

DATE: JANUARY 28, 2016

KIND OF MEETING: TOWN BOARD

WHERE HELD: SCHODACK TOWN HALL

CLERK: DONNA L. CONLIN

PRESIDING OFFICER: DENNIS E. DOWDS

MEMBERS PRESENT: JAMES E. BULT
MICHAEL KENNEY
SCOTT SWARTZ
TRACEY REX

MEMBERS ABSENT:

ATTORNEY: DAVID GRUENBERG (*arrived 7:18 p.m.*)
COMPTROLLER: PAUL HARTER, COMPTROLLER
OTHERS PRESENT: BRUCE GOODALL, DIRECTOR OF TRANSFER STATION
KEN HOLMES, HIGHWAY SUPERINTENDENT

Supervisor Dowds called the January 28, 2016 Town Board Meeting to order at 7:00 p.m. with the Pledge of Allegiance and dispensed with roll call. All present as noted above.

Presentation/Website: Dawne Kelly gave a presentation on the new website to the Board. She explained that there was some miscommunication with the vendor, Virtual Towns and Schools, and they will be at the meeting on February 11th rather than this evening. Ms. Kelly showed a prototype of the front page that was developed based on input from her, the Supervisor and other staff members. A lot of the design is based on balance, color, placement of photos, and naming of the link buttons on the front page. She said one of the key design factors is developing a clear, uncluttered home page that is user friendly. There are 6 specific buttons on the front page but it can be increased to 8. She highlighted some of the information linked to the drop-down buttons and asked for Board input. C. Rex said she was excited about the new website, but ultimately, the content and usability will determine the value. She suggested that they could have an employment opportunity link, a resident comment link and if there is capability, they could have the board meetings live-streamed or a video update. Ms. Kelly said it does have that ability for video streaming at an additional cost. She said she was under the impression that we did not want to allow anonymous postings to the site and did not want it to become a blog. Ms. Rex explained that she was not talking about posting comments on the website, but sending a comment to a specific department (i.e. – pothole reporting, appreciation, etc.). Ms. Kelly said she believes they will be able to toggle to a specific department and leave that type of information, plus they have the ability to email them. C. Bult suggested that the Phone Directory button be renamed Directory. Then it could contain all contact information, not just phone numbers. He suggested that one of the extra buttons could be a community organization button and the drop-down would list links to the non-profit community organizations such as the fire companies, ambulance, senior center, etc. He said he believed it was under fast search but a designated button might provide easier access to

community information. C. Kenney suggested that they include links to the libraries under the community organizations. Board members appreciated Ms. Kelly's oversight on this project. C. Kenney felt it was critical for the success of this website that department heads find it easy to use so they can get their information posted in a timely manner. Ms. Kelly explained that she visited several area towns that use this vendor and they showed her how easy it was to upload information. They were very enthusiastic about the site. The designer will be meeting with department heads soon to get their information and provide initial training and as we move forward, more training will be offered. C. Swartz asked the time frame for the new site to go live. Ms. Kelly said while she was hoping for the middle of February, she felt a more realistic date will be the middle of March. C. Bult asked if she had the ability to post something on our current site to alert visitors that it is under construction and they should check back periodically. She replied that she tried with no success, but will make another attempt. The Supervisor said the success or failure of this site will rest on the shoulders of the department heads, so hopefully, everyone will rise to the occasion.

Board Discussion

Highway Department:

1) **Purchase of Sanders:** Ken Holmes, Superintendent of Highways, explained that he thought they would be able to transfer the current sander which was on the Ford 550 to the new Dodge; however, there are problems with the electronics and the sander is not functioning properly. He looked into the cost of purchasing a new one which had an estimated cost of \$4,300.00. He said he was also interested in getting a small sander for the pick-up truck they use to plow the town hall parking lot and other small areas so they could control the salt and sand better. That sander has an estimated cost of \$1500.00 so the combined cost of both would be slightly less than \$6,500.00. Unfortunately, he didn't budget for the sanders, but they received about \$13,000.00 in revenue from the sale of auctioned equipment and requested that he be allowed to purchase the sanders with his department's proceeds from the auction. C. Swartz asked the age of the old sander. Mr. Holmes said it was only 4 years old and it does work, but it can only run at one speed which isn't adequate for his use.

2) **Monitoring Contract for sewer districts 5 & 8:** Mr. Holmes explained that there is an existing contract for monitoring services that is up for renewal. He recommended that the Board continue the service as he found the services very helpful, often finding problems first. They have the ability to see the fluctuations in a pump so they contact us and then we go see what is causing the issue. Additionally, if the pump starts to flood they contact him before they even get an alarm on it. While we don't receive a lot of calls, when they call it allows them to mitigate the issue so it doesn't turn into a larger problem.

Volunteer Ambulance Workers Service Award Program/Length of Service Award Program (LOSAP): The Supervisor stated that this was a defined contribution plan. All LOSAP programs have specific procedures related to identifying eligible members. A company called Penflex administers the program for the Town. C. Rex asked for further clarification. The Supervisor explained that Castleton Volunteer Ambulance Service (CVAS) submits the names of their members who have earned 50 points in the prior year. They earn the points for various activities 9 (i.e. – calls, meetings, etc.). Then the Board has to approve that list and send it back to CVAS so they can post it for 30 days. This gives their members an opportunity to view it as well as challenge it if they think something has been

overlooked. Following the 30-day posting the list is sent back to the town with any adjustments and the Board approves the finalized list and the expenditure of the funds. C. Bult asked what happens to the payments for those individuals that never reach the vested level. The Supervisor said the money can stay in the program and be used the following year to reduce the cost of the LOSAP program or pay administration costs.

Capital District Transportation Committee (CDTC): The recommendations for committee members are as follows: Nadine Fuda, David Calarco, Paul Puccio, Joe Grimaldi and Mark Teliska. C. Bult said he was pleased to see that Mr. Teliska, who was involved in the first study, was being added to this second study. He is a business owner in the target area and should have a lot to offer since he has a vested interest.

Comptroller's Seminar: A resolution will be on the next agenda to approve attendance at an accounting seminar for the Comptroller. The class is sponsored by the State Comptroller's Office.

Mail Machine: The Supervisor said the Pitney Bowes lease contract for the mail machine expires at the end of March. We can either renew the contract for the current machine at the same rate or pay an additional \$100.00/month for something called Intelligent Mail Packages (IMP). He explained that there is a barcode sticker that has to be placed on parcels. If there is not a barcode sticker on it, the postal service will charge us \$.20 to put it on or we can get them from the postal service for free and put them on ourselves. He said the passports the town clerk's office send out are considered parcels. They average about 160 a year and he and the clerk's office agreed that it didn't warrant paying the additional \$1200.00/year. Therefore, he recommended that the Board renew the lease at the next meeting at the current price.

Audit Proposals: The Comptroller, Paul Harter, stated that when he was hired last year, the former Comptroller was in the process of looking for accounting firms to do an annual audit. He explained that Moody's now requires a municipality to conduct a typical audit of their financial statements through an independent auditor or they lose their credit rating. So, in order to get our A+ rating back, he prepared an RFP and sent it out to three firms – the Bonadio Group, Cusak & Company and SaxBST. After reviewing the proposals, he recommended the Bonadio Group, which was the least expensive at \$36,000.00 for auditing three years. Cusack & Company proposed \$44,850.00 and SaxBST was \$53,550. Besides the Bonadio Group being the lowest quote, he liked the fact that they have been in business for 38 years and have an in-house municipal consultant expert. Additionally, they have municipal clients that mimic our demographics. He felt that was a benefit because they should have more of an understanding of what our size town looks like rather than a town with a 50 – 60 million dollar budget. C. Bult asked if these were the only three firms solicited and if it was publicly advertised. Mr. Harter said it was not advertised and those were the only firms he sent it to because the former Comptroller had researched it before she left and they were her recommendations. Since it was not advertised, C. Bult asked if that expenditure was within the guidelines of our procurement policy. Mr. Harter said he believed so but was not positive. The Board discussed whether this \$36,000.00 expenditure met the criteria of the procurement policy for professional services. C. Bult said he would like that verified before it is put on the next agenda. Mr. Harter said he will research this further and send the information to the Board. Atty. Gruenberg said he will also review this and offer his opinion.

Employee Handbook: S. Dowds stated that the employee handbook meeting is scheduled for Thursday, February 4th. The Assistant Comptroller (Laura Palmer) and

Accountant (Sue Pilipczuk) are currently reviewing it and hope to have their comments to the Board by next Tuesday or Wednesday. The Supervisor strongly recommended that the Board ask the consultant, Public Sector, to attend the meeting of the 4th. He felt it was prudent to have someone in attendance with their level of expertise who could quickly resolve many questions. C. Bult asked if Laura and Sue were on the Committee and if not, why they were allowed to have input into the process before any other employees. The Supervisor said they were not on the Committee. The Comptroller said he asked to review the handbook because his office is responsible for administering the benefits. C. Bult said he was concerned that it gives the appearance that only certain employees outside the committee are allowed to see it. He suggested that perhaps they should postpone the meeting of the 4th and give every employee an opportunity to review and offer comments. He doesn't want anyone to feel that they are being shut out of a process that apparently, has gone beyond what was originally established. The Supervisor said he was concerned that too many people might impede the process and do more harm than good. Board discussion ensued. Councilmen Kenney and Swartz wanted to ensure that the Committee is given the opportunity to review any changes made by Ms. Palmer and Ms. Pilipczuk since they are essentially representing all the employees. The Comptroller stated that they are not making any changes. They are just making some suggestions due to some of the ambiguities in the language and wanted to be in-line with the direction of the Board. C. Kenney said it was his understanding that the goal of the meeting was to have all recommendations distributed to the Board and the Committee for review and discussion. So now, since the Comptroller's office is making new suggestions, he felt the Committee should be given the time to review them first, then have a somewhat finalized draft prepared with a separate sheet of outstanding items that needed Board input. Other board members agreed. As it may take some time for the Committee to meet and offer their input, the Board felt it was reasonable to assume that this wouldn't come back to them until March or April. The Town Clerk will notify the media that the February 4th meeting will be cancelled. Dawne Kelly said she was a committee member and wanted clarification of what is going to happen. The Supervisor stated that the suggestions from the Comptroller's Office will be completed by Wednesday of next week and will be then forwarded to the Committee. The Committee will have all the documents, (4 files) and what they will decide they think should be in the handbook will go to Public Sector to be reviewed and printed. Then there will be a semi-final version of the handbook and the Committee will put together a list of any outstanding areas that need Board resolution. The Supervisor said the Committee should also get input from other employees, but the only ones entrusted with finalizing what is going to be sent to Public Sector is the Committee. Ms. Kelly said it will be difficult to go through this handbook again. When they are done with their assignment she will notify the Board so a meeting can be scheduled. C. Kenney added that it was important that when Public Sector prepares the semi-final version of the Handbook, everything is acceptable by law, because they don't want to be given a draft of the handbook and then find out at the meeting that there are pieces of it that are not allowed by law. The Supervisor said thus far everything the Committee has suggested was approved by Public Sector. He agreed there is a difference between town policy (discretionary) and what is allowed by labor laws.

Transfer Station: Mr. Goodall, Director of the Transfer Station, addressed the Board regarding the newly implemented single stream recycling. He said they changed the design layout at the transfer station to better accommodate this new program. The program which is being received fairly well by the residents, is a cost savings to the Town. However, the

area for recycling is at the back of the property so when employees are assisting residents for extended periods of time they have no access to shelter during inclement weather. He asked for Board consideration in purchasing a shelter, similar to a large bus shelter which would protect them from the wind, rain and snow. He did some initial research and estimated the cost to be approximately \$4,200.00. C. Swartz asked if he knew what the town was saving due to the new procedures. Mr. Goodall said it is still fairly new and he hasn't had time to do a cost benefit analysis, but the numbers of runs (to recycling centers) have been greatly reduced. C. Bult asked where he thought the shelter should be placed. Board discussion continued about the best area to locate the shelter. C. Bult said he has seen how this is working on a Saturday and thought the new configuration has improved things. Based on what he observed, he agreed that the employees are in the back fairly steadily. He believes having them there expedites the process and wondered if there was value in reviewing the possibility of having an additional part-time person on Saturdays. From what he saw, it was almost impossible for the two people there to even get a break. Mr. Goodall agreed that it has been difficult for anyone to take a lunch since this started, but this is a new venture. Board members engaged in conversation relative to weighing the value of having the employees stationed at that area vs. the costs. They weren't saying it wasn't a good thing, but there was a general concern that they might be setting an unreasonable expectation of always having someone there to help unload. Mr. Goodall said it has been a learning curve for everyone, but hopefully repeat customers will learn what they have to do. Mr. Goodall was asked to track the Saturday activities and get back to them. C. Bult noted that it was imperative that the employees get their mandated break.

Request to Use Town Property: S. Dowds said the State bridge work (9 & 20 bridges over I-90) should begin in March of this year. He contacted the contractor (Burrows) to discuss paying rent for staging his equipment on the Old Town Hall property during the project period, but it seemed problematic and could impose more liability for the Town. He will have him sign a Hold Harmless Agreement and submit a Certificate of Insurance naming the Town as additionally insured. C. Bult added that they need to make sure that the site is restored to its original state. The Supervisor agreed and offered that, regardless of what happens, the Town would not be precluded from selling that property if an opportunity presented itself. C. Kenney suggested that the contractor be advised that there is town water for sale in that area.

Court Officer: The Town Clerk updated the Board on the status on two insurance liability management issues: annual certification of the Court Officer and adopting a firearm policy for the town. The insurance company suggested that the Board adopt a written policy prohibiting any employee from carrying a firearm on town hall property during work hours. With regard to the Court Officer, she was notified that the Court Officer/Peace Officer needs to have an annual certification as required by the Department of Criminal Justice System (DCJS). She explained that she forwarded the information to the Board and Justices for review and consideration. C. Bult said if the Board adopts the proposed policy from the insurance company, which addresses both issues, should they also consider a resolution to allow the Court Officer a set period of time to get certified. It was the consensus of the Board to consider that at the next meeting.

Temporary Help/Court Office: The Supervisor said that a resolution will be on the next agenda to ratify and affirm the hiring of a temporary person in the Court Office while the court clerk, Heather Bender, is on maternity leave.

Stewart's: C. Bult asked the status of the Intermunicipal Agreement with the Village of Nassau relative to the provision of water to Stewart's on New Rd. A. Gruenberg said the process was stopped when it went to EnCon for review. Apparently, there is a little known codicil that says the water district needs to be a contiguous extension of the existing Consolidated Water District 101. He has been having ongoing discussions with Special District Council, Bill Ryan, to resolve this. Currently, Stewarts is buying water directly from the Village of Nassau and are not considered part of CSW101. The Supervisor added that the process was stopped at the County Department of Health. He said they were told it was because Stewarts is served by a separate water source other than what services CSW101; therefore, it could not be an extension to the existing CSW101 and we would have to form a separate district. If this holds true, there will be more legal costs so he informed Stewarts that it may cost them more money, however, we haven't given up yet. In fact, Laberge Engineering was meeting with them to plead our case. Regardless of that outcome, there still needs to be an Intermunicipal Agreement which A. Gruenberg and A. Ryan are working on. The Village is going to be selling water to the Town of Schodack, regardless of whether it is an extension or a separate district. He said during discussion with the Village Mayor (Nassau), he learned that their rates are higher than our rates so it doesn't make a lot of sense to have the wholesale price of water from them be more than the retail price of water that we charge so that needs to be worked out. C. Kenney asked when all this happened. The Supervisor said in November of 2015. C. Kenney asked why the Board was not informed, until just now. Several Board members voiced their frustration about not being informed about this situation when the Supervisor first learned about it. C. Swartz asked that the Supervisor keep them informed going forward. The Supervisor said nothing is going to happen until it is resolved. It seems that no one can answer why it can't be done as originally submitted, but they keep mentioning the EPA.

Kinder Morgan: C. Bult asked for a status update on the pipeline. The Supervisor said nothing is happening right now. He has heard rumors that have been circulating around Town about properties in Schodack for the possible siting of a compressor station so he contacted FERC. Any changes with the siting of the compressor station has to be filed with them. At this time, nothing has been filed. If anything happens, he will let everyone know.

ADJOURNMENT

As there was no further business before the Board, C. Swartz made a motion to adjourn the 01/28/16 Town Board meeting at 8:40 p.m., seconded by C. Bult. Meeting adjourned.

Respectfully Submitted,

Donna L. Conlin
Schodack Town Clerk/RMC/CMC