be made to the Special Improvement Districts Assessment Rolls; and, be it further

RESOLVED, that the Town Clerk shall cause notice of this public hearing to be properly posted and published in the official Town newspaper.

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

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

RESOLUTION 2022-10-56

At a Regular Meeting of
the Town Board of the
Town of North Greenbush,
held on October 13, 2022 at
7:00 p.m. at the Town offices

**In the Matter of Scheduling a Public Hearing for
Operation and Maintenance Charges**

BE IT RESOLVED, that a public hearing will be held on **November 10, 2022** at **6:05 PM** at the Town Offices, 2 Douglas Street, Wynantskill, NY for the purpose of reviewing operation and maintenance charges for special improvement districts for budget year 2023; and be it further

RESOLVED, that the Town Clerk cause notice of this public hearing to be published in the next edition of the official Town newspaper.

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

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

RESOLUTION 2022-10-57

At a Regular Meeting of
the Town Board of the
Town of North Greenbush,
held on October 13, 2022 at
7:00 p.m. at the Town Offices

**IN THE MATTER OF SCHEDULING A PUBLIC
HEARNG FOR THE 2023 PRELIMINARY BUDGET**

WHEREAS, tentative budget for fiscal year 2023 is on file with the Town Clerk and has been presented to the Town Board and it is necessary to hold a public hearing on the proposed preliminary budget; and,

NOW THEREFORE BE IT RESOLVED, that a public hearing on the 2023 preliminary budget is hereby scheduled for **November 10, 2022 at 6:10 PM** at the Town Offices, 2 Douglas Street, Wynantskill, NY and it is further resolved,

RESOLVED, that the Town Clerk cause notice of this public hearing to be properly posted and published in the official Town newspaper.

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

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

RESOLUTION 2022-10-58

**Resolution of the Town Board of the Town of North
Greenbush, New York To Adopt Local Law No. 2 For 2022**

**A Local Law to Amend the Town of North Greenbush Zoning Map to change
the zoning of the property at 634 Bloomingrove Drive from Neighborhood
Business to General Business**

At a meeting of the Town Board held at the Town Offices at 2 Douglas Street, Wynantskill, New York 12198 in the Town of North Greenbush, Rensselaer County, New York on October 13, 2022

Present:

Joseph Bott, Supervisor
Kelly Hoffman, Councilwoman
James Gordon, Councilman
Jack Rogers, Councilman
Jessica Merola, Councilwoman

Whereas, the Town Board of the Town of North Greenbush has received an application for change of zoning on January 6, 2022 for the proposed "Points North Holdings LLC Automobile Service Facility" 634 Bloomingrove Drive in accordance with the Town of North Greenbush Zoning Code; and

Whereas, the proposed "Points North Holdings LLC Rezone Application" at 634 Bloomingrove Drive successfully pursues the legislative intent and objectives of the Town of North Greenbush Zoning Code; and

Whereas, the proposed "Points North Holdings LLC Rezone Application" at 634 Bloomingrove Drive is further identified as being Tax Map Parcel #: 145.-7-3, and as shown on the 2022 Tax Assessment Rolls of the Town of North Greenbush, consisting of approximately 1.79 acres; and

Whereas, the proposed "Points North Holdings LLC Rezone Application" 634 Bloomingrove Drive has been referred by the Town Board on April 14, 2022 to the Town of North Greenbush Planning Board for a recommendation; and

Whereas, the proposed "Points North Holdings LLC Rezone Application" at 634 Bloomingrove Drive has been reviewed by the Town of North Greenbush Planning Board; and

Whereas, on June 28, 2022, the Town of North Greenbush Planning Board has provided a recommendation to the Town of North Greenbush Town Board; and

Whereas, the Town Board has reviewed and considered the Town of North Greenbush Planning Board's comments and recommendations in regards to the proposed "Points North Holding, LLC Rezone Application" at 634 Bloomingrove Drive; and

Whereas, the "Points North Holdings LLC Rezone Application" at 634 Bloomingrove Drive has been 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

Whereas, the Town Board has reviewed and considered the Rensselaer County's Department of Economic Development and Planning comments and recommendations in regards to the "Points North Holdings LLC Rezone Application" at 634 Bloomingrove Drive received in accordance with the New York State Article 12B of the General Municipal Law Section 239; and

Whereas, the Town Board has considered the impact of the "Points North Holdings LLC Rezone Application" at 634 Bloomingrove Drive upon the local school districts; the transportation systems and facilities; the fire, police and ambulance emergency services; and the local tax structure; and

Whereas, the Town Board of the Town of North Greenbush has conducted a Public Hearing at Town Hall on August 11, 2022 to receive public comments and information in regards to the proposed Local Law for the "Points North Holdings LLC Rezone Application" at 634 Bloomingrove Drive and has reviewed and considered all of the information and comments provided at this Public Hearing; and

Whereas, the Town Board of the Town of North Greenbush, acting as the Lead Agency, has reviewed in detail an Environmental Assessment Form and supplemental information submitted for the "Points North Holdings LLC Rezone Application" at 634 Bloomingrove Drive and has adopted, on October 13, 2022, a Negative Declaration SEQRA Determination in accordance with the New York State Environmental Quality Review Act (SEQRA); and

Whereas, the Town Board of the Town of North Greenbush, after due deliberation, finds it in the best interest of the Town to adopt such Local Law; and

Now, therefore, be it resolved, that the Town Board of the Town of North Greenbush hereby adopts said Local Law, a copy of which is attached hereto and made a part of this resolution; and is further resolved, that said Local Law hereby establishes the herein after conditions and general design standards for the "Points North Holdings LLC Rezone Application" at 634 Bloomingrove Drive; and

It is further resolved, that the Town Clerk hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of North Greenbush, and to give due notice of the adoption of said Local Law to the Secretary of State of New York.

Motion by _____ Second _____

Joseph Bott, Supervisor _____

Kelly Hoffman, Councilperson _____

James Gordon, Councilperson _____

Jack Rogers, Councilperson _____

Jessica Merola, Councilperson _____

TABLED

RESOLUTION 2022-10-60

**Resolution of the Town Board of the Town of North
Greenbush, New York To Adopt Local Law No. 2 For 2022**

**A Local Law to Amend the Town of North Greenbush Zoning Map to change
the zoning of the property at 634 Bloomingrove Drive from Neighborhood
Business to General Business**

At a meeting of the Town Board held at the Town Offices at 2 Douglas Street, Wynantskill, New York 12198 in the Town of North Greenbush, Rensselaer County, New York on October 13, 2022

Present:

Joseph Bott, Supervisor
Kelly Hoffman, Councilwoman
James Gordon, Councilman
Jack Rogers, Councilman
Jessica Merola, Councilwoman

Whereas, the Town Board of the Town of North Greenbush has received an application for change of zoning on January 6, 2022 for the proposed "Points North Holdings LLC Automobile Service Facility" 634 Bloomingrove Drive in accordance with the Town of North Greenbush Zoning Code; and

Whereas, the proposed "Points North Holdings LLC Rezone Application" at 634 Bloomingrove Drive successfully pursues the legislative intent and objectives of the Town of North Greenbush Zoning Code; and

Whereas, the proposed "Points North Holdings LLC Rezone Application" at 634 Bloomingrove Drive is further identified as being Tax Map Parcel #: 145.-7-3, and as shown on the 2022 Tax Assessment Rolls of the Town of North Greenbush, consisting of approximately 1.79 acres; and

Whereas, the proposed "Points North Holdings LLC Rezone Application" 634 Bloomingrove Drive has been referred by the Town Board on April 14, 2022 to the Town of North Greenbush Planning Board for a recommendation; and

Whereas, the proposed "Points North Holdings LLC Rezone Application" at 634 Bloomingrove Drive has been reviewed by the Town of North Greenbush Planning Board; and

Whereas, on June 28, 2022, the Town of North Greenbush Planning Board has provided a recommendation to the Town of North Greenbush Town Board; and

Whereas, the Town Board has reviewed and considered the Town of North Greenbush Planning Board's comments and recommendations in regards to the proposed "Points North Holding, LLC Rezone Application" at 634 Bloomingrove Drive; and

Whereas, the "Points North Holdings LLC Rezone Application" at 634 Bloomingrove Drive has been 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

Whereas, the Town Board has reviewed and considered the Rensselaer County's Department of Economic Development and Planning comments and recommendations in regards to the "Points North Holdings LLC Rezone Application" at 634 Bloomingrove Drive received in accordance with the New York State Article 12B of the General Municipal Law Section 239; and

Whereas, the Town Board has considered the impact of the "Points North Holdings LLC Rezone Application" at 634 Bloomingrove Drive upon the local school districts; the transportation systems and facilities; the fire, police and ambulance emergency services; and the local tax structure; and

Whereas, the Town Board of the Town of North Greenbush has conducted a Public Hearing at Town Hall on August 11, 2022 to receive public comments and information in regards to the proposed Local Law for the "Points North Holdings LLC Rezone Application" at 634 Bloomingrove Drive and has reviewed and considered all of the information and comments provided at this Public Hearing; and

Whereas, the Town Board of the Town of North Greenbush, acting as the Lead Agency, has reviewed in detail an Environmental Assessment Form and supplemental information submitted for the "Points North Holdings LLC Rezone Application" at 634 Bloomingrove Drive and has adopted, on October 13, 2022, a Negative Declaration SEQRA Determination in accordance with the New York State Environmental Quality Review Act (SEQRA); and

Whereas, the Town Board of the Town of North Greenbush, after due deliberation, finds it in the best interest of the Town to adopt such Local Law; and

Now, therefore, be it resolved, that the Town Board of the Town of North Greenbush hereby adopts said Local Law, a copy of which is attached hereto and made a part of this resolution; and is further resolved, that said Local Law hereby establishes the herein after conditions and general design standards for the "Points North Holdings LLC Rezone Application" at 634 Bloomingrove Drive; and

It is further resolved, that the Town Clerk hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of North Greenbush, and to give due notice of the adoption of said Local Law to the Secretary of State of New York.

Motion by _____ Second _____

Joseph Bott, Supervisor _____

Kelly Hoffman, Councilperson _____

James Gordon, Councilperson _____

Jack Rogers, Councilperson _____

Jessica Merola, Councilperson _____

TABLED

RESOLUTION 2022-10-60

At a Regular Meeting of
the Town Board of the
Town of North Greenbush
held at 7:00 p.m. on October 13,
2022 at the Town Offices

IN THE MATTER OF APPROVING A
CONTRACT WITH AUCTIONS INTERNATIONAL

WHEREAS, the Town of North Greenbush, specifically the Police Department, has used Auctions International, Inc. to auction surplus Town equipment for several years; and

WHEREAS, Auctions International, Inc. requires a contract to be in place to use their services and the previously used contract expired on October 6th, 2022,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor is hereby authorized to execute the attached contract between the Town and Auctions International, Inc.

Supervisor Bott moved, **Councilman Rogers** seconded and the Town Board voted as follows:

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

RESOLUTION 2022-10-61

At a Regular Meeting of
the Town Board of the
Town of North Greenbush
held at 7:00 p.m. on October 13,
2022 at the Town Offices

IN THE MATTER OF APPROVING A
CONTRACT WITH FLOCK GROUP, INC.

WHEREAS, the Town of North Greenbush, specifically the Police Department, wishes to accept a free 60-day trial of Flock Safety brand stationary license plate reader cameras, and;

WHEREAS, Flock Group, Inc. requires a contract prior to the installation of the trial cameras and such contract specifies the terms of the trial period, notably that there are no costs or fees associated with said trial,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor is hereby authorized to execute the attached contract between the Town and Flock Group, Inc.

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

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

RESOLUTION 2022-10-62

**RESOLUTION OF THE TOWN BOARD
IN THE MATTER OF HOLDING A PUBLIC HEARING TO CONSIDER
A MORATORIUM ON MULTI-FAMILY DWELLINGS**

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 October 13, 2022.

Present:	Joseph Bott,	Supervisor
	Kelly Hoffman,	Councilwoman
	Jack Rogers,	Councilman
	James Gordon,	Councilman

ABSENT- Councilwoman Merola

Whereas, the Town Board of the Town of North Greenbush is interested in considering a Local Law Imposing a temporary moratorium on Multi-Family Dwelling Projects within the Town, and

Whereas, this action is a Type 2 action which requires no additional SEQRA review, and

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

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

AYES:	4
NAYS:	0
ABSENT:	1

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 **November 10, 2022 at 6:15 P.M.**, to consider a Local Law entitled "Town Law 2022 Town of North Greenbush Multi-Family Dwelling Moratorium 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 **November 1, 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 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 2022-10-63

“Town Law 2022 Town of North Greenbush Multi-Family Dwelling Moratorium Law”

Chapter 197 of the North Greenbush Town Code is hereby amended to include the following:

Section 1: Purpose and Intent.

The North Greenbush Town Comprehensive Land Use Plan was last adopted and codified in 2016. Since that time, concerns have arisen as to whether current law sufficiently regulates multi-family dwelling development with the Town. Many citizens have expressed concerns and provided comments which suggest that the Town Code should be reviewed to ensure that multi-family dwellings are regulated in a manner that advances public health, safety and welfare and preserve community character.

The purpose of this local law is to provide time for Town Officials to study its Town Code and comprehensive land use plan and address issues, if any, presented by the growth and development of multi-family dwellings within the Town and the impact of such growth on the community, its financial impact on the Town and the regulation, control and enforcement of such uses. This Local Law is enacted pursuant to Municipal Home Rule Law.

Section 2: Definitions

“Multi-Family Dwelling”, a structure, or group of structures containing three or more dwelling units and designed for occupancy by three or more families living independently of each other. This may include apartments, condominiums, townhouses and cooperatives.

In addition, all definitions from Chapter 197 and any other relevant definition contained in the Town Code of the Town of North Greenbush are incorporated herein by reference.

Section 3: Moratorium

For a period of one year from and after effective date of this local law, no application for building permits, site plan approval, special use permits, or any other municipal approval, including applications for re-zoning, shall be considered for multi-family dwelling projects, within the Town of North Greenbush.

This moratorium shall not apply to any Certificates of Occupancy for any and all construction pursuant to building permits issued prior to the effective date of this law or the issuance of any building permit for the renovation or repair of any lawfully existing structure otherwise covered by this local law. In addition, this moratorium shall not apply to any projects that have already obtained municipal approvals or are before the Planning or Zoning Board of

Appeals or the Building Department requesting approval from the Town of North Greenbush as of the effective date of this law notwithstanding that a Certificate of Occupancy and/or Building Permit has not been issued. This moratorium shall also not apply to re-zoning applications for multi-family dwelling projects under consideration by the Town Board as of the effective date hereof.

Section 4: Variance

Any person may apply to the Town Board for a variance from this local law. Upon submission of an application for a variance to the Town Board and after a public hearing, the Town Board may, in its discretion, render a determination that this local law would impose extraordinary hardship upon a landowner or developer and that a variance from this law will not be a detriment to the public health, safety, and welfare or to the residents of the Town or present any significant adverse environmental impacts. All such applications will be referred to the Planning Board for its recommendations and shall thereafter be returned to the Town Board for a public hearing and final decision on the application.

Section 5: Supersession

To the extent this local law is inconsistent with any state or local statute or regulation, it is the intent of this law to supersede such statutes or regulations, including without limitation the following: all applicable sections of New York State Town Law, General Municipal Law and the Code of the Town of North Greenbush.

Section 6: Severability

If any section or subdivision, paragraph, clause, or phase of this local law shall be adjudged invalid or held unconstitutional by any court or competent jurisdiction, any judgment made thereby shall not affect the validity of this law as a whole or any part thereof other than the part or provision so adjudged to be invalid or unconstitutional.

Section 7: Effective Date

This local law shall take effect immediately upon filing with the Secretary of State of the State of New York.

RESOLUTION OF THE TOWN BOARD FOR THE TOWN OF NORTH GREENBUSH IN THE MATTER OF HOLDING A PUBLIC HEARING TO CONSIDER THE PROPOSED LOCAL LAW FOR THE "GRANDE AT CREEKSIDE, LLC PDD APPLICATION"

At a meeting of the Town Board held at the Town Offices at 2 Douglas Street, Wynantskill, New York 12198 in the Town of North Greenbush, Rensselaer County, New York on **October 13, 2022**.

Present: Joseph Bott, Supervisor
Kelly Hoffman, Councilwoman
Jack Rogers, Councilman
James Gordon, Councilman
Absent: Jessica Merola, Councilwoman

Whereas, the Town Board of the Town of North Greenbush has received on April 1, 2021, the "Grande of Creekside Planned Development District Rezone Application" for a change of zoning from R2 to a PDD in accordance with the Town of North Greenbush Zoning Code; and

Whereas, the "Grande of Creekside Planned Development District Rezone Application " successfully pursues the legislative intent and objectives of the Town of North Greenbush Zoning Code; and

Whereas, the "Grande of Creekside Planned Development District Rezone Application " is further identified as being:

Tax Map Parcels #: 124.-5-9.1 (26.5Acres) – 125 West Sand Lake Road

and as shown on the 2022 Tax Assessment Rolls of the Town of North Greenbush, consisting of approximately 26.5 acres; and

Whereas, the " Grande of Creekside Planned Development District Rezone Application " has been referred by the Town Board on April 8, 2021 to the Town of North Greenbush Planning Board for a recommendation; and

Whereas, on September 27, 2022, the Town of North Greenbush Planning Board has provided a recommendation to the Town of North Greenbush Town Board; and

Whereas, the Town Board has reviewed and considered the Town of North Greenbush Planning Board's comments and recommendations in regards to the " Grande of Creekside Planned Development District Rezone Application "and

Now therefore, on motion of **Councilwoman Hoffman**, seconded by **Councilman Gordon** all members present voting on roll call, which resulted as follows:

AYES: 4
NAYS: 0

ABSENT:

0

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, New York 12198, in the Town of North Greenbush on **November 10, 2022 at 6:45 P.M.**, to consider a Local Law for " Grande of Creekside Planned Development District Rezone Application " 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 **October 27, 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, and it is

FURTHER ORDERED, the Town Board, be declared the Lead Agency, within the meaning of the State Environmental Quality Review Act (SEQRA) and the regulations promulgated thereunder with respect to this Local Law, and it is

FURTHER ORDERED, that the Local Law for the " Grande of Creekside Planned Development District Rezone Application " 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 2022-10-65

CERTIFICATION OF RESOLUTION

1, JANICE KERWIN, Town Clerk of the Town of North Greenbush, in the County of Rensselaer, New York, HEREBY CERTIFY that the foregoing annexed Resolution of the Town Board of said Town of North Greenbush adopted October 13, 2022, has been compared by me with the original resolution as officially recorded in my office in the Minute Book of said Town Board and is a true, complete and correct copy thereof and the whole of said Resolution.

IN WITNESS WHEREOF, I have unto set my hand and affixed the corporate seal of said Town of North Greenbush, this 13th day of October, 2022.



JANICE KERWIN
Town Clerk