

October 9, 2014

2014-209) WHEREAS, the history and culture of our great nation have been significantly influenced by American Indians and indigenous peoples; and

WHEREAS, the contributions of American Indians have enhanced the freedom, prosperity, and greatness of America today; and

WHEREAS, Native American Awareness week began in 1976 and recognition was expanded by congress and approved by President George Bush in August 1990, designating the month of November as National American Indian Heritage Month; and

WHEREAS, in honor of National American Indian Heritage Month, community celebrations as well as numerous cultural, artistic, educational, and historical activities have been planned,

NOW, THEREFORE, the Town Board of the Town of Schodack does hereby proclaim November 2014 as National American Indian Heritage Month, in this town and urge all our citizens to observe this month with appropriate programs, ceremonies, or activities.

2014-210) **WHEREAS**, a parcel located on Columbia Turnpike in the Town of Schodack, and otherwise identified as tax map # 178.-12-7 (hereafter, "the subject property"); and

WHEREAS, Nolan commenced judicial proceedings pursuant to Article 7 of the Real Property Tax Law (RPTL) seeking reductions of the 2012 and 2013 real property tax assessments of the subject property; and

WHEREAS, the Town is represented by The Vincelette Law Firm; and

WHEREAS, counsel has recommended that these proceedings now be resolved by settlement; and

WHEREAS, the Town Board and the Town Assessor have reviewed the proposed settlement and find the terms of the proposed settlement to be in the best interests of the Town; now, therefore be it

RESOLVED, that the Town Board hereby approves the settlement, attached to and made part of this resolution; and, be it further

RESOLVED, that counsel is hereby authorized to sign the settlement on behalf of the Town Board.

2014-211) Authorize Supervisor to accept proposal dated September 16, 2014 from Empire State Appraisal Consultants, Inc. (ESAC) for professional services (self-contained report for court filing) for 2014 relative to commercial

assessment for Tax Map Parcel Numbers 198.11-1-2.2, 2.11 & 2.12 Resurrection Nursing Home, 90 N. Main St, Castleton, N.Y. 12033 in an amount not to exceed \$12,500, 210.-4-9 and 12 Pine haven Mobile Home Park 1420 Route 9, Castleton, NY 12033 in an amount not to exceed \$6,500, and an initial report for Tax Map Parcel Number 198.-4-1.11 Hamilton Printing 22 Hamilton Way, Castleton, NY 12033 in an amount not to exceed \$1,800.

2014-212) Authorize Supervisor Dowds to execute and administer Addendum Number 2014-07 for professional services for water issues from the Laberge Group in an amount not to exceed \$4,000.00

2014-213) **WITHDRAWN:** *"Authorize Supervisor Dowds to execute and administer a Professional Services Agreement dated August 5, 2014 with Public Sector HR Consultants LLC for completion of the Town of Schodack Employee Handbook at a cost not to exceed \$1,500, plus travel expenses as outlined in said agreement."*

2014-214) **WHEREAS,** the Town Board of the Town of Schodack was awarded a grant from the Capital District Transportation Committee (CDTC) Linkage Program for the preparation of the Town of Schodack Town Center Plan for Route 9/20; and

WHEREAS, the Town Board and CDTC appointed a Steering Committee and retained the Laberge Group to assist in the preparation of the Town Center Plan for Route 9/20; and

WHEREAS, the Town Center Plan for Route 9/20 is a compilation of many months of planning, public feedback and information gathering from the community as a whole and intended to guide future growth and development; and

WHEREAS, the Town Center Plan for Route 9/20 was made available for public review at the Schodack Town Offices and on the Town's website; and

WHEREAS, the Town Board held a Public Hearing regarding the Town Center Plan for Route 9/20 on May 14, 2014 to receive additional citizen participation.

NOW, THEREFORE, IT IS RESOLVED that the Town Board hereby ~~adopts~~ accepts the Final Town of Schodack Town Center Plan for Route 9/20.

2014-215) **WHEREAS,** the Town of Schodack, Rensselaer County, New York (the "Town") is authorized and empowered pursuant to the laws of the State of New York to issue its general obligation bonds and notes and to enter into installment purchase contracts in furtherance of its governmental purposes; and

WHEREAS, the interest on certain of such bonds and notes and the interest component of payments under certain of such contracts issued or entered into by the Town is (i) excludable from gross income of the holders thereof to the extent and in accordance with Section 103 of the Internal Revenue Code

of 1986, as amended, and the regulations promulgated thereunder (collectively the “Code”) or (ii) otherwise given advantageous tax treatment under the Code (such bonds, notes and obligations being referred to herein as “Tax-Exempt Obligations”); and

WHEREAS, the Code requires ongoing compliance with certain requirements after issuance of Tax-Exempt Obligations in order for the interest on those Tax-Exempt Obligations to be and remain excludable from gross income of the holder or otherwise tax-advantaged; and

WHEREAS, the Town, as a responsible issuer, desires to memorialize the policy and procedures it will employ to monitor post-issuance compliance of its Tax-Exempt Obligations with the Code, including the requirements to be imposed on, and expectations of the Town with respect to the Town’s Tax-Exempt Obligations; and

WHEREAS, a copy of the Post-Issuance Compliance Policy for Tax-Exempt and Tax-Advantaged Obligations (the “Policy”) attached hereto as **Exhibit A** was available to the members of the Town at this meeting; and

WHEREAS, the members of the Town Board desire to adopt the Policy in the form presented to this meeting;

NOW, THEREFORE, be it resolved by the members of the Town Board of the Town, as follows:

Section 1. The Town hereby adopts the Policy and confirms the designation of the Town Supervisor as the Compliance Officer under the Policy.

Section 2. A copy of this Resolution, together with the attachment hereto, shall be placed on file in the office of the Town where the same shall be available for public inspection during business hours.

Section 3. This Resolution shall take effect immediately.

- 2014-216)** Authorize Town Clerk to publish legal notice of hearing to seek public input relative to the 2015 Preliminary Budget and proposed fees for 2015 to be held on Thursday, November 6, 2014 at ~~7~~ 7:30 p.m. at the Schodack Town Hall, 265 Schuurman Road, Castleton-on-Hudson.
- 2014-217)** Authorize Town Clerk to publish legal notice of public hearing on proposed water rates for Operation and Maintenance costs and the assessment rolls of capital charges for Water District Number 1. Said hearing shall be held on Thursday, November 6, 2014 at ~~7:15~~ 7:00 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above Preliminary Budget hearing is concluded.
- 2014-218)** Authorize Town Clerk to publish legal notice of public hearing on proposed water rates for Operation and Maintenance costs and the assessment rolls of capital charges for Water District Number 3. Said hearing shall be held on Thursday, November 6, 2014 at ~~7:15~~ 7:00 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district hearing is concluded.
- 2014-219)** Authorize Town Clerk to publish legal notice of public hearing on proposed water rates for Operation and Maintenance costs and the assessment rolls of the capital charges for Water District Number 101. Said hearing shall be held on Thursday, November 6, 2014 at ~~7:15~~ 7:00 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district hearing is concluded.
- 2014-220)** Authorize Town Clerk to publish legal notice of public hearing on the assessment rolls of the capital charges for Water District Number 2a. Said hearing shall be held on Thursday, November 6, 2014 at ~~7:15~~ 7:00 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district hearing is concluded.
- 2014-221)** Authorize Town Clerk to publish legal notice of public hearing on the assessment rolls of the capital charges for Water District Number 5. Said hearing shall be held on Thursday, November 6, 2014 at ~~7:15~~ p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district hearing is concluded.
- 2014-222)** Authorize Town Clerk to publish legal notice of public hearing on the assessment rolls of the capital charges for Water District Number 8. Said hearing shall be held on Thursday, November 6, 2014 at ~~7:15~~ 7:00 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district hearing is concluded.
- 2014-223)** Authorize Town Clerk to publish legal notice of public hearing on the assessment rolls of the capital charges for Water District Number 9. Said hearing shall be held on Thursday, November 6, 2014 at ~~7:15~~ 7:00 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district hearing is concluded.
- 2014-224)** Authorize Town Clerk to publish legal notice of public hearing on proposed sewer rents for Operation and Maintenance costs for Sewer District Number 1. Said

hearing shall be held on Thursday, November 6, 2014 at ~~7:30~~ 7:15 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district hearing is concluded.

- 2014-225)** Authorize Town Clerk to publish legal notice of public hearing on proposed sewer rents for Operation and Maintenance costs for Sewer District Number 2. Said hearing shall be held on Thursday, November 6, 2014 at ~~7:30~~ 7:15 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district hearing is concluded.
- 2014-226)** Authorize Town Clerk to publish legal notice of public hearing on proposed sewer rents for Operation and Maintenance costs for Sewer District Number 4. Said hearing shall be held on Thursday, November 6, 2014 at ~~7:30~~ 7:15 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district hearing is concluded.
- 2014-227)** Authorize Town Clerk to publish legal notice of public hearing on proposed sewer rents for Operation and Maintenance costs and the assessment rolls of the capital charges for Sewer District Number 5. Said hearing shall be held on Thursday, November 6, 2014 at ~~7:30~~ 7:15 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district hearing is concluded.
- 2014-228)** Authorize Town Clerk to publish legal notice of public hearing on proposed sewer rents for Operation and Maintenance costs for Sewer District Number 6. Said hearing shall be held on Thursday, November 6, 2014 at ~~7:30~~ 7:15 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district hearing is concluded.
- 2014-229)** Authorize Town Clerk to publish legal notice of public hearing on proposed sewer rents for Operation and Maintenance costs for Sewer District Number 7. Said hearing shall be held on Thursday, November 6, 2014 at ~~7:30~~ 7:15 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district hearing is concluded.
- 2014-230)** Authorize Town Clerk to publish legal notice of public hearing on proposed sewer rents for Operation and Maintenance costs and the assessment rolls of the capital charges for Sewer District Number 8. Said hearing shall be held on Thursday, November 6, 2014 at ~~7:30~~ 7:15 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district hearing is concluded.
- 2014-231)** Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #14-1508 to 14-1690 on Abstract No. 2014-10, in the amount of \$1,071,631.99, including the claims paid (\$930,378.22) since the previous town board meeting.
- 2014-232)** Authorize budget modifications, interfund loans and interfund transfers as recommended by the Comptroller.

