

DATE: DECEMBER 14, 2017

KIND OF MEETING: TOWN BOARD

WHERE HELD: SCHODACK TOWN HALL

CLERK: DEBRA L. CURTIS

PRESIDING OFFICER: DENNIS E. DOWDS

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

MEMBERS ABSENT:

ATTORNEY: DAVID GRUENBERG, ESQ.
COMPTROLLER: PAUL HARTER, COMPTROLLER
OTHERS PRESENT: NADINE FUDA, DIRECTOR OF PLANNING & ZONING
WILLIAM RYAN, TABNER, RYAN & KENIRY, LLP (*arrived at 7:02*)
MATTHEW ROGERS, LABERGE GROUP
CHIEF JOSEPH BELARDO
SGT. STEVE ROY, SCHODACK PD

Supervisor Dowds called the December 14, 2017 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.

Departmental Reports: The following monthly departmental reports were read and/or posted and filed in the Office of the Town Clerk: Town Clerk, Tax Receiver, Building Department, and Human Resources.

Review of Abstracts of Claims and Budget Amendments: The Board reviewed claims #17-1862 to 17-2031 on Abstract No. 2017-12, in the amount of \$727,454.81, including the claims paid (\$120,798.43) since the previous town board meeting.

The Supervisor introduced Atty. Ryan and asked him to explain resolution 2017-288. Atty. Ryan stated the resolution would be the final determination of the Town Board pertaining to Sewer District #1, Extension #1 for the Schodack Central School District (SCSD). He explained under Article 12A of Town Law, any district or extension established is required to be noticed for thirty days, allowing any affected residents to file a petition for permissive referendum. The adopted resolution was posted on the Town website, on the Town Clerk's signboard and in *The Record*. Upon completion of the thirty days, no request for permissive referendum was filed and the matter was now presented before the Board to conclude the extension of Sewer District #1 for the benefit of SCSD.

Public Comment (2017-288): None.

Adoption of Resolution

The following resolution was adopted out of sequence:

EXPLANATION: Bracketed and strikethrough indicates language that was stricken from the resolution when adopted. Underlined indicates language that was added to the resolution when adopted. A WITHDRAWN resolution is so noted and italicized.

C. Rex made a motion to adopt the following resolution, seconded by C. Kenney:

NOW, THEREFORE, BE IT RESOLVED THAT THE TOWN BOARD OF THE TOWN OF SCHODACK DOES HEREBY:

2017-288) WHEREAS, a map, plan and report relating to the establishment of Town of Schodack Sewer District No. 1, Extension No. 1, prepared by Laberge Group, competent engineers, duly licensed by the State of New York, in manner and detail as determined by the Town Board of Schodack has been filed with the Town Clerk of Schodack in accordance with the requirements of the Town Law; and,

WHEREAS, an Order was adopted by the Town Board of the Town of Schodack on September 14, 2017, reciting the filing of the map, plan and report, the boundaries of the proposed sewer district extension, the improvements proposed, the estimated expense thereof, the proposed method of financing, the fact that the map, plan and report are on file in the Town Clerk's office in said Town for public inspection, and all other matters required by law to be stated; and

WHEREAS, the order set October 12, 2017 at 7:10 p.m. at the Schodack Town Hall, 265 Schuurman Road, Castleton, New York as the date, time and place of the public meeting to consider the map, plan and report, and to hear all persons interested in the subject, and to take action as required and authorized by law; and,

WHEREAS, such order was published and posted as required by law; and,

WHEREAS, a hearing on the matter was held by the Town Board on the 12th day of October, 2017 beginning at 7:10 p.m. and the matter being fully discussed and all interested persons having been duly heard; and

WHEREAS, it having been duly resolved and determined following such hearing, that the Notice of Public Hearing was published and posted as required by law and is otherwise sufficient, that all property and property owners within the limits of the proposed district are benefitted thereby, that all property and property owners benefitted are included within the limits of the proposed district, and that it was in the public interest to establish said TOWN OF SCHODACK SEWER DISTRICT NO. 1, EXTENSION NO. 1, and to

grant, in whole, the relief sought, and it having been then and there duly resolved that establishment of said Sewer District No. 1, Extension No. 1, be approved, and that the permission of the New York State Comptroller is not required for the Sewer District No. 1, Extension No. 1, and that the aforesaid Town Board resolution of October 12, 2017 having been adopted subject to permissive referendum, and no petition for a referendum having been filed;

NOW THEREFORE, IT IS ORDERED, RESOLVED AND DETERMINED that the TOWN OF SCHODACK SEWER DISTRICT NO. 1, EXTENSION NO. 1, be created so as to include therein the following lands which are hereby established as the Town of Schodack Sewer district No. 1, Extension No. 1 and which lies wholly within the Town of Schodack, County of Rensselaer, State of New York, and is bounded and described in Schedule "A" attached hereto, and it is further,

ORDERED, RESOLVED AND DETERMINED that the Town Clerk is directed to cause a certified copy of this Order, Resolution and Determination to be recorded in the Office of the Clerk of the County of Rensselaer within ten (10) days after the adoption thereof, and a certified copy thereof to be submitted to the Department of Audit and Control at Albany, New York as provided by §209-g of the Town Law; and it is further,

ORDERED, RESOLVED AND DETERMINED, that the establishment of the Town of Schodack Sewer District No. 1, Extension No. 1, as set forth in the map, plan and report be approved; and it is further,

ORDERED, RESOLVED AND DETERMINED, the requested improvement shall be constructed, and the necessary easements and lands be acquired, upon the required funds being made available and provided for, and such sewer district extension shall be known and designated as the Town of Schodack Sewer District No. 1, Extension No. 1, in the Town of Schodack and shall be bounded and described as set forth in Schedule "A" annexed hereto.

TOWN OF SCHODACK
Rensselaer County, New York

Sewer District 1 -Extension 1 PROPOSED DISTRICT DESCRIPTION

BEGINNING AT A POINT located on the southerly right of way on Maple Hill Road, said point also being the north west property corner of Tax Map Parcel No. (Parcel No.) 209.-2-12.

THENCE easterly along the southerly boundary of Maple Hill Road to its intersection with the westerly boundary of South Schodack Road and

THENCE continuing southeasterly along said westerly boundary of South Schodack Road to a point; said point being the southeasterly corner of Parcel No. 209.-2-12,

THENCE continuing westerly and northerly around the bounds of Parcel No. 209.-2-12 to the point and place of beginning.

Intending to describe the proposed Sewer District No. 1-Extension I. All tax parcel information is as of January 27, 2017.

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

Briefing of the Resolution Agenda Discussion-Resolutions

S. Dowds briefed the remaining resolutions on the agenda. The Supervisor explained resolution 2017-293 was related to the appointment of Joseph Cavanaugh (2017-305). S. Dowds mentioned a comma needed to be added before Appendix A for resolution 2017-295. He explained the Town would expect to see an approximate savings of twenty percent over the next two years by joining the Rensselaer County Workers' Compensation Plan (2017-296). Resolution 2017-297 pertains to the mitigation required for the detection of a fuel spill discovered upon the removal of the old fueling station at the Highway Department. In regards to resolution 2017-298, the Town would contract with Laberge to prepare a map, plan & report of the Battisti Water System. Upon completion, the residents would be required to petition the Town to take over the system and supply water to the residents. Resolution 2017-301 would set a public hearing on the proposed amendment to local law 2 of 2008 to change the initial ten year exemption to be permanent. S. Dowds commended Sgt. Steve Roy for his efforts to obtain a better price for the Town regarding the purchase of the new Glock pistols. For resolution 2017-306, S. Dowds explained Officer Montross accepted a full-time position with another agency and would not be initially allowed to work part-time at any other department. The Town Board would grant him a one year leave of absence in the event he is able to return to part-time status. Regarding 2017-307, S. Dowds stated he would leave the decision to cancel the meeting up to the Town Board members. All remaining resolutions were self-explanatory.

Atty. Gruenberg asked if the close of business meeting is to be cancelled, should the Board schedule the Organizational Meeting for January. S. Dowds suggested amending resolution 2017-307 to include the following wording "...and schedule the 2018 Organizational Meeting for January 4, 2018 at 7:00 p.m."

Public Hearing Proposed Local Law No. 3 of 2017 (P3-2017) Requiring Registration of SORA Motels/Hotels

S. Dowds called the second public hearing on proposed Local Law No. 3 of 2017 to order at 7:18 p.m.

The Town Clerk read the Affidavit of Publication seeking public input on proposed Local Law No. 3 of 2017 as amended to entitle registration of SORA Motels and Hotels Law for

the Town of Schodack, Chapter _____, to allow for the promotion of public health, safety and general welfare of the guests of hotels and motels located within the town and that of the general citizenry of the town. The legal notice was published in the December 4, 2017 edition of *The Record*, on the Town Clerk's signboard and the Town's website.

Atty. Gruenberg explained amendments were made during the previous public hearing regarding proposed local law 3 of 2017 and it was decided a second public hearing would be needed before adoption. This proposed local law would apply to any transient accommodations for registered sex offenders where lodging is paid by a government entity. All hotels/motels within the Town who house such individuals would be required to file a license application in order to register. Under resolution 2017-308, the Town Board would set the initial registration fee and any future changes would also be made by resolution. Once an establishment is registered, they would be regulated to track all SORA residents and would be required to comply with the six or nine points system based on the number of rooms available and the level of offense. The Town would issue any penalties if needed. Atty. Gruenberg said the main goal of this local law is to prevent the Town from being inundated.

Public Comment: D. Calarco (Schodack Zoning Board member) stated the zoning committee had reviewed the law for their new proposed zoning code regulations and they appeared to be compatible. They paid special attention to address the section regarding long term residency at hotels/motels and install safeguards in the code to prevent them from becoming long term stay facilities. He added that the committee was in favor of the law and felt this law would be beneficial to the Town.

Upon hearing no further public comment, the Supervisor closed the public hearing at 7:25 p.m.

Adoption of Resolution

The following resolution was adopted out of sequence:

EXPLANATION: Bracketed and strikethrough indicates language that was stricken from the resolution when adopted. Underlined indicates language that was added to the resolution when adopted. A WITHDRAWN resolution is so noted and italicized.

C. Bult made a motion to adopt the following resolution, seconded by C. Kenney:

NOW, THEREFORE, BE IT RESOLVED THAT THE TOWN BOARD OF THE TOWN OF SCHODACK DOES HEREBY:

2017-287) WHEREAS, a resolution was duly adopted by the Town Board of the Town of Schodack for a public hearing to be held by said Town on December 14, 2017 at 7:15 p.m. at the Schodack Town Hall to hear all interested parties on Proposed Local Law 3 of 2017 relating to adding a Chapter entitled SORA Motels and Hotels of the Code of the Town of Schodack to allow for the promotion of public

health, safety and general welfare of guests of hotels and motels located with the town and that of the general citizenry of the town, and

WHEREAS, notice of said public hearing was duly posted on the Town Clerk's official sign board on December 4, 2017 and advertised in the December 4, 2017 edition of THE RECORD, official newspaper of the Town, and

WHEREAS, said public hearing was held on December 14th at 7:15 p.m. at the Schodack Town Hall and all parties in attendance were permitted an opportunity to speak on behalf of, or in opposition to, said proposed local law or any part hereof, and

WHEREAS, that the Town Board of the Town of Schodack, after due deliberation, finds that it is in the best interest of the Town to adopt said local law

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby adopts Proposed Local Law Number 3 of 2017 (P3 of 2017) to be known as Local Law 2 of 2017 of the Town of Schodack, and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby directed to enter said local law in the Code of the Town of Schodack and to give due notice of said local law to the Secretary of State.

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

S. Dowds explained an amount needed to be decided upon before resolution 2017-308 could be voted on. He stated they had previously discussed amounts between \$2,000.00 to 3,000.00. C. Swartz asked what the neighboring communities were charging. S. Dowds said they were within the \$2,000.00 to 3,000.00 ranges. Atty. Gruenberg expressed his concern that the amount was not a reasonable entry fee and felt the rate was better suited around \$500.00. C. Swartz said he felt the Town should keep the fee consistent with the surrounding municipalities. **Determination:** It was the consensus of the Board to set the fee at \$3,000.00.

Public Comment (resolution 2017-308): None.

Adoption of Resolution

The following resolution was adopted out of sequence:

EXPLANATION: Bracketed and strikethrough indicates language that was stricken from the resolution when adopted. Underlined indicates language that was added to the resolution when adopted. A WITHDRAWN resolution is so noted and italicized.

C. Rex made a motion to adopt the following resolution, seconded by C. Swartz:

**NOW, THEREFORE, BE IT RESOLVED THAT THE TOWN BOARD
OF THE TOWN OF SCHODACK DOES HEREBY:**

2017-308) WHEREAS, the Town Board has approved a certain local law relating to the registry of hotels, motels, and other residential facilities offering sleeping accommodations to guests, lodgers, tourists, transients or travelers, when such individuals are registered sex offenders; and

WHEREAS, said local law provides that such hotels, motels, and other entities must obtain a license for such occupancy, and pay a license fee to the Town Clerk; and

WHEREAS, Section 7 of said Local law authorizes the Town Board to set said fee by resolution; and

NOW, THEREFORE, BE IT RESOLVED, that the application fee for such license shall be \$3,000.00, effective January 1, 2018.

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

Resolution 2017-302: Sgt. Roy explained the current inventory of Glock pistols are approximately 15-17 years old and due to environmental factors, the weapons have broken down and are in need of replacement. The department is required to have yearly 26 point inspection performed on each Glock as well as replacement of the magazine when 3,000 rounds have been surpassed. The cost for basic maintenance is \$174.00 per pistol. He was able to secure a deal with AmChar and after the \$260.00 trade in for each Glock, the replacement cost would be \$149.00 per pistol saving the Town approximately \$5,000.00. C. Bult thanked Sgt. Roy for his efforts to save the Town money.

Public Comment (resolution 2017-302 only): M. Sherwood asked if there were more than 20 officers employed by the Town. S. Dowds said no and explained the four extra pistols would be for reserve. Chief Belardo continued that the department currently had no pistols as reserves. Sgt. Roy stated the reserves would be beneficial in the event of an officer involved shooting where the pistol is pulled during the investigation leaving the officer with no weapon. They would also benefit new recruits who need a pistol for the academy. K. Stokem asked if the reserves would be rotated throughout the department to gain use. Sgt. Roy stated each firearm is issued to a given officer who is certified with that weapon twice a year. He explained they would be on the same service schedule as the other pistols to ensure they are in full operation.

Adoption of Resolution

The following resolution was adopted out of sequence:

EXPLANATION: Bracketed and strikethrough indicates language that was stricken from the resolution when adopted. Underlined indicates language that was added to the resolution when adopted. A WITHDRAWN resolution is so noted and italicized.

C. Kenney made a motion to adopt the following resolution, seconded by C. Swartz:

**NOW, THEREFORE, BE IT RESOLVED THAT THE TOWN BOARD
OF THE TOWN OF SCHODACK DOES HEREBY:**

- 2017-302)** Authorize the appropriation of the Federal Forfeiture Reserve Fund in a total amount not to exceed \$4,236.64 for purchase of 24 Glock Generation 4 Law Enforcement with trade-in of 20 used Glocks, per quote dated December 4, 2017 from AmChar Wholesale Inc.
5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, T. Rex, D. Dowds. Noes – 0.

**Public Hearing
Restore NY Round 5 Grant Application**

S. Dowds called the public hearing on the grant application for Restore NY round 5 to order at 7:36 p.m.

The Town Clerk read the Affidavit of Publication seeking public input on the Town of Schodack's Restore NY Round 5 grant application for the 2017 program year. The legal notice was published in the December 5, 6, & 7, 2017 editions of *The Record* as well as on the Town Clerk's signboard and the Town's website on December 5, 2017.

S. Dowds explained the application would be for the 2018 program year for Restore NY. S. Dowds then asked N. Fuda to further explain the grant. N. Fuda stated the grant, which was due December 15, 2017, would fund up to a one million dollar project for the successful applicant. She explained Servidone's project was selected due to their shovel ready site. Their intention was to tear down the dilapidated motel on the property and construct a new building to house the headquarters for the company. Ms. Fuda introduced Matthew Rogers from the Laberge Group and asked him to elaborate on Servidone's plan for the site. Mr. Rogers stated Servidone proposed to restore vacant lots into useful property at a cost of approximately 2.7 million dollars. There would be no cost to the Town for the project as Servidone would be supplying the upfront capital for the project. Added benefits of the project include an opportunity to hire new employees, improve the Route 9 corridor and spur future development for Schodack.

Mark Servidone addressed the Board on behalf of the application. He stated he had been working with Laberge on the grant application and explained his company is a multi-generational company having started in Schodack back in the 1950's. He thanked the Board for the opportunity and their consideration. C. Swartz asked Mr. Servidone when they planned to break ground. Mr. Servidone said May of 2018.

Public Comment: K. Stokem asked the minimum number of employees needed to be hired to qualify for the grant. M. Rogers said there was no specific number required. K. Stokem asked what the intended size of the new structure would be. M. Rogers said it would be approximately 7,200 sq.ft. F. Curtis said he was in favor of the project and felt it would be helpful to this homegrown business with its roots in the Town. He mentioned that a change would need to be made to the resolution regarding the tax map number. He said a dot was missing and should read as "210.-". Without the dot the tax map number would be

unidentifiable. S. Dowds asked resolution 2017-289 to be amended to include the correct tax map number.

Upon hearing no further public comment, the Supervisor closed the public hearing at 7:44 p.m.

Adoption of Resolution

The following resolution was adopted out of sequence:

EXPLANATION: Bracketed and strikethrough indicates language that was stricken from the resolution when adopted. Underlined indicates language that was added to the resolution when adopted. A WITHDRAWN resolution is so noted and italicized.

C. Bult made a motion to adopt the following resolution, seconded by C. Swartz:

NOW, THEREFORE, BE IT RESOLVED THAT THE TOWN BOARD OF THE TOWN OF SCHODACK DOES HEREBY:

2017-289) WHEREAS, a resolution was duly adopted by the Town Board of the Town of Schodack for a public hearing to be held by said Town on December 14, 2017 at 7:30 p.m. at the Schodack Town Hall to hear all interested parties on proposed 2017 RESTORE NY Round 5 Grant application, administered by Empire State Development. The proposed project will facilitate the removal of vacant, dilapidated and condemnable structures at 1344 US Route 9, Castleton, NY, also referred to as Tax Map Parcel ID # 210.-7-41.12, and the construction of a new office building, the Northeast Regional Headquarters for A. Servidone, Inc. for continued economic development in the Capital Region through a public-private partnership between A. Servidone, Inc. and the Town of Schodack, and

WHEREAS, notice of said public hearing was duly posted on the Town Clerk's official sign board on December 5, 2017 and advertised in the December 5, 6 & 7, 2017 editions of THE RECORD, official newspaper of the Town, and

WHEREAS, the property assessment list was published for three consecutive days beginning in the December 5, 2017 and ending in the December 7, 2017 edition of THE RECORD, official newspaper of the Town, and

WHEREAS, said public hearing was held on December 14th at 7:30 p.m. at the Schodack Town Hall and all parties in attendance were permitted an opportunity to speak on behalf of, or in opposition to, said proposed grant application or any part hereof, and

WHEREAS, that the Town Board of the Town of Schodack, after due deliberation, finds that it is in the best interest of the Town to proceed with the grant application process

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby determines that the project is in accordance with Town and Regional planning objectives, the project facilitates effective and efficient use of existing and future public resources to promote both economic development and preservation of community resources and where applicable, the project seeks to attract, create and sustain employment opportunities and recognizes the value of this public-private partnership, and believe the construct of the Northeast Regional Headquarters for A. Servidone, Inc. will stimulate further investment in this area of the Town and result in future job creation for the entire Capital Region.

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

Board Discussion

Resolution 2017-292: C. Bult said due to the numerous changes made to the handbook and based on feedback from employees who felt they did not have adequate time to review the changes, further discussion at a workshop was warranted. It was his recommendation that the resolution be withdrawn at this time. S. Dowds said his reason for supporting the resolution was to comply with federal law but would leave the decision to the Board members. C. Kenney suggested tabling the resolution. **Determination: Resolution 2017-292 was withdrawn.**

Public Comment (remaining resolutions)

Resolution 2017-295: K. Stokem asked what the previous fee for the meters was. S. Dowds said the previous fee was \$250.00.

Resolution 2017-296: K. Stokem asked if the Town could have joined the counties worker's compensation prior to this. S. Dowds said he was not aware until the Town signed up for the health insurance with the county. K. Stokem asked if the Town would be looking into other opportunities for shared services. S. Dowds said they were exploring other services.

Resolution 2017-297: K. Stokem asked if the amount was for an increase in engineering fees for the fueling canopy. C. Bult said all fees pertaining to the fuel canopy were included in the grant. The amount was intended for the engineering cost regarding remediation for the spill discovered by removing the old fueling system. S. Dowds added that thankfully the spill appears to not be as bad as anticipated.

Resolution 2017-298: K. Stokem asked if the map, plan and report was intended for the Town to acquire the water district. S. Dowds said the Battisti Water System is currently a private system and it would be up to the residents to petition the Town with more than 51% of the assessed value signing after they have reviewed the findings. The cost of the map, plan and report would then be included in the capital charges for the water district extension to be paid by the residents of that district. K. Stokem asked if there would be a cost for the new system to be upgraded. C. Bult said yes. K. Stokem asked if any of the cost would be passed onto the Town. C. Bult said only if the residents do not decide to move forward. Then the cost of the map, plan and report would be covered by the Town.

Resolution 2017-304: K. Stokem said the price seemed pretty high for the copier. S. Dowds explained the machine services the whole building. K. Stokem asked the cost of the service contract. S. Dowds said they had not received that amount yet. K. Stokem asked

the anticipated lifespan of the machine. D. Curtis, Town Clerk, explained the current copier was purchased in 2008 and had just, as of that day, stopped working. This gave almost ten years of service. M. Sherwood asked if the copier was being purchased off state contract. S. Dowds said yes.

Resolution 2017-306: M. Sherwood asked if Officer Montross was designated as a permanent part-time officer. S. Dowds said no and explained he had accepted a full-time position from another agency and was not allowed to be part-time elsewhere. There was potential that he could eventually return as part-time to the Town within the next year, therefore he was requesting to be put on unpaid leave of absence. M. Sherwood asked the Supervisor to consider having the part-time officers as permanent part-time which are selected from an eligibility list from civil service.

Resolution 2017-307: F. Curtis mentioned, as a past councilperson, the close of business meeting generally was a catch-all for any business that needed to be addressed prior to the end of the year. As he remembered, the meetings usually lasted no more than ten minutes and only required a quorum of Board. If the Board chose to cancel, they would need to call and post an emergency meeting to address any issues.

Resolution 2017-291: B. Goodall wanted to remind the Board that even though January 2, 2018 is considered a holiday for the transfer station, they will be open that day and it will be considered a floater for the individuals working.

LWRP: K. Stokem explained it had been two years since the committee for Local Waterfront Revitalization Project (LWRP) had been proposed. There had been open solicitation for members but nothing had developed. When there was potential for the gas pipeline, the committee seemed to be favorable but once the project was abandoned the interest seemed to have died out. He felt the inability to agree upon a chair for the committee seemed to lead to its demise. He wondered with a new Town Board, it would be worth trying again to form the committee and look into potential grants. He believed it was necessary to give locals a say in what happens with their waterfront in the event another pipeline project comes back to the area. He asked the Board to please consider filling the committee. C. Rex said they would. S. Dowds said he felt the Town had a viable candidate for the chairperson of the committee who would have been unbiased and have nothing invested. Unfortunately there were misconceptions of the candidate that prevented them from being selected. He felt the candidate should still be considered. C. Swartz said he had been in contact with Bob Schmidt and would keep the lines of communication open.

Adoption of Resolutions

The resolutions voted upon reflect additions, deletions and amendments approved by the consensus of the majority Board.

EXPLANATION: Bracketed and strikethrough indicates language that was stricken from the resolution when adopted. Underlined indicates language that was added to the resolution when adopted. A WITHDRAWN resolution is so noted and italicized.

C. Swartz made a motion to adopt the following resolution, seconded by S. Dowds:

**NOW, THEREFORE, BE IT RESOLVED THAT THE TOWN BOARD
OF THE TOWN OF SCHODACK DOES HEREBY:**

2017-286) Authorize renewal of the Town's liability insurance policy with NYMIR, including property, general liability, auto, inland marine, boiler & machinery, law enforcement and public officials effective January 1, 2018 with a Six Million Dollar Umbrella, single occurrence with a Twelve Million Dollar aggregate for the premium not to exceed \$133,314.21.

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

2017-287) **Previously adopted. See pg. 289.**

2017-288) **Previously adopted. See pg. 286.**

2017-289) **Previously adopted. See pg. 292.**

C. Rex made a motion to adopt the following resolution, seconded by S. Dowds:

**NOW, THEREFORE, BE IT RESOLVED THAT THE TOWN BOARD
OF THE TOWN OF SCHODACK DOES HEREBY:**

2017-290) Full-time employees (non-union) shall be given the following holiday for the year 2018:

<u>Weekday</u>	<u>Date</u>	<u>Holiday</u>
Monday	January 1, 2018	New Year's Day Observance

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

C. Bult made a motion to adopt the following resolution, seconded by C. Rex:

**NOW, THEREFORE, BE IT RESOLVED THAT THE TOWN BOARD
OF THE TOWN OF SCHODACK DOES HEREBY:**

2017-291) Designate a Transfer Station holiday for year 2018 as follows:

<u>Weekday</u>	<u>Date</u>	<u>Holiday</u>
Tuesday	January 2, 2018	New Year's Day Observance

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

2017-292) **WITHDRAWN:** *"Adopt the Town of Schodack Personnel Policy and Procedure Manual, per attached Draft 6 together with attached list of revisions; this will supersede the Personnel Policy and Procedure Manual that was adopted on April 8, 1999, to be effective January 1, 2018."*

C. Rex made a motion to adopt the following resolution, seconded by C. Kenney:

**NOW, THEREFORE, BE IT RESOLVED THAT THE TOWN BOARD
OF THE TOWN OF SCHODACK DOES HEREBY:**

- 2017-293)** Ratify and affirm authorizing Kerrie D. Joiner, Human Resource Manager to post internally the full-time Operator 2 position at the Highway Department and allowing the Supervisor to advertise in the official Town newspaper as necessary.

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

C. Kenney made a motion to adopt the following resolution, seconded by C. Bult:

**NOW, THEREFORE, BE IT RESOLVED THAT THE TOWN BOARD
OF THE TOWN OF SCHODACK DOES HEREBY:**

- 2017-294)** BE IT RESOLVED, that the Town of Schodack hereby establishes the following as standard work days for elected and appointed official(s) and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by the following official(s) to the clerk of this body:

Title	Name	Standard Work Day (Hrs/day)	Term Begins/Ends	Participates in Employer's Time Keeping System (Y/N)	Days/Month (based on Record of Activities)	Not Submitted Record of Activities or T/S
Appointed Officials						
Town Clerk	Debra Curtis	7	7/1/17-12/31/17	N	20	

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

C. Bult made a motion to adopt the following resolution, seconded by C. Swartz:

**NOW, THEREFORE, BE IT RESOLVED THAT THE TOWN BOARD
OF THE TOWN OF SCHODACK DOES HEREBY:**

- 2017-295)** Pursuant to Town Code of the Town of Schodack, Article X §175-40, Appendix A, amend appended fee schedule by adopting new water meter fee of \$275.00 (as attached) effective January 1, 2018.

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

C. Bult made a motion to adopt the following resolution, seconded by S. Dowds:

**NOW, THEREFORE, BE IT RESOLVED THAT THE TOWN BOARD
OF THE TOWN OF SCHODACK DOES HEREBY:**

2017-296) It is hereby resolved by the Town Board of the Town of Schodack, New York:

The Town elects to join the Rensselaer County Workers' Compensation Plan effective January 1, 2018; and,

The Town Supervisor is authorized to enter into the Rensselaer County Workers' Compensation Plan Agreement with the County of Rensselaer for such purpose: and,

The Town represents and warrants to the County that it has made a full and complete investigation to its own satisfaction of the Plan; that it has consulted with independent counsel regarding the obligations created by the Plan, the legality of the Plan and the legality of its own participation therein; and, that it accepts the Plan in full and hereby binds and subjects itself to all terms and obligations thereof.

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

C. Kenney made a motion to adopt the following resolution, seconded by C. Rex:

NOW, THEREFORE, BE IT RESOLVED THAT THE TOWN BOARD OF THE TOWN OF SCHODACK DOES HEREBY:

2017-297) Authorize Supervisor Dowds to execute and administer Professional Services Proposal dated December 4, 2017, Addendum No. 9 with Laberge Group, LLC for a WQIP Grant Fuel Canopy – Spill Management & SPCC in an amount not to exceed \$19,000.

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

C. Rex made a motion to adopt the following resolution, seconded by C. Swartz:

NOW, THEREFORE, BE IT RESOLVED THAT THE TOWN BOARD OF THE TOWN OF SCHODACK DOES HEREBY:

2017-298) Authorize Supervisor Dowds to execute and administer Professional Services Proposal dated December 6, 2017, Addendum No. 10 with Laberge Group, LLC for a Map, Plan and Report relative to Water District 1 Extension – Battisti Water Supply Corporation in an amount not to exceed \$13,600.00.

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

C. Swartz made a motion to adopt the following resolution, seconded by C. Bult:

NOW, THEREFORE, BE IT RESOLVED THAT THE TOWN BOARD OF THE TOWN OF SCHODACK DOES HEREBY:

Amended 10/10/19 by 2019-266

- 2017-299)** Authorize Joseph Tremblay, Building Inspector to attend Northern Adirondack Code Officials Conference March 4 through March 8, 2018 in Lake Placid, New York at estimated cost for the Conference and Seminar of \$260.00, and estimated cost for mileage \$157.29 and estimated cost for lodging of \$428.00 and estimated cost for meals \$100.00 for a total estimated cost of \$945.29. [This is a budgeted item.]
5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, T. Rex, D. Dowds. Noes – 0.

C. Rex made a motion to adopt the following resolution, seconded by S. Dowds:

**NOW, THEREFORE, BE IT RESOLVED THAT THE TOWN BOARD
OF THE TOWN OF SCHODACK DOES HEREBY:**

- 2017-300)** Authorize Nadine Fuda, Director of Planning and Zoning to attend Northern Adirondack Code Officials Conference March 4 through March 8, 2018 in Lake Placid, New York at estimated cost for the Conference and Seminar of \$260.00, and estimated cost for mileage \$157.29, and estimated cost for lodging of \$428.00 and estimated cost for meals \$100.00 for a total estimated cost of \$945.29. [This is a budgeted item.]
5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, S. Swartz, T. Rex, D. Dowds. Noes – 0.

C. Swartz made a motion to adopt the following resolution, seconded by C. Rex:

**NOW, THEREFORE, BE IT RESOLVED THAT THE TOWN BOARD
OF THE TOWN OF SCHODACK DOES HEREBY:**

- 2017-301)** WHEREAS, by local law #2 of the year 2008, and pursuant to Section 458-b of the New York State Real Property Tax Law, the Town Board authorized a limited real property tax exemption for Cold War veterans; and

WHEREAS, the term of such exemption was limited, pursuant to state law, to a period of ten years; and

WHEREAS, by Chapter 290 of Laws of 2017, Section 458-b was amended to authorize Towns to extend such exemption for as long as the qualifying owners of real property remain as qualifying owners; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board shall authorize Town Clerk to publish a legal notice for a public hearing to seek public comment and hold a public hearing on proposed Local Law 1 of the year 2018, to authorize the extension of such exemption to the extent authorized by State Law. Said hearing to be held on Thursday, January 11, 2018 at 7:30 p.m. at the Schodack Town Hall, 265 Schuurman Road.

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

2017-302) Previously adopted. See pg. 291.

C. Kenney made a motion to adopt the following resolution, seconded by C. Bult:

NOW, THEREFORE, BE IT RESOLVED THAT THE TOWN BOARD OF THE TOWN OF SCHODACK DOES HEREBY:

2017-303) Pursuant to Chapter 32 Section 1 of the Code of the Town of Schodack, Supervisor Dowds appoints Jordan Harrington to the Town of Schodack Fire Investigation Unit for the month of December 2017.

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

C. Swartz made a motion to adopt the following resolution, seconded by C. Rex:

NOW, THEREFORE, BE IT RESOLVED THAT THE TOWN BOARD OF THE TOWN OF SCHODACK DOES HEREBY:

2017-304) Authorize Supervisor Dowds to execute a purchase agreement with Eastern Copy Products, LLC. for one (1) Konica Minolta Bizhub 654e copier for use of all Town Hall offices in the amount of \$8,995.00

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

C. Swartz made a motion to adopt the following resolution, seconded by C. Kenney:

NOW, THEREFORE, BE IT RESOLVED THAT THE TOWN BOARD OF THE TOWN OF SCHODACK DOES HEREBY:

2017-305) Pursuant to Article 7 Section 140 of the Highway Law, the Highway Superintendent hereby appoints Joseph Cavanaugh, subject to final approval by the Rensselaer County Civil Service Commission, as an Operator 2, at an hourly rate as set forth in the Year 2017 adopted budget. Said appointment shall be effective as of December 18, 2017.

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

C. Bult made a motion to adopt the following resolution, seconded by C. Rex:

NOW, THEREFORE, BE IT RESOLVED THAT THE TOWN BOARD OF THE TOWN OF SCHODACK DOES HEREBY:

2017-306) Grant Matthew Montross, Part-time Police Officer an unpaid Leave of absence for the period of December 15, 2017 through December 14, 2018.

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

C. Kenney said he agreed with Mr. Curtis and suggested withdrawing resolution 2017-307. He felt they should keep the meeting and decide on a date for the organizational meeting at that time. All Board members agreed.

2017-307) WITHDRAWN: *“Amend resolution 2016-295 as adopted December 29, 2016, to cancel the Close of Business/Town Board meeting for December 28, 2017 and schedule the 2018 organizational meeting for January 4, 2018.”*

2017-308) Previously adopted. See pg. 290.

C. Bult made a motion to adopt the following resolution, seconded by C. Kenney:

NOW, THEREFORE, BE IT RESOLVED THAT THE TOWN BOARD OF THE TOWN OF SCHODACK DOES HEREBY:

2017-309) Authorize the Comptroller’s recommendation to direct the Town Supervisor to pay the claims #17-1862 to 17-2031 on Abstract No. 2017-12, in the amount of \$727,454.81, including the claims paid (\$120,798.43) since the previous town board meeting.

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

C. Swartz made a motion to adopt the following resolution, seconded by C. Rex:

NOW, THEREFORE, BE IT RESOLVED THAT THE TOWN BOARD OF THE TOWN OF SCHODACK DOES HEREBY:

2017-310) Authorize budget modifications, interfund loans and interfund transfers as recommended by the Comptroller.

BUDGET MODIFICATIONS

Fund/				
	Department #	Fund / Department Name	Increase	Decrease
2017				
100	A-960-1110.4000	Justice Court - Contractual	458.69	
	A-960-1990.4000	Contingency - Contractual		458.69
	To modify the budget to cover expenditures under budget per Supervisor's submission			
101	A-960-3120.1100	Police - Overtime	7,934.52	
	A-960-3120.1900	Police - P/T Personal Services		7,934.52

To modify the budget to cover Police overtime due to increased OT in November payrolls

102	A-960-5132.1300	Town Garage - Building Maintenance	118.61	
	A-960-3120.1300	Police - Building Maintenance		118.61

To modify the budget to cover Nicole time spent cleaning at Highway garage

103	A-960-8160.1100	Refuse & Garbage - Overtime	306.24	
	A-960-8189.1100	Recycling - Overtime	305.53	
	A-960-8160.4000	Refuse & Garbage - Contractual		306.24
	A-960-8189.4000	Recycling - Contractual		305.53

To modify the budget to cover Transfer station overtime

104	B-960-8340.2000	Trans & Distrib - Equipment	707.88	
	B-509-2655.9999	Minor Sales	707.88	
To modify the budget to cover water meter sales to 1526 Columbia Tpk, Spinney, 383 Schodack Dr				

105	DB-960-5110.1350	Road Repairs - DB work for W/S	187.92	
	DB-960-5110.1351	Road Repairs - DB W/S work OT	176.18	
	DB-960-5110.1000	Road Repairs - Personal Services		364.10

To modify the budget to cover work on SW3-Maple Crest Pressure issues

106	DB-960-5130.1400	Machinery - Police Work	260.72	
	DB-960-5130.1000	Machinery - Personal		260.72

To modify the budget to cover work on Departmental vehicles

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

Dawne Kelly presented S. Dowds with a plaque honoring his eight years of service to the Town of Schodack. S. Dowds thanked her.

ADJOURNMENT

As there was no further business before the Board, C. Bult made a motion to adjourn the 12/14/17 Town Board meeting at 8:08 p.m., seconded by C. Rex. Meeting adjourned.

Respectfully Submitted,

Debra L. Curtis
Schodack Town Clerk