

DATE: JUNE 11, 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: WILLIAM RYAN, ESQ. SPECIAL DISTRICT COUNSEL
DAWNE KELLY, ASSISTANT TO THE SUPERVISOR

Supervisor Harris called the June 11, 2020 Town Meeting to order at 7:01 p.m. with the Pledge of Allegiance and dispensed with roll call. All present as noted above.

Briefing of Resolution Agenda

S. Harris gave a brief review of the resolutions. He noted resolutions 2020-177 to 2020-180 would be addressed by Atty. Ryan due to their relation to water and sewer districts within the town. For resolution 2020-187, the Comptroller had requested to add the Bank of Greene County to establish a financial relationship which would gain access for the town to favorable rates. All other resolutions were self-explanatory.

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

Review of Abstracts of Claims and Budget Amendments: The Board reviewed claims #20-0739 to #20-0884 on Abstract No. 2020-06 in the amount of \$233,672.70, including the claims paid prior (\$142,672.65).

Public Comment

The Town Clerk noted that no public comment was received for any resolutions or other matters related to the agenda.

Public Hearing Sewer District No. 6, Ext. No. 6

C. Bult made a motion to open the public hearing for the proposed extension of Sewer District No. 6, Sanitary Sewer Extension No. 6 at 7:05 p.m. The motion was seconded by S. Harris.

The Town Clerk summarized the Affidavit of Publication seeking public comment to consider a petition for an extension of Sewer District No. 6, Sanitary Sewer Extension No. 6, 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 May 29, 2020 as well as published in *The Record* on May 30, 2020.

S. Harris asked Atty. Ryan to lead the public hearing. Atty. Ryan stated the town had received a petition from Curtis Lumber, under article 12 of the town code, regarding an extension of sewer district no. 6. The infrastructure would consist of a sanitary sewage grinder pump and a 225 LF small diameter force main with connection to an existing 1.5-inch diameter force main. The effluent would be sent to the East Greenbush plant. The total capital cost of the project would be \$44,450.00. The operation and maintenance (O&M) costs would total \$1,026.56 annually with a connection fee of \$10,888.00 which would be assessed by the Town of East Greenbush. Atty. Ryan noted the town would incur no expense with this extension.

Hearing no board or public comment, S. Harris made a motion at 7:08 p.m. to close the public hearing. Seconded by C. Rex.

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.

Atty. Ryan stated, based on the Short Environmental Assessment Form, Sewer District #6, Extension #6 would have no significant impact on the environment; therefore, allowing for a negative declaration under SEQRA. He noted the Environmental Impact Statement had been prepared for the Supervisor to sign and would be forwarded to the recipients listed in resolution 2020-177.

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:

2020-177) 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 establishment of Sewer District No. 6, Extension No. 6, in the Town of Schodack, County of Rensselaer, State of New York; and

WHEREAS, such map, plan and report was prepared by Advance Engineering & Surveying, PLLC, competent engineers, duly licensed by the State of New York,

showing the boundaries of the proposed Sewer District No. 6, Extension No. 6, the general plan of Sewer District No. 6, Extension No. 6, and the various expenses to be charged for real property located within the District Extension; and

WHEREAS, the establishment of the Sewer District No. 6, Extension No. 6 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 Sewer District No. 6, Extension No. 6.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

The Town Board of the Town of Schodack as lead agency has determined that the establishment of Sewer District No. 6, Extension No. 6 as described in the map, plan and report prepared by Advanced Engineering & Surveying, PLLC, is an Unlisted Action and that establishment of the proposed Sewer District No. 6, Extension No. 6 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 Sewer District No. 6, Extension No. 6 is an Unlisted Action and that the establishment of the Sewer District No. 6, Extension No. 6 will not result in any significant adverse environmental impacts;

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;

Consent to proceed with the establishment of Sewer District No. 6, Extension No. 6 will not cause a significant impact on the environment, and the town board will not require the preparation of an environmental impact statement;

A negative declaration is to be signed by the supervisor;

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

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. 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:**

2020-178) WHEREAS, a petition, pursuant to Article 12 of the Town Law, relating to the establishment of Sewer District No. 6, Extension No. 6 in the Town of Schodack, County of Rensselaer, State of New York, has heretofore been filed in the Town Clerk's Office; and

WHEREAS, a map, plan and report relating to the establishment of the proposed Sewer District No. 6, Extension No. 6 prepared by Advance Engineering & Surveying, PLLC, competent engineers, duly licensed by the State of New York, in manner and detail as required by Article 12 of the Town Law, 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 May 28, 2020, reciting the filing of the map, 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 for public inspection, and all other matters required by law to be stated; and

WHEREAS, the order set June 11, 2020 at 7:05 p.m. at 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 thereof, and to take such 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 11th day of June, 2020, beginning at 7:05 p.m. and the matter being duly discussed and all interested persons having been duly heard; and

WHEREAS, the Town Board did at that time resolve and determine to conclude and close the public hearing and to render a decision at a meeting of the Town Board conducted on the 11th day of June, 2020 at Schodack Town Hall; and

WHEREAS, the Town Board on June 11, 2020 approved the creation of Sewer District No. 6, Extension No. 6.

NOW, THEREFORE, IT IS RESOLVED AND DETERMINED:

That the petition is signed and acknowledged or proved as required by law and complies with requirements of Town Law Section 191 as to sufficiency of signers and is otherwise sufficient and the notice of public hearing was published and posted as required by law, and it is otherwise sufficient;

- (a) That all property and property owners within the proposed district extension are benefited thereby;
- (b) That all the property and property owners benefited are included within the limits of the proposed district extension;
- (c) That it is in the public interest to establish Sewer District No. 6, Extension No. 6;
- (d) That the first year cost of debt repayment for the typical property is \$0; operation and maintenance expenses for the typical property within the district extension for the first year of operation is One Thousand Twenty Six and 56/100 Dollars (\$1,026.56); and connection fees equal Ten Thousand Eight Hundred Eighty-Eight and 00/100 Dollars (\$10,888.00).; and it is further,

RESOLVED AND DETERMINED, that the establishment of Sewer District No. 6, Extension No. 6, as set forth in the map, plan and report, be approved and that the requested improvements be constructed, and the necessary easements and lands be acquired upon the required funds being made available and provided for, and such district extension shall be known and designated as Sewer District No. 6, Extension No. 6 in the Town of Schodack, and shall be bounded and described as set forth on Schedule "A" attached hereto; and it is further

SCHEDULE "A"

Description

Sewer District #6

Sanitary Sewer Extension No. 6

Lands now or formerly of Parkview at Ticonderoga LLC

All that tract or parcel of land situate, lying in the Town of Schodack, County of Rensselaer, State of New York, (being tax map parcel 189.00-4-1) on the easterly side of Columbia Turnpike (Routes 9 & 20) and being shown on a plan titled "Map of Survey showing Boundary and Topography, prepared for Curtis Lumber Company, Inc." dated December 14, 2011, as prepared by W.J. Rourke, P.L.S. and being more particularly bounded and described as follows:

Beginning at a point in the easterly highway boundary of Columbia Turnpike (Routes 9& 20) at its intersection with the division line between lands now or formerly of Center Square Properties LLC on the north and lands now or formerly of Parkview at Ticonderoga LLC on the south; thence from said point of beginning along said division line North 67°-54'-57" East, 182.87 feet to a point in the division line between lands of the aforementioned Parkview at Ticonderoga LLC on the west and south and lands now or formerly of Schodack Realty Associates LLC on the east and north; thence along said division line South 24°-06'-00" East, 100.06 feet to a point and North 67°-54'-57" East, 562.35 feet to a point in the division line between lands of the aforementioned Parkview at Ticonderoga LLC on the west and north and lands of the People of the State of New York (Interstate Route 90) on the east and south; thence along said division line the following three (3) courses and distances:

- 1) South 02°-27'-14" East, 426.13 feet to a point; thence
- 2) South 03°-49'-49" West, 676.77 feet to a point; thence
- 3) North 88°-41'-10" West, 259.67 feet to a point in the aforementioned easterly highway boundary of Columbia Turnpike (Routes 9 & 20); thence along said easterly highway boundary the following three (3) courses and distances:
 - 1) North 25°-32'-46" West, 348.09 feet to a point; thence
 - 2) North 27°-25'-11" West, 562.32 feet to a point; thence
 - 3) North 21°-02'-24" West, 99.64 feet to the point and place of beginning.

RESOLVED AND DETERMINED, that the Town Clerk of the Town of Schodack shall, within ten (10) days after the adoption of this Resolution, file a certified copy thereof, in the Rensselaer County Clerk's Office and in the office of the state department of audit and control at Albany, New York; and it is further

RESOLVED AND DETERMINED, that the maximum amount to be expended for said improvement and/or acquisition of necessary lands is the sum of Forty-Four Thousand Four Hundred Fifty and 00/100 Dollars (\$44,450.00).

NOW, upon motion of Councilmember Kenney and seconded by Councilmember Rex.

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

Board Comment

Resolution 2020-179 & 2020-180: Atty. Ryan explained that, under Article 12 of town law, a signed petition was received for the creation of Water District #10 (Battisti). The petition contained the required number of signatures, equaling fifty-one percent of the total assessed value of property within the district and had been duly filed in the office of the Town Clerk. He added the district formation was based upon a map, plan and report which was created by the Laberge Group and illustrated three options available to the residents within the district with a maximum cost of \$1,790,000.00. Under the three options, the capital cost could vary from \$1,999.00 annually to \$465.00 based upon the acquisition of grants with an annual operations and maintenance cost of \$231.00. Each individual service would be charged

\$900.00 for the water meter and individual pressure values; however, the town was willing to waive the \$300.00 connection fee for the first 180 days once water service was available. Atty. Ryan said, in order for the town to receive grants for improvements to the water system, the town was required to create the water district and complete an application with the Office of the State Comptroller who would determine what grants the town was eligible for. For resolution 2020-179, Atty. Ryan said, the town was required under SEQRA to inform any neighboring agencies of their intent to be lead agency for the formation of the water district. Those given agencies were listed within the resolution and once approved, he would forward documents requesting their consent. C. Bult said, at the informational meeting for the Battisti Water District, the cost options were explained, and it was the decision of the board that no action would be taken if no grants were received. He asked if the board was obligated, by creating the district, to move forward with improvements. Atty. Ryan said the district could be dissolved after formation but did not recommend doing so. He said the town could opt to do nothing; however, he felt the neighborhood was in dyer straights with the real possibility of the water system failing.

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. 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:

2020-179) WHEREAS, a map, plan and report along with a petition duly signed and acknowledged in accordance with the requirements of Article 12 of the Town Law of the state of New York has been filed with the Town Clerk's Office for the creation of Battisti Water District #10, and;

WHEREAS, the Town Board upon district creation intends to apply for funds and anticipates funds to be awarded through the Community Development Block Grant (CDBG) from the U.S. Department of Housing and Urban Development, as administered by the NYS Office of Community Renewal (OCR) to implement necessary improvements to the Battisti Water District #10 (hereinafter "Battisti Water Improvements") with a Consolidated Funding Application to be submitted at the appropriate time, and;

WHEREAS, the Town Board is required to review the proposed project in accordance with the New York State Environmental Quality Review Act (hereinafter "SEQRA").

NOW, THEREFORE, IT IS:

RESOLVED, that the Town Board declares its intent to serve as Lead Agency for the Town of Schodack Battisti Water Improvements and that the Unlisted Action be coordinated with the Involved Agencies and Interested Agencies pursuant to SEQRA; and, it is further

RESOLVED, the Town Board hereby classifies the Battisti Water Improvements as an Unlisted Action, pursuant to the New York State Environmental Quality Review Act (SEQRA) 6 NYCRR Part 617, and Part 1 and Part 2 of the SEQRA Short Environmental Assessment Form (EAF) have been prepared pursuant to the requirements set forth in SEQRA; and, it is further

RESOLVED, the following potential Involved and Interested Agencies have been identified:

Rensselaer County Highway Department

124 Bloomingrove Drive
Troy, New York 12180

NYS Department of Transportation

Region One,
50 Wolf Road
Albany, New York 12232

NYS Department of Health

1600 7th Avenue
Troy, New York 12180

**New York State Office of Parks,
Recreation and Historic Preservation**

Ruth L. Pierpont, Deputy Commissioner for Historic Preservation
Division for Historic Preservation
Peebles Island Resource Center
PO Box 189
Waterford, New York 12188-0189

NYS Department of Environmental Conservation

Division of Environmental Permits
Mr. Jeffrey Sama, Director
625 Broadway, 4th Floor
Albany, New York 12207

NYS Homes & Community Renewal

Office of Community Renewal
Andrew Griffin, Community Developer
Hampton Plaza
38-40 State Street, 4S
Albany, New York 12207-2804

Delaware Nation

Ms. Deborah Dotson, President
PO Box 825
Anadarko, OK 73005

Delaware Tribe of Indians

Ms. Susan Bachor, Preservation Representative (East Coast)
P.O. Box 64
Pocono Lake, PA 18347

St. Regis Mohawk Tribe

Mr. Darren Bonaparte, Acting Director, THPO
71 Margaret Terrance Memorial Way
Akwasasne, New York 13655

Stockbridge Munsee Community

Ms. Bonney Hartley, THPO
65 1st Street
Troy, New York 12180

and, it is further

RESOLVED, that the Town Board hereby authorizes circulation of the attached Notice to the other Involved and Interested Agencies, indicating the Town Board's intention to serve as Lead Agency, including circulation of a copy of the submitted Part 1 and Part 2 EAF, pursuant to the requirements set forth in SEQRA.

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:**

2020-180) WHEREAS, a map, plan and report have been prepared in such manner and in such detail as is required by Article 12 of the Town Law of the State of New York and a petition pursuant to Article 12 of the Town Law of the State of New York, relating to the establishment of Battisti Water District #10 in the Town of Schodack, County of Rensselaer, State of New York has been filed in the Town Clerk's Office; and

WHEREAS, said map, plan and report was prepared by Laberge Group Ltd., competent engineers, duly licensed by the State of New York, showing the boundaries of the proposed District and the general plan of the proposed District; and

WHEREAS, said map, plan and report shows the location and description of the public works which will be required and the lands or easements to be acquired including but not limited to, the purchase seven 8 inch valves, a maximum of eight 12 inch valves, a maximum of thirteen fire hydrant assemblies, 3,500 linear feet of

8 inch DIP, a maximum of 5000 linear feet of 12 inch DIP, directional drilling, associated construction material and traffic protection; and

WHEREAS, the boundaries of the proposed water district are as described in Schedule "A" annexed hereto; and

Schedule "A"

Town of Schodack Rensselaer County, New York
Water District Boundary Description
Battisti Water District #10

The following is intended to describe the bounds of the proposed water district in the Town of Schodack, Rensselaer County, State of New York. This District is shown on the map entitled "Proposed Battisti Water District #10 Water District Boundary" prepared by Laberge Group, dated January 16, 2019. The parcels referred to in the following description are shown on the Town of Schodack Tax Map 210.01.

Beginning at a point located at the northwest corner of the intersection of Van Hoesen Road and N.Y.S. Route 9 at the southeasterly corner of Parcel 17(A);

Thence proceeding westerly along the northerly bounds of Van Hoesen Road to a point in its intersection with the easterly bounds of Northern Boulevard, said point also being the southwesterly corner of Parcel 33;

Thence southerly across Van Hoesen Road to a point at the intersection with the southerly line of Van Hoesen Road and the northeasterly corner of lot 2;

Thence southerly along the easterly bounds of lot 2 to the southeasterly corner of lot 2;

Thence westerly along the southerly line of lot 2 to the southwesterly corner of lot 2;

Thence northerly along the westerly bounds of lot 2 to a point in the southerly line of Van Hoesen Road, said point being the northwesterly corner of lot 2;

Thence northerly across Van Hoesen Road to a point at the intersection with the northerly line of Van Hoesen Road and the southeasterly corner of lot 34;

Thence westerly along the northerly bounds of Van Hoesen Road to a point in the easterly bounds of Orchard Road, said point also being the southwest corner of Parcel 43;

Thence westerly across Orchard Road to a point at the intersection with the northerly bounds of Van Hoesen Road, said point also being the southeasterly corner of Parcel 44;

Thence westerly along the northerly bounds of Van Hoesen Road to a point at the southwesterly corner of Parcel 44;

Thence northerly along the westerly bounds of Parcels 44, 45, 46, 47, 48, and 49 to a point in the southerly bounds of the westerly terminus of Orchard Road, said point also being the northwesterly corner of Parcel 49;

Thence northerly along the westerly terminus of Orchard Road to a point in the northerly bounds of Orchard road, said point also being the southwesterly corner of Parcel 52;

Thence northerly along the westerly bounds of Parcels 52, 53, and 2 to a point in the northwest corner of Parcel 2;

Thence easterly along the northerly bounds of Parcel 2 to a point in the easterly corner of Parcel 2, said point also being in the northerly terminus of the westerly bounds of a "paper street";

Thence easterly across the northern terminus of said "paper street" to the easterly bounds of said "paper street", said point also being the northwest corner of Parcel 1;

Thence easterly along the northerly bounds and southerly along the easterly bounds of Parcel 1 to a point in the southeast corner of said Parcel 1, said point also being the northwest corner of Parcel 3;

Thence easterly along the northerly bounds of Parcels 3, 4, and 7.1 to a point in the northeasterly corner of Parcel 7.1, said point also being in the northerly bounds of Loretta Lane;

Thence easterly along the northerly bounds of Loretta Lane to a point in the northwesterly corner of Parcel 14;

Thence easterly along the northerly bounds of Parcel 14 to a point in the westerly bounds of N.Y.S. Route 9, said point also being the northeasterly corner of Parcel 14;

Thence southerly along the westerly bounds of N.Y.S. Route 9 to a point in the northerly bounds of Orchard Road, said point also being the southeasterly corner of Parcel 15;

Thence southerly across Orchard road to a point in the southerly bounds of said road, said point also being the northeasterly corner of Parcel 16;

Thence southerly along the westerly bounds of N.Y.S. Route 9 to the point and place of beginning.

All Tax map parcel references are based upon those in use by the Rensselaer County Real Property Tax Service Agency in January, 2019.

WHEREAS, the maximum amount proposed to be expended by creation of the District is One Million Seven Hundred Ninety Thousand and 00/100 Dollars (\$1,790,000); and

WHEREAS, pursuant to Section 209(f) of the Town Law, approval of the New York State Comptroller may be required for establishing this District since debt may be issued or assumed by the town for the subject improvements as hereinafter set forth; and

WHEREAS, said map, plan and report describing said improvements is on file in the Town Clerk's Office for public inspection; and

WHEREAS, the first year cost of the annual debt service to finance the construction of the District improvements for typical properties within the District shall be determined by the ability to obtain grants to assist in decreasing the amount to be financed and the cost of financing; annual debt service will be spread across the properties in the District on a per equivalent dwelling unit basis ranging from a high of One Thousand Nine Hundred Ninety Nine and 00/100 Dollars (\$1,999.00), to One Thousand One Hundred Sixty One and 00/100 Dollars (\$1,161.00), to Eight Hundred and 00/100 (\$800.00), and to a low of Four Hundred Sixty Five and 00/100 Dollars (\$465.00); and

WHEREAS, operation and maintenance costs will equal approximately One Hundred Ten and 00/100 Dollars (\$110.00) per connection for the proposed district plus One Hundred Twenty One and 00/100 Dollars (\$121.00) per connection for the shared cost of water supply or approximately Two Hundred Thirty One and 00/100 Dollars (\$231.00) per connection for the first year of operation for the typical property; and

WHEREAS, water meters and individual pressure reducing valves for each individual service is estimated at Nine Hundred and 00/100 Dollars (\$900.00) per connection, per meter; and

WHEREAS, connection fees shall be waived by the town of Schodack for a period of one hundred eighty days after water service is made available, and if not connected within one hundred eighty days the connection fee to be paid by the property owner shall be Three Hundred and 00/100 Dollars (\$300.00).

NOW, IT IS HEREBY ORDERED, that the Town Board of the Town of Schodack, shall meet and hold a public hearing at the Schodack Town Hall in said Town, on the 9th day of July, 2020 at 7:05 p.m., local time, to consider said map, plan and report and to hear all persons interested in the subject thereof as is required or authorized by law.

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

Prior to voting on resolution 2020-181, S. Harris read the proclamation in its entirety.

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:

2020-181) WHEREAS, it is the sense of the Schodack Town Board to act in accord with its longstanding traditions, honoring the achievement of those who have given so generously to their community, exemplifying the ideals and values cherished by this great Town, and

WHEREAS, on December 7th 2019 a live Evergreen Christmas Tree was transplanted from Castleton Christmas Tree Farm to Town Hall, and

WHEREAS, Dan Hershey of Castleton Christmas Tree Farm donated the Evergreen in memory and to recognize family members that had served the Town of Schodack, and

WHEREAS, Lewis Hudson served as Supervisor from 1944 to 1965, and

WHEREAS, Lewis is notably the longest termed Supervisor to serve the Town of Schodack, and

WHEREAS, Ruth Hudson served as Town Clerk from 1967 to 1973, and

WHEREAS, Lewis and Ruth both worked out of their home prior to Town Hall being erected at 1777 Columbia Turnpike, and

WHEREAS, they were, remarkably, the only married elected couple to serve the Town of Schodack

NOW, THEREFORE, BE IT RESOLVED that the Legislative Body of the Town of Schodack is moved to honor Lewis and Ruth Hudson who gave themselves to this community and distinguished themselves throughout their careers bringing great pride to their family, and be it

FURTHER RESOLVED, that the Legislative Body of the Town of Schodack will pause in its deliberation on the 11th day of June 2020 to acknowledge exception and dedication of this evergreen Christmas tree, donated by Dan Hershey of Castleton Christmas Tree Farm in recognition and memory of Lewis and Ruth Hudson.

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:

2020-182) Authorize the fire departments that service Schodack to color code the caps on all the town owned hydrants to meet ISO specifications. The cost as well as the labor will be borne by the individual departments.

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:

- 2020-183)** Authorize Supervisor Harris to execute and administer an agreement with Nassau Fire Department to install a dry hydrant in a pond located behind the town highway garage.
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:

- 2020-184)** Authorize Town Clerk to publish a legal notice for a public hearing to seek public comment on application submitted by Reliable Properties LLC to operate a clean landfill disposal at 950 NY Route 9 pursuant to §137 of Town Code of the Town of Schodack, the Town Board shall hold said public hearing on June 25, 2020 at 7:10 p.m. at the Town Hall, 265 Schuurman Road.
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:

- 2020-185)** Approve the following applications under Town Code § 147-5 and authorize the Town Clerk to issue the trailer renewals:
- | Owner | Location | No. of Units |
|-------------------------|--------------------|--------------|
| Davis III, John H. | 1516 Rt. 9 | 1 |
| Skarzynski, Jerry & Kim | 402 Waterbury Road | 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. Kenney:

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

- 2020-186)** Authorize Supervisor Harris to execute lease agreement with Pitney Bowes for mail system SendPRO P1000 with 5-pound scale and 100-departmental accounting for a period of 60-months at the monthly rate of \$300.00.
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 S. Harris:

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

- 2020-187)** Amend resolution 2020-05 as adopted January 9, 2020 to add Bank of Greene County as follows: Designate the following banks as depositories for all Town funds for the calendar year 2020: Key Bank, N.A., National Union Bank of Kinderhook, and Pioneer and Bank of Greene County.
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:

- 2020-188)** Authorize the Supervisor Harris to transfer a maximum amount of \$1,097,446.00 from the Key Bank Money Market at 0.08%, to Bank of Greene County Money Market at 0.55% to establish Municipal Finance relationship.
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 S. Harris:

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

- 2020-189)** Amend resolution 2020-058 as adopted January 9, 2020 to increase not to exceed amount as follows: Appoint Girvin & Ferlazzo, P.C. as Labor Counsel to the Town, pursuant to retainer agreement dated January 3, 2020. This authorization shall not exceed ~~\$10,000.00~~ \$30,000.00 without further board approval.
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:

- 2020-190)** Authorize an Inter-Fund Loan in the amount of \$15,000.00 from General Town-wide Fund (A) to Capital Project H047 Battisti Water Extension to cover legal and engineering costs.
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:

2020-191) Authorize the Comptroller's recommendation to direct the Town Supervisor to pay the claims #20-0739 to 20-0884 on Abstract No. 2020-06, in the amount of \$233,672.70, including the claims paid (\$142,672.65) 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.

S. Harris 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:

2020-192) Authorize the May 2020 budget modifications, interfund loans and interfund transfers as provided in document dated June 2020 and recommended by the Comptroller.

BUDGET MODIFICATIONS

	Fund/ Department #	Fund / Department Name	Increase	Decrease
2020				
14	A-960-1920.4000	Muni Assoc Dues - Contractual	1,359.99	
	A-960-1620.4000	Building - Contractual		1,359.99
	To modify the budget for Justice Court 3rd phone and Building Shredder			
15	DB-960-5112.4000	Road Construction - Contractual	72,840.00	
	DB-960-5112.2000	Road Construction - Equipment		2,840.00
	To modify the budget for Partridge Dr CIPP lining & pipe inspection & bypass pump			
16	DB-960-5130.1400	Machinery - DB Highway Police Work	118.62	
	DB-960-5130.1630	Machinery - DB Highway Transfer Station Wk	289.96	
	DB-960-5130.1000	Machinery - Personal Services		408.58
	To modify the budget for repairs on Police Department and Transfer Station vehicles			
17	DB-960-5130.2000	Machinery - Equipment	19,692.00	
	DB-960-5112.2000	Road Construction - Equipment		19,692.00
	To modify the budget for Purchase of Hot Jetter Trailer			
18	DB-960-9050.8000	Unemployment Insurance	418.75	
	DB-960-9030.8000	Social Security		418.75
	To modify the budget for Unemployment Insurance Payment for Kelly, Secor			
19	SWC1-960-8340.1100	Route 20 Water - Overtime	0.03	
	SWC1-960-8340.1000	Route 20 Water - Personal Services		0.03
	To modify the budget for employee OT work in district			

20	A-960-1220.1100	Supervisor - Overtime	240.24	
	A-960-1220.1000	Supervisor - Personal Services		240.24
	To modify the budget for Dawn Kelly work collecting Battiste water survey			
21	A-960-5112.1400	Road Construction - DB Highway Police Work	49.86	
	A-960-5112.4000	Road Construction - Contractual		49.86
	To modify the budget for S. Larsen gutter work at Police Station			
22	DB-960-5130.1400	Machinery - DB Highway Police Work	210.88	
	DB-960-5130.1000	Machinery - Personal Services		210.88
	To modify the budget for repairs on Police Department vehicles			
23	DB-960-5140.1400	Brush & Weeds - Police Work	897.48	
	DB-960-5140.1411	Brush & Weeds - Police Work OT	186.98	
	DB-960-5140.1600	Brush & Weeds - Town Hall Work	398.88	
	DB-960-5140.1000	Brush & Weeds - Personal Services		1,483.34
	To modify the budget for S. Larsen gutter work at Police Station and Town Hall			
24	SS6-960-8130.1008	Personal Services - Dunkin Donuts	-	
	SS6-960-8130.1108	Personal Services - Dunkin Donuts OT	89.27	
	SS6-960-8130.4008	Contractual - Dunkin Donuts	3,737.48	
	SS6-960-9030.8008	Social Security - Dunkin Donuts	6.83	
	SS6-960-9060.8008	Hospital & Medical Benefits - Dunkin Donuts		
	SS6-509-5031.9999	Exit 10 Sewer - Sewer Charges	3,833.58	
	To modify the budget for reimbursement of Dunkin Donut expenditures			
25	SW2a-960-8310.4000	Inglewood Water - Contractual	106.00	
	SW2a-960-1990.4000	Inglewood Water - Contingency		106.00
	To modify the budget for July Admin fee for NYSEFC DWSRF #17357 bond			

INTERFUND LOANS

	Fund/ Department #		Debit	Credit
2020				
26	A-391	Due from Other Funds	30,000.00	
	A-200	General Fund - Cash		30,000.00
	H047-200	Battiste Water Extension - Cash	30,000.00	
	H047-630	Battiste Water Ext. - Due to Other Funds		30,000.00
	To Transfer Funds from A to Cap. Proj. H047-Battiste Water Extension Preliminary Project costs			
	5 Ayes 0 Noes. MOTION CARRIED. Ayes – J. Bult, M. Kenney, S. Swartz, T. Rex, D. Harris. Noes – 0.			

Open Discussion

National Grid: S. Harris explained that an email had been received from National Grid requesting the Town to grant an easement to install a pole at the old town hall location of 1777 Columbia Turnpike. The pole would be strictly for an anchor point and added that a resolution would be needed for the board to approve the easement. C. Swartz asked where the pole would be located. D. Kelly said in the northern corner of the property. It was the intention of National Grid to run poles from the sewer station on Columbia Turnpike, down to the site of the Amazon Distribution Center to run three phase power. C. Swartz was concerned that the installation of the pole could hinder future sale of the property. D. Kelly said the pole would be in the corner of the property and should have no effect on setbacks. C. Swartz asked Atty. Langlois if he saw any legal issues with the installation. Atty. Langlois assured him that the location of the pole was well within the setback but advised the easement documents to be reviewed to ensure there would be no issue. Following a brief discussion, it was the consensus of the board to add resolution 2020-193 authorizing the Supervisor to sign the easement agreement pending the approval of the Town Attorney.

Cooling Tower: S. Harris informed the board that an issue had occurred with the motor on the cooling tower. D. Kelly had heard the unit attempting to start but having no success. She threw the breaker to prevent the motor from seizing and immediately called ESCO. They reported the following day and found that a fuse had blown within the unit. He assured the board that the unit was running normally but advised that if the motor were to break, no replacement would be available due to its age. He added that it had been brought to his attention of employees adjusting the thermostats up and down throughout the day, which could cause damage to the cooling tower. C. Swartz said, if needed, the thermostats should be locked to prevent the issue from continuing.

Early Voting: C. Bult asked if the building would be unlocked during the hours for early voting. The Town Clerk said, per the Supervisor, the building would remain locked and the election inspectors would be responsible to let voters in. C. Bult asked if there were any conflicts by moving the early voting from the second-floor conference room to the first-floor court room. D. Kelly said there was a Planning Board meeting scheduled for Monday, June 15th in the court room. She said the Town Clerk had contacted J. Scofield of the Rensselaer County Board of Elections who felt there should be no issue moving the voting into the hall. He noted the voting ended at 8:00 p.m. which would only require them to operate in the hall for about an hour. C. Bult felt it would be too cramped for them to operate in the hall and asked if they could conduct the voting in the kitchen. D. Kelly said there would not be enough room to give privacy to those voting.

Staff Returning to Work: C. Bult had noticed that Karen Vecchione was not on the list of remaining employees who would be returning to work on June 15th. He asked why she was not included. The Town Clerk said, as she had limited exposure to other employees by working in the basement/vault, she had been reporting to work the entire time.

Adoption of Resolution

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

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:

2020-193) Authorize the Supervisor to execute an easement in favor of National Grid for the property at 1777 Columbia Turnpike, subject to Attorney approval.
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 06/11/20 Town Board meeting at 7:41 p.m., seconded by C. Swartz. Meeting adjourned.

Respectfully Submitted,

Debra L. Curtis
Schodack Town Clerk

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