

**DATE:** APRIL 9, 2020

**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:**

**OTHERS PRESENT:** DAWNE KELLY, ASSISTANT TO THE SUPERVISOR

---

Supervisor Harris called the April 9, 2020 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.

S. Harris shared a message he had drafted to residents regarding the Coronavirus (COVID-19). He noted the Town would continue to follow the guideline of the Rensselaer County Health Department and asked that all residents maintain social distancing. He added that more testing was being conducted; however, the best way to combat the virus was to stay home. He commended Town staff for their hard work and continued service to the community.

**Public Hearing**  
**Consolidation of Sewer Districts No. 1, 2, 4 and 7**

C. Swartz made a motion to open the public hearing for the proposed Consolidation of Sewer Districts No. 1, 2, 4 and 7 at 7:06 p.m. The motion was seconded by S. Harris.

The Town Clerk summarized the Affidavit of Publication seeking public comment to consider the consolidation of the four Town of Schodack Sewer Districts, to wit: Town of Schodack Sewer District No. 1 – Castleton Sewer District and its one extension; Sewer District No. 2 – Castleridge Sewer District; Sewer District No. 4 – Brickyard Sewer District; and Sewer District No. 7 – Hamilton Printing Sewer District, the map, plan and report and to hear all persons interested in the subject thereof as is required or authorized by law. The legal notice was posted on the Town Clerk's signboard and the Town's website on March 24, 2020 as well as published in *The Record* on March 25, 2020.

S. Harris asked Atty. Ryan to lead the public hearing. Atty. Ryan stated, under Article 17A of the General Municipal Law of the State of New York, a municipality could choose to

consolidate separate sewer districts into one larger district for the benefit of all who reside within the larger district. He noted the debt, when occurred, would be distributed between the 182 taxable parcels within the district. The capital charges would be based on a flat fee of \$100.00 with any additional fees being based upon the assessed property value for each parcel. The operations and maintenance charges would be based on the number of Equivalent Dwelling Units (EDUs) per parcel which would be divided by the total number of EDUs in the Consolidated District. This same schedule would apply in the event of any repairs needed. Atty. Ryan said, by consolidating the four districts, the process for billing the parcels would be more cost effective and less time consuming for the town. Once approved, the consolidation would go into effect on June 1, 2020. He added that the consolidation would be filed with the Rensselaer County Clerk and the Office of the State Comptroller as required by law.

**Board Comment:** None.

**Public Comment:** S. Harris asked the Town Clerk if any public comment had been received via email for the public hearing. The Town Clerk stated that all comments were asked to be submitted by 6:30 p.m. for the public hearing but as of 6:45 p.m., no comments had been received.

Hearing no public comments, a motion was made by C. Bult and seconded C. Rex to close the public hearing at 7:11 p.m.

### **Adoption of Resolutions**

The following resolutions were adopted out of sequence.

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

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:**

**2020-142) WHEREAS**, a map, plan and report have been prepared in such manner and in such detail as has heretofore been determined by the Town Board of the Town of Schodack relating to the consolidation of the Town of Schodack's four sewer districts, to wit: Sewer District No. 1 – Castleton Sewer District and its one extension; Sewer District No. 2 – Castleridge Sewer District; Sewer District No. 4- Brickyard Sewer District; and Sewer District No. 7 – Hamilton Printing Sewer District, in the Town of Schodack, County of Rensselaer, State of New York; and

**WHEREAS**, such map, plan and report was prepared by Laberge Group, competent engineers, duly licensed by the State of New York, showing the boundaries of the proposed Town of Schodack Consolidated Sewer District No. 1, the general plan of the Town of Schodack Consolidated Sewer District No. 1, and the various expenses to be charged for real property located within the consolidated sewer district; and

**WHEREAS**, the consolidation of the Town of Schodack Sewer Districts requires compliance with the provisions of the Environmental Conservation Law of the State of New York and regulations of the Department of Environmental Conservation, Part 617, State Environmental Quality Review Act and the Town of Schodack has previously established that the Town Board act as lead agency for the review of plans and environmental impact, if any, of the proposed consolidation of the Town of Schodack's four sewer districts.

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

1. The Town Board of the Town of Schodack as lead agency has determined that the establishment of the Town of Schodack Consolidated Sewer District No. 1 as described in the map, plan and report prepared by Laberge Group, is an Unlisted Action and that establishment of the proposed Town of Schodack Consolidated Sewer District No. 1 will not result in any significant adverse environmental impacts, and that the Supervisor of the Town of Schodack be authorized to execute the Short Environmental Assessment Form with respect to the determination that the establishment of the Town of Schodack Consolidated Sewer District No. 1 is an Unlisted Action and that the establishment of the Town of Schodack Consolidated Sewer District No. 1 will not result in any significant adverse environmental impacts;
2. Based on its examination of the EAF, the criteria set forth in Sections 617.6 and 617.7 of the regulations, and such further investigation as the town board has deemed appropriate, no potential significant adverse environmental impacts are known;
3. Consent to proceed with the consolidation of the Town of Schodack Consolidated Sewer District No. 1 will not cause a significant impact on the environment, and the town board will not require the preparation of an environmental impact statement;
4. A negative declaration is to be signed by the supervisor;
5. The Town Clerk of the Town of Schodack is hereby directed to cause to be filed and circulated the negative declaration in accordance with the requirements of SEQRA, a copy of the negative declaration shall be maintained in the Office of the Town Clerk in a file that will be readily accessible to the public, and the clerk shall mail copies, return receipt requested, to:

Office of the Commissioner  
Department of Environmental Conservation

625 Broadway  
Albany, New York 12233  
and Environmental Notice Bulletin  
NYSDEC – Attn: Jack Nasca  
625 Broadway, 4th Floor  
Albany, New York 12233-1750

6. All subsequent notices concerning this project shall state that a negative declaration pursuant to SEQRA has been issued.

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 S. Harris:

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

**2020-143) WHEREAS**, there exist within the Town of Schodack four sewer districts, to wit: Sewer District No. 1 – Castleton Sewer District and its one extension; Sewer District No. 2- Castleridge Sewer District; Sewer District No. 4 – Brickyard Sewer District; and Sewer District No. 7 – Hamilton Printing Sewer District; and,

**WHEREAS**, the aforesaid sewer districts and one extension have been created for similar purposes; and,

**WHEREAS**, the Town Board did on the 12th day of March, 2020 adopt a Resolution and Order, to give notice of a Public Hearing pursuant to the provisions of Article 17A of the General Municipal Law of the State of New York to be held at the Schodack Town Hall on the 9th day of April, 2020 at 7:05 p.m. for the purpose of hearing all persons upon the question of consolidating the Town of Schodack Sewer Districts, to wit: Sewer District No. 1 – Castleton Sewer District and its one extension; Sewer District No. 2 – Castleridge Sewer District; Sewer District No. 4 – Brickyard Sewer District; and Sewer District No. 7 – Hamilton Printing Sewer District into a single consolidated sewer district; and,

**WHEREAS**, the Town Board wishes to plan for the future needs of the Town and its residents and businesses; and to consolidate services, reducing the amount of administrative services and costs within the sewer districts; to increase the financial base of the sewer districts in order to obtain a reduction in interest rates on any anticipated borrowing, to distribute costs more evenly and permitting establishment of fair and reasonable rates for services as follows: the payment of a \$100.00 flat fee with any remaining debt service to be paid based upon the assessed value of the particular parcel for capital charges; the costs for operation and maintenance on an equivalent dwelling unit basis to be determined on a proportional basis resulting from the fraction derived from the number of the equivalent dwelling units per property within the consolidated sewer district as the numerator to the total number of equivalent dwelling units in the consolidated sewer district as the denominator; and the costs for repairs and replacements within the consolidated sewer district to be paid by the consolidated sewer district on a proportional basis resulting from the fraction derived from the number of the equivalent dwelling units per property within the consolidated sewer district as the numerator to the total number of the equivalent dwelling units in the consolidated sewer district as the denominator; and,

**WHEREAS**, the Town Board and Town Clerk have caused, as required by law, to be posted and published, the Notice of Public Hearing pursuant to the provisions of the aforesaid Article 17A of the General Municipal Law; and,

**WHEREAS**, the Town Board conducted the Public Hearing on the 9th day of April, 2020 to consider the consolidation of the stated sewer districts into a single consolidated sewer district at which time all persons interested in the same were afforded ample opportunity to be heard and speak in support of or in opposition to the proposed consolidation; and

**WHEREAS**, the Town Board has carefully reviewed the issues associated with the consolidation of the aforesaid sewer districts.

**NOW, THEREFORE**, it is hereby resolved that this Town Board acting pursuant to the provisions of Section 754 of the General Municipal Law of the State of New York does hereby consolidate Town of Schodack Sewer Districts, to wit: Sewer District No. 1 – Castleton Sewer District and its one extension; Sewer District No. 2 – Castleridge Sewer District; Sewer District No. 4 – Brickyard Sewer District; and Sewer District No. 7 – Hamilton Printing Sewer District into a single consolidated sewer district, said consolidation to be effective June 1, 2020 and on such consolidation does hereby further determine as follows:

1. This Resolution is adopted pursuant to the provisions of Article 17A of the General Municipal Law of the State of New York.
2. That all steps required by the provisions of Article 17A of the General Municipal Law have been carried out in relation to this project.

3. That it is in the public interest to consolidate the aforesaid stated sewer districts as set forth herein and as set forth in the Joint Consolidation Agreement executed by the Town of Schodack and each of the existing districts.
4. All property and assets of the aforesaid sewer districts shall become the property and assets of the new consolidated sewer district.
5. All property of the existing sewer districts shall become the property of the consolidated sewer district, and the consolidated sewer district shall assume and pay for the indebtedness, if any, of each of the existing sewer districts as if such indebtedness had been incurred subsequent to the consolidation, as provided by law.
6. All expenses of operation and maintenance and for repairs and replacement of equipment within the consolidated district shall be distributed among the consolidated district as set forth within this resolution.
7. All expenses for capital charges arising from any future indebtedness shall be paid as set forth within this resolution.
8. The consolidated sewer district shall be known as the Town of Schodack Consolidated Sewer District No. 1.
9. The Joint Consolidation Agreement executed between the Town of Schodack and each aforesaid sewer district is approved, and the town Supervisor is authorized to execute the same.
10. The Town Clerk is hereby directed within ten (10) days after the adoption of this Resolution to cause a certified copy of this final resolution to be filed in the Rensselaer County Clerk's Office and in the office of the New York State Comptroller at Albany, New York.
11. The Town of Schodack Consolidated Sewer District boundaries are as set forth in Schedule A annexed hereto.

SCHEDULE "A"

**TOWN OF SCHODACK, COUNTY OF RENSSELAER, STATE OF NEW YORK  
SUGGESTED DESCRIPTION  
CASTLETON CONSOLIDATED SEWER DISTRICT**

**ALL** those parcels of land situated in the Town of Schodack, County of Rensselaer, State of New York, more particularly described as follows:

**AREA 1**

Generally east of NYS Route 9J, north of Brickyard Road, south of the boundary between the Village of Castleton; being specifically tax parcels 198.19-8-5; 198.19-8-6.

**AREA 2**

Generally west of NYS Route 9J, south of the Moordener Kill, east of the Hudson River; being specifically tax parcel 198-4-1.11.

**AREA 3**

Generally south of Maple Hill Road, west of South Schodack Road; being specifically tax parcel 209-2-12.

**AREA 4**

Bounded on the west and north by the Village of Castleton; on the east by National Grid (tax parcel 199-7-18); on the south by the southern boundaries of tax parcels 199.17-1-18, 198-2-3.1, and 198-2-3.2; specifically excluding any portion of tax parcels 199-7-18, 199-7-17, 199-7-23.1, and 199-7-25 that is within the boundary described above.

This description was generated on 8/8/2019, based on the tax assessment maps as they existed on August 8, 2019 by Raymond C. Smith Jr, LLS.

J:\20181115\Survey Folders\Legal Descriptions\Castleton Consolidated Sewer District.docx

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

**Public Hearing  
Community Development Block Grant Application**

S. Harris called the public hearing on an application for the Community Development Block Grant (CDBG) to order at 7:13 p.m.

The Town Clerk summarized the Affidavit of Publication to provide an opportunity for the Town to:

- a. Provide the citizens of the Town with adequate information concerning the amount of funds available for proposed community development activities, the range of activities that may be undertaken and other important program requirements.
- b. Provide citizens adequate opportunity to participate in the development of the application, any revisions, changes or amendments to the application, prior to the submittal.

The legal notice was posted on the Town Clerk's signboard and the Town's website on March 27, 2020 as well as published in *The Record* on March 30, 2020.

S. Harris welcomed Nicole Allen from the Laberge Group who joined the meeting via Zoom and asked her to lead the public hearing. Ms. Allen explained, the New York State Community Block grant was a federally funded program which allowed counties and communities to make improvements to public infrastructure, public facilities, microenterprise, community planning and housing. The grant funding would be based on the income within the community, focusing primarily on low and moderate incomes. Ms. Allen noted, by holding the first of two public hearings, the town would be eligible to apply for such grants in the future.

**Board Comment:** None.

**Public Comment:** S. Harris asked the Town Clerk if any comments had been received via email regarding the public hearing. The Town Clerk stated, as of 7:15 p.m., no public comments had been received.

Upon hearing no public comment, a motion was made by C. Bult and seconded by S. Harris to adjourn the public hearing at 7:18 p.m.

### **Executive Session**

C. Swartz made a motion at 7:19 p.m. to enter into an executive session of the Board to discuss personnel matters pursuant to public officers law §105(f). Seconded by C. Rex.

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 7:56 p.m. to adjourn the executive session. Seconded by C. Bult.

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

### **Review of Resolutions**

S. Harris briefly summarized the resolutions. With regard to resolutions 2020-147 and 2020-148, S. Harris explained it was the consensus of the board to appoint John Hourigan as Chief of Police for the town. He noted an addition was made to the resolutions to include 2020-154 which would compensate Laura Palmer for additional hours worked in the Comptroller's Office. The resolution was read into the record. All other resolutions were self-explanatory.

### **Board Comment**

**Resolution 2020-138A:** C. Bult wished to clarify that the agreement was solely for the bulk purchase of water and would have no impact on the residents within the Village of Castleton. S. Harris said yes.

**Resolution 2020-140:** C. Kenney and C. Swartz asked what items were currently being allowed for drop off at the Transfer Station during the COVID-19 pandemic. S. Harris said only household garbage and recycling.

**Resolution 2020-141:** C. Rex asked if a clause could be added to the agreement to ensure the town would obtain a full refund if the pool could not be used due to social distancing guidelines. C. Swartz noticed the payment was not due until June and asked if it was essential to approve now. D. Kelly noted all agreements were moving forward regarding the Schodack Day Camp. No notification had been received from Rensselaer County Health Department stating the camp would not proceed as scheduled. She said they would wait till May if the board so desired. C. Bult asked if the resolution should be amended to authorize the Supervisor to sign the contract and not Sheila Golden, Director of Youth and Recreation. Atty. Langlois said that was a typo and agreed with the change. The resolution was amended based on the approval of all board members.

**Resolution 2020-146:** Atty. Langlois explained, in 1995, the town acquired the property for the Schodack Town Park. This acquisition included an easement for the property located across the road from the park to draw water from the wells located on town property. There was no formal agreement signed; however, the senior housing facility, which was built on the property, was seeking to refinance and the bank, Freddy Mac, was requiring such an agreement before loan approval. This would ensure the town would not be able to shut off the water supply to the facility. He noted an agreement had been created with language stating the facility would connect to a public water system if it became available and felt there was no legal issue for the town.

C. Bult referred to an email he had received from Rensselaer County asking to borrow the machine used for SCBA mask fit testing for first responders. The town owns the unit which is housed at the South Schodack Fire House. The machine would be needed for approximately two weeks to test N95 masks. His only concern was that the machine could be returned contaminated and recommended documentation be supplied by the County stating the unit had been decontaminated. He noted all fire departments in Schodack had completed their required testing and would have no need for the machine at that time. S. Harris said he would speak to Jay Wilson at Rensselaer County regarding the shared service.

**Public Comment:** None.

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

**Review of Abstracts of Claims and Budget Amendments:** The Board reviewed claims #20-0423 to #20-0558 on Abstract No. 2020-04 in the amount of \$479,857.20, including the claims paid prior (\$360,228.10).

### **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 C. Bult:

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

**2020-138A) WHEREAS**, the Town of Schodack and the Village of Castleton entered into an Intermunicipal agreement dated November 21, 2013 for the Village's water system to interconnect with the Town's water system, allowing the Village to purchase water from the Town, and

**WHEREAS**, section VI(i) of said agreement allows for an annual increase in the rate charged to the Village in correlation to the consumer price index average published in January each year, and

**WHEREAS**, the consumer price index average published in January 2020 was 1.81% and the current rate charged to the Village is \$4.30 per 1,000 gallons of water,

**NOW THEREFORE IT BE RESOLVED**, that effective January 1, 2020 the rate charged to the Village of Castleton for the purchase of water shall be \$4.38 per 1,000 gallons.

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:**

**2020-139)** Appoint Michael Canestro and Steven Kelly as Summer Grounds persons, under the direction of Kenneth Holmes, Highway Superintendent, at an hourly rate set forth in the 2020 annual budget.

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. Swartz:

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

**2020-140)** Adopt the fee schedule for Spring Clean-Up Days (May 14, 15 & 16) at the Transfer Station as follows:

Refrigerators, freezers, air conditioners & dehumidifiers	\$ 8.00
Tires, rimless (maximum size 16")	\$ 2.00
Rimmed tires	\$ 6.00
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.

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:**

**2020-141)** **WHEREAS**, Sheila Golden, Director of Youth and Recreation, has recommended that the Summer Swim Program take place at the Sidney Albert Albany Jewish Community Center (SAAJCC) in Albany and stated the advantages of using this pool facility,

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board approves the use of the pool at the Sidney Albert Albany Jewish Community Center (SAAJCC) for the summer camp program, subject to review as to form by the Attorney to the Town, and

**BE IT FURTHER RESOLVED** to authorize Supervisor Harris ~~Sheila Golden, Director of Youth and Recreation~~, to execute a contract with Sidney Albert Albany Jewish Community Center (SAAJCC) for use of the swimming pool facility for Summer Recreation Program from July 6 to July 31, 2020 for the Schodack Youth and Recreation Department in an amount not to exceed \$4,950.00. A deposit of \$1,950.00 shall be payable by June 3, 2020 and the remaining \$3,000.00 shall be paid by July 1, 2020. Subject to approval by Town Attorney as to form.

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

**2020-142)** **Previously adopted. See pg. 88.**

**2020-143)** **Previously adopted. See pg. 90.**

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:**

- 2020-144)** 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>
Creekside Park c/o DCJ Enterprises, LLC	5-77 Creekside Circle	5
Rensselaer Estates c/o DCJ Enterprises, LLC	23-65 Teddie Blvd.	53
Bunker Hill Farms, LLC c/o Margaret Hutchinson	117 Bunker Hill Rd.	1
Sundowner Trailer Park c/o Hanson, Thomas & Debra	4-18 Amelia Way	6
Windy Hill c/o Todd & Scott Seeberger	1297 Brookview Rd.	5
Washburn, David &Francesca LaRosa	65 Washington Ave.	1
Heffner, Matthew 5 Ayes 0 Noes.	217 Clove Rd.	1

**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:**

- 2020-145)** Authorize Supervisor Harris to execute and administer Proposal dated February 28, 2020 from Creighton Manning for Supplemental Utility Hanger Design for Van Hoesen Road over Amtrak Bridge at a cost not to exceed \$5,800.00.
- 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. Rex:

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

- 2020-146)** Authorize Supervisor Harris to execute and administer First amendment to Easement by and between Town of Schodack and Schodack Senior Housing LLC subject to attorney approval as to form.

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:**

**2020-147)** Appoint John Hourigan as Chief of the Schodack Police Department effective April 10, 2020 at an annual salary as set forth in resolution 2019-336.

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. Bult:

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

**2020-148)** Authorize Supervisor Harris to submit a 211 Waiver Application for Police Chief John Hourigan to the New York State Civil Service Commission for approval.

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:**

**2020-149)** Amend resolution 2019-281 as adopted on October 29, 2019 to include a 7<sup>th</sup> paragraph as follows:

WHEREAS, the Town Board of the Town of Schodack, Rensselaer County has completed its review of the water rates for Consolidated Water District No. 101, and

WHEREAS, the Town Board caused due notice of the public hearing to consider proposed water rates to be published according to law, and

WHEREAS, the Town Board did meet at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York on the 29<sup>th</sup> day of October 2019, said hearing being duly convened at the time and place specified in said notice, and

WHEREAS, the Town Board considered public comment on said proposed water rates,

NOW, THEREFORE, BE IT RESOLVED that commencing with the first quarter 2020 billing period for water rates for Water District No. 101 for 384 existing

users shall be \$45.00 for the first 18,000 gallons and \$3.00 for each additional 1,000 gallons or portion thereof,

FURTHER RESOLVE that commencing with the first quarter 2020 billing period water rates for residential out of district users for Water District No. 101 for 6 existing users shall be \$140.00 for the first 18,000 gallons and \$3.00 for each additional 1,000 gallons or portion thereof.

FURTHER RESOLVE that commencing with the second quarter 2020 billing period water rates for commercial out of district users for Water District No. 101 shall be invoiced quarterly at a rate to include, in addition to the current district user rate of \$45.00 for the first 18,000 gallons per EDU of metered water and \$3.00/ 1000 gallons thereafter, a capital component measured by equivalent dwelling units in accordance with resolution 19-269 to be updated annually by resolution.

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:**

**2020-150)** Amend resolution 2019-286 as adopted on October 29, 2019 to include a 6<sup>th</sup> paragraph as follows:

WHEREAS, a resolution was duly adopted by the Town Board of the Town of Schodack to schedule a public hearing to be held on October 29, 2019 to consider proposed sewer rents for Sewer District No. 6 (Exit 10) and

WHEREAS, due notice of the public hearing was published according to law, and

WHEREAS, the Town Board did meet at the Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York, on the 29<sup>th</sup> day of October 2019, said hearing being duly convened at the time and place specified in said notice, and

WHEREAS, the Town Board considered public comment on said proposed sewer rates,

NOW, THEREFORE, BE IT RESOLVED that commencing with the first quarter 2020 billing period for the sewer rents for Sewer District No. 6 (Exit 10) for 69 users shall be \$7.50 per thousand based on water meter.

FURTHER RESOLVE that commencing with the second quarter 2020 billing period sewer rates for out of district users for Sewer District No.6 shall be invoiced quarterly at a rate of \$7.50/1000 gallons of metered water. This district currently does not maintain debt service therefore, at this time, no additional capital charges apply. Should the District acquire debt service in the future, in addition to the current out of district user rate of \$7.50/1000 gallons of metered water, a capital component measured by equivalent dwelling units in accordance with resolution 19-117 and 19-269 to be updated annually by resolution will be added.

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. Kenney:

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

**2020-151)** Authorize the collection of, upon application for service connection, in addition to the current water and sewer connection fees per Section 174, Sewer Regulation, Attachment 1 and Section 175, Water Regulations, Attachment 1, a Future Water District Extension Fee and/or a Future Sewer District Extension Fee from those properties installing a curb stop or with an existing curb stop, that are not within the boundaries of the water and/or sewer District providing service, in the amount of \$1,000.00 per service connection.

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 S. Harris:

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

**2020-152)** Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #20-0423 to 20-0558 on Abstract No. 2020-04, in the amount of \$479,857.20, including the claims paid (\$360,228.10) 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 S. Harris:

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

**2020-153)** Authorize the March 2020 budget modifications, interfund loans and interfund transfers as provided in document dated April 2020 and recommended by the Comptroller.

Amended 05/14/20 by 2020-156

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:**

**2020-154)** Amend resolutions: 2019-021 appointing Laura Palmer as Assistant Comptroller on a part-time basis at the hourly rate set forth in resolution 2019-07 and 2020-023 appointing Laura Palmer as Assistant Comptroller on a part-time basis at the hourly rate set forth in resolution 2019-336 to the extent of an hourly rates of \$45.28 per hour for 142 hours worked between November 1 and December 31, 2019 and \$46.18 per hour for 361 hours worked between January 1 and April 10, 2020 in an amount not to exceed \$6,233.30.

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. Kenney made a motion to adjourn the 4/9/20 Town Board meeting at 8:15 p.m., seconded by C. Swartz. Meeting adjourned.

Respectfully Submitted,

Debra L. Curtis  
Schodack Town Clerk