

**DATE:** APRIL 26, 2018

**KIND OF MEETING:** TOWN BOARD

**WHERE HELD:** SCHODACK TOWN HALL

**CLERK:** DEBRA L. CURTIS

**PRESIDING OFFICER:** DAVID B. HARRIS

**MEMBERS PRESENT:** JAMES E. BULT  
SCOTT SWARTZ  
TRACEY REX

**MEMBERS ABSENT:** MICHAEL KENNEY

**ATTORNEY:** RYAN P. MULLAHY, ESQ.

**COMPTROLLER:**

**OTHERS:** JOSEPH BELARDO, POLICE CHIEF  
MEMBERS OF THE EMPLOYEE HANDBOOK COMMITTEE:  
NADINE FUDA, KAREN VECCHIONE, DAWNE KELLY,  
STUART M<sup>C</sup>KNIGHT  
KERRIE JOINER, HUMAN RESOURCES MANAGER  
JAY GIRVIN, LABOR ATTORNEY

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Supervisor Harris called the April 26, 2018 Town Board Workshop Meeting to order at 7:00 p.m. with the Pledge of Allegiance and dispensed with roll call. All present as noted above.

### **Presentations**

**Keller Landfill:** J. Keller of Wm. J. Keller and Sons addressed the Board regarding a proposed landfill located at 1435 Route 9. He explained he had submitted a letter from his engineer for the project as requested by the Board. His intention was not to operate a sanitary landfill but a clean fill site. He said he would work with the town to obtain the proper permitting, ensure proper erosion control and any necessary testing required maintaining the safety of the aquifer. He mentioned the material would be locally obtained but was concerned about the 5,000 cubic yard limit as the proposed site was approximately two acres. S. Harris said he appreciated Mr. Keller's willingness to work with the town and recommended he continue working with the Planning Board. He added the change in regulations from DEC may prove to make the process difficult. C. Swartz asked what permits and procedures his company had faced for other fill sites. Mr. Keller said permits were needed when depositing stumps; however, when depositing soil, he was only required to obtain a release from the land owner and a local permit from the town. C. Rex said the Board would follow the recommendations of the Planning Board. Atty. Mullahy said the Board's decision should be contingent upon the new regulations set forth by DEC. He stated that the 5,000 cubic yard limit was for the lifetime of the fill site and few waivers were offered. It would be necessary to meet with a representative from DEC and noted a public hearing would be scheduled for the second meeting in May. He asked if the engineer made any comment about the water table. Mr. Keller said no, further investigation would be

needed.

**Schodack Police:** Chief Belardo explained that due to an increase in opioid drug issues, school violence and serious incidents he was asking the Board to consider making changes to his work force. He proposed filling the vacant Assistant Chief job, which had previously been occupied by him, to assist him in developing policies, training and any necessary internal investigations. The position would be part-time, with a maximum of twenty hours per week. He would be seeking applicants who were experienced with an ultimate goal of gaining accreditation for the department, potentially decreasing insurance premiums. The Chief also proposed hiring a School Resource Officer (SRO). Currently, there are officers that visit the schools but none are dedicated for the prevention of violence or curbing the opioid epidemic. He added Officer Reichert comes in early to visit the schools as the normal shift does not start until 8:00 a.m. He explained the SRO would be on duty for an eight hour shift during school hours, five days a week. During vacation periods, the SRO would act as a juvenile officer. He hoped the cost could be shared with both school districts to limit the financial burden on taxpayers. Finally, the Chief asked the Board to consider removing the Detective Sergeant from minimum staffing to a full time investigator position. The department has seen an increase in violent incidents and currently D.S. Thomas is required to work overtime to investigate crimes during the day as he primarily works the night shift. In a full time capacity, the Detective Sergeant would have flexible hours to investigate incidents and take a proactive approach to prevent crime in the town. He felt the money saved from the overtime currently paid should cover the cost of hiring an additional officer for the hours normally worked by D.S. Thomas.

**Board Comment:** S. Harris asked what the requirements were for becoming accredited. Chief Belardo said the department would be required to meet standards for procedures, review policies and demonstrate follow through. He gave the example of requiring all officers to wear their body armor at all times. He stated East Greenbush had recently become accredited. C. Bult asked the Chief if he would be seeking an increase for the police budget for the added positions. Chief Belardo said it would depend on any funding from the schools for the SRO and further research would be needed on the financial impact. C. Bult inquired if he intended to keep the department at the same hours of operation. Chief Belardo said it was his goal to enact twenty-four hour coverage but by adding the SRO and moving D. Thomas to an investigator position, it would potentially add only one hour. C. Swartz asked if there was a possibility of sharing a SRO with East Greenbush. Chief Belardo said the East Greenbush Police Department does already have an SRO but did not believe that officer comes to Green Meadow School because of its location in Schodack. He said he would check with East Greenbush Central Schools and see if they would pair up with the town to share the SRO between the Schodack Central Schools and also covering Green Meadow. C. Rex commended Chief Belardo on his job thus far. She said she appreciated his forward thinking and thought the SRO was a great idea.

### **Review of Agenda Items**

**Transfer Station Truck:** The Supervisor stated the 2003 Chevy Pickup currently used at the Transfer Station needed to be designated as surplus and added to the auctions international site. The transfer case was damaged and would cost more than the value of

truck to repair.

**Pond View:** With regards to the Spinney, S. Harris explained the town would continue to plow the road down to the end but would not be responsible for mowing or lighting. Atty. Mullahy said the agreement was strictly for the lighting and not for the acceptance of the road. He felt an update of the appendices was needed before the town should accept. C. Bult agreed.

**National Grid Energy Savings Plan:** The Supervisor said he was looking at potential vendors to make energy upgrades to the town hall. He said efforts would concentrate on the town hall with changes being made to the other municipal buildings in the future.

**Playground (Town Park):** S. Harris said he had been in contact with various companies regarding the construction of a playground at the town park. He encouraged all Board members to review the brochures provided to see what would be best. One of the companies had stated they would be willing to give an estimate, site plan and necessary prep work. Not much information had been obtained from the second company. He mentioned the park manager should be brought in on any decisions made. He felt the playground would be well used during Music in the Park events with potential for expansion to include exercise equipment. C. Rex suggested including activities for children with disabilities as well.

**Open Discussion:** None.

### **Public Comment**

K. Stokem asked why there was such a wide margin between all bids received for the sewer improvement project. C. Bult said he was unsure of the criteria used by each company to base their bid but it appeared to him that Keller may have been the lowest due to their proximity to the project. K. Stokem inquired if residents would have the opportunity to connect into the new sewer line. Atty. Mullahy said the school was the only hook up for now but said the district could be looked at in the future for residential connections. Mr. Stokem asked if the line would be capable of serving the school and residences. C. Bult said yes.

### **Adoption of Resolution**

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 C. Rex:

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

**2018-150)** **WHEREAS**, the Town Board of the Town of Schodack on March 8, 2018 authorized the Town Clerk to publish a legal notice to solicit sealed bids for the design of a sewer pumping station and force main to serve Sewer District No. 1 – Extension 1; and

**WHEREAS**, Plans and Specifications had been prepared by the Laberge Group, a duly licensed professional engineering firm; and

**WHEREAS**, after due publication of the notice, the Town, on April 17, 2018 received (4) bids for the Sewer District No. 1 – Extension 1 as follows: a bid from Wm. J. Keller & Sons Construction Corp. for \$897,170.00; a bid from JAT Construction Co., Inc. for \$967,455.00; a bid from Grant Street Construction, Inc. for \$1,099,000.00; and a bid from Peter Luizzi & Bros. Contracting, Inc. for \$1,382,048.00; and

**WHEREAS**, the bids were reviewed for conformance to specifications and submittal of required bid bond and non-collusive certificates; and

**NOW, THEREFORE**, be it resolved that pursuant to the recommendation of the Laberge Engineering & Consulting Group, Ltd., that the Town Board does hereby award the bid to Wm. J. Keller & Sons Construction Corp., 1435 Route 9, Castleton, New York 12033 for its bid for the entire package in the sum of \$897,170.00, and

**BE IT FURTHER RESOLVED THAT** Supervisor Harris is authorized to execute and administer the Town of Schodack Sewer District 1 – Extension 1 Project construction agreement.

4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, S. Swartz, T. Rex, D. Harris. Noes – 0.

S. Harris 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:**

**2018-151)** Authorize Town Clerk to publish a legal notice for a public hearing to seek public comment on application submitted by Wm. J. Keller & Sons Construction Corp. to operate a sanitary landfill disposal at 1435 Route 9 pursuant to §137 of Town Code of the Town of Schodack, the Town Board shall hold said public hearing on May 24, 2018 at 7:30 p.m. at the Town Hall, 265 Schuurman Road.

4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, S. Swartz, T. Rex, D. Harris. Noes – 0.

### **Executive Session**

C. Swartz made a motion at 7:43 p.m. to enter into executive session for the purpose of obtaining confidential legal opinion from two attorneys. Seconded by C. Rex.

4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, S. Swartz, T. Rex, D. Harris. Noes – 0.

C. Bult made a motion at 8:59 p.m. to adjourn the executive session. Seconded by C. Rex.

4 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, S. Swartz, T. Rex, D. Harris. Noes – 0.

### **ADJOURNMENT**

As there was no further business before the Board, C. Bult made a motion to adjourn the 04/26/18 Town Board meeting at 8:59 p.m., seconded by C. Swartz. Meeting adjourned.

A brief attorney/client session followed the meeting between the Employee Handbook Committee and the Labor Attorney, J. Girvin, Esq.

Respectfully Submitted,

Debra L. Curtis  
Schodack Town Clerk

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