

February 27, 2014

- 2014-76** Appoint Andrew Aubin as a member of Planning Board. Term to expire on December 31, 2017. (to fill the unexpired term, Haber vacancy).
- 2014-77** Authorize the appropriation of the Highway Equipment Capital Reserve Fund, established by Resolution 2010-422, in an amount not to exceed \$264,000 as follows:
- Crew Cab Truck for \$65,000 with a period of probable usefulness of fifteen years, a Grounds Pick-up Truck for \$23,000 with a period of probable usefulness of ten years and a Dump/Plow Truck for \$184,000 with a period of probable usefulness of fifteen years. This resolution is subject to permissive referendum as specified in GML §6-c.
- 2014-78** Authorize Supervisor Dowds to execute ASCAP License Agreement, subject to review and approval as to form by Attorney to the Town, and authorize payment of \$327.00 licensing fee to ASCAP.
- 2014-79** Appoint Clyde Knott and Michael Canestro as a part-time Park Attendants, under the direction of Stuart McKnight, at the hourly rate set forth in resolution 2013-302, effective March 1 through December 31, 2014, as needed.
- 2014-80** Authorize the Town Clerk to publish legal notice to solicit bids for one (1) Single Axle Dump Truck with sander, plow and wing attachments pursuant to specifications prepared by the Superintendent of Highways.
- 2014-81** WHEREAS, the Town was sued in a certain lawsuit in Rensselaer County Supreme Court, captioned Shine Time LLC, Brian C. Hart and Eric J. Hart, Plaintiffs against The town of Schodack and the County of Rensselaer, Defendants; and
- WHEREAS, said litigation challenged the imposition of a \$35,000.00 sewer connection fee upon land owned and leased by the Plaintiffs; and
- WHEREAS, the Plaintiffs have now stipulated and agreed to pay said \$35,000.00 fee to Rensselaer County, which has already made the Town whole, and the County has agreed to waive penalties and interests on said fee;
- NOW, THEREFORE, the Town Board approves a settlement of the litigation on said terms and conditions.
- 2014-82** Authorize Donna L. Conlin, Town Clerk, and Deputy Clerks Karen Vecchione and Lois Ciccolella to attend the annual New York State Town Clerk's Association Conference in Saratoga Springs, New York, April 27 – 30, 2014. All appropriate expenses (mileage, lodging, meals, and registration) are to be borne by the Town per the 2014 adopted Town Budget, which are estimated to be \$950.00 for the Town Clerk and \$320.00 for the Deputy Clerks.

2014-83

WHEREAS, pursuant to the franchise agreement between Time Warner Cable (“TWC”) and the Town of Schodack, TWC pays the Town a fee for a special franchise to operate its cable television business in the public right-of-way, and

WHEREAS, for the year 2013 TWC paid the Town of Schodack \$81,275.07 in franchise fees, and

WHEREAS, TWC was levied a total of \$3,709.14 in Town taxes on five special franchise properties, and

WHEREAS, Section 626(1) of the Real Property Tax Law of the State of New York provides that the amount paid as a franchise fee is to be deducted from the taxes levied on a special franchise, and

WHEREAS, Section 626(2) of the Real Property Tax Law provides that the person responsible for collecting the franchise fee shall deliver to the Town of Schodack a certificate showing the amount of the franchise fee paid for the year ending on the date set forth in the certificate, and

WHEREAS, upon receipt of the certificate, the law requires the Town of Schodack to enter a credit on the tax roll in the amount shown on the certificate, and

WHEREAS, Rensselaer County Bureau of Finance is responsible for entering the credit on the tax roll, and

WHEREAS, pursuant to Section 626, the TWC Tax Department returned the Town’s Special Franchise tax bill, and

WHEREAS, TWC is required to make a request in order to receive a credit on the tax roll, and

WHEREAS, the Town has received a request for the credit on property taxes assessed in 2014 from the franchise fees paid during 2013,

NOW, THEREFORE, BE IT RESOLVED to authorize payment of \$3,709.14 to Rensselaer County Bureau of Finance based on the 2014 TWC Utility report on said franchise properties assessed within the Town of Schodack.

2014-84

WHEREAS, the Town Board delegated its annual auditing responsibilities pursuant to Section 123 of Town Law to the Town Comptroller, and

WHEREAS, the Town Comptroller performed the audit in accordance with the guidelines provided by the New York State Office of the State Comptroller as published in the Local Government Management Guide – Fiscal Oversight Responsibilities,

NOW, THEREFORE, BE IT RESOLVED that the Town Board accepts the audit report submitted for Justice Court for the fiscal year 2013.

2014-85 Authorize the Town Clerk to publish legal notice to solicit bids for one (1) Crew Cab Truck with dump body pursuant to specifications prepared by the Superintendent of Highways.

2014-86 Authorize the Town Clerk to publish legal notice to solicit bids for one (1) Asphalt hot box recycler pursuant to specifications prepared by the Superintendent of Highways.

2014-87 Authorize the appropriation of reserves of bonded indebtedness to be used towards 2014 debt service payments as provided in the 2014 Budget as follows:

General Town-Wide Fund (A)	\$ 37,000.00
Town Outside Village Highway Fund (DB)	\$ 3,780.00
Enterprise Town-Wide Water Fund (EW)	\$ 28,801.00
East Schodack Sewer District No. 5 (SS5)	\$ 4,250.00
Clearview Water District No. 1 (SW1)	\$ 5,500.00
Inglewood Water District No. 2a (SW2a)	\$ 4,000.00
Schodack Exit 10 Water District No. 5 (SW5)	\$ 3,782.00
Schodack Center Water District No. 8 (SW8)	\$ 2,561.00
Route 20 Water District No. 9 (SW9)	\$ 389.00

2014-88 Authorize Supervisor Dowds to execute a certain "Permanent Utility Easement" from Castleton NY Property LLC.

2014-89 Whereas, the Town of Schodack and the Village of Castleton on Hudson executed a Water Supply Agreement on November 21, 2013, and;

Whereas, the Water Supply Agreement requires the execution of certain necessary easements and licenses allowing for ingress and egress and the installation of infrastructure.

Now, Therefore, It Is Resolved:

The supervisor is hereby authorized to execute the necessary easements and licenses as contemplated within the November 21, 2013 Water Supply Agreement executed between the Town of Schodack and the Village of Castleton on Hudson.

2014-90 Appoint Dominic DeFrusco III as part-time Assistant Town Building Inspector/Code Enforcement Officer, (not to exceed 25 hours per week) at an hourly rate of \$20.00, effective February 28, 2014. Further, this is a provisional appointment which requires said appointee to take the next civil service exam offered for that title. [This position does not include benefits other than as provided in the Town of Schodack Personnel Policy and Procedure Manual.]

- 2014-91** Authorize Dominic DeFruscio III, part-time Assistant Building Inspector/Code Enforcement Officer to attend Northern Adirondack Code Officials Conference March 3-6, 2014 in Lake Placid, New York at estimated cost for the Conference and Seminar of (\$240.00), and estimated cost for lodging of (\$412.00) and estimated cost for meals (\$240.00) for a total estimated cost of \$892.00. [This is a budgeted item.]
- 2014-92** Pursuant to Town Law §119.2 the Town Comptroller has audited and directed the Town Supervisor to pay the claims #14-0149 to 14-0359 on Abstract No. 2014-02 in the amount of \$2,229,381.94 and be it resolved that the Town Board has received and reviewed said abstract.
- 2014-93** Authorize budget modifications, interfund loans and interfund transfers as recommended by the Comptroller.