

**DATE:** JULY 27, 2021

**KIND OF MEETING:** PUBLIC MEETING

**WHERE HELD:** SCHODACK TOWN HALL

**CLERK:** DEBRA L. CURTIS

**PRESIDING OFFICER:** DAVID B. HARRIS

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

**MEMBERS ABSENT:**

**ATTORNEY:** CHRISTOPHER LANGLOIS, ESQ.

**COMPTROLLER:** PAUL HARTER

**OTHER PRESENT:** RICHARD LABERGE, LABERGE ENGINEERING &  
CONSULTING GROUP  
BEN SIDEN, LABERGE ENGINEERING & CONSULTING  
GROUP

---

Supervisor Harris called the July 27, 2021 Special Town Board Meeting to order at 5:00 p.m. with the Pledge of Allegiance and dispensed with roll call.

### **Briefing of Agenda**

The Supervisor summarized resolution 2021-186 on the agenda. He noted, by allocating American Rescue Plan Act (ARPA) funds to the Battisti Water District, the town would be eligible for a larger award for the CDBG grant. R. Laberge added that by pledging funds to Battisti, an added \$250,000.00 could potentially be awarded. He said, in the event the NY Water Grants were released and won by the town, the ARPA funds would not be needed.

**Board Comment:** None.

**Public Comment:** None.

### **Adoption of Resolution**

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

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 A WITHDRAWN resolution is so noted and italicized.**

C. 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:**

**2021-186)**

**WHEREAS**, the U.S. Housing and Community Development Act of 1974 (P.L. 93-383), as amended, provides for the development of viable urban communities by providing decent housing and suitable living environment and expanding economic opportunities, principally for persons of low and moderate income; and

**WHEREAS**, said Act authorizes the Secretary of Housing and Urban Development (HUD), through the New York State Office of Community Renewal to make grants to units of general local government to help finance Community Development Programs under Section 103 (a)(1) of Title I; and

**WHEREAS**, under said legislation, eligible applicants in the case of municipalities, are required to authorize an official representative to file the application and to provide the Secretary with certain assurance of compliance with applicable laws and regulations under Title I of said Acts; and

**WHEREAS**, The Town of Schodack is seeking to establish a new water district to serve in place of an existing private water service area commonly referred to as "The Battisti Subdivision". The private water system, which provides water to 53 parcels, has been abandoned by its previous owner to the New York State Department of Public Service and needs extensive repairs and upgrades. The area to be served by the Battisti Drinking Water Improvement Project is predominantly classified as low- income and carries and LMI rate of 53.9%.; and

**WHEREAS**, the requested funding will be used to connect the parcels in the Battisti Subdivision to Clearview Water District No. 1, which is municipally owned. Connecting these parcels to the municipal system will allow for the abandonment of the aging infrastructure in the district. The proposed project will improve water quality, pressure, operation, and maintenance, providing for the long term health and safety of the users.

**WHEREAS**, the Town of Schodack has received its first payment under the American Rescue Plan Act; and

**WHEREAS**, the Coronavirus State and Local Fiscal Recovery Funds guidance set forth by the United States Treasury specifically allows for the utilization of said funds to make necessary investments in water, sewer, or broadband infrastructure.

**NOW, THEREFORE, BE IT RESOLVED**, by the Members of the Board of the Town of Schodack that \$100,000 of the ARPA funds received by the Town of Schodack shall be dedicated as a match to the funds received and/or appropriated by the NYS Office of Community of Renewal upon award of the 2021 Program Year application; and

**BE IT FURTHER RESOLVED**, that the Supervisor is hereby authorized to execute an agreement as such upon award of said grant to assist the residents of the

Battisti Subdivision in meeting the health, safety and welfare goals of this most necessary and needed infrastructure project.

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

### **Open Discussion**

R. Laberge and B. Siden of the Laberge Group gave an overview of two maps, plans and reports which had been submitted for Route 9 Water Improvements and Sewer District No. 6 Schodack Wastewater to Castleton-On-Hudson. Relating to both projects, Mr. Laberge said a preliminary engineering report had been completed; however, both would need environmental studies to be conducted including flagging of wetlands, archeological and endangered species assessment, soil probes and SEQRA. These environmental studies would allow Laberge to better determine potential costs for each project. Regarding the Route 9 Water, Mr. Laberge noted a location, based on ground elevation, would be needed for the water storage tank. He said a few sites had been found to be suitable, but the cost would determine the best location. In relation to Sewer District No. 6, Mr. Laberge advised the board to speak with the Village of Castleton regarding redirecting effluent from East Greenbush to their facility. He noted the Castleton Sewer Plant had an available capacity of 100,000 gallons but he was unsure if they had an intended use. He recommended consulting the engineer for Castleton of any expansion of the system based upon the improvements which were being completed at the plant. Based on the need for additional work to be done for each project, Mr. Laberge advised the board to consider entering into an intermunicipal agreement with Rensselaer County as they would also benefit from these improvements. B. Siden said he would work with Atty. Langlois to draft the agreement. C. Swartz mentioned that when Sewer District No. 1 was constructed, the project budget was extended with the discovery of rock closer to the surface than anticipated. He asked how Laberge intended to prevent this from reoccurring. Mr. Laberge said spacing between soil probes could be decreased but would be an added cost. He added that even though rock had been found, the construction of Sewer District No. 1 still finished on budget. C. Kenney stressed the importance of the accuracy of the cost estimate for the two projects to remain fiscally conservative. Mr. Laberge agreed and noted the costs would include a five percent inflation rate to ensure accuracy.

S. Harris requested an update on the Generic Environmental Impact Statement (GEIS) being conducted by Rensselaer County from Routes 9&20 south on Route 9 to the county line. Mr. Laberge said the board had given the authorization to participate in the county assessment; however, no funds had been expended and only a few parcels had been evaluated as the original concept was only site specific.

Mr. Laberge informed the board that he had spoken to Ken Holmes regarding the damage to the bridge to the town gravel bank (Town Hall Way). He said K. Holmes was coordinating with Keller Construction to clear the area by removing trees and the survey crew from the Laberge Group had visited the site to assess the feasibility for placing a temporary bridge. Mr. Laberge added that he, along with K. Holmes, met with NYS DEC and the Army Corp. of Engineers regarding permits for a one lane light-duty bridge and reinforcement of the banks of the creek where erosion had occurred along NY Route 150. During the meeting, the Army Corp. of Engineers requested a plan for the temporary bridge as well as a calculation of the

material needed to be placed in the flood plan for a roadway to the bridge. C. Bult asked if there was a way to fast track the permitting process to construct a permanent bridge to the gravel bank. He noted the site was not only used to store materials for road construction but also housed the town well field. He was concerned that the competitive bidding process would delay the construction. Mr. Laberge said it was not possible to streamline the process. He stated they were moving forward with the permits for the temporary bridge which would grant access to the gravel bank in the interim. He noted that the previous bridge may not have been permitted by NYS DEC and research would need to determine the best design, potentially driving up the cost.

Mr. Laberge notified the board that the Planning Grant for East Schodack Sewer District No. 5 had been completed and would be submitted on July 30<sup>th</sup>. S. Harris asked if the potential for extending the district along NY Route 150 to connect to Sewer District No. 6 was still being considered. Mr. Laberge explained that the planning grant, if awarded, would include recommendations for disinfecting the effluent (utilizing a chlorinator and dechlorinating unit or UV light) or bypassing the plant all together and connecting into Sewer District No. 6.

### **ADJOURNMENT**

As there was no further business before the Board, C. Bult made a motion to adjourn the 07/27/21 Town Board meeting at 5:33 p.m., seconded by C. Kenney. Meeting adjourned.

Respectfully Submitted,

Debra L. Curtis  
Schodack Town Clerk