

Town Board Action of February 28, 2013

2013-083)

Authorize Supervisor Dowds to contract with musicians to perform at the 2013 Music in the Park as follows:

Fast Company	June 4th	\$400.00
Winchester and Young	June 11th	\$300.00
Triskele	June 18th	\$400.00
Sally Mac Band	June 25th	\$600.00
Tri-County Banjo Band	July 2nd	\$400.00
Macerators	July 9th	\$500.00

2013-084)

Appoint Clyde Knott as a part-time Park Attendant, under the direction of Stuart McKnight, at the hourly rate set forth in resolution 2012-339, effective April 1 through December 31, 2013, as needed.

2013-085)

Eagle Scout Proclamation

2013-086)

Amend and clarify Resolution No. 2012-235, which authorized Supervisor Dowds to execute and administer Addendum No.07 with Laberge Group, LLC relative to Dunkin Donuts, to be in the amount of \$85,300 plus expenses.

2013-087)

Pursuant to Section 165-a of the General Municipal Law, authorize the Highway Department to deliver one load of Crusher Run material to Mountain View Cemetery before May 15, 2013.

2013-088)

Authorize Supervisor Dowds to execute and administer the Utility Billing Upgrade Authorization Agreement with Software Consulting Associates, Inc. for a software upgrade to the Town's Utility Billing System at an amount of \$3,900.00 plus annual maintenance and support of \$1,000.00 (as budgeted).

2013-089)

WHEREAS, a map, plan and report have been prepared in such manner and in such detail as is required by Article 12 of the Town Law of the State of New York and a petition pursuant to Article 12 of the Town Law of the State of New York, relating to the establishment of Extension 1 for Town of Schodack Sewer District No. 6, in the Town of Schodack, County of Rensselaer, State of New York, has been filed in the Town Clerk's Office; and,

WHEREAS, said map, plan and report was prepared by Laberge Group, competent engineers, duly licensed by the State of New York, showing boundaries of the proposed District, general plan of the District and an analysis showing the costs thereof and method of operation; and,

WHEREAS, said map, plan and report shows all facilities, including mains, together with the location and the general description of all public works required including lands and easements to be acquired; and,

WHEREAS, the boundaries of the proposed District are as described in Exhibit "A" annexed hereto; and,

WHEREAS, the improvements proposed consist of the construction of a wastewater treatment system including but not limited to, pump station, lateral and lift stations to serve the areas described in the map, plan and report, and including the purchase of necessary lands and rights of way therefor, in accordance with the map, plan and report now on file in the Office of the Town Clerk of the said Town of Schodack; and,

WHEREAS, the maximum amount proposed to be expended for said improvements and/or acquisition of necessary lands is the sum of One Million Three Hundred Thousand (\$1,300,000.00) Dollars; and,

WHEREAS, approval of the New York State Comptroller will not be required for the formation of Extension 1 for Town of Schodack Sewer District No. 6 in as much as the project is privately funded; and,

WHEREAS, said map, plan and report describing said improvements are on file in the Town Clerk's Office for public inspection; and

WHEREAS, the first year cost for full operation for the typical property within the District is \$28,400.00 for the sewer use fee, and a hook up fee of \$41,000.00. NOW, it is hereby ORDERED, that the Town Board of the Town of Schodack shall cause to be filed for public inspection with the Town Clerk, a detailed explanation of how the estimated cost of hookup fees, and the cost of the district to the typical property has been computed and that an analysis of the computation of those costs is attached hereto as Exhibit B.

2013-090)

WHEREAS, a map, plan and report have been prepared in such manner and in such detail as is required by Article 12 of the Town Law of the State of New York and a petition pursuant to Article 12 of the Town Law of the State of New York relating to the establishment of Extension 1 for the Town of Schodack Sewer District No. 6, in the Town of Schodack, County of Rensselaer, State of New York, has been filed in the Town Clerk's Office; and,

WHEREAS, said map, plan and report was prepared by Laberge Group, competent engineers, duly licensed by the State of New York, showing boundaries of the proposed District, general plan of the District and an analysis showing the costs thereof and method of operation; and,

WHEREAS, said map, plan and report shows all facilities, including mains, together with the location and the general description of all public works required including lands and easements to be acquired; and,

WHEREAS, the boundaries of the proposed district are as described in Exhibit "A" annexed hereto; and,

WHEREAS, the improvements proposed consist of the construction of a waste water treatment system including, but not limited to, pump station, lateral and lift stations to serve the areas described in the map, plan and report, and including the purchase of necessary lands and rights of way therefor, in accordance with the map, plan and report now on file in the Office of the Town Clerk of the said Town of Schodack; and,

WHEREAS, the maximum amount proposed to be expended for said improvements and/or acquisition of necessary lands is the sum of One Million Three Hundred Thousand (\$1,300,000.00) Dollars; and,

WHEREAS, approval of the New York State Comptroller will not be required for the formation of Extension 1 for Town of Schodack Sewer District No. 6 inasmuch as the project is privately funded; and,

WHEREAS, said map, plan and report describing said improvements are on file in the Town Clerk's Office for public inspection; and,

WHEREAS, the first year cost for full operation for the typical property within the District is \$28,400.00 for the sewer use fee, and a hook up fee of \$41,000.00.

NOW, it is hereby ORDERED, that the Town Board of the Town of Schodack, shall meet and hold a public hearing at the Town of Schodack Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York 12033, in said Town, on the 28th day of March, 2013, at 7:05 p.m., local time, to consider said petition and the

map, plan and report and to hear all persons interested in the subject thereof as is required or authorized by law.

2013-091)

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 2012 TWC paid the Town of Schodack \$81,125.91 in franchise fees, and

WHEREAS, TWC was levied a total of \$3,495.00 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 2011 from the franchise fees paid during 2010,

NOW, THEREFORE, BE IT RESOLVED to authorize payment of \$3,495.00 to Rensselaer County Bureau of Finance based on the 2011 TWC Utility report on said franchise properties assessed within the Town of Schodack.

2013-092)

Authorize Supervisor Dowds to execute an Addendum to the 2013 STOP DWI agreement on behalf of the Town of Schodack with the Rensselaer County for the calendar year 2013.

2013-093)

Appoint Scott Swartz as a member of Town Board. Term to expire on December 31, 2013. (to fill the unexpired term, Young vacancy).

2013-094)

Rescind 2013-077 and provide as follows: Authorize the appropriation of the Highway Equipment Capital Reserve fund, established by Resolution 2010-422, for the purchase of a 2013 Single Axle International Model 7500 4x4 Dump Truck: Cab & Chassis with plow, wing and sander combo in the amount of \$177,980.86 with a period of probable usefulness of fifteen years. This resolution is subject to permissive referendum as specified in GML §6-c.

2013-095)

Rescind 2013-079 and provide as follows: Authorize the appropriation of the Highway Equipment Capital Reserve fund, established by Resolution 2010-422, for the purchase of a Hand Fed Packet Drum-Style Chipper with Hydraulic Feed Wheels - Heavy Duty Industrial Grade Machine in the amount of \$29,291.30 with a period of probable usefulness of ten years. This resolution is subject to permissive referendum as specified in GML §6-c.