

DATE: SEPTEMBER 12, 2019

KIND OF MEETING: TOWN BOARD

WHERE HELD: SCHODACK TOWN HALL

CLERK: DEBRA L. CURTIS

PRESIDING OFFICER: DAVID B. HARRIS

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

MEMBERS ABSENT:

ATTORNEY: CHRISTOPHER LANGLOIS, ESQ.

COMPTROLLER: PAUL HARTER

OTHERS PRESENT: KAREN JUSTUS, SOLE ASSESSOR
BRUCE GOODALL, DIRECTOR OF TRANSFER STATION
OPERATIONS

Supervisor Harris called the September 12, 2019 Town Board Meeting to order at 7:03 p.m. with the Pledge of Allegiance and dispensed with roll call. All present as noted above.

Library Presentation

Library Directors Melissa Tacke (Castleton Library), Jill Dugas Hughes (East Greenbush Library) and Tracy Clague (Nassau Free Library) gave a combined presentation highlighting the services offered by each library to Schodack residents and an explanation for their 2020 budget requests. Ms. Tacke thanked the town board for their past financial support for all three libraries and was hopeful that they would view their dedication as proof for their funding requests. Ms. Dugas Hughes said whereas all three libraries are different, they do an excellent job of working together in a cost effective manner to serve the residents of Schodack. By supporting the libraries, the town is supplying branch structured library services to their residents. These services are offered to residents of all ages and provide services such as meeting areas for individuals and groups, use of computers and Wi-Fi, early literacy and senior reading programs, trust worthy sources and excellent customer service. Ms. Clague added that the residents benefit by the funding provided by the town. She noted they were in need of the support to help with their quality of service and said the three libraries were requesting a total of \$488,099.00 for 2020. The budget requests for 2020 for each library are as follows: \$146,786.00 (\$16,376.00 increase) for Castleton, \$311,313.00 (\$7,593.00 increase) for East Greenbush, and \$30,000.00 for Nassau. Ms. Tacke said they were requesting such a sizable increase in funding for Castleton to allow for a more reasonable salary for staff, increase their electronic and print collections and to upgrade equipment. Ms. Dugas Hughes added that their request is a 2.5% increase from the funding in 2019 for East Greenbush which will be used to pay off their last bond payment.

Several services that are offered to residents were highlighted during the presentation including the removal of overdue fees for books or materials not returned to the library (Castleton), an increase in the number of museum passes that are offered (Castleton, East Greenbush and Nassau), monthly book mobiles (Castleton), red cross babysitter certification program (Nassau) and Friday Nights at the library for teens (East Greenbush).

Briefing of the Resolution Agenda Discussion-Resolutions

S. Harris gave a brief overview of all resolutions. With regard to resolution 2019-225, he noted a question had arisen at the previous meeting regarding Ms. Justus' qualifications. He said some of the missing courses had been completed and added that it was difficult when all were offered during different times of the year. He stated she was still missing a few classes but still had time to complete them. It was his recommendation to follow through with her reappointment. For resolution 2019-236, the Supervisor explained that a transformer had exploded on Beaver Road off of Route 20 which was believed to have damaged the backup generator at the Sewer District #2 substation. To ensure that there was no interruption in power to the station in the event of another power outage, a generator was rented to cover the station until the other can be replaced. The cost will be passed onto the town's insurance company for reimbursement. All other resolutions were self-explanatory.

Board Discussion: None.

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

Review of Abstracts of Claims and Budget Amendments: The Board reviewed claims #19-1348 to #19-1525 on Abstract No. 2019-09 in the amount of \$576,285.56, including the claims paid prior (\$333,241.02).

Public Comment – Resolutions

Resolution 2019-224: K. Stokem asked what caused the "not to exceed amount" to be increased. Atty. Langlois said the amount to have Girvin and Ferlazzo defend the Planning Board against the Article 78 had been estimated prior to motion practices which caused the \$12,500.00 to be exceeded. It was recommended that the amount be increased to \$20,000.00; however, he did not believe they would reach that amount. K. Stokem asked if the amount for legal fees was all inclusive. Atty. Langlois said the amount would go for appeal only. It would not cover any fees if the suit went to the Supreme Court. K. Stokem asked what the initial cost was for the Article 78. P. Harter said he was not sure and asked Mr. Stokem to contact his office. M. Brunner said she had calculated the total cost to date as \$41,000.00. She noted that had the full Environmental Impact Statement (EIS) been completed, this all could have been avoided.

Resolution 2019-225: K. Stokem asked what the term of office is for the Assessor. S.

Harris said six years. K. Justus added that she started in June of 2017 to finish out Peter Goold's term. This would begin her first full term.

Resolution 2019-230: K. Stokem asked what the normal rate is for a refrigerator or tires to be dropped off at the Transfer Station. B. Goodall said \$12.00 and \$4.00 respectively.

Resolution 2019-237: K. Stokem asked if this resolution only authorized letters to be sent. Atty. Langlois said yes.

Resolution 2019-238: K. Stokem asked why a letter of credit was necessary for Strawberry Fields. Atty. Langlois said this is standard practice to create a fund for large projects in the event issues arise and the town needs to repair damages. He noted the developer was adding road for the new section of the cul-de-sac. S. Harris said the funds could also be used for drainage. K. Stokem asked how the amount was calculated. Atty. Langlois said the Town Attorney figured the amount based on the project size.

Resolution 2019-251: K. Stokem asked if Sewer District #7 was for the Schodack Central School District. P. Harter said the old Hamilton Printing, which is now Hudson River Foods, is the only user for Sewer District #7.

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.

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

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

2019-224) Ratify and affirm authorizing amending resolution 2019-178 as adopted on May 9, 2019 to increase *authorized not to exceed* amount by \$600.00 as follows: **WHEREAS**, an appeal to the Appellate Division, Third Department, has been filed in the matter of Brunner, et. al. v. Town of Schodack Planning Board, et. al. (Index No. 2018-260429); and

WHEREAS, the Town desires to defend the appeal.

NOW, THEREFORE, BE IT RESOLVED, that the Board retains Girvin & Ferlazzo, P.C., as counsel for the purposes of representing and defending the Town in connection with the appeal based on a fee scheduled of \$225.00 per hour as contained in the Letter of Engagement and Retainer dated May 2,

Amended 01/09/20 by 2020-080

2019, provided that such authorized fees shall not exceed ~~\$12,500.00~~
\$13,100.00 ~~\$6,900.00~~ without further approval by the Board, and

FURTHER RESOLVE increase authorized not to exceed amount by \$6,900.00 to not to exceed \$20,000.00 without further approval by the Board.

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

S. Harris 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:

2019-225) Appoint Karen Justus as Sole Assessor to the Town of Schodack effective October 1, 2019 through September 30, 2025.

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

2019-226) Authorize Supervisor Harris to execute and administer a 2019 agreement between the Rensselaer County Department for Youth and the Town of Schodack for State Aid related to the Town's Summer Youth Day Camp in the amount of \$3,140.00.

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

2019-227) Waive the requirement pursuant to Chapter 177§1 of the Code of the Town of Schodack to hold Water Rate hearings on or before October 20th each year, in order to schedule said hearings at a special meeting at a later date to be determined.

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

S. Harris 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:

Amended 10/10/19 by 2019-270

2019-228) Waive the requirement pursuant to Chapter 176§4 of the Code of the Town of Schodack to hold Sewer Rent hearings on or before October 20th each year, in order to schedule said hearings at a special meeting at a later date to be determined.

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

2019-229) Amend resolution 2018-326 as adopted on December 27, 2018 approving the attached Transfer Station Fee schedule, to be effective January 1, 2019. (See separate schedule) to reflect changing Fall Clean-Up Days from October 10, 11 and 12 to October 17, 18 and 19, 2019.

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

2019-230) Adopt the fee schedule for Fall Clean-Up Days (October 17, 18 & 19) at the Transfer Station as follows:

Refrigerators, freezers, air conditioners & dehumidifiers	\$ 8.00
Tires, rimless (maximum size 16")	\$ 2.00
Larger and rimmed tires	price by size
TVs, computer monitors (limit of 2 items per household)	FREE
Propane Tanks	FREE
Furniture (limit of 3 items per household)	FREE
Metal goods	FREE
Push mowers	FREE
Gas grills	FREE
Bicycles	FREE

*******Please note: all other pricing remains the same*******

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

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

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

2019-231) Resolved that the 2020 Budget Presentation Meeting will be held Friday, October 4, 2019 at 5 p.m. Further, the following schedule was set to review the 2020 ~~Preliminary~~ Tentative Budget:

Tuesday,	October 15, 2019	6 p.m.
Wednesday,	October 16, 2019	6 p.m.
Thursday,	October 17, 2019	6 p.m.

All meetings are scheduled to take place at the Schodack Town Hall, 265 Schuurman Rd., Schodack, NY in the 3rd Floor Conference Room.

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

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:

2019-232) Authorize Supervisor Harris to execute and administer 2018-2019 Snow and Ice Agreement with Rensselaer County Department of Engineering and Highways for reimbursement for snow and ice removal on Stony Point Road.

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

C. Rex 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:

2019-233) Authorize Kerrie Joiner, Human Resource Manager to attend SHRM Conference September 22-24, 2019 for a total estimated cost of \$660.00 [This is a budgeted item. A1430.4]

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

2019-234) Authorize partial refund of \$1,367.50 for Building Permit Number 13590-19 relative to 570 South Schodack Road as Rich Van Alphen Contracting, Inc. withdrew his application prior to renovations, but after initial review.

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

2019-235) WHEREAS, it is the privilege and duty of the American people to commemorate the anniversary of the drafting of the Constitution of the United States of America with appropriate ceremonies and activities, and

WHEREAS, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as *Constitution Week*,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Schodack does hereby proclaim the week of September 17 through 23 as *Constitution Week* and urges all citizens to study the Constitution and reflect on the privilege of being an American with all the rights and responsibilities which that privilege involves.

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

2019-236) Authorize use from Sewer District #2 reserve fund for emergency rental of \$2,810.00 and purchase and installation of Generator \$17,785.00 from Capital Power TEC Electric Service for a total amount not to exceed \$20,595.00.

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

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

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

2019-237) Authorize and direct that Lead Agency Coordination review letters be issued pursuant to the State Environmental Quality Review Act for the proposed Symington Fill Expansion.

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

2019-238) The Town Board of the Town of Schodack hereby accepts Standby Letter of Credit, IS000094920U dated August 15, 2019, 2019 in the amount of \$116,000.00 issued by Wells Fargo Bank, N.A. on behalf of Strawberry Fields Subdivision developer, E.W. Birch Builders, Inc., Ed Brzozowski.

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

2019-239) Authorize Town Clerk to publish a legal notice for a public hearing to seek public comment on Proposed TJA Clean Energy Solar Farm, Tax Map Parcel 209.-8-1, 13 Paul Road for the purpose of considering PD districting for the applicant's plan in accordance with the procedures established by the Town Law. Said hearing to be held on Thursday, October 10, 2019 at 7:10 p.m. at the Schodack Town Hall.

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

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

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

2019-240) Authorize Town Clerk to publish legal notice of public hearing on proposed water rates for Operation and Maintenance costs and the assessment rolls of capital charges for Water District Number 1. Said hearing shall be held on Tuesday, October 29, 2019 at 7:10 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district extension hearing is concluded.

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

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

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

2019-241) Authorize Town Clerk to publish legal notice of public hearing on proposed water rates for Operation and Maintenance costs and the assessment rolls of capital charges for Water District Number 3. Said hearing shall be held on Tuesday, October 29, 2019 at 7:10 p.m. at the Schodack Town Hall, 265

Schuurman Road or as soon thereafter as the above water district extension hearing is concluded.

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

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

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

2019-242) Authorize Town Clerk to publish legal notice of public hearing on proposed water rates for Operation and Maintenance costs and the assessment rolls of the capital charges for Water District Number 101. Said hearing shall be held on Tuesday, October 29, 2019 at 7:10 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district extension hearing is concluded.

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

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

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

2019-243) Authorize Town Clerk to publish legal notice of public hearing on the assessment rolls of the capital charges for Water District Number 2a. Said hearing shall be held on Tuesday, October 29, 2019 at 7:10 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district extension hearing is concluded.

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

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

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

2019-244) Authorize Town Clerk to publish legal notice of public hearing on the assessment rolls of the capital charges for Water District Number 8. Said hearing shall be held on Tuesday, October 29, 2019 at 7:10 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district extension hearing is concluded.

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

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

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

2019-245) Authorize Town Clerk to publish legal notice of public hearing on the assessment rolls of the capital charges for Water District Number 9. Said hearing shall be held on Tuesday, October 29, 2019 at 7:10 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district extension hearing is concluded.

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

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

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

2019-246) Authorize Town Clerk to publish legal notice of public hearing on proposed sewer rents for Operation and Maintenance costs for Sewer District Number 1. Said hearing shall be held on Tuesday, October 29, 2019 at 7:20 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district hearing is concluded.

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

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

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

2019-247) Authorize Town Clerk to publish legal notice of public hearing on proposed sewer rents for Operation and Maintenance costs for Sewer District Number 2. Said hearing shall be held on Tuesday, October 29, 2019 at 7:20 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district hearing is concluded.

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

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

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

2019-248) Authorize Town Clerk to publish legal notice of public hearing on proposed sewer rents for Operation and Maintenance costs for Sewer District Number 4. Said hearing shall be held on Tuesday, October 29, 2019 at 7:20 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district hearing is concluded.

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

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

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

2019-249) Authorize Town Clerk to publish legal notice of public hearing on proposed sewer rents for Operation and Maintenance costs and the assessment rolls of the capital charges for Sewer District Number 5. Said hearing shall be held on Tuesday, October 29, 2019 at 7:20 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district hearing is concluded.

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

S. Harris made a motion to adopt the following resolution, as amended, seconded by C. Kenney:

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

2019-250) Authorize Town Clerk to publish legal notice of public hearing on proposed sewer rents for Operation and Maintenance costs for Sewer District Number 6. Said hearing shall be held on Tuesday, October 29, 2019 at 7:20 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district hearing is concluded.

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

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

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

2019-251) Authorize Town Clerk to publish legal notice of public hearing on proposed sewer rents for Operation and Maintenance costs for Sewer District Number 7. Said hearing shall be held on Tuesday, October 29, 2019 at 7:20 p.m. at

the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district hearing is concluded.

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

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

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

2019-252) Authorize Town Clerk to publish legal notice of public hearing on proposed sewer rents for Operation and Maintenance costs and the assessment rolls of the capital charges for Sewer District Number 8. Said hearing shall be held on Tuesday, October 29, 2019 at 7:20 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above water district hearing is concluded.

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

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

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

2019-253) Authorize Town Clerk to publish legal notice of hearing to seek public input relative to the 2020 Preliminary Budget and proposed fees for 2020 to be held on Tuesday, October 29, 2019 at 7:30 p.m. at the Schodack Town Hall, 265 Schuurman Road or as soon thereafter as the above sewer district hearing is concluded.

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

2019-254) Approve the following applications under Town Code § 147-5 and authorize the Town Clerk to issue the trailer renewals:

<u>Owner</u>	<u>Location</u>	<u>No. of Units</u>
Tobin, Edwin	777 Western Rd.	1

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

2019-255) Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #19-1348 to 19-1525 on Abstract No. 2019-09, in the amount of \$576,285.56, including the claims paid (\$333,241.02) since the previous town board meeting.

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

2019-256) Authorize the August 2019 budget modifications, interfund loans and interfund transfers as provided in document dated September 2019 and recommended by the Comptroller.

BUDGET MODIFICATIONS

August 2019

BUDGET MODIFICATIONS

	Fund/ Department #	Fund / Department Name	Increase	Decrease
2019				
58	A-960-1620.2000	Buildings - Equipment	19,867.00	
	A-960-1990.4000	Contingency - Contractual		19,867.00
	To modify the budget for purchase of Town Hall new phone system			
59	A-960-3120.1010	Police Grant - Rens Co DWI - General	754.92	
	A-509-2260.9999	Police Safety Services - Other Gov'ts	754.92	
	To modify the budget for DWI Crack Down grant awards			
60	A-960-3120.1012	Police Grant - PTS	1,326.11	
	A-509-4320.9999	Federal Aid Public Safety	1,326.11	
	To modify the budget for PTS grant awards			
61	DB-960-5110.1350	Genl Road Repair - DB work for W/S	195.52	
	DB-960-5110.1351	Genl Road Repair - DB W/S work OT	54.99	
	DB-960-5110.1000	Genl Road Repair - Personal Svcs		250.51
	To modify the budget to cover employee time spent on Estate Dr. Water Break			

62	DB-960-5130.1100	Machinery - Overtime	193.80	
	DB-960-5130.1400	Machinery - Police Work	180.88	
	DB-960-5130.1000	Machinery - Personal Services		374.68
	To modify the budget to cover employee work on department vehicles & OT			
63	DB-960-5140.1600	Brush & Weeds - Town Hall Work	863.84	
	DB-960-5140.1000	Brush & Weeds - Personal Services		863.84
	To modify the budget to cover employee work on Town Hall sidewalk repairs			

BUDGET MODIFICATIONS

Fund/				
	Department #	Fund / Department Name	Increase	Decrease
2019				
64	SS2-960-8130.2000	Castleridge-Sewage - Equipment	17,785.00	
	SS2-960-8130.4000	Castleridge-Sewage - Contractual	2,810.00	
	SS2-509-9999.9999	Castleridge - Fund Balance	20,595.00	
	To modify the budget to cover new generator and generator rental			
65	SS6-960-8130.1008	Personal Services - Dunkin Donuts	64.82	
	SS6-960-8130.1108	Overtime - Dunkin Donuts	-	
	SS6-960-8130.4008	Contractual - Dunkin Donuts	961.00	
	SS6-960-9030.8008	Social Security - Dunkin Donuts	4.96	
	SS6-960-9060.8008	Medical Benefits - Dunkin Donuts	13.40	
	SS6-509-5031.9999	Exit 10 Sewer - Sewer Charges	1,044.18	
	To modify the budget for reimbursement of Dunkin Donut expendiutres			
66	SW1-960-8310.4000	Clearview Water Admin - Contractual	105.42	
	SW1-960-1990.4000	Clearview Water - Contingency		79.75
	SW1-960-9040.8000	Clearview Water - Worker Comp		25.67
	To modify budget to cover overages due to Augusta Dr. Water break			

INTERFUND TRANSFERS August 2019

INTERFUND TRANSFERS				
	Fund/			
	Department #	Fund / Department Name	Increase	Decrease
2019				
66	SWC1-884-9999.9999	Consolidated Water- Reserve for Debt	3,974.42	

SWC1-915-9999.9999 Consolidate Water - Fund Balance
To reclassify OOD users capital funds for 2019 SWC1 Capital costs
paid be SWC1 to EW from reserve to Fund Balance

3,974.42

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

Public Comment

J. Williams expressed her concern for the scheduled blasting at the Amazon site. She felt there should have been more oversight by the Town Board, Planning Board and Blasting Company regarding regulations. She noted a resident had been notified of the blast and alerted a town official to the potential issues. She was appalled that it took a call from a resident to get the town to take notice of county laws. She asked what precautions, including weekly meetings, were in place if the blasting was to occur. She wanted to ensure that all town, county and state codes were being followed, that all residents were aware of activities and were notified in a timely manner. She noted that Local Law #2, section 4A of the Rensselaer County Code stated that notification must be sent by certified mail forty-five days in advance or prior to a pre-blast meeting to all residents within one mile radius of the site and pre-blast water samples must be taken from all wells of those affected. She said a request was made by residents to hold a meeting at a more convenient time so they can be informed and have their concerns heard. She asked the board to do their best to rectify the situation and in the event any damage is caused by the blast, that those residents are compensated appropriately. Atty. Langlois assured Ms. Williams that he was acting as a liaison to keep the lines of communication open between the Planning and Town Board. She asked if Atty. Langlois was well versed in County Code. He admitted he was not versed in all law; however, an email had been sent to Scannell and Maine Drilling to ensure that the issue is addressed and a pre-blast meeting had been scheduled. Ms. Williams recommended an expert be hired who was familiar with this portion of code as there were still too many questions left unanswered.

M. Brunner said without an EIS, the residents have experienced issues such as flooding and dust. She stated that some residents had received a letter on September 9th regarding blasting which was scheduled for September 12th but it wasn't until after an email had been sent to N. Fuda regarding town code that all others were notified. She noted that she had asked on several occasions when Ms. Fuda would be attending a meeting to give a progress report for the updating of the town zoning laws and said this still had not taken place. She scolded the Supervisor and a Town Board member for previous positions taken by them during prior elections.

A resident of Route 9 said she lived within 250 feet of the blasting site and was concerned that a thorough pre-blast survey had not been conducted. She added that another resident was concerned about a crack in their foundation which may get worse after the blast. She also said the original plans included National Grid bringing natural gas lines to the site from the north but have decided to run them from the south which would cut across her property.

K. Stokem said he was concerned that other large projects would be coming into Schodack and with the potential for other litigation, he asked that full EIS be conducted. He

mentioned that the Town Board could be named as lead agency for these projects to ensure that this is done. He noted that the Planning Board rarely, if ever, requires a full EIS. He said he felt that the Planning and Town Board were working against the residents of the town and not in their best interest. He added that when the comprehensive plan was established, an evaluation was to be conducted every five years which has yet to be done.

R. Giordano said if the Planning Board had followed their guidelines from 1994 when they added light commercial for the Route 9 corridor, a proposed sales distribution center would have been looked at properly. He added that he was concerned about the speed limit on Route 9 which changes from 45 mph to 55 mph just before Richwood Drive. He said cars were going too fast and with the added traffic that the Amazon project will bring, there should be a decrease to 45 mph for the entire stretch.

R. Jansing stated that the noise from the Amazon site was continuing to disrupt him and any guests that he has tried to entertain. He said he had contacted Ms. Fuda who advised him to close his windows during hours of operation and she stated that the project would be completed in November of 2020. He said he was also concerned about the blasting. He explained the residents had only been notified on September 4th and asked who in the town knew about it.

A. Cash said trucks are constantly parking illegally on the side of Route 9 and block Kingman and Woodward Road. She said nothing is ever done to stop them and was concerned that the trucks from Amazon would do the same. She felt the project was not being overseen properly and recommended hiring professionals to ensure that it was. She added that Ms. Fuda's attitude needed to be addressed.

M. Sherwood said she has been coming to the meetings for many years and missed having Ray Lemka as the voice of reason. She asked who enforces the regulations set by Rensselaer County.

A resident asked how they would be notified if the pre-blast meeting was cancelled. Atty. Langlois said a notice would be posted on the town website, town Facebook page and at the town hall.

A representative from TJA said he had been told to be at the meeting for his presentation on the proposed solar farm. He asked the board if they would like him to present tonight or wait until the public hearing. It was the consensus of the board to have him present on October 10, 2019 at the public hearing.

Executive Session

C. Swartz made a motion at 8:46 p.m. to enter into an Executive Session of the board to discuss matters pertaining to contract negotiations. Seconded by C. Bult.

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

C. Kenney made a motion at 9:37 p.m. to adjourn the executive session. Seconded by C.

Swartz.

5 Ayes 0 Noes. **MOTION CARRIED.** Ayes – J. Bult, M. Kenney, 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 09/12/19 Town Board meeting at 9:37 p.m., seconded by S. Harris. Meeting adjourned.

Respectfully Submitted,

Debra L. Curtis
Schodack Town Clerk

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