

Regular Village Board Meeting  
December 6, 2021

At 6:00 PM on Monday, December 6<sup>th</sup>, 2021 Mayor Meg Grenier read the following statement: this is the Village of Menands Board of Trustees, semi-monthly meeting. I am Mayor Meg Grenier and as it is 6:00 o'clock, I will call this meeting to order. For anyone outside the village staff who is attending this video conference, I would ask if you would please identify yourselves, Eric Johnson, Renee Lequire, Bill Nevins, Dave Ingalls, Kevin Schwebki, Sal Rajpert, John MacAffer, Ricky Link, Cranesville Block. The mayor asked them to mute their microphones.

Mayor Grenier then did a roll call of Village staff: Deputy Mayor Seth Harris, present, Trustee Foley, present, Trustee Brian Marsh, present, Trustee Timothy Lane, present, Clerk Don Handerman, present, Village Attorney Steve Rehfuess, present, Lyle Darmetko, Code Enforcement Officer present, Chief Frank Lacosse, present, Intern Anika Fisher, present. On behalf of the Village Board, I would ask all residents that we please keep our First Responders, all essential workers and those affected by this pandemic in our thoughts and prayers.

On September 2<sup>nd</sup>, 2021 Governor Kathy Hochul signed legislation (S.50001/A.40001) extending virtual access to public meetings under New York State's Open Meetings Law, which allows New Yorkers to virtually participate in local government meetings during the COVID-19 pandemic. The legislation which was initially implemented by Executive Order during last year's State of Emergency, allows state and local government meetings that are normally held in person to be held remotely instead, as long as the public has the ability to view or listen to the meeting and as long as the meeting is recorded and later transcribed. This statutory change will reduce the need for congregation at public meetings while the Delta variant is prevalent, while ensuring public business can continue.

Dave Ingalls and Sal Rajpert representing the 5 Elmwood Apartments Project. The apartments would be workforce and affordable apartments. There will be one building with 78 1 and 2-bedroom units. A discussion followed.



CAPITAL DISTRICT OFFICE  
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September 30, 2021

Mr. Lyle Darmetko  
Village of Menands  
280 Broadway  
Menands, NY 12204

*Re: 5 Elmwood Road Site Plan Application, SUP Submission  
Village of Menands, Albany County, New York  
Chazen Project # 32105.02*

Dear Mr. Darmetko:

The Chazen Companies (Chazen) has reviewed the documents listed below submitted in support of a Special Use Permit for a project at 5 Elmwood Road in the Village of Menands, Albany County, New York. The applicant proposes to demolish the former Olympic Lanes Bowling Alley and construct a single, 3-story, 76unit workforce and affordable housing apartment building.

The following documents were reviewed:

- Drawing entitled "Sketch Plan Elmwood Road Residences", prepared by Ingalls & Associates, dated March 29, 2021.
- Letter from Ingalls & Associates dated September 9, 2021, providing supporting information for the Special Use Permit Standards.

The applicant has provided a complete Special Use Permit Application.

Please note that our review and comment letter is intended to provide the Village Board with considerations for evaluating the Special Use Permit criteria. The application has not been reviewed for compliance with the Site Plan Review regulations or other codes.

Each item in the Special Use Permit Standards 169-48 of the Village Code is listed below along with the applicant's response in italics, followed by our comments presented for the Board's consideration. The comments provided by Chazen do not supplant the Board's judgment when evaluating the application as it is the Board's responsibility to render a decision on the application.

**1. 169-48-A(1) Standard: The use will not have an adverse impact or effect upon adjacent property or the character of the neighborhood or community.**

*Applicant's response: The proposed 76-unit multi-family housing development is located at 5 Elmwood Road within the Village of Menands. The greater neighborhood is best characterized as a mixed use of commercial and residential neighborhood with single family housing existing along Glenwood Road and Harts Lane. Commercial uses are operational along Elmwood Road and abutting the residential Streets. The project proposes to demolish the existing Olympic Lanes bowling alley and develop a 76unit apartment building. By demolishing the existing structure, the project will render a new aesthetically appealing development. The proposed development is isolated from the residential*

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Chazen Engineering, Land Surveying & Landscape Architecture Co., D.P.C. (New York)

Chazen Engineering Consultants, LLC (Tennessee)

*streets and separated by the Village-owned Municipal Park. Furthermore, the project site is adjacent to NY-378 and TAG Solutions INC. Thus, the development will not have an adverse impact or effect on adjacent property owners or cause a detriment to the neighborhood or Community.*

Considerations: The project is residential in nature. Adjacent property uses are commercial/industrial, highway, and a park with residential uses beyond the park.

**2. 169-48-A(2) Standard: The use will not cause an adverse impact or effect on traffic condition, parking, utilities, services or other matters affecting the public health, welfare or convenience.**

*Applicant's response: Per the Institute of Transportation Engineers (ITE), Trip Generation Manual (Apartments-Code 220), the projected traffic count will be less than existing traffic during peak bowling times.*

*Weekday A.M. Peak Hour- 0.55 trip ends/unit, with Directional distribution being 29% entering and 71% exiting. 76 units x 0.55=42 trips*

*Weekday P.M. Peak Hour- 0.66 trip ends/unit, with Directional distribution being 61% entering and 39% exiting. 76 units x 0.66=51 trips*

*Peak traffic times for the existing Olympic Lanes (OL) bowling alley use are during league play and tournament play. The bowling alley has 50 lanes with 5 bowlers per lane equaling 250 people during league and tournament play. In conjunction, there are employees and a bar with 30-40 seats. These forecasted trips can then be compared to the OL peak traffic volumes of 250-300 vehicles during tournaments. Therefore, the traffic generated by the new apartments will be less than the hundreds of vehicles during peak bowling times.*

Considerations: We generally concur with the applicant's discussion regarding traffic impacts; however, we note that the Board may request a formal Traffic Study during the site plan review process. We also note that historical information regarding the frequency of events with 250-300 vehicles entering and leaving the site is not provided. It is also unclear if the existing parking lot can accommodate 250-300 vehicles.

We offer that the sanitary sewer system conveying wastewater from the project site to the Albany County Sewer District's trunk sewer contains some of the oldest piping in the Village. The Village's sanitary sewer system is impacted by infiltration and inflow and the available system capacity from the project site to the Albany County Sewer District's trunk sewer is unknown.

The suitability of utilities and services for the proposed use will be reviewed in greater detail if the project progresses to site plan review. It is expected that the applicant will submit a detailed Engineering Report during the site plan review process which evaluates the project flows generated by this use and the capacity of the existing system to accept these flows.

**3. 169-48-A(3) Standard: The use will not adversely affect other uses within the district.**

*Applicant's response: The project site is currently zoned in the T4-Infill Neighborhood District. The greater neighborhood zoning includes R1, R3 and BDD Zones. Per the Village of Menands, Zoning Map adopted June 2016, the neighborhood's existing zoning has R1 parcels abutting a BDD zone. Commercial and Single-Family uses are allowed adjacent to each other. The proposed workforce and affordable housing development will not adversely affect the commercial activities allowed in the BDD zones. The project is also sufficiently separated from the existing residences by the intervening municipal park, preventing the multi-family use from adversely affecting the R1 residential zoned parcels.*

Considerations: The Village adopted its Comprehensive Plan in 2020 following a lengthy planning and community engagement process. The Future Land Use Map included in the Comprehensive Plan identifies 5 Elmwood Road as Light Industrial, not high-density housing as the applicant is proposing. The Village is currently updating its Zoning Regulations to reflect the recommendations of the Comprehensive Plan. The Board should consider whether the proposed use is consistent with the Village's vision as articulated in the Comprehensive Plan.

By definition, special permit uses are those uses which the Board of Trustees has determined may have some special impact or characteristic which require a case-by-case review of the use in relation to location, design, configuration and impact to determine the desirability of permitting the establishment of such a use on a particular site. The Board should consider whether the planning efforts and recommendations of the Comprehensive Plan and the conclusion that the future land use at 5 Elmwood Road should be Light Industrial constitutes non-compliance with this criteria.

**4. 169-48-A(4) Standard: The use will be in harmony with surrounding uses and with the orderly development of the district.**

*Applicant's response: The proposed multi-family development will maintain the neighborhood's existing character and harmony consisting of mixed residential and commercial uses. The multi-family housing use creates a logical buffer to the residences from the highway and surrounding commercial uses while providing diversity in housing type.*

Considerations: An outcome of the Comprehensive Plan planning process suggested that the future land use of 5 Elmwood Road should be Light Industrial in keeping with the other commercial/industrial uses currently on Elmwood Road.

**5. 169-48-A(5) Standard: The use will not discourage the appropriate development and/or use of adjacent land.**

*Applicant's response: As highlighted above, the surrounding zones of the project site are R1, R3, and BDD. Per Schedule A the BDD zone permits uses including places of worship, fire, ambulance and other village service facilities, retail stores, shops, barbershops, beauty parlors, banks and offices, restaurants, theater and similar community services. The proposed multi-family housing will encourage small businesses within the aforementioned uses to develop or use the adjacent zoned BDD parcels to tailor to the newly created demand for services. The proposed parcel will encourage the surrounding area to be developed and used in accordance with the village zoning ordinance.*

Considerations: We have no further comment.

**6. 169-48-A(6) Standard: The use will be adequately serviced by essential public facilities and services such as highways, streets, parking spaces, police and fire protection, drainage structures, refuse disposal, water, sewer and schools.**

*Applicant's response: The proposed development is adequately served by essential functions. The site's location provides immediate access to Broadway and NY-378. Public transportation is provided with the Broadway & Harts Lane and the Broadway and Glenwood Road bus stops located at Harts Lane and Broadway Junction. The proposed facility has been designed to*

*provide 126 parking spaces, which is greater than the code requirement of 114 spaces. Furthermore, the development will be served by the Menands Village Police Department, Menands Fire Company, and regional ambulance services. The Village of Menands Fire Department will review the site plan and offer any comments for fire protection. As shown on the Sketch Plan, dated March 29, 2021, adequate drainage structures, water, sewer and refuse disposal are provided for the project. Lastly, the proposed development is planned to cater to workforce community and empty nesters, thus having limited impact on the Menands School District.*

Considerations: See Response 2 regarding wastewater constraints. The adequacy of project utilities and fire protection will be reviewed in detail if the project progresses to site plan review.

**7. 169-48-A(7) Standard: The use will not be objectionable to nearby properties by reason of noise, fumes, vibration, illumination and other impacts.**

*Applicant's response: The proposed multi-family residential development will not create adverse impacts on the surrounding properties, such as noise, fumes, vibrations, illumination or other impacts.*

Considerations: The multi-family use is unlikely to have objectionable impacts on nearby properties by reason of noise, fumes, illumination, or other impacts due to the nature of the use and existing buffers between the use and neighboring properties.

**8. 169-48-A(8) Standard: The use will not adversely affect property values in the vicinity.**

*Applicant's response: The proposed site re-development will include the removal of the aging Olympic Lanes building, increase green space, reduce impervious areas and include the constructing of an aesthetically appealing residential building resulting in positive effects on property values in the vicinity of the project.*

Considerations: We have no further comment.

**9. 169-48-A(9) Standard: The public health, safety, general welfare or order of the village will not be affected by the proposed use in its location.**

*Applicant's response: The Elmwood Apartments project is compliant with zoning requirements and will not adversely affect the public health, safety, general welfare or order of the village. Similar to other multi-family developments in the village, the Elmwood Apartment project will be adequately served by local fire, police and other municipal services.*

Considerations: We have no further comment.

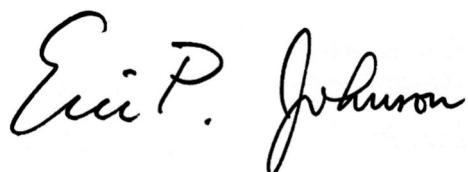
**10. 169-48-A(10) Standard: Such other factors that may be relevant to the use proposed in relation to the impact of the use on the community.**

*Applicant's response: The proposed re-development project has been designed to reduce impervious cover, provide proper stormwater controls and utility connections in order to avoid impacts to the community. This project designed to current architectural and site design standards will service the housing needs of the area and be a great asset to the Village.*

Considerations: The Board may take this opportunity to request any additional discussion from the applicant that may support the Special Use Permit determination.

Please do not hesitate to contact me at 518-273-0055 with any questions.

Sincerely,



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Eric P. Johnson, P.E.  
Principal  
Director, Municipal Engineering

cc: Village Board

Stephen J. Rehfuß – Village Legal Counsel  
File

*ingalls*

2603 Guilderland Avenue  
Schenectady, New York 12306  
t.518.393.7725 f.518.393.2324 info@ingallsllp.com

March 29, 2021

Village of Menands

250 Broadway

Menands, NY 12204

Re: Project Statement

5 Elmwood Road Village of Menands

Albany County, NY

Project No. 15-065

Dear Mr. Reuss:

The following information has been provided in support of the proposed site plan and special use permit for the previously approved Elmwood Apartments project located at 5 Elmwood Road. On behalf of Walison Corp., the project is proposed to remove the current Olympic Lanes Bowling Alley and construct a single 3-story, 76-unit workforce and affordable rental housing apartment building within the general footprint of the former bowling alley building. The development will also include the construction of a parking lot and associated utilities including water, sanitary sewer and stormwater collection facilities on the 3.22+/- acre site. Per the previous direction of the Village Board the project includes the construction of an ADA compliant asphalt path from the project site to Glenwood Road. The lot contains 0.10 acres of federal wetlands on the east side of the property and is adjacent to lands owned by NYS Department of Transportation to the west. NYS Route 378 borders the southern part of the parcel with a public park owned by the Village of Menands to the north. The lot is surrounded by a well-traveled commuter state highway, commercial and industrial uses, and residential homes approximately 400' away on the north side of the park. The commercial and industrial uses along the west side of Elmwood Road include Albany Mack Sales Inc, TAG Solutions LLC and other buildings suitable for commercial or industrial uses. The project was previously granted Site Plan Approval in July 2018, Special Use Permit Approval in March 2018, and Area Variances in June 2017 and December 2017, respectfully.

The updated project proposed by Walison is to offer workforce and affordable housing opportunities for low to moderate income residents of this community and will consist of one- and two-bedroom apartments. Given this, the proposed project will not have an adverse impact or effect on adjacent property or will not be a detriment to the neighborhood or greater community. The proposed development provides the required number of parking spaces (114) in accordance with Village code. In addition to the required 114 parking spaces 12 banked spaces are also proposed in the unlikelyhood future demand for additional parking is warranted. It should also be noted that past similar projects have been found to require less parking than required by code given the limited number of residents that own vehicles. Given this, the project will not result in overflow parking onto nearby residential streets.

Furthermore, the proposed water and sanitary sewer infrastructure improvements have been designed to properly service the proposed development. Onsite stormwater features are designed in accordance with NYSDEC regulations to control and treat stormwater runoff. The light poles chosen for the project are consistent with the character within the Village of Menands.

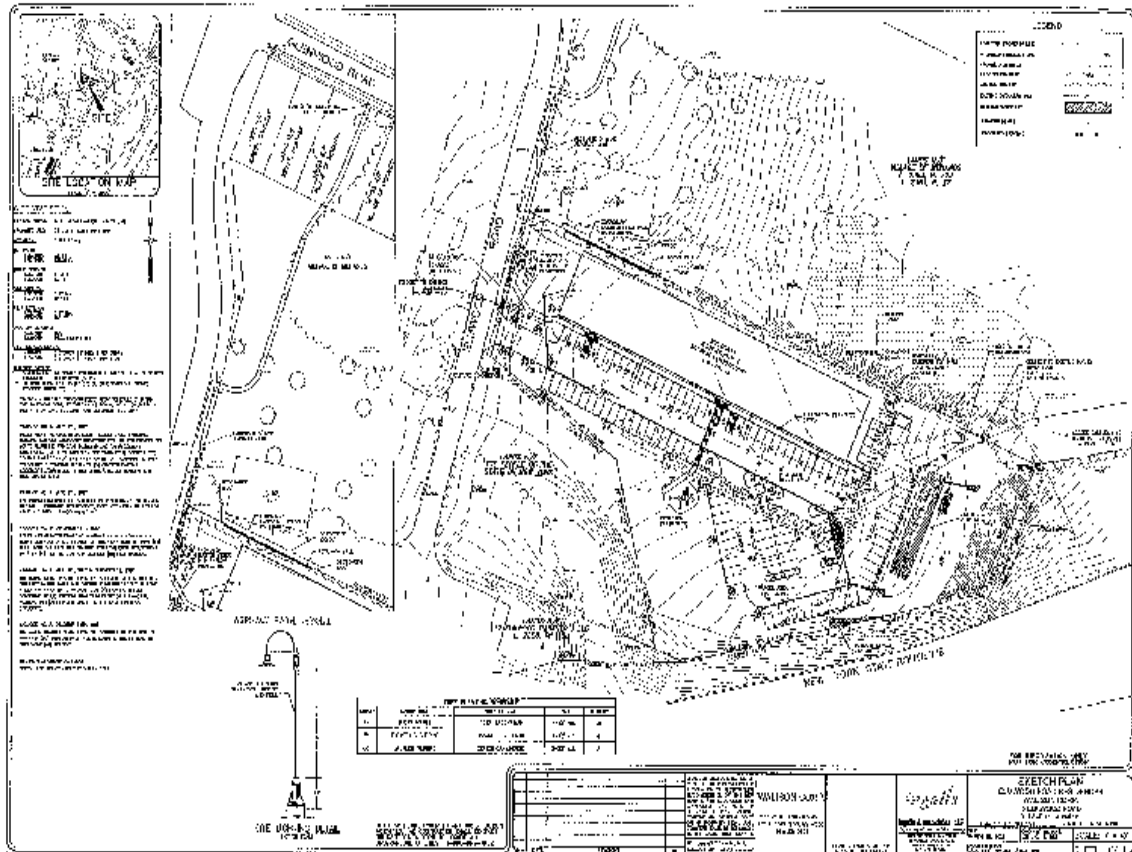
The proposed multi-family use will not adversely affect other uses within the district. As mentioned above, the property is surrounded by commercial, light-industrial and office-type uses along the West side of Elmwood Road. Redeveloping the existing bowling alley will not alter nearby property values.



Furthermore, the property's location is at the end of Elmwood Road and will not incur adverse effects to public health, safety, general welfare nor adversely affect the order of the village.

Thank you in advance for your review of the above and enclosed. Should you require any additional information, please contact me at (518) 393-7725.

Sincerely,  
Peter J. Yetto  
Design Engineer  
Ingalls & Associates, LLP



## Resolution Number 210076

After the discussion Trustee Harris made a motion to hold a public hearing on December 20<sup>th</sup>, 2021 at 6:00 P.M. to discuss the 5 Elmwood Project, seconded by Trustee Lane.

ADOPTED:

Trustee Foley	voting	AYE
Trustee Harris	voting	AYE
Trustee Lane	voting	AYE
Trustee Marsh	voting	AYE
Mayor Grenier	voting	AYE

Trustee Marsh led a discussion regarding property at 18 Graffunder is abutting 15 Graffunder. All the property will be in the Town of Colonie. The Town of Colonie is asking that the Village Board approve the land transfer because it abuts the Village line.

Trustee Lane made a motion to approve the land transfer between 15 and 18 Graffunder, seconded by Trustee Harris.

ADOPTED:

Trustee Foley	voting	AYE
Trustee Harris	voting	AYE
Trustee Lane	voting	AYE
Trustee Marsh	voting	AYE
Mayor Grenier	voting	AYE

A motion was made by Trustee Harris to accept the minutes of the November 15<sup>th</sup>, 2021 Board Meeting, seconded by Trustee Foley.

ADOPTED:

Trustee Foley	voting	AYE
Trustee Harris	voting	AYE
Trustee Lane	voting	AYE
Trustee Marsh	voting	AYE
Mayor Grenier	voting	AYE

A motion was made by Trustee Marsh to approve payment for the following, seconded by Trustee Harris.

WARRANT # 13:

GENERAL	totaling	\$ 888,007.07
WATER	totaling	\$ 88,093.84
SEWER	totaling	\$ 52,364.50
TOTALS		\$1,028,465.41

<u>PAYROLL # 13:</u>	totaling	\$ 103,412.33
(11/05/21-11/18/21)		

ADOPTED:

Trustee Foley	voting	AYE
Trustee Harris	voting	AYE
Trustee Lane	voting	AYE
Trustee Marsh	voting	AYE
Mayor Grenier	voting	AYE

A motion was made by Trustee Marsh, seconded by Trustee Harris, to accept the following resolution:  
RESOLVED, that the Treasurer be, and hereby is, authorized to make the following Budget Transfers

A motion was made by Trustee Marsh, seconded by Trustee Harris, to accept the following resolution:  
RESOLVED, that the Treasurer be, and hereby is, authorized to make the following Budget Transfers

Account		Account	
		To	
From Acct:	A.1990.0400	Acct:	A.6989.0400
Description	Contingent		Econ Opp & Dev - Contractual
Amount:	\$14,700.00		\$5,000.00
		To	
From Acct:	"	Acct:	A.7620.0405
Description	"		Seniors - Ins.
Amount:	"		\$1,000.00

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From Acct:	"	To	
Description	"	Acct:	A.9015.0802
Amount:	"		Police Retirement
			\$8,700.00

From Acct:	A.3120.0151	To	
Description	Telecommunicator - Full Time	Acct:	A.3120.0153
Amount:	\$2,500.00		Telecommunicator - Overtime
			\$2,500.00

Approved:

Trustee Foley Voted - Aye  
Trustee Harris Voted - Aye  
Trustee Lane Voted - Aye  
Trustee Marsh Voted - Aye  
Mayor Grenier Voted – Aye

Resolution Number 210077

The treasurer requested Board approval to transfer \$6,300.00 from the Vehicle Savings Account to Account A.3120.0208 Police Equipment Miscellaneous to cover the cost of the new trailer mounted speed sign that was authorized at the September 27, 2021 Village Board Meeting. After a discussion Trustee Marsh moved, seconded by Trustee Lane the following resolution authorizing the treasurer to transfer \$6,300.00 from the Vehicle Saving Account to Account A.3120.0208 Police Equipment Miscellaneous to pay for the new Speed Sign and Trailer.

ADOPTED:

Trustee Foley	voting	AYE
Trustee Harris	voting	AYE
Trustee Lane	voting	AYE
Trustee Marsh	voting	AYE
Mayor Grenier	voting	AYE

Resolution Number 210078

The Treasurer requested the board to approve an amendment to the Budget by \$155,000; with \$93,000 to Account A.5112.0438 Consolidated Highway Aid; and \$62,000 to Account A.8140.0400 Storm Sewers; to cover the cost of paving Wards Lane. A portion of this will be recovered when we submit our Application for the Chips money, as the Village has 2 years of funding available for the next filing which will be in March. After a discussion Trustee Marsh moved 2<sup>nd</sup> by Trustee Foley a resolution authorizing the Treasurer to amend the 2021-2022 Fiscal Year budget Account Number A.5112.0438 Consolidated Highway Aid by \$93,000, and Account A.8140.0400 by \$62,000.

ADOPTED:

Trustee Foley	voting	AYE
Trustee Harris	voting	AYE
Trustee Lane	voting	AYE
Trustee Marsh	voting	AYE
Mayor Greiner	voting	AYE

Crainsville Block, the Village Attorney explained that he received an email from the Crainsville Attorney stating that a representative went in person to attend the Board Meeting not knowing it was via Google Meets. Ricky Link appeared before the Board to advise them that Crainsville has gone out for quotes to demolish the building and is waiting for a reply. Ricky also advised the Board that the tenant has been advised that they have to evacuate the property. A discussion followed.



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After the discussion it was decided that Crainsville will return for the December 20<sup>th</sup>, meeting and update the Board. Crainsville Attorney will also keep Attorney Reh fuss advised.

The Clerk advised the Board that Chief Steurer requests to Surplus Fire Chief Vehicle Car 38 2006 Ford Explorer Vin Number 1FMPU16586LA78766.

The following bid was received from Harvey Bender in the amount of \$250.00 for the purchase of Car 38 the 2006 Ford Explorer.

Resolution Number 210079

Trustee Lane made a motion to accept the bid for Car 38 the 2006 Ford Explorer from Harvey Bender in the amount of \$250.00, seconded by Trustee Harris.

ADOPTED:

Trustee Foley	voting	AYE
Trustee Harris	voting	AYE
Trustee Lane	voting	AYE
Trustee Marsh	voting	AYE
Mayor Grenier	voting	AYE

Anika Fischer gave her Economic Development Interns report:

- 1) CGI Village Video still working on contract will ask for approval at the 12/20/21 Board Meeting.
- 2) Bike Share Program still waiting for other municipalities to approve.
- 3) ZEV Charger still waiting for state approval.
- 4) Summer Food Truck Coral - every Wednesday July 6<sup>th</sup> – August 2<sup>nd</sup>, 2022 location to be determined.
- 5) On December 10<sup>th</sup>, 2021 Anika and Mayor Grenier will have a meeting with Honest Weight Co-Op to discuss possibly coming to Menands.
- 6) Anika is looking into starting a Junior Achievement Program in Menands. Menands School is working with Junior Achievement.
- 7) Anika's final project is a 40-page book to pass along to the next intern with all information of items she has been working on.

The Clerk explained due to a clerical error the newspaper post for the Water Bond was not placed in the paper. A new resolution will have to be approved and reported.

**BOND RESOLUTION**  
**(SUBJECT TO PERMISSIVE REFERENDUM)**

At a regular meeting of the Board of Trustees of the Village of Menands, Albany County, New York, held at the Village Hall, in Menands, New York, in said Village, on the 6<sup>th</sup> day of December, 2021, at 6 o'clock P.M., Prevailing Time.

The meeting was called to order by Mayor Megan Grenier, and upon roll being called, the following were:

PERSENT:

Trustee Foley

Trustee Harris

Trustee Lane

Trustee Marsh

Resolution Number 210080

The following resolution was offered by Trustee Marsh, who moved its adoption, seconded by Trustee Lane, to-wit:

BOND RESOLUTION DATED DECEMBER 6, 2021.

A RESOLUTION AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE CONSTRUCTION OF IMPROVEMENTS TO AND RECONSTRUCTION OF THE WATER DISTRIBUTION SYSTEM, FOR THE VILLAGE OF MENANDS, ALBANY COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$5,059,000 AND AUTHORIZING THE ISSUANCE OF \$5,059,000 SERIAL BONDS OF SAID VILLAGE TO PAY THE COST THEREOF.

WHEREAS, the capital project hereinafter described, as proposed, has been determined to be a Type II Action of the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, which as such will not have any significant adverse impact on the environment; and

WHEREAS, it is now desired to authorize such capital project and its financing; NOW, THEREFORE, BE IT

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Board of Trustees of the Village of Menands, Albany County, New York, as follows:

Section 1. The construction of improvements to and reconstruction of the water distribution system, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, for the Village of Menands, Albany County, New York, is hereby authorized, subject to permissive referendum, at a maximum estimated cost of \$5,059,000.

Section 2. It is hereby determined that the plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$5,059,000 of serial bonds of the Village hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law; **PROVIDED, HOWEVER**, that to the extent that any grants-in-aid are received for such class of objects or purposes, the amount of bonds to be issued pursuant to this resolution shall be reduced dollar for dollar.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is forty years, pursuant to subdivision 1 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Village of Menands, Albany County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually

be levied on all the taxable real property of said Village, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Village Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Village Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Village Treasurer, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as the Village Treasurer shall deem best for the interests of said Village, including, but not limited to, the power to sell said bonds to the New York State Environmental Facilities Corporation; provided, however, that in the exercise of these delegated powers, the Village Treasurer shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Village Treasurer shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 7. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Village Treasurer, the chief fiscal officer of such Village. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Village Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 8. The Village Treasurer is hereby further authorized, at his sole discretion, to execute a project finance and/or loan agreement, and any other agreements with the New York State Department of Health and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the class of objects or purposes described in Section 1 hereof, or a portion thereof, by a bond, and/or note issue of said Village in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 9. The power to issue and sell notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the Village

Treasurer. Such notes shall be of such terms, form and contents as may be prescribed by said Village Treasurer consistent with the provisions of the Local Finance Law.

Section 10. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 11. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 12. Upon this resolution taking effect, the same shall be published in full or summary form in the official newspaper of said Village for such purpose, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 13. Pursuant to the provisions of Section 36.00 of the Local Finance Law, this resolution is adopted subject to permissive referendum

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Trustee Foley Voting Aye

Trustee Harris Voting Aye

Trustee Lane Voting Aye

Trustee Marsh Voting Aye

Mayor Grenier Voting Aye

The resolution was thereupon declared duly adopted.

ADOPTED:

Trustee Foley	voting	AYE
Trustee Harris	voting	AYE
Trustee Lane	voting	AYE
Trustee Marsh	voting	AYE
Mayor Grenier	voting	AYE

The Clerk advised the Board that 33 Glenwood Road has been served with the Notice of Commendation. Mr. Weaver has also been told he can be heard at the December 20<sup>th</sup>, 2021 Board Meeting.

Chief Steurer asked the Board for permission to purchase Vehicle Stabilization Kit from state contract at a price of \$7,926.00. A discussion followed.

Resolution Number 210081

Trustee Marsh made a motion to purchase the Vehicle Stabilization Kit from MES under state contract in the amount of \$7,926.00, seconded by Trustee Harris.

Mayor Grenier advised the Board she has received a letter from DEC congratulating the Village of Menands for being a Climate Smart Community.

The Menands Library asked if any of the monies the Village received from the Federal Government could be used to help offset the cost of new furnace for the library. The cost of the furnace is between \$20,000.00 and \$30,000.00. Mayor Grenier check with NYCOM and the monies cannot be used for that.

Mayor Grenier advised the Board that the Village's water loss is at 18%. A discussion followed.

Mayor Grenier read the following

TO: All Menands Village Board Members

FROM: Bill Garvey Jr.

I got important letters of concern + importance

- 1 Early October 2021 he observed a car on the road belonging to Village 1 Apt Complex the car was vacant without operating flashers.
- 2 Late October he observed a car parked in the fire lane at Ganser Smith Park.

I like to thank you for your time and consideration

Yours sincerely  
Bill Garvey Jr.

The Clerk advised that Board that the PBA has elected a new Board:

Dan Braden – President  
Kevin Schwebki – Vice President  
Mike Case - Treasurer  
Josh Kullman - Secretary

At 7:27 P.M. Trustee Harris made a motion to enter into Executive Session to discuss the following legal, public safety and personnel matters, seconded by Trustee Foley.

ADOPTED:

Trustee Foley	voting	AYE
Trustee Harris	voting	AYE
Trustee Lane	voting	AYE
Trustee Marsh	voting	AYE
Mayor Grenier	voting	AYE

The regular meeting reconvened at 7:57 P.M.

A motion was made by Trustee Harris to adjourn, seconded by Trustee Marsh.

ADOPTED:

Trustee Foley	voting	AYE
Trustee Harris	voting	AYE
Trustee Lane	voting	AYE

Regular Village Board Meeting  
December 6, 2021

Trustee Marsh	voting	AYE
Mayor Grenier	voting	AYE

The meeting was duly adjourned at 7:57 P.M.

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Donald Handerhan  
Village Clerk

DRAFT