

DATE: APRIL 23, 2015

KIND OF MEETING: TOWN BOARD

WHERE HELD: SCHODACK TOWN HALL

CLERK: DONNA L. CONLIN

PRESIDING OFFICER: DENNIS E. DOWDS

MEMBERS PRESENT: FRANCIS CURTIS
JAMES E. BULT
MICHAEL KENNEY
SCOTT SWARTZ

MEMBERS ABSENT:

ATTORNEY: DAVID GRUENBERG
OTHERS PRESENT: DAWNE KELLY,

Supervisor Dowds called the April 23, 2015 meeting to order at 7:00 p.m. with the Pledge of Allegiance and dispensed with roll call. All present as noted above.

Discussion Items

Solar Code: S. Dowds said, following the public hearing on proposed Local Law No. 1 of 2015 regarding Solar Regulations, the Zoning Committee worked with the engineer on making some changes to the law based on some of the concerns raised. David Calarco, spokesperson for the Committee, said the first change was to clarify that solar is allowed on any principal structure regardless of setback requirements.

The second issue they reviewed was relative to getting a special permit for ground-mounted systems greater than 200 square feet. During the Committee's discussion they still felt there should be some kind of oversight and considered a site plan review. However, that presented a problem because site plan review is only for allowable uses, so they concluded that a Special Use Permit was still the best option. That allows the Planning Board the ability to have some sort of input on what is being constructed and where it is being constructed, but to make the procedure less onerous, they decided that they will have a separate Special Use Permit strictly for solar which they think should have a minimal fee of \$50.00 to cover the noticing, etc.

The third change was to allow solar in the front yards that would not be egregious to rest of the neighborhood. To accommodate that they are increasing the setback to 75', (the normal setback is 50). This immediately eliminates most of our closer neighborhoods, like Byers Estates, Clearview, etc. Therefore, if you have a large piece of property and are 100-200 feet off the road, you would have the ability to put collectors in your front yard, but again, it is allowed by special permit. This way there is a public hearing process, and the neighbors would have an opportunity to be apprised of the application in advance. They are hoping that this will mitigate neighbor disputes. While they do not anticipate a lot of applications for front yard ground-mounted placements, they felt this allows a little more oversight.

Atty. Gruenberg asked about pre-existing, non-conforming houses. Mr. Calarco reiterated that all principal buildings can have solar regardless of where they are located. Atty. Gruenberg asked about placing ground-mounted systems in the side or rear yards. Mr. Calarco responded that to clarify the law, they are adding the language that "All ground-mounted racks and freestanding solar collectors installed in the side of rear yards shall comply with the setback requirements for a principal structure found in Article IV, Use, Area and Bulk Regulations." Then they are adding the statement that, "Solar collectors may be installed in any front yard but shall not be less than 75 feet from the front property line and shall require a special use permit. Corner lots shall be deemed to have two front yards."

Atty. Gruenberg suggested that they should add a definition of solar collector systems as the law regulates solar collector systems. He noted that the term "Alternate Energy System" is used but nowhere in the text of the law is that term found. Mr. Puccio, Committee member, said when they proposed that definition, it was with the thought that it would cover current and future technology. They were trying to mitigate the need to change the law as technology changes, but agreed that the term was somewhat vague and they will add a definition to the law for solar collector systems.

Ms. Allen (Laberge) will insert the changes into the law and send a red-lined copy to the Board as soon as possible.

Web Hosting: Dawne Kelly reported that the web hosting contract is normally a 2-year contract; however, she is trying to negotiate a one-year contract because we will be transitioning to a new web site in the near future. **(Proposed resolution for the 5/14/15 agenda).**

Rensselaer County & Local Municipalities Government Efficiency Plan: Ms. Kelly reported that she attended the meeting last week on behalf of the Town. These meeting are related to the 2% Tax Cap for local governments. It appears that many of the county's municipalities will be joining together in a consolidated plan; that way they can all benefit from being part of the consortium. Additionally, this allows all the municipalities to take advantage of shared services and certain contracts that the county has bid. There is a formal letter of intent that must be submitted, a copy of which was placed in the Board's folders for their review. C. Curtis asked the date by which the letter has to be submitted. Ms. Kelly said by May 15, 2015. The entire package is submitted by the county to the state by June 1, 2015. C. Curtis asked if they had an approximate cumulative percentage. Ms. Kelly said yes. While she didn't have the specific number she knew that it was at or exceeded the 2% mark. **(Proposed resolution for the 5/14/15 agenda).**

Town Hall Roof: Ms. Kelly said she has been soliciting quotes for repair of the Town Hall roof. She said she had Phelps come to address some of the leaks. It was explained to her that the rubber membrane is still good, but is lifting in certain areas allowing the water to seep through. The caulk is the problem, but to remove all of that and replace it with new caulk is labor intensive. Phelps proposed a less costly repair would be to put 6" tape over the seams. This should extend the life of the roof by 10 years. She is still waiting for estimates from several other companies. The quote from Phelps is \$3100.00. The Board felt that this should be done as soon as possible. Since the quote is under \$10,000.00 they

suggested that the Supervisor engage the services of Phelps before more damage is done to the roof and ceiling tiles. **(Proposed resolution to ratify and affirm for the 5/14/15 agenda).**

With respect to personnel issues, the Supervisor explained that regarding:

(d) The Board of Assessment Review – a proposed resolution will be on the 5/14/15 agenda to appoint Melissa Knights as secretary with Dawne Kelly as the backup.

(e) A labor attorney - the Board needs to consider hiring one to assist in the upcoming union negotiations and other personnel issues such as civil service status, benefits, etc.

All other issues- Transfer Station, Comptroller, Park Manager and 211 Waiver will be discussed in Executive Session at the end of the meeting.

2015 Road Program: The Supervisor reported that the Highway Superintendent has been compiling the 2015 road program. A resolution should be on the May agenda to approve it. S. Dowds said it has taken a lot of thought and he tried to prioritize the list as not everything can be addressed this year. One of the roads that need to be done is Crimson Court. C. Curtis noted that a specific issue regarding Crimson Court needs to be addressed by the Town Attorney before it is paved.

Truck Purchase: The Highway Superintendent has been working on getting prices for purchasing a new truck and he hopes to have specific information for the Board by mid-May.

Pool: A resolution will be on the next agenda to approve the contract with the Sydney Albert Albany Jewish Community Center for the Summer Program. It was noted that the Town has contracted with them for quite a few years and this year's rental contract will only see a \$50.00 increase.

Kinder Morgan Pipeline: It was reported that the Board and Town Attorney are working on a resolution to present at the May 14th meeting opposing the pipeline going through Schodack, which will outline the concerns expressed by residents and board members.

Clark's Chapel Cemetery: C. Curtis presented a proposed pricing schedule for interments in Clark's Chapel Cemetery, which is now owned by the Town. These fees should cover the costs of any fees we incur for a burial (grave opening; cremation, etc.). We are making a profit on them because the Board has determined that they do not want to get into the cemetery business per se, just honor the commitment of any lots sold. He had one question and asked Atty. Gruenberg if the Town had to pay the State the \$40.00 fee for each burial or are municipal cemeteries exempt. Atty. Gruenberg said he would have to check into that with the State. C. Curtis added that named concrete vaults should be required for any future interments. It was decided that the Board will have a resolution on the May 14th agenda to accept the fee schedule and require that concrete vaults are necessary for any interments.

Sewer Planning Grant: The Supervisor stated that there is a sewer planning grant opportunity which has a 20% match. He thought it would be good idea to apply for the grant

which is estimated to be \$30,000 - \$35,000, so the estimated cost to the Town would be about \$7,500.00. He felt it was something that the Board should consider.

Water Issues:

C. Swartz asked for the results of the survey for extending water in the Van Hoesen Rd. area. The Supervisor said less than 50% of the people expressed any interest in getting municipal water. He said that they need about 70% - 75% of people in the area interested in connecting before they proceed with a map, plan and report because there are always those who change their mind at the end.

C. Bult asked if the owners of the Battisti Water Supply Co. have approached the Town again to see if we are interested in taking ownership of the water system. S. Dowds said it is still privately owned and operated by Keller. The reality is that the system needs to be upgraded. If the owners upgraded the system, it would be more beneficial to the Town to then take ownership. It was the Supervisor's opinion, that it would too costly to voluntarily accept ownership of the system in its current status.

Executive Session

C. Swartz made a motion at 7:45 p.m. to enter into Executive Session to discuss the appointment of specific personnel for the Transfer Station and the Comptroller's Office. Seconded by C. Curtis.

5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – F. Curtis, J. Bult, M. Kenney, S. Swartz, D. Dowds. Noes – 0.

C. Kenny made a motion at 8:43 p.m. to adjourn the Executive Session, seconded by C. Swartz.

5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – F. Curtis, J. Bult, M. Kenney, S. Swartz, D. Dowds. Noes – 0.

ADJOURNMENT

As there was no further business before the Board, C. Bult made a motion to adjourn the 04/23/15 Town Board meeting at 8:45 p.m., seconded by C. Curtis. Meeting adjourned.

Respectfully Submitted,

Donna L. Conlin
Schodack Town Clerk/RMC/CMC